

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES December 20, 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 Supervisor Todd.

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

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The Minutes of December 13, 1977, were approved as submitted on motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried.

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

28
501 Warrant Register Claims for El Dorado County, and Community Action Council Claims were approved and allowed for payment.

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The following Budget Transfers were approved:

Budget Transfer No. 63 - Sheriff's Special Enforcement

117 Increasing the Revenue Account (92-5290 Nav. & Ocean Dvlpmt.) by \$16,000.00 and increasing 2-202 Special Enforcement Extra Help (92-1020) by \$16,000.00

Budget Transfer No. 68 - Building Department

<u>DECREASE</u>	<u>INCREASE</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
92-1010 Reg. Empls.	92-1020 Extra Help	\$2,000.00	To clear up existing backlog of 200 plan checks

Budget Transfer No. 69 - Airport Enterprise Fund 190

9200 Lake Tahoe Airport			Attendance at
92-2180 Prof. & Spl. Serv.	92-2250 Trans & Trvl.	\$6,000.00	Georgetown & Placerville Arpts. greater than anticipated

(Continued)

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Budget Transfer No. 69 -Continued - Airport Enterprise Fund 190

<u>DECREASE</u>	<u>INCREASE</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
9300 Placerville Airport			
92-2230 Spl. Dpt. Exp.	92-2170 Office Exp.	\$300.00	Tiedown tags were chrgd. to Off. Exp., but were budgeted for Spl. Dept. Exp.

Budget Transfer No. 70 - Child Health-Disability Prevention

92-1010 Reg. Employees	92-2180 Prof. & Spl. Servcs.	\$5,541.00	To cover deficit in Prof. Serv. category
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Budget Transfer No. 73 - Mosquito Fire Protection District

92-2230 Spl. Dept. Exp.	\$690.00	To pay St. Bd. of Equalization fee for newly formed District
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Transfer from General Fund	Transfer to Mosquito Fire Protc.	\$690.00
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Budget Transfer No. 74 - Building Dept.

92-1010 Reg. Employees		(\$4,086.62)	To meet expenditures for FY 1977-78
	92-1030 Overtime	2,906.74	
	92-2050 Clothing	14.88	
	92-2180 Prof.&SplSer.	\$1,165.00	

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The Board approved 83 Assignments to the Credit Bureau of El Dorado County from the County Collection Department, for Claims against those persons named on the Assignments dated December 20, 1977; copies of which are on file in the Board of Supervisors Office, beginning with the name of Larry Shugrue and ending with the name of Ronald Wells.

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RESOLUTION NO. 260-77 was adopted Authorizing Actions for Recovery of County Funds Paid Out for Welfare assistance.

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Chairman was authorized to sign Releases of Lien discharging all property encumbered by the Agreements to Reimburse the County for Public Assistance as recorded in the Official Records of El Dorado County as follows:

<u>Name</u>	<u>Volume</u>	<u>and Page</u>
May R. Morey	393	47
May R. Morey	561	132

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58
At the recommendation of County Counsel, the Claim submitted by Attorney James Robert Nielsen on behalf of Desmond O'Reilly for personal injuries in the amount of \$5,000.00, plus medical damages, was denied.

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114-6
114-7
On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, the Board directed that the bid specifications for Bid No. 930 - Legal and Classified Publication Requirements for February 1, 1978, through January 31, 1979, be changed to require a statement of total circulation from each bidder, and, that each bidder be required to specify the geographic area he serves, and the advertising was authorized, and also, the specifications were approved and advertising authorized for Bid No. 931- Garden Maintenance Service for Building B at the County Government Center.

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21
The Board informally removed from the Agenda the request of the Airports Director for authorization to purchase a backhoe, blade wing for a grader, dump truck and related equipment from military surplus, in lieu of a new grader.

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214-1
Chief Probation Officer submitted a letter recommending the Chairman be authorized to sign a contract with Andrew and Janet Ortiz for Crisis Resolution Home Services at South Lake Tahoe for a period of one year, at a cost of \$50.00 per month per bed retained fee, plus \$8.00 a day for each child in their home.

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

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341-2
Agricultural Commissioner submitted a request for authorization to claim expenses for the use of his private car for County business, under Option C of Resolution No. 239-77 (County Travel Policy).

On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried, the matter was continued, and the Assistant to the Board was requested to review the request and report back to the Board.

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12
On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried, RESOLUTION NO. 261-77 was adopted concerning the Conduct of Executive Sessions by the Board of Supervisors.

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At the recommendation of the Purchasing Agent, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously, the formal bidding (Continued)

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(144)
349
procedure was waived and authorization granted for the purchase of a 1976 model Victor Validator for the Treasurer/Tax Collector's Office at a cost of \$1,584.00.

