

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD NOVEMBER 16, 2010

The Honorable Board of Supervisors of Lake County, California, met in regular session this 16th day of November, 2010 there being present Supervisors Jim Comstock, Jeff Smith, Denise Rushing, Rob Brown and Anthony Farrington, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:01 a.m. by Chair Farrington. The moment of silence was dedicated to the memory of the following people: Chuck Bauer and Bob Kies. Following the moment of silence, Supervisor Comstock led the salute to the flag of the United States of America.

1. **ITEM A-1 - APPROVAL OF THE CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Consent Agenda items C-1 through C-11, with the exception of Consent Agenda Item C-2, which will be taken up later in the day.

Approved Minutes of the Board of Supervisors meeting held on November 9, 2010.

Adopted Resolution No. 2010-203, to appropriate unanticipated revenue for the Public Health Services Tobacco Control Program.

Adopted Resolution No. 2010-204, approving the Application and Certification Statement for the State Department of Health Care Services, CMS Branch's California Children's Services (CCS) Administration Plan Renewal Grant for FY 2010-2011 and authorize the Board Chair to sign said Certification Statement.

Adopted Resolution No. 2010-205, approving the Application and Certification Statement for the State Department of Health Services, CMS Branch's Child Health and Disability Prevention Program (CHDP) and Health Care Program for Children in Foster Care (HCPFCFP) Renewal Grant for FY 2010/2011 and authorize the Board Chair to sign said Certification Statement.

Approved Contract between the County of Lake and North Valley Behavioral Health, LLC, for acute psychiatric services (for a maximum amount of \$120,000 for Fiscal Year 2010-2011), and authorized the Chair to sign.

Adopted Resolution No. 2010-206, approving the Standard Agreement between the County of Lake and the State Department of Rehabilitation for vocational rehabilitational services, Fiscal Year (FY) 10/11, and authorizing the Director of Mental Health to sign Agreement Number 27972.

Approved Agreement between the County of Lake and Asbury Environmental Services for used oil collection, with payment to the County at a rate of \$0.15 per gallon collected, and authorized the Chair to sign.

Approved request to waive 900 hour limit for extra-help Eligibility Worker I Annette Adkins and Brenda Ferrario, and extra-help Office Assistant II Heidi Morrison (Budget Unit 5011, Social Services)

Adopted Resolution No. 2010-207, amending Resolution No. 2010-172 establishing position allocations for Fiscal Year 2010-2011, Budget Unit No. 8695, Special Districts Administration (extending an Inspector position through 12/31/2010).

Approved Amendment to Tule Lake Reclamation District #695 Conflict of Interest Code, pursuant to district's approval on September 28, 2010.

2. **ITEM A-2 - Presentation of animals that are available for adoption at the Lake County Animal Care and Control Shelter** - Animal Control Officer Ben Cheek presented one canine currently available for adoption.

Back to #1 - APPROVAL OF THE CONSENT AGENDA ITEM C-2 - Consideration of request to approve letter to the Napa County Workforce Investment Board regarding incorporation of Lake County into the Napa County Workforce Investment Area - Social Services Director Carol Huchingson was present.

Chair Farrington asked if anyone was present wishing to speak and the following people spoke: Seth DeSimone, Denise Miller, Nick Summerfield and Kathy Fowler. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the letter to the Napa County Workforce Investment Board regarding incorporation of Lake County into the Napa County Workforce Investment Area, and authorized the Chair to sign.

3. **ITEM A-14 - Advanced from November 9, 2010 - Consideration of proposed Ordinance establishing goals for hiring local subcontractors (SECOND READING)** - Deputy Administrative Officer Jeff Rein presented the staff report, with suggested amendments to the proposed ordinance.

Chair Farrington asked if anyone was present wishing to speak and Treston Shull spoke. No one else was present wishing to speak and the public input portion of this item was closed.

There was Board consensus to incorporate the suggested amendments into the proposed ordinance.

This item was continued one week, to November 23, 2010, at 10:40 a.m.

