

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 21, 1976

The Board convened in regular meeting. Those present: 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, with minor revisions, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried.

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

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The Minutes of September 14, and September 20, 1976, were approved as submitted, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Kutter, and Stewart; Abstain: Supervisor Lane.

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## GENERAL ORDERS

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80-1  
On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, Warrant Register Claims for El Dorado County, and Community Action Council Claims were approved and allowed for payment.

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30-1  
On motion of Supervisor Stewart, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Kutter, and Stewart; No: Supervisor Lane, the Board authorized the removal of Exhibit A(B) from the Agreement with the State Department of Health for the influenza (swine flu) immunization program, which was added by the Board on June 1, 1976, when the contract was originally approved. (The Exhibit was for the purpose of indemnifying the County for said program; however, subsequently Assembly Bill 1135 was passed which indemnifies all the counties, thus making the Exhibit unnecessary, and therefore the State Department of Health requested its removal.)

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September 21, 1976

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 21, 1976

81-7 Executive Director, Community Programs, submitted a letter recommending the Chairman be authorized to sign Contract with the Area 4 Agency on Aging for \$2,400.00 supplemental funds to the Senior Dial-a-Ride Transportation Project, awarded under the "one time only" transportation grant.

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 the Agreement.

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171  
37  
27 Planning and Health Departments submitted comments on the U. S. Forest Service's Environmental Analysis and Alternatives for the Northern California Planning Area Guide, which will ultimately define the direction of all land use planning at all levels for National Forests in Northern California.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board directed that the comments submitted by the County's Planning and Health Departments be forwarded to the U. S. Forest Service.

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44-9 Purchasing Agent submitted results of bid opening held September 13, 1976, for Bid No. 778 - Warrants for Auditor/Controller: bids having been received from Standard Register Co., Sacramento, and Moore Business Forms, Sacramento.

At the recommendation of the Purchasing Agent, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the bid was awarded to low bidder, Standard Register Co., Sacramento, in the amount of \$2,114.17.

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233-2  
114-9 Purchasing Agent submitted a request for authorization to purchase a 4-wheel drive vehicle for the Sheriff's Department, which was included in the Sheriff's 1976-77 budget: informal bids having been received from Swift Dodge, Sacramento; Tahoe Valley Motors, South Lake Tahoe; and North Country Dodge, Sacramento. The Purchasing Agent advised that since it is at the end of the 1976 model season and Ramchargers (Dodge 4-wheel drive stationwagon) are difficult to find, no dealer will hold a vehicle on hand for more than 48 hours.

On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, formal bidding procedure was waived and the bid was awarded to low bidder, Swift Dodge, in the amount of \$6,525.00.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 21, 1976

2089 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 "No comment" be submitted on the request of Sierra Planning Organization for comments on Eskaton's (Sacramento) application for grant to provide a Planning and Technical Assistant to Developmental Disabilities Planning Area III.

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2093 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 submitted on Sierra Planning Organization's request for comments on the El Dorado County Community Action Agency's application for grant to establish a community canning cooperative to preserve foods at a low cost for the elderly and low-income persons.

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2097 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 submitted on Sierra Planning Organization's request for comments on El Dorado County Community Programs' application for grant to establish a centralized referral service to provide a comprehensive transportation service to the elderly of outlying routes to target areas connecting the hub city of Placerville.

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2098 U. S. Department of Interior submitted letter requesting comments on its proposed revised regulations for management of off-road vehicle use on national resource lands administered by the Bureau of Land Management.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the request was referred to the Recreation Department for comment, together with the Sheriff's comments on said proposed regulations.

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A Petition containing six signatures was submitted by J. Harold Pendry requesting a moratorium on building and development in the area of Woodland Drive on Cedar Ravine Road, due to the critical water shortage in that area.

2099 After consideration, the Board, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, instructed the Building and the Planning Departments to caution any persons applying for land splits or building permits in said area of the water shortage, and attempt to discourage them from building in that area within the next twelve months.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 21, 1976

369 On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board approved eight Assignments to the Credit Bureau of El Dorado County from the Collection Department for Claims against those persons named on the Assignments dated September 21, 1976, copies of which are on file in the Board of Supervisors Office, beginning with the name of Walter R. Marsh and ending with the name of Donald W. McWhorter.

