

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 16, 1973

The Board convened in regular meeting. Present: Supervisors Franklin K. Lane, W. P. Walker, Raymond E. Lawyer, and Thomas L. Stewart. Absent: Supervisor William V. D. Johnson. Also present: Ann R. Macy, Board of Supervisors Clerk. Chairman Lawyer presided.

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The Pledge of Allegiance to the Flag was led by Supervisor Stewart.

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On motion of Supervisor Lane, seconded by Supervisor Stewart, and unanimously carried by those present, the Agenda was adopted, with an addition to Page 3 of a Change Order to the Contract for the Sheriff's Facility at Lake Tahoe, as Item F. 1A, and the placement of Item E. 1, Page 2, to Page 1 following adoption of the Agenda -- Proclamation for Coloma Gold Discovery Days Celebration.

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Chairman Lawyer requested that the Clerk read the Proclamation proclaiming the week of January 22 through January 28, 1973, to be Gold Discovery Week, and on motion of Supervisor Stewart, seconded by Supervisor Lane, and unanimously carried by those present, the Proclamation was approved.

The Clerk then read the following resolution, which was adopted on motion of Supervisor Lane, seconded by Supervisor Stewart, and unanimously carried by those present:

## RESOLUTION NO. 35-73

THAT COLOMA, EL DORADO COUNTY, BE MADE HONORARY COUNTY SEAT FOR THE DAY OF THE GOLD DISCOVERY CELEBRATION, JANUARY 28, 1973

(For contents, see original resolution)

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On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Minutes of January 2, 1973, and January 9, 1973, were approved, as submitted, and the Minutes of January 5, 1973, were continued to January 23, 1973 for approval.

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On motion of Supervisor Lane, seconded by Supervisor Stewart, and unanimously carried by those present, Warrant Register Claims for El Dorado County and Claims as submitted by Community Action Council, were approved for payment.

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At the recommendation of County Counsel, on motion of Supervisor Stewart, seconded by Supervisor Lane, and unanimously carried by those present, the Claim submitted by Donald J. Lomont against the Tahoe Regional Planning Agency, County of El Dorado, and State of California, for property damages in the amount of \$16,500.00 was denied for the following reasons: That the County cannot be responsible for acts of the appointed governing body of the Tahoe Regional Planning Agency; that the County did file a lawsuit in an attempt to declare the Agency unconstitutional on behalf of the people who have been damaged by the unconstitutional taking of their property by Tahoe Regional Planning Agency's ordinances, rules and regulations; and that El Dorado County has not adopted any of the Agency's rules, regulations and ordinances.

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At the recommendation of County Counsel, on motion of Supervisor Lane, seconded by Supervisor Stewart, and unanimously carried by those present, the Board denied the Claim submitted by Attorney Gary B. Callahan on behalf of Loren L. Winje, etal, for personal damages in the aggregate amount of \$325,000.00.

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On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Claim submitted by Vinton L. Spencer for property damages in the amount of \$42.86, was referred to County Counsel.

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On motion of Supervisor Lawyer, seconded by Supervisor Walker, and unanimously carried by those present, all personnel matters on the Personnel List dated January 16, 1973, submitted by the County Administrative Officer were approved as recommended by him. (Personnel List is on file in the Board of Supervisors Office).

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On motion of Supervisor Walker, seconded by Supervisor Lane, and unanimously carried by those present, the Board approved 15 Assignments to the Credit Bureau of El Dorado County from the Collection Department for Claims against those persons named on the Assignments dated January 16, 1973, beginning with the name of Michael D. Bryant and ending with the name of Nancy Daniel.

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County Clerk submitted Statement of Costs of the Special Maximum Tax Rate Election in the Placerville Union School District on September 12, 1972; pursuant to Sections 1421-1422 Education Code.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Statement was approved and placed on file.

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Director of Public Works submitted letter requesting Board determination as to whether or not the County should pursue collection from South Tahoe Public Utility District of \$5,536.25; their share for upgrading portion of Pioneer Trail, as agreed to by the South Tahoe Public Utility District and authorized by Change Order No. 3. (Continued from January 9, 1973)

The General Manager, South Tahoe Public Utility District was present and submitted a written statement on the matter to the Board.

