

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES February 14, 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: Ann R. Macy, Board of Supervisors Clerk. Chairman Stewart presided.

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12-7 The Invocation was offered by Reverend Mike Stepanich, First Assembly of God Church.

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The Pledge of Allegiance to the Flag was led by Noble Springs, County Counsel.

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

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The Minutes of February 7, 1978, were approved as submitted, on motion of Supervisor Walker, 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
50-1 Warrant Register Claims for El Dorado County, and Community Action Council Claims were approved and allowed for payment.

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117 Budget Transfer No. 100 for the County Juvenile Hall was approved in the amount of \$6,000; decreasing Regular Employees (92-1010) and increasing Extra Help (92-1020) - Purpose of which is to cover the anticipated costs for Extra Help through June 30, 1978.

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583 The Board approved 11 Assignments to the Credit Bureau of El Dorado County from the Collection Department for Claims against those persons named on the Assignments dated February 14, 1978; copies of which are on file in the Board of Supervisors Office, beginning with the name of Edith Ann Morris and ending with the name of Mary Ann Cooper.

* * * *

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298a The following Assessment Roll Changes were approved: 8246; 8247; 7084; 8245; 8244; and 7087.

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151-13 RESOLUTIONS NOS. 25-78 through 27-78 were approved Authorizing an Action for the Recovery of County Funds Paid Out.

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144 (349) RESOLUTION NO. 28-78 was adopted REPLENISHING THE TAX COLLECTOR'S CASH DIFFERENCE FUND in the amount of \$51.58.

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At the recommendation of the Purchasing Agent, the Board approved the specifications and authorized advertising for bid opening on February 27, 1978, with award by the Board on March 7, 1978 for the following:

- 114-7 Bid No. 939 - Interpretive Mapping for Diamond Springs area consisting of 37 square miles;
- 114-9 Bid No. 940 - Six separate types of envelopes for the Treasurer/Tax Collector (a total of 295,000 envelopes) which is an estimated 18 months supply.

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124 Board awarded Bid No. 934 - Removal of 31 stumps for Public Works Department to low bidder, Chuck's Stump Removal, in the amount of \$1,400.00

Board awarded Bid No. 935 - Chemicals for Agricultural Commissioner as follows:

- 114-8 a. 180-gallon Emulsamine BK, awarded to low bidder, Preston Weed Control Company, Whittier, in the amount of \$2,121.70
- 114-8 b. 3,000-lbs. Abate and 2,000 lbs. Dursban, awarded to low bidder, Food Machinery Corporation, Fresno, in the amount of \$1,144.80.

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Board approved the request of Reverend S. Read Chatterton, El Dorado Community Church, to hold their Easter Sunrise Service on Monitor Road off Route 49 south of El Dorado

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433 Golden West Paradise
H x
341-1
Agricultural Commissioner submitted for approval an agreement for weed and brush control with the Golden West Paradise Property Owners Association.

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The motion of Supervisor Walker, seconded by Supervisor Kutter, to approve the contract, was amended by Supervisor Kutter to add that the Agricultural Commissioner be requested to advise the Board when, and if, the weed spraying work amounts to as much as 50 miles of road work. Supervisor Stewart seconded the amendment, and the Chairman called for the vote on the amendment, which carried by the following vote: Ayes: Supervisors Todd, Walker, Kutter, and Stewart; No: Supervisor Johnson. The Chairman then called for the vote on the original motion, and it was carried by the following vote: Ayes: Supervisors Todd, Walker, Kutter, and Stewart.

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124-4
On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Board awarded the bid for the New Ceiling, Insulation, and Flooring for the County Public Works Building, Placerville, to low bidder, RHS Construction, Sacramento, in the amount of \$16,690.00, and implemented the Architect's recommendation to lower insurance requirements, and thereby deduct (by means of a Change Order) \$750.00 from the contract price, and directed that the difference between budgeted funds and the contract cost be taken from Public Works' Budget #2-180.

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12-4
On motion of Supervisor Walker, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisors Todd, Johnson, Walker, and Stewart; No: Supervisor Kutter, a Policy Review Session was set for March 15, 1978, at 10:30 a.m. with County Clerk regarding Staffing; Microfilming; and Storage for the offices of Clerk of the Board; Clerk of the Superior Court; and Registrar of Voters.

50-1
(115)
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board denied the request of the Executive Director, Community Action Council, to make the attorneys for the County's Legal Aid Program, regular County employees, and the Purchasing Agent was requested to submit to the Board a quote for malpractice insurance for said attorneys.