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

Fund Transfer No. 21

<u>From</u>	<u>To</u>	<u>Amount</u>	<u>Purpose</u>
Advance from Treasury	Cameron Park Comm. Serv.	\$30,000.00	Loan until tax money is available

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Budget Transfer No. 22

<u>Decrease</u>	<u>Increase</u>	<u>Amount</u>	<u>Purpose</u>
Elections 1-502			
92-1020 Extra Help		(\$7,050.00)	Transfer from Extra Help to Regular
	Elections 1-502		
	92-1010 Regular Employees	6,100.00	
	92-1110 Contrib. Retirement	600.00	
	92-1120 Contrib. Health Ins.	350.00	

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117  
590-1 On motion of Supervisor Lane, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lane, Johnson, Walker, and Stewart; No: Supervisor Kutter, the following ordinance was adopted, to be effective immediately repealing Urgency Ordinance No. 1656 Relative to Open Burning in El Dorado County; the Board having found that an emergency no longer exists:

ORDINANCE NO. 1690

REPEALING ORDINANCE NO. 1656 RELATIVE TO OPEN BURNING

(For contents, see original ordinance)

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Supervisor Johnson left the room just prior to the vote on the following item:

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590-1 On motion of Supervisor Lane, seconded by Supervisor Stewart, and unanimously carried by those present, the Board ratified each respective supervisor's nominees to the Blue Ribbon Committee for the study of County Department Head salaries, as follows: District I - Don Andrews and Anita Boel; District II - Ralph W. Anderson and Merle Whitten, with alternate Giles W. Corday; District III - Alexander M. Galbraith and Carlos S. Nicolas; District IV -  
(Continued)



# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 21, 1976

Doy E. Bridges and Lorraine Ross; and District V - Douglas Thomas and Bernie Frizzie.

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Supervisor Johnson returned to the room

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Airports Director and the Assistant to the Board were authorized to solicit bids for a Fixed Base Operation at the Placerville Airport.

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Assistant Director of Public Works submitted a letter requesting approval of specifications and authorization to advertise for Meder Road Construction Project, with bid opening on October 14, 1976, and award by the Board on October 26, 1976.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the specifications were approved and advertising authorized as requested, and the following resolution was adopted authorizing the Chairman to sign the Agreement with the State of California for the Meder Road Project:

## RESOLUTION NO. 245-76

### AUTHORIZING THE CHAIRMAN TO SIGN AGREEMENT WITH THE STATE FOR MEDER ROAD PROJECT

(For contents, see original resolution)

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Agricultural Commissioner reported on the proposed reseeding program involving the recent Quarry fire property, advising the Board to the effect that responses were received from property owners having a total of 831 acres who wished to participate; this number being far below the 2,000-acre minimum that was established as the minimum acreage required to make the program feasible. He therefore recommended that the County not participate in the seed purchasing program.

On motion of Supervisor Johnson, seconded by Supervisor Kutter, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Kutter, and Stewart; No: Supervisor Johnson, the Board concurred with the Agricultural Commissioner's recommendation that the County not participate in the Program.

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At the request of the County Fair Association Secretary-Manager, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign the 1977 Annual Budget of the Fair Association for submittal to the State for final approval.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 21, 1976

Supervisor Stewart submitted a draft Resolution calling for support of the establishment of a National Recreation Area or National Monument along the west shore of Lake Tahoe, and requesting the support of the the States of California and Nevada; the County Commissioners of Washoe, Carson City, and Douglas in Nevada; and the Board of Supervisors of Placer County, California.

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

RESOLUTION NO. 246-76

## CALLING FOR SUPPORT OF THE ESTABLISHMENT OF A NATIONAL RECREATION AREA ON THE WEST SHORE OF LAKE TAHOE

(For contents, see original resolution)

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Hearing was continued on the establishment of a Timber Preserve Zone (TPZ).

Don Peek, Manager, Michigan-California Lumber Company, was present and offered recommendations relating to allowance of a single family, or caretaker, dwelling on each TPZ parcel or parcels under one ownership, or 160-acre TPZ parcel, whichever is smaller.

Homer Banks submitted recommendations for regulations for an Agricultural Timber Preserve Zone District (AG-TPZ).

Edio Delfino, Agricultural Commissioner, advised the Board that the Agricultural Commission at their September 8, 1976, meeting was unable to arrive at a firm decision on whether or not residences should be allowed on TPZ zoned lands.

Larry Hyder, local Christmas tree grower, was also present with recommendations. (Mr. Hyder is also a Forester)

On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, the proposed ordinance was altered as discussed, and the Planning Director was requested to meet with Don Peek, Homer Banks, and Larry Hyder to develop a proposed criteria for the Special Use Permit required for the dwelling to be allowed in said Zone.

