

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 13, 1976

The Board convened in regular meeting. Those present: Supervisors Franklin K. Lane, William V. D. Johnson, Lloyd R. Kutter, and Thomas L. Stewart. Absent: Supervisor W. P. Walker. Ann R. Macy, Board of Supervisors Clerk was also present. Chairman Lane presided.

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127 The Invocation was offered by Reverend John Sharp, Seventh-Day Adventist Church.

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The Pledge of Allegiance to the Flag was led by the Chairman.

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The Agenda was adopted on motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried by those present.

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The New Business Agenda was adopted with the addition of the request of the Tahoe Regional Planning Agency for assistance from the County Auditor's Office in acquiring data for a socio-economic study in the southwest portion of Lake Tahoe, as Item No. 5, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present.

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On motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried by those present, the Minutes of December 30, 1976, and December 31, 1976, were approved as submitted. The approval of the Minutes for January 6, 1976, was informally continued to January 20, 1976.

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501 On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried by those present, Warrant Register Claims for El Dorado County were approved and allowed for payment, as were the Claims as submitted by the Community Action Council, Inc.

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58 At the recommendation of County Counsel, on motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried by those present, the Amended Claim submitted by Attorney Melvin Laub on behalf of Harry L. and Shirley Staedler for personal damages in the amount of \$1,000,000.00, was rejected as a Late Claim.

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Airports Director submitted letter requesting the termination of the Georgetown Fixed Base Operator's Contract assigned on May 7, 1974, to Eugene H. Jost; pursuant to the Assistant County Counsel's 30-day Notice of Default mailed to Mr. Yost on December 2, 1975.

18 2
On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried by those present, the following resolution was adopted and authorization was granted the Airports Director to solicit bids for a replacement of a Fixed Base Operator for the Georgetown Airport:

RESOLUTION NO. 10-76

TERMINATING FIXED BASE OPERATOR CONTRACT FOR GEORGETOWN AIRPORT

(For contents, see original resolution)

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124
Director of Public Works submitted a request, together with a proposed Ordinance amending the County Ordinance relating to County Highways Load Limits, to remove the 10-ton load limit imposed on Greenstone Road since it is no longer required due to the Freeway construction and Greenstone Road improvements.

21-8
On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried by those present, reading of the ordinance was waived, and the ordinance was continued to January 20, 1976, for adoption.

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114-7
On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Board approved the recommendation of the Purchasing Agent and awarded Bid No. 743 - Photographic Equipment for various departments, to the low bidder in each of the following groups: (Original bids are on file in the Board of Supervisors Office)

- Group I - McCurry Company, Sacramento, in the amount of \$2,079.97
- " II - Argonaut Camera, Placerville, in the amount of \$661.39
- " III - Sears, Sacramento, in the amount of \$135.57
- " IV - Best Company, Sacramento, in the amount of \$79.58

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564
Assistant to the Board, John J. Fitzpatrick, submitted a letter recommending the following individuals for appointment to the Manpower Planning Council, pursuant to State and Federal regulations; said Council to be advisory only to the Board and the State Manpower Planning Council:

(Continued)

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Participant Community - Gertrude Turner and Wendy L. Flieger
Community Based Organization - Arla Martin
Organized Labor - Kenneth C. Oliver
Employment Service - Placerville Manager, Employment Development Department
Business/Agriculture - Jim McIntire and Doy Bridges
Education and Training Agencies - John Funston

On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried by those present, the Board appointed those persons recommended in Mr. Fitzpatrick's letter, and Supervisor Kutter was appointed Chairman of the Manpower Planning Council.

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Sierra Planning Organization submitted letter requesting comment on High Sierra Resource and Conservation District Council's application for project entitled Emergency Jobs and Unemployment Assistance Act of 1974 to provide temporary employment for the unemployed to develop recreation facilities and outdoor classrooms in El Dorado, Sierra, Nevada, and Placer Counties.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried by those present, the Board directed that their response be, "No comment".

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American River Touring Association submitted a letter requesting a legal opinion as to the navigability of the American River from Chili Bar to Folsom, and the resultant use of the River. County Counsel advised that he was presently collecting responses from various agencies in this regard, i.e. Army, Coast Guard, and State agencies, and when this information was obtained he would make his recommendation to the Board.

