

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES _____ March 28, _____ 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.

--//--

Supervisor Johnson led the Pledge of Allegiance to the Flag.

--//--

The Agenda was adopted, after Item 28 was removed from the Agenda, and a New Business item pertaining to the adoption of a Building Allocation Ordinance for South Lake Tahoe was added, on motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried.

--//--

The Minutes of March 14, 1978, were approved as submitted, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried.

--//--

GENERAL ORDERS

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

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

* * * *

Board approved 27 Assignments to the Credit Bureau of El Dorado County from the Collection Department for Claims against those persons named on the Assignments dated March 28, 1978; copies of which are on file in the Board of Supervisors Office, beginning with the name of Bill C. Rose, Jr. and ending with the name of Richard E. DeClue.

* * * *

RESOLUTION NO. 49A-78 was adopted Authorizing an Action for the Recovery of County Funds Paid Out.

* * * *

Purchasing Agent was authorized to waive formal bidding procedure and to purchase through Riverside County, traffic paint and pre-mix for Public Works at a total cost of \$17,821.78, thereby taking advantage of a lower cost, and benefitting from Riverside's quality control and testing program.

* * * *

March 28, 1978

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES _____ March 28, 19⁷⁸ _____

120 The Board approved two Property Transfer Requests listing unaccounted-for County property for Mental Health Department and the Public Defenders Office.

* * * *

1296-1
81
124 Board adopted RESOLUTION NO. 50-78 deleting Airport Road No. 2320 from the County Maintained Road System, and directing that said road be maintained by the Airports Department.

* * * *

118-1 Board directed that Governor Brown's Direct Primary Election Proclamation be posted, and placed on file, pursuant to Section 2553 of the Elections Code.

--//--

74 56 On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Chairman was authorized to sign the Notice of Completion of the Temporary Superior Court at South Lake Tahoe.

--//--

(12-14)
59 On motion of Supervisor Todd, seconded by Supervisor Johnson, and unanimously carried, the Board set a Policy Review Session with the El Dorado County Fair Board for April 5, 1978, at 2:00 p.m., as requested by the Fair Board of Directors for the purpose of discussing the appropriation of \$435,000.00 for the purchase of a new Fair site, or for capital improvements on the present site.

--//--

57-4 At the request of the Planning Director, on motion of Supervisor Todd, seconded by Supervisor Johnson, and unanimously carried, a Personnel Session was set with the Planning Director for April 4, 1978, at 9:00 a.m.

--//--

21 80 Airports Director submitted letter requesting the Chairman be authorized to sign Renewal Agreement with Tahoe Sands - Vagabond Hotel for advertising space at the Lake Tahoe Airport Terminal Building at a cost of \$960.00 per year.

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

--//--

21 5 On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the proposed 15-year Lease with Lake Tahoe Aviation, Inc. for the Fixed Base Operation at the Lake Tahoe Airport, was continued to April 11, 1978.

--//--

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 28, 1978

22-6
(58-1) Director of Health Services submitted comments on Mr. and Mrs. Edward Zeikus' proposed notification and identification procedures for impounded pets. (Referred 3/21/78)

On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried, the Director of Health Services was requested to prepare a letter for the Chairman's signature to Mr. and Mrs. Zeikus explaining his department's response to each of their suggestions.

--//--

22-1 Director of Health Services submitted letter requesting the Board's determination as to County providing \$15,000.00 of local funds to match \$60,000.00 of State funds for the Prenatal Care Project (midwifery project) for South Lake Tahoe for Fiscal Year 1978-79.

22 On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the matter was continued until Barton Hospital's proposal is considered by the Board.

--//--

22 Director of Health Services submitted letter requesting approval of capital outlay for remodeling the Health Department basement which is currently occupied by the County Ambulance Service.

1244 On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the request was approved.

--//--

22-12
23 On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Board authorized Richard Milbrodt, City Manager, City of South Lake Tahoe, or his designee, to represent the County at the State Solid Waste Management Hearings on April 13, 1978, regarding designating regional, state, and local agencies for solid waste management.

--//--

132
23
44-1
390-10 On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board adopted Urgency ORDINANCE NO. 1880 Establishing a Building Allocation Program in the Boundaries of the South Tahoe Public Utilities District for the issuance of new construction permits, together with RESOLUTION NO. 51-78 which adopts the City of South Lake Tahoe's Resolution No. 1978 Certifying Negative Declaration and Directing the City Clerk to file a Notice of Determination on said on said Building Allocation Program; also, the Board authorized the Chairman to sign the Joint Powers Agreement between the City of South Lake Tahoe and the County for implementation of the 1978 Building Allocation Program.

