BOARD OF SUPERVISORS MINUTES May 18, 1976

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

The Invocation was offered by Reverend Dale Cundall, Calvary Bible Church.

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

The Agenda was adopted, after the removal of Item 14, Page 3, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried.

The New Business Agenda was adopted, with two additions, on motion of Supervisor Stewart, seconded by Supervisor Lane, and unanimously carried.

The Minutes of May 11, 1976, were approved as submitted, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried.

#### GENERAL ORDERS

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

Attorney Raymond J. Thielen submitted Applications for Leave to Present Late Claims on behalf of Michael J. Kelly, Thomas P. Kelly, and Sheryl Dean Kelly. County Counsel recommended the request be denied, as no grounds were given.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Application was denied, as recommended.

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At the recommendation of the Airports Director, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the matter was continued to May 25, 1976, the matter of approval of the Fixed Base Operators Lease with Messrs. F. S. Simons and R. E. Barlow for the operation of the Georgetown Airport for a five year period, was continued to May 25, 1976.

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Airports Director submitted letter recommending the Chairman be authorized to sign Agreement with Lake Tahoe Realty, Inc., for advertising space in the Lake Tahoe Airport Terminal Building at a monthly rental of \$50.00, for a period of one year commencing May 15, 1976.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lane, Johnson, Walker, and Kutter; Abstain: Supervisor Stewart, the Chairman was authorized to sign after deletion of the sentence: "Lessee shall have the first right of refusal for said space upon expiration of this Lease."

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Director of Public Works submitted a letter recommending that the Board consider removing Newtown Road between Broadway and Pleasant Valley Road from the Select Road and F.A.S. Systems, and also from the 1980 Functional Classification Road System.

On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried, the matter was referred to the Local Transportation Commission for comment, and continued to June 1, 1976.

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Director of Public Works submitted a letter requesting approval of five additional road projects to the Five Year Street and Highway Capital Improvement Work Program, approved on February 18, 1975.

On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the matter was referred to the Local Transportation Commission for comments on the five projects submitted, including an added segment to Route E-16 -- Mt. Aukum Road between D'Agostini Spillway to Gray's Corner.

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On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board approved the request of High Sierra Resource Conservation and Development Project for a \$100.00 contribution to be used for the operation of their office for the Fiscal Year 1976-77.

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On motion of Supervisor Walker, seconded by Supervisor Kutter, and carried by the following vote: Ayes: Supervisors Walker, Kutter, and Stewart; Noes: Supervisors Lane and Johnson, the Board authorized the Director of Health Services to purchase equipment and structure improvements in the amount of \$2,538.14, as approved in the 1975-76 budget.

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Acting Director of Health Services submitted a letter requesting the Chairman be authorized to sign an Addendum amending the contract with the Regents of the University of California for mental health services by increasing the gross amount to \$36,299.00, representing an increase in the amount of \$14,000.00.

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

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On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board adopted the policy relating to the Utilization of Vehicles While on County Business, as submitted by the Assistant to the Board.

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Purchasing Agent submitted a list of County Vehicles and Equipment, and requested that they be declared surplus and authorized for sale at a Public Auction.

On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, the List was approved, declared surplus, and authorized for sale after the removal of Items 127-Safe, Property #7065, and 80 -1963 Ford Van, Property #7141 are removed from the list.

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Director of Public Works submitted cost estimates for Route B (in the amount of \$240,000) as compared with Route A (in the amount of \$205,000), for the access road to the new County Government Center.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board directed that the Engineer's Cost Estimate for the County Government Center Access Road -- Raley's Alternate (Route B), be submitted to Raley's Corporation for their consideration in relation to right-of-way negotiations.

BOARD OF SUPERVISORS MINUTES May 18,

unanimously carried, the following proposed ordinance relating to traffic regulations in the Georgetown area. On motion of Supervisor Johnson, seconded by Supervisor Stewart, and regulations in the Georgetown area was introduced, the reading thereof was waived, and its adoption continued to May 25, 1976: 6-1

Designate Church Street from Highway 193 to north of School Street, as a through highway;

PP

Stopping southbound traffic on Georgia Slide Road at its intersection with Mameluke Hill Road; and

Stopping eastbound traffic on Spanish Dry Diggins Road at its intersection with Reservoir Road.

