

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES December 28, 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. Ann R. Macy, Board of Supervisors Clerk was also present. 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 Johnson, seconded by Supervisor Walker, and unanimously carried.

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

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The Minutes of December 21, 1976, were not completed at the time of this Board Meeting, and they were informally continued for approval to January 4, 1977.

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GENERAL ORDERS

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Architect for the County Government Center facility in Placerville was authorized to obtain a Soils Report on the Library site for a cost not to exceed \$1500.00.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Architect was authorized to order Display Cases for the Government Center -- 2 each: Square Cases at \$1,626.00, and Rectangular Cases at \$1,630.00.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board accepted the following Muzak proposal as contained in their letter dated December 2, 1976, addressed to Caywood, Nopp, Ward, AIA: For the first six months of operation at the Placerville Government Center, Muzak will provide, at no charge, a Customusic machine and library for a three month trial; then, for the second three months, still at no charge, Muzak will provide Muzak music. If the County prefers Muzak then they will supply and maintain the unit necessary for a monthly service fee of \$67.50. If the County prefers Customusic, then Muzak will sell the Customusic machine to County at that time.

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23
314
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, Warrant Register Claims for El Dorado County, and the Community Action Council Claims were approved and allowed for payment.

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(51-6)
113
On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board instructed their Assistant, John J. Fitzpatrick, to prepare a response for the Chairman's signature to letters received from the former Director of the County's Manpower Program, Mr. W. Lerza, dated December 9 and 26, 1976, containing certain allegations against Mr. Fitzpatrick relative to the operation of the Manpower Program.

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82-7
On motion of Supervisor Lane, seconded by Supervisor Kutter, and unanimously carried, the Board accepted the Blue Ribbon Committee's Salary Study on County Department Heads, and set January 5, 1977, at 9:30 a.m. to meet with the Department Heads regarding the implementation of the Study.

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145
227-1
On motion of Supervisor Kutter, seconded by Supervisor Stewart, and unanimously carried, the Board approved the County Surveyor's request for an additional Engineering Aide, and the following resolution was adopted amending the Authorized Personnel Resolution accordingly:

RESOLUTION NO. 333-76

AMENDING THE AUTHORIZED PERSONNEL RESOLUTION

(For contents, see original resolution)

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88-1
Attorney Sally Newbill submitted a Claim on behalf of Leo and Ruth Gardner in the amount of \$15,000.00 for property damages, and at the recommendation of County Counsel, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Claim was denied.

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178
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board approved the County Clerk's request for an increase from \$20.00 to \$75.00 in the Clerk's Change Fund at the South Lake Tahoe Office, and the following resolution was adopted:

RESOLUTION NO. 334-76

ESTABLISHING A \$75.00 CHANGE FUND FOR THE OFFICE OF COUNTY CLERK, SOUTH LAKE TAHOE

(For contents, see original resolution)

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1178-1
2
County Clerk submitted Resolution No. 2184 of the City of Placerville requesting that he be authorized and directed to conduct the recall election scheduled for March 8, 1977.

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

RESOLUTION NO. 335-76

AUTHORIZING AND DIRECTING THE COUNTY CLERK TO CONDUCT
A RECALL ELECTION ON MARCH 8, 1977, TO RECALL
THREE CITY OF PLACERVILLE COUNCILMEN
(Anderson, Murray, and Tetrault)
(For contents, see original resolution)

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2296-4
3296-4
Director of Public Works submitted a letter recommending release of maintenance bond in the amount of \$5,200.00 for Coach Lane and Cameron Park Drive reconstruction, as project was accepted by the Board on December 30, 1975.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, Maintenance Bond No. 196 22 03-A was released, as recommended.

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12-2
Assistant to the Board submitted a request on behalf of Supervisor-elect Arliene Todd for reimbursement in the amount of \$205.14 for expenses incurred relating to attendance at the California Supervisors Association Convention in San Diego.

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

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178-2
226
(178-1)
Assistant to the Board submitted a letter request on behalf of the Grand Jury that the Board seek State Legislation to change the mileage reimbursement for members of the Jury to the same rate paid to regular County employees. (Grand Jury members receive 15¢ per mile one way)

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the request was approved that the State Legislature be requested to adopt legislation permitting the Counties to set the mileage rate for their Grand Juries.