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21
Airports Director submitted a report on possible funding from the State, relating to Bid No. 932 for three portable noise monitors for the Lake Tahoe Airport, as requested by the Board on January 31, 1978.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisors Todd, Johnson, Walker, and Kutter; No: Supervisor Stewart, the Board accepted the Airport Director's recommendation No. 3 to have a complete noise study at South Lake Tahoe, and further, the Airports Director was instructed to make application to the Federal Aviation Administration not only for this study, but also for the permanent noise monitoring system.

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21-36
Airports Director submitted letter requesting that a Resolution be adopted authorizing the Chairman to sign Agreement with the State Department of Transportation for a grant in the amount of \$99,000.00 for the purchase and installation of runway localizer DME equipment at the Lake Tahoe Airport.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, RESOLUTION NO. 29-78 was adopted Authorizing the Chairman to sign Agreement with the State Department of Transportation.

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22-3
Director of Health Services submitted letter requesting that the Chairman be authorized to sign an Agreement with Jeffrey A. Applebaum, M.D., to accept pregnancy patients, referred by the County Health Department, for prenatal, delivery, and postpartum care for a retainer fee of \$1,000.00 per month.

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

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22
On motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried, the letter submitted by the Director of Health Services recommending the Chairman be authorized to sign an agreement with Alpine County for prenatal, delivery, and postpartum care for Alpine County residents on Medi-Cal for a period of one year at a cost not to exceed \$2,000.00, was removed from the Agenda.

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Agricultural Commissioner submitted letter requesting that the Chairman be authorized to sign the Agreement for adoption of the High Sierra Resource Conservation Development Area Plan.

(341-1)
94-3
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board approved the Plan, with the following comments, and the Chairman was authorized to sign said Area Plan:

1. Page 4 - 2nd sentence, last paragraph, which states that "topography is steep and soil depth is shallow", does not compare with statement on Page 15, 3rd paragraph from the bottom, that "At intermediate elevations, the soils are generally moderately deep to bedrock . . .".
2. Page 5 - After the first paragraph: El Dorado County would like to have seen a statement to the effect that El Dorado County is also interested in an additional water development, i.e. the South Fork of the American River (SOFAR) Project.

(Continued)

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2. (Continued)

Page 5 - 4th paragraph, Add "nuts" -- therefore, the sentence shall read: "Primary agricultural products are livestock, poultry, fruit, nuts, and small grains."

- 2nd sentence of 4th paragraph to read: "The agricultural economy is being threatened by extensive subdivision of farm and rangeland. This is resulting in the problem of rising costs of suitable farmland." The El Dorado County Board of Supervisors believes that the primary cost is due to the California taxing policy, which is that the land is taxed at its highest and best use instead of for the purpose it is actually used.

- 2nd sentence of the last paragraph, the Board would have preferred that the word "paramount" be deleted; the sentence would then have read: "The problem in protecting and maintaining fish and wildlife populations is the continual reduction of their habitat." -- rather than "The paramount problem . . ."

- Last sentence, delete the words, "federal, state", and substitute "governmental" - so that the sentence reads, "Coordinated management of this resource is needed between governmental and private groups to restore and maintain wildlife habitat."

Page 19 -2nd sentence of first paragraph: The Board stated that this sentence could have been omitted: they stated that this definition of a farm, was indeed "incredible".

3. Page 23.- Board felt the entire third paragraph was in need of revising to soften the statements therein, inasmuch as the way it is presently written, the El Dorado County Board felt that it could bring about more, or unnecessary, government controls.
4. Page 26 - 4th paragraph. The Board did not agree that there is an increasing need for bicycle trails.
5. Page 35 - Policy 6. The Board would like to have had it read, "Endorse and support federal, state, regional and local plans that contribute to sound resource improvement."

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247 Deputy County Counsel submitted a letter recommending that the Board accept Attorney Ben T. Allen's offer, on behalf of Mr. and Mrs. Paul Bailey, to release a lien on certain real property owned by Mr. and Mrs. Bailey, upon payment to the County of \$350.00.

The motion of Supervisor Johnson, seconded by Supervisor Kutter, to approve the release of the lien, as recommended, was not carried by reason of the following vote: Ayes: Supervisors Johnson and Kutter; Noes: Supervisors Todd, Walker, and Stewart.

