

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 13, 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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12 7 The Invocation was offered by Reverend Harold McFarland, Retired.

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

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

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

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The Minutes of July 1, July 2, and July 6, 1976, were approved as submitted, on motion of Supervisor Walker, seconded by Supervisor Johnson, and carried by the following vote: Ayes: Supervisors Lane, Johnson, Walker, and Kutter; Abstain: Supervisor Stewart.

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## GENERAL ORDERS

County Counsel submitted the revised contract with APCOA for the parking lot concession at the Lake Tahoe Airport. (Continued from 6/29/76)

21 9 On motion of Supervisor Stewart, seconded by Supervisor Johnson, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Kutter, and Stewart; No: Supervisor Lane, the Chairman was authorized to sign the Management Agreement with the changes submitted by Supervisor Johnson, with one exception: that under the term of the Agreement, the month of September be changed to October; and also, provided that Staff had reviewed and recommended that this is the best financial arrangement to be made; and still further, that County Counsel and the Airports Director agree with the contractual arrangements and changes thereto made this date.

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28 1 On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, Warrant Register Claims for El Dorado County were approved and allowed for payment.

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11-3  
(2.2)  
82  
On motion of Supervisor Johnson, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Lane, Johnson, Walker, and Stewart; No: Supervisor Kutter, the following 1976-77 salary increase and working conditions relating to the employees was approved:

1. Effective July 17, 1976, all employees shall received a 5% salary increase;
2. In addition to the above, typist clerks, general clerks, and the PBX Operator shall be advanced two pay ranges effective July 17, 1976;
3. Elimination of the five step merit system and implementation of the three step career incentive program effective for all employees hired or promoted after August 1, 1976, and all current employees on Step Five. Minimum promotional increase shall be 2.5%. See Exhibit "A" for procedures which are herewith incorporated into this document.
4. County will continue to explore the feasibility of a Deferred Compensation Plan;
5. Implementation of a revised Holiday Schedule which is attached.
6. When an employee in a given classification is officially and formally performing the duties of a different classified position for at least thirty days, said employee shall be reimbursed commensurate with the salary afforded the position in which he is actually working. This provision of the Memorandum does not include employees of the management category.
7. Implementation of on-call pay and call-back procedures for all employees outside the regular work period per the attached procedures (Exhibit C) -- (filed in the Board of Supervisors files);
8. County agrees to study the options available by withdrawing from the Social Security System;
9. Members of the management category shall receive two administrative leave days per year. Said days to be mutually agreed upon by the department head and his staff;
10. Members of the slurry-seal crew of the Department of Public Works shall be provided with appropriate boots for the job by the department;
11. County agrees to review the health insurance benefits in an attempt to reduce costs so as to provide a dental plan to the employees at no additional cost to the County;
12. Support personnel of the Sheriff's department residing and working in the Tahoe area shall receive a \$25.00 per month cost of living differential effective July 1, 1976.

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24  
At the recommendation of County Counsel, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Claim submitted by Attorney H. David Schmerin on behalf of Toni Ann Fike for personal injuries in the amount of \$35,000.00, was denied.

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173  
On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board took the following action on the herein-listed items submitted by the County Clerk relating to the Special Election held on Tuesday, June 29, 1976, and the Presidential Primary Election on June 8, 1976:  
(Continued)

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

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The result of Canvass of Vote Cast for Member of Rescue Union School District Governing Board at a Special Election held Tuesday, June 29, 1976, was placed in the Board's records;

The Statement of Costs for the conduct of Special Election for Governing Board member, Rescue Union School District; pursuant to Sec. 1422 Education Code, was approved;

The Summary of Manual Tally of Six Precincts for Presidential Primary Election held June 8, 1976, was placed in the Board's records;

The Statement of Costs for Special District and School District Elections consolidation with Presidential Primary election held June 8, 1976, were approved:

- a. Lake Tahoe Unified School District) Section 1442
- b. Pioneer Union School District ) Education Code
  
- c. Pleasant Valley Fire Protection District ) Comparison

\* \* \* \*

and the following resolution establishing fee to be collected by the County Clerk for furnishing (Superior) court forms to private persons, firms, and corporations, was adopted:

## RESOLUTION NO. 173-76

178  
ESTABLISHING FEES TO BE COLLECTED BY COUNTY CLERK  
FOR FURNISHING (Superior) COURT FORMS TO PRIVATE PERSONS,  
FIRMS AND CORPORATIONS

(For contents, see original resolution)

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34  
Director of Public Works submitted letter stating that painting of center-line and edge stripes on various County roads has been completed by J. F. Hourigan Company, and recommending that Performance Bond and Payment Bond each in the amount of \$6,303.00 be released,

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the bonds were released and the Chairman was authorized to sign the Notice of Completion.