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74-31(2)
On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried, the Chairman was authorized to sign the Agreement with the City of Placerville wherein the County agrees to construct a left turn lane from Placerville Drive into Ray Lawyer Drive; said Drive being the ingress and egress of vehicles driving between Placerville Drive and the County Government Center, the Library, and the American River College.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the following Construction Change Orders were approved relating to the above-mentioned left turn lane:

- Change Order No. 1 increasing the contract cost by \$311.94 for galvanizing drainage grates
- Change Order No. 2 increasing contract cost by \$3,535.50 and 5 extra days for left-hand turn channelization
- Change Order No. 3 increasing contract cost by \$3,835.00 and 2 extra days for overlay of Armory Road
- Change Order No. 4 increasing contract cost by \$1,651.48 and 3 days for sewer line relocation

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233-6
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the matter of approval of Agreements with McFarlane and Wilson Mortuaries in South Lake Tahoe, and Chapel of the Pines and Memory Chapel in Placerville for transportation and storage of Coroner's cases, was continued to December 27, 1977, at 11:00 a.m.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Ordinance relating to Embalming Fees was introduced, the reading thereof was waived, and it was continued for adoption to December 27, 1977.

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22
Attorney Michael Stambaugh, El Dorado Health Planning Council, outlined the proposal for a feasibility study to develop a Health Maintenance Organization (HMO) in El Dorado County. He stated a consultant would be provided by the State, and an oversight committee should be appointed to evaluate the consultant's work. He explained that the health resources in the County should be looked at and a determination made as to which elements of the health community would like to participate in this Plan, and then the proposal should be structured to the needs and desires of the individuals in the County. He indicated that since the country is moving toward a national health insurance, one of the proposals to eliminate a bureaucracy (or centralized bureaucratic control) would be a self-contained HMO to deal with the health needs of the area. Therefore, he requested (Continued)

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that the Board endorse the HMO Study Proposal and establish an HMO Study Committee to oversee the preparation and submission of the proposal; said committee to be comprised of seven members: 1 from Board of Supervisors; the Director of Health Services; 2 from the County Health Planning Council; 2 from the South Lake Tahoe Subarea Council of Golden Empire Health Systems Agency; and 1 from the Firends of the Hospital.

Supervisor Kutter moved to approve the proposal as presented, with the addition of a member each from Barton Memorial and Marshall Hospitals to serve on the study committee. Supervisor Todd seconded the motion, but it failed to carry by reason of the following vote: Ayes: Supervisors Kutter and Todd; Noes: Supervisors Stewart, Walker, and Johnson.

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Sierra Planning Organization submitted a request for comments on the City of Placerville's application for federal grant in the amount of \$1,360,000.00 for the Downtown Economic Revitalization Program.

307-2
The motion of Supervisor Walker, seconded by Supervisor Stewart, to submit a favorable comment, was amended by Supervisor Kutter to state that it contain the understanding that the City of Placerville incorporate the gold discovery theme in the construction of the project, and exercise the historical theme on the adjoining improvements. There was no seconde to the amendment, so Supervisor Kutter then moved to continue the matter until the afternoon session of the meeting. Supervisor Todd seconded the motion, and it failed to carry by reason of the following vote: Ayes: Supervisors Kutter and Todd; Noes: Supervisors Stewart, Walker, and Johnson. The Chairman then called for the vote on the original motion, which was to submit a favorable comment, and it carried by the following vote: Ayes: Supervisors Stewart, Walker, Todd, and Johnson; No: Supervisor Kutter. (See Page 524 for the change of Supervisor Kutter's "No" vote to "Aye".)

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Homer H. Christian presented each Board member with a photograph of them accepting the book, "I Remember". The Board members expressed their appreciation -- there was no official action.

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Airports Director requested direction on the parking problems for rental cars at the Lake Tahoe Airport.

21-2
Representatives of the various car rental agencies were present; each one expressing his need for more space.

The Airports Director was informally requested to hold preliminary discussions with car rental agencies to determine their specific needs, and also with the Sheriff regarding providing a Deputy to enforce parking requirements, and further, to submit changes to the ordinance to resolve parking and snow removal.

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277-a
Proper notices having been sent, hearings were held on the 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:

<u>Name</u>	<u>Assessment Roll Change No.</u>
Robert A. Barnes	6958
Edgar J. MCAiams	6964
Donald H. Raymond	6959
Albert Vieira	6960

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The Board adjourned to 1:30 p.m. to take up the 11:30 a.m. Time Allocation (See immediately below)

*See Page 524 for Supervisor Kutter's protest over the reconvening of the Board earlier than the scheduled time of 2:00 p.m.

