

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 18 19 78

The Board convened in regular meeting. Present: Supervisors Arliene Todd, William V.D. Johnson, W. P. Walker, Lloyd R. Kutter, and Thomas L. Stewart. Mary Anne Kinkade, Assistant Board Clerk, was present. Chairman Stewart presided.

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12-9 The Invocation was offered by Reverend Don O. Herman.

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The Pledge of Allegiance to the Flag was led by Chairman Stewart.

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At this time, Chairman Stewart presented Certificates of Election to the following successful candidates, as a result of votes cast at primary election held Tuesday, June 6, 1978:

Hazel E. Hoak - County Superintendent of Schools

John H. Thorne - Assessor

Amelia "Em" McAnnally - Auditor/Controller

175 Ron Tepper - District Attorney

Dorothy Carr - Recorder

Richard "Dick" Pacileo - Sheriff/Coroner/Public Administrator

(Represented by Undersheriff Coombs

Fred G. DeBerry - Surveyor

Elvis R. Ferguson - Treasurer/Tax Collector.

Terrence M. Finney, Superior Court Judge; George L. Bergman, Sr., Constable, Lake Valley Judicial District; Bob Rolfe, Jr., Constable, Georgetown Divide Judicial District; and, George E. Sammer, Constable, El Dorado Judicial District, could not be present, and Chairman Stewart directed that their certificates be mailed to them.

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On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the Agenda was adopted as presented.

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On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried by those present, the minutes of July 11, 1978, were approved, as submitted.

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July 18, 1978

- 311 -

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 18 19 78

GENERAL ORDERS

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

50-1 The Community Action Council Claims were approved and allowed for payment. (There were no Warrant Register Claims.)

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The Board approved Assessment Roll Changes as follows:

898A Number Name

7171 Ronald C. and Esther L. Esser

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114-7 At the request of Planning Director, Bid No. 979 - Photographs and Transparencies for Planning Department (Continued from July 11, 1978) was removed from consideration.

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124
119.164 After some discussion, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Board set policy review sessions for Department of Public Works re Barrier Curbs on July 31, 1978, 3 p.m., and for Director, Office of Emergency Services on July 31, 1978, 4 p.m.

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326 On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried by those present, the Board directed that a letter in opposition to Assembly Bill 1236 be sent to Assemblyman Waters, setting forth some of the objections contained in the summary presented by Mr. Omer McGee. (This bill would revise the Forest Practice Act of 1973.)

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113 On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Board approved recommendations of the Assistant to the Board as set forth in the Personnel Letter of July 13, 1978, relating to Item 2 (Service Unit), Item 3 (Welfare Department - Travel Request), Item 4 (Building Department), Item 5 (Placerville Justice Court), Item 6 (Air Pollution Control), (Continued on next page)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 18 19 78

Item 7 (Sheriff's Department), and Item 8 (Veterans Service Office); Board continued Item 9 (Public Works Department) until July 25, 1978; Board also approved addition of Social Worker III and three Clerks positions, as requested by Welfare Director.

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Carl A. Kelly, County Clerk, submitted official notice of his resignation from the Office of County Clerk, effective September 1, 1978.

178
With sincere regret, on motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried by those present, the Board accepted Mr. Kelly's resignation.

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175-1
County Clerk certified the public manual recount of ballots tabulated by Votronic Vote Counters in six precincts for the District Primary Election held June 6, 1978, conducted pursuant to Section 15281(a) of the Election Code.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Board acknowledged receipt of the certification, and directed that it be filed in the records of the Board Clerk.

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127
(74-3902)
Director of Public Works recommended Chairman be authorized to sign Notice of Completion for the Government Center Access Road (Ray Lawyer Road); and, that Board approved payment of Final Contract Estimate No. 8 and Change Order Nos. 5 and 6, increasing the final contract price to \$439,230.76.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the Board approved payment and authorized the Chairman to sign as recommended.

