



MINUTES COUNTY OF LAKE BOARD OF SUPERVISORS

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD FEBRUARY 26, 2008

The Honorable Board of Supervisors of Lake County, California, met in regular session this 26th day of February, 2008, there being present Supervisors Jeff Smith, Denise Rushing, Rob Brown, Ed Robey, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Georgine Hunt.

The meeting was called to order at 9:03 a.m. by Chair Robey, with Supervisor Farrington absent (Supervisor Farrington was present later in the day). Following a moment of silence, County Administrative Officer Kelly Cox led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved Consent Agenda Items C-1 through C-8 with the exception of Consent Items C-1 and C-6, and will be taken up immediately following the approval of the Consent Agenda.

Adopted Resolution No. 2008-39 authorizing the submission of Waste Tire Enforcement Grant Application Tea 15 (correcting the Fiscal Year date from 2008/2009 to 2007/2008 to the Waste Tire Grant Resolution that was adopted by the Board on January 22, 2008).

Approved Grant Deed and directed Clerk to certify for recordation (a portion of APN 008-010-36 - Stanley W. Bradbury and Ruthie M. Bradbury, Trustees of the Stanley W. Bradbury and Ruthie M. Bradbury, Utd 9/11/1989, a Trust); and approved Purchase Agreement between the County of Lake and Stanley M. Bradbury and Ruthie M. Bradbury for Soda Bay Road Curve Realignment Project and authorized the Chair to sign.

Adopted Resolution No. 2008-40 order approving final parcel map and the signing of the final parcel map (Prather).

Adopted Resolution No. 2008-41 to appropriate unanticipated revenue in the amount of \$115,990 (received from the Office of Traffic Safety) for the purposes of paying the costs associated with the State's Avoid DUI Campaign - Budget Unit No. 2201 - Sheriff/Coroner.

Sitting as the Board of Directors of Lake County Air Quality Management District, authorized the Lake County Air Quality Management District to advertise for applicants to fill two vacancies (one Alternate Public Representative and one Alternate Medical Professional Representative) to serve on the Lake County Air Quality Management District Hearing Board, pursuant to Health and Safety Code Section 40800.

CONSENT ITEM C-1 - CONSIDERATION OF REQUEST TO APPROVE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$1,500 FOR UC SANTA BARBARA BREN SCHOOL OF ENVIRONMENTAL SCIENCE AND MANAGEMENT PROJECT PROPOSAL (CONTINGENT UPON THE PROJECT PROPOSAL BEING ACCEPTANCE BY UC SANTA BARBARA SELECTION COMMITTEE), AS RECOMMENDED IN THE MEMORANDUM DATED FEBRUARY 14, 2008, FROM DEPUTY COUNTY ADMINISTRATIVE OFFICER DEBRA SOMMERFIELD - The Board of Supervisors received a Memorandum dated February 26, 2008, from Assistant Clerk of the Board Georgine Hunt requesting that this item be pulled from the Consent Agenda for further discussion. The funds proposed to support this project included a stipend of \$7,200 to fund four full-time students and \$1,500 in-kind for accommodations during the three week period. However, the request for approval of the stipend in the amount of \$7,200 was inadvertently omitted from today's agenda. The total amount of funds being requested for this project is \$8,500.

Deputy County Administrative Officer, Economic Development Debra Sommerfield was present.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved the request as amended, for expenditure of funds in the amount of \$8,500, which includes a stipend of \$7,200 to fund four full-time students and \$1,500 in-kind for accommodations during the three week period.

CONSENT ITEM C-6 - CONSIDERATION OF REQUEST TO APPROVE THE CHANGE IN IHSS PUBLIC AUTHORITY RATE TO \$10.05 PER HOUR (WAGE RATE OF \$8.33, HEALTH BENEFITS OF \$0.06, PAYROLL TAXES \$0.92 AND ADMINISTRATIVE COST OF \$0.21) TO SUPPORT THE APPROVED MEMORANDUM OF UNDERSTANDING BETWEEN THE CALIFORNIA UNITED HOMECARE WORKERS UNION AND THE LAKE COUNTY IHSS PUBLIC AUTHORITY - Supervisor Smith requested that this item be pulled from the Consent Agenda for further discussion.

