

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 12 19 78

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

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12-7 The Invocation was offered by Supervisor Kutter.

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The Pledge of Allegiance to the Flag was led by Amelia McAnnally, County Auditor.

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The Agenda was adopted with the removal of "Consent Calendar" Item 5, relating to the adoption of a Resolution Setting Tax Rate for 1978-79, (to be considered separately and later in the Agenda), and with the addition of the request of El Dorado Rose (Betty Yohalem) for authority and assistance in representing the County of El Dorado at the Los Angeles County Fair in Pomona, on motion of Supervisor Todd, seconded by Supervisor Walker, and unanimously carried by those present.

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The Minutes of September 5, 1978, were approved, as submitted, on motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried by those present.

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GENERAL ORDERS

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

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

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(Continued on following page)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 12 19 78

The Board approved Assessment Roll Changes as follows:

<u>Number</u>	<u>Name</u>
7203	James E. & Patricia A. Rieff
7215	Edward & Dona Salata
7211	Earnest E. & Alice M. Carl
7212	Earnest E. & Alice M. Carl
8291	The Plywood Place, Inc.

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At the recommendation of the County Surveyor, the Board released a cash bond in the amount of \$1,000 to E.B. Ellsworth, inasmuch as survey monuments have been set on Huckleberry Ridge Estates Subdivision, in compliance with the Subdivision Ordinance.

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At the recommendation of County Counsel, Board adopted RESOLUTION NO. 194-78, Resolution of Intention to Adopt Resolution of Necessity to Acquire Property by Eminent Domain for Latrobe Road FAS W700(1) Project, and setting hearing for October 3, 1978, at 11:30 a.m.

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On motion of Supervisor Kutter, seconded by Supervisor Todd, and unanimously carried by those present, the Board adopted RESOLUTION NO. 196-78, authorizing the Chairman to sign all Comprehensive Employment and Training Act (CETA) Subgrants between the Balance-of-State, Employment Development Department, as Prime Sponsor, and the County, as Subgrantee, and modifications thereto, for period of October 1, 1978, through September 30, 1979.

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On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried by those present, the Board set a Special Personnel Session concerning Personnel Staffing in the Sheriff's Department, for September 19, 1978, at 9 A.M.

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On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried by those present, the Board set a Policy Review Session concerning County Planning Policy, as suggested by Mr. Kenneth Wilkinson, for all interested parties, for September 20, 1978, at 10:30 A.M.

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September 12, 1978

- 416 -

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 12 19 78

326
At the request of Planning Director, on motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried by those present, the Board directed that a letter be sent to Governor Brown asking that he veto AB 2649, which provides that any landowner may divide a parcel without local government review, if a parcel is bisected by a road, canal, street, highway or railroad, simply by recording a "notice of Separation."

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326
On motion of Supervisor Todd, seconded by Supervisor Walker, and unanimously carried by those present, the Board directed that a planning draft of Emergency Medical Services Omnibus Legislation, prepared by Senator Garamendi's staff, and submitted to the Board by the Emergency Medical Services Agency, be filed in the Board Clerk's records.

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326
On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Board directed that correspondence received from the Board of Supervisor of Marin County concerning SB 2223 (affecting Health, Welfare and Library Services) be filed in the Board Clerk's records.

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115
On motion of Supervisor Todd, seconded by Supervisor Walker, and unanimously carried by those present, the Board approved the following Items as set forth in the Personnel Letter to the Board from the Board Assistant, dated September 7, 1978: Item 1- (Administration) relating to establishment of a Nurse/Midwife position, RESOLUTION NO. 197-78 adopted, adopting the Job Specification, Classification Schedule and the Pay Range Schedule; Item 2- (Purchasing and Stores) relating to addition of Laborer position to CETA Personnel Resolution, RESOLUTION NO. 198-78 adopted, amending the CETA Authorized Personnel Resolution; Item 3- (Public Defender) relating to transfer of funds in the amount of \$5,910 from Contingency, to replace the attorney at South Lake Tahoe, who is leaving County employment.

