

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 7, 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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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 Johnson, and unanimously carried.

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

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The Minutes of August 31, 1976, were approved as submitted, 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.

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## GENERAL ORDERS

28  
211  
Warrant Register Claims for El Dorado County and Community Action Claims were approved and allowed for payment, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried .

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115  
43-B  
151-9  
On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board approved revised Job Specifications for Budget and Account Clerk II, Welfare Department, and adopted Resolution No. 232a-76 accordingly.

2-7  
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 ordinance amending the Salary Ordinance, pertaining to the salaries of the Planning Director and Chief Probation Officer, was introduced, read, and continued for adoption to September 14, 1976.

12-3  
On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried, the Board continued the request of Dr. Curtiss Weidmer to become a Regular County employee (in lieu of his existing contract) to September 14, 1976.

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September 7, 1976

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80-2  
Pursuant to the Board's direction of August 3, 1976, County Counsel submitted for adoption a resolution finding the Fixed Base Operator (Foothill Aviation), at the Placerville Airport, in default of his Lease with the County, and declaring said Lease terminated.

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

RESOLUTION NO. 233-76

FINDING THE FIXED BASE OPERATION OF FOOTHILL AVIATION IN DEFAULT AND TERMINATING SAID LEASE

(For contents, see original resolution)

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124-1  
Director of Public Works submitted a letter requesting authorization to purchase one Mechanic Utility Survey Body from the State for \$1,000.00, plus tax, using the savings from the purchase of a previously budgeted item.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the request was approved.

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124-1  
Director of Public Works submitted letter requesting adoption of a resolution giving Notice of Intention to obligate the County's 1976-77 apportionment of Federal Aid Secondary Highway funds in the amount of \$153,985.00 for Off-System Roads, and State Highway matching funds in the amount of \$76,993.00, and agreeing to provide any County matching funds.

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

RESOLUTION NO. 234-76

NOTIFYING THE STATE DEPARTMENT OF TRANSPORTATION THAT EL DORADO COUNTY CLAIMS ITS PORTION OF 1976-77 FEDERAL AID SECONDARY HIGHWAY FUNDS

(For contents, see original resolution)

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124-1  
At the request of the Director of Public Works, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign an Agreement with the State Controller for the purchase of two tax deeded lands at a cost of \$1.50 each, which are presently partially within existing road rights-of-way.

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110-4-16  
Director of Public Works submitted letter requesting a resolution be adopted abandoning those portions of County Road No. 2, Green Valley Road, County Road No. 6, North Shingle Road, and County Road No. 21, Lotus Road, that have been superseded by the F.A.S. 1187(1) construction project.

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

RESOLUTION NO. 235-76

ABANDONING PORTIONS OF GREEN VALLEY ROAD, NORTH SHINGLE ROAD,  
AND LOTUS ROAD, WHICH HAVE BEEN SUPERSEDED

(For contents, see original resolution)

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110-5-76  
Director of Public Works submitted letter requesting a resolution be adopted abandoning those portions of County Road No. 21, Lotus Road, that have been superseded by F.A.S. 1187(2) construction project.

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

RESOLUTION NO. 236-76

ABANDONING PORTIONS OF LOTUS ROAD  
WHICH HAVE BEEN SUPERSEDED

(For contents, see original resolution)

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110-1  
M.O.  
7.18-76  
Director of Health Services submitted a letter requesting modification of Family Planning Budget from \$94,207.00 to \$130,300.00, and Child Health and Disability Prevention Budget from \$33,172.00 to \$44,223.00 due to an unexpected increase in State funds for the support of said programs; also submitted was the Child Health and Disability Prevention Budget, as modified, for submittal to the State.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and carried by the following vote: Ayes: Supervisors Lane, Walker, Kutter, and Stewart; No: Supervisor Johnson, the modifications were approved, as submitted, and the Board authorized submittal of the Child Health and Disability Prevention Budget, as modified, to the State.

