

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES October 11, 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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The Pledge of Allegiance to the Flag was led by County Auditor/Controller, Amelia McAnnally.

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

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The Minutes of September 27, 1977, and October 4, 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 Walker, seconded by Supervisor Kutter, and unanimously carried, the following "Consent Calendar" matters were considered and acted upon as follows:

28
Warrant Register Claims for El Dorado County and the Communtiy Action Council Claims were approved and allowed for payment.
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247
The Chairman was authorized to sign Releases of Lien discharging all property encumbered by the Agreements to Reimburse County for Public Assistance as recorded in the Official Records of El Dorado County as follows:

<u>Name</u>	<u>Volume and Page</u>	
Adeline M. Harris	1051	406
Adeline Harris	418	333
Mardelle Darnell	1533	200

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58
At the recommendation of County Counsel, the Board denied the Claim submitted by Attorney Alexander Anolik on behalf of Eli Dari for personal injuries in the amount of \$1,500,000.00.

* * * *

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58-1 At the recommendation of County Counsel, the Board denied the Claim submitted by the California State Automobile Association on behalf of William Bennett for property damages in the amount of \$9,000.00.

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The Board informally continued the Architect's proposal for a new ceiling and insulation for the Public Works Office building to October 18, 1977.

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21 At the request of the Airports Director, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Chairman was authorized to sign the updated Airport Layout Plan for the Lake Tahoe Airport.

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14 Airports Director submitted letter requesting authorization to purchase a Visual Approach Slope Indicator as a landing aid for the Georgetown Airport, and requesting approval of budget transfer to cover the approximate cost of \$425.00.

117 On motion of Supervisor Kutter, seconded by Supervisor Todd, and unanimously carried, the request was approved, and the Board approved the budget transfer for 190 Airport Enterprise -Decreasing 92-3360 Structures and Improvmts. by \$500.00 and Increasing 92-3370 Fixed Amounts in the same amount (Budget Transfer No. 43).

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20 Airports Director submitted letter recommending a settlement in the amount of \$233.26 for damages to the Placerville Airport runway on April 26, 1977, and requesting the Chairman be authorized to sign a Release of All Claims form against Flood Flying Service for said damages.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board approved the settlement and the Chairman was authorized to sign the form, as requested.

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Airports Director submitted for the Chairman's signature, Advertising Space Leases with:

- 21-80 a. Mr. Joe Thieman of Miss Tahoe Cruises for space in the Lake Tahoe Airport Terminal Building, at a cost of \$480.00 per year (approximately 3' x 4').
- 21-80 b. The Blue Jay Motor Lodge for approximately 4 square feet of space in the Lake Tahoe Airport Terminal Building at a cost of \$148.00 per year.

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

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11-33
Airports Director submitted letter recommending the Chairman be authorized to sign the Outlay Report and Request for Reimbursement No. 2 for Construction Programs from the Federal Aviation Administration, for the Taxiway Project at the Lake Tahoe Airport in the amount of \$92,466.88.

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

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21
Director of Public Works submitted letter recommending the Chairman be authorized to sign an extension to September 30, 1978, of the Agreement with the U. S. Department of Agriculture Soil Conservation Service for plant testing at designated sites at the El Dorado County Airport, and on County roads.

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

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12-77
44 37/11
Department of Public Works, Right of Way Division, submitted a transmittal letter recommending the Chairman be authorized to sign a Quitclaim Deed from the State of California relinquishing a portion of a water pipeline easement appurtenant to the National Guard Armory, in consideration for the sum of \$150.00 for related overhead costs. (Re: Government Center Access Road - Ray Lawyer Drive).

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign the Quitclaim Deed agreeing to promptly relocate and reconnect all existing utility connections severed by the Quitclaim Deed or by any construction work on the El Dorado County Government Center Access Road.

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11-21
Director of Health Services submitted letter recommending the Chairman be authorized to sign an Agreement with Marshall Hospital to provide emergency medical care services for the indigent for a period of one year.

