

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES December 31, 1974

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 Stewart presided.

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12-7 The Invocation was offered by Reverend Harvey Hood, Presbyterian Church.

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The Pledge of Allegiance to the Flag was led by Richard Stanfield.

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13
27
70 On motion of Supervisor Lane, seconded by Supervisor Stewart, and unanimously carried by those present, the Agenda and the New Business Agenda were adopted, with the following changes in the regular Agenda: Item 10 was removed from the Agenda and set for Policy Review Session on January 8, 1975, (Re: Pilot Microfilming Program); Item 12 (Reorganization of Tahoe Regional Planning Agency and California Tahoe Regional Planning Agency) was postponed to January 7, 1975; and Item 13 (Request for street light at Missouri Flat Road and Highway 49) was removed from the Agenda.

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On motion of Supervisor Lane, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lane, Walker, and Stewart; Abstain: Supervisor Lawyer, the Minutes of December 17, 1974, were approved, as submitted.

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30-4 At the recommendation of Supervisor Johnson, on motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, Carl E. King was appointed to the El Dorado County Alcoholism Advisory Board for District II to fill the vacancy created by the resignation of Dr. Ruth Jolly, for a term to expire in January, 1978.

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28
60-1 On motion of Supervisor Walker, seconded by Supervisor Lawyer, and unanimously carried by those present, Warrant Register Claims for El Dorado County and Claims as submitted by the Community Action Council, Inc. were approved and allowed for payment.

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(58-1)
178-1 County Counsel submitted an opinion from the Office of the State Attorney General relating to the claims for refund of Candidate Filing Fees paid by 13 El Dorado County candidates in the June 1974 Primary Election, pursuant to the subsequent California Supreme Court decision declaring (Continued)

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unconstitutional the statute under which the filing fees were collected. The County Counsel stated that the opinion was sufficient to support denial of the claims for refunds submitted, unless the County Clerk could affirm that any of the claims were paid under protest.

A letter was received from the County Clerk's Office advising that no candidates paid their fees under written protest.

Upon the recommendation of County Counsel that all claimants be informed that their claims have been denied through passage of time (45 days), and that they will have to resort to legal action to obtain refunds, the Board, on motion of Supervisor Walker, seconded by Supervisor Lane, and unanimously carried by those present, denied the claims submitted by the following candidates:

- Fredrick C. Westphal	- Fred G. DeBerry
- Michael J. Kelly	- C. A. Steves, Jr.
- Jerrold L. Wenger	- Amelia McAnnally
- Claud T. Smith	- James W. Sweeney
- Raymond E. Lawyer	- Carl A. Kelly
- Terrence M. Finney	- Thomas L. Stewart
- John H. Thorne	

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*(296-4)
Green
Valley
Rd*
Director of Public Works submitted letter requesting approval of an \$8,513.00 expenditure from the Road Fund for the relocation of an underground telephone line within the limits of the Green Valley Road construction project, and authorization for issuance of a Purchase Order to cover said project.

On motion of Supervisor Walker, seconded by Supervisor Lawyer, and unanimously carried by those present, the Board approved the expenditure and authorized the Purchase Order to cover said work, as requested.

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*296-4
Green
Valley
Rd*
At the request of the Director of Public Works, on motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Board authorized the Chairman to sign the Agreement with Robert L. Cameron for space to park a mobile office structure, at a monthly rental of \$35.00, in connection with the F.A.S. 1096(2) Green Valley Road project.

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106-3
Sheriff-elect Richard F. Pacileo, presently Judge of the El Dorado Justice Court, who will be assuming his duties as Sheriff of El Dorado County on January 6, 1975, submitted a letter requesting that the Board authorize LaVeriea Voth to execute checks and payroll documents until the appointment or election of a Judge to said Court.

(Continued)

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On motion of Supervisor Walker, seconded by Supervisor Lawyer, and unanimously carried by those present, LaVeriea Voth was authorized to sign checks and payroll documents, as requested.

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(350-2)
141
Board considered the request, continued from December 17, 1974, of the Data Processing Manager for authorization to remove from his Book of Statements those delinquent accounts deemed uncollectible by County Counsel.

A report was received from County Counsel's Collection Officer stating that only one of the seven accounts listed by Data Processing Manager had been referred to his office for collection.

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Board reaffirmed their position that no debts are to be written off until after they have been processed through the County Counsel's Collection Office, and are so authorized by either County Counsel or the Collection Officer, and the balance of the six items not reviewed by the Collection Officer, were referred to that office for appropriate action.