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(56-7)  
Director of Community Programs submitted letter requesting the Chairman be authorized to sign Grant Application in the amount of \$17,539.00, to be submitted to the Area 4 Agency on Aging, to provide financial support for  
(Continued)

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the El Dorado County Senior Transportation and Information & Referral Projects for the period January 1 through December 31, 1977.

On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried, the Chairman was authorized to sign the Grant Application.

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Assistant to the Board submitted letter requesting, on behalf of the departments at South Lake Tahoe, twenty-four folding chairs for the Conference Room, and two bicycle racks, for a total cost of \$488.00.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the request was approved.

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On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board authorized that specifications be prepared to obtain quotations for a Consultant for the purpose of investigating the possibility of obtaining a private or Federal grant for the possible relocation of the County Fair site. (Referred 6/15/76)

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Purchasing Agent requested approval of specifications and authorization to advertise for bid opening on Monday, September 27, 1976, at 2:00 p.m., with award by the Board on October 12, 1976, for the following bids:

- Bid No. 799- Caterpillar Maintenance Puller for Public Works Department
- Bid No. 800- Washer and Dryer for the County Jail
- Bid No. 801- Portable Steam Cleaner for the County Jail
- Bid No. 802- Clothing Lockers for the County Jail

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the specifications were approved and advertising authorized as requested.

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At the recommendation of the Purchasing Agent, on motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, bids were awarded as a result of bid openings held on August 30, 1976, to the low bidder in each case, as follows:

Bid No. 775- IBM Card Sorter for Data Processing Department - Awarded to Thomas Computer Corporation, Chicago, Illinois, in the amount of \$1,058.94.

Bid No. 776 - Anti Freeze - Awarded to Maclin Oil Co., Placerville, in the amount of \$3,899.00. (For fiscal year 1976-77)

Bid No. 777 - Grader Blades for Public Works Department - Awarded to Pioneer Equipment, Reno, Nevada, in the amount of \$14,958.42.

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74-2 Purchasing Agent submitted results of bid opening held August 23, 1976, for Bid No. 794, Alterations to the County Courthouse, and on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the bid was awarded to only bidder, Tioga Manufacturing Company, Placerville, in the amount of \$2,600.00.

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276-4  
Subm  
Falls  
7-12 Director of Public Works submitted results of bid opening held on September 2, 1976, for Erosion Control work on Salmon Falls Road.

On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, bid was awarded to low bidder, Cagwin & Dorward, San Rafael, for the total bid of \$4,081.10.

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

## RESOLUTION NO. 237-76

### DISCHARGING UNPAID COUNTY HOSPITAL ACCOUNTS (Fox - Turner)

(For contents, see original resolution)

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355 Commission on the Status of Women submitted their Proposed ByLaws for ratification.

After consideration, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board directed that said Commission be advised of the reaffirmation by the Board of their position relative to the vote requirement, i.e. Item 5 c. of Board's letter to the Commission dated March 17, 1976, in which the Board stated that they desired a quorum provision requiring a majority of the total membership for both quorum and the necessity of at least three votes of total membership to act.

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50-7 Communication was received from the Area 4 Agency on Aging requesting a pledge for financial support in matching funds in the amount of \$1,610.00, with payment to be made after January 1, 1977.

After consideration, 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 authorized payment of \$805.00 after January 1, 1977, and the remaining balance of \$805.00 after July 1, 1977.

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On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the following Budget and/or Fund Transfers were approved:

Budget Transfer No. 16

Public Defender

<u>Decrease</u>	<u>Increase</u>	<u>Amount</u>	<u>Purpose</u>
Office Expense 92-2170	Spl. Dptmtl. Expense (92-2230)	\$20.00	Per Court order Public Defender bought clothing for defendant

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Fund Transfer No. 17

<u>From</u>	<u>To</u>	<u>Amount</u>	<u>Purpose</u>
Advance from Treasury	Gold Trail School B&I	\$10,000.00	Loan until tax money is available

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Fund Transfer No. 18

Advance from Treasury	Library	\$25,000.00	Loan until tax money is available
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On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried, the Board directed that a telegram be sent to the National Association of Counties (NACo) rally in Washington, D.C. supporting their position of payments in lieu of taxes for public lands (H.R. 9719).

