

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 5, 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 Supervisor Kutter.

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

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

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The Minutes of June 13, June 21, and June 24, 1977, were approved as submitted, on motion of Supervisor Todd, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Stewart, Kutter, Johnson, and Todd; Abstain: Supervisor Walker.

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On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried, the following "Consent Calendar" matters were considered and acted upon as follows:

58-8 The Board approved an Assignment to the Credit Bureau of El Dorado County from the Collection Department for a claim against Monica Gaschler.

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247 Chairman was authorized to execute Release of Lien discharging all property encumbered by the Agreement to Reimburse County for Public Assistance rendered Sandra Anderson and Alfreda Anderson, as recorded in Volume 1360, Page 781, of Official Records of El Dorado County.

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50 At the recommendation of County Counsel, the Board denied a Claim submitted by Attorney Eugene Rippen on behalf of Rodney A. Scholl for personal injuries in the amount of \$711,000.00.

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114-3 Board approved the specifications and authorized advertising for bid opening on July 11, 1977, with award by the Board on July 26, 1977, for Bid No. 879 - Transfer Cut Back Asphalt Mix for Public Works Department.

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71-10-
Airports Director recommended that the Chairman be authorized to sign an Advertising Space Lease with Advertising Insurance Real Estate Corporation (AIR) for space in the Lake Tahoe Airport Terminal Building at a yearly rental of \$1,069.00, less a 15% commission charge to AIR: wall space being approximately 6'8½" x 4'4½".

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

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214-1
Chief Probation Officer submitted letter requesting the Chairman be authorized to sign a contract with Fouts Springs Boys Camp for placement of Court wards in the amount of \$720.00 per month per commitment, and also with Placer County Juvenile Treatment Center for juvenile Court wards in the amount of \$605.00 per month per commitment.

On motion of Supervisor Kutter seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign the contract with Placer County for their Juvenile Treatment Center, but the Contract with Fouts Springs Boys Camp was continued to July 19, 1977, for approval.

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214-1
Chief Probation Officer submitted letter recommending the Chairman be authorized to sign Agreements with the California Youth Authority for both Juvenile and Criminal Court placements, for diagnostic and treatment services and temporary detention in facilities of the Department of Youth Authority, each at a cost of \$1,410.00 per month, for Fiscal Year 1977-78.

On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried, the contracts were approved, and RESOLUTION NO. 147-77 was adopted authorizing the Chairman to sign the contract for Criminal Court Placements, and RESOLUTION NO. 148-77 was adopted authorizing the Chairman to sign the contract for Juvenile Court Placements.

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83-36
Board considered the request of Mr. Harvey Neville to amend their motion of May 31, 1977, regarding construction of an ice rink on the County Campground property at South Lake Tahoe to allow improvements to be used as security for any loans to build or operate the ice rink. (Continued from 6/21/77)

The motion of Supervisor Stewart, seconded by Supervisor Kutter, to lift the restriction, thereby allowing the improvements on the property to be used for financial security purposes, was not carried by reason of the following vote: Ayes: Supervisors Stewart and Kutter; Noes: Supervisors Walker, Johnson, and Todd. There was no further action on this matter.

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The Board also considered the letter from the City of South Lake Tahoe (Continued)

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73
(1180)
requesting that the Board consider acquiring 7.4 acres of land adjoining Happy Homestead Cemetery Road and Johnson Boulevard for use by the City to complete construction of its office facilities, thereby allowing the County to utilize the remaining land at the County Center on Johnson Boulevard to construct additional courtroom and office space.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the matter was removed from the Agenda and held for discussion at the Joint Meeting to be held with the City of South Lake Tahoe on August 3, 1977.

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24
Director of Public Works submitted letter requesting determination as to where responsibility lies for the improvement of streets in Kailua Park Subdivision at Lake Tahoe.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board declared that these are local interest roads and any improvements thereon are the responsibility of the property owners, and not the County as a whole.

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(124)
57
Assistant Director of Public Works requested that a resolution be adopted exempting minor acquisitions or abandonments for street widening or alignment projects from submission to the Planning Department for report as to conformity with the County General Plan, as provided in the Government Code, Section 65402.

On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried, the request was approved, and RESOLUTION NO. 149-77 was adopted accordingly.

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233
County Sheriff submitted a letter requesting that the Chairman be authorized to sign a contract with the State Lands Commission for the installation of navigational buoys at Lake Tahoe.

