

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 8, 1977

The Board convened in regular meeting. Present: Supervisors Arliene Todd, William V. D. Johnson, W. P. Walker, Lloyd R. Kutter, and Thomas L. Stewart. Also present: Ann R. Macy, Board of Supervisors Clerk. Chairman Johnson presided.

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12.7 The Invocation was offered by Reverend Harrold McFarland, First Christian Church.

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The Pledge of Allegiance to the Flag was led by Amelia McAnnally, County Auditor/Controller.

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The Chairman presented a plaque from the Board of Supervisors to Minor Miller in grateful appreciation for his efforts in supervising the move "without a hitch" of the County Office Center from Cold Springs Road to the new Government Center on Fair Lane.

The Chairman also had available a plaque for retiring employee, Charlie S. Grossman, Highway Maintenance Man II, Department of Public Works, after 28 years of service with El Dorado County. Mr. Grossman, however, was not present.

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The Agenda was adopted, including three additions, on motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried.

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The Minutes of February 28; March 1; and March 2, 1977, were approved as submitted, on motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried.

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GENERAL ORDERS

On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried, Item 3 of the Consent Calendar matters was removed, and the balance of the "consent" items were considered and the recommendations were approved as follows:

28 Warrant Register Claims for El Dorado County were approved and allowed for payment.

111 Budget Transfers were approved as follows:

| <u>DECREASE</u> | <u>INCREASE</u> | <u>AMOUNT</u> | <u>PURPOSE</u> |
|---|--------------------|---------------|------------------------------|
| <u>County Library, Budget Transfer No. 58</u> | | | |
| 92-1010 Reg. Employees | 92-1020 Extra Help | \$9,500.00 | Short of money in Extra Help |

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|--|------------------------|----------|--|
| <u>Recreation & Historical Museum - Budget Transfer No. 75</u> | | | |
| 92-2180 Prof. Services | 92-2200 Rents & Leases | \$100.00 | To rent trailer to pick up & deliver artifacts |

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| <u>**DECREASE</u> | <u>INCREASE</u> | <u>AMOUNT</u> | <u>PURPOSE</u> |
|---|------------------------|---------------|--|
| Building Department, Budget Transfer No. 74 | | | |
| 92-2120 Maint. Equipment | 92-2180 Prof. Services | \$414.00 | To cover expenditure for Cameron Park Shopping Center plan check |

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132
**On motion of Supervisor Kutter, seconded by Supervisor Stewart, and unanimously carried, the Building Department was requested to revise their policy to allow collection of fees for plan checks at the time building permits are taken out.

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151-18
The following resolutions were adopted, as submitted by the County Collection Department, for the Recovery of County Funds Paid Out:
RESOLUTION NO. 46-77 (pertaining to Mental Health Department); RESOLUTION NO. 47-77 (pertaining to County Ambulance Service Area No. 7); RESOLUTION NO. 48-77 (pertaining to Welfare Department); RESOLUTION NO. 49-77 (pertaining to County Clerk (Elections Dept.)).

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151
The Board adopted RESOLUTION NO. 50-77 Discharging Unpaid County Welfare Accounts (Alter - Zarske).

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247
The Chairman was authorized to execute Release of Lien discharging all property encumbered by the Agreement to Reimburse County for Public Assistance rendered John Dilly, as recorded in Volume 1000, Page 743, of Official Records of El Dorado County.

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46
#220
Board set hearing for March 22, 1977, at 2:00 p.m. to consider establishment of Agricultural Preserve No. 220, in the Camino area, consisting of 67.03 acres, petitioned by Kenneth G. and Virginia L. Sloan, and Angus J. and Virginia M. Sloan.

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46
#321
Board set hearing for March 22, 1977, at 2:00 p.m. to consider establishment of Agricultural Preserve No. 221, in the Apple Hill area, consisting of 54.37 acres, petitioned by Bert Marchini.

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110-2-77
The Board then considered item 3 of the consent calendar matters; being the request of the Assistant Director of Public Works that the Board set a public hearing on the abandonment of a portion of Kyburz Dump Road No. 165, and on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the matter was removed from the Agenda until negotiations between the South Tahoe Refuse Company and the U. S. Forest Service regarding said dump site, are consummated, and then the subject is to come back before the Board.

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74-83(2)
On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried, the Board accepted the Architect's gift offer of work on the atrium in Building "B", County Government Center, Placerville.

