

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD MAY 1, 2012

The Honorable Board of Supervisors of Lake County, California, met in regular session this 1st day of May, 2012, there being present Supervisors Jim Comstock, Jeff Smith, Denise Rushing, Anthony Farrington and Rob Brown, 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 Brown. Following a moment of silence, Supervisor Rushing led the salute to the flag of the United States of America.

1. **ITEM A-2 - 9:05 A.M. - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Consent Agenda items C-1 through C-8, and C-10 and C-11 (Consent Agenda Item C-9 was inadvertently omitted from the agenda).

Approved Minutes of the Board of Supervisors meeting held on April 24, 2012.

Adopted Proclamation designating May 2012, as Mental Health Month.

Adopted Proclamation designating the month of May 2012, as National Military Appreciation Month.

Adopted Proclamation designating the month of May 2012, as Building Safety Month.

Adopted Resolution No. 2012-44, approving the Standard Agreement between the County of Lake and the State Department of Rehabilitation for vocational rehabilitation services, Fiscal Year (FY) 12/13, and authorizing the Director of Mental Health to sign Agreement Number 28593.

Approved Second Amendment to Agreement between the County of Lake and Jason K.T. Trent, MD, for pathology services (regarding timeliness of response), and authorized the Chair to sign.

Approved Agreement between the County of Lake and the Lake County Office of Education for Fiscal Years 2011, 2012 and 2013, for Community Based Child Abuse Prevention (CBCAP) services, in an amount not to exceed the maximum State budget allocation for CBCAP services, and authorized the Chair to sign.

Sitting as the Board of Directors of the Lake County Air Quality Management District, approved the Memorandum of Understanding between the Lake County Air Quality Management District and the North Coast Air Quality Management District to transfer remaining Year 12 Carl Moyer Grand Funds, including interest, in the amount of \$128,446.62, to the North Coast Air Quality Management District, and authorized the Air Pollution Control Officer to sign.

Adopted Proclamation commending Bob Renker for his years of service to the County of Lake.

Adopted Proclamation commending Greg Campbell for his years of service to the County of Lake.

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.
3. **ITEM A-9 - Consideration of the following appointments: Marijuana Cultivation Ordinance Advisory Board** - Supervisors Brown and Rushing introduced the item.

Chair Brown asked if anyone was present wishing to speak and the following people spoke: Don Merrill and John Brosnan. No one else was present wishing to speak and the public input portion of this item was closed.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), appointed the following people to the Marijuana Cultivation Ordinance Advisory Board: Supervisors Rushing and Farrington, John Brosnan (Medical Marijuana Grower), Don Merrill (Medical Marijuana Grower), David Rosenthal (Local Agriculture - non-marijuana), Bobby Dutcher (Local Agriculture - non-marijuana), Robert Rosenthal, MD (Physician), Fred Langston (Patient), and Bill Kearney (Member at Large).

There was Board consensus to authorize Supervisor Rushing to direct staff to schedule a meeting of the advisory board and post an agenda.

PUBLIC INPUT - Tom Slight spoke regarding the Lucerne Castle, the possibility of its use by a college, and expressed his opinion about local air quality issues.

4. **ITEM A-5 - 9:10 A.M. - Presentation of Proclamation designating May, 2012, as Mental Health Month** - Supervisor Rushing read the Proclamation into the record and presented it to Mental Health Director Kristy Kelly, James Cox and June Wilson, who spoke.
5. **ITEM A-6 - 9:15 A.M. - Presentation of Proclamation designating the month of May, 2012, as National Military Appreciation Month** - Supervisor Comstock read the Proclamation into the record and presented it to Frank Parker, who spoke.

Many retired and active members of our Armed Forces were present.

6. **ITEM A-7 - 9:20 A.M. - Presentation on Microbetech's technology and proposal for algae abatement services** - Water Resources Director Scott De Leon was present.

Microbetech President Allan Buckmann, Chief Executive Officer John Pepin and Alex Foschi presented the proposal to the Board.

Chair Brown asked if anyone was present wishing to speak and the following people spoke: Dr. John Zebelean, Betsy Cawn, Ron Minudri, Agricultural Commissioner Steve Hajik, Phil Murphy and John Gichuki. No one else was present wishing to speak and the public input portion of this item was closed.

There was Board consensus to request further information from Microbetech for future consideration.

After a brief recess, the Board reconvened into Regular Session at 10:56 a.m. Supervisor Farrington and County Administrative Officer Kelly Cox were absent.

7. **ITEM A-14 - Consideration of request to restore six unfunded Correctional Officer positions to the Sheriff-Jail budget** - Undersheriff Pat Turturici and Captain Chris Macedo were present.

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County Administrative Officer Kelly Cox was present at 10:59 a.m.

Supervisor Farrington was present at 11:00 a.m.

Undersheriff Turturici presented the staff report.

Supervisor Comstock offered Resolution No. 2012-45, and it was passed by roll call vote (5 ayes).

