

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 10, 1974

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 Stewart presided.

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The Invocation was offered by Reverend Neville Arroues, First Baptist Church of Placerville.

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

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On motion of Supervisor Walker, seconded by Supervisor Lane, and unanimously carried, the Agenda was adopted, with the following additions: 3:15 P.M. Time Allocation to Page 6 for persons from the local industries to appear regarding the Public Utilities Commission Hearing on closing of the Southern Pacific Transportation Agency Station in Placerville; and the rescheduling of the Air Pollution Control Meeting.

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The Minutes of September 3, 1974, were approved as submitted, on motion of Supervisor Walker, seconded by Supervisor Lane, and unanimously carried.

GENERAL ORDERS

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

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At the recommendation of County Counsel, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Claim submitted by Attorney James L. Stevens, Jr., on behalf of B. Lawrence Hall for damages in the amount of \$200,000.00, was denied.

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At the recommendation of County Counsel, on motion of Supervisor Johnson, seconded by Supervisor Lawyer, and unanimously carried, the Claim submitted by Pacific Telephone Company for property damage in the amount of \$250.00, was denied.

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Board considered the appointment of Curtiss E. Weidmer, M.D. as County Health & Medical Officer, as submitted in the Assistant to the Board's letter of September 6, 1974, and, informally, declared their intent "to take no action" at this time.

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County Clerk submitted letter requesting that the Chairman be authorized to sign Election Service Agreement with Cubic Industrial Corporation to provide election support services and the furnishing of necessary replacement parts on seven Vote Counters and One Buffer at a cost of \$7,350.00 per contract year.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign the Election Service Agreement.

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Director of Public Works submitted letter requesting a Resolution be adopted authorizing the Chairman to sign and submit to the Sacramento Regional Area Planning Commission, the Annual Claim for Local Transportation Funds for an estimated 1974-75 apportionment to the County's Western Slope in the amount of \$225,531.00.

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

RESOLUTION NO. 437-74

AUTHORIZING CHAIRMAN TO SIGN ANNUAL CLAIM
FOR LOCAL TRANSPORTATION FUNDS FOR 1974-75

(For contents, see original resolution)

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Director of Public Works submitted letter recommending that a portion of Clear Creek Road No. 81, Sierra Springs Unit No. 22 Subdivision, be abandoned under Sections 960.1 and 960.2 of the Streets and Highways Code, pertaining to superseded highways. Planning Commission recommended approval.

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

RESOLUTION NO. 438-74

ABANDONING A PORTION OF CLEAR CREEK ROAD NO. 81

(For contents, see original resolution)

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At the request of the Right-of-Way Division, Department of Public Works, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign the Certificate of Acceptance of Grant Deed for portion of Lot 1, Block 2, on Harkness Street from Melvin W. and Melba H. Crail, at no cost to the County.

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On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board continued to September 24, 1974, the matter of an Application for Demonstration Project under the Federal "Rural Highway Public Transportation Demonstration Program". (Continued from August 20, 1974.)

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On motion of Supervisor Johnson, seconded by Supervisor Lawyer, and unanimously carried, the Purchasing Agent was authorized to transfer the following:

1961 Backhoe Loader from Public Works Department to the South Lake Tahoe Airport; and
Michigan Loader from the South Lake Tahoe Airport to Public Works Department.

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On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the matter concerning the requests for refunds of filing fees submitted by certain County elective officials pursuant to a recent U. S. Supreme Court decision, was referred to County Counsel.

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Director, Community Programs, submitted a letter requesting the Chairman be authorized to sign a Grant Application to the Area IV Agency on Aging for a Senior Citizen's Transportation Grant in El Dorado County.

On motion of Supervisor Walker, seconded by Supervisor Lane, and unanimously carried, the Chairman was authorized to sign the Grant Application, as requested.

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On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board continued to September 24, 1974, the report requested by the Board on September 10, 1974, from County Counsel and the Assessor's Office Manager on the legality of Data Processing Department supplying the general public, upon request, with certain "approved" information from the Assessor's Office.

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On motion of Supervisor Johnson, seconded by Supervisor Lawyer, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Lawyer, and Stewart; No: Supervisor Lane, the report to be submitted by the Mother Lode Medical Center in response to the 1973 Grand Jury Report was continued to September 24, 1974.