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196-4 On motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried, the Ordinance relating to the operation of vehicles on County-owned land; specifically, on Pony Express Trail between Sly Park Road and Carson Road, was introduced, the reading thereof was waived, and its adoption was continued to May 25, 1976.

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Board considered the emergency ordinance amending Section 9415.5 of the Ordinance relating to Agricultural Exclusive (AE) zones, by adding Section 9415.6 which enables the regulations contained in Section 9415.5 to apply to those lands zoned AE which are not under the Agricultural Preserve contracts, and also considered the ordinance amending the Parcel Map Ordinance and the Subdivision Ordinance which would not permit any division of lands under the California Land Conservation Act Contract (Williamson Act Contract) unless a new agreement is approved for each resulting parcel.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried, a Hearing was set for June 1, 1976, at 2:00 p.m. for consideration of an extension to Interim Zoning Ordinance to place all lands zoned AE under the same regulations as those under the Williamson Act Contract, and the Board referred said Interim Zoning Ordinance, together with the proposed Parcel Map and Subdivision Ordinance amendment which would not permit any division of lands under the Williamson Act Contract without a new Contract for each parcel, to the Planning Commission.

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On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board placed on file the comments submitted by the El Dorado County Fair Association on the Audit Report for the periods ended December 31, 1975, and February 29, 1976, as submitted by Bartig, Basler & Ray, Certified Public Accountants.

BOARD OF SUPERVISORS MINUTES May 18, 1976

Letter was received from the County of Sacramento requesting that the Chairman be authorized to sign the Joint Exercise of Powers Agreement with the Counties of Nevada, Placer, Sacramento, Sierra, Sutter, Yolo, and Yuba, which creates a public regional planning body to implement the National Health Planning and Resources Development Act of 1974, and also requesting this County's designee to the JPA Governing Board, as well as appointments to be made prior to May 28, to the Golden Empire Health Systems Agency 30-member Governing Body.

On motion of Supervisor Lane, seconded by Supervisor Kutter, and carried by the following vote: Ayes: Supervisors Lane, Walker, Kutter, and Stewart; No: Supervisor Johnson, the Board approved the Joint Powers Agreement and the Chairman was authorized to sign it. (Joint Powers Agreement creates the Golden Empire Health Systems Agency.)

On motion of Supervisor Lane, seconded by Supervisor Stewart, and unanimously carried, the Board appointed G. Michael Stambaugh, Jerald Bennett, and Franklin K. Lane to the 30-member Governing Body (Stambaugh - Consumer member; Bennett - Provider member; Lane - Local government member), and Franklin K. Lane was appointed as El Dorado County's representative on the Governing Board.

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Northern California Conference Association of Seventh-Day Adventists submitted a letter requesting the Board determine whether or not the road they will be constructing from Grizzly Flat to Leoni Meadows (3.2 miles) can be accepted into the County-maintained road system, subject to it being finished with a hard surface.

The motion of Supervisor Johnson, seconded by Supervisor Walker, to give a notice of intention that the County would accept the road into the County-maintained system after a 3-way Cooperative Agreement has been entered into between the County and the Forest Service and said Association of Seventh-Day Adventists, and that all County specifications have been met in the construction of the road, was not carried by reason of the following vote: Ayes: Supervisor Johnson; Noes: Supervisors Lane, Walker, Kutter, and Stewart.

Supervisor Walker then moved to refer the matter back to the Department of Public Works to work with the Church to see if some solution could be reached on the 1/4-mile connecting link. Supervisor Lane seconded the motion. Supervisor Johnson then amended the motion to include that it would be the County's intention to accept the road into the County-maintained system providing that the 1/4-mile connecting link between the proposed road and the County road would be brought up to the same standards as the balance of the road.

The Chairman called for the vote on the amendment, and it carried by the following vote: Ayes: Supervisors Johnson, Walker, and Kutter; Noes: Supervisors Lane and Stewart. The Chairman then called for the vote of the original motion, and it was unanimously carried.

May 18, BOARD OF SUPERVISORS MINUTES \_\_\_

On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, County Counsel was instructed to obtain a Restraining Order restricting the California Tahoe Regional Planning Agency from commencing their meeting on May 27, 1976, for a period of 15 minutes after the conclusion of the Tahoe Regional Planning Agency's meeting.