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80-1
Executive Director, Community Action Council, submitted for approval, the Program Account Budget, and Summary of Work Programs and Budget for the period March 1, 1977, through February 28, 1978, for the program operations of the El Dorado County Community Action Agency.

On motion of Supervisor Kutter, 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 both documents.

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80-1
Director, Community Programs, submitted a letter requesting authorization to prepare a Statement of Intent requesting that the State Department of Aging recognize El Dorado County as a single county Area Agency on Aging, to be effective January 1, 1978.

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

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80-1
At the request of the Executive Director, Community Action Council, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign Program Progress Review Report for Program Year March 1, 1975, through February 29, 1976.

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87-2
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the resignation of Planning Commissioner Alvon Lowe, District I, was accepted, effective January 3, 1977, and the Clerk was instructed to send Mr. Lowe a Certificate of Appreciation for his services to this County.

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Purchasing Agent submitted results of bid openings held December 13, 1976, for the following:

(114-7)
416-3
Bid No. 829 - Janitorial Maintenance Service for El Dorado Justice Court; bids having been received from Hill & Dale Maintenance, Placerville; Town & Country Janitor Service, Placerville; and Ted Peart Janitor Service, Placerville

114-7
Bid No. 830 - Runway Light Controllers for South Lake Tahoe, Placerville, and Georgetown Airports; bids having been received from National Airport Equipment Company, Pomona, and from Ramla Corporation, Carmel

At the recommendation of the Purchasing Agent to award to low bidder in each case, the Board, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, awarded Bid No. 829 to Hill & Dale Maintenance, Placerville, for \$150.00 per month, and Bid No. 830 was awarded to National Airport Equipment Company, Pomona, in the amount of \$2,146.50.

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341-4
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board, at the recommendation of the County Agricultural Commission, introduced an amended ordinance which establishes the Agricultural Commission, waived the reading thereof, and continued its adoption to January 4, 1977: the primary revision being the deletion of the membership requirement for a dairy and poultry industry representative, and replacing it with another representative from the livestock industry.

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12
372
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the ordinance relating to the Terms of Office of Appointed Members of Commission, Boards, and Committees was amended by changing the word, "appointing" to "nominating" on the 6th and 8th line of Section 3601, and by the addition of Section 9104 relating to the term of office of each member of the Planning Commission, and the reading of the ordinance was waived, and it was continued for adoption to January 4, 1977.

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57
(57-2)
370-9
On motion of Supervisor Lane, seconded by Supervisor Johnson, and unanimously carried, the following ordinance supplementing the State Code, requiring that all actions of the Planning Commission shall be determined by a vote of the majority of the membership: (Introduced 12/21/76)

ORDINANCE NO. 1737

AMENDING BY-LAWS AND RECORD OF THE PLANNING COMMISSION
(Section 9108)

(For contents, see original ordinance)

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(132)
358
Communication was received from the El Dorado County Fire Chiefs' Association requesting that the Board reconsider their policy of charging fire districts for building permit fees.

On motion of Supervisor Lane, seconded by Supervisor Kutter, and unanimously carried, the Board declared their policy to be that if the request for waiver of fees is from a "tax-based" public entity, then that entity should pay their own fees.

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110-18-96
Communication was received from Mr. Mel Smothers, Pollock Pines, requesting that a right-of-way approximately 360' long, and 40' wide and located in the old Pollock Pines Subdivision, and held by the County, be deeded back to the adjacent landowners.

On motion of Supervisor Stewart, seconded by Supervisor Lane, and (Continued)

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unanimously carried, the matter was referred to the Planning and Recreation Commissions for their comments on the permanent abandonment and offer of dedication.

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330 Communication was received from the U. S. Department of the Interior submitting for the Chairman's signature, Contract for Replacement of the Upstream Road System in connection with the construction of Auburn Dam and Reservoir, Auburn-Folsom South Unit, Central Valley Project.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried, the contract was referred to the Public Works Director for comments to the Board on January 11, 1977.

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316-1 Communication was received from the State Division of Veteran Services requesting the Chairman be authorized to sign acceptance of an allotment in the amount of \$11,781.00 as a portion of the County's costs of the County Veteran Service Office, for 1976-77 Fiscal Year.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried, the Chairman was authorized to sign the County Certification accepting the allotment described above.

