

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JANUARY 11, 2011

The Honorable Board of Supervisors of Lake County, California, met in regular session this 11th day of January, 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 Pearl Harbor Survivor Jim Harris, and to the recent tragedy in Arizona. After the moment of silence, Greg Scott 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-8.

Approved Minutes of the Board of Supervisors meeting held on January 4, 2011.

(a) Adopted Proclamations commending Holly Harris and Chuck Lamb for their volunteer service to Lake County in connection with the Konocti Regional Trails Master Plan; and (b) Adopted Certificate of Appreciation to Barbara Rice, Program Manager, National Park Service, for her service to Lake County in connection with the Konocti Regional Trails Master Plan.

Adopted Proclamation commending Jon Hopkins for his years of service to Lake County.

Approved waiver of 900-hour limit for extra-help Account Clerk Lynnette Totorica, as per the memorandum from Auditor-Controller Pam Cochrane, dated January 3, 2011.

Adopted Resolution No. 2011-06, to amend the Adopted Budget for FY 2010-11 by making various adjustments to Budget Unit 2113 - Victim Witness (Appropriating \$15,000 in unanticipated revenue to Object Code 28.30).

Adopted Resolution No. 2011-07, amending Resolution No. 2010-165 establishing position allocations for Fiscal Year 2010-2011, Budget Unit No.6022, County Library (restoring a half-time Library Assistant I/II Tech position to full time).

Approved Indemnification Agreement between the County of Lake and Regina Legoski to allow emergency vehicles and certain members of the public to pass over a portion of her property known as APNs 003-047-05 and 003-047-07, due to an emergency situation caused by flooding of Scotts Valley and Eickhoff Roads, and authorized the Chair to sign.

Sitting as the Board of Directors of the Lake County Air Quality Management District, adopted Resolution No. 2011-08, authorizing participation in "Year 13" Carl Moyer Program, and authorizing the Air Pollution Control Officer (APCO) to submit grant application and sign program documents.

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.

CITIZEN'S INPUT - Henry Thomas spoke regarding the Lucerne Hotel serving as host to a local theatrical group.

Edward Starski spoke regarding a safety issue of school children using Lake Transit to get to Middletown International Charter School.

Greg Scott thanked the Road Department for their diligent service on County maintained roads.

3. **ITEM A-5 - 9:10 A.M. - (a) Presentation of Proclamation commending Holly Harris and Chuck Lamb for their volunteer service to Lake County in connection with the Konocti Regional Trails Master Plan; and (b) Presentation of Certificate of Appreciation to Barbara Rice, Program Manager, National Park Service, for her service to Lake County in connection with the Konocti Regional Trails Master Plan** - (a) Supervisor Rushing read the Proclamation into the record and presented it to Chuck Lamb and Holly Harris, who spoke. Public Services Director Kim Clymire also spoke and Public Services Analyst Terre Logsdon presented Ms. Harris and Mr. Lamb with t-shirts.

(b) Supervisor Rushing read the Proclamation into the record and presented it to Public Services Director Kim Clymire, who spoke.

4. **ITEM A-6 - 9:15 A.M. - PUBLIC HEARING - Discussion/consideration of Draft Konocti Regional Trails Master Plan (a countywide network of non-motorized trails, throughout Lake County for the purposes of recreation and transportation)** - Public Services Director Kim Clymire and Associate Planner Alan Flora were present.

After an introduction by Mr. Clymire, Mr. Flora presented the staff report.

Chair Comstock opened the public hearing and the following people spoke: Carol Cole-Lewis and Cheri Holden. No one else was present wishing to speak and the public hearing was closed.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), found on the basis of the Initial Study IS 10-31, that the Konocti Regional Trails Master Plan will not have a significant effect on the environment and therefore adopted a negative declaration with the findings set forth in the Board Memorandum dated January 11, 2011.

A typo was noted, and corrected on the proposed resolution.

Supervisor Rushing offered Resolution No. 2011-09, as corrected, and it was passed by roll call vote (5 ayes).

After a brief recess, the Board reconvened into Regular Session at 10:03 a.m.

5. **ITEM A-14 - Consideration of request to extend Leave of Absence without Pay for Animal Control Director** - County Administrative Officer Kelly Cox presented the staff report.

On motion of Supervisor Brown and by vote of the Board (5 ayes), approved the extension of the Leave of Absence without Pay for the Animal Control Director, through February 10, 2011, and authorized the Chair to sign.

6. **ITEM A-7 - 10:15 A.M. - Presentation of Proclamation commending Jon Hopkins for his years of service to Lake County** - County Administrative Officer Kelly Cox read the Proclamation into the record and presented it to Former District Attorney Jon Hopkins, who spoke. Many County staff members were present.