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Agricultural Commission submitted letter recommending that El Dorado Irrigation District be advised that all lands zoned Agricultural or Exclusive Agricultural be excluded from the proposed Mother Lode Waste Water Reclamation Project, unless property owners request to be included.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board referred El Dorado Irrigation District's letter dated May 17, 1976, in response to this matter, to the Agricultural Commission. Said letter stated that it appeared that the request of the Agricultural Commission had been adequately answered in discussions on May 12, 1976, between the Irrigation District and the Agricultural Commission.

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#### SPECIAL ORDERS

#### PLANNING MATTERS

285-62-76 Hearing was held as duly advertised on the rezoning of lands in the Rescue And American Agricultural to Estate Residential, consisting of 60 acres, petitioned by Louis W. Mette, etal. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

- 1. The existing General Plan Designation is Low Density Residential (1 dwelling unit, 1-5 acres) and therefore, this application is in conformance with the General Plan.
- 2. The parcel is adjacent to existing RE zoning to the east and west;
- 3. The public necessity, convenience, and the health, safety and general welfare would be benefited by the approval.

There were no protests and the Hearing was closed.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board concurred in the Planning Commission's findings; the rezoning was approved; and the following ordinance was adopted:

ORDINANCE NO. 1634

AMENDING THE EL DORADO COUNTY ZONING ORDINANCE (Mette in the Rescue area)

(For contents, see original ordinance)

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Hearing was held as duly advertised on the rezoning of lands in the Rescue area from Agricultural to Exclusive Agricultural, consisting of 135.74 acres, petitioned by Louis F. Wunschel. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

- The existing General Plan designation is Rural Estates Agricultural (5 to 20 acre parcels) and therefore, this application is in conformance with the General Plan;
- 2. The proposal represents follow-up rezoning action to a previously approved Agricultural Preserve (AP-210); and
- The public necessity, convenience, and the health, safety and general welfare would be benefited by the approval.

There were no protests and the Hearing was closed.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board concurred in the Planning Commission's findings; the rezoning was approved; and the following ordinance was adopted:

ORDINANCE NO. 1635

AMENDING THE EL DORADO COUNTY ZONING ORDINANCE (Wunschel in the Rescue area)

(For contents, see original ordinance)

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Hearing was held as duly advertised on the rezoning of lands in the Shingle Springs area from Agricultural to Estate Residential, consisting of 16 acres, petitioned by Jehudah Jacobson. Planning Commission recommend approval, and the Planning Director enumerated the following findings of the Commission:

- 1. The existing General Plan Designation is Medium Density Residential (1 to 5 dwelling units per acre) and therefore, this application is in conformance with the General Plan;
- 2. The parcel is adjacent to existing RE zoning to the east and west; and
- The public necessity, convenience, and the health, safety and general welfare would be benefited by the approval.

There were no protests, and the Hearing was closed.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Kutter, and Stewart; No: Supervisor Lane, the Board concurred in the Planning Commission's findings; the rezoning was approved; and the following ordinance was adopted:

ORDINANCE NO. 1636

AMENDING THE EL DORADO COUNTY ZONING ORDINANCE (Jacobson - Shingle Springs area) (For contents, see original ordinance)

--245--

BOARD OF SUPERVISORS MINUTES May 18, 19 76

The Hearing set over by the Board from April 6, 1976, to consider the establishment of an Agricultural Preserve No. 199, in the names of Prentiss Moore and Josephine Moore, consisting of 344.43 acres in the Placerville area, was removed from the Agenda at the request of the Applicant, Prentiss Moore, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried.

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On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, the following proposed rezoning ordinances were introduced; the reading thereof was waived; and the Hearings were set for May 25, 1976, at 2:00 p.m.:

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Area	Petitioner	From	To	Acres
19.76 Coloma	Andrew Kovach	A	RE	26.7
Missouri Flat	John R. & Shirley Smith	A	R2A	10.05
Somerset	Wendell Inman, etal	U	C	9.0

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Hearing was held as duly noticed to consider abandonment of Northside School Access Road No. 74, a length of approximately 0.14 mile.