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124 4  
Director of Public Works submitted letter stating that work on the Chain Link Fence at the County Corporation Yard in Meyers has been completed, and recommending release of Performance Bond in the amount of \$3,189.02 and Payment Bond in the amount of \$1,594.96,

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the bonds were released and the Chairman was authorized to sign the Notice of Completion.

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The Board considered the first draft of the proposed El Dorado County Rafting Ordinance.

95 Mr. Robert L. Harvey was present and offered specific responses and suggestions to the proposed ordinance: (at the request of the Board, these were submitted to the Board in writing).

After receiving comments from various property owners, as well as river users, relative to the problems relating to the river usage, the Board, on motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried, continued the matter to July 27, 1976, and referred the matter to the Homeowners Association and the Rafting Association for comments.

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507 Project Director, Senior Nutrition Program, submitted a letter requesting the Chairman be authorized to sign a Memorandum of Agreement with the Sacramento Housing Authority of the City and County of Sacramento; Auburn Neighborhood Council; and Community Services Planning Council, Inc., Area 4 Agency on Aging, for Title VII Program.

On motion of Supervisor Lane, seconded by Supervisor Kutter, and unanimously carried, the Chairman was authorized to sign a letter to the California Department of Aging advising that this County has always cooperated with the other participating agencies on Title VII projects; in fact, the Board believes this cooperation is an obligation on the part of public officials, and therefore, considers the Memorandum of Agreement an unnecessary document.

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113 Assistant to the Board submitted for approval, a Memorandum of Understanding with the Sheriff's Association for the period January 1, 1976, to December 30, 1977, at an estimated cost of \$14,876.00.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Memorandum of Understanding was approved, including the recommendations of the Assistant to the Board regarding overtime.

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72 4 On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign the Space Lease, based upon a one-year period at the rate of \$600.00 per year, with the El Dorado County Federal Credit Union in the new Government Center building on Fair Lane.

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Max On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the following resolution was adopted requesting the Interstate Commerce Commission and the Public Utilities Commission to exert every effort to obtain a freight rate for El Dorado County:  
(Continued)

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## RESOLUTION NO. 175-76

REQUESTING INTERSTATE COMMERCE COMMISSION AND THE  
PUBLIC UTILITIES COMMISSION TO OBTAIN A FREIGHT RATE  
FOR EL DORADO COUNTY

(For contents, see original resolution)

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The Board adjourned to a Litigation Session regarding Niegel vs. El Dorado County.

The Board reconvened at 2:00 p.m. to consider Planning Matters and the balance of the Agenda items.

### SPECIAL ORDERS

### PLANNING MATTERS

285-32-716  
390/42  
Hearing was held as duly advertised on the rezoning of lands in the Pollock Pines area from One Family Residential to Limited Multi-Family Residential, consisting of 9.461 acres, petitioned by Gerald Terhune. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The Board of Supervisors approved acceptance of a dedication of the 40' access road in question;
2. The proposal is in compliance with the General Plan;
3. There is adequate public access to Mr. Terhune's property from Pony Express Trail to the road;
4. The road is sufficient to handle traffic generated from proposed duplexes; and
5. Services will be provided as follows: Water: El Dorado Irrigation District; Sewage Disposal: Septic Tanks; and, Fire District: Camino-Pollock Pines Fire Protection District

There were no protests and the Hearing was closed.

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

## ORDINANCE NO. 1662

AMENDING EL DORADO COUNTY ZONING ORDINANCE  
(Terhune - Pollock Pines area)

(For contents, see original ordinance)

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Hearing was held as duly advertised on the rezoning of lands in the Mt. Aukum area from Estate Residential to Agricultural, consisting of 20 acres, petitioned by Pierce K. Laws. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Planning Commission:

1. The proposal represents an upgrading of the zoning from five to ten acre minimum lot size;
2. The proposal adjoins existing agricultural zoned lands to the east and would represent an extension of that zoning;
3. The existing General Plan designation is Rural Estates-Agricultural (1 dwelling unit 5 to 20 acres) and therefore, this application is in conformance with the General Plan; and,
4. The public necessity, convenience, and the health, safety and general welfare would be benefited by the approval of the proposal.

