

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 18, 1973

The Board convened in regular meeting. Present: Supervisors Franklin K. Lane, William V. D. Johnson, W. P. Walker, Raymond E. Lawyer, and Thomas L. Stewart. 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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The Agenda was adopted on motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried.

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On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Minutes of September 11, 1973, and of the Adjourned Meeting of September 12, 1973, were approved as submitted.

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Warrant Register Claims for El Dorado County and Claims as submitted by Community Action Council, were approved on motion of Supervisor Lane, seconded by Supervisor Johnson, and unanimously carried.

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115 Board considered a Claim by Attorney David C. Rust on behalf of Claud T. Smith against Sheriff Ernest Carlson; the County of El Dorado; and Does I through L, in the amount of \$870,000 for alleged Defamation and Intentional Interference with an Advantageous Relationship.

Attorney Chas. F. Fogerty was present and submitted a statement on behalf of Sheriff Carlson, and urged the Board's denial of the Claim.

Supervisor Walker stated that he took exception to Lines 13 through 18 on Page 2 of the Claim; that the statement is erroneous and that the publication referred to had no influence in any way, shape, or form as to his (Supervisor Walker's) judgment in his decision pertaining to the request for resignation of Mr. Smith.

At the recommendation of County Counsel, on motion of Supervisor Lane, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lane, Johnson, Walker, and Lawyer; Abstain: Supervisor Stewart, the Claim was denied.

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115 On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, all personnel matters on the Personnel List dated September 18, 1973, were approved as recommended by the Personnel Officer, and the Personnel Officer was authorized to commence the necessary procedures to hire a Communications Officer.

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18-3
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board approved 31 Assignments to the Credit Bureau of El Dorado County from the Collection Department for Claims against those persons named on the Assignments dated September 18, 1973; copies of which are on file in the Board of Supervisors Office beginning with the name of Roy R. Long, Sr. and ending with the name of Ronald Ray Pope.

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296-4
At the recommendation of the Director of Public Works, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, that certain real property consisting of approximately one acre located near Mother Lode Drive was declared surplus, formal bidding procedure was waived, and the price, as recommended by the Assistant County Assessor, was set at \$1500.00, and offered for sale to the Seventh Day Adventist Church.

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74-8
Director of Public Works submitted letter recommending approval of request from the City of South Lake Tahoe to share cost in the amount of \$1,942.25 for the installation of parking lot lighting at the Sheriff's Office and Court Facility at South Lake Tahoe.

On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried, the request was approved.

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(82-2)
82-7
The Department Heads Association submitted letter recommending that the Board reappoint the same members to the Salary Negotiating Team for 1973-74 negotiations with the Employees' and Sheriffs' Associations.

On motion of Supervisor Lane, seconded by Supervisor Johnson, and unanimously carried, the members of the Salary Negotiating Team were reappointed, as recommended (Messrs. Sigwart, Sprunger, Grissom, and Fitzpatrick).

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113-4
County Administrative Officer submitted letter recommending adoption of an Administrative Directive System implementing a procedure to inform Department Heads of County-wide policies and directives to be followed as a result of Board action. Also submitted was the first Directive entitled, "Recognition of Retiring County Employees" for Board approval.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board adopted the Administrative Directive System and approved the first directive entitled "Recognition of Retiring County Employees".

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50-6 Community Action Council, Inc. submitted revised budgets for the Neighborhood Youth Corps In-School Budget, extending date to November 27, 1973, and modifying both In-School and Out-of-School budgets to reflect 23 slots rather than 33.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the revisions and modifications were approved as submitted.

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50-6 On motion of Supervisor Walker, seconded by Supervisor Lane, and unanimously carried, the Board approved Modifications to clarify the various signatories required for the Department of Labor forms and reports submitted by the Office of Economic Opportunity.

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50-6 On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried, the Board referred the matter of keeping and control of stud horses to County Counsel and Director of Health Services to develop a County-wide ordinance on the subject.

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22-7 Sierra View submitted an outline of program evaluation tools and information, together with standard definitions for the Board's better understanding of categories referred to, to be used in their quarterly report to the Board on the mental health services they provide for the County of El Dorado.

