

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES August 3, 1976

The Board convened in regular meeting at 9:30 a.m. 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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The Invocation was offered by Reverend J. R. Ross, Placer Heights Baptist Church.

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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 Johnson, seconded by Supervisor Walker, and unanimously carried.

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Supervisor Johnson left the room.

The New Business Agenda was adopted with Item 1 on said Agenda to be considered at 2:30 p.m., on motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present.

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On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the minutes of July 20, and 27, 1976, were approved as submitted.

GENERAL ORDERS

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162
74-2
Assistant to the Board submitted memorandum dated August 2, 1976, regarding proposed courtroom changes for Superior Court, Placerville, consisting of changes to the second floor of Superior Court to accommodate an additional typist, at an estimated cost of \$2,967.00 plus \$948.00 for typewriter, and alarm equipment installation for security measures, requested for installation by the Judges, at an estimated cost of \$12,900.00.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Board authorized the development of specifications and bids to be solicited for the following: An office for a secretary/receptionist and an enclosed waiting room in the Superior Court; and an alarm system located in the Placerville Police Department and Sheriff's Department connected with the Superior Court and Placerville and El Dorado Justice Courts.

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Warrant Register Claims and Claims as submitted by Community Action Council were approved, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present.

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Supervisor Johnson returned.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Lane, Walker, Kutter and Stewart; Abstain: Supervisor Johnson, the Board took action as listed below on personnel matters submitted in personnel letter from Board's Assistant and dated July 30, 1976:

Board approved the request of Walter Spiller, Public Defender's Investigator to appear in his own behalf in any and all employment relations with the Board, and instructed the Board's Assistant to set a meeting for August 10, 1976, at 9:00 a.m., and also, the Board authorized the existing use of County cars for the District Attorney's office, and stated their intent to review the matter during the 1977-78 budget process. (See page 391, Para. 2, of Minutes this date for further personnel action.)

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On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the claim, submitted by Attorney Lloyd B. Hamilton on behalf of Emilie B. Hill in the amount of \$7,500.00 for personal injuries, was denied, as recommended by County Counsel.

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On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the claim of William Flagg for monetary loss in the amount of \$120.00 was allowed, on the condition that the person in charge of the area (County Jail booking area, South Lake Tahoe) reimburse the County General Fund in said amount.

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At the recommendation of the Airports Director, on motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, the following resolution was adopted:

RESOLUTION NO. 187-76

FIXING RATES AND CHARGES FOR HANGARS
ON EL DORADO COUNTY AIRPORTS

(For contents, see original resolution)

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349-4
Treasurer/Tax Collector submitted a list of properties which have been deeded to the State for non-payment of delinquent taxes, and a resolution directing the Tax Collector to sell said properties.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Lane, Johnson and Stewart; Noes: Supervisors Walker and Kutter, the list was approved, with the exception of Parcel No. 27-010-201, Sale No. 46922B (Lakefront Properties, Inc., Nat Sinclair) (exclusion of this property was requested by the Board on July 6, 1976), and the following resolution was adopted authorizing the Tax Collector to sell tax deeded property:

RESOLUTION NO. 188-76

AUTHORIZING TAX COLLECTOR TO SELL TAX DEEDED PROPERTY

(For contents, see original resolution)

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50-1
Executive Director, Community Action Council, submitted a letter, requesting the Chairman be authorized to sign Acceptance of Grant in the amount of \$25,000.00 for operation of the Community Action Agency for the months of July, August, and September, 1976.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Lane, Walker, Kutter and Stewart; No: Supervisor Johnson, the Chairman was authorized to sign Acceptance of Grant as requested.

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50-1
Director, Community Programs, submitted for the Chairman's signature additional Special Conditions to the Special Subgrant Agreement for Summer Youth Program, which was approved for signature on July 20, 1976.

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 Chairman was authorized to sign, as requested.

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50-1
Project Director, Senior Nutrition Program, submitted a letter requesting the Chairman be authorized to sign a revised Agreement with the Mother Lode Lions Club for use of their hall in El Dorado, increasing the monthly rental from \$100.00 to \$200.00 (retroactive to 1/1/76), as an error had been made in the amount of utility costs in the previously approved 1976 use agreement. On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign the revised agreement.

