

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 24, 1978

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: Noble Sprunger, County Counsel for the morning session; Jean Klotz, Deputy County Counsel, for afternoon session; and Connie A. Peterson, Assistant Board of Supervisors Clerk.

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12-1 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 plaques to the following employees retiring from County Service: George A. Wiglesworth, Custodian; Marian R. Wing, Account Clerk III; Everett Odlin, Sr. Maintenance Man; Charles L. Graham, Highway Maintenance Man II.

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The motion of Supervisor Johnson, seconded by Supervisor Todd, to adopt the Agenda with the addition of request of Purchasing Agent to authorize advertising of bids for County Fire and All Risk Insurance was amended by Supervisor Stewart, seconded by Supervisor Walker to also add an item on reconsideration of action taken on January 17, 1978 regarding legal advertising in the Tahoe Basin. The amendment to the motion was carried by the following vote: Ayes: Supervisors Todd, Walker and Stewart; Noes: Supervisors Johnson and Kutter. The vote was then taken on the original motion and it was unanimously carried.

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The minutes of January 17, 1978 were approved as submitted on motion of Supervisor Kutter, seconded by Supervisor Johnson and unanimously carried.

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GENERAL ORDERS

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

28
31-1 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/Fund Transfers were approved:

No. 88, Health Department 4-101, Decrease 92-1010, Regular Salaries; Increase 92-3370, Fixed Assets; \$161.00; to complete purchase of two spirometers due to an increase in prices of equipment after budget was prepared;

No. 89, Airport Enterprise Lake Tahoe 9-200; Decrease 92-2120 Maintenance Equipment; Increase 92-2050 Clothing; \$750.00; Purchase of required fire clothing.

No. 90, Building Department, 2-602; Decrease 92-2181, Professional Services-Data Pro.; Increase 92-2060, Communications; \$2,500.00; Installation of new telephone system, the additional monthly charges of system during remainder of the fiscal year;

No. 93, Mosquito Fire District #368; Transfer from General Fund \$11,640.00 for setting up of initial budget for newly formed district; Loan as authorized by Government Code;

No. 94, Placerville Justice Court, 2-115; Decrease 92-1010, Regular Employees; Increase 92-1020, Extra Help, \$1,000.00; To catch up on backlog of clerical work.

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The Chairman was authorized to sign assignments to the Credit Bureau of El Dorado County for the following:

Debbie Robson	Terry J. Slightham	Ronald/Rhonda Nowell
Gloria Pavon	Donald/Barbara Anderson	George Pernel
George H. May	Bobbette Boykin	George Reed
Lynda Montgomery	Linda M. Cole	Donald L. Rhoads
John/Gail Lewis	Martin R. Oliver	Kathleen J. Nelson
Robert L. Booze	Kathleen Mary O'Hearn	Joseph A/Elsie Ann Webb
Elizabeth Ann Leslie	Judith Walcott	Danny/Susan E. Passanisi
Alfreda Anderson	Victor/Alice M. Granville	Santos Iribe Contreras
Bennie/Christine Rodrigues		

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The Chairman was authorized to sign the following Assessment Roll Changes: Ed H. and Agnes J. Shinn Nos. 8235, 8236, 8237, 8238; Robert P. Frick, et al, Nos. 7070, 7071, 7072, 7073; Ralph and Wendy De Marzo, No. 7052.

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RESOLUTION NO. 7-78 adopted, Authorizing an Action for Recovery of County Funds Paid Out for Welfare Department, Public Defender and Probation.

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56
At the recommendation of County Counsel the claim submitted by Attorney Eugene C. Treaster on behalf of Felestino Mac Gonzales in the amount of \$50,000.00 for personal injuries was denied.

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58
At the recommendation of County Counsel the claim submitted by Eugene Murphy et al in the amount of \$132,004.00 for personal injuries was denied.

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246-1
At the request of the Veterans Service Officer, the Chairman was authorized to sign acceptance of allotment in the amount of \$13,181.00 from the California Department of Veterans Affairs for the 1977-78 fiscal year.

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74-7
On motion of Supervisor Johnson, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisors Todd, Johnson, Walker and Stewart; No: Supervisor Kutter, RESOLUTION NO. 8-78 was adopted, a Resolution of Intention to sell the former El Dorado County Office Center located at 2850 Cold Springs Road, Placerville, setting the bid opening for February 21, 1978 at 10:00 a.m.