The Board expressed a desire to receive more pertinent patient progress data.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the matter was referred to the Acting Administrative Officer, to be brought back to the Board on October 2, 1973.

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21-8 On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign the National Car Rental System, Inc. Airport Concession Agreement for car rental at the South Lake Tahoe Airport, as recommended by County Counsel.

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22-6 On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign the Lease with the Lake Tahoe Humane Society for certain equipment, after Lines 20 and 21 have been changed to read, "Lessee shall replace all such surplus property and said property shall be Lessor's property."

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On motion of Supervisor Lane, seconded by Supervisor Lawyer, and carried by the following vote: Ayes: Supervisors Lane, Johnson, Walker, and Lawyer; No: Supervisor Stewart, the Chairman was authorized to sign the Lease with the Lake Tahoe Humane Society for real property at Meyers including all appurtenances thereto and improvements thereon, commencing September 1, 1973, after Lines 29 and 30 of Page 1 have been changed to read, "All renovations, modifications and additions in excess of \$200 shall have the prior written approval of the Lessor".

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Director of Environmental Health submitted letter stating that Susan Kaefer has tendered her resignation effective September 1, 1973, as Physical Therapist under the Crippled Children Services program for Buckeye School District, and recommended that the Chairman be authorized to sign Contract with Mrs. Jeanne K. Cassell for said services at the same rate for fiscal year 1973-74.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign the contract with Jeanne K. Cassell after Line 27 has been changed to read: "This contract shall be in full force and effect beginning October 1, 1973, and ending on August 31, 1974, unless terminated . . . "

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At the recommendation of the Purchasing Agent, on motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried, specifications were approved, and the Purchasing Agent was authorized to advertise bid openings as follows:

- 114-7 #507 - Fire Suppressor for Data Processing, bid opening October 1, 1973, with award by the Board on October 16, 1973;
- 114-7 #509 - Electronic Calculators for various departments, bid opening October 1, 1973, with award by the Board on October 16, 1973;
- 114-7 #510 - File Cabinets, bid opening October 1, 1973, with award by the Board on October 16, 1973;
- (1276-3) 114-7 #511 - Snow Removal for Tahoe Office areas; bid opening October 8, 1973, with award by the Board on October 23, 1973;
- (1276-3) 114-7 #512 - Snow Removal for Pollock Pines Library; bid opening October 8, 1973, with award by the Board on October 23, 1973.

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31-12 Only one bid was received on September 14, 1973, for Asphalt Concrete Overlay project of Aircraft Hangar Parking Area at the Placerville Airport; that bid was received from Joe Vicini, Inc. for the total bid price of \$7,605.00. (Original bid is on file in the Board of Supervisors Office).

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the bid was awarded to the only bidder, Joe Vicini, Inc., Placerville, for the total bid price of \$7,605.00.

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On motion of Supervisor Johnson, seconded by Supervisor Lawyer, and unanimously carried, the following ordinance was adopted repealing sections of the Ordinance Code relating to compensation for attendance at meetings for the following: Air Pollution Control Hearing Board; Civil Service Commission; Fish and Game Committee; Local Agency Formation Commission; Planning Commission; Recreation Commission; and Library Commission (these sections are superseded by Resolution No. 391-73); Agricultural Commission and County Water Committee (these sections are superseded by Resolution No. 420-73 -- see below):

ORDINANCE NO. 1323

REPEALING SECTIONS OF ORDINANCE CODE RELATING TO COMPENSATION FOR COUNTY COMMITTEES AND COMMISSIONS

(For contents, see original ordinance)

* * * *

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

RESOLUTION NO. 420-73

SETTING COMPENSATION FOR MEMBERS OF AGRICULTURAL COMMISSION AND COUNTY WATER COMMITTEE (At \$15.00 per meeting)

(For contents, see original resolution)

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Chairman Lawyer departed, and handed the gavel to Vice Chairman Stewart

Board considered a resolution providing for reimbursement of expenses for search and rescue efforts in El Dorado County whereby a claim for two-thirds of the expenses in excess of \$100.00 may be forwarded to the County or City and County of such persons searched for and rescued: This proposed resolution would amend Resolution No. 236-70 which provided for reimbursement of expenses in excess of \$500.00.

