

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 8, 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.

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127 The Invocation was offered by Reverend Carl Buster, First Baptist Church of Pollock Pines.

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

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The Agenda was adopted, with a 3:30 time allocation for Item 21, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried.

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

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GENERAL ORDERS

28
50-1 Warrant Register Claims for El Dorado County and Claims submitted by the Community Action Council were approved and allowed for payment on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried.

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115
151-9
233-1
22-116
15A
15B On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Welfare Department was authorized to hire one Homemaker; the Sheriff's Department was authorized to appoint Bill Leard to Deputy Jailer position at Step 2; the Environmental Health Department's request was approved to establish the classification of Sanitarian I at Range 52 and approved the Job Specifications therefor, and adopted the following resolution:

RESOLUTION NO. 131-76

ADOPTING JOB SPECIFICATIONS AND AMENDING CLASSIFICATION SCHEDULE
FOR SANITARIAN I AT RANGE 52

(For contents, see original resolution)

349-6
183
1243 the Treasurer/Tax Collector was authorized to hire an Account Clerk II; and also the Board supported the proposed legislation to set salaries of official Court Reporters at Range 67 and provide for annual salary increases according to the percentage afforded Superior Court Clerks; and further, Public Works was authorized to hire one Custodian as Extra Help.
(Continued)

June 8, 1976

- 276 -

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 8, 1976

(165-2) On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Bargaining Unit of the District Attorneys' Association was recognized.

122-1 On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Building Department was authorized a Building Inspector II as Extra Help.

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212 Motorcycle Enduro Riders Association, The Training Wheels, requested authorization to use .3 of a mile on the shoulder of Wentworth Springs Road between 6:00 a.m. and 6:00 p.m. on June 19, 1976, for the purpose of access from Balderston Road to Rock Creek Road; said event to be run entirely on National Forest and Michigan-California Lumber Company property.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, approval was granted subject to the conditions outlined by the Georgetown Advisory Committee in their letter dated May 31, 1976, plus the additional provision that the Riders Association repair and restore to the condition prior to said event, any damage to the Road's shoulder.

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58 Attorney Roger F. Cline submitted Claim on behalf of Lloyd C. Reinhardt for damages in the amount of \$10,000.00. County Counsel recommended denial.

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

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119 Director of Public Works submitted for Chairman's signature, Amendment No. 1 to the Agreement with the State Water Resources Control Board for work on the Lonely Gulch Creek erosion control project; and stating that in order to implement same, it will be necessary to hire extra help for the summer.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Agreement was approved, with a change in Section Three amending the sentence which reads, ". . . work crew of five men . . ." to ". . . work crew of three to five men . . .", and the following resolution was adopted authorizing the Chairman to sign:

RESOLUTION NO. 132-76

AUTHORIZING CHAIRMAN TO SIGN AMENDMENT NO. 1 TO THE AGREEMENT WITH STATE WATER RESOURCES CONTROL BOARD NO. 51D400

(For contents, see original resolution)

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 8, 1976

Director of Public Works submitted a letter recommending the Chairman be authorized to sign two Grants of Easement from the Southern Pacific Transportation Company for railroad crossings on Greenstone Road and Forni Road.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign the Grants of Easement, and the following resolutions were adopted:

(Rec'd 10-76 296-4 42)
RESOLUTION NO. 133-76

ACCEPTING GRANT OF EASEMENT FOR GREENSTONE ROAD
(Mile Post AH-140.5-X-N)
and

(Rec'd 11-76 296-4)
RESOLUTION NO. 134-76

ACCEPTING GRANT OF EASEMENT FOR FORNI ROAD
(Mile Post AH-144.0-X-N)

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(17) 124
Public Works Department and the Assessor's Office submitted a feasibility report for the improvement of Cherry Acres Road, Cool area, reflecting a total estimated construction cost of \$260,000.00; with a total improvement cost of \$310,000.00, and if the cost is financed by assessment district proceedings the total cost would be 30% higher, or \$390,000.00.