Mr. Stanley Martin, President of Angora Water Company, was also present, and stated that the first time his company was contacted was regarding the fire hydrants due to a planned change in the slope of the bank, and there was no conflict in that regard. The second time he was contacted was in the spring of 1972 after the road bed had been cut and the waterlines had only 18-20" of cover. Angora was requested by the County (Mr. Steve Jackson) to relocate the lines immediately, to which he responded that he felt it was not Angora's responsibility and furthermore it was their busy season and they were unable to accomplish such a task.

After consideration, on motion of Supervisor Stewart, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lane, Walker, and Stewart; No: Supervisor Lawyer; Absent: Supervisor Johnson, the Board declared their intent to proceed no further in the collection of the sum of \$5,536.25.

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El Dorado County Grand Jury submitted their final report for 1972. On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Report was placed on file, and a Policy Review Session was scheduled for February 14, 1973, at 2:00 p.m. with the Department Heads to consider replies to the Grand Jury's recommendations.

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LHR 89-3

County Counsel submitted proposed changes to the County Trespassing Ordinance which makes it unlawful for any person to enter upon any privately owned land with a firearm in his possession, without the written consent of the owner of such land in his possession. (Referred from November 28, 1972)

LHR 390-7

On motion of Supervisor Lane, seconded by Supervisor Stewart, and unanimously carried by those present, the following ordinance was adopted:

ORDINANCE NO. 1257

AMENDING EL DORADO COUNTY ORDINANCE CODE

(Re: Entry on Private Land with Weapon and Shooting Across Private Land)

(For contents, see original ordinance)

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(Further action on this matter, continued to next page)

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

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On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the matter of enforcement of the Ordinance was referred to the County Administrative Officer and to Supervisor Lane for a report back to the Board by January 30, 1973.

(See Page 35, 2nd Paragraph for further action making this an emergency ordinance, effective immediately.)

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## SPECIAL ORDERS

### PLANNING MATTERS

LHR 285-3-73

Hearing held as duly advertised on rezoning of lands in the Finnon Lake area from Unclassified to Exclusive Agricultural zone, consisting of approximately 9.65 acres, and petitioned by Dorothy L. Beckett Pearson. Planning Commission recommended approval. There were no protests and the hearing was closed.

On motion of Supervisor Lawyer, seconded by Supervisor Lane, and unanimously carried by those present, the following ordinance was adopted:

ORDINANCE NO. 1258

LHR 390-9a

AMENDING EL DORADO COUNTY ZONING ORDINANCE  
(Changing Section 9405 -Finnon Lake area)

(For contents, see original ordinance)

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Hearing held as duly advertised on rezoning of lands in the Nashville area from Agricultural to Exclusive Agricultural zone, consisting of approximately 765.16 acres, petitioned by Eileen Reiman. Planning Commission recommended approval. No protests were received and the hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the following ordinance was adopted:

ORDINANCE NO. 1258

AMENDING EL DORADO COUNTY ZONING ORDINANCE  
(Changing Section 9405 - Nashville area)

(For contents, see original ordinance)

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County Counsel reported that the Federal Communication Commission requires a limit of 3% on any franchise fee, unless justification is shown for anything over that, as it relates to the request of Valley Vision, Inc., Lodi, for a Community Antenna Television System franchise in El Dorado County.

The Board did not act upon the request for a franchise since one of the letters from Valley Vision, Inc. indicates that they did not intend to service any County customers. However, on motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Board did consent to the use by Valley Vision of County easements for service of City of Placerville customers.

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(94-8)  
112  
On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the County Administrative Officer was authorized to initiate a Change Order to the contract for the new Sheriff's Facility at South Lake Tahoe in an amount not to exceed \$3,000.00 from the Contingency Fund, for the installation of 2 - 3" antenna conduits, as well as TV conduit and power circuits for four camera locations.

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(296-4)  
On motion of Supervisor Lawyer, seconded by Supervisor Stewart, and unanimously carried by those present, the Chairman was authorized to sign an Agreement with Cartwright Aerial Surveys, Inc. for aerial mapping surveys for a proposed reconstruction project on Salmon Falls Road at a cost of \$1,150.00.  
(Continued from January 2, 1973)

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(151)  
26  
On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Chairman was authorized to sign a replacement Lease with Thores Johnson for rental of Welfare Office space at South Lake Tahoe to replace the original Lease which was destroyed in a fire, and the Purchasing Agent was authorized to exercise the option to renew the Lease for two more years, to expire April 30, 1975, under the same terms and conditions.  
(Monthly rental - \$540.00)

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114-7  
On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Purchasing Agent's request for approval of specifications for Bid 459, Refrigerator, and Bid 460, Freezer, with authorization to advertise bid openings February 5, 1973, and award by the Board on February 13, 1973, was continued to January 23, 1973. (Informally referred to County Administrative Officer to check specification limitations).