On motion of Supervisor Walker, seconded by Supervisor Lane, and unanimously carried by those present, the following resolution was adopted after the addition of "and rescue" in each instance where "search" is mentioned:

RESOLUTION NO. 421-73

PROVIDING FOR REIMBURSEMENT OF EXPENSES OVER \$100.00 FROM THE COUNTY OF ORIGIN OF PERSON SEARCHED FOR AND RESCUED

(For contents, see original resolution)

Chairman Lawyer returned to the room

On motion of Supervisor Walker, seconded by Supervisor Lane, and unanimously carried, the Acting Administrative Officer was directed to confer with County Counsel and the Auditor to determine if there are any outstanding (Continued)

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and collectible sums over \$500.00 which have not been requested from other Counties (pursuant to Resolution No. 236-70) in this regard.

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313
Communication was received from Secretary-Manager, El Dorado Irrigation District, advising of the resignation of Jack Hocking, Director of Division 3, and recommending Forest VanVleck be appointed to fill the unexpired term to December 26, 1975.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, Forest VanVleck was appointed to fill the unexpired term of Director of Division 3.

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411
Communication was received from Kathryn Stephenson requesting consideration of a tax assessment reduction on her Kyburz property due to the fact that 75% of the property was destroyed by fire.

After consideration, on motion of Supervisor Lane, seconded by Supervisor Johnson, and unanimously carried, the request was referred to County Counsel to communicate with Governor Reagan to determine if the area will be declared a "Disaster Area" in order that the County may award some tax relief for 1973-74 to Ms. Stephenson for her burned-over property.

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124
(2416-4)
Happy Valley Rd.
Board considered a Petition containing 31 signatures requesting the County to improve and regularly maintain Happy Valley Road.

On motion of Supervisor Lane, seconded by Supervisor Johnson, and unanimously carried, the request was referred to the Director of Public Works who was directed to make a study of the route and submit a cost estimate to the Board on the sections within the road right-of-way requiring improvement.

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711-2a
Board considered a request from Harold J. Ponsford for an additional thirty-day extension to meet the terms of the County's counter offer on the real property known as the Forni site.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and carried by the following vote: Ayes: Johnson, Walker, Stewart, and Lawyer; No: Supervisor Lane, the 30-day extension was authorized, as requested.

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44-8
On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Board authorized \$75.00 as the County's share of the Tahoe Daily Tribune advertisement regarding the dedication of the City/County building complex at South Lake Tahoe, and further, the Board extended an invitation to all to attend the dedication ceremony to be held at 1:00 a.m. on September 23, 1973.

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578

On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Board set a Policy Review Session for October 2, 1973, at 7:30 p.m. for the County's Environmental Impact Committee to meet with the Board of Supervisors and the Planning Commission.

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On motion of Supervisor Lane, seconded by Supervisor Johnson, and unanimously carried, the County Auditor was authorized to prepare a warrant in the amount of \$12,500.00 from the General Fund to the County Fair Association for use until State funds are received.

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SPECIAL ORDERS

PLANNING MATTERS

285-64-73
8917A

Hearing was held as duly advertised on rezoning of lands in the East Placerville area from Tourist Residential and General Commercial to Mobilehome Park zone, petitioned by Charles R. Lafferty, consisting of approximately 12.498 acres. Planning Commission recommended approval of rezoning Parcel 48-280-25 (4.736 acres) to Mobilehome Park zone, and to continue the request to rezone Parcel 48.280-27 (7.763 acres) until an Environmental Impact Statement is prepared and reviewed. No protests were received and the hearing was closed.

At the recommendation of the Planning Commission, on motion of Supervisor Lawyer, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Stewart, and Lawyer; No: Supervisor Lane, the following ordinance was adopted rezoning 4.736 acres from Tourist Residential to Mobilehome Park zone, and the rezoning request for the 7.763 acres was continued off-calendar until an Environmental Impact Statement is prepared and reviewed:

ORDINANCE NO. 1324

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

(For contents, see original ordinance)

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57

Board considered the recommendations and proposed changes to the regulations for AE, Exclusive Agricultural, zone submitted by the Agricultural Commission and the Planning Commission.

24

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried, the moratorium on the Williamson Act Contract applications was lifted, with the provision that they be governed by the revised AE, Exclusive Agricultural, Zoning Regulations which will be before the Board for approval on October 2, 1973.