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213
On motion of Supervisor Johnson, seconded by Supervisor Walker and unani-
mously carried, a Policy Review Session on Accounting System for the Auditor/Controller's office was set for February 8, 1978 at 3:30 p.m. as requested by the Auditor/Controller.

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115
43
22-3
On motion of Supervisor Kutter, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Todd, Walker, Kutter and Stewart; No: Supervisor Johnson, the Board adopted RESOLUTION NO. 9-78, amending Authorized Personnel Resolution for C.E.T.A. personnel, and approved the appointment of Mr. Nick Peters, Physical Therapist, Health Department at Step "C".

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21-80
The Airports Director submitted a letter requesting the Chairman be authorized to sign a renewal Advertising Space Lease with The Dory's Oar for space in the Lake Tahoe Airport Terminal Building at a cost of \$360.00 for a period of one year commencing February 1, 1978.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unani-
mously carried the Chairman was authorized to sign the Lease as requested.

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Airports Director submitted a letter requesting authorization to solicit bids for the purchase of a snow blower/snow plow for the Lake Tahoe Airport in lieu of a new grader. On motion of Supervisor Todd, seconded by Supervisor Kutter, and unanimously carried, this item was continued to January 31, 1978 and the Airports Director was requested to contact the manufacturer of the snow blower/snow plow concerning availability of parts and repair work when needed, further he is to obtain a recommendation from County Public Works Department's Equipment Supervisor, Mr. Glenn Thomas.

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21 35
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 Outlay Report and Request for Reimbursement for Construction Programs from the Federal Aviation Administration in the amount of \$7,605.00 (final payment request) for the Taxiway Project ADAP-5-06-0249-04.

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21-15
(21-37)
Airports Director submitted a letter requesting authorization to obtain necessary agency approvals to pave the overflow parking area as shown on the Lake Tahoe Airport Layout Plan, Area A on the Raymond Vail and Associates/ drawings, and to move the hangar road fence 20' east and pave that parking area. On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried authorization was granted.

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21-15
Airports Director submitted a letter requesting that Raymond Vail and Associates be retained to prepare drawings and specifications and associated Environmental Impact Report for the proposed Phase I expansion to the Lake Tahoe Airport terminal, including proposed parking area "B" west of Highway 50.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, Raymond Vail and Associates to be requested to submit an estimated cost for the proposed work.

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5A
At the request of the Airports Director, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign a Memorandum of Understanding with the Federal Aviation Administration for operation, maintenance and repair of the Non Directional Radio Beacon at the Placerville Airport.

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21
At the request of the Airports Director, on motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, the Lake Tahoe Airport Master Plan, dated November 10, 1977, was approved and any previous Lake Tahoe Airport Master Plan superseded.

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21-8
Airports Director submitted a letter requesting authorization to solicit proposals for an additional car rental agency at the Lake Tahoe Airport.

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

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22-1
At the request of the Director of Health Services, on motion of Supervisor Walker, seconded by Supervisor Kutter, and carried by the following vote: Ayes: Supervisors Todd, Walker, Kutter and Stewart; No: Supervisor Johnson, RESOLUTION NO. 10-78 was adopted, authorizing the Director of Health Services to submit to the State of California an application to continue Family Planning Services Contract for the 1978-79 Fiscal Year in the amount of \$99,700.00.

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74-38(2)
Department of Public Works, Right of Way Division submitted a letter requesting the Chairman be authorized to sign Grant Deed to James W. and Florence E. Sweeney pursuant to agreement for exchange of land, dated November 2, 1976 between the County and Sweeneys relating to the Placerville Government Center Access Road.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign the Grant Deed as requested.

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1276-4
(Safinck)
1/24
296-4
Pleasant
July 24
Director of Public Works submitted a letter requesting Chairman be authorized to sign an addendum to appraisal agreement, dated September 6, 1977, with James Gibbons allowing him to work on the Latrobe Road reconstruction project under the conditions of the original agreement. On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Chairman was authorized to sign the Addendum.