Supervisor Walker immediately moved for reconsideration of the motion. Supervisor Kutter seconded the motion, and it was unanimously carried. Supervisor Walker then moved to approve the release of the lien as recommended. Supervisor Johnson seconded the motion, and it was unanimously carried.

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137
(216)
On motion of Supervisor Kutter, seconded by Supervisor Todd, and unanimously carried, the Board adopted ORDINANCE NO. 1862, as an Emergency Ordinance, Relating to the Collection of Fees upon Application for a Building Permit to provide interim elementary and high school classrooms and related facilities in the respective school districts.

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12
The Board considered a resolution submitted by the Committee to Restore the Constitution; said resolution rejecting Regional Governance and Requesting an Investigation by a Joint Committee of the California State Senate and House of Representatives of the Improper Transfer of Power and Authority Delegated by the People to Elected Officials of County Governments to Appointed Agents of Federal Region IX and Regional Planning Sub-Divisions of the State of California.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, RESOLUTION NO. 30-78 was adopted, after the correction in the title of the resolution by the replacement of the word, "Assembly" for "House of Representatives, and the deletion of the word, "Unconstitutional" contained in the third Whereas, fourth line.

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(114-7)
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Public Works Department was authorized to purchase the sound projector (Bid No. 937); the Board having been satisfied with Public Works Department's report which was requested by the Board on January 31, 1978.

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124-C
Director of Public Works submitted, at the request of the Board, a complete list of all cemeteries in the County, identifying those that are privately owned, and indicating by whom they are maintained. (Referred 1/31/78)

The motion of Supervisor Kutter, seconded by Supervisor Todd, to direct the Public Works Department to turn over the maintenance responsibility to the owners of the cemeteries, and if the owners cannot be located, or they want to relinquish ownership and maintenance responsibility, that arrangements be made for underlying fee title to be dedicated to El Dorado County, was amended after the discussion by Supervisor Kutter and seconded by Supervisor Todd, to serve notice to turn over the maintenance responsibility of the cemeteries to the owners. The Chairman called for the vote on the amendment, and it did not carry by reason of the following vote: Ayes: Supervisors Todd and Kutter; Noes: Supervisors Johnson, Walker, and Stewart. The Chairman then called for the vote on the original motion, and it failed to carry by reason of the following vote: Ayes: Supervisors Todd and Kutter; Noes: Supervisors Johnson, Walker, and Stewart.

Supervisor Walker then moved to request the Director of Public Works to initiate a procedure to attempt to determine ownership of the active/inactive cemeteries; request whether or not they would like them deeded to (Continued)

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the County, and on those where ownership cannot be determined, initiate a procedure to get them deed^{ed} to the County; and also determine whether they are in a taxing district. Supervisor Todd seconded the motion, and it was unanimously carried.

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308-3
Sierra Planning Organization (SPO) submitted a letter advising the Board of the State Department of Transportation's request that SPO prioritize the proposed AB 402 transportation projects for the five year span (1979-1984) for the counties within the SPO area.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Director of Public Works was requested to meet with the other four member counties of SPO and establish a criteria system against which each project can be compared and rated for the final determination by the SPO Board.

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296-4
Meder Rd.
Director of Public Works submitted a letter requesting release of addendums to Contract Bond and Labor and Material Bond, each in the amount of \$8,043.31, posted by Teichert Construction, to guarantee for a period of one year, materials and workmanship on the Meder Road Project.

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

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124
On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board introduced an amendment to the Ordinance Code to require driveway encroachments to be connected to roadways prior to building completion, and to require a bond to assure such connection; they waived the reading thereof; and continued the Ordinance to February 21, 1978, for adoption.

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SPECIAL ORDERS

PLANNING MATTERS

Hearing was held to consider adoption of the Community Land Use Plan, as duly advertised, for the Camino/Fruitridge area.

57-6
The Planning Director advised that the Planning Commission had recommended approval of the Plan as presented on the map, with the exception that those lands east of the red line along the heavy orchard area, running along Larsen Drive and across Michigan-California Lumber Co., south to U. S. Highway 50, be designated to reflect the present zoning that now exists; and that due to the controversial nature of those lands, the zoning should be examined on an individual basis at a later time upon application by the property owner.

(Continued)

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Mr. Douglas Noble, Senior Planner, gave a history of the Environmental Impact Report.

Petitions were received as follows:

To rezone lands at no less than 10 acres as specified in the Plan signed by 35 residents.