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Chairman Lawyer handed the gavel to the Vice Chairman and departed for the balance of the day.

GENERAL ORDERS

101 On motion of Supervisor Lane, seconded by Supervisor Johnson, and unanimously carried by those present, a Policy Review Session was set for October 10, 1973, at 2:00 p.m. to meet with State and Federal Forest Service personnel, as well as Michigan-California Lumber Company personnel, regarding logging roads, the standards for such roads, and the costs thereof as they relate to County revenues, and the Chairman was authorized to sign a letter inviting the U. S. Regional Forester, San Francisco Office, to be in attendance.

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ASSESSMENT AND SPECIAL DISTRICTS

TAHOE BRODER ESTATES UNIT NO. 1 (Ness)

1110 Assessment District Attorney Edwin N. Ness filed with the Board of Supervisors Office a Certificate of Engineer of Work that work in the above named assessment district has been completed, and also the Certificate of County Engineer that work is completed and certifying as to final contract costs.

At the recommendation of Mr. Ness, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the following resolution was adopted:

RESOLUTION NO. 422-73

ACCEPTING WORK OF WUNSCHER AND SMALL, INC., AND DIRECTING
COUNTY CLERK TO RECORD NOTICE OF COMPLETION

(For contents, see original resolution)

* * * *

1123 Director of Public Works submitted letter stating that the construction of improvements have been completed in accordance with the above-named assessment district contract documents, and recommending the following: That the Subdivision Bond in the amount of \$48,969.73 and Contract Bonds in the amount of \$145,779.90 each be released, and Maintenance Bond in the amount of \$18,003.32 be accepted to guarantee workmanship and materials for one year, and that the streets be accepted for maintenance.

On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried by those present, the recommendations were approved as submitted.

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COUNTRY CLUB HEIGHTS UNIT NO. 6 (Ness)

423
Assessment District Attorney Edwin N. Ness filed with the Board of Supervisors Office a Certificate of Engineer of Work that work in the above-named assessment district is completed, and also filed Certificate of County Engineer that work is completed and certifying as to final contract costs.

At the recommendation of the Assessment District Attorney, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the following resolution was adopted:

RESOLUTION NO. 423-73

ACCEPTING WORK OF WUNSCHEL AND SMALL, INC., AND DIRECTING
COUNTY CLERK TO RECORD NOTICE OF COMPLETION

(For contents, see original resolution)

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423
Director of Public Works submitted letter stating that the construction of improvements have been completed in accordance with the above-named assessment district contract documents, and recommending the following: That the Subdivision Bond in the amount of \$140,769.54 and Contract Bonds in the amount of \$142,666.00 each be released, and Maintenance Bond in the amount of \$14,636.45 be accepted to guarantee workmanship and materials for one year; and that the streets be accepted for maintenance.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the recommendations were approved as submitted.

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MONTGOMERY ESTATES UNIT NO. 9

423
Assessment District Attorney Robert J. Hill filed with the Board of Supervisors Office a Certificate of Engineer of Work that work in the above named assessment district has been completed, and also filed Certificate of County Engineer that work is completed and certifying as to final contract costs.

At the recommendation of Mr. Hill, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the following resolution was adopted:

RESOLUTION NO. 424-73

ACCEPTING WORK OF WUNSCHEL AND SMALL, INC., AND DIRECTING
COUNTY CLERK TO RECORD NOTICE OF COMPLETION

(For contents, see original resolution)

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403
A.B. Director of Public Works submitted letter stating that the construction of improvements have been completed in accordance with the aforementioned assessment district contract documents, and recommending the following: That the Subdivision Bond in the amount of \$20,079.00 and Contract Bonds in the amounts of \$82,467.80 each be released, and Maintenance Bond in the amount of \$8,697.86 be accepted to guarantee workmanship and materials for one year; and that the streets be accepted for maintenance.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried by those present, the recommendations of the Director of Public Works were approved as submitted.

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2952 Proper notices having been sent, hearings were held at 2:30 p.m. on escaped assessments as listed below. No protests were presented and the hearings were closed.