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On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Chairman was authorized to sign Change Order No. 4 to Contract E with John F. Otto, Inc. reducing the contract by \$1,981.00, and Change Order No. 1 to Contract H-2 with Western Sign Company, reducing the contract by \$5,495.00.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 21, 1976

The Board adjourned as a Board of Supervisors, to reconvene as a Board of Directors of County Service Area No. 5.

The Board deemed it advisable to pursue the implementation of the Master Plan for Drainage and Erosion Control for said County Service Area, with the modifications to make the drainage and erosion control improvements more compatible to the rural atmosphere of said Service Area, and they also agreed that a method of financing the project should be instigated. Therefore, on motion of Director Johnson, seconded by Director Stewart, and unanimously carried, the Chairman was authorized to sign an Agreement, subject to review and approval by County Counsel, with William F. Pillsbury, Inc. to provide engineering services for the Master Plan modification and to pursue the project funding, after the following two changes to said Agreement have been made: the substitution of the word "imperative" in the third Whereas, to "advisable", and a change in the amount of fee not to be exceeded by, from \$10,500.00 to \$5,500.00.

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The Board adjourned as a Board of Directors for County Service Area No. 5, and reconvened as a Board of Supervisors

## SPECIAL ORDERS

## PLANNING MATTERS

Hearing was held as duly advertised to consider the rezoning of 13,000 acres (approximately) of land in the Greenwood area in order to comply with the adopted Land Use Plan for said area.

Attorney Gene McCabe was present on behalf of John A. Miller requesting that Mr. Miller's 55 acre parcel presently zoned for 20-acre minimum (RA20), be zoned R-3 acre, instead. Chairman Lane advised that it could not be rezoned to R-3A without amendment to the General Plan, which is done only three times annually. Mr. Mel Gott, Vice President, Greenwood Civic Organization stated that their membership (155 persons) worked on the Greenwood Plan for over two years and they strongly opposed Mr. Miller's request.

Mr. John Clark was also present and requested that his 65½ acres of property be held in abeyance until a definite on-site inspection can be made by the Board.

Horace Hodges was present and stated that he would have preferred a 10-acre minimum, although his property was zoned R-2A. (He recently purchased said property.)

Those present who desired no change from the zoning as reflected in the General Plan amendment were: Robert Bennett, Mr. Zadolsek; and Mrs. Hurley.

There was no further opposition and the Hearing was closed.  
(Continued)

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 21, 1976

The Planning Commission at their meeting of August 12, 1976, recommended the zoning as proposed, with the change to Mr. Clark's property (10 to 5) on the Greenwood Area Land Use Plan.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Kutter, and Stewart; No: Supervisor Lane, the rezonings were approved, and the following enabling Ordinance was adopted, with one exception: that specific parcels (65½ acres) of land owned by John Clark and reflected on the Sectional District Map referred to in the ordinance, will be held in abeyance until an on-site inspection within two weeks can be made by the Board and a determination is reached after that inspection, which will then be added to the Sectional District Map:

ORDINANCE NO. 1691

REZONING OF LANDS IN THE GREENWOOD PLANNING AREA

(For contents, see original ordinance)

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285-66-16  
396-7A  
Hearing was held as duly advertised to consider an eight-month extension of the Emergency Interim Zoning of lands in the Oak Hill area from Unclassified to Agricultural, consisting of 1.650 acres, petitioned by Clare Dusek.

Clark Dusek was present and read from a prepared statement dealing primarily with the shortage of water in the area.

Bill Wilbur, property owner in the area, was present and stated that he felt the extension was not necessary and if approved it would be discriminatory.

Those present and in favor of the extension were: Ilene Crimm; James Hall; Roger Bartlett; Mrs. Anderson; Dorothy Emory; Edith McGinness; Marie Donohue.

Jerry Cadiz, speaking on behalf of 8 families owning approximately 1,000 acres, stated they were not opposed to an extension, as such, but requested that the extension apply only to 5-acre minimum, rather than 10.