On motion of Supervisor Kutter, seconded by Supervisor Stewart, and unanimously carried, the Public Works Department was directed to present the submitted information to the Cherry Acres Homeowners Association at a public meeting.

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22-5
Director of Health Services recommended the Chairman be authorized to sign Agreement with Nick W. Peters to provide physical therapy services for the orthopedically handicapped youth in El Dorado County; to be 75% funded through the Crippled Children Services Program with 25% County match.

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

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22-13
County Counsel submitted his recommendations on the alternatives regarding filing suit on Public Law 93-641 (Federal Health Planning Law): his conclusion being that the action should be a class action (all counties) in intervention.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to solicit the eight counties comprising the Golden Empire Comprehensive Health Planning Council regarding the matter of entering into a suit against Public Law 93-641.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 8, 1976

50-1/2
Assistant to the Board submitted recommendations for three appointments to fill vacancies existing on the Manpower Planning Council.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, Myrna Parker (Participant Community); Mildred Hunt (Business/Agriculture); and Harry Armstrong (Education) were appointed, as recommended.

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1120
11-10
Purchasing Agent submitted letter requesting approval to remove a list of items which are lost, stolen, or destroyed from the County Property Inventory; and also requesting that Item No. 86, 1969 Plymouth, on the Surplus Property List be transferred to the Public Guardian Office.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the requests were approved.

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21-15
At the request of the Purchasing Agent, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, specifications were approved and advertising authorized for bid opening on June 21, 1976, with award by the Board on June 29, 1976, for Bid No. 772 - Approximately 1100 square yards of carpeting for the Airport Terminal Building at South Lake Tahoe.

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Purchasing Agent submitted results of bid openings for the following:

114-2
Bid No. 762 - Asphalt Rejuvenating Agent for Fiscal Year 1976-77
a. 24 Tons Reclamite; bids having been received from Sheldon Oil Co., Suisun, and Witco Chemical Corp., Bakersfield
b. 24 Tons Each Gilsonite and Gilsabind; bids having been received from Teichert Tectonics, Sacramento

Bid No. 763 - Dust Oils for County Road Division
a. 576 Tons Dust Oil; bids having been received from Asphalt Service Co., Martinez
b. 576 Tons Emulsified Dust Oil; bids having been received from Asphalt Service Co., Martinez, and Com-pak Dust Oil Co., Sacramento

Bid No. 764 - 2,880 Tons Liquid Asphalt for County Road Division
Bids having been received from Chevron Asphalt Co., Oakland, and Douglas Oil Co., Costa Mesa

At the recommendation of the Purchasing Agent, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the bids were awarded as follows:

Bid No. 762 (a) to low bidder, Sheldon Oil Co., Suisun in the amount of \$3,480.00
(b) to only bidder, Teichert Tectonics, Sacramento, in the amount of \$12,718.08

(Continued)

- 279 -

arm

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 8, 1976

- Bid No. 763 - (a) to only bidder, Asphalt Service Co., Martinez, in the amount of \$39,280.32
(b) to low bidder, Asphalt Service Co., Martinez, in the amount of \$37,547.32
Bid No. 764 - to low bidder, Chevron Asphalt Co., Oakland, in the amount of \$197,971.20

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83
2914
Board considered the comments of the Traffic Advisory Committee and the Recreation Commission regarding the Sheriff's requested amendments to the Traffic Regulations Ordinance to repeal Section 7722 and add it as a new Section on High Water Restrictions; to add a new Section 7622.5 establishing motor vehicle speed zones at Campgrounds; to add Section 7744 establishing speed regulations on public waters within the County; and to add Section 7745 establishing a restricted speed zone on a portion of Jenkinson Lake.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the ordinance was introduced and amended to delete the word "adequately" from the first sentence of Section 7622.5; and from the third line of Section 7745; the reading of the ordinance was waived, and its adoption was continued to June 15, 1976.

On motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried, the Board referred to the Sheriff the comments received from the Recreation Commission and the Forest Service.