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Agricultural Commissioner submitted the 1974-75 Field Agreement between the County and the Bureau of Sport Fisheries and Wildlife, U.S. Department of the Interior, for payment of salaries for supervision of the Animal Damage Control Program in the County, in the amount of \$14,803.00.
(Continued)

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On motion of Supervisor Lawyer, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign said Field Agreement.

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Purchasing Agent submitted letter requesting approval of specifications and authorization to advertise for bid opening on September 23, 1974, with award by the Board on October 8, 1974, for the following:

Bid No. 611 - Smith & Wesson Revolvers and Smith & Wesson Automatics
(total of 105 guns) for the Sheriff's Department

223 Bid No. 612 - Handcuffs and Flashlights (100 each) for Sheriff's Department

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the specifications were approved and the Purchasing Agent was authorized to advertise, as requested.

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65 County Historical Museum Commission submitted letter recommending that Raymond C. Lumley and William M. Covington be appointed to said Commission to replace Margaret Chatterton and James Loughran for terms to expire on January 7, 1975.

On motion of Supervisor Johnson, seconded by Supervisor Lawyer, and unanimously carried, the Board appointed Messrs Lumley and Covington to the Museum Commission, as recommended.

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On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board approved the request of the Commission on Aging that the age limitation required by the County Ordinance Code, of 60 years or older, be waived in the specific instance of the Commission's Chairman Sterling Page who is not yet 60 years of age.

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7/13 On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board placed on file the Resolution of the El Dorado County Bar Association Urging the Consolidation of All Judicial Districts for the Purpose of Creating One Municipal Court District.

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(164-2) 325 Congressman Harold T. "Bizz" Johnson submitted Rules and Regulations for Federal Disaster Assistance Programs, and recommending that any comments be forwarded to the Federal Disaster Assistance Administration before October 4, 1974.

On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried, the Board directed that the comments submitted by the County's Deputy Director of Civil Defense be forwarded to Congressman Johnson and to the Federal Disaster Assistance Administration.

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Chairman, State Solid Waste Management Board, submitted a "Recommended State Solid Waste Resource Recovery Program", and requested that comments be submitted prior to a public hearing to be held on September 27, 1974.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board directed that the comments submitted by the County's Director of Environmental Health be forwarded to the State Solid Waste Management Board; said comments indicated that in general the objectives of the Program are within reason, however, their implementation could cause future adverse effects on land and city developments, and that costs to the State and County may be high.

Supervisor Lawyer left the room --//--

Communication was received from the California Regional Water Quality Control Board, Lahontan Region, submitting Board Order 6-74-87 establishing waste discharge requirements to attain correction of siltation and erosion problems in Priority Area #1, Rubicon Properties.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Board directed County Counsel, in cooperation with the Director of Public Works, to submit for Board approval a proposed letter to the Lahontan Regional Water Quality Control Board on this matter.

Supervisor Lawyer returned --//--

SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised on rezoning of lands in the Cameron Park area from Agricultural to General Commercial zone consisting of approximately 2.006 acres, petitioned by Dorado Estates. Planning Commission recommended approval. (Ordinance introduced on 9/3/74)

Mr. L. E. Farnsworth was present and opposed to the rezoning. He presented a Petition containing 21 signatures of other residents who are also opposed. Mr. Schmittman was present and opposed to the rezoning. A letter was received from Virginia Jane Gleadall opposing the rezoning.

Two other letters were received stating they had no objections to the mini warehouse which is proposed to be built upon the lands if they are rezoned: letters were from Douglas Woodward, M.D. and Lynn J. Fetch.

There were no other protests, and the hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Lawyer, and unanimously carried, the Board approved the rezoning as recommended by the Planning Commission, and the following ordinance was adopted:

ORDINANCE NO. 1406

AMENDING EL DORADO COUNTY ZONING ORDINANCE

(For contents, see original ordinance)

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Hearing was held as duly advertised on amendments to the El Dorado County Zoning Ordinance to establish the following zones, as initiated and recommended for approval by the Planning Commission: (Introduced 9/3/74)

R3A, Single Family Three Acre Residential District
RA-20, Residential Agricultural Twenty Acre Residential District
RA-40, Residential Agricultural Forty Acre Residential District
RA-60, Residential Agricultural Sixty Acre Residential District

There were no protests and the hearing was closed.