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92-2
(113)
Assistant to the Board submitted letter requesting comments and suggestions on the proposed Handbook for El Dorado County Employees; said Handbook to cost an estimated \$250.00 per thousand. (Preparation of the Handbook was authorized on June 11, 1974).

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Board approved the Handbook.

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233-9
Assistant to the Board submitted letter from Attorney Stephen H. Silver stating the Sheriff's Association accepts fringe benefits approved by the Board in August, 1974, and considers the Memorandum of Understanding to be in full force and effect with the exception of the educational incentive.

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Assistant to the Board and County Counsel were instructed to prepare a letter in response to Attorney Silver's letter of December 4, 1974, and to the Sheriff's Association, to the effect that County is unable to commence any negotiations for the forthcoming year until the lawsuit on Proposition A is decided in Court, and after that time every effort will be made to complete negotiations by March 30, 1975.

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58-3 On motion of Supervisor Lane, seconded by Supervisor Walker, 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 December 31, 1974; beginning with the name of Tom Lipke and ending with the name of Joyce Carney.

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74
21813
74-2
(24-3) Sierra Planning Organization, in response to the Board's request on November 26, 1974, for enabling legislation and to be advised of the County's obligation thereunder, pursuant to El Dorado County and Georgetown Divide Resource Conservation Districts' request that El Dorado County co-sponsor a proposed Resource Conservation and Development Project, submitted enabling authorities and recommended that the Sierra Planning Organization act as planning agent for any cooperative or sponsorship action.

On motion of Supervisor Walker, seconded by Supervisor Lane, and unanimously carried by those present, the Board removed the matter from the Agenda, and stated, if necessary, that it will be brought back on the Agenda at a later date.

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Board stated that they generally supported the concept, although hesitatingly, until such time as they are advised if the County will be required to financially support the project.

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(801)
807 Senior Nutrition Program Project Council, through the Project Director, submitted a request for subsidy for the Senior Nutritional Program for the Elderly of El Dorado County.

On motion of Supervisor Lawyer, seconded by Supervisor Lane, and unanimously carried by those present, the Board authorized a Budget/Fund Transfer for \$8,729.00 from the Contingency Fund, and stated their intent that every effort shall be made to have a balance of this amount by the end of the year (i.e. by means of seeking and acquiring Federal funds to replace this subsidy).

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21-82a Airports Director submitted letter requesting the Chairman be authorized to sign Advertising Space Lease with Dillingham Development Company for space in the Lake Tahoe Airport Terminal Building, at a monthly rental of \$75.00, commencing October 9, 1974, for a period of one year.

On motion of Supervisor Walker, seconded by Supervisor Lawyer, and unanimously carried by those present, the Chairman was authorized to sign the Lease.

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31 Stateline Taxi Company, Inc., submitted letter requesting renewal of their Airport Business Agreement for a period of three years.

(Continued)

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Airports Director submitted a letter recommending that Stateline Taxi Company's Agreement be terminated, and that a Resolution be adopted establishing ground transportation rates and charges for the Lake Tahoe Airport.

After consideration, the Board, on motion of Supervisor Walker, seconded by Supervisor Lawyer, and unanimously carried, referred the matter to County Counsel and the Airports Director; to be brought back to the Board on January 14, 1975.

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22-3
MO At the request of the Director of Health Services, on motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Chairman was authorized to sign the Agreement with Dr. Curtiss Weidmer for supplemental physician services for the Mental Health Program on a fee-for-service basis of \$17.00 per hour.

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27-11 The Board considered again the possibility of a contract for architectural services for the proposed County Library, and on motion of Supervisor Walker, seconded by Supervisor Lawyer, and unanimously carried by those present, the matter was deferred to May 6, 1975.

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296-4
5-2
390-7 Board considered an Ordinance establishing a 35-mile per hour speed zone on Union Ridge Road between a point 0.75 mile north of Carson Road to Mosquito Road. (Introduced December 17, 1974)

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

✓
ORDINANCE NO. 1436

ESTABLISHING A 35-MILE PER HOUR SPEED ZONE ON UNION RIDGE ROAD

(For contents, see original ordinance)

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296-4
390-7 Board considered the Ordinance authorizing the use of the following stop signs:

On Bucks Bar Road at its intersection with Mt. Aukum Road
On Grizzly Flat Road at its intersection with Mt. Aukum Road
On Mt. Aukum Road at its intersection with Grizzly Flat Road,
stopping southbound traffic only

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

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ORDINANCE NO. 1437

AUTHORIZING USE OF STOP SIGNS AT VARIOUS LOCATIONS
(Adding to Section 7621)

(For contents, see original ordinance)

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(57)
341-4
Chairman, El Dorado County Agricultural Commission, submitted letter recommending properties zoned Exclusive Agricultural (AE) and not under California Land Conservation Act Contracts, be removed from said zoning.

