



# MINUTES

## COUNTY OF LAKE

### BOARD OF SUPERVISORS

#### OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JANUARY 8, 2008

The Honorable Board of Supervisors of Lake County, California, met in Regular Session this 8<sup>th</sup> day of January 2008, 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 9:03 a.m. by Chair Smith. After a moment of silence Chair Smith led the salute to the flag of the United States of America.

- ITEM A-1 - 9:00 A.M. - (a) ELECTION OF CHAIR AND VICE-CHAIR OF THE LAKE COUNTY BOARD OF SUPERVISORS FOR 2008 (OUTGOING CHAIR CONDUCTS ELECTION OF NEW CHAIR); (b) ELECTION OF CHAIR AND VICE-CHAIR OF THE LAKE COUNTY BOARD OF EQUALIZATION FOR 2008; and (c) ELECTION OF CHAIR AND VICE-CHAIR OF THE LAKE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD OF DIRECTORS FOR 2008** - On motion of Supervisor Brown and by vote of the Board (5 ayes), elected Ed Robey as Chair of the Board of Supervisors.

On motion of Supervisor Brown and by vote of the Board (5 ayes), elected Denise Rushing as Vice-Chair of the Board of Supervisors.

The gavel was passed to Chair Robey

The Board adjourned and reconvened as Board of Directors of Lake County Board of Equalization.

**(B) ELECTION OF CHAIR AND VICE-CHAIR OF THE LAKE COUNTY BOARD OF EQUALIZATION FOR 2007** - On motion of Supervisor Smith and by vote of the Board (5 ayes), elected Denise Rushing as Chair of the Board and Anthony Farrington as Vice-Chair of the Board.

The Board of Directors of Lake County Board of Equalization adjourned and convened as Board of Directors of Lake County In-Home Supportive Services Public Authority.

**(C) ELECTION OF CHAIR AND VICE-CHAIR OF THE LAKE COUNTY IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY BOARD OF DIRECTORS FOR 2007** - On motion of Supervisor Farrington and by vote of the Board (5 ayes), elected Ed Robey as Chair of the Board, and Rob Brown as Vice-Chair of the Board.

The Board of Directors of Lake County In-Home Supportive Services Public Authority adjourned and reconvened as the Board of Supervisors.

- ITEM A-3 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-22.

Approved Minutes of the Board of Supervisors meeting held on December 18, 2007.

Appointed Joy Swartz and Louise Garrison to the Lake County Child Care Planning and Development Council for terms expiring on January 1, 2011.

Adopted Resolution No. 2008-1 approving Amendment #1 to Agreement No. 07-0010 with the State of California, Department of Food and Agriculture for compliance with the Pierce's Disease Contract Program and authorizing execution thereof.

Adopted Resolution No. 2008-2 approving Agreement No. 06-0852 with the State of California, Department of Food and Agriculture and authorizing execution of the contract and signature for insect (LBAM) trapping activities for Fiscal Year 2006/2007.

Approved First Amendment to Agreement between the County of Lake and Gary Ernst for cost report preparation and training in an amount not to exceed \$15,000 and authorized the Chair to sign (funding received from Small Counties Emergency Risk Pool Hardship Grant).

Waived the 900 hour limit for extra-help Legal Secretary Brenda Morgan.

Adopted Resolution No. 2008-3 in support of the Juvenile Justice Development Plan and acceptance of the Youthful Offender Block Grant Program funding to be submitted to the California Corrections Standards Authority.

Approved Agreement between the County of Lake and Quincy Engineering, Inc. for engineering services for the repair of storm damage sites on Robinson Road at PM 0.55 in the amount of \$82,960 and authorized the Chair to sign.

Approved Agreement between the County of Lake and Rau and Associates for engineering services for the repair of storm damage sites on Bartlett Springs Road at PM 21.1 and Elk Mountain Road at PM 33.3, 35.7 and 35.9 in the amount of \$191,589 and authorized the Chair to sign.

Approved plans and specifications for Scotts Valley Bank Repair at PM 4.0. and authorized the Assistant Purchasing Agent to advertise for bids.

Approved Permit to conduct aeronautical activities at Lampson Airport (Air Power) and authorized the Chair to sign.

