



# Minutes

## County of Lake Board of Supervisors

### OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD MARCH 13, 2007

The Honorable Board of Supervisors of Lake County, California, met in regular session this 13<sup>th</sup> day of February, 2007, there being present Supervisors Ed Robey, Denise Rushing, Rob Brown, Anthony Farrington, Jeff Smith, Administrative Officer Kelly Cox, County Counsel Anita Grant, and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:00 a.m. by Chair Smith. Following a moment of silence, Chuck March led the salute to the flag of the United States of America.

1. **ITEM A-3 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Robey and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-19, with the exclusion of C-13, which was taken up directly after the Consent Agenda.

Approved Minutes of the Board of Supervisors meetings held on February 20 and 27, 2007.

Adopted Proclamation commending Marv Butler for his years of services as District 3 Planning Commissioner.

Adopted Proclamation designating Saturday April 21, 2007, as the Black Forest Fire Prevention Project Day.

Adopted Resolution No. 2007-39 expressing support for the Lower Lake Parade and Barbeque in the community of Lower Lake, to be held on May 27, 2007.

Waived the 900 hour limit for extra-help Office Assistant I James Emenegger.

Adopted Resolution No. 2007-40 amending Resolution No. 2007-3 establishing position allocations for Fiscal Year 2006-2007, Budget Unit No. 4011 - Public Health (transferring the Health Education Program Coordinator position from Bargaining Unit 4 into Bargaining Unit 3, as recommended by the Reclassification Committee).

Approved request to terminate contract with Phoenix Programs (Anka Behavioral Health) and authorized Chair to sign letter of termination for the reasons stated in the Mental Health Director's memorandum to the Board of Supervisors dated March 23, 2007.

(A) Adopted Resolution No. 2007-41 appropriating unanticipated revenue (received from grant award from the State of California Alcohol and Drug Programs in the amount of \$153,995) to develop and implement a dependency drug court in Lake County Superior Court, Department Two - Budget Unit 4015 - Alcohol and Other Drug Services (AODS); and (B) adopted Resolution No. 2007-42 amending Resolution No. 2006-164 establishing position allocations for Fiscal Year 2006-2007, Budget Unit No. 4015 - Alcohol and Other Drug Services (adding one Substance Abuse Counselor I/II position and adding one Mental Health Case Manager I/II position).

Approved Contract between the County of Lake and Sunrise Special Services Foundation for the preparation of a five-year plan for the development of appropriate housing alternatives for persons living with a mental illness, in the amount of \$20,000, and authorized the Chair to sign.

Adopted Resolution No. 2007-43 in support of the comprehensive Multi-Agency Juvenile Justice Plan and application to be submitted to the California Corrections Standards Authority, and authorized Chair to sign.

Adopted Resolution No. 2007-44 authorizing the Public Services Department to submit an application to the California Integrated Waste Management Board for a local government waste tire cleanup and amnesty event grant application for Fiscal Year 2006/2007.

Approved plans and specifications for pavement rehabilitation and drainage improvements for Gaddy Lane, State Street to Soda Bay Road, and authorized the Assistant Purchasing Agent to advertise for bids.

Waived the 900 hour limit for extra-help Eligibility Worker II Tami Tucker.

Accepted dedication and conveyance of mainline water extension, for the purpose of providing water service, Crystal Lake Properties, LLC, located at 441 Crystal Lake Way, Lakeport - APN 028-261-01, and directed Clerk to certify for recordation.

Approved claims for payment of excess proceeds from Tax Sale #SB1 per Section 4675 of the Revenue and Taxation Code, as recommended in Memorandum dated February 28, 2007, from Treasurer-Tax Collector Sandra Kacharos.

Approved claims for payment of excess proceeds from Tax Sale #144A per Section 4675 of the Revenue and Taxation Code, as recommended in Memorandum dated February 28, 2007, from Treasurer-Tax Collector Sandra Kacharos.

Approved claims for payment of excess proceeds from Tax Sale #144 (Second Group) per Section 4675 of the Revenue and Taxation Code, as recommended in Memorandum dated February 28, 2007, from Treasurer-Tax Collector Sandra Kacharos.