In view of a letter from the Bureau of Reclamation, Auburn, California, dated May 14, 1976, which recommended that the road not be abandoned inasmuch as it provides access for fire fighting equipment to reach government lands which adjoins two sides of the school, and also the roadway is used by persons leasing this land for grazing from the government, the Board on motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried, requested the Director of Public Works to negotiate and coordinate with Northside School and the Bureau of Reclamation to arrive at a solution to this matter.

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Responses were received from County Counsel and the Planning Director to the two following recommendations submitted by the Coalition of Citizens Groups and Taxpayers relating to the County Master Plan:

- Within six weeks institute an interim zoning to increase minimum parcel size permitted for all County lands zoned Unclassified to perhaps 5 - 10 acres; and
- 2. Establish a time requirement on all land splits.

County Counsel advised the following: On interim zoning - there would have to be a proposed study for every area affected, and evidence would be required that the public health, safety, morals or general welfare would be threatened if all of the unclassified areas were not rezoned immediately. On the time requirement issue - - it is doubtful that the courts would uphold an ordinance restricting the conveyance of land for a period of time. (Continued)

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Planning Department Staff comments are as follows: On interim zoning - Staff has since November 1975, embarked on an accelerated definitive schedule for updating the County-wide General Plan, and the density phasing element of those areas not calendared for a comprehensive plan should serve the same purpose as interim zoning. On time requirements - the legality of such a measure is questioned; however, Staff feels the Density Phasing Element shall curtail lot splits until such time as a comprehensive plan is completed.

After discussion, on motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Board declared they would take no action on interim zoning regarding unclassified lands, but referred this matter to Planning to hold hearings in regard to changing the Unclassified zone to consider the possibility of a 10-acre minimum.

On motion of Supervisor Lane, seconded by Supervisor Kutter, and carried by the following vote: Ayes: Supervisors Lane, Walker, Kutter, and Stewart; No: Supervisor Johnson, the Board requested the Planning Commission to study a proposed amendment to the Parcel Map Ordinance which would establish a requirement that a parcel shall not be subdivided until it has been on the rolls as a parcel for a minimum of one year.

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On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Board adopted the following resolution directing the Planning Commission to initiate rezoning Hearings on lands within the proposed Highway 50 and/or Highway 89 realignment from Echo Summit to the County or City boundary, and to provide for a Transportation Corridor Zone District:

#### RESOLUTION NO. 118-76

A RESOLUTION OF INTENTION DIRECTING HEARINGS TO REZONE LANDS
WITHIN THE HIGHWAY 50 REALIGNMENT IN THE MEYERS AREA TO PROVIDE
A TRANSPORTATION CORRIDOR ZONE DISTRICT

(For contents, see original resolution)

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In response to the Board's request for comments, the Planning Commission submitted a letter (via the Executive Secretary) expressing disapproval of the formation of any quasi-official level of government as outlined in the proposed ordinance to establish Community Planning Councils, and suggested if the Board requested any further action by the Commission, that the matter be referred back for a more in-depth review than was possible at this time.

The motion of Supervisor Lane, seconded by Supervisor Kutter, to refer the matter back to Planning Commission to discuss the issue as to how best to utilize Community Planning units, and to advise the Board of their proposal, was not carried by reason of the following vote: Ayes: Supervisors Lane and Kutter; Noes: Supervisors Johnson, Walker, and Stewart.

BOARD OF SUPERVISORS MINUTES \_\_\_\_ May 18,

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board authorized a one year extension of the Tentative Map for Creekside Estates Subdivision in the Pollock Pines area, subject to approval by the Planning Commission: said extension to expire on May 26, 1977.

#### GENERAL ORDERS

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The Board informally accepted a proposal from AMMS, Inc., Medical Management Division, aka ARZE Medical Management for the operation of the County Community Hospital.

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Sierra Planning Organization submitted a letter requesting comment on Sierra Economic Development District's application planning grant supplement to provide staff for economic and community development.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board indicated a favorable response.

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On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the County Auditor and the Assistant to the Board were authorized to approve intra-departmental budgetary line items until the end of the Fiscal Year.