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Planning Department was again asked to put extra effort into initiating rezoning of the balance of the lands that were prematurely zoned Exclusive Agricultural, and are not presently under the Williamson Act Contracts.

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131
Communication received from Bennett Park Steering Committee, through Attorney Michael A. Tarlton, requesting that County take legal action to determine its ownership of Bennett Park and the extent to which the conditions and restrictions in the original deed are binding on the future and present use of said park.

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, County Counsel was requested to meet with the heirs in an effort to obtain clear title for a "clean" transfer of the Bennett property to the School District.

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132
Communication received from John Q. Adams requesting a \$137.50 refund on his building permit due to abandonment of plans to build.

At the recommendation of the Chief Building Inspector, on motion of Supervisor Walker, seconded by Supervisor Lawyer, and unanimously carried by those present, the refund was approved.

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101
On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Planning Objectives and Alternative Plans for the Volcanoville Planning Unit submitted by the Forest Supervisor in connection with the current Land Use Study Plans for the Eldorado National Forest, was continued to January 14, 1975, to provide sufficient time for both the County's Planning and Recreation Commission's comments thereon.

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Deputy County Counsel submitted a Confidential letter to the Board in Executive Session at 9:30 a.m. this date regarding the status of the Char property (Foothill Oaks - 1600 Acre Parcel Map), in which it was stated that the Attorney for Mr. Char has indicated that his client is willing to submit an Environmental Impact Report (EIR) and that if the EIR is acceptable, then both parties could discuss settlement of the lawsuit.

282-2-74
As a result of the Executive Session mentioned above, on motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the Board rescinded their action taken on December 10, 1974, which directed County Counsel to file a Notice of Violation on the Char property titles, and at this time, requested County Counsel to notify the developers in answer to their letter and proposal, that if they comply with the Environmental Impact Report requirements that they may re-apply for their Map Act division.

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212-2
Chairman Stewart requested Supervisor Lane to submit to the Board on January 14, 1975, a list of the Bi-Centennial expenditures to date, as well as a report on the Bi-Centennial's progress. (Supervisor Lane is the Board's representative on the local Bi-Centennial Committee)

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SPECIAL ORDERS

PLANNING MATTERS

285-58-74
390-9a
Hearing held as duly advertised on rezoning of lands in the Cameron Park area from Agricultural to Planned Commercial zone, consisting of approximately 4.27 acres, petitioned by Dorado Estates. Planning Commission recommended approval. No protests were received and the hearing was closed. (Introduced 12/17/74)

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

ORDINANCE NO. 1438

AMENDING EL DORADO COUNTY ZONING ORDINANCE
(Cameron Park area)

(For contents, see original ordinance)

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285-59-74
390-92
Hearing was held as duly advertised on rezoning of lands in the Cedar Grove area from Single Family Residential to Planned Commercial zone, consisting of approximately .86 acre, petitioned by Nellie G. Branco. Planning Commission recommended approval. There were no protests and the hearing was closed. (Introduced 12/17/74)

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

ORDINANCE NO. 1439

AMENDING EL DORADO COUNTY ZONING ORDINANCE (Cedar Grove area)

(For contents, see original ordinance)

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285-60-74
390-92
Hearing was held as duly advertised on rezoning of lands in the Georgetown area from Agricultural to Single Family Two Acre Residential zone, consisting of approximately 4.457 acres, petitioned by Carroll S. Holloway. Planning Commission recommended approval. There were no protests and the hearing was closed. (Introduced 12/17/74)

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

ORDINANCE NO. 1440

AMENDING EL DORADO COUNTY ZONING ORDINANCE (Georgetown area)

(For contents, see original ordinance)

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On motion of Supervisor Lawyer, seconded by Supervisor Lane, and unanimously carried by those present, the Board waived the reading of the following Introductory ordinances, and set each one for Hearing on January 7, 1975, at 2:00 p.m.:

- 285-61-74
285-62-74
285-63-74
285-64-74
285-65-74
- (1) Ordinance for rezoning of approximately 2.3 acres of land in the Cedar Grove area petitioned by Jorgen Koch;
 - (2) Ordinance for rezoning of approximately 47.0 acres of land in the Cedar Grove area petitioned by Wesley W. Spinney;
 - (3) Ordinance for rezoning of approximately .303 acre of land in the Meyers area petitioned by Kenneth Leone;
 - (4) Ordinance for rezoning of approximately 80 acres of land in the Sly Park area petitioned by Siller Bros., Inc.
 - (5) Ordinance for rezoning of approximately 38.92 acres of land in the Sly Park area petitioned by Sly Park Developments;

(Continued)

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285-66-74

(6) Ordinance for rezoning of approximately 35 acres of land in the Sly Park area petitioned by Wilma K. Cody, etal

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57

Planning Director submitted request of Mr. Stanley Cornils for refund on his Special Use Permit in the amount of \$25.00 due to deed restrictions prohibiting his requested Permit.