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(70)
732

Supervisor Lane submitted for approval a proposed response regarding the Tahoe Regional Planning Agency's request that the Sheriff enforce TRPA Ordinances. The proposed letter to be sent to the Executive Officer, TRPA read as follows:

Your letter of June 21, 1976, to Sheriff Richard F. Pacileo, was referred to the Board of Supervisors, as it is the Board's responsibility to set the level of service to be performed by the various county agencies and departments. The Sheriff, by law, is required to enforce all State laws and County ordinances. You are well aware that ordinances of the Tahoe Regional Planning Agency do not fall into either of these categories.

The Board has agreed to look into the revision of its own ordinances with an eye toward adopting similar provisions, as you indicate in your letter. You will be advised of our progress in this regard.

Supervisor Johnson made a motion that the Chairman be authorized to sign the proposed letter, which was seconded by Supervisor Walker.

Supervisor Stewart then moved to amend the motion to delete the second and third sentences of the first paragraph; Supervisor Kutter seconded the motion and it failed to carry by reason of the following vote:
Ayes: Supervisors Kutter and Stewart; Noes: Supervisors Lane, Johnson and Walker.

The vote was then taken on the original motion which was to authorize the Chairman to sign the proposed letter, and it carried as follows:
Ayes: Supervisors Lane, Johnson and Walker; Noes: Supervisors Kutter and Stewart.

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(94-302)
154
298
112

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Assessor's Office was instructed to furnish the Board with an appraisal of that County property known as the Forni site, Parcel No. 325-300-01 containing 25 acres, preparatory to the Board declaring the property surplus and offering it for sale; and in addition, the Board's Assistant was asked to compile a list of all potential surplus properties, and location of same.

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(925)
M/W

Supervisor Johnson requested Resolution be adopted urging all citizens to call for a return to the representative form of government provided for in our Constitutions, rather than continuing to allow the delegation of authority to appointive agencies, regions, and other bodies.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the following Resolution was adopted as amended:
(continued)

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RESOLUTION NO. 189-76

URGING ALL CITIZENS TO CALL FOR A RETURN TO
REPRESENTATIVE FORM OF GOVERNMENT

(For contents, see original resolution)

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118-5 On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the El Dorado County Grand Jury Report for 1975 was referred to appropriate department heads for comment and report back to the Assistant to the Board, and for placement back on the Agenda on September 14, 1976.

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2 On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried the following ordinance was adopted making it unlawful to park in metered parking lots at County Airports when the meter displays "violation": (Ordinance introduced 7/27/76)

ORDINANCE NO. 1672

TIME LIMIT PARKING AND TOW-AWAY ZONES
COUNTY AIRPORTS

(For contents, see original ordinance)

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115 On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the following ordinance was adopted relating to a change in the Salary Ordinance regarding Nepotism (Section 4127, Chapter 1, Part 4): (Ordinance introduced 7/20/76)

ORDINANCE NO. 1673

RELATING TO CHANGE IN SALARY ORDINANCE REGARDING NEPOTISM
(Amending Ordinance No. 1093)

(For contents, see original ordinance)

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132-5
57-9 The Board considered a proposed resolution assuming responsibility for enforcement of the Mobilehome Parks Act by the County, and designating the Building Department as enforcement agency, effective January 1, 1977. The motion of Supervisor Kutter to adopt the resolution was seconded by Supervisor Lane, and failed to carry by reason of the following vote: Ayes: Supervisors Lane and Kutter; Noes: Supervisors Johnson, Walker, and Stewart.

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On motion of Supervisor Johnson, seconded by Supervisor Walker, and unani-
mously carried, the following resolution was adopted:

RESOLUTION NO. 190-76

DISCHARGING UNPAID COUNTY HOSPITAL ACCOUNTS
(Bailey - Woolery)

(For contents, see original resolution)

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John C. Sullivan, M. D., submitted his resignation from the Emergency
Medical Care Committee.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unani-
mously carried, the resignation was accepted, and the Clerk requested to
forward a Certificate of Appreciation for Dr. Sullivan's many years of
service to the Committee, and Dr. Gregory A. Joy was appointed to fill
the vacancy.

