

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD OCTOBER 14, 2008

The Honorable Board of Supervisors of Lake County, California, met in regular session this 14th day of October 2008, there being present Supervisors Denise Rushing, Anthony Farrington, Rob Brown, Ed Robey, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner. Supervisor Smith was absent all day.

The meeting was called to order at 9:01 a.m. by Chair Robey. Following a moment of silence, Supervisor Farrington led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved Consent Agenda Items C-1 through C-13.

Adopted Proclamation memorializing Mildred "Millie" Emenegger.

Adopted Proclamation designating the month of October as Domestic Violence Awareness Month in Lake County.

Adopted Proclamation designating the week of October 19th-25th as Childhood Lead Poisoning Prevention Week in Lake County.

Adopted Proclamation congratulating and commending People Services, Inc., on 35 years of service for people with developmental disabilities in Lake County.

Adopted Proclamation congratulating and commending the consumers/clients of People Services, Inc., for their contributions in workforce and volunteerism over the past 35 years in Lake County.

Approved Agreement between the County of Lake and California Engineering Company for the preparation of a Highest and Best Use Analysis for Clark's Island, including a market capacity study and marina feasibility study, in the amount of \$22,750 (\$20,913 to be paid by CDBG Grant and \$1,837 to be paid by Redevelopment funds), and authorized the Chair to sign.

Approved Budget Transfer B-034 in the amount of \$16,021 to replace damaged vehicle animal truck box and authorized the Chair to sign.

Adopted Resolution No. 2008-182 to appropriate unanticipated revenue in the amount of \$1,450, Budget Unit No. 2113 - District Attorney, Victim Witness (Received as a donation from the Kelseyville Sunrise Rotary) for the purchase of audio/visual accessories for soundproofing of the Multi-Disciplinary Interview Center (MDIC).

Approved Lakeport Unified School District's Conflict of Interest Code, as revised, pursuant to District's approval on July 17, 2008.

Adopted Resolution No. 2008-183 authorizing the Director, Public Works Department, to sign a notice of completion for work performed under Agreement dated June 11, 2008 (2005/06 Storm Damage Repair at Bartlett Springs Road PM 0.5, 0.9, 1.2, 1.6 and 1.9, Lake County).

Approved Grant Deed and directed Clerk to certify for recordation (a portion of Meadow Drive - John Wotring), and approved Purchase Agreement between the County of Lake and John Wotring for Soda Bay Road/Big Valley Rancheria Road Rehabilitation Project and authorized the Chair to sign.

Approved Grant Deed and directed Clerk to certify for recordation (a portion of Meadow Drive - Donald Chamberlin and Lynn Chamberlin), and approved Purchase Agreement between the County of Lake and Donald Chamberlin and Lynn Chamberlin for Soda Bay Road/Big Valley Rancheria Road Rehabilitation Project and authorized the Chair to sign.

Approved Lease Agreement between the County of Lake and Schall Investments, L.P., for office space located at 809 South Main Street, Lakeport and authorized the Chair to sign.

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

Extra #1 - Consideration of request to approve Contract between the County of Lake and L.D. Giacomini Enterprises, Inc., in the amount of \$33,879.26, for Phase 1 Slope Stability on property located at 11793 and 11809 Widgeon Way, Clearlake Oaks (Joan M. Cornett and Harold C. Cornett) - Code Enforcement Manager Voris Brumfield was present.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved taking up this item due to the fact that the need to take up arose after the posting of the agenda.

This item was presented as an extra for the following reason: On August 26, 2008 the Board approved a contract for geotechnical services for slope stability at 11793 and 11809 Widgeon Way, Clearlake Oaks. Based upon the time window for stabilizing this slide and bid received to repair the slide being received on October 10, 2008, this item was presented as an extra item.

This item will be taken up later in the day.

3. **ITEM A-11 - Consideration of approval of out-of-state travel for Linda Erickson, MFT and June Wilson, MFT to Norfolk, Virginia, from October 23-25, 2008, to attend the National Health Service Corps (NHSC) Orientation (cost to be covered by the NHSC)** - On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved out-of-state travel for Linda Erickson, MFT and June Wilson, MFT to Norfolk, Virginia, from October 23-25, 2008, to attend the National Health Service Corps (NHSC) Orientation (cost to be covered by the NHSC).

4. **ITEM A-4 - 9:10 A.M. - Presentation of Proclamation designating the month of October as Domestic Violence Awareness Month in Lake County** - Supervisor Rushing read the Proclamation into the record and presented it to Rae Eby-Carl, who spoke. Many advocates from District Attorney - Victim Witness and Lake Family Resource Center were present and spoke.