Sitting as the Board of Directors of the Lake County Sanitation District, accepted dedication and conveyance of mainline sewer extension, for purpose of providing sewer service, Crystal Lake Properties, LLC, located at 441 Crystal Lake Way, Lakeport, APN 028-261-01, and directed Clerk to certify for recordation.

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2. **CITIZEN'S INPUT** - Joan Moss spoke regarding a possible misunderstanding of her comments at the last Board meeting.
3. **ITEM A-14 - Advanced From March 6, 2007 - AN ORDINANCE ESTABLISHING ISSUANCE OF MEDICAL MARIJUANA IDENTIFICATION CARDS UNDER THE COMPASSIONATE USE ACT OF 1996 AND THE MEDICAL MARIJUANA PROGRAM ACT SENATE BILL 420, AND TO ESTABLISH FEES ASSOCIATED WITH DISPENSATION OF THE MEDICAL MARIJUANA IDENTIFICATION CARD - (SECOND READING)** - Supervisor Brown offered Ordinance No. 2819, and it was passed by a roll call vote (5 ayes).
4. **ITEM C-13 - CONSIDERATION OF AGREEMENT BETWEEN THE COUNTY OF LAKE AND PESTMASTER SERVICES OF LAKE AND MENDOCINO COUNTY FOR VEGETATION CONTROL ON VARIOUS COUNTY ROADS, IN THE AMOUNT OF \$40,000, AND AUTHORIZE THE CHAIR TO SIGN** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved Agreement between the County of Lake and Pestmaster Services of Lake and Mendocino County for vegetation control on various County roads, in the amount of \$40,000, and authorized the Chair to sign.
5. **ITEM A-12 - Continued From January 9, 16 and 23 and February 13 and 27 2007 CONSIDERATION OF APPLICATIONS FROM MEMBERS OF THE PUBLIC FOR APPOINTMENT TO MISCELLANEOUS LAKE COUNTY COMMITTEES, COMMISSIONS AND ADVISORY BOARDS** - On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Ronald Nagy to the Audit Committee, for a term expiring January 1, 2009.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), appointed Bill Knoll to the Countywide Parks and Recreation Advisory Board, for a term expiring January 1, 2009.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Ronald Nagy to the Emergency Medical Care Committee, Consumer-Interest Group category, for a term expiring January 1, 2009.

At the request of Supervisor Rushing, the appointments of the Spring Valley CSA #2 Advisory Board was carried over to March 20, 2007.

7. **ITEM A-5 - Continued from February 13, 2007 - 9:15 A.M. - PUBLIC HEARING - APPEAL OF DALLAS AND THERESA WOLL (AB 06-03) OF THE PLANNING COMMISSION'S DENIAL OF USE PERMIT (UP 06-05) TO ALLOW FOR THE CONTINUED OPERATION OF AN EXISTING PORTABLE CHEMICAL TOILET AND SEPTIC SERVICE BUSINESS WHICH IS CURRENTLY OPERATING IN AGRICULTURAL ZONING IN VIOLATION OF THE LAKE COUNTY ZONING ORDINANCE; PROPERTY IS LOCATED AT 6584 JACOBSEN ROAD, KELSEYVILLE, CALIFORNIA (APN 007-014-04)** - Community Development Director Rick Coel, Associate Planner Kevin Ingram, Dallas Woll, Stephen Schmid, Victoria Brandon and Janet Cawn were sworn in by the Clerk.

Mr. Ingram gave a brief summary.

Mr. Schmid and Mr. Woll gave testimony.

Chair Smith opened the public hearing and the following people spoke: Donna Webb and Janet Cawn. No one else was present wishing to speak and the public hearing was closed.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Robey NO), denied the appeal and directed County Counsel to prepare Findings of Fact.

After a short break, the Board reconvened at 10:43 a.m.

8. **ITEM A-7 - 10:30 A.M. - (a) DISCUSSION/CONSIDERATION OF COUNTY SUPPORT FOR THE IMPLEMENTATION OF A LAKE COUNTY COURT APPOINTED SPECIAL ADVOCATE (CASA) PROGRAM; and (b) DISCUSSION/CONSIDERATION TO APPOINT APPROPRIATE COUNTY STAFF TO ASSIST IN THE START-UP AND PREPARATION OF GRANT FUNDING APPLICATIONS FOR STATE FUNDING FOR THE CASA PROGRAM IN LAKE COUNTY** - Supervisor Farrington gave a brief summary.