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On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board approved 24 Assignments to the Credit Bureau of El Dorado County from the Collection Department for Claims against those persons named on the Assignments dated September 7, 1976; copies of which are on file in the Board of Supervisors Office, beginning with the name of Ann Marie Giovannoni and ending with the name of Roger Bratton.

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On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, Hearing was set for September 20, 1976, at 9:00 a.m. to consider the establishment of a Timber Preserve Zone District (TPZ), pursuant to the Forest Taxation Reform Act of 1976.

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On motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried, the Chairman was authorized to sign the proposed letter to Congressman McFall submitted by Supervisor Kutter, regarding the Ruck-A-Chucky Road Relocation, Auburn Dam Project, as amended, including a request for Congressional action to allow the road extension to State Route 193.

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10 Mr. Tom Jacobs, Tahoe Regional Planning Agency, presented a Summary of Suggested General Plan Revision Policies for the Lake Tahoe Basin; said policies being the product of the review of the TRPA General Plan which has been under way for the past twelve months. There was no action required, nor taken.

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17 The Board members expressed their appreciation by the presentation of Certificates of Service to the members of the Land Division Review Committee for their work on the County's behalf.

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(61-1)  
(61-8) On motion of Supervisor Lane, seconded by Supervisor Johnson, and unanimously carried, the Board directed letters to the City of Placerville requesting consent for the inclusion of the City of Placerville within the proposed County Service Area No. 7 for Ambulance Services, and County Service Area No. 8 for Health Services and Expenses related to the County Hospital; both proposals to appear on the November 2, 1976, Ballot for consideration of the voters.

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## SPECIAL ORDERS

## PLANNING MATTERS

235-104-76 On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, the Board introduced the ordinance to rezone lands in the American Flat-Spanish Flat-Bear Creek area, consisting of approximately 4,475 acres, to comply with the adopted Land Use Plan for said areas; waived the reading of the ordinance; and continued the matter for hearing on September 14, 1976, at 2:00 p.m.

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57 At the request of the Planning Director, on motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried, the Board continued to September 14, 1976, at 2:00 p.m., the Hearing (which had been scheduled for this date) on the ordinance to establish a professional and business office zone, known as Professional Office Commercial Zone District (CPO).

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732-4-76 The Planning Director advised that as of this date Sam's Town signs were now in conformance with the County Ordinance (certain signs having been removed which exceeded the minimum allowance in the County Code). Therefore, on motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, the Board placed on file the Appeal papers filed by Sam Gordon on the Planning Commission's denial of a Special Use Permit to place more and larger signs than allowed on his property (Sam's Town) on the south side of Highway 50, west of Cameron Park Drive.

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Hearing was held as duly advertised to consider an increase in refuse rates within the unincorporated area of western El Dorado County, as requested by El Dorado Disposal Service.

The Director of Environmental Health recommended approval of the rate increase. There were no protests and the Hearing was closed.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the rates were established as listed below, and the following resolution was adopted accordingly:

Residential Accounts:

1 can	\$ 4.25
2nd can	1.00
Each additional can	1.00

Commercial Accounts:

1 Yard container	\$16.00
1.5 yard container	20.00
2 yard container	25.00

RESOLUTION NO. 238-76

ESTABLISHING RATES FOR THE COLLECTION AND  
DISPOSAL OF REFUSE IN THE UNINCORPORATED AREA OF  
WESTERN EL DORADO COUNTY (EL DORADO DISPOSAL SERVICE)

(For contents, see original resolution)

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Board considered the Appeal filed by Fred M. Katz on behalf of Safeway Stores, Inc., on the Planning Commission's denial of a Special Use Permit to install an advertising sign in Pollock Pines, which is over the square footage allowed by County Ordinance. Hearing was held on August 17, 1976, (See Page 421), and the decision thereon was continued to this date.