Approved Letters to Congressman Thompson, Senator Boxer and Senator Feinstein requesting federal legislation to transfer Pre-1988 Trust from Robinson Rancheria land located in the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project and authorized the Chair to sign.

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Approved Commercial Lease Agreement between the County of Lake and Gary Weiser Trustee and Shelley Weiser Trustee for office space located at 4477 Moss Avenue, Clearlake in the amount of \$15,972 for six months, including security deposit and authorized the Social Services Director to sign.

Approved Professional Services Agreement between the County of Lake and the County of Butte, Department of Social Services, for the provision of the Northern California Partnership for Safe and Stable Families for Fiscal Year 2007/2008 and authorized the Chair to sign.

Adopted Resolution No. 2008-4 amending Resolution No. 2007-227, establishing position allocations for Fiscal Year 2007/2008, Budget Unit No. 5011 - Social Services (deleting one vacant Information Systems Coordinator I/II position and adding one Systems Support Analyst Position).

Adopted Resolution No. 2008-5 approving the submittal of a California Department of Public Health funding application for water system improvements to County Service Area No. 2 - Spring Valley.

Adopted Resolution No. 2008-6 authorizing the Special Districts Administrator to sign a Notice of Completion for work performed under agreement dated October 2, 2007 (Quail Trail Bridge Project, County Service Area - CSA No.2 - Spring Valley).

Approved advanced step hiring of extra-help Office Assistant Employee Valerie Murphy (Step 6).

Approved Grant Deed and directed Clerk to certify for recordation (APN 115-003-05 - Richard A. Bucher and Shannon C. Bucher); and approved Purchase Agreement between the County of Lake and Richard C. Bucher and Shannon C. Bucher for Mt. Hannah Emergency Water Tank Replacement Project and authorized the Chair to sign.

Sitting as the Board of Directors of the Lake County Sanitation District, adopted Resolution No. 2008-7 authorizing the Special Districts Administrator to sign a Notice of Completion for work performed under Agreement dated July 24, 2007 (Northwest Regional Wastewater Treatment Plant Effluent Storage Reservoir Dam Outlet Modifications).

Sitting as the Board of Directors of the Kelseyville County Waterworks District #3, in accordance with the State Water Resources Control Board's requirement of the State Revolving Fund Loan Program for Kelseyville Waterworks District #3 Wastewater Treatment Plant Upgrades: (A) Adopted Resolution No. 2008-8 establishing a Wastewater Capital Reserve Fund; and (B) Adopted Resolution No. 2008-9 establishing a Debt Service Fund.

Sitting as the Board of Directors of the Lake County Redevelopment Agency, authorized the expenditure of RDA monies for property acquisition approved by the Board on December 4, 2007 (property located at Foothill Drive/Robin Hood Way in Lucerne - APN 034-044-10).

3. **ITEM A-14 - DISCUSSION/CONSIDERATION OF PROPOSED CONTRACT BETWEEN THE COUNTY OF LAKE AND NORTH VALLEY BEHAVIORAL HEALTH FOR ACUTE PSYCHIATRIC SERVICES IN THE AMOUNT OF \$650 PER BED ON AN AS-NEEDED AND AVAILABLE BASIS (WITH A PROVISION TO AUTOMATICALLY RENEW ANNUALLY)** - Mental Health Director Kristy Kelly gave a brief summary.

This item was continued one week to January 15, 2008.

4. **CITIZEN'S INPUT** - Joan Moss spoke regarding alternative energy.

Habitat for Humanity Director Lisa Willardson spoke regarding the upcoming open house of Habitat for Humanity's 8<sup>th</sup> Lake County home.

Victoria Brandon spoke regarding the upcoming Town Hall Forum on the proposed Blue Ridge Berryessa National Conservation Area.

Monte Winters spoke regarding CSA #21 - Spring Valley, and the HAM Radio emergency communications.

5. **ITEM A-17 - CONSIDERATION OF CHAIRMAN'S RECOMMENDED COMMITTEE ASSIGNMENTS FOR MEMBERS OF THE BOARD OF SUPERVISORS** - Amendments were made to the committee assignments.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the committee assignments for members of the Board of Supervisors, as amended.