Supervisor Smith stated that the rates listed on the agenda for health benefits of \$0.06 and payroll taxes of \$0.92 are incorrect. The rate for health benefits should be amended to \$0.60 and the rate for payroll taxes should be amended to \$0.91. The total rate amount of \$10.05 for IHSS Public Authority is stated correctly.

Chair Robey asked if anyone was present wishing to speak and Mr. John Roddy spoke. No one else was present wishing to speak and the public portion of this item was closed.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved as amended, the change the in IHSS Public Authority rate to \$10.05 per hour (wage rate of \$8.33, health benefits of \$0.60, payroll taxes \$0.91 and administrative cost of \$0.21) to support the approved Memorandum of Understanding between the California United Homecare Workers Union and the Lake County IHSS Public Authority.

2. **ITEM A-3 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**

EXTRA #1 - CONSIDERATION OF REQUEST REGARDING THE SUBMISSION OF FEDERAL APPROPRIATION REQUESTS TO SENATORS FEINSTEIN AND BOXER FOR MT. KONOCTI PROPERTY ACQUISITIONS - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved taking up this item due to the fact that the need arose after to posting of today's agenda.

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Public Services Director Kim Clymire was present.

This item was considered as an extra for the following reason:

On Friday, February 22, 2008, Public Services Director Kim Clymire learned that Senators Feinstein and Boxer are requiring written support from the Board of Supervisors for any County requests for federal appropriations for Fiscal Year 2009. The requests are due this Friday, February 29, 2008. The next available agenda is March 4, 2008.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), approved the submission of federal appropriation requests to Senators Feinstein and Boxer for Mt. Konocti property acquisitions.

The Board of Supervisors adjourned and convened as the Board of Directors of Lake County Redevelopment Agency.

3. **ITEM A-5 - 9:15 A.M. - DISCUSSION/CONSIDERATION OF REQUEST FOR APPROVAL OF THE RELOCATION PLAN FOR RESIDENTS CURRENTLY LIVING ON CLARK'S ISLAND (12565 EAST HIGHWAY 20, CLEARLAKE OAKS, CA - APN 035-240-03)** - Administrative Analyst Doug Willardson was present and gave a brief overview of the Relocation Plan.

Director Rushing offered Resolution No. 2008-03 (RD) (adopting the Clark's Island Relocation Plan) and it was passed by a roll-call vote (4 ayes, Director Farrington ABSENT).

The Board of Directors of Lake County Redevelopment Agency adjourned and reconvened as the Board of Directors of Kelseyville County Waterworks District #3.

4. **ITEM A-12 - CONSIDERATION OF APPROVAL OF OUT-OF-STATE TRAVEL FOR SPECIAL DISTRICTS ADMINISTRATOR MARK DELLINGER AND TWO BOARD MEMBERS TO WASHINGTON, DC, FROM MARCH 31 THROUGH APRIL 3, 2008, TO SEEK FEDERAL FUNDING FOR KELSEYVILLE WASTEWATER TREATMENT PLANT IMPROVEMENTS** - After a brief discussion by the Board, it was determined that before action could be taken, Supervisor Farrington needed to be present.

This item was continued later in the day for further consideration.

5. **ITEM A-6 - 9:30 A.M. - PRESENTATION BY SOCIAL SERVICES DIRECTOR REGARDING THE COMPLETED UPDATE TO THE LAKE COUNTY CHILDREN'S REPORT CARD** - Social Services Director Carol Huchingson and Grant Writer Karen MacDougall were present and each of them presented a brief overview of the updates that were made to the Children's Report Card.

There was no action taken on this item.

The Board of Directors of Kelseyville County Waterworks District #3 adjourned and reconvened as the Board of Supervisors.

After a short recess, the Board reconvened at 10:05 a.m.