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114  
Purchasing Agent submitted results of Bid No. 454, One Utility Body for Agricultural Commissioner's Department, and bids were received from Service Manufacturing Co., San Lorenzo; Transport Supply Company, Sacramento; C. C. Douglas Manufacturing & Sales, Sacramento; and Dailey Body Company, Oakland. (Original bids are on file in the Board of Supervisors Office.)

At the recommendation of the Purchasing Agent, on motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, Bid No. 454 was awarded to Service Manufacturing Company, San Lorenzo, as low bidder, for a total bid of \$571.82.

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County Counsel submitted resolutions authorizing an action for the recovery of County Funds Paid Out for the following:

(Continued)

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<u>Name</u>	<u>No.</u>	<u>Amount</u>
Margaret Kinney	72-8	\$1,866.35
Virgil Smoot	71-239	1,272.50
Margaret Tombs	71-239	1,272.50

15413 On motion of Supervisor Lawyer, seconded by Supervisor Stewart, and unanimously carried by those present, the following resolutions were adopted:

RESOLUTION NOS. 36-73 THROUGH 38-73

RESOLUTIONS AUTHORIZING ACTIONS FOR THE RECOVERY OF  
COUNTY FUNDS PAID OUT

(For contents, see original resolutions)

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3152 On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, Supervisor William V. D. Johnson was appointed as the Board's representative to the Joint Powers Agency, Sierra Economic Development District, and Supervisor Franklin K. Lane was appointed as Alternate, and the following resolution was adopted:

RESOLUTION NO. 39-73

APPOINTING REPRESENTATIVES TO JOINT POWERS AGENCY,  
SIERRA ECONOMIC DEVELOPMENT DISTRICT

(For contents, see original resolution)

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318  
3082 At the recommendation of the Overall Economic Development Program Steering Committee at a meeting held on January 10, 1973, and on motion of Supervisor Stewart, seconded by Supervisor Lane, and unanimously carried by those present, the Board appointed the following persons to the Overall Economic Development Program Steering Committee to represent the categories as reflected below:

W. P. "Dub" Walker, Board of Supervisors  
John Carpenter, City of Placerville  
Lester Nagy, City of South Lake Tahoe  
Jack Caswell, Transportation  
John Weidman, Legal  
William Hardie, Lumber  
Robert Rodrigues, Minorities  
Harry Dunlop, El Dorado Irrigation District  
Charles Gireau, Georgetown Divide Public Utility District

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

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227a  
On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Board accepted the resignation of Mrs. Jane Brunello, effective immediately, from the Mental Health Advisory Board, and the Board Clerk was directed to forward a Certificate of Appreciation to Mr. Brunello.

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Supervisor Stewart departed the room

247  
On motion of Supervisor Lawyer, seconded by Supervisor Walker, and unanimously carried by those present, the Chairman was authorized to execute Release of Lien discharging all property encumbered by the Agreement to Reimburse the County for Public Assistance rendered Arthur Spezza, as recorded in Volume 1060, Page 150 of the Official Records of El Dorado County.

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248  
On motion of Supervisor Walker, seconded by Supervisor Lane, and unanimously carried by those present, the following tax matters were approved:

Public Agency Acquisition for 1972-73, Secured Taxes, Cancellation, Class 100 for Parcel 33-591-04, Ralph E. Schneider, etux, Acquired by Division of Highways; and

Public Agency Acquisitions for 1971-72, Secured Tax Roll, Refunds as follows:

<u>Parcel</u>	<u>Name</u>	<u>Acquired by</u>
52-130-24-1	Cold Springs Road Apts.	City of Placerville
33-591-04-1	Schneider, Ralph E.	Division of Highways
71-050-21-1	Niegel, Rudolph	U.S. Dept. of Interior
71-110-02-1	Viani, Louis J.	" " " "
71-110-03-1	Niegel, Rudolph H.	" " " "
71-110-09-1	Niegel, Rudolph H.	" " " "
71-120-01-1	Niegel, Rudolph H.	" " " "
46-080-25-1	Dean, Kenny	County of El Dorado
46-080-26-1	Dean, Ben	" " "
46-080-38-1	Edwards, Margaret G.	" " "
46-180-05-1	Lang, James H.	" " "
46-190-01-1	Edwards, Margaret	" " "

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2968  
Communication received from A. J. Enzler suggesting that snow removal districts be formed for the higher elevations of the County, with elected citizens as advisory committees to represent their districts before the Board of Supervisors, or form community services districts with thier own Directors. (Matter deferred from December 19, 1972, until after first of the year).

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the matter was taken under advisement.

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423  
Waters  
Edge  
Unit  
#1  
Communication received from Robert C. Schleh, Attorney at Law, stating that \$6,000.00 has been received, as authorized by the Board on November 21, 1972, pursuant to Agreement Concerning Construction and Maintenance of Septic Sewer System dated January 7, 1966, and requesting that action be taken on the alleged interest due the Waters Edge Unit No. 1 Condominium Association.

County Counsel submitted a letter recommending that the claimants file formal claim with the Board of Supervisors for any monies alleged due and owing over the \$6,000.00, and on motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Board Clerk was directed to so advise Mr. Schleh, Attorney for Waters Edge Condominium Association.

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212  
Communication received from Sierra Treasure Hunting Club, Inc. of Sacramento, requesting authorization to close Main Street, Georgetown, on February 25, 1973, for the Fifth Annual Mother Lode Rally, between the hours of 8:00 a.m. and 6:00 p.m.

On motion of Supervisor Lawyer, seconded by Supervisor Lane, and unanimously carried by those present, the following resolution was adopted authorizing the requested closure of Main Street in Georgetown, providing that necessary insurance coverage is supplied to protect the County from any liability:

RESOLUTION NO. 41-73

CLOSING MAIN STREET, GEORGETOWN, FOR MOTHER LODE RALLY

(For contents, see original resolution)

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212  
Communication received from the Chairman, Sacramento Jeepers, requesting authorization to close and control traffic on the Georgetown Airport Road for the Ninth Annual Gold Country Classic on May 26, 27, and 28, 1973.

Airports Director submitted letter enumerating five points substantiating his recommendation for denial of the use of the Airport by the Sacramento Jeepers, including the fact that the damage to the runway lights (\$214.75) during the 1972 Jamboree is uncollected to date, either from the Jeepers or their insurance carrier.

On motion of Supervisor Lawyer, seconded by Supervisor Walker, and unanimously carried by those present, the matter was removed from the Agenda.

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212  
On motion of Supervisor Walker, seconded by Supervisor Lawyer, and unanimously carried by those present, the following resolution was adopted authorizing the closure of Bassi Road to the intersection of Highway 49 on January 27, 1973, from Noon until 2:00 p.m. in connection with the Coloma Gold Discovery Celebration Parade:  
(Continued)



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RESOLUTION NO. 42-73

CLOSING BASSI ROAD IN THE RESCUE-COLOMA AREA ON JANUARY 27, 1973,  
FOR THE GOLD DISCOVERY CELEBRATION PARADE

(For contents, see original resolution)

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On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Trespassing Ordinance adopted earlier in this meeting (See last paragraph, Page 29, and first paragraph, Page 30) was adopted as an emergency ordinance for the immediate preservation of the public peace, health and safety, and for the protection of the health and welfare of the general public and inhabitants of El Dorado County; said ordinance to become effective immediately.

Supervisor Stewart returned

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2980 Proper notices having been sent, hearing was held at 2:30 p.m. on escaped assessment for El Dorado Veneer Company. No protests were presented and the hearing was closed.

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, Assessment Roll Change No. 3432 was approved as presented.