(70)
The motion of Supervisor Stewart, seconded by Supervisor Kutter, to approve the contract and authorize the Chairman to sign, was not carried by reason of the following vote: Ayes: Supervisors Stewart and Kutter; Noes: Supervisors Walker, Johnson, and Todd.

Later in the meeting, Supervisor Stewart requested that the Board reconsider this matter. Supervisor Johnson moved for reconsideration of the matter, and Supervisor Walker seconded the motion, and it was carried by the following vote: Ayes: Supervisors Stewart, Kutter, and Walker; Noes: Supervisors Johnson and Todd.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the matter was continued to July 12, 1977.

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169 Deputy Director, Office of Emergency Services, submitted letter requesting that the Chairman be authorized to sign an Agreement with the State Office of Emergency Services for loan of a 250-KW generator for use in pumping water into Sly Park Reservoir, due to the present drought conditions. There are no funds involved with this Agreement.

On motion of Supervisor Walker, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisors Walker, Johnson, and Todd; Noes: Supervisors Stewart and Kutter, the contract was approved, provided that an Agreement is prepared between the County and El Dorado Irrigation District regarding the use of the generator; said Agreement to be brought back to the Board for approval.

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220 Assistant to the Board submitted a 37-month Agreement with the Foundation for Comprehensive Health Services for an outpatient medical clinic in the old wing of the County Hospital.

On motion of Supervisor Todd, seconded by Supervisor Stewart, and unanimously carried, the matter was continued to July 12, 1977.

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742 Assistant to the Board submitted a letter requesting waiver of formal bidding procedure and authorization to purchase, on a sole source justification, new air conditioning equipment for the Courthouse in Placerville.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the request was approved, and the Board authorized the use of the Board Chambers from July 6 through July 22, 1977, excepting Tuesdays, for Superior Court jury trials.

SPECIAL ORDERS

PLANNING MATTERS

224 1/2 Hearing was held as duly advertised on the rezoning of lands in the Placerville area from One Acre Residential to Recreational Facilities, consisting of 4.8 acres, petitioned by C. Bruce Crawford and Paul Wible. Planning Commission recommended approval and the Planning Director enumerated the following findings of the Commission:

1. The proposal is in accord with the Goals of the El Dorado County General Plan, i.e., "to encourage and promote the advancement of the County in the field of recreation" and "to encourage the provision of a high level of educational, cultural and recreational facilities for all individuals and groups";
2. It is in conformance with the Placerville General Plan of 1974 (the area is designated as Low Density Residential (1 to 7 persons per acre; and,
3. Services can be provided as follows: Water - El Dorado Irrigation District or City of Placerville; Sewage Disposal - Septic Tanks or City Sewer; and, Fire Protection - Placerville Fire Protection District.

(Continued)

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A Petition containing 25 signatures of residents residing on Bedford Avenue opposing the zoning change because of the substandard width of the existing road, and the lack of access in front of said parcel, was received.

The following persons were present and spoke in opposition to the rezoning, primarily due to the substandard width of the road: Mr. Mulligan; Mr. Laird; Mrs. Flecke; and Judge Moore. There were no other protests, and the Hearing was closed.

The Board advised Mr. Crawford and others present that some time ago the City approached the Board with reference to widening Bedford Road, and the requested \$50,000 from the County for their share of the County's portion of the Bedford improvements was agreed to by the Board; however, the matter never developed beyond that point. Therefore, since the County will be meeting with the new City Council of Placerville on July , 1977, the Board, on motion of Supervisor Todd, seconded by Supervisor Stewart, and unanimously carried, the Board's determination of this matter was continued to August 9, 1977. (Upon checking with the Placerville City Council, it was learned that the joint meeting was scheduled for August 30, 1977.)/arm

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Hearing was held as duly advertised on the rezoning of lands in the El Dorado area from Agricultural to Estate Residential Five Acre, consisting of 10 acres, petitioned by Thomas Edson Shinn. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The proposed RE zone would be a direct expansion of an Estate Residential area which is adjacent to the east;
2. Access is by an old established road along a private easement from Mother Lode Drive to beyond the property;
3. Surrounding parcels are partially developed and range from one acre to 40 acres or more; and,
4. Services can be provided as follows: Water - El Dorado Irrigation District; Sewage Disposal - Septic Tanks; and, Fire Protection by the El Dorado Fire District.