The Board received a telegram from Mr. John Wagaman stating that he was preparing to file in the El Dorado County Superior Court a request for a Temporary Injunction against the commercial rafting interests, and also ratifying the report and information submitted to the Board by Mr. John Sheehan, President of the American River Owners Alliance.

Mr. John Sheehan (mentioned above) was present and spoke at length, stating that the 143 property owners along the River were organized and it was the position of their organization that they should have strict control as to what goes on, and what is transported over, the American River from Chili Bar to Folsom.

The following property owners were present and spoke in opposition to the unrestricted use by the rafters of their property along the River: the debris left by the rafters; the conduct of some of the rafters; and the trespassing of the rafters over their property bordering the American River: Doug Stodick; William A. Jones; Jean Stirton; Fred Russell; Bob Rogers; Chuck Dogey; and Ed Bacchi.

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111
Tony Berardo was present and questioned the rights of the property owners insofar as the water which flows over their lands is concerned. Ilene Ray was also present and stated she was a property owner along the River, and that she was a rafter and found no objection to the use of the River by the rafters.

Supervisor Kutter's motion, seconded by Supervisor Stewart, that the matter appear on the Agenda for February 10, 1976, for any progress on the rafting matter, and that the American River Touring Association to be so advised, was not carried by reason of the following vote: Ayes: Supervisors Kutter and Stewart; Noes: Supervisors Lane and Johnson; Absent: Supervisor Walker.

Supervisor Lane then moved that the Board take the position that the use of the American River for rafting falls within the area of private domain, and that any business or operation by anyone other than the property owners along the River, must have the approval of those property owners, and County Counsel was directed to assist those property owners in protecting this position. Supervisor Johnson seconded the motion, and it was unanimously carried by those present.

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(90)
City of South Lake Tahoe submitted a letter recommending that the bronze plaque on the former Justice Court and County Medical Building at South Lake Tahoe commemorating those individuals who were responsible for the building, be placed with the Lake Tahoe Historical Society.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the recommendation was approved.

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At the recommendation of Supervisor Lane, seconded by Supervisor Johnson, and unanimously carried by those present, the following resolution was adopted recommending that "Snowshoe Thompson" be memorialized in a commemorative stamp, for his famed mail-carry from Placerville, California, to Genoa, Nevada:

RESOLUTION NO. 11-76

RECOMMENDING THAT THE U. S. POSTAL SERVICE ISSUE A
COMMEMORATIVE STAMP MEMORIALIZING SNOWSHOE THOMPSON FOR
HIS FAMOUS MAIL-CARRY OVER THE SIERRAS FROM
PLACERVILLE TO GENOA, NEVADA

(For contents, see original resolution)

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117
On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried by those present, the following Budget Transfer No. 45 was approved: Recreation Department - Decreasing 92-2130 Maintenance-Structures & Grounds by \$800.00; increasing 92-2090 Household Expense by \$800.00, to adjust the proper budget classification, since Refuse Collection was taken out of the wrong budget item.

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On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried by those present, the Board adopted a policy that all legislative matters must be in written summary, or with supporting documentation, and provided to each Supervisor in the New Business packet; said policy delineating the following distribution for responses on legislative matters: That responses to any Senators, Assemblymen, State Department Chief, or the Governor, will automatically include distribution to our District Senator and Assemblyman; the county associations of County Supervisors Association of California, and Regional Council of Rural Counties; the cities of Placerville and South Lake Tahoe - as applicable; and to the Press.

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On motion of Supervisor Kutter, seconded by Supervisor Johnson, and carried by the following vote: Ayes: Supervisors Johnson, Kutter, and Stewart, the Board declared their intent to take no action on Senate Constitutional Amendment 27 - Public Employee Strike Proposal.

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37
The motion of Supervisor Lane, seconded by Supervisor Kutter, to approve the proposed draft of a letter to the State Finance Committee opposing Senate Bill 143 (Said bill would increase the business inventory exemption from 50% to 60%) unless it provides for full funding of the revenue losses that would be caused by increased exemption, was not carried by reason of the following vote: Ayes: Supervisors Lane and Kutter; Noes: Supervisors Johnson and Stewart.