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Deed #18
Setback P/L
Director of Public Works recommended Chairman be authorized to sign Agreement of Purchase of Real Property from Wayne L. Varozza for the sum of \$446.00, together with a Certificate of Acceptance of Quitclaim Deed from said property owners, pertaining to the Latrobe Road Project.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the Board authorized the Chairman to sign the documents as recommended.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 18 19 78

354 Director of Public Works recommended Chairman be authorized to sign Agreement of Purchase of Real Property from Velvendy B.V. Hooe and Hester W. Hooe for the sum of \$17,482.00, together with a Certificate of Acceptance of Quitclaim Deed from said property owners, pertaining to the Pleasant Valley Road project.

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

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22
(354) Director of Health Services recommended Chairman be authorized to sign Agreement with the State Department of Health for funds in the amount of \$14,141.00, for allocation to New Morning to provide drug abuse services for Fiscal Year 1978-79.

On motion of Supervisor Kutter, seconded by Supervisor Walker, and carried by the following vote: AYES: Supervisors Johnson, Walker, Kutter and Stewart; ABSENT: Supervisor Todd, the Board adopted RESOLUTION NO. 150-78 approving the Agreement and authorizing Chairman's signature, as recommended.

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119 Auditor-Controller recommended Chairman be authorized to sign a five-year Lease-Purchase Agreement with NCR Corporation for installation and implementation of NCR 8230 accounting equipment by January 1, 1979, with total cost of equipment and maintenance to be \$1,694.00 per month.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Board authorized the Chairman to sign the Agreement, as recommended, with the proviso that the de-installation cost (removal cost) will not be in excess of the installation cost.

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Hearing was held on the Appeal of Michael T. Maulucci (independent trash collector) on the revocation of his Business License (No. 20421), by the Treasurer-Tax Collector. (Continued from 7/11/78)

349 Mr. Maulucci, Appellant, addressed the Board; and, Deputy Tax Collector Ezzell spoke concerning the rights of franchise holders in the matter of trash pickup.

There being no further protests, the hearing was closed.

On motion of Supervisor Todd, seconded by Supervisor Stewart, and unanimously carried by those present, the Board took the matter under advisement, and continued the Appeal until August 1, 1978.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 18 19 78

68
6/1/78
Mayor Norm Woods, City of South Lake Tahoe, and Mr. Richard Milbrodt, City Manager, appeared and spoke concerning California Tahoe Regional Planning Agency Rules and Regulations, and Mosquito Abatement Control (County Service Area No. 3).

Considerable discussion ensued relating to the various problems in these two areas.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Board directed that the Mosquito Abatement Program be transferred to the Health Department from the Agricultural Department; Director of Health Services is requested to confer with the Assistant to the Board and develop a budget to be used until October 1, 1978, with the source being carry-over funds (\$38,000); three employees are authorized until October 1, 1978; and, the Board affirmed its previous instructions to the Auditor re pro-rata share of Ad Valorem taxes.

Mayor Woods commented that representatives of the City of South Lake Tahoe will endeavor to secure State funding to carry on this program after that date. (October 1, 1978)

68
Concerning California Tahoe Regional Planning Agency Rules and Regulations, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and carried by the following vote: AYES: Supervisors Todd, Johnson, Walker and Stewart; NOES: Supervisor Kutter, the Board stated that the El Dorado County Board of Supervisors supports the City of South Lake Tahoe concerning their action of July 11, 1978, regarding the California Tahoe Regional Planning Agency, and in recognition of their (the Board's) responsibility to other elected political bodies in the Basin, shall continue to send representatives to sit on the Governing Board of the CTRPA, but under no circumstances other than the loss of an appeal to the highest Court in this land, shall the County conform to, or its employees recognize the law of, or enforce any regulations of the CTRPA, which are not consistent with the Bi-State Regional Planning Agency, as prescribed by law and shall discharge its responsibilities and exercise all rights granted to it under the constitutional law, as a duly elected properly constituted body of government, and, it is further ordered that as a matter of policy, all communications with the CTRPA shall henceforth be handled through the Assistant to the Board, the County Counsel, or the Board of Supervisors directly, and that copies of this statement be sent to Senator Garamendi, Assemblyman Waters, the Congressional Delegation representing the Tahoe Basin, both California and Nevada, and the Chairman of each Board and Commission of each County in Nevada and California representing the Tahoe Basin.