Chair Smith asked if anyone present wished to speak and the following persons spoke: Robert Wiley, Joan Reynolds and Joan Moss. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Brown and by vote of the Board (5 ayes), directed Supervisor Farrington to move forward with his request.

9. **ITEM A-6 - 10:00 A.M. - CONSIDERATION OF REQUEST FOR BOARD DIRECTION CONCERNING COUNTY PARTICIPATION IN THE WAIVER OF WORK REQUIREMENTS FOR FOOD STAMPS RECIPIENTS WHO ARE ABLE-BODIED ADULTS WITHOUT DEPENDENTS** - Social Services Director Carol Huchingson and Deputy Social Services Director Patricia Shuman were present.

Ms. Shuman gave a brief summary.

Chair Smith asked if there was anyone present wishing to speak and the following people spoke: Janet Cawn, Tiffany Revelle, Thomas Wall, Gary Lewis. No one else was present wishing to speak and the public portion of this item was closed.

There was no Board action taken on this item; consequently the County will participate in the waiver of work requirements.

10. **ITEM A-8 - 11:00 A.M. - PRESENTATION OF PROCLAMATION COMMENDING MARV BUTLER FOR HIS YEARS OF SERVICES AS DISTRICT 3 PLANNING COMMISSIONER** - Supervisor Rushing read the Proclamation into the record and presented it to Marv Butler. Each of the Board members commended and thanked Mr. Butler for his outstanding service to the County.

Marv Butler and Gary Lewis spoke.

11. **ITEM A-9 - 11:15 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING SATURDAY APRIL 21, 2007, AS THE BLACK FOREST FIRE PREVENTION PROJECT DAY** - Supervisor Brown read the proclamation into the record.

The proclamation was presented to Joel Witherell.

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12. **ITEM A-15 - (a) PROPOSED CONTRACT BETWEEN THE COUNTY OF LAKE AND TOSHIBA BUSINESS SOLUTIONS FOR RENTAL OF DIGITAL PHOTOCOPY MACHINES; and (b) PROPOSED AGREEMENT BETWEEN THE COUNTY AND TOSHIBA BUSINESS SYSTEMS FOR PROVISION OF TONER CARTRIDGES** - Deputy Administrative Officer Jeff Rein gave a brief summary.

Supervisor Farrington was absent at 12:08 p.m.

On motion of Supervisor Robey and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved contract for rental of digital photocopy machines, and authorized the Chair to sign.

On motion of Supervisor Robey and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved agreement for provision of toner cartridges, and authorized the Chair to sign.

Supervisor Farrington was present at 12:12 p.m.

The board adjourned and convened as the Board of Directors of Lake County Watershed Protection District

13. **ITEM A-13 - CONSIDERATION OF APPROVAL OF OUT-OF-STATE TRAVEL FOR WATER RESOURCES PROGRAM COORDINATOR CAROLYN RUTTAN TO COEUR D'ALENE, IDAHO, FROM MARCH 25-27, 2007, TO ATTEND ANNUAL CONFERENCE OF THE WESTERN AQUATIC PLANT MANAGEMENT SOCIETY (APPROXIMATE COST OF \$500)** - On motion of Director Robey and by vote of the Board (4 ayes, Director Brown NO), approved out-of-state travel for Water Resources Program Coordinator Carolyn Ruttan to Coeur d'Alene, Idaho, from March 25-27, 2007, to attend annual Conference of the Western Aquatic Plant Management Society (approximate cost of \$500).

The Board of Directors adjourned and reconvened as the Board of Supervisors.

14. **ITEM A-16 - CLOSED SESSION** - 1. Conference with Labor Negotiator (a) County Negotiators : A. Grant and M. Perry (b) Employee Organization: LCEA 2. Sitting as the Board of Directors of the Lake County IHSS Public Authority: Conference with Labor Negotiator (a) Agency Negotiator: F. Buchanan (b) Employee Organization: United Domestic Workers of America - Chair Smith announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session with no action taken.

There being no further business, the Board adjourned at 12:30 p.m.

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Chair - Lake County Board of Supervisors

KELLY F. COX  
Clerk of the Board

By: \_\_\_\_\_  
Mireya G. Turner  
Assistant Clerk of the Board