7. **ITEM A-7 - 10:00 A.M. - DISCUSSION/CONSIDERATION OF PROPOSED RESOLUTION AUTHORIZING SUPPORT OF ASSEMBLY BILL 547 (A SYRINGE EXCHANGE PROJECT TO COMBAT THE SPREAD OF HIV AND BLOOD-BORNE HEPATITIS INFECTIONS)** - Health Director Jim Brown and Health Officer Craig McMillan were present.

Mr. Brown gave a brief overview of Assembly Bill 547. The requirements of AB 547 are that elected officials of counties and cities may authorize Syringe Exchange Programs (SEP), which would be contingent upon consultation with the California Department of Health Services, per Health and Safety Code Section 12149.1. Under this code, the local Health Officer must present annually at an open meeting of the Board of Supervisors a report detailing the status of the SEP's, including statistics on blood-borne infections associated with needle sharing activity. A static report on known cases of HIV/AIDS and communicable diseases in Lake County was also presented.

Mr. McMillan gave a brief overview of the syringe exchange project and the benefits the program would have to public health in Lake County. This program would offer comprehensive health and social service in conjunction with needle exchange for injection drug users who might not otherwise access such services, including referrals to a substance abuse treatment. Clients also receive prevention education about Hepatitis C Virus (HCV), Human Immunodeficiency Virus (HIV) and sexually transmitted diseases, and learn harm reduction practices such as safer injection practices and abscess prevention and care. Most Syringe Exchange Programs provide onsite counseling and testing for HCV and/or HIV. Many offer Hepatitis A and B immunization and some even deliver onsite medical care.

Chair Robey asked if anyone present wished to speak on this item and the following persons spoke: Jeff Ott, Dennis Eucalypts, John Pavoni, Bob Gardner, Tom Jordan, June Wilcox, Sandra West and Roberto Faliccianno. No one else was present wishing to speak and the public portion of this item was closed.

Supervisor Rushing offered Resolution No. 2008-42 (authorizing support of a Assembly Bill 547 - A Syringe Exchange Project to combat the spread of HIV and blood-borne Hepatitis infections) and it was passed by a roll-call vote (4 ayes, Supervisor Farrington ABSENT).

The Board of Supervisors adjourned and convened as the Board of Directors of Lake County Air Quality Management District.

8. **ITEM A-8 - 10:45 A.M. - DISCUSSION REGARDING THE CALIFORNIA AIR RESOURCES BOARD AIR TOXICS CONTROL MEASURE FOR STATIONARY AGRICULTURAL CI ENGINES (DIESEL) GREATER THAN 50 HORSEPOWER AND CONSIDERATION OF RECOMMENDATIONS ON IMPLEMENTING THE AIR TOXICS CONTROL MEASURE** - Air Pollution Control Officer Bob Reynolds and Deputy Air Pollution Control Officer Doug Gearhart were present.

Mr. Reynolds and Mr. Gearhart each gave a brief overview of the measure. Mr. Gearhart also presented a power-point presentation.

Chair Robey asked if anyone present wished to speak on this item and the following persons spoke: Mr. Tom Slate, Mr. Chris Ratan, Mr. Paul Lauenroth, Mr. Dave Rosenthal and Mr. David Weiss. No one else was present wishing to speak and the public portion of this item was closed.

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On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington ABSENT), authorized staff to assist the regulated community in completing an application for each engine and when the application is complete deem the application equivalent to having complied with all registration requirements and allow applications to be submitted without charge provided filing is accomplished timely.

A proposed resolution declaring the existing permit system is equivalent to a registration system will be brought back to the Board at a later date for consideration.

The Board of Directors of Lake County Air Quality Management District adjourned and reconvened as the Board of Supervisors.

9. **ITEM A-9 - 11:30 A.M. - PRESENTATION BY SHANNON GUNIER REGARDING THE NEW PROMOTIONAL DVD PRODUCED BY THE LAKE COUNTY WINEGRAPE COMMISSION MARKETING COMMITTEE** - Executive Director of the Lake County Winegrape Commission Shannon Gunier was present and showed the promotional DVD.

There was no action taken on this item.

The Board adjourned for lunch at 11:56 a.m. and reconvened at 1:34 p.m., with Assistant Clerk of the Board Mireya Turner in place of Assistant Clerk of the Board Georgine Hunt.