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(354) 22-72 Communication received from the Director, Tri-County Drug Abuse Program and the Chairman, Mental Health Advisory Board, advising that the El Dorado County Mental Health Advisory Board voted on January 11, 1972, to request the Board to appoint the following persons to a Technical Advisory Committee, pursuant to the Campbell-Moretti-Deukmejian Drug Abuse Treatment Act, an urgency statute enacted December 15, 1972, requiring County Boards of Supervisors to appoint a Technical Advisory Committee on drug abuse to insure community involvement in developing a comprehensive program:

Ernest Carlson  
John Grissom  
Albert Williams  
John Crow  
Tom Russell  
Ray Christiansen  
Terry Price

Allen Tuttle  
Shireley Wells  
Robert Reynolds  
Lewis Tuttle  
Helen Atkinson  
Michael Evans  
Sandra Nomer

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the following resolution was adopted appointing the above-listed persons to the Committee:

RESOLUTION NO. 43-73

APPOINTING TECHNICAL ADVISORY COMMITTEE ON DRUG ABUSE  
TO THE EL DORADO COUNTY MENTAL HEALTH ADVISORY BOARD

(For contents, see original resolution)

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35-1  
Communication received from Executive Directors of Awakening Peace, Inc., and New Morning, Inc. Drug Abuse Programs, requesting that the Board adopt resolutions authorizing the Chairman to execute and submit to the California Council on Criminal Justice applications for grants for law enforcement purposes, and in the event said New Morning and Awakening Peace projects are funded by CCCJ, consenting to provide the required matching funds to said projects.

On motion of Supervisor Lane, seconded by Supervisor Stewart, and unanimously carried by those present, the following resolutions were adopted:

RESOLUTION NO. 44-73

AUTHORIZING CHAIRMAN TO EXECUTE APPLICATION FOR GRANT TO CALIFORNIA COUNCIL ON CRIMINAL JUSTICE FOR LAW ENFORCEMENT PURPOSES FOR NEW MORNING, INC., AND AGREEING TO PROVIDE MATCHING FUNDS

(For contents, see original resolution)

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RESOLUTION NO. 45-73

AUTHORIZING CHAIRMAN TO EXECUTE APPLICATION FOR GRANT TO CALIFORNIA COUNCIL ON CRIMINAL JUSTICE FOR LAW ENFORCEMENT PURPOSES FOR AWAKENING PEACE, INC., AND AGREEING TO PROVIDE MATCHING FUNDS

(For contents, see original resolution)

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62  
Communication was received from President, El Dorado County Chamber of Commerce, requesting clarification of the sum reflected in Paragraph 8 of the Advertising Agreement entered into with the Chamber of Commerce on December 5, 1972, wherein the County agrees to contract for the State Fair at a sum not to exceed \$4,200.00. The communication stated that it was the Chamber's understanding that this sum should be \$5,500.00, as confirmed by the published budget figures.

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Board directed that the contract be corrected to reflect \$5,500.00 in paragraph 8, in lieu of \$4,200.00.

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63  
Hearing held as duly advertised on the request of South Tahoe Refuse Company to increase their rates under their franchise for the collection and disposal of refuse in the Tahoe Basin area. Attorney Melvin Laub was present on behalf of the South Tahoe Refuse Company and read the proposed rates to the Board. There were no protests and the Hearing was closed.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the following resolution was adopted:  
(Continued)

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RESOLUTION NO. 46-73

ESTABLISHING NEW RATES FOR THE COLLECTION OF REFUSE  
IN THE TAHOE BASIN BY THE SOUTH TAHOE REFUSE CO.

(For contents, see original resolution)

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341  
Agricultural Commissioner Ed Delfino and Mr. Robert Hubbell, California Division of Forestry, were present and reviewed the problem of the bark beetle epidemic that is presently occurring in the lodgepole pine in the South Lake Tahoe area, covering approximately 150 acres in and near the City of South Lake Tahoe.

On motion of Supervisor Lane, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Lane, Walker, and Lawyer; No: Supervisor Stewart; Absent: Supervisor Johnson, the Board directed that the Agricultural Commissioner continue to coordinate his efforts with the U. S. Forest Service and the California Division of Forestry, and to advertise the problem in the Basin area, and in approximately two or three months to brief the Board again on the situation.

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On motion of Supervisor Lawyer, seconded by Supervisor Walker, and unanimously carried by those present, the Georgetown Airport Lease was returned to County Counsel to draw a new lease.

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There being no further business, the Board adjourned to Tuesday, January 23, 1973, at 10:00 a.m.

ATTEST: Carl A. Kelly,  
County Clerk and  
ex-officio Clerk  
of the Board

APPROVED *Raymond E. Lawrence*  
Chairman

By *Ben K. Macy*  
Deputy