



MINUTES

COUNTY OF LAKE

BOARD OF SUPERVISORS

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD NOVEMBER 20, 2007

The Honorable Board of Supervisors of Lake County, California, met in Regular Session this 20th day of November 2007, there being present Supervisors Ed Robey, Denise Rushing, Anthony Farrington, Rob Brown, and 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, County Counsel Anita Grant led the salute to the flag of the United States of America.

1. **ITEM A-1 - 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-13. Consent Agenda Item C-4 was reopened later in the day.

Adopted Proclamation designating the month of November 2007, as National Hospice Month in Lake County.

Adopted Proclamation commending Dave Fesmire for his services to the citizens of Lake County.

Approved Agreement between the County of Lake and Middletown Senior Citizens, Inc. for the purpose of providing funding in the amount of \$4,500, for roof repairs to the Middletown Senior Center building and authorized the Chair to sign.

Approved Amendment to 2007/2008 Agreement between the County of Lake and Olga Segal, MD for specialty mental health services and authorized the Chair to sign. (This item was reopened later in the day and an amendment was made.)

Adopted Resolution No. 2007-231, approving "Exhibit E": Certification Against Supplanting Funding Allocated to the County of Lake, Public Health Emergency Preparedness Program, authorizing Health Services Director to sign Public Health Emergency Preparedness Program Funding Grant Agreement, and the submission of said "Exhibit E" to the State of California, Department of Public Health.

(A) Waived the 900-hour limit for extra-help Parks Maintenance worker Thomas Mihalenko; and (B) Waived the 900-hour limit for extra-help Waste Management Weighmaster Dale Vargo.

Approved Agreement between the County of Lake and Doble-Thomas and Associates, Inc. for engineering services for design of a 4-acre park at Riviera Elementary School and authorized the Chair to sign.

Approved Permit to conduct aeronautical activities at Lampson Airport (Steve's Aircraft) and authorized the Chair to sign.

Adopted Resolution No. 2007-232, approving final parcel map and the signing of the final parcel map (Dunseth).

Adopted Resolution No. 2007-233, amending Board of Supervisor's Resolution No. 2004-184 establishing an underground utility district, Main Street, Upper Lake Area, County of Lake.

Appointed Bob Gordon (District 2 Representative) and Tom Carter (District 3 Representative) to the Building Board of Appeals for terms expiring on January 1, 2009.

Sitting as the Board of Directors of the Lake County Sanitation District, accepted Dedication and Conveyance of Mainline Sewer Extension, for public utility purposes, Dave Burns (16300 20th Avenue, Clearlake), and directed Clerk to certify for recordation.

Sitting as the Board of Directors of the Lake County Watershed Protection District, approved Conservation Easement Deeds between the Lake County Watershed Protection District and the State of California Wildlife Conservation Board for six parcels acquired by the County which are located in the Middle Creek Flood Damage Reduction Project Area (APNs 004-021-020, 004-021-21, 004-021-22, 004-021-28, 004-021-31 and 004-022-03) and authorized the Chair to sign.

2. **ITEM A-17 - Advanced From November 13, 2007 - (a) AN ORDINANCE AMENDING CHAPTER 2 OF THE LAKE COUNTY CODE TO REVISE THE MILEAGE REIMBURSEMENT RATE FOR THE BOARD OF SUPERVISORS - (SECOND READING); and (b) AN ORDINANCE AMENDING CHAPTER 2 OF THE LAKE COUNTY CODE TO REVISE THE MILEAGE REIMBURSEMENT RATE FOR GRAND JURORS - (SECOND READING)**- Supervisor Robey offered Ordinance No. 2849, amending Chapter 2 of the Lake County Code to revise the mileage reimbursement rate for Grand Jurors, and it was passed by roll call vote (5 ayes).

Supervisor Robey offered Ordinance No. 2850, amending Chapter 2 of the Lake County Code to revise the mileage reimbursement rate for the Board of Supervisors, and it was passed by roll call vote (5 ayes).

3. **ITEM A-11 - CONSIDERATION OF AN APPOINTMENT TO THE COUNTYWIDE PARKS AND RECREATION ADVISORY BOARD** - On motion of Supervisor Robey and by vote of the Board (5 ayes), appointed Charlotte Griswold to the Countywide Parks and Recreation Advisory Board, for a term expiring January 1, 2009.

4. **ITEM A-12 - UPDATE ON EMERGENCY ACTION TAKEN ON SEPTEMBER 25, 2007 REGARDING WATER DAMAGE REPAIRS AT THE HILL ROAD CORRECTIONAL FACILITY** - On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved continuance of the emergency action taken on September 25, 2007 regarding water damage repairs at the Hill Road Correctional Facility.