6. **ITEM A-6 - 9:30 A.M. - PUBLIC HEARING - INTENTION TO NAME EXISTING UNNAMED ROAD IN LAKE COUNTY (BOGGS LANE) LOCATED WITHIN HOBERG'S PINE SUMMIT ESTATES NEAR THE COMMUNITY OF COBB** - County Surveyor Steve Farr gave a brief summary.

Chair Robey opened the public hearing and the following people spoke: Glenn Bauer, Linda Fraser and Joan Moss. 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 Rushing NO), approved the naming of the existing unnamed road in Lake County as "Boggs Lane", located within Hoberg's Pine Summit Estates, near the community of Cobb.

7. **ITEM A-7 - 9:35 A.M. - DISCUSSION/CONSIDERATION OF PROPOSED CONTRACT BETWEEN THE COUNTY OF LAKE AND ROBINSON RANCHERIA CITIZENS BUSINESS COUNCIL FOR PREVENTION AND EARLY INTERVENTION SERVICES** - Social Services Director Carol Huchingson gave a brief summary.

Chair Robey asked if anyone was present wishing to speak and Robinson Rancheria ICWA Representative Marsha Lee 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), approved Contract between the County of Lake and Robinson Rancheria Citizens Business Council for prevention and early intervention services, and authorized the Chair to sign.

8. **ITEM A-18 - CLOSED SESSION - 1. Public Employee Performance Evaluation Title: Human Resources Director 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: California United Homecare Workers** - Chair Robey announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session at 10:55 a.m. with no action taken.