4. **ITEM A-5 - 9:15 A.M. - HEARING - Nuisance Abatement - 22877 Jerusalem Grade, Middletown, CA (APN 136-061-05 - Gerald Brester and Wanda Brester)** - Community Development Director Rick Coel, Code Enforcement Officer Roderic Hilliard and Gerald Brester were sworn in by the Clerk.

Mr. Hilliard gave a power point presentation to the Board.

Mr. Brester gave testimony.

There was Board consensus to add a 60-day period for trailer removal, with the occupancy of the trailer to cease immediately.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), adopted the order, as amended, to complete abatement of the nuisance on property located at 22877 Jerusalem Grade, Middletown, CA (APN 136-061-05 - Gerald Brester and Wanda Brester), within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, all cost associated with this case will become a charge against the property, and authorized the Chair to sign the abatement order.

The Board of Supervisors adjourned and convened as the Lake County Board of Housing Commissioners. Commissioner Deborah Figueroa was present.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD NOVEMBER 16, 2010

5. **ITEM A-6 - 9:25 A.M. - Consideration of request for approval of Certification of Consistency with the Consolidated Plan (adding Section 8 Housing Choice Voucher Family Self-Sufficiency Program Coordinator Funding)** - Social Services Director Carol Huchingson and Housing Program Manager Steve Citron were present.

Ms. Huchingson presented the staff report.

On motion of Commissioner Rushing and by vote of the Board (6 ayes), approved the Certification of Consistency with the Consolidated Plan (adding Section 8 Housing Choice Voucher Family Self-Sufficiency Program Coordinator Funding), and authorized the Chair to sign.

The Lake County Board of Housing Commissioners adjourned and reconvened as the Board of Supervisors.

After a brief recess, the Board reconvened into Regular Session at 10:47 a.m.

6. **ITEM A-7 - 9:30 A.M. - PUBLIC HEARING - Intention to vacate portions of roadways, Washington Street (County Road No. 117L) and Douglas Street (County Road No. 117E), in the County of Lake** - Assistant Public Works Director Lars Ewing and County Surveyor Gordon Haggitt were present.

Due to an oversight in notification, this item was carried over three weeks, to December 7, 2010, at 10:05 a.m.

7. **ITEM A-8 - 9:45 A.M. - PUBLIC HEARING - Intention to change the name of a portion of an existing road in the County of Lake (Osprey Court)** - Assistant Public Works Director Lars Ewing and County Surveyor Gordon Haggitt were present.

Chair Farrington opened the public hearing. No one was present wishing to speak and the public hearing was closed.

There was Board consensus to direct staff to work with residents on options of additional signage to include the Pomo translation of the street name to be added (Xa-Taitai).

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the change in name of a portion of an existing road in the County of Lake (Osprey Court).

8. **ITEM A-9 - Continued from October 26, 2010 - 10:15 P.M. - Update on potential revenue options, both current and future, in order to provide long-term ongoing funding to combat lake algae and aquatic weeds** - Water Resources Director Scott DeLeon and George Speake were present.

Mr. Speake gave a power point presentation to the Board.

Chair Farrington asked if anyone was present wishing to speak and the following people spoke: Betsy Cawn, Joan Moss and Kathy Fowler. No one else was present wishing to speak and the public input portion of this item was closed.

There was Board consensus to direct staff to hold an educational workshop on the sources contributing to the lake nutrients.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), directed staff to prepare a list of recommendations for initial, short-term efforts to combat lake algae and aquatic weeds, to bring to the Board for consideration on December 7, 2010, at 10:30 a.m.

There was no decision made regarding the recommendations relative to revenue options.

9. **ITEM A-10 - 11:15 A.M. - HEARING - Abatement - 6245 Highland Springs Road, Lakeport, CA (APN 007-007-11 - Muriel L. Bramlett)** - Community Development Director Rick Coel, Code Enforcement Officer Kathy Freeman, Muriel Bramlett, Alyce Schmadeke and Aaron Schmadeke were sworn in by the Clerk.

Ms. Freeman gave a power point presentation on the condition of the property.