Opposing the premature rezoning of land south of Highway 50; specifically the large amounts of Medium and High Density, signed by 15 residents.

Requesting the land between Cable Road and Larson Valley Drive to be rezoned to open-space, signed by 51 residents.

Landowners requesting that their properties be zoned 5-Acre minimum, signed by 23 landowners.

Residents opposing Commercial zoning of Parcel No. 043-010-51, and requesting it be rezoned back to Agriculture, signed by 61 residents.

Requesting Crystal Springs area Agricultural land be kept at 20-Acre minimum signed by 22 residents.

Letters were received from the following:

Letter from Eric Hinzman requesting that the 51 acres at the intersection of Cable Road and Larson Drive be zoned to Open Space.

General Manager, Northwest Venture Group, appealing the decision of the Planning Department's recommendations regarding their RM zone (about 8.5 ac.) and the RT zone (about 10.5 ac.).

Environmental Planning & Information Council, Inc. (EPIC) opposing the newly revised Area Plan, and urging adoption of the original Plan.

Richard Todd favoring the 20-acre minimum for Agricultural lands in Camino/Fruitridge area.

E. W. Bolster requesting Rural Estate -5 Acre Minimum for his 20.027 acre parcel.

O. J. Masters requesting that the County preserve prime agricultural land.

The Chairman then called for response from interested persons present, and approximately 50 people spoke on the Area Plan.

The Chairman closed the Hearing.

After discussion, on motion of Supervisor Kutter, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisors Todd, Walker, Kutter, and Stewart; Abstain: Supervisor Johnson (Supervisor Johnson abstained inasmuch as he owns property in the Camino area), the matter was taken under advisement until February 21, 1978, at 2:00 p.m.

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57 The Board considered the Ordinance for adoption of an Interim Emergency Zoning of lands in the Camino/Fruitridge area, and on motion of Supervisor Walker, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisors Todd, Walker, Kutter, and Stewart; Abstain: Supervisor Johnson (who owns property in the area, and therefore abstained), the matter was continued to February 21, 1978.

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57 The Board considered the Ordinance for adoption of an Interim Emergency Zoning of lands in the Greenstone area, and on motion of Supervisor Todd, seconded by Supervisor Walker, and unanimously carried, the matter was continued to February 21, 1978.

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424 Silverado Title Company submitted for approval, an irrevocable offer of dedication of roads for Tentative Parcel Map No. P77-252 "Ryan Ranch",

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Board acknowledged receipt of the offer, and County Counsel was instructed to prepare suitable document for recordation refusing public acceptance.

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57 At the recommendation of the Planning Director, on motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried, the Board authorized a two week time extension to March 1, 1978, to complete the Genge Aerial Survey Contract for base mapping of El Dorado County..

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ASSESSMENT AND SPECIAL DISTRICTS

COUNTY SERVICE AREA NO. 2

61-2 County Service Area No. 2 Road Advisory Committee submitted a letter requesting an emergency advance of \$1,016.00 to the Service Area for the completion of planned work on Arrowbee and Hidden Lakes Road, to be repaid from Fiscal Year 1978-79 funds, and also that the Board accept funds in the amount of \$2,320.00 from El Dorado Irrigation District for the purpose of repairing reservoirs served by that District.

On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried, the matter was continued to February 21, 1978.

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GENERAL ORDERS

50-1 Director, Community Programs, submitted letter recommending the Chairman be authorized to sign the Direct Service Agency Contract for Title III funds under the Older Americans Act, in the amount of \$77,931.00 for 1978. (Continued from 2/7/78)

On motion of Supervisor Walker, seconded by Supervisor Kutter, RESOLUTION NO. 31-78 was adopted authorizing the Chairman to sign said Contract No. 09381220.

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50-1 Executive Director, Community Action Council, submitted for approval the Community Action Council's 1977-78 Revised Budget, and on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Budget was approved as submitted.

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50-1 Executive Director, Community Action Council, submitted a letter requesting authorization to submit a grant application to the Department of Energy Appropriate Technology Office, in the amount of \$26,348.00, for use in setting up an Energy Information Center at South Lake Tahoe.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried, the request was approved, provided there are no on-going costs when the program terminates.

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50-6 Director, County Training Programs, submitted for approval the Title III Youth Community Conservation and Improvement Projects budget, for the period of January 1 to September 30, 1978, in the amount of \$88,813.00 to provide training and apprenticeship jobs for 16 youths between the ages of 16 - 19.