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214-1
On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried, the Board directed that the El Dorado County Board of Education be advised that the County, upon learning that the Board of Education's building construction grant application had not been approved, made alterations to the site plan for the new County Library, and that they can no longer accommodate them on the Government Center site, and request that they meet with the Board of Supervisors at 9:00 a.m. on March 15, 1977.

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(12-6)
178
County Clerk/Clerk of the Board submitted a request for authorization to destroy certain records and related documents which are two or more years old, pursuant to Government Code 26202.

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

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341-1
Agricultural Commissioner submitted for the Chairman's signature, Agreements with Placer and Amador Counties for use of El Dorado County's weights and measures truck, for Fiscal Year 1976-77, in the amount of \$650.00 for Amador County, and \$1,350.00 for Placer County.

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

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144
Treasurer/Tax Collector submitted a letter requesting a resolution be adopted authorizing deposit and withdrawal of County monies in the Local Agency Investment Fund in the State Treasury for investment purposes, pursuant to Government Code Section 16429.1.

On motion of Supervisor Stewart, seconded by Supervisor Johnson, and carried by the following vote: Ayes: Supervisors Stewart, Walker, Johnson, and Todd; No: Supervisor Kutter, the request was placed on file.

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119
Auditor/Controller submitted a letter requesting authorization to issue a new warrant in the amount of \$338.38 to Judge Cole for replacement of a "stale dated warrant" from July 25, 1975.

On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried, authorization was granted.

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50-7
On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign Agreement with Voluntary Action of South Lake Tahoe for the operation of the Meals-on-Wheels Program in the South Lake Tahoe area, as requested by the Executive Director, Community Action Council.

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51-1
On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried, the Chairman was authorized to sign Statement of CSA Grant in the amount of \$7,300.00 for the Energy Conservation Program for the period March 1, 1977, through February 28, 1978, as requested by the Executive Director, Community Action Council.

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(74-2)
Assistant to the Board submitted for approval, the revised parking plan for the rear of the Courthouse in Placerville to utilize additional spaces relinquished by the City.

On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried, the Plan was approved.

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(111-10)
74-4
Assistant to the Board submitted a list of fixed assets remaining at the old County Office Center on Cold Springs Road, and requested that said list be declared surplus in order that the items may be disposed of according to County Ordinance. Also submitted with said list, were three requests for certain items from: the Placerville Union School District; the Placerville Runaway Youth Services; and the City of South Lake Tahoe.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the list was declared surplus, as requested. In a separate motion by Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board approved the Placerville Union School District's request for the podium in the Board of Supervisors Chambers on Cold Springs Road.

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336
President, Tahoe Shorezone Representation, requesting a resolution be adopted supporting their stand in opposition to the State Lands Commission's claim to lands between the low and high water marks of Lake Tahoe.

The motion of Supervisor Kutter, seconded by Supervisor Todd, to request County Counsel to secure copies of the legal memoranda offered by the Tahoe Shorezone Representation, and to make inquiries to the Attorney General's Office as to their reasons for proclaiming the high water mark as the boundary, and to request County Counsel to report to the Board in three weeks, was not carried by reason of the following vote: Ayes: Supervisors Kutter and Todd; Noes: Supervisors Stewart, Walker, and Johnson.

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On motion of Supervisor Johnson, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Stewart, Walker, and Johnson; Noes: Supervisors Kutter and Todd, County Counsel was given the draft letter of opposition to be addressed to the State legislators representing this County, as prepared by Darrel Pierce (who was present and spoke at length on the subject), and County Counsel was instructed to research the matter and bring the letter back to the Board for action on March 15, 1977.

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On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried, the request by the Assistant to the Board on the direction on use of the remaining Anti-Recessionary funds in the amount of \$229,042.00, was continued to March 22, 1977.

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Board considered the request of the City of South Lake Tahoe requesting modification to the deed restrictions contained in the Grant Deed conveying certain compground acreage from the County to the City, in order to allow construction of a commercial ice rink. (Continued from 3/1/87)

City Manager Milbrodt; Recreation Director, Keith Gottschalk; and Mr. H. Neville who has submitted the ice rink proposal were all present to answer questions of the Board members.

Supervisor Stewart moved to approve the modification to the deed restrictions as proposed by the City of South Lake Tahoe. The motion died for lack of a second.

The Chairman called for any further action by the Board members. There was none.