9. **ITEM A-8 - Continued from November 20, 2007 - 10:30 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 update.
- Chair Robey opened the public hearing and Renee Feliciano spoke. No one else was present wishing to speak and the public hearing was closed.
- A sunset clause was added to the ordinance, to expire one year from the adoption of the ordinance.
- On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington NO), waived the reading of the ordinance, as amended, and had it read in title only. (Clerk so did.)
- On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Farrington NO), advanced the ordinance one week, to January 15, 2008.
10. **ITEM A-9 - Continued from December 18, 2007 - 11:00 A.M. - CONSIDERATION OF PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND HOSPICE SERVICES OF LAKE COUNTY TO PROVIDE FUNDS IN THE AMOUNT OF \$50,000 TO BE USED TOWARD THE HIRING OF A PROFESSIONAL DESIGN FIRM TO COMPLETE A FUNCTIONAL SPACE ANALYSIS TO DETERMINE THE SIZE AND COST OF CONSTRUCTING A NEW HOSPICE SERVICES FACILITY** - Administrative Analyst Jennifer Hammond, Hospice Director Marlene Kurowski, David Neft and Isabelle Brown were present.
- Ms. Kurowski discussed the request for funding and the proposed agreement.
- It was determined that revisions to the proposed agreement were necessary.
- This item was continued to later in the day.
11. **ITEM A-10 - 11:15 A.M. - PUBLIC HEARING - CONSIDERATION OF A PROPOSAL TO CREATE A COORDINATED PERMIT PROGRAM IN LAKE COUNTY, WHICH PROPOSES A SET OF AGENCY AGREEMENTS THAT FACILITATE CONSERVATION WORK ON PRIVATE LANDS** - Community Development Director Rick Coel, Special Projects Coordinator Melissa Floyd, East Lake and West Lake Resource Conservation District Watershed Coordinator Greg Dills and Project Coordinator Linda Juntunen were present.
- After an introduction by Mr. Coel, Ms. Floyd presented the staff summary.
- Chair Robey opened the public hearing and the following people spoke: Natural Resources Conservation Service District Conservationist Korinn Smith and Victoria Brandon. No one else was present wishing to speak and the public hearing was closed.
- On motion of Supervisor Smith and by vote of the Board (5 ayes), found that on the basis of the Initial Study IS 07-35 prepared by the Planning Division and the mitigation measures which have been added to the project that the grading permit as applied for by East Lake and West Lake RCDs and NRCS will not have a significant effect on the environment and therefore adopted a mitigated negative declaration with the findings listed in the memorandum dated November 21, 2007.
- Supervisor Smith offered Resolution 2008-10, and it was passed by roll call vote (5 ayes).
- After a lunch recess, the Board reconvened at 1:30 p.m.
12. **ITEM A-11 - 1:30 P.M. - PUBLIC HEARING - CONSIDERATION OF PROPOSED USE PERMIT MODIFICATION RELATED TO GROUNDWATER MONITORING REQUIREMENTS AND UPDATE CONCERNING HILLTOP RECOVERY (FORMERLY KNOWN AS PERSONAL SUPPORT GROUP (PSG)) USE PERMIT COMPLIANCE; AND CONSIDERATION OF A PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION, BASED ON THE INITIAL STUDY 03-22; LOCATED AT 10155 SOCRATES MINE ROAD, MIDDLETOWN, CA (APNs 013-058-11 AND 013-058-13)** - Community Development Director Rick Coel, Environmental Health Director Ray Ruminski and Health Services Director Jim Brown were present.
- Mr. Coel gave a brief summary.
- Chair Robey opened the public hearing and the following people spoke: Lori Carter-Runyan, John Brooks, Dottie Morelli, Mariel Medrano, Jackie Falber, Laura Solis, Joan Clay, Ryan Runyan, Jeff Gospey and Matt Tomas. No one else was present wishing to speak and the public hearing was closed.
- Various amendments were made to the Minor Modification to the Approved Use Permit.
- On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Robey NO), found that the Mitigated Negative Declaration, previously prepared for UP 03-06 does meet the requirements of Section 15162(a) of the CEQA Guidelines, and that no additional environmental review need be prepared for the modifications to the Monitoring and Reporting Program with the findings listed in the memorandum dated December 11, 2007.
- On motion of Supervisor Brown and by vote of the Board (5 ayes), modified the monitoring conditions of Use Permit 03-06, as outlined in the revised Monitoring and Reporting Program prepared by the Lake County Environmental Health Division dated October 31, 2007, and as amended.
12. **ITEM A-12 - 3:00 P.M. - PRESENTATION BY SANDIE ELLIOTT (SPIRIT WILD) REGARDING RESCUE AND REHABILITATION OF LAKE COUNTY WILDLIFE; and (b) CONSIDERATION OF REQUEST FOR FUNDING TO SUPPORT THE RESCUE AND REHABILITATION OF LAKE COUNTY WILDLIFE** - Spirit Wild Director Sandie Elliott presented the annual report on the activities of Spirit Wild.
- On motion of Supervisor Smith and by vote of the Board (5 ayes), approved funding for Spirit Wild, in the amount of \$3,000, from the Fish and Game budget.
13. **ITEM A-15 - UPDATE ON EMERGENCY ACTION TAKEN ON SEPTEMBER 25, 2007, REGARDING WATER DAMAGE REPAIRS AT THE HILL ROAD CORRECTIONAL FACILITY** - On motion of Supervisor Brown and by vote of the Board (5 ayes), found that an emergency still exists.

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14. **ITEM A-16 - UPDATE ON EMERGENCY ACTION TAKEN ON SEPTEMBER 11, 2007, REGARDING MT. HANNAH WATER TANK REPLACEMENT** - On motion of Supervisor Brown and by vote of the Board (5 ayes), found that an emergency still exists.

**BACK TO A-9 - Continued from December 18, 2007 - 11:00 A.M. - CONSIDERATION OF PROPOSED AGREEMENT BETWEEN THE COUNTY OF LAKE AND HOSPICE SERVICES OF LAKE COUNTY TO PROVIDE FUNDS IN THE AMOUNT OF \$50,000 TO BE USED TOWARD THE HIRING OF A PROFESSIONAL DESIGN FIRM TO COMPLETE A FUNCTIONAL SPACE ANALYSIS TO DETERMINE THE SIZE AND COST OF CONSTRUCTING A NEW HOSPICE SERVICES FACILITY** - On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the Agreement, as revised, between the County of Lake and Hospice Services of Lake County to provide funds in the amount of \$50,000 to be used toward the hiring of a professional design firm to complete a functional space analysis to determine the size and cost of constructing a new hospice services facility, and authorized the Chair to sign.

There being no further business, the Board adjourned at 2:23 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