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124
Director of Public Works recommended an ordinance relating to traffic striping controls along Carson Road between Barkley Road and Pony Express Trail as follows:

- Sanctioning of existing pedestrian crosswalk located at and used by Michigan-California Lumber Company
- Authorizing existing angle parking stalls adjacent to business areas within the Central Camino commercial district

On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, the ordinance was introduced; the reading thereof was waived, and its adoption continued to June 15, 1976.

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350
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the following resolution was adopted:

RESOLUTION NO. 135-76

DISCHARGING UNPAID COUNTY HOSPITAL ACCOUNTS
(Allison - Reichard)

(For contents, see original resolution)

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- 280 -

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 8, 1976

41-4 At the recommendation of the El Dorado County Commission on Aging, on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, Homer H. Christian was appointed to fill the unexpired term ending October 29, 1976, of Charles Atchinson.

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42-10 At the recommendation of the El Dorado County Safety Committee, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, Edio Delfino was appointed to said Committee to replace Myron Harrison, and C. W. Norgard was reappointed; both terms to end December 7, 1976.

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51 On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board ratified the Board of Directors of the Tahoe Paradise Resort Improvement District's appointment of Chris Hanen to said District's Board on April 19, 1976, to fill an existing vacancy due to the resignation of Norman R. Enfield.

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212 Supervisor Lane requested a resolution be adopted proclaiming El Dorado County's participation in National Flag Salute and authorizing governmental entities to display the American Flag from June 14 at dawn, to sundown on July 4, 1976, and urging all citizens to display their flags throughout this period.

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

RESOLUTION NO. 136-76

PROCLAIMING EL DORADO COUNTY'S PARTICIPATION IN THE
NATIONAL FLAG SALUTE -- JUNE 14, 1976 - JULY 4, 1976

(For contents, see original resolution)

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51-3 A letter was received from Sierra Planning Organization requesting comment on the Legal Center for the Elderly's application for Area 4 Elderly Legal Services Project.

On motion of Supervisor Walker, seconded by Supervisor Kutter, and carried by the following vote: Ayes: Supervisors Lane, Walker, Kutter, and Stewart; No: Supervisor Johnson, the Board directed that a favorable comment be made.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 8, 1976

61-6
On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, the Board adopted the following resolution to form a County Service area in the Camino-Pollock Pines Fire Protection District for the purpose of mosquito abatement, and to set the Hearing therefor:

RESOLUTION NO. 137-76

A RESOLUTION OF INTENTION TO FORM A COUNTY SERVICE AREA
IN THE CAMINO-POLLOCK PINES FIRE PROTECTION DISTRICT, FOR MOSQUITO
ABATEMENT, AND SETTING HEARING FOR JUNE 22, 1976

(For contents, see original resolution)

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58-3
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board approved 22 Assignments to the Credit Bureau of El Dorado County from the Collection Department for Claims against those persons named on the Assignments dated June 8, 1976; copies of which are on file in the Board of Supervisors Office, beginning with the name of William H. Gadow and ending with the name of John B. Erdman.

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217
County Collection Officer recommended approval of a Compromise Settlement and Release of Liens for hospitalization of the minor child of Lee McGuire which was incurred in 1975: the total bill amounted \$1574.35, and the attorney has offered 50% or \$787.18 as payment in full.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the request was approved and the Chairman was authorized to sign the Releases of Lien, (See next Board action).

* * * *

217
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:

<u>Name</u>	<u>Volume and Page</u>	
Charles Burkhardt	868	663
Lee R. McGuire and Rae B. McGuire	420	20
Lee McGuire aka Lu McGuire and Mrs. McGuire	684	642
Mrs. McGuire for Sherry L. McGuire	736	190

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 8, 1976

198-1 At the request of the County Clerk, on motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, the following resolution was adopted, pursuant to Election Code, Sections 8873, 9373, and 9723:

RESOLUTION NO. 138-76

DECLARING THOSE CANDIDATES FOR APPOINTMENT TO
COUNTY CENTRAL COMMITTEES ELECTED, IN LIEU OF AN ELECTION

(For contents, see original resolution)

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59-6 Deputy County Counsel reported on time limits applicable to the adoption of Community Land Use Plans, and Planning Director submitted recommendations regarding a procedure for the adoption of Community Land Use Plans. (Continued from 6/1/76)

After consideration, the Board informally requested the Planning Director and the Board of Supervisors Clerk to coordinate the timing of the Hearings for Community Land Use Plan elements with the thrice-yearly General Plan amendments.