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Chairman, Alcoholism Advisory Board, submitted a letter of resignation
from Michael N. Atwell from said Advisory Board.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unani-
mously carried, the resignation was accepted.

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Communication received from the Rescue Union School District Board of
Trustees, requesting waiver of County building fees for placement of a
mobilehome to house a watchman for security purposes at the Rescue School
site.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and
carried by the following vote: Ayes: Supervisors Johnson, Walker and
Stewart; Noes: Supervisors Lane and Kutter, the request was approved.

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Communication received from Sierra Planning Organization requesting
comment on El Dorado Irrigation District's application for grant for Gold
Oak School Sewage Treatment Plant.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unani-
mously carried, the Board directed that favorable comment be made.

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4
25
Communication received from Tahoe City Public Utility District requesting consideration of an ordinance requiring the retro-fitting of water conservation devices, for showers and toilets, within the boundaries of the TCPUD. (Continued from 7/20/76)

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried this matter was referred to the Environmental Health Department.

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12
17-1
Communication received from the City of Placerville requesting resolution be adopted for consolidation with the November General Election of their proposition to acquire and construct sanitary sewage facilities and issue revenue bonds therefor.

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

RESOLUTION NO. 191-76

DIRECTING CONSOLIDATION OF CITY OF PLACERVILLE SANITARY SEWERAGE REVENUE BOND ELECTION WITH THE GENERAL ELECTION, NOVEMBER 2, 1976

(For contents, see original resolution)

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11-1
Communication received from the South Tahoe Public Utility District, requesting adoption of a resolution declaring the week of August 8, 1976, as Water Appreciation Week.

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

RESOLUTION NO. 192-76

DECLARING WEEK OF AUGUST 8-15, NATIONAL WATER APPRECIATION WEEK

(For contents, see original resolution)

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5
Communication received from the Sacramento Regional Area Planning Commission requesting ratification of a "Plan to create a Sacramento Area Criminal Justice and Delinquency Prevention Planning District." The motion of Supervisor Kutter to approve the ratification was seconded by Supervisor Stewart, and not carried by reason of the following vote: Ayes: Supervisors Kutter and Stewart; Noes: Supervisors Lane, Johnson and Walker.

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On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to execute Release of Lien, discharging all property encumbered by the Agreement of Reimburse County for Public Assistance for Delores Fisher and Darold Fisher, recorded in the Official Records in Volume 837, Page 622.

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County Collection Officer submitted a request for approval of a compromise settlement in the amount of \$475.00 for a public assistance case, and requested the Chairman be authorized to sign Release of Lien and Settlement for same.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the compromise settlement in the amount of \$475.00 was approved, and the Chairman authorized to execute Release of Lien, and Settlement, discharging all property encumbered by that Agreement and Lien to Reimburse County for Public Assistance, recorded in Volume 1250, Page 467, Official Records of El Dorado County for Carroll V. Manous.

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The Auditor/Controller submitted the 1976-77 Final Budget for adoption.

Supervisor Stewart made a motion to adopt the budget as presented, which was seconded by Supervisor Walker.

Supervisor Lane's amendment to the motion with change of \$100,000.00 from Contingency to the Health Clinic operation was seconded by Supervisor Kutter and did not carry by reason of the following vote: Ayes: Supervisors Lane and Kutter; Noes: Supervisors Johnson, Walker and Stewart.

Vote was then taken on Supervisor Stewart's original motion and failed to carry by reason of the following vote: Ayes: Supervisors Walker and Stewart; Noes: Supervisors Johnson, Lane and Kutter.

Supervisor Stewart then moved to adopt the budget as presented, with the exception that \$1.00 be deleted from the Board of Supervisors' line item, Contribution to Other Agencies; the motion was seconded by Supervisor Walker and carried by the following vote: Ayes: Supervisors Johnson, Walker, and Stewart; Noes: Supervisors Lane and Kutter, and the following resolution was adopted:

RESOLUTION NO. 197-76

ADOPTING THE FINAL BUDGET FOR EL DORADO COUNTY
FISCAL YEAR 1976-77

(For contents, see original resolution)

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(30-2)
1-11
On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unani-
mously carried, the County Counsel was authorized to serve the Placerville
Fixed Base Operator with 30 days Notice of Termination of Contract, as
recommended by Director of Airports.