--//--

Mr. Harry McCall submitted a letter requesting authorization to operate an Airport Limousine Service from Crystal Bay, Nevada, to the Lake Tahoe (Continued)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 28, 1978

Airport.

21-6
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board requested that the Airports Director, County Counsel, and Mr. McCall meet for the purpose of drawing an agreement for Board approval, with the provision that there be no "in-between" stops and that the County be indemnified.

--//--

Mr. Frank R. Hildreth, Director of Stanford Sierra Camp, requesting Board reconsider the matter of instructing the Department of Public Works to open Fallen Leaf Road before mid-April. (Referred 3/21/78)

296-4
233
124
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, the Board authorized that the road be plowed. Also, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board directed that a committee be established comprised of representatives from County Counsel's Office, Public Works, and the Sheriff's Department at South Lake Tahoe, and Mr. Cravens, to develop a policy and some regulations for the care of Fallen Leaf Road.

--//--

250
118-1
118-2
23
22-13
Director of Health Services submitted the Hospital Bed Need Study for South Lake Tahoe and the Western Slope of El Dorado County, and recommended a letter of endorsement and recommendation from the Board to the Golden Empire Health Systems Agency. (Continued from 3/21/78)

On motion of Supervisor Johnson, seconded by Supervisor Walker, to adopt the Study, with Addendums; prior to the rollcall, Supervisor Kutter moved to delete the Addendum on Page 15. The amendment died for lack of a second. Supervisor Kutter then moved to amend the original motion by the deletion of the sentence contained in the Addendum on Page 15, as follows: "The county is in the process of giving up the license of this facility.". Supervisor Todd seconded the motion, and the Chairman called for the vote on the amendment and it was carried by the following vote: Ayes: Supervisors Todd, Johnson, Kutter, and Stewart; No: Supervisor Walker. The Chairman then called for the vote on the original motion, and it was unanimously carried.

--//--

Board considered the matter of the County's closure of the bridge crossing the South Fork of the American River, Peavine Ridge Road due to its unsafe condition, as requested by Mr. and Mrs. Dean Jennings.

Numerous letters were received from residents who found it necessary to take a much longer, and sometimes unsafe road to reach their homes. (Continued)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 28, 1978

Also, those same residents were present and requested a resolution to their problem.

Public Works Director advised that the State Department of Transportation had inspected the bridge, and had advised him that the existing timber structure would prove to be too costly to repair.

After consideration, on motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried, the matter was continued until the budget session, and in the interim Public Works was requested to bring to the Board proposals for investigating the condition of the bridge.

Supervisor Kutter left the room --//--

SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider the rezoning of lands in the Mt. Aukum area from Exclusive Agricultural to Estates Residential Ten Acre zone, consisting of 127.147 acres, petitioned by Robert D'Agostini, etal. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The proposal is in compliance with County policy to allow Exclusive Agricultural zoning only on those lands within an Agricultural Preserve.
2. The proposed rezoning is also compatible with the Planning Staff's zoning study of the Mt. Aukum area, presently in progress.

There were no protests, and the Hearing was closed.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Board concurred in the Planning Commission's findings; the rezoning was found to be in conformity with the General Plan; and the rezoning was approved and adopted by ORDINANCE NO. 1877 which amends the County Zoning Ordinance accordingly.

--//--

Hearing was held as duly advertised to consider rezoning of lands in the El Dorado area from Agricultural to Mobilehome Park zone, consisting of 29.22 acres, petitioned by Gordon D. Firestone. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The major reason for denial of this rezoning in 1976 was the lack of sewage facilities. The Deer Creek sewerline extension is presently under construction and will be available to this property in a few months;
2. Special Use Permit 77-121, to operate a 92-space mobilehome park with recreation building and areas, will be withheld until a sewer hookup is available to this property.

(Continued)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 28, 1978

There were no protests, and the Hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried by those present, the Board concurred in the Planning Commission's findings; the rezoning was found to be in conformity with the General Plan, and the rezoning was approved and adopted by ORDINANCE NO. 1878 which amends the County Zoning Ordinance accordingly.