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

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Hearing was held to consider the request of Mrs. Marjorie Kurtz for the cancellation of her Williamson Act Contract (Agricultural Preserve No. 32) due to hardship. (Continued from August 18, 1976 -- See Minute Book 17, Page 422, and Page 425).

Supervisor Stewart moved to release Agricultural Preserve No. 32, since it is not inconsistent with the law regarding the requirements which allow for the release of Agricultural Preserves, based upon the following: (a) the ability of the property to produce food (it doesn't contain that much of a potential), and would not be premature for subdivision purposes, and (b) (Continued)



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public interest would not be harmed in this case, and it does not contain great scenic value in that area; further, this Preserve is somewhat isolated since it is not within one mile of any other Preserve in the area, and would not constitute "spot zoning" of the land: these findings reveal the fact that the cancellation of this preserve would therefore be in the public interest, and would be based on the payment of the \$16,000 cancellation fee. Supervisor Lane seconded the motion, which was not carried by reason of the following vote: Ayes: Supervisors Johnson and Stewart; No: Supervisor Lane; Abstain: Supervisor Kutter.

Supervisor Kutter then moved to continue the Hearing to September 14, 1976, at 2:30 p.m. to consider release of the total property, and to allow Mrs. Kurtz to respond regarding a possible partial release of the property, with the Agricultural Department and the Assessor's Office requested to submit their opinion of the ability of the 120 acres (the possible partial release) to meet the Agricultural Preserve criteria. Supervisor Walker seconded the motion and it was unanimously carried.

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

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

Leslie H. Wood, et al, No. 6790	Transamerica Computer Co., Inc.,
David A. Snodderly and Robert F.	No. 6802
Carlson, No. 6791	Raymond H. Levert, No. 5925
South Tahoe Sports & Cycles, No. 6792	Henry P. Cate, Sr. No. 5932

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## SPECIAL DISTRICTS

### COUNTY SANITATION DISTRICT NO. 2

Hearing was held to consider the request of William Orava for annexation to County Sanitation District No. 2, of 23.549 acres in the El Dorado area for the purpose of domestic sewer services. (Continued from 8/10/76)

There were no protests and the Hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the annexation was approved and the following resolution was adopted accordingly:

#### RESOLUTION NO. 239-76

DECLARING BOUNDARIES OF ANNEXATION NO. 76-3  
ANNEXED TO COUNTY SANITATION DISTRICT NO. 2

(For contents, see original resolution)

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

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Supervisor Kutter left the room

Communication was received from Amador Disposal Service requesting transfer of their garbage franchise to the following individuals: Achille A. Marchini, John F. Marchini, Bennie L. Ratto, Carol I. Sesser, and Robert H. Grunigen (owners of South Tahoe Refuse Company), pursuant to Section 14,387 of the Franchise Ordinance, and also requesting renewal of the present franchise for an additional five-year period, effective September 28, 1976, with option to renew at the end of that five-year period. (Continued from 8/31/76)

At the recommendation of the Director of Environmental Health, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Lane, Johnson, Walker, and Stewart; Absent: Supervisor Kutter, the transfer was approved to those individuals listed above, with the new company to be known as Amador Disposal Service, Inc. and the following resolution was adopted:

RESOLUTION NO. 240-76

AUTHORIZING THE TRANSFER OF AMADOR DISPOSAL SERVICE

(For contents, see original resolution)

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Supervisor Kutter returned

On motion of Supervisor Johnson, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lane, Johnson, Walker, and Stewart; Abstain: Supervisor Kutter, the Board extended the franchise just transferred to Amador Disposal Service, Inc. for a five-year period, with an option to renew at the end of that five-year period, as requested.

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There being no further business, the Board adjourned to Tuesday, September 14, 1976, at 9:30 a.m.

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

APPROVED:   
Chairman

By:   
Deputy