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27-6
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 Board acknowledged and placed
on file the letter submitted by the Manager of the County Employee
Association, dated August 2, 1976, requesting a secret ballot election
to determine the exclusive representative of the Management Bargaining Unit.

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22-2
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 Board recognized the El Dorado
County Management Association as a separate bargaining group for salary
matters.

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SPECIAL ORDERS

PLANNING MATTERS

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Hearing held as duly advertised on the establishment of an Agricultural
Preserve as follows: Preserve No. 212; Owner: Betty I. Larsen; Parcel
No. 43-200-03; 22.29 acres; Camino Area. Favorable recommendations were
received from the Planning Commission, Agricultural Commission, and the
County Assessor.

There were no protests and the hearing was closed.

Having found the Preserve to be in conformance with the adopted General
Plan, the Board, on motion of Supervisor Johnson, seconded by Supervisor
Walker, and unanimously carried, adopted the following resolution, and
the Chairman was authorized to sign the Williamson Act Contract:

RESOLUTION NO. 193-76

ESTABLISHING AGRICULTURAL PRESERVE NO. 212

(For contents, see original resolution)

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Continued hearing was held 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. (Continued from July 13, 1976)

The following were present on behalf of the Jehovah's Witnesses; Messers. William Harvey, Attorney, Paul Noel, Raymond Vessel and Henry Kroft.

Discussion was held and the Hearing was closed.

On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Board upheld the Planning Commission's denial of the Special Use Permit, based upon the Commission's findings as follows:

- (1) Unacceptable road width for the level of traffic anticipated;
- (2) Increased traffic would hamper fire suppression efforts.

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On July 20, 1976, the Board of Supervisors took under advisement, decision on the Appeal of Frank V. Pethoud, Jr., on the Planning Commission's denial of a Special Use Permit for a winery and vineyard, one mile north of Highway 50, Shingle Springs Drive, and continued said decision to 8/3/76.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lane, Johnson, Walker and Stewart; No: Supervisor Kutter, the Board upheld the Planning Commission's denial of the Special Use Permit.

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Proper notices having been posted, Hearing was held to consider the abandonment of .11 mile of Lime Plant Road No. 141, as an unnecessary highway. (Resolution of Intention No. 171-76 adopted July 6, 1976, setting Hearing.)

There were no protests and the Hearing was closed.

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

RESOLUTION NO. 194-76

ABANDONING PORTION OF LIME PLANT ROAD NO. 141

(For contents, see original resolution)

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34
77-392
296-4 (A)
Ray Cooper
Cl. E.H.
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign a letter to the California Highway Commission requesting their proposed Six-Year Highway Plan not be adopted in its present form, and that the interchange on State Route 50 to serve the new Government Center, Placerville, be considered top priority.

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80-2
At the request of the El Dorado Disposal Service, on motion of Supervisor Johnson, seconded by Supervisor Lane, and unanimously carried, Hearing was set for September 7, 1976, at 2:15 p.m. to consider an increase in refuse rates within the unincorporated area of western El Dorado County, for El Dorado Disposal Service.

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57
390-9
On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the following ordinance deleting fee schedules for applications for various planning permits was adopted: (Said fees having been set forth in Resolution No. 181-76.)

ORDINANCE NO. 1674

AMENDING THE EL DORADO COUNTY PLANNING ORDINANCE BY THE DELETION OF FEES FOR AUTHORIZED ACTIONS OF THE PLANNING COMMISSION, PLANNING DEPARTMENT, AND ZONING ADMINISTRATOR, AND CERTAIN FEES OF THE COUNTY SURVEYOR AND RECORDER

(For contents, see original ordinance)

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403
Gold
Trail
Acres
At the recommendation of the Planning Commission, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Tentative Map of Gold Trail Acres Rural Subdivision consisting of 10 lots on 35 acres in the Placerville area, as subdivided by Richard J. Wilkinson, was approved subject to the following conditions, and the zoning approval:

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 a Landowners' Association for maintenance of the roads;
4. Subject to the requirements of the Department of Public Works contained in their letter of May 12th;
5. Subject to the requirements of the City of Placerville's Fire Department contained in their letter of May 11th.