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

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31-1
Executive Director, Community Action Council, submitted for Chairman's signature the El Dorado County Community Action Program Progress Review Report covering the first five months of the program year beginning March 1, 1977.

On motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried, the Chairman was authorized to sign the Report.

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50-6
Director, County Training Programs, submitted letter requesting the Chairman be authorized to sign Lease Agreement with Kurt Baumann for space in the Swiss Chalet business offices, South Lake Tahoe, at a cost of \$325.00 per month for housing the County Training Office at South Lake Tahoe.

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

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151-2
Welfare Director submitted letter requesting authorization to place a dependent child in a specialized care facility at a cost of \$1,090.00 per month.

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

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164-2
Deputy Director, Office of Emergency Services, submitted letter requesting the Chairman be authorized to sign a Nondiscrimination Compliance Assurance, and that a resolution be adopted authorizing the Deputy Director to acquire federal surplus property from the State of California.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign, and RESOLUTION NO. 212-77 was adopted authorizing the Deputy Director to acquire federal surplus property.

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70
Assistant to the Board submitted a final position paper for Board approval on the Tahoe Regional Planning Agency's Volume I, Water Quality Problems and Management Program of the Lake Tahoe Basin Water Quality Management Plan.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Chairman was authorized to sign the position paper after the following changes have been made:

- (1) 1st Paragraph, Page 1, 4th Line, add the word "significant" before the word "erosion";
- (2) Add the following sentence to Paragraph 4, Page 1: "The County has practices extreme caution in down-zoning lands and will only cooperate in such zoning provided just compensation is given to the affected landowner;
- (3) 1st Paragraph, Page 2, 1st Line, add the word "realistic" before the word "pollution".

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325
Assistant to the Board submitted the following proposed list for utilization of Federal Anti-Recessionary funds in the total amount of \$403,059.00 and Budget and/or Fund Transfers to implement same, and requested the Board set another Policy Review Session regarding uses for the remaining funds in the amount of \$845,148.00:

1. County share of Medi-Cal costs (<u>Disapproved</u> by the Office of Revenue Sharing)	\$716,000.00
2. Salaries and Employee Benefits for Sheriff's Dept.	150,000.00
3. County share of POST Training and overtime for Sheriff	32,000.00
4. Increased Committee and Commission fees	4,810.00
5. Salary supplement for CETA 4-H Coordinators	9,129.00
6. Book bindings for tax records	2,820.00
7. Start-up costs for Central Stores and Purchasing	50,000.00
8. Reference books and other costs associated with new Library	150,000.00
9. Supervisory and Management Training Workshops	4,300.00
Gross Total	\$1,119,059.00
Rejected Expenditure	-716,000.00
Net Total	\$ 403,059.00

177
On motion of Supervisor Walker, seconded by Supervisor Stewart, the Board approved the list, and authorized the Chairman to sign the Budget and/or Fund Transfers, and a Policy Review Session was set for October 31, 1977, at 2:00 p.m. to consider the uses for the remaining funds in the amount of \$845,148.00. (See Budget Transfer No. 84)

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On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried, the Board continued to October 18, 1977, the matter of a jet noise ordinance for the South Lake Tahoe Airport, for introduction: said ordinance having been almost entirely rewritten from the time it was first introduced.

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(12)
7/14/77
m p
On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried, the Board continued to November 1, 1977, the report of Ms. Sue Baker, Pacific Telephone, on the telephone company's proposal to list everything in the telephone directory alphabetically instead of by town.

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247
On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the recommendation of Deputy County Counsel that a Lien for a hospital case be released, was removed from the Agenda; to be brought back on the Agenda at the discretion of County Counsel.

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939 On motion of Supervisor Kutter, seconded by Supervisor Todd, and unanimously carried, the Board accepted the resignation of Mr. J. Wilson McKenney from the El Dorado County Library Commission, and the Clerk was requested to send Mr. McKenney a Certificate of Appreciation.

