

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 3, 1973

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

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

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The Invocation was offered by Reverend Don O. Herman, First Lutheran Church.

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On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Agenda was adopted, with the addition of an 11:00 a.m. Time Slot for adoption of the El Dorado County Mental Health Services Annual Plan for 1973-74.

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The Minutes of June 26, 1973, were approved as submitted on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present.

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## GENERAL ORDERS

LHR 28  
Warrant Register Claims for El Dorado County and Claims as submitted by the Community Action Council were approved and allowed for payment on motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present.

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58-1  
74-8  
At the recommendation of County Counsel, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Claim submitted by Attorney Peter V. Shackter on behalf of Gil Construction Company for alleged breach of contract in the amount of \$66,285.78, was denied.

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58-1  
On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried by those present, the Claim submitted by Attorney Noel E. Manoukian on behalf of Round Hill General Improvement District for property damages in the amount of \$3,000,000 against El Dorado County and the Tahoe Regional Planning Agency, 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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Board considered the personnel matters as submitted on the Personnel List dated July 3, 1973.

115 On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried by those present, Items 3 through 9 of the List were approved as recommended by the Personnel Officer.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the following ordinance was adopted setting the monthly salaries of the Public Defender (at \$1,792.00), and the Director of Community Programs (at \$1,338.00): (This action applies to Item 2 and a portion of Item 1 of said List)

ORDINANCE NO. 1305

AMENDING EL DORADO COUNTY ORDINANCE CODE  
(Section 4105. Salaries of Appointive and Elective County Officers)

(For contents, see original ordinance)

170-1  
50-1  
378-1  
82-7  
On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried by those present, the Board approved the balance of Item 1, as recommended by the Personnel Officer.

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177-1  
221-8  
County Clerk presented result of canvass of special election for governing board member to fill a vacancy in the Lake Tahoe Unified School District at an election held on Tuesday, June 26, 1973, statement to be entered on the records of the Board as official results pursuant to Section 18412 Election Code.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Certificate of Election Results was placed on file.

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257  
m-p  
On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Board continued to July 17, 1973, a study by the Director of Health Services and the County Administrative Officer relative to the need for an ambulance based in the Pollock Pines-Camino area to provide emergency ambulance service to that area, as had been provided by Foothill Ambulance Service.

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141  
214  
County Collection Officer and the Probation Officer submitted reports regarding the Collection Officer's first recommendation that the County accept a compromise settlement in the amount of approximately \$300.00 from Mr. Richard Rubier for costs incurred by the County of El Dorado for his minor son in the amount of \$3,159.68. Said reports indicated that the first investigation of Mr. Rubier's financial background did not reveal the accurate facts, and therefore the Collection Officer stated that he was activating an Affidavit of Execution to be served on the employer of Mr. Rubier.  
(Continued)

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At the recommendation of the Collection Officer, on motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried by those present, the matter was removed from the Agenda.

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*344* Board considered the Agreement between the County and Pacific Gas and Electric Company for the installation of two street lights in the Diamond Springs Lighting District, and on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Vice-Chairman was authorized to sign.

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*30-11* Airports Director reported that no bids were received at the Bid Opening held on Friday, June 29, 1973, for the Placerville Airport Sewer Project, and at his recommendation, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Bid Opening was reset for July 20, 1973, at 10:00 a.m. to allow more time to receive bids, and the award by the Board was reset for July 24, 1973.

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*57-8* Board considered the proposed Ordinance establishing an El Dorado County Sub-Committee of the Planning Commission for the purpose of reviewing Environmental Impact Statements and defining the powers and duties thereof. (Referred 5/15/73)

*m-p* On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the matter was continued to July 17, 1973, and referred to Supervisors Johnson and Lane and the Planning Director.