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5. **ITEM A-12 - Consideration of proposed Amendment Three to Agreement between the County of Lake and Quincy Engineering, Inc. for engineering services for South Main Street and Soda Bay Road Corridor Improvement Project in the amount of \$319,329.70** - On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved Amendment Three to Agreement between the County of Lake and Quincy Engineering, Inc., for engineering services for South Main Street and Soda Bay Road Corridor Improvement Project in the amount of \$319,329.70, and authorized the Chair to sign.
6. **ITEM A-5 - 9:20 A.M. - Presentation of Proclamation designating the week of October 19th-25th as Childhood Lead Poisoning Prevention Week in Lake County** - Supervisor Farrington read the Proclamation into the record and presented it to Bonnie Bonnet. Easter Seals and Tribal staff members were present.
7. **ITEM A-6 - 9:30 A.M. - HEARING - Appeal of Vicious Animal Abatement Order, 2945 Rancho Vista, Lucerne (Marion Quitiquit)** - Animal Control Director Denise Johnson, Animal Control Officer Morgan Hermann, Dora Martinez-Quitiquit, Ken Brotherton and Joe Burnhut were sworn in by the Clerk.

Ms. Hermann presented the staff report.

Mr. and Mrs. Quitiquit gave testimony.

Chair Robey asked if anyone was present wishing to speak and the following people spoke: Ken Brotherton, Joe Burnhut and Leroy Gordon. No one else was present wishing to speak and the public input portion of this item was closed.

The Abatement Order was stayed for six (6) months on the following conditions; (1) Posting of "Beware of Dog" signs on all sides of property, within 10 days; (2) Repair/ Strengthen fencing and gates around the property to ensure containment of dogs, within 10 days; (3) Obtain and keep current at all times, a County of Lake dog license and rabies vaccination; (4) Canines are restricted to the property for the next six months; (5) Allow right of entry for inspection of fencing and canines by Lake County Animal Care and Control.

The Board will review the matter at the close of six (6) months for a final determination regarding whether the abatement order should be issued.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved the stay of the Abatement Order for a six month period on the conditions herein stated.

8. **ITEM A-7 - 9:45 A.M. - HEARING - Appeal of Vicious Animal Abatement Order, 7103 Butte Street, Nice (Ericka Tedsen)** - Animal Control Director Denise Johnson and Animal Control Officer Morgan Hermann were present.

Ms. Johnson stated the appellant had withdrawn the appeal.

No Board action was taken on this item.

After a brief recess, the Board reconvened at 11:06 a.m.

- BACK TO EXTRA ITEM #1 - Consideration of request to approve Contract between the County of Lake and L.D. Giacomini Enterprises, Inc., in the amount of \$33,879.26, for Phase 1 Slope Stability on property located at 11793 and 11809 Widgeon Way, Clearlake Oaks (Joan M. Cornett and Harold C. Cornett)** - Community Development Director Rick Coel, Code Enforcement Manager Voris Brumfield and Chief Building Official Dave Jezek were present.

Ms. Brumfield presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved the Contract between the County of Lake and L.D. Giacomini Enterprises, Inc., in the amount of \$33,879.26 for Phase 1 Slope Stability on property located at 11793 and 11809 Widgeon Way, Clearlake Oaks (Joan Cornett and Harold C. Cornett), and authorized the Chair to sign.

9. **ITEM A-8 - 11:20 A.M. - Presentation of Proclamation memorializing Mildred "Millie" Emenegger** - Supervisor Brown read the Proclamation into the record and presented it to Marilyn Pivniska, who spoke. Many members of the Elections Department staff were present.
10. **ITEM A-9 - 11:30 A.M. - (a) Presentation of Proclamation congratulating and commending People Services, Inc., on 35 years of service for people with developmental disabilities in Lake County; and (b) Presentation of Proclamation congratulating and commending the consumers/clients of People Services, Inc., for their contributions in workforce and volunteerism over the past 35 years in Lake County** - (a) Chair Robey read the Proclamation into the record and presented it to Ihlene Dumont, who spoke. Many clients/consumers, staffmembers and friends of People Services, Inc, were present.

(b) Supervisor Farrington read the Proclamation into the record and presented it to Winnie Hill, who spoke. Many clients/consumers, staff members and friends of People Services, Inc., were present.
11. **ITEM A-13 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert and M. Perry and (b) Employee Organization: LCEA, LCCOA, SDA and DDAA** - Chair Robey announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board returned to Regular Session at 12:20 p.m. with no action taken.

There being no further business, the Board adjourned at 12:20 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

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