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150-6 On motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried, the Board accepted the resignation of Mr. Vincent Rucobo, Jr. from the Manpower Planning Council, and the Clerk was requested to send Mr. Rucobo a Certificate of Appreciation.

At the recommendation of the Manpower Planning Council, on motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried, the Board appointed Patricia Clow to fill the vacated position.

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(152) 25 On motion of Supervisor Kutter, seconded by Supervisor Stewart, and unanimously carried, the Board denied the request of Mr. Robert E. Ray for authorization to relocate an "A"-frame real estate office and a 1500-gallon holding tank at South Lake Tahoe (from the west side of Highway 50, 300 ft. south of Pioneer Trail to Lot 74, Juniper Park Subdivision).

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44-2 Georgetown Divide Public Utility District submitted two Resolutions for adoption by the Board of Supervisors approving the Proposed Resolutions of Intention to be adopted by the Georgetown Divide Public Utility District in the Proceedings for the Acquisition and Construction of Public Improvements under Appropriate Special Assessment and Assessment Bond Acts, and Approving the Boundary Maps of the Assessment District for: (1) Cool - Cherry Acres Water Improvement District Assessment District 1977-2; and (2) Spanish Dry Diggins Water Improvement District Assessment District 1977-4.

On motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried, the Board adopted the following resolutions respectively: RESOLUTION NO. 213-77 for Cool-Cherry Acres Water Improvement District Assessment District 1977-2; and RESOLUTION NO. 214-77 for Spanish Dry Diggins Water Improvement District Assessment District 1977-4.

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249 On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board continued to October 18, 1977, the request of Mr. Arthur Soltar for a hearing in protest of the Notice adopted by the Board on September 13, 1977, which ordered the Cancellation of Uncollected Taxes on a portion of Cameron Park North Unit No. 8 and Ordering Collection of Corrected Tax.

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SPECIAL ORDERS

PLANNING MATTERS

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#45
Hearing was held as duly noticed on the request of Michael Mahaffey, etal, for cancellation of a portion of Agricultural Preserve No. 45, County Assessment Parcel No. 58-02-56, consisting of 160 acres and being a portion of the Gordon Garland Preserve.

Mr. Mahaffey was present and stated that in July of 1976, four separate, but related, families purchased 160 acres of land in the Pilot Hill area from Vincent D. Kennedy; said land being a portion of Agricultural Preserve No. 45 and in the names of Gordon H. Garland and Chinina M. Garland. He stated that it was their belief that dry grazing of cattle of this property could be a profitable venture inasmuch as it had been "approved" for an Agricultural Preserve under the Williamson Act; however, they had learned later that this was not true, and that it was necessary for them to remove the livestock from their lands since it could not support more than three head of cattle.

Mr. Patrick Riley, attorney for the Mahaffeys was also present, and stated that one of the grounds for this request for withdrawal from the Preserve is the fact that the acreage in question now owned by the Mahaffeys, etal, was at the time of its inclusion in the Williamson Act Contract by Mr. Garland, in fact subject to a Contract of Sale to Mr. and Mrs. Vincent Kennedy.

Mr. McGraff, father in law of the Mahaffeys, was also present and advised the Board of events leading up to and after the purchase of the property. He stated that the property could not dry-graze more than three head of cattle and therefore could not now meet the requirements of criteria required for an agricultural preserve, and since it was a separate parcel from the rest of the preserve which could not meet the criteria on its own, he appealed to the Board to allow their request for cancellation.

Mr. Barry Leeson, Farm Advisor, was present and advised that the 160-acre parcel could not on its own meet the criteria for an Agricultural Preserve.

A letter was received from the Agricultural Commission which also stated that the 160 acres, by itself, could not meet the criteria.

A letter was received from the Executive Secretary, Planning Commission, which stated that the Commission recommended denial of the request inasmuch as Mr. Garland was the owner of record who signed the contract for the Williamson Act; and "the conditions have not changed since the Williamson Act was established."