5. **ITEM A-10 - DISCUSSION/CONSIDERATION OF PROPOSED RESOLUTION REVISING THE APPROPRIATIONS FOR MENTAL HEALTH SERVICES ACT FOR FISCAL YEAR 2007-2008 FINAL BUDGET, IN THE AMOUNT OF \$151,581, FROM ENDING FUND BALANCE IN FUND 146, BUDGET UNIT NO. 4014 - MENTAL HEALTH** - Mental Health Director Kristy Kelly gave a brief summary.

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Supervisor Farrington offered Resolution No. 2007-234, revising the appropriations for Mental Health Services Act for Fiscal Year 2007-2008 Final Budget, in the amount of \$151,581, from ending fund balance in Fund 146, Budget Unit No. 4014 - Mental Health.

BACK TO CONSENT AGENDA ITEM C-4 - CONSIDERATION/APPROVAL OF AMENDMENT TO 2007/2008 AGREEMENT BETWEEN THE COUNTY OF LAKE AND OLGA SEGAL, M.D. FOR SPECIALTY MENTAL HEALTH SERVICES AND AUTHORIZE THE CHAIR TO SIGN - Mental Health Director Kristy Kelly was present.

The agreement between the County of Lake and Olga Segal, MD, for specialty mental health services, was amended to become effective November 6, 2007.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved Amendment to 2007/2008 Agreement between the County of Lake and Olga Segal, MD, for specialty mental health services, and authorized the Chair to sign.

6. **ITEM A-14 - (a) CONSIDERATION OF REQUEST FOR APPROVAL OF: (a) BUDGET TRANSFER IN THE AMOUNT OF \$15,878 FOR UPGRADE TO CLERK'S MARRIAGE LICENSE SOFTWARE, BUDGET UNIT NO. 1121 - AUDITOR-CONTROLLER; and (b) APPROVE CONTRACT BETWEEN THE COUNTY OF LAKE AND SOUTHTECH SYSTEMS, INC. FOR MARRIAGE LICENSE SOFTWARE SYSTEM** - At the request of the Auditor-Controller Department, this item was carried over to November 27, 2007.

7. **ITEM A-4 - 9:15 A.M. - DISCUSSION/CONSIDERATION OF PROPOSED ORDINANCE AMENDING CURFEWS IN THE COUNTY PARKS (RESTRICTING THE LUCERNE CREEK PARK HOURS FROM DUSK TO DAWN)** - Public Services Director Kim Clymire gave a brief summary.

Chair Smith asked if anyone was present wishing to speak and Donna Christopher spoke. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), waived the reading of the ordinance and had it read in title only. (Clerk so did).

On motion of Supervisor Rushing and by vote of the Board (5 ayes), advanced the ordinance one week to November 27, 2007.

8. **ITEM A-5 - 9:30 A.M. - DISCUSSION/CONSIDERATION OF PROPOSED ORDINANCE GOVERNING ALCOHOL USE IN THE COUNTY PARKS (ELIMINATING THE SUNSET CLAUSE FOR LAKESIDE COUNTY PARK AND TO INCLUDE LAKESIDE COUNTY PARK IN THE PROHIBITION OF ALCOHOL USE)** - Public Services Director Kim Clymire gave a brief summary.

The Board expressed interest in the input of the Sheriff's Department and continued this item to later in the day.

9. **ITEM A-7 - 9:50 A.M. - PRESENTATION OF PROCLAMATION COMMENDING DAVE FESMIRE FOR HIS SERVICES TO THE CITIZENS OF LAKE COUNTY** - Supervisor Brown read the proclamation into the record and presented it to Shirley Fesmire. Many members of the public, as well as the Kelseyville Fire Protection District were present.

10. **ITEM A-6 - 9:45 A.M. - PRESENTATION OF PROCLAMATION DESIGNATING THE MONTH OF NOVEMBER 2007, AS NATIONAL HOSPICE MONTH IN LAKE COUNTY** - Supervisor Rushing read the proclamation into the record and presented it Marlene Kurowski, who spoke.

11. **ITEM A-13 - (a) CONSIDERATION OF PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND JONES MORTUARY FOR MORTUARY SERVICES; (b) AGREEMENT BETWEEN THE COUNTY OF LAKE AND JONES & LEWIS, CLEAR LAKE MEMORIAL CHAPEL FOR MORTUARY SERVICES; and (c) AGREEMENT BETWEEN THE COUNTY OF LAKE AND CHAPEL OF THE LAKES MORTUARY FOR MORTUARY SERVICES** - Sheriff Rod Mitchell was present.