--//--

Supervisor Kutter arrived

Hearing was held as duly advertised to consider rezoning of lands in the Diamond Springs area from Unclassified to General Commercial and Limited Multi-Family Residential zones, consisting of 2.914 acres, petitioned by Robert Pack. Planning Commission recommended approval to rezone the front portion of Parcel #54-371-19, consisting of approximately 1.4 acres, to Planned Commercial; and denial without prejudice to rezone the remaining approximately 1.6 acres to Limited Multi-Family Residential, and the Planning Director enumerated the following findings of the Commission:

- 285-16-78
390-4a
1. The proposal for commercial zoning is a logical extension of the existing commercial pattern;
 2. All necessary services are available for commercial use (water, sewer, and fire protection);
 3. The proposed residential use would be inappropriate in this commercial pattern;

There were no protests, and the Hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and carried by the following vote: Ayes: Supervisors Todd, Johnson, Walker, and Stewart; Abstain: Supervisor Kutter, the Board concurred in the Planning Commission's findings; the rezoning was found to be in conformity with the General Plan; the Negative Declaration was accepted, and the rezoning was approved as recommended by the Planning Commission: i.e. 1.4 acres rezoned to Planned Commercial, and denial without prejudice of 1.6 acres to Limited Multi-Family Residential, and ORDINANCE NO. 1879 was adopted accordingly.

--//--

285-17-78
(423) Hearing was held as duly advertised to consider the rezoning of lands in the Mt. Aukum-Fairplay area from Agricultural to Estate Residential Five Acre zone, consisting of 249.7 acres, petitioned by Mr. Andrew Klemm. The Board also considered at the same time the Tentative Map for Terra di Sierra Subdivision, comprising 42 lots on the 249.7 acres. Planning Commission recommended approval of the rezoning, and the Planning Director enumerated the following findings of the Commission:

(Continued)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 28, 1978

1. The rezoning is consistent with adjacent uses (mobilehome park);
2. It reflects the actual design of the approved Tentative Subdivision Map for Terra di Sierra
3. Adequate services are available to service the density proposed.

Letters opposing the rezoning were received from: Eric Eckerstrom; and Raymond and Clara Poust

Letters received in favor of the rezoning: Larry Hyder; William Compiano; Fred Matteson; Gwen and Dab Bradley; and Wendell Inman

Petition received opposing the rezoning, containing 181 signatures. A petition containing 39 signatures was received in favor of the rezoning.

Those present and opposed to the rezoning were: Mary Hewson; Harry Emerson; Ray Poust; Rosma Shenko; Joan Emory; and Marjorie Higgins. Septic and water problems were cited most frequently as problems.

Those present and in favor of the rezoning were: Bill Compiano; Dr. Kuntz; Harold Prescott.

After consideration, on motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried, the rezoning was denied, and with the concurrence of the applicant, the time limitation of the Map was waived; thereby allowing the applicant to revise the Map for consideration of the Planning Commission before coming back before the Board.

--//--

298
(59)
On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Board continued to April 11, 1978, the Assessor's request that Resolution No. 432-69 be amended to reflect that the Planning Department shall collect the fee of \$40.00 for each parcel created by lot division, that has an unpaid special assessment that will require an apportionment of the assessment.

--//--

GENERAL ORDERS

80-2
On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried, the Board continued to April 4, 1978, at 4:00 p.m. the request of Attorney David Combella, on behalf of El Dorado Disposal Service, Inc., for clarification of the rights and duties under the franchise granted by the County to El Dorado Disposal Service.

--//--

253-9
165-2
82-2
52-12
Assistant to the Board submitted for Chairman's signature, a contract with Gene Bell for professional assistance in matters of labor relations representation and negotiations with the Law Enforcement Unit; Attorneys and District Attorney's Investigators Unit; and the Miscellaneous Unit, at a cost of \$50.00 per hour, excluding travel.

(Continued)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 28, 1978

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 Chairman was authorized to sign the contract.

--//--

(165-2)
115
Assistant to the Board submitted letter requesting Chairman be authorized to sign contracts to employ Harold V. Cates and James Neves as Special Investigators for the District Attorney's Office, at a base salary of \$1,640.00 per month, plus 10% in lieu of retirement and 6% in lieu of Social Security. (Referred 3/7/78)

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

--//--

201
Assistant to the Board submitted comments from concerned Department Heads on the Audit Report conducted by Bartig, Basler and Ray for the year ending June 30, 1977. (Referred 2/21/78)

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the comments were accepted, and placed on file.

--//--

Assistant to the Board submitted for the Board's review and consideration, a proposed hospital lease for the new wing of the El Dorado County Community Hospital. (Referred 3/14/78)

250
After consideration, the motion of Supervisor Kutter, seconded by Supervisor Todd, to approve the lease after the following amendments have been made: Page 4, Line 4, add words, "but not limited to"; Page 4, Line 24, add the word "use" to read, "... or Tenant's use of the premises .." and the removal of paragraph 1, Page 5, and replace it with the standard maintenance paragraph, was not carried by reason of the following vote: Ayes: Supervisors Todd and Kutter; Noes: Supervisors Johnson, Walker, and Stewart.