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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 Stewart, seconded by Supervisor Walker, and unanimously carried, the following assessment roll changes were approved as presented:

Payless Drug Stores, Nos. 8011 and 8012
Gustavo Diaz Ordaz, No. 6361

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Recreation and Parks Director, City of South Lake Tahoe, submitted a letter requesting approval to use Senate Bill 325 Transportation Funds in the amount of \$19,800.00 for construction of a bicycle trail on the outside perimeter of the El Dorado County Campground, South Lake Tahoe. (Continued)

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On motion of Supervisor Stewart, seconded by Supervisor Johnson, and carried by the following vote: Ayes: Supervisors Stewart, Johnson, and Todd; Noes: Supervisors Kutter and Walker, the request was approved, and County Counsel was requested to draw a document authorizing the crossing of five acres in the southwest corner of the campground, and said document is to contain a "hold harmless" clause.

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25-17(u)
(55-17(c))
On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried, the request of Joseph V. Flynn that the Board request a full hearing from the State Department of Transportation on the proposed relocation of Highway 49, was continued to March 22, 1977.

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32-11
The Board again considered the request of the Sacramento Safety Council for a contribution in the amount of \$18,000.00, as El Dorado County's share of the construction of the Safety Center in Sacramento. (Continued from 2/22/77)

The Board recieved a report from the El Dorado County Safety Committee to the effect that it was a majority opinion of the Safety Committee that the County should not participate in the proposed program at this time.

Mr. Kenneth Brown, Executive Vice President of said Safety Council, was present, and reiterated the value of the Center to the participating counties.

Supervisor Stewart, seconded by Supervisor Todd, moved to support the program in the amount of \$18,000.00, with the monies to come from the Contingency Fund. The motion failed to carry by reason of the following vote: Ayes: Supervisors Stewart, Kutter, and Todd; Noes: Supervisors Walker and Johnson. (Taking money from the Contingency Fund requires a 4/5th's vote of the Board).

On motion of Supervisor Kutter, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Stewart, Kutter, and Todd; Noes: Supervisors Walker and Johnson, the Board declared their intent to consider this matter during their budget session.

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SPECIAL ORDERS

PLANNING MATTERS

285-13-77
341-92
Supervisor Stewart was not present for the first two Planning Hearings. Hearing was held as duly advertised on the rezoning of lands in the Diamond Springs area from Unclassified to Industrial, consisting of 8.81 acres, petitioned by James Bradley. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:
(Continued)

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1. The proposal is in compliance with the existing General Plan;
2. Adjacent to Indistiral zoning on three sides and Highway 49 on the fourth, and;
3. The location is suitable for the land use proposed and does not conflict with the surrounding area.

There were no protests, and the Hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Board concurred in the Planning Commission's findings; the rezoning was approved; and ORDINANCE NO. 1761 Amending the El Dorado County Zoning Ordinance accordingly, was adopted.

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285-14-77
390-92
Hearing was held as duly advertised on the rezoning of lands in the Placerville area from Agricultural to Single Family One Acre Residential zone consisting of 12 acres, petitioned by Robert D. Simpson. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The property is adjacent to and within an area of one acre zoning minimums and existing parcel sizes, land can be a logical extension of lthose zonings and uses;
2. The property can be served with public water, public road and structural fire protection; and,
3. The proposal is in compliance with the existing General Plan.

One letter was received in favor of the rezoning from Betty L. Rotter.

On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried by those present, the Board concurred in the Planning Commission's findings; the rezoning was approved; and ORDINANCE NO. 1762 Amending the El Dorado County Zoning Ordinance accordingly, was adopted.

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285-15-77
390-92
Supervisor Stewart arrived as the vote was being taken on the following rezoning hearing.

Hearing was held as duly advertised on the rezoning of lands in the Greenstone area from Agricultural to Estate Residential Five Acre zone, consisting of 33 acres, petitioned by Arthur Speeza. Planning Commission recommended approval, and the Planning Director enumerated the findings of the Commission as follows:

1. The proposal conforms to the General Plan;
2. The property is in the proximity of RE, Estate Residential; MP, Mobilehome Park; and R1A, One Acre Residential zones; and
3. Adequate services can be provided as follows: Water - El Dorado Irrigation District; Fire - Diamond Springs Fire Department; Sewage Disposal - septic tanks; and, road access.

There were no protests and the Hearing was closed.
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On motion of Supervisor Walker, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisors Kutter, Walker, Johnson, and Todd; Abstain: Supervisor Stewart (who arrived just prior to the vote), the Board concurred in the findings of the Planning Commission; the rezoning was approved; and ORDINANCE NO. 1763 Amending the El Dorado County Zoning Ordinance accordingly, was adopted.

