

**BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA**

**OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD AUGUST 9, 2011**

The Honorable Board of Supervisors of Lake County, California, met in regular session this 9<sup>th</sup> day of August, 2011, there being present Supervisors Jeff Smith, Denise Rushing, Anthony Farrington, Rob Brown and Jim Comstock, Administrative Officer Kelly Cox, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:00 a.m. by Chair Comstock. A moment of silence was dedicated to the memory of the U.S. soldiers killed in a helicopter accident in Afghanistan. After the moment of silence, Mental Health Director Kristy Kelly 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-7.

Approved Minutes of the Board of Supervisors meeting held on August 2, 2011. **(The Board returned to this item later in the day.)**

Approved, in concept, the re-establishment of the Public Health Nurse IV position for FY 2011/12 and directed the Human Resources Director to initiate the Meet and Confer process with the appropriate employee association.

Approved advanced step hiring of Substance Abuse Counselor II Richard Diwald, due to applicant's extraordinary qualifications (5<sup>th</sup> step salary range).

Approved Agreement between the County of Lake and Lake Family Resource Center for FY 2011-2014 Child Abuse Prevention, Intervention and Treatment (CAPIT) services, at a rate of \$70,000 per year, and authorized the Chair to sign.

Approved Agreement between the County of Lake and Lake County Office of Education - Healthy Start for FY 2011-2014 Pediculosis Anti-Lice Program, for a total amount of \$55,000, and authorized the Chair to sign.

Approved Memorandum of Understanding between the County of Lake and Lake Transit Authority (LTA) for FY 2011-2014 transportation services for CalWORKs participants, in an amount not to exceed \$82,500 annually, and authorized the Chair to sign.

Sitting as the Board of Directors of the Kelseyville County Water Works District #3, approved the Agreement between the Kelseyville County Water Works District #3 and Ruzicka Associates for engineering services for the water distribution system in the Bell Hill Road area, in the amount of \$25,023, and authorized the Chair to sign.

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

3. **ITEM A-3 - CONSIDERATION OF ITEMS NOT APPEARING ON THE POSTED AGENDA:**

**Extra #1 - Consideration of proposed Agreement between the County of Lake and Solarbee for rental of a solar powered circulation system** - On motion of Supervisor Rushing and by vote of the Board (5 ayes) approved taking up this item as an extra.

This item was taken up for the following reason: Staff received the proposal after the posting of the agenda and due to the significant blue-green algae bloom taking place on the lake, staff requests the Board consider this proposal before the next meeting.

Public Works Director Scott De Leon presented the staff report.

Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Cheri Holden and Gregg Scott. 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 the Agreement between the County of Lake and Solarbee, for the rental of a solar powered circulation system, in the amount of \$13,936, and authorized the Public Works Director to rent a second machine if deemed appropriate.

4. **ITEM A-5 - 9:15 A.M. - HEARING - Nuisance Abatement Assessment confirmation and proposed recordation of Notice of Lien in the amount of \$871.34 - 12620 Maple Lane, Loch Lomond, CA (APN 050-591-06 - Michael Williams and Kathryn Williams)** - Community Development Director Rick Coel was sworn in by the Clerk.

Neither the owner, nor representation were present.

Mr. Coel presented the staff report.

On motion of Supervisor Brown and by vote of the Board (5 ayes), confirmed the assessment of \$871.34, for nuisance abatement on property located at 12620 Maple Lane, Loch Lomond, CA (APN 050-591-06 - Michael Williams and Kathryn Williams), pursuant to Lake County Ordinance Code, Chapter 13, Section 13-10.

5. **ITEM A-6 - 9:20 A.M. - Presentation of the 2010 Crop Report** - Agricultural Commissioner Steve Hajik presented the staff report.

This item was informational only. No Board action was taken on this item.

6. **ITEM A-7 - 9:30 A.M. - Discussion/consideration of the Group Insurance Committee recommendations for the EIA Health Benefit plans for the 2012 benefit plan year** - Human Resources Director Kathy Ferguson and Human Resources Technician Laurie Rozelski were present.

Ms. Ferguson presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Group Insurance Committee recommendations to accept the renewal for the EIA Health plans for 2012 at the 6% premium increase and to continue the existing plan designs for all of the EIA Health plans for the 2012 plan year.

- BACK TO #1 - CONSENT AGENDA ITEM C-1 - Consideration of Approved Minutes of the Board of Supervisors meeting held on August 2, 2011** - A typographical error was noted on the Minutes.

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On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Minutes of the Board of Supervisors meeting held on August 2, 2011, as corrected, and authorized the Chair to sign.

7. **ITEM A-15 - Consideration of proposed Agreement between the County of Lake and Redwood Children's Services, for payment of specialty mental health services provided in FY 2007-09, for a total amount of \$49,431.29** - Mental Health Director Kristy Kelly and Deputy Mental Health Director Fiscal Administration Bob Menicocci presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Redwood Children's Services, for payment of specialty mental health services provided in FY 2007-09, for a total amount of \$49,431.29, and authorized the Chair to sign.

8. **ITEM A-13 - Consideration of request to set hearing dates for the following: (a) Lake County Correctional Officers Association (LCCOA) Level 4 Grievance re Unilateral Change to Sick Leave Policy; (b) Lake County Sheriff Deputy Association (LCDSA) Level 5 Grievance re Unilateral Change to Sick Leave Policy; (c) LCCOA Level 4 Grievance re shift swaps; and (d) LCCOA Level 4 Grievance re 8-hour Shifts** - On motion of Supervisor Rushing and by vote of the Board (5 ayes), scheduled the grievance hearings for September 13, 2011, at 10:30 a.m.