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, and Stewart; Noes: Supervisors Lane and Kutter, the Board concurred in the Planning Commission's findings; the rezoning was approved; and the following ordinance was adopted:

### ORDINANCE NO. 1663

#### AMENDING EL DORADO COUNTY ZONING ORDINANCE (Laws - Mt. Aukum area)

(For contents, see original ordinance)

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On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, Hearings were set for July 20, 1976, at 2:00 p.m. to consider rezoning of lands as follows:

Area	Petitioner	From	To	No. Acres
Georgetown	Henry Jones	A	R2A	22.404
Shingle Springs	Douglas C. Shepherd etal	RE	CP & A	42.367
Coloma	Charles Gladwill	U	AE	6.0
Rescue	Edwin Greenhalgh	AE	RE, A & RA-20	680.0
Sly Park	Thomas Porter	U	R1	1.586
Georgetown	Robert L'Etoile, Jr.	U	A	59.38
Pollock Pines	James F. Nicklos	R1	C	1.507

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Hearing was held as duly noticed, on the Appeal filed by Messrs. Paul Noel and William Setters for the Georgetown Congregation of Jehovah's Witnesses on the Planning Commission's denial of a Special Use Permit to construct a church on lower Main Street, Georgetown.

Attorney William Hardy was present on behalf of the applicants and requested  
(Continued)

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that the Board overrule the Planning Commission and allow them their Special Use Permit so that they may construct their place of worship, for the following reasons:

1. They have searched for a site which their congregation could afford for over a year;
2. Photographs were submitted showing four automobiles abreast (two parked -- one on each side of the street), and also figures were given as to peak traffic on a given day over a 16-hour period, relating to the Commission's finding that the road was not wide enough for the level of traffic;
3. It was stated that the church congregation convened only twice a week and therefore would not disrupt the neighborhood insofar as noise level is concerned; and
4. It was stated that a parking lot on the property would be available for the congregation, thereby obviating any on-street parking.

Mr. Donald Haney, property owner, was present and opposed to the Use Permit. Mr. Otto Stortz, donor of the property to the Church, stated that he intended to leave the balance of his property (which adjoins that already donated) to the Church upon his demise.

No other protests were received.

Supervisor Kutter's motion to uphold the ruling of the Planning Commission and their findings, with the additional finding that the adjoining land-owners consider the proposed use as detrimental to the neighborhood, failed for the lack of a second. (Supervisor Stewart had seconded, but removed it.)

Supervisor Walker then moved to postpone the hearing to August 3, 1976, at 2:15 p.m. and the Planning Department's staff, along with Supervisor Kutter, were requested to investigate the Commission's finding No. 5 that "better sites are available which would better serve the public interest and the congregation . . .", and report back to the Board. Supervisor Johnson left the room

On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Board clarified the preceding motion in that it was not to be construed to mean in any way that Supervisor Kutter, or the Planning Staff, were to actually attempt to find a better site for the church.

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At the request of the Appellant, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Appeal filed by Attorney Roger Cline on behalf of Sam Gordon on the Planning Commission's denial of a Special Use Permit to place more and larger signs than allowed by County Ordinance on the south side of Highway 50, west of Cameron Park Drive, was postponed to August 10, 1976, at 2:15 p.m.

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Supervisor Johnson returned to the room

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207-8-76  
Hearing was opened on the Appeal of Gordon Firestone on the Planning Commission's denial of a Special Use Permit for a 90 space Mobilehome Park, putting greens, and recreation hall, on the south side of Mother Lode Drive, El Dorado Wye area. The Appellant had requested its continuance until August 10, 1976; however, there were people present who had taken off from work, and had requested to be heard.

Those present and opposed to the Special Use Permit were: Adjacent property owners: Joseph Boll; Clement Boll; and Bob Nielsen for George Ritchie.

There were no other protests.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Hearing was continued to August 10, 1976, at 2:30 p.m., as requested by the Appellant.