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235-12-77
Hearing was held as duly advertised on the rezoning of lands in the Cool area from Agricultural to Two Acre Single Family Residential, consisting of 5.86 acres, petitioned by Henry Dreith. Planning Commission recommended denial, and the Planning Director enumerated the following findings of the Planning Commission:

1. The proposal is surrounded by Agricultural and Exclusive Agricultural zoned property, and high density zoning immediately adjacent to agricultural operations are not compatible;
2. The proposal would represent a spot zoning;
3. An on-site evaluation by the Health Department found the property to be marshy and thus marginal for building sites.

The Chairman requested that the record reflect that the applicant was not present.

There were no protests, and the Hearing was closed.

On motion of Supervisor Kutter, seconded by Supervisor Stewart, and unanimously carried, the Board upheld the Planning Commission and their findings in this matter, and the rezoning was denied.

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235-17-77
Hearing was held as duly advertised on the rezoning of lands in the El Dorado "Y" area from Agricultural to Industrial, consisting of 43.82 acres, petitioned by R. V. Nielsen and Sons, and Robert Reeder. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The proposal represents a logical extension of a highly developed industrial area;
2. The proposal is in conformance with the General Plan; and,
3. Adequate services can be provided as follows: Water - El Dorado Irrigation District; Sewage Disposal - septic system; Fire Protection - El Dorado Fire District; and, Access - public roads on two sides.

Those present and opposed to the rezoning were: Robert Klepper; Betsy Sheridan -- also opposing for and on behalf of Messrs. Mosk (?) and Sanders; Ron Short; Joe Carlin; Janice Standridge; and Warren Free. Mr. Joe Harrison was present and concerned with water, although he spoke neither for nor against the rezoning. There were no other protests, and the Hearing was closed.

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Supervisor Walker expressed concern that so many people were present and opposed to the rezoning, but these same people were not at the Planning Commission Hearing.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the decision on the Hearing was continued to March 22, 1977.

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*(110-1-77)
423
1/27/77
82*
Hearing was held as duly advertised to consider the abandonment of an existing drainage easement, and relocation and dedication of said easement in the Sierra Springs Unit No. 2. There were no protests, and the Hearing was closed.

On motion of Supervisor Kutter, seconded by Supervisor Todd, and unanimously carried, the Board approved the abandonment, and the relocation and dedication of said easement, and RESOLUTION NO. 51-77 was adopted accordingly.

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282-3-77
Public Hearing having been held and closed on February 22, 1977, on the Appeal filed by Michael Fitzpatrick on the Planning Commission's granting of a Special Use Permit for construction of a church building with activity/recreational facilities on the northeast intersection of Cold Springs and Andler Roads, Placerville, the Board considered a letter from the Department of Public Works pertaining to the adequacy of Andler and Cold Springs Roads for use as an access to a church building. Said letter recommended that if a church were built, a roadway with a minimum surfaced width of 20 feet should be constructed along with an intersection at Cold Springs Road conforming to the County Standard Plan 103. The Board also considered a letter from Deputy County Counsel pertaining to the easement between the church property and Cold Springs Road, which stated that the Church has a non-exclusive easement which lies along Andler Road and gives the property access to Cold Springs Road.

After consideration, on motion of Supervisor Todd, seconded by Supervisor Kutter, and carried by the following vote: Ayes: Supervisors Stewart, Kutter, and Todd; Noes: Supervisors Walker and Johnson, the Appeal was denied and the Special Use Permit was approved subject to the conditions set forth by the Planning Commission, with the exception of Item 7 which shall ^{be} amended to read that the road is to be paved to a width of 20 feet, with an intersection at Cold Springs Road conforming to the County Standard Plan 103.

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57
On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried, the Board continued the Planning Director's request for approval of the hydrogeological mapping contract with George Wheeldon for the Lotus-Coloma Area Plan, to March 15, 1977.

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424
At the recommendation of the Planning Director, on motion of Supervisor Kutter, seconded by Supervisor Stewart, and unanimously carried, the Board rejected the Offer of Dedication of road to public use on Parcel Map P75-175 --(a parcel map creating 11 parcels consisting of 40 acres or more each in the Cool area) at this time, and directed that it be held in abeyance and that County Counsel be instructed to prepare a suitable document indicating this rejection, for recording with the Offer of Dedication.