Neither Mr. Shinn, nor his representative, were present. There were no opponents, and the Chairman closed the Hearing.

On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried, the Board concurred in the Planning Commission's findings; they found the land to be in conformity with the General Plan; the Negative Declaration was accepted, and the rezoning was approved and adopted by ORDINANCE NO. 1800 which amends the County Zoning Ordinance accordingly.

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Hearing was held as duly advertised to consider rezoning of lands in the Somerset area from Agricultural to Estate Residential Five Acres, consisting of 15.5 acres petitioned by Dennis W. Cheney. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The property is in close proximity to a commercial area and across the road from an R1A zoned area;
2. The slope of 60% of the property ranges from 0% to 20%, providing the ability to develop into smaller parcels;
3. Access is directly onto Perry Creek Road (County maintained road); and,
4. Adequate services can be provided as follows: Water - wells; Sewage Disposal - septic tanks; and, Fire Protection - Pioneer Volunteer Fire District.

The following residents of the area were present and spoke in opposition to the rezoning request, primarily due to the lack of water, and also, according to Brian Fitzpatrick, the slope being 20-30% in much of the area: Mrs. Raymond Poust; Janet A. Barrett; Mrs. Rex Stead; and Brian Fitzpatrick.

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

After consideration, the Board on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, denied the rezoning based upon findings that it would constitute "spot zoning", and the desire of the residents of the area that there be nothing less than 10-acre zoning.

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Deputy County Counsel submitted Ordinance amending the Minor Land Division Ordinance; said Ordinance amending Ordinance 1784 (original Minor Land Division Ordinance).

On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried, the Board added: ". . . and in the lower right-hand corner of the Map." to Section 9629 B., and the words "Planning Director or Planning Commission" for insertion in the blank space provided on the 10th line from bottom of Page 3, and the amended Ordinance was continued to July 12, 1977, for adoption.

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Hearing was held as duly advertised on the request of E. W. and Nancy L. Bolster for the removal of 20 acres from their 67-acres presently under Agricultural Preserve No. 207.

The Agricultural Commission recommended denial of the request based on the Ordinance Code Sec. 9415.5(c) (2) which states that no land division can be made on AE zoned property under the Williamson Act Contract unless both parcels independently meet the criteria for AE preserves -- and the 20-acre parcel does not meet 3 of the 4 criteria for an agricultural preserve.
(Continued)

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The County Assessor submitted a letter stating that it had been determined that the full cash value of the parcel, free of contractual restrictions, would be \$20,000.00; that the cancellation valuation of said land is \$5,000.00 -- the cancellation fee being 50%, or \$2,500.00.

Planning Commission recommended approval of the request for cancellation, for the following reasons:

1. The 20-acre parcel was not intended to be included in the original contract **application**;
2. It is not part of the existing orchard and according to reports submitted, not feasible for orchard production;
3. The cancellation would be consistent with the adopted County General Plan;
4. The cancellation is in the public interest; and,
5. The land is not necessary for the continued production of food and fiber in the County.

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

On motion of Supervisor Kutter, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Stewart, Kutter, Walker; and Todd; Abstain: Supervisor Johnson (owns property in that area), the Board concurred with the Planning Commission's findings and authorized the removal of the requested 20-acres from Agricultural Preserve No. 207, and the Chairman was authorized to sign a Certificate of Cancellation.

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747
The time being 3:30 p.m., the Board considered the only offer received on the proposed sale of the former County Office Center building at 2850 Cold Springs Road, Placerville: the Offer received from Kenneth G. Wilkinson being a proposal for an exchange of lands consisting of 112 acres which may be selected from a 275-acre tract in the Shingle Springs area; and also included in the offer was another 20 acres to be used for recreational purposes; said 20 acres being reflected as a specific parcel on a map enclosed with the offer.

On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried, the Board continued their decision on the offer to an Adjourned Meeting of the Board at 3:30 p.m. on July 12, 1977, and the County Assessor was requested to prepare an appraisal of the market value of the land offered and present it to the Board no later than 3:00 p.m. on July 12, 1977.

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737
Hearing was held to consider the Appeal filed by Gail Wilson on the Planning Commission's granting of a Special Use Permit to Larry Goulden for placement of a mobilehome on 20 acres; 2½ miles north of Highway 50; on the east side of Shingle Springs Drive, Shingle Springs area.
(Continued)

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The Planning Commission approved Special Use Permit 77-57 for the following reasons: (1) It is in compliance with the RE-10, Estate Residential Ten Acre zoning which allows for mobilehomes; and, (2) The mobilehome site is located in a meadow, buffered by live oak.