Supervisor Walker then moved to adopt the lease as presented with the additions to Paragraph 6, on Page 4, and Paragraph 1, on Page 4 (both of these are the same as referred to above in Supervisor Kutter's first two amendments, i.e. Pg. 4, Line 4, and Page 4, Line 24), and with the addition that the landlord shall not have any responsibility to maintain the premises excepting normal maintenance of roof and exterior, to line 8, Page 5 (the underscored is the addition). Supervisor Kutter seconded the motion, and it was carried by the following vote: Ayes: Supervisors Todd, Walker, and Kutter, Noes: Supervisors Johnson and Stewart.

--//--

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 28, 1978

County Chamber of Commerce submitted a letter requesting that the Board authorize the purchase of 40,000 County maps at a cost of approximately 12.8¢ each, totalling approximately \$5,427.00, as the present supply is near depletion.

53 After discussion, on motion of Supervisor Kutter, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisor Todd, Walker, Kutter, and Stewart; No: Supervisor Johnson, the request was approved with funds to be taken from the Contingency Fund, with the understanding that the maps will be sold and that future maps will be financed from those map sales.

--//--

12
(353) Sierra Medical Auxiliary and National Women's Political Caucus submitted letters requesting that the Board reconsider its policy on the use of the Board's Conference Room in Building "A", in order that they each may meet there on a monthly basis.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Johnson, Walker, and Stewart; Noes: Supervisors Todd and Kutter, the Board moved to not reconsider their previous position.

--//--

22-6 Mary Vaughn was present and requested that the Board consider a waiver of the ordinance which prohibits the keeping of wild, domestic animals on less than ten acres. She stated she had two wolves which were born in captivity which she had raised from a bottle; they were extremely shy of people; they were kept behind a cyclone fence -- cemented at the bottom. She read a letter from a 2nd grade teacher in a local school where the wolf that was the least shy had been taken for the children to pet. The Animal Control Officer was present and stated that since the two wolves had been born in captivity, and were domesticated, that the ordinance did not apply: that the ordinance did in fact apply only to wild, exotic, or non-domestic animals in captivity.

Therefore, on motion of Supervisor Todd, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Todd, Walker, Kutter and Stewart; No: Supervisor Johnson, the Board, in view of the information received, concluded that the animals in question were of a cross-breed, born in captivity and not wild, and consequently, the County Ordinance did not apply.

--//--

82-11 The Sacramento Safety Council submitted a letter requesting a statement of support of their application to the National Safety Council for expansion of their chartered service area to include El Dorado County.

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

--//--
- 141 -

arm

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 28, 1978

22-10-11 Sierra-Sacramento Valley Emergency Medical Services Agency submitted letter requesting the Board adopt a resolution approving the expansion and improvement application of said agency; endorsing the Fiscal Plan for Continuation of Services; and pledging support and cooperation with the system through its participation as a signator of the Joint Agreement of Powers for Emergency Medical Services and involvement of its Emergency Medical Care Committee.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Johnson, Walker, and Stewart; Noes: Supervisors Todd and Kutter, the request was denied.

--//--

211 Executive Director of Mother Lode Rehabilitation Enterprises, Inc. (M.O.R.E.) submitted a letter asking that the Board request the Department of Health; Department of Rehabilitation; and elected State officials to develop one uniform method of computing service fees for clients of the M.O.R.E. programs.

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

--//--

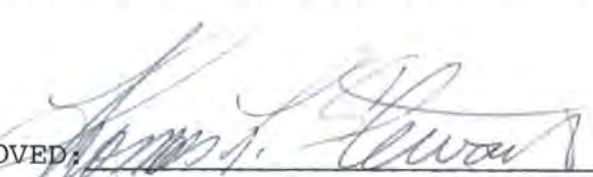
80-2 On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board concurred with a letter from El Dorado Disposal Service to Senator Garamendi recommending that legislation be adopted to allow a weight tolerance figure for refuse trucks which would permit a 2,000-lb. excess over present limits without result of violation; said letter of support to be sent to Senator Garamendi, Senator Ray Johnson; Assemblyman Waters; Assemblyman Chappie; and the Regional Council of Rural Counties.

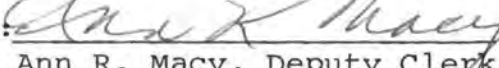
On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Board continued to April 4, 1978, their consideration of Assembly Bill 2277 - Mentally Disordered Violent Offenders.

--//--

There being no further business, the Board adjourned to Tuesday, April 4, 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 Clerk