On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried by those present, the following assessment roll changes were approved as presented:

Joseph R. Torres, Jr., Nos. 4477; 4478; and 4479
John Edward Carbine, Jr., No. 4480
Milo E. Grigsby, No. 4481

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45 Hearing was held to consider whether three abandoned vehicles on the property of Nancy D. Martin at 106 Hopi Avenue, Tahoe Paradise area, be removed and the costs of removal charged to the landowner.

Supervisor Stewart reported that Mrs. Martin telephoned him advising that one of the vehicles had belonged to a former tenant; however, she stated she had no knowledge of the others. There were no protests and the hearing was closed.

On motion of Supervisor Lane, seconded by Supervisor Johnson, and unanimously carried by those present, the matter was continued to October 2, 1973, for a determination by the Board at that time, and Mrs. Martin to be requested in the interim to certify in writing that she has no knowledge of the other vehicles on her property.

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73 Hearing was held to consider whether an abandoned vehicle on the property of Bertha L. Grindling at Lot 13, Tahoma, Lake Tahoe, be removed and the costs of removal charged to the landowner.

74 A letter was received from Mr. Britt Grindling stating that they had no knowledge of the vehicle abandoned on their property. There were no protests, and the hearing was closed.

(Continued)

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The motion of Supervisor Johnson, seconded by Supervisor Walker, that abandoned vehicles be removed in both of these matters: those on the property of Nancy D. Martin, hereinbefore mentioned, and the one on the property of Bertha Grindling, and the costs of removal charged to the property owners, was not carried due to the following vote: Ayes: Supervisors Johnson and Walker; Noes: Supervisors Lane and Stewart; Absent: Supervisor Lawyer.

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(132)
124 On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Director of Public Works was directed to complete the clean-up work at Tamarack Lodge; to keep track of the time required to finish the job, and submit those figures to County Counsel.

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51
390-9
(303) Board considered a proposed Ordinance requiring a land developer to submit a report of present and future ability to supply water and sewer services to a project.

132 Chief Building Inspector submitted a letter stating that he felt there was no advantage in requiring an anti-syphon device on water lines, other than what is required by the Ordinance Code.

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the following ordinance adding the requirement for a water/sewer supply report to the County Ordinance was adopted, and the Planning Department was directed to incorporate the text of the Ordinance in the Environmental Impact Reports:

ORDINANCE NO. 1325

AMENDING EL DORADO COUNTY ORDINANCE CODE BY ADDING
WATER/SEWER SUPPLY REPORT REQUIREMENT

(For contents, see original ordinance)

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307 On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried by those present, the Chairman was authorized to sign the Agreement with the Pollock Pines-Camino Fire Protection District for emergency ambulance services commencing at Five Mile Terrace and terminating at Twin Bridges, to be effective September 18, 1973.

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306 On motion of Supervisor Lane, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Lane, Walker, and Stewart; Abstain: Supervisor Johnson, the Board directed that comments received from several County departments regarding Sacramento Regional Area Planning Commission's Environmental Quality and Physical Development Elements on their (Continued

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Regional General Plan; the 1973 Parks and Outdoor Recreation Priority System Report; and the Regional Streets and Highways Plan and Program, be submitted to the Sacramento Regional Area Planning Commission for their Hearings in Marysville on September 20, 1973.

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218 On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried by those present, County Counsel was instructed to forward the terms and conditions concerning the lawsuit between Walter Nelson vs. El Dorado County to Attorney George W. Bullen.

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350-2 On motion of Supervisor Lane, seconded by Supervisor Johnson, and unanimously carried by those present, the Board directed that the Mobilehome Licensing Study of 1971 be referred to Data Processing Advisory Committee for incorporation into the work priorities at the earliest possible date.

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65 On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried by those present, the Historical Society, under the direction of Mr. Bruce Robinson, was authorized to occupy the Historical Museum with their collected artifacts.

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59 On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried by those present, the Board directed that a letter be sent to the Fair Association Board members requesting that a situation involving an animal stabled in a very unsanitary manner at the County Fairgrounds be corrected immediately.

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There being no further business, the Board adjourned to September 25, 1973, at 10:00 a.m.

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

By Ann K. Macy
Deputy

APPROVED Raymond E. Sawyer
Chairman

APPROVED [Signature]
Vice Chairman