Two letters were received in opposition to the granting of the Special Use Permit from: J. M. Yeilding, and from Mrs. Nola Johnson.

Gail Wilson, Appellant, was present and stated she objected to mobilehomes in general because she felt they were "tacky", and that she was hopeful that growth in the area would be in single family dwellings since they hold the property values. She also stated that by allowing one mobilehome in the area, that it would lead the way to further proliferation of mobilehomes in the RE-10 zone.

Also present and opposed to the Special Use Permit were: Mrs. Bourne; William Brown; Mrs. George Stevenson; Bernard Berarsker (?); Mrs. Joseph Geares; Mrs. Larry Goulden; and Cris Protrackes (?).

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

On motion of Supervisor Kutter, seconded by Supervisor Todd, and unanimously carried, the Board upheld the Planning Commission's decision to approve the Special Use Permit 77-57, and the Appeal was thereby denied.

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At the recommendation of the Planning Commission, on motion of Supervisor Todd, seconded by Supervisor Walker, and unanimously carried, the Board approved the Tentative Map of Lake Ridge Oaks Subdivision; Subdivider: Centennial Investment Group; 40.18 acres, 48 residential lots, 1 open space; El Dorado Hills area, subject to the following conditions:

1. Approval of construction drawings and specifications by the Director of Public Works prior to proceeding with any subdivision work;
2. Completion of road improvements, lot accesses, drainage monuments in accordance with the requirements of the Department of Public Works, Health Department, County Surveyor and the El Dorado County Minor Land Division Ordinance;
3. Subject to a homeowners association being formed to maintain open space or areas designated as common area (for review by County Counsel);
4. Subject to annexation or guarantee of fire protection by the El Dorado Hills County Water District; approved by LAFCO if necessary;
5. Subject to fire plug location being acceptable to the El Dorado Hills County Water District;
6. Subject to the fire station lot as proposed, being removed and the area being combined with the lot to the east;
7. Final map not to be approved until zoning variances required on lot frontage, areas and setbacks, are approved;
8. Conditions requested by El Dorado County Resource Conservation District (Note: the applicant must provide a letter from the El Dorado County Resource Conservation District indicating that the District's conditions have been met.)

(Continued)

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- a. All cuts and fills will be no steeper than 2:1 except in rock material.
 - b. All slopes should be revegetated with Blando Brome at 18 lbs./acre with 500-lbs. per acre of 16-20-0 fertilizer applied at the time of establishment.
 - c. Time major earth moving so that revegetation may be accomplished prior to effective rainfall.
 - d. In areas where revegetation will ultimately occur, topsoil should be removed and stockpiled. This will aid revegetation.
 - e. All culverts should be properly sized and protected. This may be done with rock rip rap or similar material placed at culvert inlets and outlets.
 - f. Roadside gutters should be rock or asphalt lined to prevent erosion.
 - g. Proper drainage should be provided for from cul-de-sacs as shown on the map. Drainage appears to be collected at the end of each cul-de-sac.
 - h. Erosion hazard of these soils in the steeper areas is high. This should be planned for during all stages of development.
9. Conditions requested by the El Dorado Irrigation District:
- a. Subject to annexation to Improvement District #137-S for domestic sewer septic tank effluent collections.
 - b. Easements being reserved for future full sewage system.
 - c. The existing water storage tank to be removed, but pipe easement to it must remain.

Note: Zoning was recommended for approval to the Board of Supervisors from A, Agricultural to R1, One Family Residential and OS, Open Space zones, to become effective at the time of recording the final map.

Note: The zoning proposal will be forwarded to the Board upon receiving legal description outlining areas of each zone district.

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El Dorado Ranch Company submitted for approval an irrevocable offer of dedication of roads for their Parcel Map No. 76-222.

424
On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried, the Board consented to the Offer of Dedication and at the same time rejected said Offer, reserving the right to accept Offer at any time, and the Chairman was authorized to sign said document.

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721
Planning Director submitted a letter recommending that the Board require an irrevocable offer of dedication to the public of roads connecting the Bureau of Land Management lands to Latrobe Road, and offer the balance for public service use for roads outlined in Parcel Map P76-259 for Bruce Bartleson.