The Board reconvened at 1:30 p.m. Supervisor Kutter was absent, but arrived at 2:00 p.m. for the Planning Matters.

Tahoe Human Services' Inc., submitted a proposal to provide Crisis Intervention, Counseling, Educational, and Non-Secure Sheltered Care Services for Status Offenders from January 1, through June 30, 1978.

As requested by Terry Price, Executive Director of Tahoe Human Services, on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the matter was continued to January 17, 1978.

214-1
324
On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Board directed that a letter be forwarded to this County's representatives in the State Legislature; County Supervisors Association of California; and to the Regional Council of Rural Counties advising the legislature that the passage of AB 958 would definitely work a hardship on the rural areas, and requesting that consideration be given to the geographical areas of the State.

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At the request of the Administrator, Marshall Hospital, on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Board approved the loan of surgical lights to Marshall Hospital.

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21
726
On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Board directed that a letter be sent to the State legislators and Regional Council of Rural Counties opposing Assembly Bill 1617 which would require approval in writing by the State Department of Navigation and Ocean Development of any local ordinances which would prohibit public boating on navigable waters.

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PLANNING MATTERS

125-11-17
Hearing was held as duly advertised to consider the rezoning of lands in the Georgetown area from Agricultural to Three Acre Single Family Residential, consisting of 118.185 acres, petitioned by James Eagleston. Planning Commission recommended denial, and the Planning Director enumerated (Continued)

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the following findings of the Commission:

1. Access is provided by Reservoir Road (a County maintained dead-end road) and private easements;
2. The property is located south of the Georgetown Airport and could be affected by changes in air traffic patterns;
3. The proposal is premature;
4. Development on this parcel would be exposed to air contamination and noise due to the close proximity to the Georgetown Airport;
5. The proposal would have detrimental affects to the Growlersburg Camp and would be in conflict with existing land uses in the area.

Two letters were received in opposition to the rezoning from: Herold and Mae Herb, and Bill J. Zuspan.

Those present and opposed to the rezoning were:

John Richard stated it would change the area. He felt there were too many people there already.

Ray Little, U.S. Forestry Ranger in charge of the Growlersburg Conservation Camp, stated that the encouragement of private residences will definitely have an impact on the facility's ability to survive. He stated it was a minimum security facility --sort of a half-way house within the prison system, and historically, each facility that the State has maintained, as soon as residences were placed in close proximity to them, it was necessary to close them as the inmates sooner or later cause problems to the people living adjacent to them.

Marvin Yarbrough stated he was not necessarily opposed to the rezoning, but he did want to draw attention to the drainage problem; he showed on the map where there was a small creek at the bottom of a ravine in the area. He stated he felt that Growlersburg was an asset to the community of Georgetown, and he would hate to see it closed because of too many residences in its vicinity.

Mr. Lee Bagby was present representing James Eagleston, and Mr. Reed who is a potential purchaser of the property.

He stated that findings 2, 3, and 5 of the Planning Commission were the statements that the denial was based upon: (See above) He refuted them as follows:

2. Reservoir Road does not dead-end, but continues on through to Sliger Mine Road and Spanish Dry Diggins Road. He stated that all roads were almost level with no access problems to the property.
3. Terrain will only permit one runway; only one possible takeoff and landing pattern. North Boundary of property is located 6650' from start of runway and 3300' from the end of runway for Phase I, and 2550' from end for Phase II. Treed knoll referred to as a possible take-off hazard is 1600' north of the property in question. The runway elevation is 2587': the maximum elevation of the property is 2680', giving a difference of only 107'. To clear treed knoll north of property, aircraft must be a minimum of 2740'. He stated the noise pollution would be created by aircraft, not the land zoning.

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5. He could not understand why the rezoning would have a detrimental effect to the Growlersburg Camp. He stated the rezoning would conform to the General Plan of 1 to 5 units per acre.

There were no other comments, or 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 findings and recommendation of denial, and the request for rezoning was thereupon denied.

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285-81-77
Hearing was held as duly advertised on the rezoning of lands in the Georgetown area from Single Family One Acre Residential to Commercial consisting of .43 acre, petitioned by Joe Wilkey. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The manager of Georgetown Divide Public Utility District has indicated a program is in progress to abandon the ditch on the property;
2. Access is provided by an existing driveway from State Highway 193, and a logical building site, including parking, can be developed;
3. Services available: WATER: Public (GDPUD); SEWAGE DISPOSAL: Septic system; FIRE PROTECTION: Georgetown Fire District

Mrs. Neeley Smith Wright was present and submitted three letters in opposition to the zoning from: Don H. and Jeanne O'Connor; Carol A. and James Wageman; and Alvina Wageman. The Board also received a letter in opposition to the rezoning from Carroll J. Davis. Mrs. Smith stated that they had not been informed as to what type of business would be placed on the property, and also, she stated the adjacent property owners felt that this was spot zoning, and they were therefore opposed.

