



MINUTES

COUNTY OF LAKE

BOARD OF SUPERVISORS

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JANUARY 27, 2009

The Honorable Board of Supervisors of Lake County, California, met in regular session this 27th day of January, 2009, there being present Supervisors Jim Comstock, Jeff Smith, Anthony Farrington, Rob Brown, Denise Rushing, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Georgine Hunt.

The meeting was called to order at 9:00 a.m. by . 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 Smith and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-8.

(a) Approved Lake County's participation in the California State Fair in 2009 and authorized the Chair to sign the Counties Exhibits Authorization and Appointment Form; and (b) Approved Agreement between the County of Lake and the Lakeport Regional Chamber of Commerce for design and construction of the Lake County Exhibit at the 2009 California State Fair in the amount of \$6,000 and authorized the Chair to sign.

Adopted Resolution No.2009-12 amending Resolution No. 2008-152 to amend the Final Budget for Fiscal Year 2008/2009 by making various adjustments to Budget Unit No. 2113-Victim Witness (in the amount of \$15,000, to be reimbursed by the State).

Approved Aeronautical Activity Permit to conduct aeronautical activities at Lampson Airport (Mediplane, Inc., dba REACH), and authorized the Chair to sign.

Approved Aeronautical Activity Permit to conduct aeronautical activities at Lampson Airport (Tom's Aircraft Enterprises), and authorized the Chair to sign.

Approved Amendment One to Agreement between the County of Lake and SHN Consulting Engineers and Geologists, Inc. for engineering services for the replacement of Seigler Canyon Road Bridge 14C-0215 and Hendricks Road Bridge 14C-0047 (increasing the agreement amount by \$3,242), and authorized the Chair to sign.

Approved Amendment Three to Agreement between the County of Lake and Quincy Engineering, Inc. for engineering services for Short Span Bridge Inspection and Loads/Sufficiency Rating Program (increasing the agreement amount by \$10,536), and authorized the Chair to sign.

Accepted Irrevocable Offers of Dedication for roadway and public utility purposes, (a portion of APN 005-012-28 - Richard Zimmerman and Cheryl Zimmerman, and a portion of APN 005-012-28 - Mortgage Electronic Registration Systems, Inc., a portion of Weimer Way that connects Snyder Drive to Hill Road East, Lakeport), and directed Clerk to certify for recordation.

Approved Federal Annual Certification Report (pertaining to Asset Forfeiture Funds), 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 submit grant application to the California Air Resources Board (CARB), for reimbursement of 75% for road grader engine replacement costs (County cost in the amount of \$20,666) - Public Works Director Brent Siemer was present.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved taking up this item due to the fact that the need arose after the posting of today's agenda.

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

On January 26, 2009, the Department of Public Works became aware of additional funding still available through the \$25 Million California Air Resource Board (CARB) Grant and applications must be submitted immediately.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the request to submit a grant application to the California Air Resources Board (CARB), for reimbursement of 75% for road grader engine replacement costs (County cost in the amount of \$20,666), and authorized the Public Works Director/ Assistant Purchasing Agent to sign the CARB Grant Application.

3. **ITEM A-3 - Current Construction Projects - Contract Change Orders:**

Change Order No. One - Main Street Pavement Rehabilitation and Accessibility Improvements (from Gunn Street to First Street, Kelseyville) - Public Works Director Brent Siemer was present.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved Change Order No. One for an increase of \$162,756.50, Granite Construction Company, Main Street Pavement Rehabilitation and Accessibility Improvements (from Gunn Street to First Street, Kelseyville, and authorized the Chair to sign.

4. **CITIZEN'S INPUT** - Ms. Louise Talley announced that the Alpine Senior Center and Friends of Locally Owned Water will be hosting a Sweetheart Diner Dance on February 14, 2009, and asked everyone to attend this fundraiser.

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5. **ITEM A-8 - Update on the emergency action taken by the Lake County Board of Supervisors on December 9, 2008, declaring the continuance of the existing local emergency in regards to the court order issued by the Sacramento Superior Court which prohibits fish stocking by the Department of Fish and Game in water bodies in Lake County** - University of California Extension Director Greg Giusti was present.

The following amendment was made to page one, paragraph four of the proclamation:

The Blue Lakes Upper is not known to provide current or historical critical habitat for the species of Red-legged Frog, and the only documented historical basis for the occurrence of the species in question is in the Cobb Mountain area of Lake County, an area geographically remote from Blue Lakes Upper.

On motion of Supervisor Smith and by vote of the Board (5 ayes), adopted the Proclamation declaring the existence of a local emergency and requesting the Department of Fish and Game to take any action necessary to exempt the County of Lake from existing fish stocking prohibitions, as amended, and made a determination that the state of emergency still exists.

6. **ITEM A-4 - 9:15 A.M. - (a) Review and possible modification to the composition of various advisory boards/committees and elimination of any advisory boards/committees that have completed the purposes for which they were originally established and/or are no longer functioning or meeting on a regular basis; and (b) Consideration of applications from members of the public for appointment to miscellaneous Lake County committees, commissions and advisory boards** - On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved the abolishment of the Agricultural Element Advisory Committee.

Supervisor Brown offered Resolution No. 2009-10 (abolishment of the Lake County Alcohol and Drug Community Advisory Board), and it was passed by a roll-call vote (5 ayes).

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the abolishment of the Erosion Prevention Education Committee.

Supervisor Brown offered Resolution No. 2009-11 (abolishment of the Lake County Fruit Frost Forecast/Agriculture Weather Service Program Committee from the jurisdiction of the Board of Supervisors and the jurisdiction will be assumed by the Lake County Department of Agriculture), and it was passed by a roll-call vote (5 ayes).