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At the recommendation of the Planning Commission, on motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried, the Tentative Map of El Dorado Ranch Estates Rural Subdivision; Subdivider El Dorado Ranch Company, in the Cool area; 12 lots, was approved subject to the following conditions:

- 427  
20  
El Dorado  
Ranch  
2-6-76
1. Completion of road improvements, drainage systems, water systems, and setting of final monuments in accordance with requirements of the regulations for rural subdivisions or execution of an agreement to install these improvements and monuments secured by bond or cash deposit;
  2. Provision of lots adequate for individual sewage disposal in accordance with the requirements of the Health Department;
  3. Subject to the applicable provisions of Article 8, Rural Subdivisions, as contained in the El Dorado County Subdivision Ordinance and compliance with Resolution No. 513-68 requiring establishment of Landowners' Association for maintenance of the roads;
  4. Subject to the requirements of the Georgetown Divide Soil Conservation District contained in their letter of February 7th;
  5. Subject to the delineation of adequate drainage preservation areas on Lots 10, 11, and 12;
  6. Subject to the requirements of the Department of Public Works contained in their letter of May 12th;
  7. The proposed cul-de-sac to have a minimum radius of 50';
  8. All ditches owned or operated by the Georgetown Divide Public Utilities District to have a 50' minimum easement;
  9. No final map shall be filed until such time as the roads in the adjacent parcel map covering lands under the same ownership lying southerly of the project, have been improved as agreed to by the developer (dedicated to public use and graded to allow the passage of emergency traffic).
  10. Street names shall be subject to the Planning Staff approval at the time of filing final map.

Note: The Planning Commission, at the same time, approved a grade variance on the entrance road to 13% (maximum allowed 12½%).

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At the recommendation of the Planning Commission, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Tentative Map of the Green Springs Ranch Rural Subdivision; Subdivider: Edwin W. Greenhalgh, 99 residential lots, were approved subject to the following conditions, to include amending condition No. 7, which will be reflected below:

A-23  
Green  
Springs  
Ranch

1. Completion of road improvements, drainage systems and setting of final monuments in accordance with the requirements of the regulations for rural subdivisions or execution of an agreement to install these improvements and monuments secured by bond or cash deposit;
2. Provision of lots adequate for individual sewage disposal in accordance with the requirements of the El Dorado County Health Department;
3. Subject to the applicable provisions of Article 8, Rural Subdivisions, as contained in the El Dorado County Subdivision Ordinance and compliance with Resolution No. 513-68 requiring establishment of a Landowners Association for the maintenance of roads and any common areas;
4. Subject to annexation to a structural fire protection district;
5. Subject to all roads and easements being dedicated to public use or public utilities' use as applicable;
6. Subject to the provision of a reservoir, access and a maintenance agreement acceptable to the fire district providing service;
7. Subject to the developer providing a legal access and passable road from the southerly portion of the property connecting to Bass Lake Road for at least emergency egress use of the future owners; however, if this becomes a legal impossibility, that an emergency egress road and easement will be provided along the adjoining portions of the subdivision connecting the subdivision to Green Valley Road. (The underscored portion replaced the following portion of condition No. 7 of the Planning Commission's requirement, " . . . . . that an easement for alternate access along the eastern portion of the Greenhalgh property connecting from Lot 99 to Green Valley Road to be allowed;")
8. Subject to the Planning Staff acceptance of the proposed road names at the time of filing the final map; and,
9. Provide the Planning Department with a circulation map.

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## GENERAL ORDERS

On motion of Supervisor Lane, seconded by Supervisor Kutter, and carried by the following vote: Ayes: Supervisors Lane, Walker, and Kutter; Noes: Supervisors Johnson and Stewart, the Board requested the Director of Health Services, together with County Counsel and Board's Assistant -- as needed, to attempt to negotiate a Lease Agreement with interested parties which would provide a general medical clinic in certain portions of the County hospital facility and bring it before the Board on August 3, 1976.

220

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board instructed Staff to continue to develop an agreement with Dr. Colliflower for the utilization of part of the hospital facility for a Family Planning Clinic.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

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6245-910  
35-4  
3710  
340

On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Board removed from the Agenda the matter pertaining to rezoning certain specific lands in the proposed right-of-way for Freeway Route ED-50 between Echo Summit and the California-Nevada State line, to a "Transportation Corridor", and directed County Counsel to first prepare a proposed zoning ordinance establishing a "Transportation Corridor" zone.