July 18, 1978

- 315 -

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 18 19 78

576
Hearing was held as duly advertised to consider adoption of the Pleasant Valley/Oak Hill Sly Park Area Land Use Plan. (For specifics of map change requests, see Page _____, Minutes of July 20, 1978) Associate Planning director advised that the Planning Commission had recommended approval of the Plan as presented on the map.

Petitions were received as follows:

Mr. Martin Baer, attorney for the Public Administrator, requested an exception for the property of Dorian L. Dunlop, deceased. In order to facilitate sale of the property, a zoning of less than five acres was requested.

Mr. Homer Banks appeared on behalf of four clients and himself. A request for one-acre zoning was submitted concerning the Mike Tillson, Petterson, Steed and Eddleman properties. Mr. Banks further requested Commercial zoning on his Diamond Springs property. In the audience, 25 people were in support of his request, and 30 were against.

Mr. Len Miller requested a change from ten acre zoning to five acre zoning.

Mr. Audrey Powell appeared and explained why he is requesting rezoning from ten acres to one acre.

Mr. Harold Pendry and Mr. Foreman requested a change on the map to show their properties as 1 acre zoning rather than 5 acre zoning.

Mr. Fred Loman requested his property be designated Commercial zone, as he has had a service station on the property for twenty-two years.

Mrs. Holmes spoke on behalf of various residents in the area, asking that a moratorium be placed on land splits until September 26, 1978, to allow a citizens committee to further investigate the plan.

After various other opinions and requests were heard, the Chairman closed the hearing.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried by those present, the Board referred to Planning Commission, for review in their meeting of July 19, 1978, the below listed requested changes, with the recommendations of the Planning Commission to be brought before this Board by July 20, 1978. Petitioners and Requests: Warner - Further examination; Miller - 5 acre; Pendry - 5 acre; Foreman - 1 acre; Lohman - Commercial; (continued on following page)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 18 19 78

Hassle - 1 acre; Van Winkle for Dusek - 10 acre; Hayes - 1 acre; Bartlett - 5 acre; Anderson - 1 acre; Powell - 3 acre; McKay - 1 acre; Erhardt - 1 acre; Ortega - 5 acre; Rapovono - 1 acre; Brown - 1 acre; in addition, Planning is to re-consider all letters received by them, i.e., from Snyder, O'Leary, Elliott, Beane, Kalikura, Knapp, Hull, Stanley, Morford, Maddock, Covert, Morgan/Hayes, Powell and Bridges, as these letters also request exceptions to the Plan.

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423
At the recommendation of the Planning Commission, on motion of Supervisor Todd, seconded by Supervisor Kutter, and unanimously carried by those present, the Board approved the Tentative Map for Pine Hill Estates Subdivision; Subdivider: Raymond DeGennaro, et al; 127 acres, comprising 22 lots, subject to the conditions set forth by Planning Commission, and a finding of consistency with the General Plan.

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5-13
Director of Planning Recreation submitted for approval, plans and specifications for Diamond Springs Lions Club Park and Shingle Springs Plaza Park, and requested authorization to begin bidding procedures; also recommended that the Board: (1) Designate Kenneth Milam and Arlan Nickel as the County's official representatives for supervising and inspecting these projects; (2) Approve payment of architectural fees for the restroom plans and specifications, as well as for administration of restroom construction; and (3) Direct Public Works to rough grade the park sites under the direction of Planning and Recreation Department, including utility pole and tree removal at the Diamond Springs park site. (Continued from 6/20/78)

After some explanation and discussion, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried by those present, the Board directed that County Counsel initiate necessary procedures to revert ownership of the Diamond Springs Lions Club Park parcel back to Diamond Springs Lions Club. (Deed has reversionary clause)

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried by those present, the Board approved the request of Planning Director concerning Shingle Springs Plaza Park (Items 1 and 2 of Planning's letter of June 14, 1978), conditioned upon receipt of formal agreement re maintenance from Shingle Springs Chamber of Commerce.