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SPECIAL ORDERS

PLANNING MATTERS

245-1-16
A.D.
On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried by those present, the Board waived the reading of Introductory Rezoning Ordinance petitioned by Harland J. Hadley, et al, to rezone lands in the Quintette area from Agricultural to Estate Residential zone, consisting of 29.76 acres.

On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried by those present, reading of the Ordinance was waived and Hearing was set for January 20, 1976, at 2:00 p.m.

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Hearing was held as duly advertised to consider specifically the amendment to Section 9.h of the RE-10 Zoning Ordinance to read: "h. Minimum setback of 50-feet for non-agricultural uses on yards abutting Planned Agricultural zones."

After consideration, Supervisor Lane moved that the wording be changed to read: A minimum setback for non-agricultural uses on yards abutting Planned Agricultural zones shall be 50 feet, or 100 feet from an existing non-compatible use. The motion failed for lack of a second.

Supervisor Kutter's motion that a buffer area of 50 feet will be required within a boundary, was lost due to the lack of a second.

Supervisor Stewart moved to adopt the ordinance as amended. Supervisor Lane seconded the motion, which did not carry due to the following vote:

Ayes: Supervisors Lane and Stewart; Noes: Supervisors Johnson and Kutter.

Supervisor Johnson then moved to adopt the ordinance as originally submitted. Supervisor Stewart seconded the motion, but it did not carry by reason of the following vote: Ayes: Supervisors Johnson and Stewart; Noes: Supervisors Lane and Kutter.

Then on motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried by those present, the Hearing was continued to January 20, 1976, at 2:15 p.m.

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On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Hearing on the Appeal of Edward L. Pranschke regarding a 12-foot building encroachment into the road right-of-way on Skyline Drive, was continued to February 3, 1976, at 2:15 p.m., at the request of the Appellant's attorney. (Skyline Drive in Tahoe Paradise Unit No. 48 Subdivision)

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Hearing was continued on the Appeal of Western Sign Company on the Planning Commission's denial of a Special Use Permit to enlarge an existing billboard on the south side of Highway 50, Strawberry area.

Mr. Trevor Thomas, owner of Western Sign Company, was present and displayed for the Board an artist's conception of the proposed larger sign to replace the existing sign on his property at Strawberry.

Mr. K. P. Crater, representative of Strawberry Heights Improvement Association, was also present. He stated that he had withdrawn his original protest to the sign after learning that the existing sign was a legal billboard sign; however, he reiterated that he and the association he represented were still opposed to signs, or additional signs, on Highway 50 in the area between Placerville and the Tahoe Basin.

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A postcard from Wilma Muir, adjacent property owner, was received protesting the billboard sign.

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

The motion of Supervisor Kutter, seconded by Supervisor Johnson, to approve the request, but to notify the Planning Commission that this is a unique case and should not serve as a precedent, was amended by Supervisor Johnson to grant the Special Use Permit for a 3½-year period, provided that the sign is completed within six months from this date, per the drawing displayed to the Board. Supervisor Kutter seconded the amendment, and the Chairman called for the question on the amendment, and it was carried by the following vote: Ayes: Supervisors Lane, Johnson, and Kutter; No: Supervisor Stewart. The Chairman then called for the vote on the original motion, and it was carried by the following vote: Ayes: Supervisors Lane, Johnson, and Kutter; No: Supervisor Stewart; Absent: Supervisor Walker.

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LHR 298-A Proper notices having been sent, hearings were held on escaped assessments as listed below. No protests were presented and the hearings were closed.

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

<u>Assessment Form No.</u>	<u>Name</u>
6635	Davies Music Company
5772	Jack G. Gates
5776	Aramast Vartanian
5769	Basel Oliver

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LHR 250 Dr. Robert Gibbs was present on behalf of REP Enterprizes (Warren Lott, President), and read a prepared statement to the Board comprising generalized intentions of said organization for the operation of the former Pioneer Community Hospital. After reading the statement, Dr. Gibbs stated that REP Enterprizes was offering 1.2 million dollars cash for the Hospital, and with that, he introduced Mr. Warren Lott. Dr. Gibbs and Mr. Lott were then informed by the Board that their offer could not be accepted in this fashion, since the hospital belonged to a public entity and that any real property must be first declared surplus and then offered for bid, and that through this bidding procedure, the earliest time bids could be expected to be opened would be no less than two months. Ms. Jerri Young, Hospital Administrator for REP was present and asked, since the matter must go to bid, that their offer be withdrawn at this time.