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22-7 On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board reaffirmed the appointment of Georgia L. Horn to the Area III Board for Developmental Disabilities, as requested by Mrs. Horn. (Appointment made by the Board on 5/4/76 for a term commencing 7/1/76 and ending 6/30/79.)

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(22) 22-7 22-12 State Department of Health submitted their evaluations of El Dorado County's health services, including Mental Health and Environmental Health, and on motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried, the evaluation survey was referred to the County Director of Health Services for a report back to the Board, and also it was referred to the Board's Assistant regarding the personnel recommendations.

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117 On motion of Supervisor Kutter, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Walker, Kutter, and Stewart; Noes: Supervisors Lane and Johnson, the Board approved Budget Transfer No. 45, increasing the Estimated Revenue Aid for the Mental Health Department by \$18,168.00 due to an adjustment in the State Department's allocation of funds.

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249
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 to Reimburse County for Public Assistance rendered Engelbert Jochum, as recorded in Volume 806, Page 244 of Official Records of El Dorado County.

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17-7
Supervisor Lane submitted a request that the Board initiate action for the purchase of 12.91 acres of land for the El Dorado Hills Library and Park site. (Continued from 12/21/76)

The motion of Supervisor Stewart, seconded by Supervisor Walker, to set the matter for Policy Review Session at which time other matters pertaining to Capital Outlay will also be considered, failed to pass by reasons of the following vote: Ayes: Supervisors Kutter and Stewart; Noes: Supervisors Lane, Johnson, and Walker.

Supervisor Walker, then moved to request Supervisor Lane to check into this matter further with the local property owners and the Community Services District in the area, and to then set a Policy Review Session on the subject with the Board at the earliest date possible. Supervisor Kutter seconded the motion, and it was unanimously carried.

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22-9
Chairperson Marion MacAdams, El Dorado Comprehensive Health Planning Council, submitted a letter requesting that said Council be designated as an official health agency, so that subsequently the Council may be designated the Sub Area Council for this area.

After due consideration, the motion of Supervisor Kutter to designate the El Dorado Comprehensive Health Planning Council as the official health agency until July 1, 1977, was seconded by Supervisor Walker, with the amendment that said designation be subject to the approval by the Board of Supervisors of the Council's By-Laws. Supervisor Kutter agreed to the amendment, and the motion was carried by the following vote: Ayes: Supervisors Johnson, Walker, Kutter, and Stewart; No: Supervisor Lane.

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27-4
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 for placement on the assessment rolls as presented:

George J. Trummer, Noes. 6244 and 6245
Thomas H. and Anne M. Goodwin, and Dean and Karen M. Luchsinger, No. 6234
John Cote, No. 6243

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SPECIAL DISTRICTS

COUNTY SERVICE AREA NO. 5

11
#5
Board adjourned as a Board of Supervisors, and convened as a Board of Directors of County Service Area No. 5, to consider a bill submitted by William F. Pillsbury for an additional \$4,940.32, for modification to the Master Plan for Drainage and Erosion Control for County Service Area No. 5.

On motion of Director Stewart, seconded by Director Kutter, and unanimously carried, the Board approved payment of the Statement as presented.

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The Board adjourned as the Board of Directors of County Service Area No. 5 and reconvened as the Board of Supervisors

GENERAL ORDERS

285-152-46
Mrs. DeEtta Hayden submitted a letter requesting waiver of the six-month requirement for a mobilehome installation and occupancy permit while their home is under construction, and allowance of the full year to March 9, 1977.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried, the Board waived the ordinance requirements, and the applicant was granted her request.

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SPECIAL ORDERS

PLANNING MATTERS

285-152-46
5-13-76
Hearing was held as duly advertised on the rezoning of lands in the Sandridge area from Unclassified to Exclusive Agricultural, consisting of 360 acres, petitioned by Daniel L. and Joan R. McGee. Planning Commission recommended approval, and the Planning Director enumerated the findings of said Commission, as follows:

1. The proposal is in compliance with the existing General Plan; and,
2. This proposal represents follow-up rezoning action to a previously approved Agricultural Preserve (AP-215).