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115
By motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried, the Board earlier in this meeting, tabled the request submitted by the Personnel Officer from the Volunteer Action of South Lake Tahoe's four employees to participate in the County's Health Benefit Plan.

The Board, at this time, again considered the above-mentioned matter, and on motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried, the Assistant to the Board was requested to prepare a choice of options regarding personnel of agencies outside the County participating in the County health and retirement plans, for the Board to consider in response to this request.

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18
A communication was received from the Georgetown Aviation Service requesting authorization to install a food and drink concession at the Georgetown Airport.

On motion of Supervisor Kutter, and seconded by Supervisor Stewart, and unanimously carried, the matter was referred to the Georgetown Advisory Committee, and continued to April 5, 1977.

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114-1
Purchasing Agent submitted a request for authorization to purchase a pick-up for Public Works, as per bid previously awarded to Ken Collins Motors, in the amount of \$4,661.63

On motion of Supervisor Walker, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisors Stewart, Walker, Johnson, and Todd; No: Supervisor Kutter, the request was approved.

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114-10
Purchasing Agent submitted Agricultural Commissioner's request that 1974 Toyota Landcruiser declared surplus by the Surveyor's Office be transferred to Service Area III, together with two vehicles being declared surplus by the Agricultural Commissioner, as replacement of Service Area III's present two vehicles, which are to be declared surplus.

(Continued)

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

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201 Assistant to the Board submitted departmental responses to the Contract Audit Report for Fiscal Year 1975-76, submitted by Ernst & Ernst.

On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried, the reponses were placed on file.

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22-10A On motion of Supervisor Johnson, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Stewart, Kutter, Johnson, and Todd; No: Supervisor Walker, the Board appointed Supervisor Walker as their alternate representative to the Board of Directors, Sierra Sacramento Valley Emergency Medical Services System.

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30-4a
35-4a At the request of Supervisor Johnson, District II, the Board informally continued to April 5, 1977, nominations for appointments from District II to the Alcoholism Advisory Board, and to the Drug Abuse Advisory Board.

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189 Executive Officer, Local Agency Formation Commission, submitted a letter requesting the appointment of an Alternate from the Board of Supervisors to the Commission (LAFCO), as well as an Alternate to the Local Transportation Commission.

340 On motion of Supervisor Johnson, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Stewart, Walker, and Johnson; Abstain: Supervisor Kutter; No: Supervisor Todd, the Board appointed Supervisor Todd as Alternate to LAFCO; and Supervisor Kutter as Alternate to the Local Transportation Commission.

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50-4
354 Chairman, Alcoholism Advisory Board, submitted letter requesting the Board advise appropriate legislators of their opposition to cutbacks in all National Institute of Alcoholism and Alcoholic Abuse grant projects. (Continued from 3/1/77)

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

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(35-7)
2/24/77
Camino Heights Community Services, Inc., submitted letter requesting support in assuring that land already acquired for Camino Heights Drive interchange at Highway 50 is retained, and that the interchange remains in the State Department of Transportation's plans for future construction.

On motion of Supervisor Kutter, seconded by Supervisor Stewart, and unanimously carried, the Board supported the request, and directed that a letter reflecting this position be sent to the State Department of Transportation, with copies to Assemblyman Waters and Senator Garamendi.

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22-6
Lake Tahoe Humane Society submitted a letter requesting funds in the amount of \$4,600.00 to cover a deficit through the end of the 1976-77 fiscal year.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the request was approved, with said amount to be taken from the Contingency Fund. (See Budget Transfer No. 81)

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32-9
On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board commented favorably on Sierra Planning Organization's request for comments on their application for grant in the amount of \$44,000.00 to continue their Areawide Comprehensive Plan.

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74-29
117
On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried, the Board approved the budget for the County Government Center dedication ceremonies, as submitted including the Optional, and directed that \$2500.00 be taken from the Contingency Fund therefor, and further instructed that the expenditures must be cleared through the Assistant to the Board. (See Fund Transfer No. 83)

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(144)
44-38
On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried, the Board directed that the Treasurer/Tax Collector's request for review of the excessive vibration and noise in the office of the Chief Deputy Tax Collector be referred to the Architect, Jack Nopp.

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There being no further business, the Board adjourned to Tuesday, March 22, 1977, at 10:00 a.m.

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

APPROVED: William W. Johnson
Chairman

By: Carl A. Kelly
Deputy