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

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50-6 Director, County Training Programs, submitted letter requesting the Chairman be authorized to sign the following budget modifications:

Modification No. 1 to Title I (Work Experience) Subgrant Registration for period October 1, 1977, to September 30, 1978, to reallocate funds to establish a service component, with no change in the total obligation. On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign Modification No. 1 to Subgrant Agreement Registration No. 77005607.
(Continued)

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Modification No. 6 of Title II (Public Service Employment) for the period October 1, 1976 to September 30, 1978, increasing budgeted slots from 68 to 69 and redistributing administrative costs, with no change in the total obligation.

506
On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign for Modification No. 6 of Title II (Public Service Employment) Registration No. 76006193.

Modification No. 3 to Title VI (Public Service Employment/Projects) Registration No. 77001585 increasing funds from \$4,452,826.00 to \$4,633,804.00 for the period February 1, 1977 to September 30, 1978, to allow for 40 additional Work Project positions.

On motion of Supervisor Kutter, seconded by Supervisor Todd, and unanimously carried, the Chairman was authorized to sign for Modification No. 3 to Title VI.

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141-1
233-6
(114-7)
County Counsel reported on the legality of placing County equipment on private property, as it relates to Bid No. 933 (2 Mortuary Refrigerator Units), by stating that the installation of the refrigerators owned by the County at private mortuaries is both legal and consistent as part consideration under Paragraph 9 of the mortuary contract.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, County Counsel's letter was placed on file, and Bid No. 933 was awarded to low bidder, Lipshaw Manufacturing Corporation, Detroit, Michigan, in the amount of \$13,620.00.

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(141)
124
County Counsel submitted Resolution Revoking Encroachment Permit No. 76-637 issued to Dan McPherson, as the encroachment was constructed upon Green Valley Road instead of Allegheny Road.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, RESOLUTION NO. 32-78 was adopted Revoking Encroachment Permit No. 76-637.

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(70)
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On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Board referred the Tahoe Regional Planning Agency's Compact Directives and Recommended General Plan Goals and Objectives to the Planning Department for comment back to the Board on February 28, 1978.

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124
390-11
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, ORDINANCE NO. 1864 was adopted amending County Ordinance on Care and Maintenance of Roadside Trees, to reference the Director of Public Works instead of the Agricultural Commissioner in various sections.

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124
390-7
Board considered the Ordinance designating the airport access road at South Lake Tahoe as a one-way street; and designating the portion of Sudbury Road in Cameron Park that is split level as being one-way on each level, and on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, ORDINANCE NO. 1863 was adopted accordingly.

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247
The Offer of Settlement of Lien submitted by Attorney Stephen B. R. Keller on behalf of Toya and Stephen Roseveare, was continued to February 21, 1978, on motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried.

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12
Correspondence was received from the Sierra Medical Auxiliary requesting reconsideration of the denial of the use of the Board of Supervisors Conference Room in the new County Government Center.

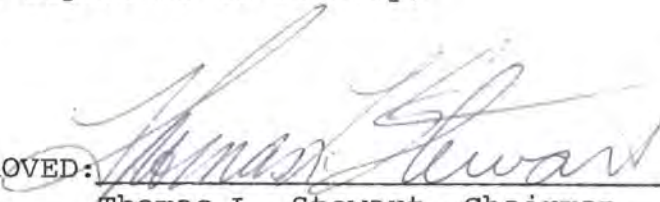
The motion of Supervisor Kutter, seconded by Supervisor Todd, to continue the matter for one week and to place it on the Agenda, was not carried by reason of the following vote; Ayes: Supervisors Todd and Kutter; Noes: Supervisors Johnson, Walker, and Stewart.

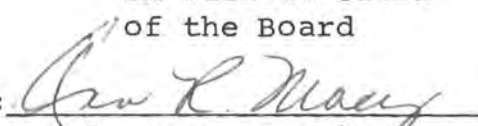
On motion of Supervisor Johnson, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Todd, Johnson, Walker, and Stewart; No: Supervisor Kutter, the Clerk was requested to respond reaffirming the Board's previous action establishing the policy on the use of said conference room, and to forward a copy of that policy to said Medical Auxiliary.

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There being no further business, the Board adjourned to Tuesday, February 21, 1978, at 10:00 a.m.

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

APPROVED: 
Thomas L. Stewart, Chairman

By: 
Ann R. Macy, Deputy