There were no protests, and the Hearing was closed.

On motion of Supervisor Walker, 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. 1738

AMENDING THE EL DORADO COUNTY ZONING ORDINANCE
(McGee - Sandridge area)

(For contents, see original ordinance)

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285-145-76
On motion of Supervisor Kutter, seconded by Supervisor Stewart, the Board removed from the Agenda the Hearing scheduled for the rezoning request of Lois A. Bosen of lands in the Pollock Pines area from Industrial to Single Family Residential, consisting of 13,500 square feet: the Board having been satisfied that the request for withdrawal of this hearing was indeed the intent of the owner of record of this property. (See Minute Book 17, Page 629)

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(37)
340-9
483
1/11/76
Ruba
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board adopted the following ordinance which allows the Board of Supervisors to require an irrevocable offer of dedication of roads to public use in rural subdivision: (Introduced 12/14/76)

ORDINANCE NO. 1739

AMENDING A PORTION OF THE MAJOR LAND DIVISION ORDINANCE

(For contents, see original ordinance)

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57-6
Hearing was held as duly advertised to consider the adoption of the Noise Element of the County General Plan, as mandated by State Law. The Planning Commission reviewed the draft and recommended approval and acceptance of the Negative Declaration. There were no protests and the Hearing was closed.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Negative Declaration was accepted and the Noise Element was approved as an Element of the County General Plan, with one change on Page 12, relating to scheduled flag stops at the Placerville Airport, and the following resolution was adopted accordingly:

RESOLUTION NO. 336-76

ADOPTING THE NOISE ELEMENT AS AN ELEMENT OF THE COUNTY GENERAL PLAN

(For contents, see original resolution)

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415-114
Hearing was held as duly advertised to consider changes to Agricultural Preserve No. 44, petitioned by Gordon H. and Chinina M. Garland and Pilot Hill Estates; the changes comprising the following: deletion of .56 acre from Parcel No. 71-040-13, owner: Pilot Hill Estates, and the addition of 3.36 acres to Parcel No. 71-040-12: owner: Gordon H. and Chinina M. Garland, for a total revised acreage in Agricultural Preserve No. 44 of 350.63 acres. There were no protests, and the Hearing was closed.

(Continued)

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On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the requested changes to Agricultural Preserve No. 44 were approved, and the following resolution was adopted accordingly:

RESOLUTION NO. 337-76

AUTHORIZING ACREAGE REVISION TO AGRICULTURAL PRESERVE NO. 44

(For contents, see original resolution)

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(571)
87
102
On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board waived the reading of the introductory ordinance to add an additional year to the time allowed an individual to live in a mobilehome while his dwelling is under construction; and also to remove the 200 sq. ft. requirement on size of dwelling for each additional bedroom, and set the hearing thereon for January 11, 1977, at 2:00 p.m.

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429
454
452
At the recommendation of the Planning Commission, on motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, the Tentative Map of York Estates Rural Subdivision consisting of 9 residential lots in the Pollock Pines area, was approved, subject to the following conditions:

1. Completion of road improvements, drainage systems and setting 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 all roads and easements being dedicated to public use or public utilities use as applicable;
5. Subject to the provision of fire hydrants as required by the local fire protection agency;
6. Subject to a drainage and erosion control plan prepared by a registered civil engineer and approval by the El Dorado County Public Works Department;
7. Subject to the El Dorado County Resource Conservation District letter of June 8, 1976, regarding erosion control;
8. Subject to the provision of a public water supply;
9. Subject to the front yard setbacks agreed to by the developer in the letter of September 16, 1976, to be implemented with the deed restrictions, and
10. Subject to the requirements of the California Valley Water Quality Control Board (CVWQCB).

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46-1211
George T. and M. Arlene Straza submitted a Notice on Non-Renewal of their Williamson Act Contract for Agricultural Preserve No. 211.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Notice of Non-Renewal was accepted, and the Clerk was requested to ascertain that said document was recorded in the official records of El Dorado County.

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There being no further business, the Board adjourned to Tuesday, January 4, 1977, at 9:30 a.m.

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

By:

Carl A. Kelly
Deputy

APPROVED:

Paul H. Kove
Chairman