

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD NOVEMBER 2, 2010

The Honorable Board of Supervisors of Lake County, California, met in regular session this 2nd day of November, 2010 there being present Supervisors Jim Comstock, Denise Rushing, Rob Brown and Anthony Farrington, 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 9:03 a.m. by Chair Farrington. Following the moment of silence, Supervisor Brown introduced Pearl Harbor veterans Bill Slater, Walter Erman, Alice Darryl and Jim Harris. Mr. Harris 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 (4 ayes, Supervisor Smith ABSENT), approved Consent Agenda items C-1 through C-18, with the exception of Consent Agenda Items C-1 and C-6. (Please see below).

Adopted Proclamation designating the week of November 7 through 13, 2010, as In-Home Supportive Services Caregiver Week in Lake County

Terminated appointment of Clear Lake Advisory Committee member Charles O'Neill-Jones, per committee bylaws.

Approved Leave of Absence Without Pay, for medical reasons, for Animal Control Director Denise Johnson (for period from 11/7/2010 to 12/31/2010), and authorized the Chair to sign.

Approved Amendment No. 1 to the Memorandum of Understanding between the County of Lake and the Lake County Correctional Officer's Association for 2010-11, to correct error in Vacation Leave Accrual Rate, and authorized the Chair to sign.

Approved entry form for 2011 California State Fair Counties Exhibit, and authorized the Chair to sign.

Adopted Resolution No. 2010-197, approving Agreement 10-384 with the State of California; Department of Food and Agriculture and authorizing execution and signature for Pest Exclusion/Nursery Inspection Activities for Fiscal Year 2010/11.

Adopted Resolution 2010-198, appointing Directors of certain Special District Boards in lieu of holding a General District Election on November 2, 2010.

Adopted Resolution No. 2010-199, appointing Directors to the East Lake Resource Conservation District.

Approved Amendment to Lower Lake County Waterworks District No. 1's Conflict of Interest Code, pursuant to district's approval on October 12, 2010.

Approved Site Modification Request for an equipment change (installing a replacement generator for tenant, Edge Wireless, LLC), per the AT&T Mt. Konocti Communications License Agreement, and authorized the Chair to sign.

Approved advanced step hiring of extra help Solid Waste Heavy Equipment Operator Daryl Prather, due to applicant's extraordinary qualifications (5th step salary range).

Approved permit to conduct aeronautical activities at Lampson Field Airport (Lake Aero Styling and Repair), and authorized the Chair to Sign.

Approved permit to conduct aeronautical activities at Lampson Field Airport (Jack Olof), and authorized the Chair to Sign.

Approved Amendment to Agreement between the County of Lake and Jason K.T. Trent, MD, for pathology services, (correcting the inadvertent omission of the handling fee charge for toxicological testing), and authorized the Chair to sign.

Approved the Cooperative Law Enforcement Agreement between the County of Lake and the U.S. Forest Service, for enforcement efforts on Forest Service lands, and authorized the Chair to sign.

Adopted Resolution No. 2010-200, amending Resolution No. 2010-135 establishing position allocations to conform to the Adopted Budget for Fiscal Year 2010-2011, Budget Unit No. 5011, Department of Social Services.

CONSENT AGENDA ITEM C-1 - Approve Minutes of the Board of Supervisors meeting held on October 26, 2010 - At the request of Supervisor Brown, this item was carried over one week, to November 9, 2010.

CONSENT AGENDA ITEM C-6 - Adopt revisions to the County Travel Policy (regarding restrictions for overnight stays at hotels and employee participation in activities outside conference trainings) - At departmental request, this item was carried over to a future date.

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.

CITIZEN'S INPUT - County Health Officer Karen Tait, MD announced the Public Health Influenza Vaccination Clinic, scheduled for Tuesday, November 9, 2010, at the Lake County Fairgrounds.

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

3. **ITEM A-9 - Update on emergency action taken on March 2, 2010, regarding the Southeast Regional Wastewater Collection System - Interim Collection System improvements** - On motion of Director Comstock and by vote of the Board (4 ayes, Director Smith ABSENT), determined an emergency exists.

4. **ITEM A-10 - Advanced from October 19 and October 26, 2010 - Consideration of proposed Ordinance amending the charges and fees for Southeast Regional Wastewater System (SECOND READING)** - Director Comstock offered Ordinance 2932, and it was passed by roll call vote (4 ayes, Director Smith ABSENT).

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

5. **ITEM A-11 - Consideration of proposed Memorandum of Understanding between the County of Lake and Alan D. Clark, Kimberlee R. Clark, Lawrence M. Robbins and Louise Robbins for the purchase of an existing privately-owned bridge and a public road easement for the proposed construction of a new public road connecting Wildcat Road and State Route 175** - Public Works Director Brent Siemer presented the staff report.

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On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved the Memorandum of Understanding between the County of Lake and Alan D. Clark, Kimberlee R. Clark, Lawrence M. Robbins and Louise Robbins for the purchase of an existing privately-owned bridge and a public road easement for the proposed construction of a new public road connecting Wildcat Road and State Route 175, and authorized the Chair to sign.

- 6. **ITEM A-5 - 9:15 A.M. - Presentation of Proclamation designating the week of November 7 through 13, 2010, as In-Home Supportive Services Caregiver Week in Lake County** - Supervisor Rushing read the Proclamation into the record and presented it to David Smith, who spoke. Many members of the IHSS Advisory Committee were present.
- 7. **ITEM A-6 - 9:20 A.M. - Discussion/consideration of proposed bylaw revision regarding Clear Lake Advisory Committee membership categories** - Water Resources Director Scott DeLeon and CLAC Chair Melissa Fulton were present.

Ms. Fulton presented the report to the Board.

Chair Farrington asked if anyone was present wishing to speak and the following people spoke: Janet Swedberg, Anna Ravenwood and Sarah Ryan. No one else was present wishing to speak and the public input portion of the item was closed.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Smith ABSENT), approved the membership categories as presented in the CLAC memorandum dated November 2, 2010.

- 8. **ITEM A-7 - 9:45 A.M. - (a) Consideration regarding the cessation of the development of a local ordinance regulating genetically engineered (GE) crops; and (b) Consideration of a proposed letter to the state legislature and federal regulators in support of the identification of genetically engineered ingredients on food labels** - Supervisor Rushing introduced the item.

Chair Farrington asked if anyone was present wishing to speak and the following people spoke: Victoria Brandon, Lorie Gray, Broc Zoller, Agricultural Commissioner Steve Hajik and Chuck March. No one else was present wishing to speak and the public input portion of this item was closed.

This item was continued six weeks, to December 14, 2010, at 1:30 p.m.

- 9. **ITEM A-12 - CLOSED SESSION - 1. Public Employee Performance Evaluations: Titles: Public Works Director; and 2. Conference with Legal Counsel - Initiation of Litigation - Government Code Section 54956.9(c): One Potential Case: Action seeking declaratory relief regarding AB3632** - Chair Farrington announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session at 10:45 a.m.

On motion of Supervisor Comstock and by vote of the Board (4 ayes, Supervisor Smith ABSENT), authorized the County of Lake to join in the legal action against the State of California, the Governor, the Controller, the Treasurer and the Director of the State Department of Finance seeking declaratory and injunctive relief based upon the State's failure and refusal to fund and/or reimburse the counties for AB 3632 services.

There being no further business, the Board adjourned at 10:46 a.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

By: _____
Mireya Turner
Assistant Clerk of the Board