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300-2
Data Processing Manager recommended Chairman be authorized to (continued on following page)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

July 18

19 78

sign Agreement for the purchase and maintenance of the currently installed data entry equipment, for a total cost of \$31,107.00.

On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried by those present, the Board continued this matter until July 25, 1978.

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Director of County Training Programs recommended Chairman be authorized to sign Title III Subgrant to provide four weeks of on-the-job training for up to 144 out-of-school youths between the ages of 16 through 21, for period July 1, 1978 through June 30, 1979, with funds in the amount of \$108,630.00 to be provided by the Governor's 5% discretionary funds. (Continued from July 11, 1978.)

Supervisor Kutter's motion to approve the program (seconded by Supervisor Todd) was denied by the following vote: AYES: Supervisors Kutter and Stewart; NOES: Supervisors Todd, Johnson and Walker.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and carried by the following vote: AYES: Supervisors Todd, Johnson and Walker; NOES: Supervisors Kutter and Stewart, the Board denied the request of the Director of County Training Programs.

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Director of County Training Programs recommended Chairman be authorized to sign Agreement for Title III Youth Community Conservation and Improvement Projects (YCCIP), Mod. No. 2, which will implement the new recycling project at South Lake Tahoe, for period January 1, 1978 to September 30, 1978. (Continued from July 11, 1978)

Supervisor Johnson, seconded by Supervisor Stewart, moved approval of Modification No. 2 to Agreement for Title III Youth Community Conservation and Improvement Projects, except that Agreement be modified to reflect an hourly wage of \$2.65 (minimum); Supervisor Stewart moved that the wage stay at \$3.00 per hour, seconded by Supervisor Kutter, and this amendment failed by the following vote: AYES: Supervisors Stewart and Kutter; NOES: Supervisors Todd, Johnson and Walker; at this time, by the following vote: AYES: Supervisors Johnson, Walker, Kutter and Stewart; NOES: Supervisor Todd, the Board adopted RESOLUTION NO. 151-78 authorizing the Chairman to sign the Agreement, and approving the Agreement as amended. (Agreement must be modified to reflect a wage of \$2.65 per hour rather than \$3.00 per hour.)

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 18 19 78

Director of County Training Programs recommended Chairman be authorized to sign revised Modification Number One to the Title III Summer Program for Economically Disadvantaged Youth (SPEDY), for State funds in the amount of \$37,797.00, for period April 1, 1978 to September 30, 1978.

50-6
1978-7
On motion of Supervisor Kutter, seconded by Supervisor Stewart and carried by the following vote: AYES: Supervisors Walker, Kutter and Stewart; NOES: Supervisors Todd and Johnson, the Board authorized the Chairman to sign Modification Number One as recommended.

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50-9
Executive Director, Community Action Council, recommended Chairman be authorized to sign amendment to Agreement with the State Office of Economic Opportunity for the Low-Income Weatherization Program, to extend said program from June 30, 1978, to December 31, 1978; and increase the amount of funds from \$26,050.00 to \$40,369.00.

50-8
On motion of Supervisor Walker, seconded by Supervisor Kutter, and carried by the following vote: AYES: Supervisors Todd, Walker, Kutter and Stewart; NOES: Supervisor Johnson, the Board authorized the Chairman to sign the Amendment as recommended.

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County Counsel submitted draft Agreement with El Dorado Land Fill, Inc., a corporation to be formed consisting of South Tahoe Refuse Co., Inc. and El Dorado Disposal Service, Inc., for the operation of the Union Mine Dump.

100-12
On motion of Supervisor Stewart, seconded by Supervisor Kutter, and unanimously carried by those present, the Board continued this matter until 11 A.M., July 25, 1978, at which time County Counsel shall present the final draft of the Agreement with discussed changes incorporated; in addition, County Counsel shall present an Agreement for rental of County equipment, and use of the tin building presently on the property; further, a site plan modification shall be submitted at that time.

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420-3
A representative of Don Devere of Mund, McLaurin and Company presented proposals for the County's liability insurance.