After a brief recess, the Board reconvened into Regular Session at 10:33 a.m.

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BACK TO #4 - ITEM A-6 - 9:15 A.M. - PUBLIC HEARING - Discussion/consideration of Draft Konocti Regional Trails Master Plan (a countywide network of non-motorized trails, throughout Lake County for the purposes of recreation and transportation) - Chair Comstock reopened the public hearing and Ed Smith spoke. No one else was present wishing to speak and the public hearing was closed.

No further Board action was taken on this item.

7. **ITEM A-8 - 10:30 A.M. - PUBLIC HEARING - Discussion/consideration of proposed Ordinance amending Article IX to Chapter 15 of the Lake County Code establishing a fee-based inspection program for all water vessels launched in the County of Lake** - Water Resources Director Scott DeLeon presented the staff report.

Chair Comstock opened the public hearing and the following people spoke: Simon Kisch, Paul Racine, Jim Robello, Betsy Cawn, Joan Moss, Conrad Colbrandt and Paul Kolb. No one else was present wishing to speak and the public hearing was closed.

Numerous amendments were made to the proposed Ordinance.

The Board continued this item one week, to January 18, 2011, at 10:30 a.m.

8. **ITEM A-9 - 11:00 A.M. - HEARING - Nuisance Abatement - 2598 South Main Street, Lakeport, CA (APN 008-001-01 - Kathleen Miller)** - Community Development Director Rick Coel, Code Enforcement Officer Kathy Freeman and Mary Jane Fagalde were sworn in by the Clerk.

Ms. Freeman presented the staff report.

Ms. Fagalde gave testimony.

There was Board consensus to remove the requirement of disposal of cut weeds at an approved dump site.

On motion of Supervisor Farrington and by vote of the Board (5 ayes), adopted the order to complete abatement of the nuisance on property located at 2598 South Main Street, Lakeport, CA (APN 008-001-01 - Kathleen Miller), as amended, 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.

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

The Board of Supervisors adjourned and convened as the Lake County Local Board of Equalization.

The gavel was passed to Lake County Local Board of Equalization Chair Farrington.

9. **ITEM A-10 - 11:30 A.M. - Assessment Appeal Hearing:**

James Robello - Application Nos. 01-2010 and 76-2010 - 2315 Eastlake Drive, Kelseyville, CA (APN 044-192-190-000) - Chief Deputy Assessor-Recorder Jim Campbell, Appraiser III Debbie Olson and James Robello were sworn in by the Clerk.

Mr. Robello gave testimony.

Ms. Olson presented the staff report.

This item was continued one week, to January 18, 2011, at 11:30 a.m., to allow for consideration of presented evidence.

The Lake County Local Board of Equalization adjourned and reconvened as the Board of Supervisors.

The gavel was returned to Chair Comstock.

10. **ITEM A-11 - 1:30 P.M. - Discussion regarding a citizen request for a moratorium on PG&E installation of Smart Meters in the County of Lake** - Pacific Gas and Electric Representatives Allison Talbot and David Ruben gave a power point presentation on SmartMeters to the Board.

After an introduction by Supervisor Rushing, Leslie Sheridan presented the request for a moratorium on PG&E installation of Smart Meters in the County of Lake.

After a brief recess, the Board reconvened into Regular Session at 3:15 p.m.

11. **ITEM A-12 - 2:30 P.M. - CLOSED SESSION - Public Employee Disciplinary Appeal No. EDA 2010-03, Government Code Section 54957** - Chair Comstock announced this item would be carried over three weeks, to February 1, 2011, at 1:30 p.m.

BACK TO #10 - ITEM A-11 - 1:30 P.M. - Discussion regarding a citizen request for a moratorium on PG&E installation of Smart Meters in the County of Lake - Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Ron Strauss, Bill Stranger, Steven West, Clovis Lewis, Ross Mason, Bill Barrows, Sybil Francis, Greg Peters, John Mitchell, Sylva Polavecino, Alan Markowski, Dana Thibeau, Ciaran Mercier and Greg Peters. No one else was present wishing to speak and the public input portion of this item was closed.

Pacific Gas and Electric EMF Specialist Michael Hers concluded the PG&E presentation to the Board.

No Board action was taken on this item.

12. **ITEM A-15 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, R. Lambert, M. Perry and J. Hammond; and (b) Employee Organization: DSA 2. Public Employee Performance Evaluations: Titles: Interim Animal Control Director and Water Resources Director** - Chair Comstock announced the Board would now go into Closed Session for the reasons stated on the agenda.

Item 2: Public Employee Performance Evaluations, was carried over one week, to January 18, 2011.

The Board reconvened into Regular Session with no action taken.

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There being no further business, the Board adjourned at 5:13 p.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

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