* * * *

On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Board disapproved Item 4- (Data Processing) relating to addition of \$425 to the Data Processing budget, from Contingency, for Transportation and Travel Expenses.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 12 1978

At this time, the Auditor-Controller submitted a Resolution setting the tax rate for the Fiscal Year 1978/79.

119
On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Board adopted RESOLUTION NO. 195-78 Adopting Final County and District Tax Rates for Fiscal Year 1978-79.

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112
118
Betty Yohalem (El Dorado Rose) explained that she has been invited to attend the Los Angeles County Fair at Pomona, as a representative of El Dorado County, and in addition, to appear on National Television in the capacity of El Dorado Rose; at this time, she requests authorization and assistance in performing this function.

On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried by those present, the Board directed that Mrs. Yohalem be subsidized up to the amount of \$300, for travel and hotel expenses, and that the County Auditor assist her, if possible, by obtaining her Airline ticket and advancing some cash. (Mrs. Yohalem to be reimbursed after her return for any difference in cash outflow.)

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74-296-4
119
120
Director of Public Works advised that no bids were received for the Pioneer Trail Left Turn Channelization Project, and recommended that resubmission for bids be postponed until Spring of 1979, due to construction season limits in the Lake Tahoe Basin.

On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Board approved postponing of the bidding process until Spring, as recommended.

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74-392
Director of Public Works recommended that the Chairman be authorized to sign a Certificate of Acceptance of Grant of Easement on lands owned by James W. and Florence E. Sweeney, for the Ray Lawyer Drive project, with said easement granted in exchange for a portion of County Parcel 325:24:03.

115
On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried by those present, the Board authorized the Chairman to sign the Certificate of Acceptance, as recommended; (signature was also authorized on Cert. of Acceptance for Grant Deed.)

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 12 19 78

214
Chairman, Criminal Justice Advisory Group, submitted for approval, six programs recommended for funding under AB 90 for Fiscal Year 1978-79; and, advised that approved programs must be submitted to the California Youth Authority by September 30, 1978. (Said funds to be retroactive to July 1, 1978.)

(Amount of Funding: \$209,011.00; Division of Funds:
\$112,000.00 Probation Special Supervision Program
23,000.00 Sheriff's Burglary Control Program
18,000.00 Placerville Police Juvenile Diversion
55,000.00 New Morning & T.R.Y.S. 601 Program
1,130.00 Voluntary Action Court Referral Program).

On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Board approved the programming and division of funds, as submitted.

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214
Chairman, Criminal Justice Advisory Group, recommended selection of AB 90 funding option number two, which will provide funds in the amount of \$209,011.00, for Fiscal Year 1978/79, and that California Youth Authority be advised no later than September 15, 1978.

On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried by those present, the Board approved the selection of funding option number two, as recommended.

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50-7
Director, Community Programs, recommended Chairman be authorized to sign Agreement with the State Department of Aging for funds in the amount of \$20,000 under Title V of the Older Americans Act, for minor renovation of the Community Center at 842 Pacific Street in Placerville.

On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried by those present, the Board requested that the Director ascertain the latest date the County can enter into this contract and Agreement to be re-agendized prior to that date.

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Treasurer-Tax Collector requested authorization to sell at public auction, 89 parcels of property deeded to the State for non-payment of delinquent taxes.

(Continued on following page)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 12 1978

144
(349-4)
On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Board adopted RESOLUTION NO. 199-78 Authorizing Tax Collector to Sell Tax Deeded Property, as requested.

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124
On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried by those present, the Board adopted ORDINANCE NO. 1922 prohibiting parking on Back Street in Coloma, a narrow street which serves two historic churches, and providing a loading zone in front of Emanuel Church.

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201-3
Mother Lode Union School District requested that members of the County Traffic Advisory Committee accompany a School Board member, their District Superintendent, and Transportation Coordinator for a ride in a school bus on portions of Sandridge Road and Union Mine Road, to determine whether those roads are safe for school bus travel.