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50-6 At the recommendation of the Assistant to the Board, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign Subgrant Agreements with the State Employment Development Department in the amount of \$359,232.00 for the operation of Summer Youth Programs: CETA Title I and Title III, employing 224 youths, and the following resolution was adopted:

RESOLUTION NO. 139-76

AUTHORIZING CHAIRMAN TO SIGN SUBGRANT AGREEMENTS
WITH STATE EMPLOYMENT DEVELOPMENT DEPARTMENT
(CETA Title I and III)

(For contents, see original resolution)

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50-6 Director, County Training Programs, submitted letter requesting Chairman be authorized to sign Subgrant Agreement with State Employment Development Department in the amount of \$120,836.00 for operation of CETA Title I Adult Program for July 1, 1976 through September 30, 1976, employing 65 workers and 4 classroom trainees.

On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, the Board approved the Agreement and the following resolution was adopted:
(Continued)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 8, 1976

RESOLUTION NO. 140-76

AUTHORIZING CHAIRMAN TO SIGN SUBGRANT AGREEMENT WITH STATE EMPLOYMENT DEVELOPMENT DEPARTMENT (CETA TITLE I Adult Program)

(For contents, see original resolution)

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On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried, the Board, after considering the request of the developers of Montclair Townhouses to correct the problem created by their oversight in not recording the Final Map after its approval by the Board of Supervisors on August 21, 1973, did recognize that Final Map as having been recorded on time.

483 Montclair
Date

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On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board approved specifications and authorized soliciting of bids for furnishing labor, materials, services, etc. relating to Phase III of the construction project of the County Government Center, Placerville.

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SPECIAL ORDERS

PLANNING MATTERS

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the following rezoning ordinances were introduced; reading thereof was waived; and the hearings were set for June 15, 1976, at 2:00 p.m.:

885-
68-76
69-76
70-76

Area	Petitioner	From	To	No. of Acres
Camino	Thais M. Fritzmeir	A	R3A	13.8
Cameron Park	Stephen C. Scott for Country Club Commons	RT	R1, RM & OS	4.953
El Dorado	Gladys M. Hosking	R1	C	24,000 sq.ft.

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Hearing was held as duly advertised to consider an Appeal filed by Archie D. Bayless on the Planning Commission's denial of a variance to place a dwelling on 1.53 acres, 1-1/2 miles south of Big Canyon Road on the north side of French Creek, Shingle Springs.

222-9-76

Orda C. Share was present and opposed to the granting of a variance: she also submitted a letter which was read into the record by Supervisor Walker. There were no other protests and the Hearing was closed.

(Continued)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 8, 1976

Supervisor Stewart's motion, seconded by Supervisor Kutter, to deny the Appeal was not carried by reason of the following vote: Noes: Supervisors Lane, Johnson, and Walker; Ayes: Supervisors Kutter and Stewart.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the matter was referred to the Planning Director to agendize for rezoning consideration by the Planning Commission.

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222-10 76)
37
87-9
Board considered a request by Michael Sturgeon for an exception to the Ordinance regulations to allow a mobilehome to house an agricultural employee without meeting three of the four criteria for an agricultural preserve; the lands owned by Mr. Sturgeon being presently zoned Agricultural.

Mr. Don Walter was present on behalf of Mr. Sturgeon and stated that he (Mr. Sturgeon) was a building contractor in Sacramento and although he lived on the property in Shingle Springs, he was not able to care for the property (in excess of 100 acres), without help.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board granted the variance to Mr. Sturgeon to allow the establishment of a mobilehome for an agricultural employee exempting the provisions contained in the Agricultural zoning ordinance that he meet three of the four criteria for an agricultural preserve. Additionally, the Planning Director was directed to issue a Special Use Permit for such use based upon an approved site plan for a period of time not to exceed one year, at which time the Planning Commission may consider an extension of the use permit so granted, finding a need still exists, for a period to not exceed one additional year, as such time should be sufficient for Mr. Sturgeon to then apply under the regular provisions of the zoning ordinance.