On motion of Supervisor Todd, seconded by Supervisor Stewart, and unanimously carried, the Board accepted the Offer of Dedication; however, the Board rejected said offer, reserving the right to accept the offer at any time, and the Chairman was authorized to sign said document.

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423
Green Springs Ranch Unit No. 2
At the recommendation of the Planning Commission, on motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried, the Board approved the request of Green Springs Ranch Unit No. 2 for a variance to the maximum of 5% gradient at the intersections of Homestead and Dormity Roads, and Homestead and Carl Roads.

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423
Auburn Lake Trails Unit No. 5
Project Manager, Auburn Lake Trails Unit No. 5, submitted letter requesting approval of a correction of a fire access easement shown on said Subdivision's Final Map, relating to Lots 1427 and 1428.

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

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GENERAL ORDERS

320
At the recommendation of the Assistant to the Board, on motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried, the Chairman was authorized to sign a Maintenance Agreement with Bell and Howell Company for upkeep of the Planetary Camera (microfilming machine) at an annual cost of \$326.00.

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124-1
117
At the recommendation of the Assistant to the Board, on motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried, the Board approved the purchase by the Department of Public Works of a moisture density gauge, on a sole source justification, in the net amount of \$2,815.00. (See Budget Transfer No. 159)

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144
On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Audit Report on the 1911 Bond Debt Service Fund, as of April 30, 1977, submitted by Bartig, Basler & Ray, was acknowledged and placed on file.

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Purchasing Agent submitted results of bid openings for the following:

Bid No. 873 - Transfer Slurry Seal Aggregate for Public Works Department; bids having been received from J. M. Lentz, Inc., Meadow Vista; Henningsen & Sons, Placerville; and Reno Zandonella, Placerville.

114-3
Bid No. 874 - Transfer Aggregate Chips for Public Works Department; bids having been received from J. M. Lentz, Inc., Meadow Vista; Henningsen & Sons, Placerville; and Reno Zandonella, Placerville.

Bid No. 876 - Crushed Rock for Public Works Department, South Lake Tahoe Hot Plant; bids having been received from: Nevada Western Concrete, Carson City, Nevada; Bing Materials, Minden, Nevada; and Teichert Aggregates, Sacramento.

(Continued)

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On motion of Supervisor Stewart, seconded by Supervisor Walker and unanimously carried, Bid No. 873 was awarded to low bidder, J. M. Lentz, Inc., Meadow Vista, in the amount of \$5,160.00; Bid No. 874 was awarded to low bidder, J. M. Lentz, Meadow Vista, in the amount of \$31,674.40; and Bid No. 876 was continued for award to July 12, 1977.

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Communication was received from the El Dorado Irrigation District requesting a 20' x 20' easement in the northeast corner of Shingle Springs Plaza Park in connection with the underground sewage pump station which was approved by the Board on June 21, 1977.

303 On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board authorized the Chairman to sign a Grant of Easement, as requested.

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(70) Tahoe Regional Planning Agency submitted letter requesting payment of El Dorado County's share of financial support of said Agency for Fiscal Year 1977-78 in the amount of \$63,449.62.

213 On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the matter was continued until after the Budget is adopted.

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73-1 Lake Tahoe Resource Conservation and Development Council submitted letter requesting approval of their Constitution; ByLaws; and their 15-month Operational Budget commencing July 1, 1977, which commits the County to its proportionate contribution of \$361.50.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board approved the Constitution; the ByLaws; and the Budget, and authorized said contribution from the Board of Supervisors' budget.

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Proper notice having been sent, hearing was held on escaped assessment for El Dorado Veneer Products Division of Golden State Building Products; Nos. 8035 and 8036.

2980 On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board approved Nos. 8035 and 8036 for placement on the assessment rolls.

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72-7
14-39
On motion of Supervisor Stewart, seconded by Supervisor Walker, and
unanimously carried, the Board introduced the Ordinance pertaining to the
Salaries of the Board of Supervisors, and continued said ordinance for
adoption to July 12, 1977, and also, the Board scheduled the Memorandum
of Agreement with the County Department Heads, together with its enabling
Resolution, for the July 12, 1977 Agenda.

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There being no further business, the Board adjourned to Tuesday, July 12,
1977, at 10:00 a.m.

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

By: Gene R. Macy
Deputy

APPROVED: William W. Johnson
Chairman