On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried by those present, the offer of the purchase and operation of the former Pioneer Community Hospital by REP Enterprizes was taken under advisement.

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LHR 250 On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Board denied Pioneer Hospital's request for the release of a Warren Collins Spirometer, County No. 9339, from the inventory of County property.

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LHR 250 On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Board acknowledged and placed on file a letter received from the Tahoe Fracture & Orthopedic Medical Clinic, Inc., South Lake Tahoe, endorsing the Marshall Hospital proposal to form a Rehabilitation Center for Northern California at Placerville.

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LHR 102 At the request of Supervisor Kutter, on motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried by those present, the Chairman was authorized to sign a letter to Governor Brown recommending his appointment of Mr. Ed Bacchi to the State Board of Forestry, as a representative of the range and livestock industries.

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LHR 61-3 (61-3) 341 At the request of the Agricultural Commissioner, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Board set a Policy Review Session for February 11, 1976, at 2:00 p.m. regarding Proposed Policies Governing County Service Area No. III, and the implementation of sections of the State Health and Safety Code.

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(70) 117 No action was taken by the Board on the item added to the New Business Agenda when it was adopted, i.e. Tahoe Regional Planning Agency's request for assistance from Auditor's Office in acquiring data for a socio-economic study in the southwest portion of Lake Tahoe.

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(59) 1-4-74 On motion of Supervisor Stewart, seconded by Supervisor Johnson, and carried by the following vote: Ayes: Supervisors Johnson, Kutter, and Stewart; No: Supervisor Lane; Absent: Supervisor Walker, the Board authorized the expenditure of \$2,575.00 from Public Works' Building & Grounds' budget, for the demolition of the water tank at the County Fairgrounds.

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LHR 212 211 On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Board approved the request of the Coloma-Lotus Boosters Club for closure of Cold Springs Road at Gold Hill Road and Lotus Road at four corners on January 25, 1976, between

(Continued)

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the hours of 11:30 a.m. and 1:00 p.m., and the following resolution was adopted:

RESOLUTION NO. 12-76

AUTHORIZING ROAD CLOSURE IN COLOMA COMMEMORATING
GOLD DISCOVERY DAYS ON JANUARY 25, 1976

(For contents, see original resolution)

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On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried by those present, the Board approved the amended Job Specifications for Deputy Jailer to read two years' experience with the custody of prisoners or related activity, and a high school diploma or equivalent thereof, and the addition of one Deputy Jailer to the Sheriff's Department for the Vehicle Abatement Program.

The motion of Supervisor Stewart, seconded by Supervisor Kutter, to approve the original recommendation of the Assistant to the Board regarding the monthly starting salary of the additional Deputy Jailer at \$916.00, was not carried by reason of the following vote: Ayes: Supervisors Kutter and Stewart; Noes: Supervisors Lane and Johnson; Absent: Supervisor Walker.

On motion of Supervisor Lane, seconded by Supervisor Johnson, and carried by the following vote: Ayes: Supervisors Lane, Johnson, and Kutter; No: Supervisor Stewart; Absent: Supervisor Walker, the Board approved the monthly salary at which the last step is the same as the starting step for Deputy Sheriff II.

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On motion of Supervisor Stewart, seconded by Supervisor Lane, and unanimously carried by those present, the Board continued to January 27, 1976, the proposal submitted by the State Department of Transportation, Scenic Highway Advisory Committee, to facilitate designation of scenic highways, and requesting comments as to feasibility of the proposal.

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On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried by those present, the Board requested the County Auditor verify that the Council on Alcoholism's financial records are unauditable, as indicated in previous correspondence from the Auditor and, if verified as such, that the Council be given a reasonable amount of time to implement the necessary accounting procedures prior to further action being taken by the Board of Supervisors.

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There being no further action, the Board adjourned to Tuesday, January 20, 1976, 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]
Chairman