9. **ITEM A-16 - Consideration of proposed Agreement between the County of Lake and Peterson Tractor for FY 2011-2014 field maintenance and repair services of the Waste Management off-road heavy equipment, for a maximum amount of \$100,000 annually** - Deputy Public Services Director Caroline Chavez presented the staff report.

This item was continued to later in the day.

10. **ITEM A-17 - Consideration of proposed letter of support of pending legislation potentially affecting Senior citizens in Lake County** - Supervisor Rushing introduced the item.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the letter of support, and authorized the Chair to sign.

11. **ITEM A-8 - 10:00 A.M. - Consideration of request for waiver of Environmental Health fees for Lake County Youth Center** - Supervisor Smith introduced the item.

Environmental Health Director Ray Ruminski was present.

Chair Comstock asked if anyone was present wishing to speak and Larry Ratcliff spoke. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Supervisor Smith and by vote of the Board (5 ayes), waived the Environmental Health fees for Lake County Youth Center for FY 2011/12.

After a brief recess, the Board reconvened into Regular Session at 10:30 a.m.

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

12. **ITEM A-14 - Consideration of request to award Bid No. 11-21 for Southeast System Lift Station & Force Main Project, authorize the Chair to sign the Notice of Award and the Agreement, and authorize the Special Districts Administrator to issue the Notice to Proceed** - Special Districts Administrator Mark Dellinger and Fiscal Officer Jan Coppinger presented the staff report.

On motion of Director Smith and by vote of the Board (5 ayes), authorized staff to negotiate a deductive change order with Preston Pipelines, the lowest bidder, and continued the Bid Award one week to August 16, 2011.

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

13. **ITEM A-9 - Continued from July 12, July 26 and August 2, 2011 - 10:15 A.M. - Consideration of Bid Award for Bid No. 11-02, Middletown Senior Center and Library Project, and consideration of alternatives to awarding bid in order to reduce project costs** - At staff request, this item was carried over one week, to August 16, 2011, at 10:45 a.m.

14. **ITEM A-10 - 10:30 A.M. - (a) Consideration of proposed Resolution requesting a State of Emergency be declared for the State of California regarding the threat of dreissenid mussels in the water bodies of California; (b) Consideration of proposed Justifications for declaration; and (c) Consideration of request to appoint two Supervisors to present the Resolution and Justifications to State officials and County and Water agencies** - (a) County Counsel Anita Grant presented the staff report.

Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Victoria Brandon, Tom Slaight, Melissa Fulton, Joan Moss, Paula Britton, Betsy Cawn and Anna Ravenwood. No one else was present wishing to speak and the public input portion of this item was closed.

Amendments were made to the proposed Resolution.

Supervisor Farrington offered Resolution 2011-120, and it was passed by roll call vote (5 ayes).

(b) There was Board consensus to authorize Supervisor Farrington to work with staff to finalize the proposed Justifications.

(c) On motion of Supervisor Smith and by vote of the Board (5 ayes), appointed Supervisors Rushing and Farrington to present the Resolution and Justifications to State officials and County and Water agencies.

15. **ITEM A-18 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, M. Perry and J. Hammond; and (b) Employee Organization: LCEA, DSA, LCCOA and DDAA** - Chair Comstock 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 at 12:05 p.m.

After lunch recess, the Board reconvened into Regular Session at 1:30 p.m .

16. **ITEM A-11 - Continued from June 21 and July 19, 2011 - 1:30 P.M. - PUBLIC HEARING - Discussion/consideration of proposed Ordinance amending Chapter 21 of the Lake County Code to add Article 72, "Regulations for the dispensing of medical marijuana"** - Community Development Director Rick Coel and Health Services Director Jim Brown were present.

Mr. Coel presented the staff report.

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Chair Comstock opened the public hearing and the following people spoke: Ed Robey, Ron Green, John Hanson, John Jaquint, Diane Barkey, Daniel Chadwick, Melissa Fulton, Peter Windrem, Don Merrill, Phil Murphy, Nancy Brier, Bill Kearney, Peggy Demauro, and Ian Mathey. No one else was present wishing to speak and the public hearing was closed.

After a brief recess, the Board reconvened into Regular Session at 3:45 p.m.

Amendments were made to the proposed Ordinance.

After a brief recess, the Board reconvened into Regular Session at 5:45 p.m.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Rushing NO), waived the reading of the Ordinance, as amended, to be read in title only (Clerk so did).

On motion of Supervisor Brown and by vote of the Board (3 ayes, Supervisors Smith and Rushing NO), advanced the ordinance, as amended, one week, to August 16, 2011.

**BACK TO #9 - ITEM A-16 - Consideration of proposed Agreement between the County of Lake and Peterson Tractor for FY 2011-2014 field maintenance and repair services of the Waste Management off-road heavy equipment, for a maximum amount of \$100,000 annually** - County Administrative Officer Kelly Cox presented an update.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Peterson Tractor for FY 2011-2014 field maintenance and repair services of the Waste Management off-road heavy equipment, for a maximum amount of \$100,000 annually, and authorized the Chair to sign.

There being no further business, the Board of Supervisors adjourned at 6:08 p.m.

KELLY F. COX  
Clerk of the Board

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Chair - Lake County Board of Supervisors

By: \_\_\_\_\_  
Mireya G. Turner  
Assistant Clerk of the Board