

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD MARCH 22, 2011

The Honorable Board of Supervisors of Lake County, California, met in regular session this 22nd day of March, 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. Following a moment of silence, Supervisor Rob Brown 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-9.

Approved Minutes of the Board of Supervisors meetings held on March 8, and March 15, 2011.

Adopted Proclamation declaring the week of March 20-26, 2011, as National Surveyors Week in Lake County.

Adopted Proclamation endorsing the World-Wide Charter for Compassion.

Adopted Proclamation declaring the month of April 2011, as Sexual Assault Awareness Month, April 5th as the Sexual Assault Awareness Day of Action, April 27th as Denim Day, and April 10-16, 2011 as National Victim Rights Week in Lake County.

Approved Agreement between the County of Lake, Community Development Services and Mt. Konocti Facilitation to provide a Microenterprise Technical Assistance Program, in the amount of \$50,000 over the next two years, and authorized the Chair to sign.

Adopted Resolution No. 2011-40, approving Agreement 11-C0015 with the State of California Department of Pesticide Regulation and authorizing the execution and signature for the electronic submission of pesticide use data during Fiscal Year 2011/12.

Approved Budget Transfer B-156 from Capital Projects budget, in the amount of \$15,000, for the purchase of one (1) 1990 Etnyre chip spreader, from Sonoma County, and authorized the Chair to sign.

Approved waiver of 900-hour limit for extra-help Staff Services Analyst II Janice Hubbell, extra-help Eligibility Worker I Jeffrey Watts and extra-help Office Assistant III Teresa Newton, as per staff memorandum, dated March 8, 2011.

Sitting as the Board of Directors of the Lake County Sanitation District, approved Budget Transfer B-142, in the amount of \$59,200 to cover additional expenditures for lateral and manhole repairs, emergency rehabilitation and repairs of lift station #2 in the Southeast Regional Wastewater Treatment Plant, 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-14 - Consideration of proposed Ordinance establishing a Prima Facie Speed Limit Zone on Hartmann Road (County Road No. 104), from Hidden Valley Road to the end of Hartmann Road (35 MPH)** - Chair Comstock introduced this item.

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

On motion of Supervisor Brown and by vote of the Board (5 ayes), advanced the ordinance two weeks, to April 5, 2011.

4. **ITEM A-13 - Supervisors' weekly calendar, travel and reports** - On motion of Supervisor Smith and by vote of the Board (4 ayes, Supervisor Rushing ABSTAIN), approved out of County travel and overnight stay for Supervisor Farrington to attend the California Public Utilities Commission meeting in San Francisco, on Wednesday, March 23, 2011.

5. **ITEM A-5 - 9:15 A.M. - Consideration of proposed County Information Security Policy** - Human Resources Director Kathy Ferguson and Information Technology Director Shane French presented the staff report.

This item was continued two weeks, to April 5, 2011, to allow for input from the Sheriff's department.

6. **ITEM A-6 - 9:20 A.M. - PUBLIC HEARING - Public bid opening for the sale of County Surplus real property (2 bedroom/2 bathroom single-family manufactured home), located at 9549 Copey Creek Way, Lower Lake, California, described as Assessor's Parcel Number 049-101-05; the minimum bid price of the real property is seventy thousand dollars (\$70,000)** - Housing Services Program Manager Steve Citron presented the staff report.

Assistant Clerk of the Board Mireya Turner reported no bids were received.

Chair Comstock opened the public hearing. No one was present wishing to speak or submit a bid, and the public hearing was closed.

No Board action was taken on this item.

7. **ITEM A-7 - 9:25 A.M. - Consideration of recommendation for the grant of \$1,500 to the Resource Conservation District, to support their annual creek cleanup efforts** - West Lake Resource Conservation District President Chuck Morse and Fish and Wildlife Advisory Committee Chair Greg Giusti were present.

Mr. Giusti presented the request to the Board.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the grant of \$1,500 to the Resource Conservation District, to support their annual creek cleanup efforts.

8. **ITEM A-8 - 9:35 A.M. - Presentation of Proclamation declaring the week of March 20-26, 2011, as National Surveyors Week in Lake County** - Supervisor Smith read the Proclamation into the record and presented it to County Surveyor Gordon Haggitt, who spoke.

Many public and private surveyors were present.

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9. **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: LCEA, DSA, LCCOA and DDAA 2. Public Employee Performance Evaluation: Title: Information Technology Director** - 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 10:00 a.m.

10. **ITEM A-9 - 10:00 A.M. - Presentation of Proclamation endorsing the World-Wide Charter for Compassion** - Supervisor Rushing read the Proclamation into the record and presented it to Reverend Shannon Kimbell-Auth, who spoke.

After a brief recess, the Board reconvened into Regular Session at 10:18 a.m.

11. **ITEM A-10 - 10:15 A.M. - Discussion/consideration of the proposed Lake County Public, Education and Government (PEG) Channel Budget and request to implement Cable TV Subscriber Fee for support of the PEG Channel** - PEG Channel Board members Joyce Overton and Vince Metzger presented the item to the Board.

Chair Comstock asked if anyone was present wishing to speak and the following people spoke: Joel Moore, Shawn Swatosh, Brian Rushing, Jed Shoop, Jill Ruzicka and Amaryllys Gudmundson. 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 (4 ayes, Supervisor Brown NO), directed staff to draft an ordinance to impose a 1% Cable TV Subscriber Fee and bring it back to the Board for adoption after approval has been obtained from the Lakeport and Clearlake City Councils to enact the same fee within the Cities of Lakeport and Clearlake, with conditions specified by Supervisor Farrington relative to financial accountability, quarterly reports presented to the Board by the PEG Channel and outreach to various public and private sections of the community.

12. **ITEM A-11 - 11:15 A.M. - Presentation of Proclamation declaring the month of April 2011, as Sexual Assault Awareness Month, April 5th as the Sexual Assault Awareness Day of Action, April 27th as Denim Day, and April 10-16, 2011 as National Victim Rights Week in Lake County** - Supervisor Brown read the Proclamation into the record and presented it to Lisa Fronsman, who spoke. Many victim advocates, both public and private, were present.

13. **ITEM A-12 - 11:20 A.M. - HEARING - Consideration of request to modify Vicious Animal Abatement Order issued December 13, 2007 (Martha Lois Embry - for Merlin the dog; located at 8120 Reclamation Road, Upper Lake, CA)** - Animal Control Director Bill Davidson, Animal Control Officer Morgan Hermann, Steve Elias, Martha Embry and Robert Sterling were sworn in by the Clerk.

Mr. Davidson and Ms. Hermann presented the staff report.

Mr. Elias, Ms. Embry and Mr. Sterling gave testimony.

On motion of Supervisor Brown and by vote of the Board (5 ayes), modified the Vicious Animal Abatement Order to allow for transport of Bear off Ms. Embry's property, provided he is wearing a leash and muzzle, is under the control of the owner, and is contained during transport.

There being no further business, the Board adjourned at 11:47 a.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

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