Ms. Schmadeke and Mr. Schmadeke gave testimony.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), adopted the order, as amended, to complete abatement of the nuisance on property located at 6245 Highland Springs Road, Lakeport, CA (APN 007-007-11 - Muriel L. Bramlett), within thirty (30) days and authorized staff to abate the nuisance if it is not voluntarily abated, all cost associated with this case will become a charge against the property, and authorized the Chair to sign the abatement order.

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

10. **ITEM A-12 - 11:40 A.M. - Consideration of customer request for variance of Sewer Use Regulations (property located at 4330 Cruickshank Road, Kelseyville APN 008-061-43 - Greta Moreno)** - Special Districts Administrator Mark Dellinger and Customer Service Coordinator Jill Shaul were present.

On motion of Director Brown and by vote of the Board (5 ayes), made an intended decision to grant a variance of Sewer Use Regulations (property located at 4330 Cruickshank Road, Kelseyville APN 008-061-43 - Greta Moreno), and directed staff to prepare the necessary Resolution.

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

After a lunch recess, the Board reconvened into Regular Session at 2:01 p.m.

11. **ITEM A-11 - 11:30 A.M. - PUBLIC HEARING - Consideration of proposed Ordinance amending Chapter 5 of the Lake County Code and adopting by reference the 2010 California Building Standards Code, known as the California Code of Regulations, Title 24, Parts 1 through 6, 8 through 12, incorporating the 2010 Edition of the California Building Code; the 2010 Edition of the California Residential Code; the 2010 Edition of the California Electrical Code; the 2010 Edition of the California Plumbing Code; the 2010 Edition of the California Mechanical Code; the 2010 Edition of the California Green Building Code; the 2010 Edition of the California Energy Code; the 2010 Edition of the California Fire Code; the 2010 Edition of the California Administrative Code; the 2010 Edition of the California Historical Building Code; the 2010 Edition of the California Existing Building Code; the 2009 Edition of the International Property Maintenance Code; and the 2009 Edition of the International Wildland-Urban Interface Code** - Community Development Director Rick Coel and Chief Building Official Dave Jezek were present.

Mr. Jezek gave a power point presentation to the Board.

Chair Farrington opened the public hearing. No one was present wishing to speak and the public hearing was closed.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD NOVEMBER 16, 2010

On motion of Supervisor Smith and by vote of the Board (3 ayes, Supervisors Comstock and Brown NO), waived the reading of the Ordinance, to be read in title only. (Clerk so did).

On motion of Supervisor Smith and by vote of the Board (3 ayes, Supervisors Comstock and Brown NO), advanced the ordinance three weeks, to December 7, 2010.

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

12. **ITEM A-16 - Update on emergency action taken on March 2, 2010, regarding the Southeast Regional Wastewater Collection System - Interim Collection System improvements** - Special Districts Administrator Mark Dellinger presented the update to the Board.

On motion of Director Comstock and by vote of the Board (5 ayes), determined an emergency exists.

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

13. **ITEM A-15 - Consideration of proposed resolutions determining Redemption fund Surpluses in Middletown Sewer Project Assessment District 2-2 and North Lakeport Water Assessment District 4-1, and ordering their disposition** - Special Districts Administrator Mark Dellinger and Deputy Administrative Officer Jeff Rein were present.

Mr. Rein presented the staff report.

At the request of Chair Farrington, the proposed resolution regarding the North Lakeport Water Assessment District 4-1 was carried over to a future date.

Supervisor Comstock offered Resolution No. 2010-208, determining redemption fund surpluses in Middletown Sewer Project Assessment District 2-2, and ordering its disposition, and it was passed by roll call vote (5 ayes).

14. **ITEM A-17 - CLOSED SESSION - 1. Conference with Legal Counsel: Existing Litigation pursuant to Government Code Section 54956.9, Subdivision (a): In re Boeger Land Development** - Chair Farrington 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.

There being no further business, the Board adjourned at 3:16 p.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

By: _____
Mireya Turner
Assistant Clerk of the Board