There were no other protests, and the Hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board continued the interim zoning for an 8-month period under the same findings as the previous Ordinance No. 1641, and the following enabling Emergency ordinance was adopted, with the understanding that if the density phasing or the General Plan for the area is adopted before the 8-month period is up, then the interim zoning will then be null and void:

(Continued)



# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 21, 1976

## ORDINANCE NO. 1692

EMERGENCY ORDINANCE RELATIVE TO REZONING IN THE OAK HILL 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 September 28, 1976, at 2:00 p.m. to consider rezonings as follows; the Board having introduced the ordinances therefor, and waived the reading thereof:

<u>Area</u>	<u>Petitioner</u>	<u>From</u>	<u>To</u>	<u># Acres</u>
Shingle Springs	Charles L. Ybright	A	R3A	34.71
Diamond Springs	Andrew W. Steed, Sr.	U	R2	.494
Five Mile Terrace	Clair Beighley	A	R2A	7.0
Missouri Flat	Arthur Ewert and Arnold Jones	MP	RIA	28.358

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

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

David L. Ormsby, No. 6809  
B. & W. Company, No. 6812  
Union Pine Logging Co., Nos. 6815 and 6816

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Hearing was held as duly noticed to consider an Appeal filed by M. Kathleen Elliott on the Planning Commission's granting of a Special Use Permit to Jim Teter's Auto Wreckers, Diamond Springs, to allow expansion by the addition of 10 acres to his existing auto wrecking and dismantling yard.

Mr. Teters was present and explained the necessity for his expansion, and his plans to comply with the conditions required by the Special Use Permit.

Mr. Pat Riley, Attorney representing the El Dorado Industrial Corporation, was present and stated that Mr. Teter's business was not in the nature of "light industrial", and certainly was not a credit to the community. Others present and opposed to the granting of the Special Use Permit to Mr. Teters were: Lloyd Elliott; Stan Groves; John Joslyn; Bob Gatlin; Don Dosenville; Bertha Bray; Jerome Tonkin; Delores Joslyn.

A letter in favor of the expansion was received from Elaida Smith.

(Continued)

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 21, 1976

There were no other protests, and the Hearing was closed.

Supervisor Walker stated that he would have to abstain from voting inasmuch as he felt he had a conflict of interest; being one of the original stockholders in Diamond Industrial Park whose Board of Directors opposed this requested expansion.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Lane, Johnson, and Stewart; No: Supervisor Kutter; Abstain: Supervisor Walker, the Board upheld the Appellant, thereby denying the Special Use Permit which was granted by the Planning Commission.

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*225-10876*  
Inasmuch as the ordinance to rezone lands to comply with the adopted Land Use Plan in the American Flat/Spanish Flat/Bear Creek area from Unclassified and Agricultural to RE-10 was altered at the Hearing held by the Board on September 14, 1976, to instead rezone from Unclassified to Agricultural, the adoption of the enabling ordinance was continued, pursuant to law, to this date. Therefore, on motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried, the following ordinance was adopted:

ORDINANCE NO. 1693

AMENDING THE EL DORADO COUNTY ZONING ORDINANCE  
(American Flat/Spanish Flat/Bear Creek area)

(For contents, see original ordinance)

(On September 14, 1976, the Board also continued the matter of a Hearing to consider the possibility of rezoning those lands from Agricultural to RE-10, to January 11, 1977.)

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*423 Deer Hills Unit #2*  
At the recommendation of the Planning Director, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Agreement with C.E.R., Inc. to make subdivision improvements in Deer Hills Subdivision Unit No. 2 was approved and the Chairman was authorized to sign; a letter having been furnished by Wells Fargo Bank confirming the sum of \$125,460.00 having been set aside in a separate loan commitment account, the Final Map of Deer Hills Unit No. 2 Subdivision was approved and the Clerk was authorized to endorse such approval on said Final Map.

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*57*  
Planning Director submitted comments on Amador County's draft Environmental Impact Report for a proposed limestone quarry near Fiddletown as it relates to traffic and economics in El Dorado County.

(Continued)



# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 21, 1976

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board placed the comments on file, and authorized the Planning Director to respond to the Amador County Planning Director.

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*1st*  
*74-39 (12)*  
*Dord*  
*15-76*

In connection with the pending lawsuit; Forni vs. County of El Dorado, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Lane, Johnson, Walker, and Stewart; Abstain: Supervisor Kutter, the Board in lieu of going to trial regarding the right-of-way behind the Agricultural Building as it relates to the new County Government Center, agreed to settle with the Fornis for \$3,000.00 for said right-of-way, and in addition, agreed that the County would leave a driveway type of access across the curbs that are constructed; requesting that the Fornis designate that location within 15 days.

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On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board, due to a known lack of quorum because of the Annual County Supervisors Association of California meeting to be held in San Diego the week of November 15, 1976, cancelled the regular Board of Supervisors Meeting scheduled for November 16, 1976.

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There being no further business, the Board adjourned to Tuesday, Septemeber 28 1976, at 9:30 a.m.

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

By: *Ann R. May*  
Deputy

APPROVED: *[Signature]*  
Chairman