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95
Bureau of Land Management submitted a letter and requested comments thereon relating to their Preliminary Development Plan to use the National Resource Land bordering the South Fork of the American River for overnight camping and lunch stops for rafters, under a use permit system.

There were many property owners who opposed the use of the American River for rafting. Among them were: Attorney John Waggeman who advised the Board of his intent to file an injunction against the commercial rafters' use of the American River. Messrs. Bill Jones and John Sheehan also spoke in strong opposition.

A letter was submitted from Mr. Eddie Bacchi, Chairman of the American River Owners Alliance (AROA) protesting the release of water from the upper reservoirs of the South Fork of the American River, specifically for recreational use.

On motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried, the Board directed that the Bureau of Land Management, U. S. Department of the Interior, be advised of the Board's opposition to
(Continued)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 8, 1976

their proposal for land use as contained in their letter of May 10, 1976; it being the consensus of the Board that the Bureau's plan would be aiding and abetting the rafters, for the following reasons:

Rafting, canoeing, floating and kayaking use of the South Fork of the American River has created health, sanitation, safety and trespass problems for this County and its citizens which are a burden on us. In spite of increasing expenditures of public tax monies, we find ourselves with more safety and health problems than we can effectively handle. We are opposed to any action on the part of any public agency which tends to legitimize this land use and further increase the burden we have to bear;

We are unable to police effectively the trespass problem created by the river use. All but the land in the State Park and the U. S. land administered by the Bureau of Land Management is private land. We are besieged by complaints from private land owners of continuous trespassing and interference with private rights to river frontage. Fences are destroyed, wild fires started, there is unauthorized camping, vandalism occurs, rafters threaten private landowners, relieve themselves indiscriminately, and a general state of lawlessness prevails which taxes our limited policing capabilities;

We have been put to great expense to carry out search and rescue missions along and in the river. There has been loss of life;

A once fine fishing stream is now unusable by fishermen when rafters are on the river;

The establishment of this land use will be held by the permittees in the future as a dedication of this land for this type of land use regardless of its previous withdrawal for power and water conservation uses. As you know, the El Dorado County Water Agency has filed an application affecting this land with the Federal Power Commission. We do not want seemingly adverse rights established.

In a separate motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, County Counsel, the District Attorney, and the Sheriff were requested to develop an ordinance directed at closing the rivers in the County to commercial rafting; said ordinance to be based upon health, safety, and welfare reasons.

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104-14 A communication was received from Meeks Bay Fire Protection District requesting that a representative from County Counsel's Office be present at their meetings, and that they also be available for legal advice when required.

On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, the Board directed that Meeks Bay Fire Protection District be advised that due to County Counsel's office having the legal responsibility to serve all fire protection districts, school districts, and other public entities in the County, there is not adequate staff to
(Continued)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 8, 1976

attend meetings; however, advice will be available to them upon request.

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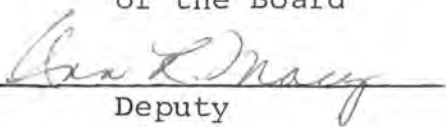
250 On motion of Supervisor Lane, seconded by Supervisor Johnson, and unanimously carried, the Assistant to the Board was requested to prepare a letter for the Chairman's signature expressing appreciation for the interest expressed by ARZE Medical Management Services, Inc. (AMMS, Inc.) relating to the reopening of the County Hospital, in response to their letter dated June 9, 1976, and advising that we are still awaiting a response to our request of their organization for specific information.

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There being no further business, the Board adjourned to Tuesday, June 15, 1976, at 10:00 a.m.

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

APPROVED: 
Chairman

By: 
Deputy