

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JANUARY 15, 2013

The Honorable Board of Supervisors of Lake County, California, met in regular session this 15th day of January, 2013, there being present Supervisors Denise Rushing, Anthony Farrington, Rob Brown and Jeff Smith, County Administrative Officer Matt Perry, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner. Supervisor Comstock was absent all day.

1. **ITEM A-3 - 9:00 A.M. - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Comstock ABSENT), approved Consent Agenda items C-1 through C-6, with the exception of Consent Agenda Item C-5, which was taken up immediately following the Consent Agenda.

Approved Minutes of the Board of Supervisors meetings held on January 8, 2013.

Adopted Resolution No. 2013-02, amending Resolution No. 2012-107 establishing position allocations for Fiscal Year 2012-2013, Budget Unit No. 4121 - Integrated Waste Management (deleting one 1.0 FTE Account Clerk II position and adding one .8 FTE Account Clerk II position).

Adopted Resolution No. 2013-03, amending Resolution No. 2012-107 establishing position allocations for Fiscal Year 2012-2013, Budget Unit No. 3011 - Roads (deleting eight Public Works Worker I/II positions and two Public Works Worker II/III positions, and adding ten Public Works Worker I/II/III positions)

Approved Agreement between the County of Lake and George Gibbs for engineering services for the review of plans and specifications for the construction of frontage improvements along Kelsey Creek Drive; project location 5650 & 5680 Kelsey Creek Drive, Kelseyville, and authorized the Chair to sign.

Consent Agenda Item C-5 - Approve Agreement between the County of Lake and Chabot-Las Positas Community College District for foster and adoptive care provider training services, for a maximum amount of \$157,380, and authorize the Chair to sign - At the request of Supervisor Brown, this item was removed from the Consent Agenda for discussion.

Approved Agreement between the County of Lake and Lake County Office of Education - Healthy Start for Probation Family PRO services, for a maximum amount of \$36,516, and authorized the Chair to sign.

Consent Agenda Item C-5 - Approve Agreement between the County of Lake and Chabot-Las Positas Community College District for foster and adoptive care provider training services, for a maximum amount of \$157,380, and authorize the Chair to sign - Supervisor Brown stated he would work with staff to determine the possibility of a local educational institution developing foster and adoptive care provider training services in the future.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Comstock ABSENT), approved the Agreement between the County of Lake and Chabot-Las Positas Community College District for foster and adoptive care provider training services, for a maximum amount of \$157,380, and authorized the Chair to sign.

PUBLIC INPUT - CJ LeBrun spoke regarding In Home Supportive Services.

2. **ITEM A-5 - Administer Oath of Office to the Planning Commissioners for Districts 2, 3, 4 and 5** - Chair Smith announced this item would not be taken up. The Planning Commissioners will take Oaths of Office during the Planning Commission meeting on January 24, 2013.

3. **ITEM A-9 - Continued from January 8, 2013 - Consideration of Chairman's recommended 2013 committee assignments for members of the Board of Supervisors** - County Counsel Anita Grant presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Comstock ABSENT), appointed Ed Robey to the Public, Education and Government (PEG) Channel Board, for a term to expire January 1, 2014.

On motion of Supervisor Farrington and by vote of the Board (4 ayes, Supervisor Comstock ABSENT), appointed Supervisor Rushing to the North Coast Opportunities Board of Directors.

4. **ITEM A-6 - 9:15 A.M. - (a) Presentation of Clear Lake Advisory Committee Annual Report; (b) Consideration of proposed 2013 Work Plan; (c) Presentation of update regarding reformation of Resource Management Committee (RMC) and (d) Consideration of appointments to the Clear Lake Advisory Committee** - (a), (b) and (c) were carried over three weeks, to February 5, 2013, at 10:15 a.m.

On motion of Supervisor Brown and by vote of the Board (4 ayes, Supervisor Comstock ABSENT), appointed Betsy Cawn (Environmental Restoration), Michael Dunlap (Shoreline Property Owners), Annelle Durham (Agriculture) and Cheri Lee Glenn Holden (Recreation), for terms to expire January 1, 2015.

5. **ITEM A-10 - Consideration of request to temporarily close the old Middletown Library in order to move into the new Middletown Library** - Chair Smith announced this item would be carried over one week to January 22, 2013.

The Board remained in Regular Session for the next item.

6. **ITEM A-11 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, L. Guintivano, M. Perry, J. Hammond and A. Flora; and (b) Employee Organization: DDAA, DSA, LCCOA, LCEA and LCSEA 2. Conference with legal counsel: Significant exposure to litigation pursuant to Gov. Code Sec. 54956.9, subd. (b)(1)(c): Claim of the City of Lakeport 3. Conference with legal counsel: Existing litigation pursuant to Gov. Code Sec. 54956.9(a): Jenson and Larson v. Lake County Sheriff's Office, et al. 4. Conference with legal counsel: Significant exposure to litigation pursuant to Gov. Code Sec. 54956.9, subd. (b)(1)(c): Claim of the City of Lakeport 5. Employee Disciplinary Appeal EDA 2013-01 Carried over from January 8, 2013 6. Public Employee Performance Evaluations: Titles: County Librarian, Human Resource Director** - Steven Wright spoke regarding Employee Disciplinary Appeal EDA 2013-01.

After a brief recess, the Board reconvened into Regular Session at 9:42 a.m.

7. **ITEM A-7 - 9:40 A.M. - HEARING - Nuisance Abatement of 10075 Mitchell Road, Clearlake Oaks, CA (APN 035-531-10 - Hollis Thackery)** - Community Development Director Rick Coel, Building Inspector Dana McDonald, Rachel Harvey and Bruce Evans were sworn in by the Clerk.

Mr. Coel and Mr. McDonald presented the staff summary.

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Ms. Harvey gave testimony.

Chair Smith asked if anyone was present wishing to speak and Bruce Evans spoke. 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 (4 ayes, Supervisor Comstock ABSENT), adopted the order to complete abatement of the nuisance on property located at 10075 Mitchell Road, Clearlake Oaks, CA (APN 035-531-10 - Hollis Thackery), by January 18, 2013, 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.

8. **ITEM A-11 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, L. Guintivano, M. Perry, J. Hammond and A. Flora; and (b) Employee Organization: DDAA, DSA, LCCOA, LCEA and LCSEA 2. Conference with legal counsel: Significant exposure to litigation pursuant to Gov. Code Sec. 54956.9, subd. (b)(1)(c): Claim of the City of Lakeport 3. Conference with legal counsel: Existing litigation pursuant to Gov. Code Sec. 54956.9(a): Jenson and Larson v. Lake County Sheriff's Office, et al. 4. Employee Disciplinary Appeal EDA 2013-01 - Carried over from January 8, 2013 - 6. Public Employee Performance Evaluations: Titles: County Librarian and Human Resource Director** - County Counsel Anita Grant announced there would be no labor negotiations today.

Chair Smith announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session at 11:28 a.m. and took the following action:

In the matter of Employee Disciplinary Appeal EDA 2013-01, on motion of Supervisor Rushing and by vote of the Board (4 ayes, Supervisor Comstock ABSENT), accepted the recommendation of the Hearing Officer, reinstated the Grievant with full back pay and benefits less any appropriate set offs for other income, and directed County Counsel to prepare Findings of Fact.

Chair Smith announced the Board would return to Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session at 11:45 a.m. with no action taken.

There being no further business, the Board of Supervisors adjourned at 11:46 a.m..

MATT PERRY
Clerk of the Board

Chair - Lake County Board of Supervisors

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