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124-1
At the request of the Public Works Director, on motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, RESOLUTION NO. 11-78 was adopted, authorizing the Chairman to sign renewal lease with the California Highway Patrol for radio vault space at Big Hill for a five-year period at a cost of \$430.00 annually, plus a one-time charge of \$150.00 to cover State's costs.

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(22-10A)
233
At the request of the Deputy Director, Office of Emergency Services, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, RESOLUTION NO. 12-78 was adopted, designating the Sheriff's Department as the County agency authorized to dispatch ambulances for the Western Slope of the County and the Tahoe Basin; said designation is a requirement by the Sierra-Sacramento Valley Emergency Medical Services Agency to qualify for radio equipment to be received.

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A20-1
114-7
At the request of the Purchasing Agent, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board approved the specifications and authorized advertising for Bid No. 936, County Fire Insurance, with bid opening to be held February 14, and award by the Board February 28, 1978.

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114-6
On motion of Supervisor Walker, seconded by Supervisor Kutter, and carried by the following vote: Ayes: Supervisors Todd, Johnson, Walker and Kutter; No: Supervisor Stewart, the request of Supervisor Stewart to reconsider action taken at the Board of Supervisors meeting on January 17, 1978, regarding legal advertising in the Tahoe Basin was denied.

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(132)
23
On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the following items submitted by the City of South Lake Tahoe were approved and the Chairman authorized to sign after proposed changes by Supervisor Johnson were made:

Memorandum of Understanding concerning the allocation of building permits for the 1978 construction season;
Agreement extending the Building Services Agreement between the City of South Lake Tahoe and the County of El Dorado to March 31, 1979.

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12
Placerville Business and Professional Women's Club submitted a letter requesting authorization to use the Conference Room the second Wednesday of each month at 7:30 p.m. to conduct their meetings.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Kutter and Stewart; Abstain: Supervisor Todd, the request was denied as such use would be in conflict with adopted policy regarding use of the Conference Room, and the Clerk was requested to forward a copy of said policy to the Placerville Business and Professional Women's Club.

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Communications were received from the U. S. Forest Service, Lake Tahoe Basin Management Unit, requesting comments on the proposed purchase of 160 acres from the Gammill Oil Co. in the Meyers area, and the proposed purchase of 79.03 acres of land from D. Robert Fritschi in the Fallen Leaf Lake Area.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried the Board approved that favorable comment be made.

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SPECIAL ORDERS

PLANNING MATTERS

285-7-78
Hearing was held as advertised to consider rezoning of certain lands on the Western Slope of El Dorado County from Agricultural, Unclassified, Estate Residential Five Acre, Exclusive Agricultural, and Residential Agricultural Forty Acre zones to Timberland Preserve Zone pursuant to the Forest Taxation Act of 1976, and consisting of approximately 9,030 acres.

The Chairman noted that 20 days notice as required by Government Code, Section 51112 (e) had not been given to those affected property owners, therefore it was determined that testimony would be taken at this time due to the number of people present and the hearing would be continued to January 31, 1978 for adoption of the zoning ordinance.

Telephone message was received from Tom/Adelle Thomas advising they own 40 acres jointly with Patrick Nairn, Parcel No. 41-040-23, and they do not wish the land to be zoned TPZ.

Communication was received on November 22, 1978 from Clare L. Dusek and Daniel E. Dusek, requesting that their lands be zoned TPZ, Parcel No. 460-49-29, 10.272 acres; 460-48-48, 47.668 acres.

Communications were received from the following requesting lands be excluded from the TPZ zone: B. K. Herndon, 25-150-0310, 40 acres; Stanley Van Vleck, 150 acres; Attorney Patrick J. Riley on behalf of Stanley Van Vleck; Joseph Flynn on behalf of U. Francis etal, 010-040-14 and 010-040-15, 160 acre; Joseph Flynn on behalf of Fay M. Cannon Trust, 42-100-23 and 41-140-03; John B. Allen, 39-270-12-10, 2.74 acres and 39-270-10-10, 22.75 acres.