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

<u>Name</u>	<u>No.</u>	<u>Amount</u>
<i>151-13</i> Vivian Galli	0931-1814-1	\$ 29.00
Wilma R. Provence & George G. Provence	0960-1490	301.00
Mark Barnes	9033	57.19
Larry Robinson & Lyn Robinson	9120	50.36
Ruth Kinney & James Kinney	8226	74.40
Gloria J. Dice	8499	143.54
Dorothy G. Roberts	8516	196.71
Beatrice Campbell	8825	114.83
Patrick Brusa	8613	46.28
Bertrand H. Burnham	8999	19.88
Mike Branson	9134	14.88
Leola O'Brien	--	57.00
Nellie Colvin & Dewayne Colvin	8470	48.36
Vernon Z. Cotton	8843	61.42
(Continued)	- 298 -	

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Gary Balderston	7939	\$ 72.72
Adrian R. Sanders	72-M102-P	17.50
Peggy Roesler	8971	23.37
Ernest Suico	8927	47.44
Shirley Raulerson	8866	86.96
Charles Nash	8760	96.68
James Birge & Shirley Birge	8108	767.97

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present the following Resolutions were adopted authorizing an action for the recovery of County welfare funds paid out:

RESOLUTIONS NO. 253-73 THRU NO. 273-73  
(For contents, see original Resolutions)

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*57*  
*NR* On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Proposed Ordinance regarding use of mobilehomes for "hardship cases", was continued to July 17, 1973.

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*(57)*  
*132* Board considered a proposed ordinance to authorize homeowners organizations; developers, etc. to preview all applications for variance, special use permit, and/or building permits within their respective boundaries for possible violation of established deed restrictions.

*423*  
*Howe* On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the matter was continued to July 24, 1973, and referred to Supervisors Lane and Walker to work on the ordinance with the Building Department and County Counsel.

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*244* Communication received from the Kelsey Cemetery Association requesting that Mr. James Hardy be appointed as Trustee to the Kelsey Cemetery District to replace Mr. Ira Coombs who is no longer living in the District. On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, James Hardy was appointed as Trustee.

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*46* Communication received from Attorney for the American Legion Tract Association requesting removal of blacktop on the driveway at the Tahoe Medical Center since a portion of the encroachment (the overhang) had been removed, and that the Association desired to erect a fence to prevent further intrusion.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Director of Public Works was ordered to remove the blacktop.

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*212* Communication received from I. B. Smith, Jeepers Jamboree, requesting authorization to close, regulate, and control traffic on the following roads:  
Main Street, Georgetown - July 26, 1973, 7:00 a.m. to 10:00 a.m.  
July 27, 1973, 6:00 a.m. to 10:00 a.m.  
July 28, 1973, 6:00 p.m. to 9:00 a.m.

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Rubicon Trail from Wentworth Springs to Rubicon Springs from 10:00 a.m. on July 26, 1973, to 4:00 p.m. on July 28, 1973.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the request was approved and the following resolution adopted:

RESOLUTION NO. 274-73

AUTHORIZING THE CLOSURE OF CERTAIN STREETS AND ROADS FOR THE JEEPERS JAMBOREE, INC. ANNUAL EVENT ON JULY 26 THROUGH JULY 28, 1973

(For contents, see original resolution)

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19  
-18 On motion of Supervisor Lane, seconded by Supervisor Johnson, and unanimously carried by those present, the request of Outingdale Improvement Club for 25 MPH speed limit signs to be placed on Highway 79, was continued to July 17, 1973, for a reply from the Traffic Advisory Committee.

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74-8 Communication was received from the City of South Lake Tahoe stating that the one bid received for the landscaping at the Police and Sheriff Facility was rejected and that the project will be rebid, and also requesting to be advised if the \$20,000.00 figure would be acceptable for the County's portion of the landscaping costs.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Johnson, Walker, and Stewart; Abstain: Supervisor Lane; Absent: Supervisor Lawyer, the Board agreed to pay 50% of the amount (whatever it is) for which the landscaping contract is written.

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(233-2)  
74-8  
114-7 On motion of Supervisor Walker, seconded by Supervisor Stewart, and carried by the following vote, Ayes: Supervisor Lane, Walker, and Stewart; No: Supervisor Johnson; Absent: Supervisor Lawyer, the Board approved the County Administrative Officer's recommendation to add and install (at the suggestion of the Architect, Marion J. Varner) certain communications equipment in the amount of \$33,421.92 to complete the present contract with Motorola covering the requirements for the communication system at the Sheriff's Office and Court Facility at South Lake Tahoe.

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213 On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried by those present, the Board approved the proposed Budget Hearing Schedule as submitted by the County Administrative Officer, and the Clerk was requested to list the schedules on the Agenda at the appropriate times.

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On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Board rescheduled the meetings of the El Dorado County Toll Tunnel Authority, El Dorado County Water Agency, and the El Dorado County Air Pollution Control Board from August 8, 1973, at 10:00 a.m. to August 15, 1973, at 10:00 a.m.