Appointments to the Building Board of Appeals were carried over to a later date.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), appointed Bonnie Bonnett and Katrina McDonnell to the Child Care Planning and Development Council, for terms expiring on January 1, 2011.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Paula Britton to the Clear Lake Advisory Sub-Committee Advisory Board, for a term expiring on January 1, 2011.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Willie Sapeta to the Emergency Medical Care Committee, for a term expiring on January 1, 2010.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), appointed Jonathan Ambrose, Frederick Gaul, Doug Eastley, Edwin Groves, Sandie Elliott, Terry Knight, Greg Guisti and Roland Ledoux to the Fish and Wildlife Advisory Committee, for terms expiring on January 1, 2011.

On motion of Supervisor Brown and by vote of the Board (5 ayes), appointed Paul Lauenroth to the Kelseyville Cemetery District Board of Trustees, for a term expiring on January 1, 2013.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), appointed Jennifer Rodgers to the TO THE Maternal, Child and Adolescent Health (MCAH) Advisory Board, for a term expiring on January 1, 2011.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), appointed Thomas Brown to the Mental Health Advisory board, for a term expiring on January 1, 2011.

Appointments to the Solid Waste Management Task Force was carried over one week to February 3, 2009.

7. **ITEM A-5 - Carried over from January 20, 2009 - 9:30 A.M. - Proposed Resolution in support of the creation of a Feasibility Task Force by the Office of Education to consider the potential for cost savings and the general effects to be anticipated should any of the school districts in Lake County be unified with one or more existing districts** - Lake County Office of Education Superintendent Dave Geck requested that this item be carried over to February 3, 2009, at 9:15 a.m.

8. **ITEM A-9 - Consideration of recommendation to standardize the office hours County departments are open to the public** - Supervisor Brown asked the Board to consider standardizing the office hours of 8:00 a.m. to 5:00 p.m. for all County departments, with only a few exceptions allowed for closure during the lunch hour in situations where, for example, the office has only one clerical position.

On motion of Supervisor Brown and by vote of the Board (5 ayes), directed staff to prepare a revision to the current ordinances that prescribe office hours for County offices and bring back to the Board at a later date for further consideration.

9. **ITEM A-10 - Discussion/consideration of request to approve alternative work schedules for Animal Care and Control Director Denise Johnson and Animal Care and Control Deputy Director Bill Davidson** - Animal Care and Control Director Denise Johnson requested that this item be carried over to a later date.

10. **ITEM A-11 - Discussion/consideration of amending Ordinance No. 2829 establishing permit and service fee schedule for Environmental Health Program of the Lake County Department of Health Services (it is being requested that the current fee increase effective date be suspended until August, 2009)** - Deputy County Administrative Officer for Economic Development Debra Sommerfield was present.

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

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On motion of Supervisor Farrington and by vote of the Board (5 ayes), advanced the ordinance one week to February 3, 2009.

11. **ITEM A-12 - Proposed Ordinance amending Chapter 15 of the Lake County Code providing for dogs to be on leash under the control of the dog(s) guardian in designated areas at seven County parks (adding Mt. Konocti County Park)** - This item was worded incorrectly on the agenda. Mt. Konocti County Park should not have been listed on the agenda or included in the ordinance.

On motion of Supervisor Brown 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 Brown and by vote of the Board (5 ayes), advanced the ordinance one week to February 3, 2009.

12. **ITEM A-13 - Advanced from January 20, 2009 - An Ordinance amending Chapter 21 of the Ordinance Code of the County of Lake pertaining to granny units, bed and breakfast inns, billboard signs, off-site business district signs and sign maintenance - (Second Reading)** - Community Development Director Rick Coel was present.

Chair Rushing asked if anyone present wished to speak on this item and Ms. Louise Talley spoke. No one else was present wishing to speak and the public portion of this item was closed.

Supervisor Brown offered Ordinance No. 2886 and it was passed by a roll-call vote (5 ayes).

13. **ADDENDUM A-1 - (a) Consideration fo proposed Agreement between the County of Lake and California Exterminator Alliance for herbicide/insecticide spraying (Area #2 and Area #3), in the amount of \$32,094; and (b) Consideration of proposed Agreement between the County of Lake and Pestmaster Services for herbicide/insecticide spraying Area #1), in the amount of \$11,149** - On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and California Exterminator Alliance for herbicide/insecticide spraying (Area #2 and Area #3), in the amount of \$32,094, and authorized the Chair to sign.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Pestmaster Services for herbicide/insecticide spraying (Area #1), in the amount of \$11,149, and authorized the Chair to sign.

After a short recess, the Board reconvened at 10:53 a.m.

14. **ITEM A-6 - 11:00 A.M. - CLOSED SESSION - Meeting with Lake County Grand Jury pursuant to Government Code Section 54953.1; and**

ITEM A-14 - 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; 2. Conference with Legal Counsel: (a) Significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9: Two potential cases (b) Initiation of litigation pursuant to Subdivision (c) of Section 54956.9: In the Matter of the County of Lake Mental Health Department, Administration Appeal No. MH8-0603-740-MN - Supervisor Rushing announced that the Board will now go into Closed Session for a meeting with the Lake County Grand Jury, and when the meeting has been completed, the Board will remain in Closed Session for the reasons stated on the agenda (Item A-14).

The Board reconvened into Regular Session with no action taken.

There being no further business, the Board adjourned at 12:35 p.m.

Chair - Lake County Board of Supervisors

KELLY F. COX
Clerk of the Board

By: _____
Georgine Hunt
Assistant Clerk of the Board