Mr. Ken Milam, Executive Secretary, County Planning Commission, was present and advised that the Planning Commission recommended the following parcels be excluded from List "B" as requested by the property owners and not be zoned TPZ: Patrick Spense 40-070-42, 39.96 acres, 40-070-44, 32.08 acres; Omer McGee 41-050-47, 84.21 acres; Sonia Schlener 40-020-04, 100 acres; Elvin J. Francis, etal, 10-040-14, 137 acres, 10-040-15, 23 acres; Fay Cannon, 42-100-23, 17.50 acres, 41-140-03, 40 acres.
(continued)

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Mr. Bill Klieman, Assessor's Department, was present and explained the purpose of the Timber Preserve Zone and answered specific questions from the audience.

The following persons were present and requested their lands be excluded from the proposed TPZ zone:

Mr. George Tonzi, speaking on behalf of Earl Tonzi, Parcel Nos. 040-100-32, 040-100-34, 040-080-03, 357 acres, stating he is attempting to sell the land in order to pay a Federal Land Bank loan on other property, and is pleading hardship.

Mr. Charles Cruthers, Parcel No. 41-050-46, 11.79 acres, felt it would be detrimental to the property and also, the current mining operation would need a Special Use Permit under Timber Preserve Zone.

Mr. James Nicklos, representing Harvey West, Parcel No. 42-070-07, 60 acres, zoned Unclassified. He stated that to place this type of zoning on the land would discriminate against the owner; the County now has a tax base 4.6 times larger than it would be under TPZ; further, Park Creek bisects the property and it would be difficult to harvest timber and keep it out of the creek.

Mr. Warren Church, Parcel No. 40-310-02, 70 acres, who stated he might wish to start a conifer nursery in the future and the product would be retailed; and, it would be difficult to intensely manage property unless there is a residence on the property; this type of zoning is really more voluntary than would be the case with other zoning districts; further, it would not be his intent to accomplish the things to qualify for this zoning.

Mr. Joseph Flynn, appearing for Stanley Van Vleck, Parcel No. 10-080-25, 150 acres, advised that Mr. Van Vleck owns fee title to the land and Michigan-California Lumber Company owns the timber in perpetuity and under TPZ zone land could only be used for timber production.

Re: Estate of Elwood W. Morey, 41-030-08, 94 acres;
Mr. Tom Porter was present and stated he owns a 4/15 interest in this property and because the ownership is split requested it be excluded, further he felt it would be a detriment to the County because TPZ would reduce taxes, also the land is adjacent to a subdivision that has piped water.

Mr. Joseph Flynn was present on behalf of Mrs. Odlin who has an interest in the property (Estate of Elwood W. Morey) and said this land contained some of the best timber in the County and that Mrs. Odlin wished it to be under TPZ zone.

Mr. Al Reasin, Parcel No. 040-100-35, 40 acres, who said he may be transferred to another State and possibly would have to sell the property and that might be difficult if it was under TPZ, further he did not think he could forest the land because it is next to the National Forest.
(continued)

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Mr. Charles Bonnet, Parcel Nos. 42-070-30, 42-070-31, protested inclusion of one parcel but not the other, and since he was unsure of which parcel he wanted to include and which one he wanted excluded he said he would furnish additional information at a later date.

Mr. Richard Tucker, speaking for the Church of Christ, Sacramento, Parcel No. 42-070-32, 22.95 acres, said the land had been used as a campground and TPZ leaves a question about future development of a campground, also there is a disputed timber claim with American Forest Products on this land, and if it isn't settled in their favor they would be raising timber for the lumber company's benefit.

Mr. Bill Fuston, Parcel No. 41-090-15, 20 acres, stated he was not in the timber growing business, there had been no natural re-seeding since he bought the land, TPZ zone would be in conflict with what it was purchased for, there would be a restriction if they had to wait under TPZ to place a house on this land.

Mr. P. Allan, representing John B. Allan, Parcel Nos. 39-270-10, 22.75 acres, 39-270-12, 2.74 acres, said a parcel map was filed on the property last May, the land is at 7300' elevation and its proximity to the ski area makes it desirable for private development in the future.

Mr. Pat Nairn, Parcel No. 41-040-23, 40 acres, co-owned by Tom and Adelle Thomas, who had telephoned requesting exclusion. Mr. Nairn said the original intent was to divide land into two 20 acre parcels, land is 75% pasture and is only ringed by trees, intent is to use land for agriculture and residences, it would be in the public interest to exclude this from TPZ as the tax return would be more.