8. **ITEM A-15 - Consideration of proposed Agreement between the County of Lake and Michael T. Hardin Investigations, for pre-employment background investigation services** - Undersheriff Pat Turturici and Captain Chris Macedo were present.

Capt. Macedo presented the staff report.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Michael T. Hardin Investigations, for pre-employment background investigation services, in an amount not to exceed \$15,000, and authorized the Chair to sign.

9. **ITEM A-16 - Consideration of proposed First Amendment to the Agreement between the County of Lake and MGI-Madeira Group International, for pre-employment background investigation services** - Undersheriff Pat Turturici and Captain Chris Macedo were present.

Capt. Macedo presented the staff report.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the First Amendment to the Agreement between the County of Lake and MGI-Madeira Group International, for pre-employment background investigation services, and authorized the Chair to sign.

10. **ITEM A-18 - 9:40 A.M. - Presentation of Proclamations to Bob Renker and Greg Campbell commending them on their years of service to the County of Lake** - Chair Brown read the Proclamations into the record and presented them to Bob Renker and Greg Campbell.

Many Assessor-Recorder staff members were present.

11. **ITEM A-12 - Consideration of request to authorize the re-design the Lake County Mental Health Department and AODS as the Department of Behavioral Health and Recovery** - Mental Health Director Kristy Kelly and Mental Health Board Chair James Cox were present.

Ms. Kelly presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (5 ayes) approved further integration of Mental Health and AODS services and directed the Mental Health Director to bring back a more detailed proposal for Board consideration to include: change of Department name, changes in job titles, functions and language in job descriptions to reflect name change and the further integration of services and functions; and changes to organizational structure to support other changes and promote efficiencies and quality of services.

The Board of Directors of the Lake County Watershed Protection District convened to serve concurrently as the Board of Supervisors.

12. **ITEM A-19 - Consideration of proposed joint Resolution authorizing the cancellation of reserves in Lakebed Management and a Budget Transfer within Flood Control and Water Conservation District budget to purchase a full-sized, four wheel drive truck** - Water Resources Director Scott De Leon presented the staff report.

Supervisor and Director Farrington offered Resolution No. 2012-46, and it was passed by roll call vote (5 ayes).

The Board of Directors of the Lake County Watershed Protection District adjourned and continued as the Board of Supervisors.

13. **ITEM A-20 - Consideration of proposed advanced step hiring of extra help Appraiser III Jim Campbell, due to applicant's extraordinary qualifications (5th step salary range)** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved advanced step hiring of extra help Appraiser III Jim Campbell, due to applicant's extraordinary qualifications (5th step salary range).

14. **ITEM A-13 - Continued from April 17, 2012 - Consideration of bid award for purchase of tables, benches, receptacles for Mt. Konocti Park** - Public Services Director Caroline Chavez presented the staff report.

On motion of Supervisor Smith and by vote of the Board (5 ayes), authorized the purchase of twelve concrete tables, twelve concrete benches, twelve concrete trash receptacles and twelve matching recycling receptacles from Outdoor Creations Inc., in the amount of \$33,763.46, for Mt. Konocti Park.

15. **ITEM A-10 - Consideration of proposed Ordinance amending Article 1 Section 5-4f.2 of Chapter Five of the Lake County Code relating to the sale, use and display of fireworks in the unincorporated area of the County of Lake (correcting typographical errors on Ordinance 2971)** - On motion of Supervisor Rushing 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 Rushing and by vote of the Board (5 ayes), advanced the Ordinance one week, to May 8, 2012.

16. **ITEM A-11 - Consideration of proposed Renewal Agreement between the County of Lake and Petdata for licensing services** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Renewal Agreement between the County of Lake and Petdata for licensing services, and authorized the Chair to sign.

17. **ITEM A-17 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, S. Harry, L. Guintivano, M. Perry and J. Hammond; and (b) Employee Organization: DSA, LCCOA and DDAA 2. Conference with Legal Counsel: Existing Litigation pursuant to Gov Code Sec. 54956.9 subd. (a): Friends of Cobb Mountain v. County of Lake, et al. 3. Public Employee Appointment: County Administrative Officer/Clerk of the Board** - Chair Brown announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session at 12:25 p.m. and took the following action:

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On motion of Supervisor Smith and by vote of the Board (5 ayes), directed staff to re-open recruitment for County Administrative Officer and retain the existing eligibility list for further consideration after the second recruitment has closed.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the settlement in the matter of Friends of Cobb Mountain v. County of Lake, et al. This settlement does not result in the payment of any monetary damages by the County. The County agrees consequent to this agreement that it will commit to the continued funding of a Resource Planner/Geothermal Coordinator as long as AB 1905 funding continues; and taking necessary action to reestablish and reactivate the County Geothermal Advisory Committee, and authorized the Chair to sign the Agreement.

There being no further business, the Board of Supervisors adjourned at 12:27 p.m.

KELLY F. COX
Clerk of the Board

Chair - Lake County Board of Supervisors

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