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607

Project Director, Senior Nutrition Program, submitted a letter requesting the Chairman be authorized to sign a contract to utilize \$4,000.00 from the Nutrition Reserve Funds to purchase and equip a pick-up truck to be used to transport food in bulk from the central kitchen in Placerville to the nutrition site in Buckner Hall in Georgetown.

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

RESOLUTION NO. 174-76

AUTHORIZING THE CHAIRMAN TO SIGN CONTRACT TO PURCHASE  
A PICK-UP TRUCK FOR TRANSPORTING FOOD

(For contents, see original resolution)

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506

Director, County Training Programs, submitted a letter requesting Chairman be authorized to sign modifications to subgrant agreements for the operation of the Summer Youth Program (Title I and Title III) in order to shift 50% of the ten work site supervisors and 100% of the three counselors' budget from the Administrative Project Budget Detail to the Services Project Budget Detail, with no increase in the original allocation.

On motion of Supervisor Walker, seconded by Supervisor Kutter, and carried by the following vote: Ayes: Supervisors Lane, Walker, Kutter, and Stewart; Abstain: \*Supervisor Johnson, the Chairman was authorized to sign, as requested.

\*Supervisor Johnson departed from his seat to confer with someone in the audience; therefore, upon the vote call he acknowledged an "Abstain" on the aforementioned item, as well as the following four items.

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On motion of Supervisor Lane, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Lane, Walker, and Stewart; No: Supervisor Kutter, Abstain: Supervisor Johnson, the Board introduced the Ordinance amending Section 1102 of the El Dorado County Ordinance relating to Time and Place of the Board of Supervisors meetings, by changing the time from 10:00 a.m. to 9:30 a.m. each Tuesday, and continued its adoption to July 20, 1976.

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247  
On motion of Supervisor Walker, seconded by Supervisor Kutter, and carried by the following vote: Ayes: Supervisors Lane, Walker, Kutter, and Stewart; Abstain: Supervisor Johnson, the Board considered the proposed El Dorado County Bingo Ordinance, which would permit non-profit organizations to hold Bingo games under specific conditions; waived the reading thereof; and continued its adoption to July 20, 1976.

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250  
On motion of Supervisor Stewart, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisor Lane, Walker, Kutter, and Stewart; Abstain: Supervisor Johnson, the following resolution discharging unpaid County hospital accounts, was adopted:

RESOLUTION NO. 176-76

DISCHARGING UNPAID COUNTY HOSPITAL ACCOUNTS  
(Hall - Sontheim)

(For contents, see original resolution)

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208-3  
Communication was received from the Sierra Planning Organization requesting comment on the El Dorado County Community Action Agency's application for grant for Emergency Energy Conservation Program to winterize 200 low-income homes.

On motion of Supervisor Walker, seconded by Supervisor Kutter, and carried by the following vote: Ayes: Supervisors Lane, Walker, and Kutter; Abstain: Supervisors Johnson and Stewart, the Board directed that a favorable comment be submitted.

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(326)  
57-9  
On motion of Supervisor Stewart, seconded by Supervisor Lane, and unanimously carried, the Chairman was authorized to sign a letter opposing Assembly Bill 3163 which would make a mobilehome located outside a mobile-home park subject to ad valorem taxation in the same manner as aircraft, and requesting Senator Berryhill and Assemblyman Garamendi to vote "No" on this bill.

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Supervisor Johnson returned to his seat

247  
On motion of Supervisor Walker, seconded by Supervisor Lane, and unanimously carried, the Chairman was authorized to execute Release of Lien discharging all property encumbered by the Agreement to Reimburse the County for Public Assistance rendered James A. Woodward, as recorded in Volume 1331, Page 285, of Official Records of El Dorado County.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

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201  
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board placed on file the Audit Report submitted by Bartig, Basler, and Ray, Certified Public Accountants, on the 1911 Bonds Debt Service Fund as of April 31, 1976, for El Dorado County.

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The Board adjourned to a litigation session for the Planning Department at 9:00 a.m., Friday, July 16, 1976, after which they will reconvene at 10:00 a.m. to adopt the official County flag.

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

By: Carl A. Kelly  
Deputy

APPROVED: Jack Lane  
Chairman