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

Supervisor Kutter moved to uphold the recommendations of the Planning Commission, adopt the findings, but change the ordinance from Commercial zone to Planned Commercial. Supervisor Todd seconded the motion. Before the vote could be called, Supervisor Kutter changed his motion as follows: That action on the rezoning be postponed until January 10, 1978, and the Georgetown Advisory Committee to be requested to provide the Board with their action on this matter, and if they have not acted upon it as yet, that they take it under consideration and make a recommendation to the Board. Supervisor Todd agreed to the changed motion, and it was unanimously carried.

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285-82-77
3169
Hearing was held as duly advertised to consider rezoning of lands in the Mt. Aukum area from Estate Residential Five Acre to Estate Residential Ten Acre, consisting of 10 acres, petitioned by Harry Ahrendt. Planning Commission recommended approval, and the Planning Director enumerated the

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following findings of the Commission:

1. The proposal represents a down zoning from five to ten acre minimum size and is in conformity with the General Plan;
2. The parcel to be rezoned is adjacent to ten acre minimum parcel size zoning on its eastern boundary;
3. This proposal does not conflict with the South County Zoning Study, now in progress by the Staff.

There were no protests and the Hearing was closed.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board concurred with the findings of the Planning Commission; the Negative Declaration was accepted, and the rezoning was approved and adopted by ORDINANCE NO. 1848 which amends the County Zoning Ordinance accordingly.

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75-88-77
Hearing was held as duly advertised on the rezoning of lands in the Pilot Hill area from Unclassified, Estate Residential Five Acre and Agricultural to Exclusive Agricultural, consisting of 1,021.66 acres, petitioned by George Straza. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The rezoning is necessary for full implementation of the Williamson Act as practiced in this County;
2. This Preserve (No. 211), under non-renewal, has approximately nine years to run;
3. This property should not be developed under one (1) acre, five (5) acre, and ten (10) acre zonings which allow a multitude of residential and associated uses on small parcels, while enjoying tax benefits under the Williamson Act.

Attorney John Weidman, representing Mr. Straza, was present, and stated that Mr. Straza is investigating whether or not his Williamson Act Contract can be terminated now in accordance with the statute and regulations and contract documents, prior to the expiration of the term of the agreement. His investigation is not complete as to whether or not he is entitled to termination at this time, and if he is entitled, whether or not he will elect to attempt termination at this time. Therefore, Mr. Weidman requested that the matter be continued for an additional three weeks.

There were no protests on this matter; in fact, no one was present other than Mr. Weidman.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried, the matter was continued to January 10, 1978, at 2:00 p.m., as requested.

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132 A letter was received from Mrs. Nick Kockinis demanding a Building Permit for her lot in Tahoe Paradise.

(Continued)

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On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried, the Board referred the matter to County Counsel to prepare a letter for the Chairman's signature in reply to Mrs. Kockinis, outlining the events leading up to the ultimate limiting of Building Permits at South Lake Tahoe.

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A letter was received from the City of Placerville, following the lunch period, confirming the fact that the City of Placerville was committed to the preservation of the historical character of Placerville, and to the adoption of an architectural ordinance incorporating design criteria and standards of an historical (49'er - gold rush theme) nature in connection with any improvements relating to the Downtown Economic Revitalization Project. With this letter in hand, Supervisor Kutter asked the Board to consider allowing him to change his vote on the motion commenting favorably on Placerville's application for a federal grant for their Downtown Economic Revitalization Program, from "No" to "Aye". (See Page 519, 4th paragraph).

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Supervisor Kutter requested that the Minutes reflect his protest on the reconvening of the Board at 1:30 p.m. without his knowledge. (The Chairman advised that the tape would reflect that when he adjourned the meeting he stated that it would reconvene at 1:30 p.m., and that he was sorry, but apparently Supervisor Kutter had not heard him.)


Supervisor Kutter also stated he wished the Minutes to reflect his protest of the Executive Session which had been called in the morning prior to the meeting, without notification.

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There was no further business to come before the Board, so the Chairman announced that they would adjourn to an Executive Session, and after which they would adjourn to Tuesday, December 27, 1977, at 10:00 a.m. The Chairman stated the Executive Session was regarding Employer/Employee Relations with the Sheriff's Office, and instructions to the County's negotiators).

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

APPROVED: 
Chairman

By: 
Deputy