On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried, the reading of the ordinances was waived, and the following ordinances were adopted:

ORDINANCE NO. 1407

AMENDING EL DORADO COUNTY ZONING ORDINANCE
(R3A Zone)

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ORDINANCE NO. 1408

AMENDING EL DORADO COUNTY ZONING ORDINANCE
(RA-20 Zone)

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ORDINANCE NO. 1409

AMENDING EL DORADO COUNTY ZONING ORDINANCE
(RA-40 Zone)

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ORDINANCE NO. 1410

AMENDING EL DORADO COUNTY ZONING ORDINANCE
(RA-60 Zone)

(For contents, see original ordinances)

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At the recommendation of the Planning Commission, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, one year extensions to the Tentative Maps of Cameron Park Unit No. 13 - extended to August 6, 1975, and to El Dorado Royal Townhouse - extended to September 27, 1975, were approved, as requested by Dorado Estates.

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429
Ludlum
Creek
Condo.
At the recommendation of the Planning Commission, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Tentative Map of Sudbury Creek Condominiums, Cameron Park area; 1.4 acres; 8 condominium lots and one common area lot; subdivider: John Shepard, was approved subject to the following conditions:

1. Approval of the construction drawings and specifications by the Director of Public Works, obtaining road encroachment permits from the Public Works Department, completion of road improvements, lot accesses, drainage systems and water systems, sewer system and setting of final monuments in accordance with the requirements of the Department of Public Works, Health Department, County Surveyor and the El Dorado County Subdivision Ordinance or execution of an agreement to install these improvements and monuments secured by bond or cash deposit;
2. Landscaping and recreational improvements to be constructed according to plans to be submitted to the Planning Director for approval and to either be installed or improvements secured by bond or cash deposit;
3. Building plans and architecture to conform to those submitted with the tentative map;
4. Subject to filing of Declaration of Restrictions and Articles of Incorporation of the Homeowners' Association guaranteeing maintenance and upkeep of the driveways, buildings and common areas to be filed and recorded at the same time as the final map;
5. Subject to undergrounding of utilities;
6. Subject to dedication of the private rights-of-way for ingress and egress by Public entities on official business;
7. An administrative variance to be granted to allow foundations and framing to be put in upon receipt of a copy of the recorded deed of trust from the developer and a letter of confirmation of financial backing from the lending institutions;
8. No occupancy or finalization of units to occur before the final map is approved.

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Recreation Commission submitted letter requesting approval of the following allocations for recreational projects from the State Beach, Park, Recreational and Historical Facilities Bond Act of 1974:

(83-1)
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<u>Name</u>	<u>Allocation Amount</u>
El Dorado Irrigation District	\$52,612.00
City of Placerville	\$30,376.00
County of El Dorado	\$41,982.00

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the utilization of the fund allocations were approved, and the following resolutions were adopted:
(Continued)

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RESOLUTION NO. 439-74

APPROVING EL DORADO IRRIGATION DISTRICT'S PRIORITY PLAN OF EXPENDITURES

(For contents, see original resolution)

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RESOLUTION NO. 440-74

APPROVING CITY OF PLACERVILLE'S PRIORITY PLAN OF EXPENDITURES

(For contents, see original resolution)

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RESOLUTION NO. 441-74

ESTABLISHING EL DORADO COUNTY'S PRIORITY LIST OF RECREATIONAL PROJECTS

(For contents, see original resolution)

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ASSESSMENT AND SPECIAL DISTRICTS

TH-M-G TRACT ASSESSMENT DISTRICT

Hearing was held as duly advertised on the proposed improvements in the TH-M-G Tract Assessment District for the purpose of improving Jewel Road (950 feet) and constructing water lines on the westerly side of Highway 50 at the intersection of Jewel Road, pursuant to the Board of Supervisors Resolution of Intention No. 366-74 adopted by the Board on August 6, 1974. Robert J. Hill, Assessment District Attorney was present.

Protest Notices were received from the following:

Andrew J. and Leona Johnstone
Wilford E. Teurman
Jack Ferguson, President, Orbit American
George and Thais K. Stalls
Cass B. and Virginia Amacker
Douglas M. and Rose Marie Michaelson
Edna M. MacDiamond (Richardson)
L. M. and Vonedra M. Burke
Harold R. Rippy

Letters in opposition were received from: Tahoe, Ltd., by Alfred F. Lee, General Partner; and Ms. Bernice L. Alsgood.