Chair Smith asked if anyone was present wishing to speak and George Leiman of Empire Mortuary spoke. No one else was present wishing to speak and the public input portion of this item was closed.

This item was continued to November 27, 2007, to allow County Counsel to make alterations to the wording of the proposed contracts.

Supervisor Robey was absent at 10:51 a.m. and present at 10:55 a.m.

Supervisor Rushing was absent at 10:51 a.m. and present at 10:57 a.m.

BACK TO ITEM A-5 - 9:30 A.M. - DISCUSSION/CONSIDERATION OF PROPOSED ORDINANCE GOVERNING ALCOHOL USE IN THE COUNTY PARKS (ELIMINATING THE SUNSET CLAUSE FOR LAKESIDE COUNTY PARK AND TO INCLUDE LAKESIDE COUNTY PARK IN THE PROHIBITION OF ALCOHOL USE) - Sheriff Rod Mitchell and Public Services Director Kim Clymire were present.

This item was continued to January 8, 2008, to allow departments to compile data regarding the effect the ordinance has had to date, in the County parks.

12. **ITEM A-16 - CONSIDERATION OF PROPOSED RESOLUTION OF INTENTION TO AMEND SECTION 21-27 AND 21-68 OF THE LAKE COUNTY CODE, AND ADD SECTION 21-71, PERTAINING TO TELECOMMUNICATIONS FACILITIES** -

The Board of Supervisors adjourned and convened as the Board of Directors of the Lake County Sanitation District.

Community Development Director Rick Coel gave a brief summary.

Supervisor Brown offered Resolution No. 2007-235, resolution of intention to amend Section 21-27 and 21-68 of the Lake County Code, and add Section 21-71, pertaining to telecommunications facilities, and it was passed by roll call vote (5 ayes).

The Board of Directors of the Lake County Sanitation District adjourned and reconvened as the Board of Supervisors.

13. **ITEM A-15 - CONSIDERATION OF AMENDMENT NO. 2 TO JOINT OPERATING AGREEMENT BETWEEN THE LAKE COUNTY SANITATION DISTRICT AND CALPINE CORPORATION FOR SUPPORT OF SOLAR FACILITIES INSTALLATION-SOLAR PUMPS PROJECT FOR THE SOUTHEAST GEYSERS EFFLUENT PIPELINE PROJECT** -

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Special Services Director Mark Dellinger, Steve Eney of Northern California Power Agency, Craig Steher and Adam Bowers of SPG Solar were present.

Mr. Dellinger gave the staff report.

Mr. Eney and Mr. Steher gave a power point presentation on the progress of the project.

On motion of Supervisor Robey and by vote of the Board (5 ayes), approved Amendment No. 2 to Joint Operating Agreement between the Lake County Sanitation District and CalPine Corporation for support of solar facilities installation-solar pumps project for the Southeast Geysers Effluent Pipeline Project, and authorized the Chair to sign.

The Board adjourned as the Board of Directors of the Lake County Sanitation District and reconvened as the Board of Supervisors.

After a brief recess, the Board returned at 1:00 p.m.

14. **ITEM A-18 - CLOSED SESSION - 1. Appointment of Public Works Director 2. Public Employee Performance Evaluation: Title: Animal Control Director** - 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, at 1:40 p.m.

15. **ITEM A-8 - Continued From November 6, 2007 - 1:30 P.M. - DISCUSSION OF CODE ENFORCEMENT'S PROCEDURES RELATIVE TO ALLEGED VIOLATIONS, MANAGEMENT OF CASELOAD AND OTHER MISCELLANEOUS ISSUES** - Community Development Director Rick Coel and Code Compliance Manager Voris Brumfield were present.

Ms. Brumfield gave a power point presentation.

Chair Smith asked if anyone was present wishing to speak and the following people spoke: Danielle Huck, Kimberly Young, Jim Henderson, Andre Huck, Joanne Madia, Michelle-Anne Garvey, Donna Christopher, Diane Beestrom, Janet Cawn, Mariel Medrano, John Ingalls, Larry Sexton, Lamonda Jennings, Gail Bennett, Michael Merching, William Nelson, Gloria Huck, Bobbie Meyer, Joshua Huck, and Merch Royce. No one else was present wishing to speak and the public portion of this item was closed.

Supervisor Farrington was absent at 3:04 p.m. and present at 3:07 p.m.

Supervisor Farrington was absent at 3:30 p.m. and present at 3:35 p.m.

There was no board action taken on this item.

16. **ITEM A-18 - CLOSED SESSION - 1. Appointment of Public Works Director 2. Public Employee Performance Evaluation: Title: Animal Control Director** - Chair Smith announced the Board would now go back 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 4:00 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Mireya G. Turner
Assistant Clerk of the Board