Mr. Robert Siemons on behalf of Wm. Siemons, Parcel No. 40-090-32, 37.44 acres, said he would like to build a couple of summer cabins, when the property was logged it was left in a mess and it would not be in the public's interest to have it logged again, the property next to this land is in active recreation and we feel we should be able to use our for same type of recreation.

Mr. George Campini, Parcel No. 42-040-47, 20.46 acres, advised this land is in ownership of 16 people through an estate, that it is meadowland and they do not want it put into TPZ at this time.

Mr. Amerigo Sciaroni, Parcel No. 42-040-04, 16 acres, stated this land is too steep to harvest timber.

Mr. Joe Flynn, speaking on behalf of Margaret Kosta, Iris Thompson, Parcel No. 61-120-09, 5.27 acres said it was in the public's interest to include this property into TPZ.

Mr. Ken Milam, Planning Director said that Planning agreed with this.
(continued)

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Supervisor Todd stated that those who do not want their lands under TPZ should be excluded.

Supervisor Johnson said he would accept recommendations of the Planning Commission in each case and would accept those who protested today with the exception of the matter between Mr. Porter and Mrs. Odlin which he would like to take under consideration.

Supervisor Walker stated he would be in favor of those who are requesting to stay out of the Timber Preserve Zone with the findings that it would be in the best public interest, further the Porter/Odlin matter would be taken under consideration.

Supervisor Kutter then requested to know what is considered accepted findings to meet the requirements of the public interest.

Deputy County Counsel Jean Klotz advised that legislation does not define what the public interest is and therefore it is in the discretion of this Board.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried this hearing was continued to January 31, 1978 at 2:00 p.m. with the understanding that if any changes are made on January 31, 1978 to those stated intentions of the Board Members this date, those specific items will be carried over for one more week and the affected parties are to be so notified.

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Continued hearing was held 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 (AP 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.

See prior action on this matter on December 20, 1977 and January 10, 1978.

Mr. John Weidman, Attorney for Mr. Straza, was present and requested that this matter be continued as he has been authorized to file a request for cancellation of the Williamson Act Contract on this property, and if the property is zoned Exclusive Agricultural now and the cancellation is approved, the land would have to be rezoned again.

(continued)

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Supervisor Johnson stated he felt that the rezoning should be heard.

No protests were presented and the hearing was closed.

On motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried, the Board concurred in the Planning Commission's findings they found the land to be in conformity with the General Plan; and the rezoning was approved and ORDINANCE NO. 1855 was adopted.

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(72)
57 At the request of the Planning Director, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign a letter transmitting required data to the State Department of Finance for El Dorado County's January 1, 1978 Population Certification.

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423
Rancho
Ponderosa
Estates At the recommendation of the Planning Commission, on motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Board approved the request of William F. Pillsbury, Inc. to extend the Tentative Map of Rancho Ponderosa Estates for a one-year period to January 22, 1979 due to difficulties in formation of the Homeowners Association.

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ASSESSMENT AND SPECIAL DISTRICTS

COUNTY SERVICE AREA NO. 2

61
#2 The Board of Supervisors adjourned and convened as the Board of Directors of County Service Area No. 2. On motion of Supervisor Kutter, seconded by Supervisor Johnson and unanimously carried, RESOLUTION NO. 13-78 was adopted establishing an advisory committee to the Board of Directors of County Service Area No. 2 for the remainder of the 1977-78 fiscal year and the 1978-79 fiscal year, and appointing the following: Tony Collin, Bill Mosack, Marsha Norona, Jerry Cunningham, Alternate; Leo Finneran, Willard McKee, Joe Winslow, Earl Smith, Alternate.

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The Board of Directors of County Service Area No. 2 adjourned and reconvened as the Board of Supervisors

(112-13)
57 At the request of the Planning Director, on motion of Supervisor Todd, seconded by Supervisor Walker, and unanimously carried, the Board set a Policy Review Session for February 10, 1978 at 9:00 a.m. to review the Minor Land Division Ordinance.

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There being no further business, the Board adjourned to Tuesday,
January 31, 1978 at 10:00 a.m.

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APPROVED


Thomas L. Stewart, Chairman

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

By Connie A. Peterson
Deputy Clerk