On motion of Supervisor Kutter, seconded by Supervisor Stewart, and unanimously carried by those present, the Board adopted the proposals and recommendations of Mund, McLaurin and Company, relating to County's liability insurance.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 18 19 78

43- Carolyn Sampson requested waiver of ordinance to permit two septic systems on 17 acres, the additional system being for a hardship mobilehome.

On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried by those present, the Board directed waiver of the ordinance as requested, contingent upon issuance of a special use permit.

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30-4 South Tahoe Refuse Company submitted bill for Meyers Maintenance Service in the amount of \$4,577.85, for period January 1, 1973 to January 7, 1978.

On motion of Supervisor Todd, seconded by Supervisor Kutter, and unanimously carried by those present, the Board directed payment of the bill in the amount of \$4,577.85.

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37 County Counsel recommended closure of the County Veterans Memorial Building pending approval of proposed lease with veterans' organizations for managing said building; County Counsel further stated that no action was necessary in this matter.

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42 El Dorado County Chamber of Commerce requested Chairman be authorized to sign agreement with the Chamber of Commerce providing for security services by the Sheriff's Reserve Association at the Chamber's Fifth Annual Mother Lode Antiques Show on August 25, 26 and 27, 1978.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Board authorized the Chairman to sign the Agreement as requested.

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44-1 South Tahoe Public Utility District requested Chairman be authorized to sign Agreement granting permission to said District to drill and construct a well on County property at the South Lake Tahoe Airport to pump water for domestic and fire purposes.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Board continued this matter until August 1, 1978.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 18 19 78

70 Tahoe Regional Planning Agency requested payment of El Dorado County's share of financial support to TRPA, in the amount of \$62,505.07, for Fiscal Year 1978-79.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Board directed a letter be sent to the Tahoe Regional Planning Agency stating, in effect, that because of restrictions on the County's ability to raise funds from the Ad Valorem tax roll, the County was unable to budget funds as requested; when the special district money is available from the State, and the State's criteria for distribution complied with, the balance will be distributed on criteria developed by the Board of Supervisors.

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Board of Directors of Marshall Hospital submitted their planned course of action to resolve the need for additional hospital beds on the Western Slope.

115-2 On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the Board acknowledged receipt of the letter outlining their plan, and directed that it be filed in Board Clerk's records.

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Board considered a County-wide policy prohibiting streetside vendors. (Continued from 7/11/78)

(63) 57 On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the Board referred the matter to the Planning Department to develop an ordinance stating, in effect, that commercial sales must be carried on indoors, in Commercial zones. (TCG, TCP and TC zones were specified.)

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308-3 Sierra Planning Organization requested comments on the application of Diamond Place Associates, Ltd., for construction of low income/senior citizen apartments in the Placerville and Diamond Springs area.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Board continued this matter until July 25, 1978, and requested Planning Department to present the plans on this project for review by the Board.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

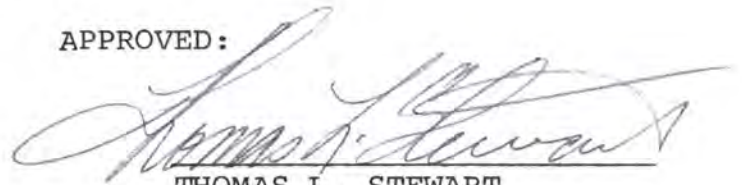
BOARD OF SUPERVISORS MINUTES July 18 19 78

151
At the request of the Welfare Director, and on motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried by those present, the Board approved continuation of the Homemaker II position under the Title II program in the Tahoe Area.

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There being no further business, the meeting was adjourned until Wednesday, July 19, 1978, at 2 p.m.

APPROVED:

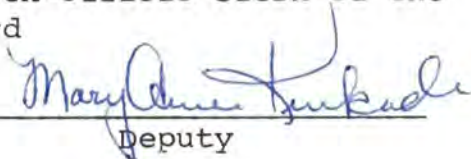


THOMAS L. STEWART
Chairman

ATTEST:

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

By


Deputy