One Letter in favor was received from Ludvik Rohlicek

One Telegram in favor was received from: Armstrong Investment Co.
(Continued)

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Assessment District Attorney Hill stated that a check of the Assessor's records revealed that the Protest Notices of Edna M. MacDiamond and L. M. and Vonedá Burke were not valid since they were not shown to be in the Assessment District, and that the Protest Notice of Mr. Rippy was not valid either since the lots and block numbers which he indicated he owned are shown to be in the name of Joy S. Chantry. Mr. Hill further stated that protests against said acquisitions and improvements were not signed by the owners of a majority or more of the area of the lands within the assessment district, so from that standpoint the Board could, if they desired, overrule the other protests, thereby continuing with the proceedings.

Attorney Julian C. Smith, Jr. was also present on behalf of the Johnstones; Teurmans; Stalls; and others, and stated that all of the property owners directly adjoining Jewel Road, the actual location of the improvements, were opposed to the Assessment District.

There were no further protests, and the hearing was closed.

After consideration, the Board on motion of Supervisor Stewart, seconded by Supervisor Lane, and unanimously carried, declared their intent to abandon any further proceedings on the aforementioned project. (A Resolution to this effect will be prepared by the Assessment District Attorney and be presented to the Board for adoption on September 17, 1974.)

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On motion of Supervisor Walker, seconded by Supervisor Lawyer, and unanimously carried, the County Counsel was instructed to prepare a letter for the Chairman's signature to the Public Utilities Commission advising them of the Board's opposition to the proposed discontinuance of the Southern Pacific Transportation Agency Station in Placerville.

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Hearing was held as duly advertised to determine if the Rescue Fire Protection District should be formed and to fix the boundaries of the proposed Rescue Fire Protection District: the Board of Supervisors, by Resolution No. 413-74 adopted on August 20, 1974, having set the above-mentioned Hearing and requested that any election to be held in said proposed District be consolidated with the General District Election to be held on November 5, 1974. The County Clerk in his amended Certificate to the proposed formation of said District, dated August 12, 1974, did certify that of the 162 signatures on the Petition for the proposed District that only 114 were qualified electors of the 449 registered electors within the boundaries of said District; or 39.38%.

Mr. Dan Birtwell, Chairman of the Board of the Shingle Springs Fire Protection District submitted a copy of a request to the Local Agency Formation Commission for annexation to said Shingle Springs Fire Protection District signed by 23 landowners in the Southeast Quarter of Section 25, Township 10 North, Range 9 East, M.D.B.&M.

There were no other protests and the Hearing was closed.
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Following discussion, on motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried, the Board found the District to be in the public interest, the County Surveyor was instructed to prepare a new boundary description and Map excluding the Southeast Quarter of Section 25, Township 10 North, Range 9 East, M.D.B.&M., and the following resolution was adopted:

RESOLUTION NO. 442-74

FIXING THE BOUNDARIES OF THE PROPOSED
RESCUE FIRE PROTECTION DISTRICT

(For contents, see original resolution)

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Misc
Mrs. Myrna Hanses was present and reported on her recent visit to Placerville's Sister City, Warabi, Japan. She presented the Board with a gift from the Mayor of Warabi, a 24K gold-plated Sakazuki.

The Board informally directed that letters be prepared for the Chairman's signature as follows: (1) officially thanking Mrs. Hanses for her efforts on behalf of El Dorado County, and (2) expressing this County's appreciation to the Mayor of Warabi, Japan, for his many courtesies and hospitality extended to Mrs. Hanses.

Supervisor Lawyer left the room --//--

18
On motion of Supervisor Lane, seconded by Supervisor Johnson, and carried by the following vote: Ayes: Supervisors Lane, Johnson, Walker, and Stewart; Absent: Supervisor Lawyer, the Board rescheduled the Air Pollution Control Meeting from September 11, 1974, to September 18, 1974, at 11:00 a.m.

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Supervisor Lawyer returned

447
326
On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried, the Board directed that a wire be sent to Governor Reagan requesting his veto of Assembly Bill 2260 (which provides for temporary Justice Court Judgeship to meet criminal caseloads necessitated by State Supreme Court ruling --- Gordon v. Justice Court etal); that Assemblyman Chappie and Senator Berryhill, as well as the sixteen counties in the Regional Council of Rural Counties be so advised of this action, and that they be requested to support this Board.

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The Board informally continued the Hearing on Establishing Regulations and Procedures for the Collection, Removal and Disposal of Solid Waste in the Georgetown Area to September 17, 1974, at 2:30 p.m.

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There being no further business, the Board adjourned to Tuesday, September 17, 1974, at 10:00 a.m.

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

By Ann R. May
Deputy

APPROVED: 

Chairman