10. **ITEM A-10 - 1:30 P.M. - DISCUSSION/CONSIDERATION OF THE BOARD OF SUPERVISORS' POSITION REGARDING SUTTER LAKESIDE HOSPITAL'S PROPOSAL TO BECOME A DESIGNATED CRITICAL-ACCESS HOSPITAL** - Health Services Director Jim Brown, Lakeport Fire Captain Bob Ray, Sutter Lakeside Hospital CEO Kelly Mather, Redbud and St. Helena Hospitals Business Development Department Vice President Tricia Williams, Board of Directors President Bill Kearney, Medical Director Diane Pege, MD were present.

Ms. Mather gave an overview of Sutter Lakeside Hospital's (SLH) proposal to become a designated Critical-Access hospital (CAH). SLH has been one of the last financially stable rural hospitals in California. In 2003, the bankruptcy of the Health Plan of the Redwoods realized a \$5 million loss for SLH. The reimbursement for Medicare patients at SLH has dropped significantly. The reduction means that SLH now loses 40% on every Medicare patient it serves. Before the financial impact of the financial losses became severe enough to affect the residents of Lake County, the SLH Board of Directors recommended seeking Critical Access hospital status as the strategy that will best meet the needs of the community, preserve high quality health care and allow growth in the future. The CAH status is offered to rural hospitals of 25 beds or less to ensure that critical healthcare services are available locally. Under the CAH designation, hospitals receive higher reimbursement from Medicare which covers more of the overhead cost of care. Pending the Centers for Medicaid and Medicare Services accreditation, SL will make the designation effective March 7, 2008, as a Critical-Access hospital. Under the CAH designation, SLH will begin to receive higher reimbursement rates for Medicare patients.

Ms. Williams read a prepared presentation regarding the services expected to continue at Redbud and St. Helena Community Hospitals, as well as areas scheduled for improvement and upgrading in the future, in order to increase services available to local patients.

Lakeport Fire Captain Bob Ray spoke.

Health Services Director Jim Brown spoke regarding the position of the County Health Services Department.

After a short recess, the Board reconvened at 3:22 p.m.

Chair Robey asked if anyone present wished to speak on this item and the following persons spoke: Brad Onorato, Kim Beall, Barry Troedell, Liz Fazeli, Denise Sota, Trish Combs, Ruth Andreis, Bob Rumpfelt, Carlton Jacobsen, Mike Lunas, Gene Lovi, Louise Talley, Sharon Scolin, Julie Donahue, Joan Moss, Becky Vreeland, Dick Flowers, Larry Corridon, Debbie Blake, Janet Cawn, Cherie Hensley, Bill Kearney and Tom Lincoln. No one else was present wishing to speak and the public portion of this item was closed.

The Board directed staff to work with Sutter Lakeside and return at a later date with a recommendation to the Board regarding the completion of an independent Lake County Health Needs Assessment.

After a brief recess, the Board returned at 5:12 p.m.

The Board of Supervisors adjourned and convened as the Board of Directors of Kelseyville County Waterworks District #3.

- BACK TO ITEM A-12 - CONSIDERATION OF APPROVAL OF OUT-OF-STATE TRAVEL FOR SPECIAL DISTRICTS ADMINISTRATOR MARK DELLINGER AND TWO BOARD MEMBERS TO WASHINGTON, DC, FROM MARCH 31 THROUGH APRIL 3, 2008, TO SEEK FEDERAL FUNDING FOR KELSEYVILLE WASTEWATER TREATMENT PLANT IMPROVEMENTS** - On motion of Director Farrington and by vote of the Board (4 ayes, Director Brown NO) approved out-of-state travel for Special Districts Administrator Mark Dellinger, Director Farrington and Director Rushing to Washington, DC, from March 31 through April 3, 2008, to seek federal funding for Kelseyville Wastewater Treatment Plant improvements.

The Board of Directors of Kelseyville County Waterworks District #3 adjourned and reconvened as the Board of Supervisors.

There being no further business, the Board adjourned at 5:17 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Georgine Hunt

Assistant Clerk of the Board