(Continued)

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6. Subject to the requirements of the County Resource Conservation District letter of March 15th;
7. Subject to the dedication to public use of a full width right-of-way along State Highway 49 frontage;
8. Subject to a valid encroachment permit issued onto State Highway 49 from Cal-Trans;
9. Subject to redesign of Lots 1 and 2 to provide a common access at the existing road;
10. Street names shall be subject to the Planning Staff approval at the time of filing final map; and,
11. Use of lots subject to developer petitioning for appropriate rezoning.

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ASSESSMENT AND SPECIAL DISTRICTS

COUNTY SANITATION DISTRICT NO. 2

202-2
The Board adjourned as the Board of Supervisors to meet as the Board of Directors of County Sanitation District No. 2.

Board considered a Petition filed by Robert Baxter, and Resolution No. 76-18 received from the Local Agency Formation Commission approving a proposed annexation of territory designated as Annexation No. 76-4 (Robert Baxter) to the above-named District, comprising Parcel 97-03-19, containing .43 acre, located south side Pleasant Valley Road midway between State Highway 49 and Zandonella Road, East Diamond Springs area.

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

RESOLUTION NO. 195-76

ANNEXING LANDS TO COUNTY SANITATION DISTRICT NO. 2 (ANNEXATION NO. 76-4 - BAXTER)

(For contents, see original resolution)

The Board adjourned as the Board of Directors of County Sanitation District No. 2 to reconvene as the Board of Supervisors.

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(61-8)
27
Hearing was held to consider the establishment of a County Service Area for the provision of extended health care services on the Western Slope of El Dorado County, pursuant to County Service Area Law (Sec. 25210.1 et seq. California Government Code).

There were no protests and the Hearing was closed.

Supervisor Johnson moved to adopt the resolution consolidating an election to establish the County Service Area for the provision of extended health services, with the General Election to be held on November 2, 1976, and to set a maximum tax rate therefor at 35¢ per \$100 assessed valuation. Supervisor Walker seconded the motion, but Supervisor Kutter moved to amend (Continued)

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the motion to set the tax rate at 30¢, rather than 35¢ per \$100 assessed valuation. Supervisor Lane seconded the motion, and the Chairman called for the vote on the amended motion, which carried by the following vote: Ayes: Supervisors Lane, Walker, and Kutter. The Chairman then called for the vote on the unamended portion of the original motion, which was to adopt the resolution consolidating the election, and it was unanimously carried, and the following resolution was therefore adopted:

RESOLUTION NO. 196-76

CONSOLIDATING ELECTION TO ESTABLISH COUNTY SERVICE AREA
FOR PROVISION OF EXTENDED HEALTH SERVICES WITH THE
GENERAL ELECTION TO BE HELD NOVEMBER 2, 1976

(For contents, see original resolution)

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Supervisor Stewart departed

14572
Supervisor Walker moved to adopt the criteria proposed by Dr. Weidmer for a General Medical Clinic in the County Hospital facility; and requested that he continue to solicit and obtain pertinent information, and pursue interested management people to run the Clinic. Supervisor Lane seconded the motion, and it was not carried by reason of the following vote: Ayes: Supervisors Lane and Walker; Noes: Supervisors Johnson and Kutter; Absent: Supervisor Stewart.

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116
On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried, the Board directed that the letter received from Captain H. T. Adair, Commander, Placerville Area, State Highway Patrol, commenting on the proficiency and expertise displayed by ambulance attendants, Messrs. Douglas and Gurney, at the scene of a serious traffic collision on U.S. 50, one mile east of Kyburz on April 23, 1976, be placed in their personnel folders.

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The Board adjourned to Tuesday, August 10, 1976, at 9:30 a.m.

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

APPROVED: *Paul M. Lane*
Chairman

By: *Carl A. Kelly*
Deputy