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On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried, the following resolution was adopted, and the Chairman was authorized to sign a letter in opposition to Assembly Bill 4071, or any other bill which would remove the County Clerk as Clerk of the Court, or otherwise remove or eliminate obligations on him by law:

RESOLUTION NO. 119-76

OPPOSING CALIFORNIA ASSEMBLY BILL NO. 4071

(For contents, see original resolution)

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On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to execute Releases of Lien discharging all property encumbered by the Agreements to Reimburse County for Public Assistance as recorded in the Official Records of El Dorado County as follows:

Name		Volume	and	Page
Vernon M. Hall and Elinor Hall		1074		453
Gary Kusel aka Gary Noel Kusel		1023		545
	// - 248 -			

BOARD OF SUPERVISORS MINUTES May 18, 1976

Welfare Director submitted a letter requesting the Chairman be authorized to sign the necessary documents to amend this County's Adoption Agreement to provide adoption services for Amador County.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried, the Chairman was authorized to sign the Inter-County Agreement for Adoption Services with Amador County, after the deletion of the sentence on Page 6, Lines 12, 13, and 14 as follows: "If this agreement is not terminated as provided in this paragraph, it shall be automatically renewed for successive yearly periods from July 1, 1976, until so terminated.", and the following resolution was adopted:

RESOLUTION NO. 123-76

AUTHORIZING CHAIRMAN TO SIGN INTER-COUNTY AGREEMENT FOR ADOPTION SERVICES WITH AMADOR COUNTY

(For contents, see original resolution)

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Stockton State Hospital submitted a letter requesting that the Board submit this County's nomination to the State Hospital Advisory Board for developmentally and mentally disabled, for consideration for appointment by the Governor. (Continued from 5/11/76)

On motion of Supervisor Walker, seconded by Supervisor Lane, and unanimously carried, the Chairman was authorized to sign a letter responding that the Board does not at this time have a recommendation.

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At the recommendation of the Mental Health Advisory Board, on motion of Supervisor Walker, seconded by Supervisor Lane, and unanimously carried, the following persons were reappointed to said Advisory Board: Barbara Boothe, Cathy Schuster, and Vivian Turney, for terms ending April 30, 1979.

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

RESOLUTION NO. 120-76

SUPPORTING AMERICAN LEGION POST NO. 795, SOUTH LAKE TAHOE, AND COMMENDING THEIR STAND RELATING TO ELECTED REPRESENTATIVE GOVERNMENT

(For contents, see original resolution)

BOARD OF SUPERVISORS MINUTES May 18, 19 76

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

RESOLUTION NO. 121-76

ORDERING THE COUNTY CLERK TO CONDUCT A RECALL ELECTION FOR THE CITY OF PLACERVILLE ON JULY 9, 1976, AND TO CONDUCT A CANVASS OF RETURNS, AND DIRECTING THE CITY TO REIMBURSE THE COUNTY FOR ALL EXPENSES INCURRED

(For contents, see original resolution)

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On motion of Supervisor Lane, seconded by Supervisor Walker, and unanimously carried, the following resolution was adopted authorizing the Chairman to sign Transportation Claim to California Tahoe Regional Planning Agency in the amount of \$10,000.00: the 1975-76 apportionment to the unincorporated County portion of the Tahoe Basin for Bicycle Trails:

RESOLUTION NO. 122-76

AUTHORIZING CHAIRMAN TO SIGN TRANSPORTATION CLAIM TO CALIFORNIA TAHOE REGIONAL PLANNING AGENCY FOR \$10,000 FOR BICYCLE TRAILS

(For contents, see original resolution)

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(= 45-66.76) On motion of Supervisor Walker, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Kutter, and Stewart; No: Supervisor Lane, the Board set a Hearing for June 1, 1976, at 2:00 p.m. to consider an Interim Zoning of lands in the Oak Hill Area from Unclassified to Agricultural, consisting of approximately 1,650 acres, petitioned by Clare Dusek, etal.

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On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried, the Chairman was authorized to sign, after corrections have been made by County Counsel, the Agreement with Pioneer Health Care Association wherein County accepts transfer of hospital equipment and instruments from Pioneer, having a value of \$22,169.70, in exchange for the cancellation by the County of Pioneer's debt in the amount of \$17,042.18.

BOARD OF SUPERVISORS MINUTES May 18, 19 76

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	ing no further business, 10:00 a.m.	the Board adjourned to	Tuesday, May 25,
ATTEST:	Carl A. Kelly, County Clerk and	APPROVED:	Chairman

By: San & Macy Deputy

ex-officio Clerk

of the Board