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285-5173  
391-90  
Hearing held as duly advertised on rezoning of lands in the Pollock Pines area from Single Family Residential to Limited Multi-Family Residential zone, petitioned by Lucille Sanders consisting of approximately 4.191 acres. Planning Commission recommended approval. There were no protests and the hearing was closed.

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

ORDINANCE NO. 1306

AMENDING EL DORADO COUNTY ZONING ORDINANCE  
(Pollock Pines area)

(For contents, see original ordinance)

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ASSESSMENT AND SPECIAL DISTRICTS

COUNTRY CLUB HEIGHTS UNIT NO. 4

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

RESOLUTION NO. 275-73

DETERMINING AMOUNT OF SURPLUS IN IMPROVEMENT FUND  
AND AUTHORIZING AND DIRECTING TRANSFER

(For contents, see original ordinance)

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22-7  
On motion of Supervisor Lane, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lane, Walker, and Stewart; Abstain: Supervisor Johnson; Absent: Supervisor Lawyer, the Board approved the El Dorado County Mental Health Services Annual Plan for 1973-74, Revised, as requested by the Mental Health Advisory Board, by Staff Members of the El Dorado County Mental Health Services, and the following resolution was adopted:  
(Continued)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 3, 1973

RESOLUTION NO. 276-73

ADOPTING THE EL DORADO COUNTY MENTAL HEALTH SERVICES  
ANNUAL PLAN FOR 1973-74

(For contents, see original resolution)

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47  
(57-6) Hearing was held as duly advertised concerning the adoption of a Minimal Open Space and Conservation Element to the General Plan as mandated by Senate Bill 394 and to consider changes to the parcel size for the unclassified zone in order to make the zone consistent with the General Plan. There were no protests and the Hearing was closed.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Board ratified their action taken on June 28, 1973, when they adopted the Minimal Open Space and Conservation Elements Plan for El Dorado County (See Resolution No. 252-73), as well as the Board's adoption on that same date of Ordinance No. 1304 to bring the General Plan and zoning into compliance.

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16415 Hearing was held as duly advertised on the Petition for the formation of the Garden Valley Fire Protection District. There were no protests against the formation of the District, and there were no persons appearing, nor any letters received from persons requesting exclusion from the District.

The following persons were present and requested that the Board adopt a resolution to form the District: James Spence; Maybelle Timm; Grace Leonard; James H. Hardy; and Louise Wylie.

Deputy County Counsel, Jean Klotz, was present and advised that since the District boundaries were not the same as the voters' precinct boundaries, it was not possible to determine if the signers of the Petition (of which there were 311) constituted the 51% of all votes cast in the District for all candidates for Governor in the last preceding General Election to which the Governor was elected. Therefore, she advised that an election be held to form the District, since it would be necessary to hold an election to set the annual ad valorem tax rate.

The Chairman closed the public hearing.

On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried by those present, the following resolution setting forth the boundaries of the proposed Garden Valley Fire Protection District was adopted, and the following resolution calling for a special election to consider said formation and to consolidate the election with the General Election to be held November 6, 1973, and still further, that the ballot contain the question of election of five Directors to the District, and whether the tax rate shall be set at a maximum of 25¢ per \$100.00, was also adopted:

(Continued)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 3, 1973

RESOLUTION NO. 277-73

SETTING FORTH THE BOUNDARIES OF PROPOSED FORMATION OF THE GARDEN VALLEY FIRE PROTECTION DISTRICT

(For contents, see original resolution)

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RESOLUTION NO. 278-73

CALLING FOR A SPECIAL ELECTION TO CONSIDER FORMATION OF THE GARDEN VALLEY FIRE PROTECTION DISTRICT; TO CONSOLIDATE THIS ELECTION WITH THE GENERAL ELECTION TO BE HELD NOVEMBER 6, 1973; THE BALLOT TO CONTAIN THE QUESTION OF ELECTION OF FIVE DIRECTORS TO THE DISTRICT; AND WHETHER THE TAX RATE SHALL BE SET AT A MAXIMUM OF 25¢ PER \$100.00

(For contents, see original resolution)

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246-4  
JK  
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Board continued to July 17, 1973, at 2:30 p.m., consideration of legal procedure regarding acquisition of road right-of-way on Quarry Road, Folsom Lake Peninsula area.

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

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

By Ann L. Macy  
Deputy

APPROVED [Signature]  
Vice Chairman