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried by those present, the request was approved to refund the \$25.00 fee.

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1423
1/20/75
1/21/75
57
141

Communication was received from Dorado Estates requesting authorization to place a mobilehome on Agricultural property commonly known as Cameron Park Lake for security purposes.

After consideration, on motion of Supervisor Lane, seconded by Supervisor Lawyer, and unanimously carried by those present, the matter was continued until such time as the adjacent property owners can be notified that the request has been set for a Hearing; and County Counsel and Planning were requested to determine how best to incorporate this type of request into ordinance form; and the Planning Commission was requested to submit comments thereon.

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276-4
P. Lane
C. Walker
7/2

On motion of Supervisor Walker, seconded by Supervisor Lane, and unanimously carried by those present, the Board authorized a Revised County-State Agreement with the State Department of Transportation for construction work on Green Valley Road; Federal-aid Project RS-1096(2): the State Department of Transportation having advised the Director of Public Works that the low bidder on the project refused to accept the contract, and the second low bid of Granite Construction Co., Watsonville, in the amount of \$840,000.00 was 7.62% less than Engineer's Estimate, and the following resolution was adopted:

RESOLUTION NO. 637-74

AUTHORIZING CHAIRMAN TO SIGN REVISED AGREEMENT WITH STATE DEPARTMENT OF TRANSPORTATION FOR GREEN VALLEY ROAD PROJECT

(For contents, see original resolution)

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212-2

The Chairman of the Board requested Supervisor Lane to submit to the Board on January 14, 1975, a list of the Bi-Centennial expenditures to date, as well as a report on the Bi-Centennial's progress.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

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298 a
Proper notice having been sent, hearing was held on escaped assessment for Gunthers Foreign Auto Parts. No protests were presented and the hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Lane, and unanimously carried by those present, Assessment Roll Change Nos. 3800; 3801; and 3802 were approved as presented for placement on the Assessment Rolls.

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(185-5)
185-5
Board again considered the matter of the Georgetown Dump site inasmuch as the Dump this date (December 31, 1974) is officially closed to the public. Mr. Oscar Betts, franchised refuse operator in the Georgetown area, was present and requested the use of the Dump site as a collection point and transfer station.

After considerable discussion, the Board, on motion of Lawyer, seconded by Supervisor Lane, and unanimously carried by those present, referred the matter to County Counsel to develop an Agreement with Oscar Betts for the utilization of the Georgetown Dump site as a collection and transfer point to aid and assist that area in its refuse collection system, to be brought back to the Board on January 14, 1975.

On motion of Supervisor Walker, seconded by Supervisor Lawyer, and unanimously carried by those present, the Board set a Policy Review Session on the matter for 2:00 p. m. on January 13, 1975.

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250
On motion of Supervisor Walker, seconded by Supervisor Lawyer, and unanimously carried by those present, the Board directed that a Notice of Default be served on Universal Medical Systems, Inc. relating to the existing contracts between Universal and the County.

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74-37-2
Hearing was held as duly advertised on the County's intention to purchase 11.6 acres of real property from Arthur C and Edith L. Oetting for construction of the County Government Buildings on the Hildman site.
(continued)

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On motion of Supervisor Walker, seconded by Supervisor Lane, and unanimously carried by those present, the Board authorized County Auditor to issue Warrant in the amount of the purchase price, \$46, 500.00, plus escrow costs; County Counsel was authorized to deposit said amounts in escrow; and the Chairman was authorized to sign Escrow Instructions, and a Certificate of Acceptance of Grant Deed from the Oettings.

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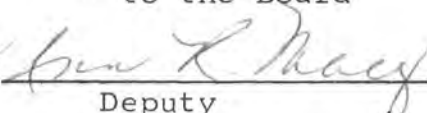
There being no further business, the Board adjourned to Tuesday, January 7, 1975, at 10:00 a.m.

ATTEST: CARL A. KELLY,
County Clerk and
ex-officio Clerk
to the Board

APPROVED:


Chairman

By:


Deputy