After consideration, Supervisor Stewart moved to grant the request of Michael W. Mahaffey and Kathleen M. Mahaffey; Mart H. Bushnell and Maryanne Bushnell; and Joseph L. McGrath; and Michael P. Cloonan and Lillian P. Cloonan for cancellation of 160 acres (Assessment Parcel No. 58-02-56); a portion of Agricultural Preserve No. 45 in the names of Gordon H. Garland and Chinina Marian Garland, based upon the following findings: That the
(Continued)

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release would not be in conflict with the aims of the Williamson Act; That it would be in the public interest; That the amount of food and fiber that the land is capable of producing is so insignificant that the removal would not be detrimental to the public interest; That the cancellation will not result in premature urbanization of the area that will place undue burden on the taxpayers. Supervisor Walker stated he would second the motion if the mover of the motion would agree to the following addition: That it is the opinion of the Board that the 160 acres was brought into the Preserve illegally -- whether or not willfully. Supervisor Stewart agreed to the addition, and it was further added by Supervisor Todd, and agreed to by the mover and seconder of said motion, that County Counsel be instructed to look into the applicability of Mr. Garland's statements in filing the proper documents when he first went under the Williamson Act. The Chairman called for the question, and it was carried by the following vote: Ayes: Supervisors Stewart, Walker, Todd, and Johnson; No: Supervisor Kutter.

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282-10-17
A letter was received from the attorney, Michael Petersen, for Mr. and Mrs. George Todd requesting withdrawal of their Appeal on the Planning Commission's denial of a Special Use Permit for a mail order business, including printing of material for children's religious instructions, as a home occupation in an Unclassified zone in the Garden Valley/Greenwood area.

On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried, the request for withdrawal of the Appeal was approved.

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423 Diamond Springs Catalog #2
On motion of Supervisor Stewart, seconded by Supervisor Kutter, and carried by the following vote: Ayes: Supervisors Stewart, Kutter, Todd, and Johnson; Abstain: Supervisor Walker, the Tentative Map of Diamond Springs Estates Unit No. 2 Rural Subdivision was continued to November 1, 1977, at the request of the subdivider's attorney.

GENERAL ORDERS

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(94-7) 19
Mary Jane Middendorff submitted a letter offering to revoke her proposal to exchange 112 acres of land (offer presented by Ken Wilkinson and accepted by Board on 7/14/77 - See Minute Book 18, Page 298) in the Shingle Springs area for the former County Office Center, 2850 Cold Springs Road, Placerville.

After consideration, the Board on motion of Supervisor Johnson, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisors Kutter, Todd, and Johnson; Noes: Supervisors Walker and Stewart (vote called at random at the request of the Chairman), accepted Mrs. Middendorff's letter, allowing her to withdraw the offer, and the Assistant to the Board was instructed to order an outside appraiser to appraise the County real property at 2850 Cold Springs Road, with the intent that it be offered again for sale.

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Mrs. Doris Noel had submitted a letter requesting an outside appraisal of the former County Office Center at 2850 Cold Springs Road, as well as an evaluation of the proposed trade. The Chairman advised Mrs. Noel that the matter had been taken care of in the preceeding matter, and its resultant Board action. (See Page 419 - last paragraph on the page)

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508-3 The Sierra Planning Organization's request for comments on its Areawide Housing Element was continued to October 18, 1977, on motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried.

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507a On motion of Supervisor Kutter, seconded by Supervisor Todd, and unanimously carried, the Board appointed "Lucky" Nelson (Mrs. Robert S.) to the Alcoholism Advisory Board from District IV.

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518a Communication was received from Assistant General Manager, Heavenly Valley, requesting cancellation of their Advertising Space Lease at the Lake Tahoe Airport Terminal Building, effective October 1, 1977.

On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried, the request was approved, with the understanding that the effective date will be November 1, 1977.

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There being no further business, the Board adjourned to Tuesday, October 18, 1977, at 10:00 a.m.

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

By: Frank R. Macy
Deputy

APPROVED: William N. Johnson
Chairman