Director of Public Works and Captain Rengstorff of the California Highway Patrol spoke in opposition to this suggestion because of mitigating circumstances that could occur as a result of their approval or disapproval of a particular road.

On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried by those present, the Board denied the request and directed that the Director of Public Works draft a letter of explanation to Mr. Edwards, Superintendent of Mother Lode Union School District, for the Chairman's signature.

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82-5
Gary Fernandez, Manager, Public Employees Council of Operating Engineers, addressed the Board regarding balloting of County Employees to determine the consensus on withdrawing from the Social Security Program.

After some discussion, and remarks by County Counsel and Board Assistant, the motion of Supervisor Kutter, seconded by Supervisor Todd, to withhold counting of the ballots until after September 25, 1978 (date of Employees Association Election to determine whether to stay in the Union), and to discuss the possible effects of withdrawal from the Social Security System with elected (continued on the following page)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 12 19 78

employees representatives, failed by the following vote:
AYES: Supervisors Todd and Kutter; NOES: Supervisors Walker
and Stewart; ABSENT: Supervisor Johnson.

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Hearing was held, as duly advertised, to consider the abandonment
of a non-vehicular easement on Lot 214, Tahoe Paradise Unit No.
20.

423
Tahoe Paradise
Unit #20
Mr. Hart was present and stated that without this easement,
he could not build a garage on his property without tearing
out twenty trees and putting a ring of asphalt around his
house.

The Chairman stated that he had investigated the matter, and
agreed the easement should be abandoned.

Director of Public Works spoke against abandonment, requesting
that the Board make an example of this abandonment to reverse
previous Board policy in this type of situation.

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

On motion of Supervisor Stewart, seconded by Supervisor Todd,
and unanimously carried by those present, the Board adopted
RESOLUTION NO. 200-78 abandoning that certain non-vehicular
easement on Lot 214, Tahoe Paradise Unit No. 20, as requested.

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12-11
Mr. David Siever, representing Pacific Gas and Electric Company,
advised of its desire to conduct an energy audit of County-
owned facilities, which includes an on-site study of all energy
usage, as well as specific recommendations for lowering energy
use. (At no cost to County)

On motion of Supervisor Stewart, seconded by Supervisor Walker,
and unanimously carried by those present, the Board directed that
a letter be sent to M.E. Coffey, District Manager of P.G.&E.,
accepting their offer to conduct the audit, as suggested.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 12 19 78

At this time, the Board considered a letter received from Jack F. Carrell, requesting waiver of the ordinance to allow two septic systems on one parcel of land, as an additional system is needed for a hardship mobilehome.

82-14
Inasmuch as Mr. Carrell was not present (being out of the State on vacation), and the Board had some questions that need to be answered, on motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried by those present, the Board continued this matter until October 3, 1978, and directed that Mr. Carrell be notified and requested to appear.

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132
Kurt Borowski requested a waiver of the ordinance to allow him to place a temporary mobilehome on his lot in Rescue while constructing a home, as he was not told he must obtain a permit to do so within six months after receiving a building permit, and the six months has lapsed.

On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried by those present, the Board waived the ordinance and authorized the placement of the mobilehome, as requested.

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285
40-18
Hearing was held, as duly advertised, to consider the rezoning of lands in the Camino Area from Agricultural to Estate Residential Five Acre Zone, petitioned by Wallace M. Thomas, consisting of 19.89 acres. Planning Commission recommended approval. (Continued from August 15, 1978)

Planning Director recommended further continuance until litigation is resolved.

There were no further comments, and the hearing was closed.

On motion of Supervisor Kutter, seconded by Supervisor Todd, and unanimously carried by those present, the Board directed that this matter be continued off-calendar, until the decision in the unresolved lawsuit is known.

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September 12, 1978

- 422 -

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 12 19 78

88
57 18
Hearing was held, as duly advertised, to consider rezoning of lands in the Pollock Pines Area from Single Family Residential to Multi-Family Residential zone, petitioned by Douglas Knapp, consisting of 1.86 acres. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The proposal is in conformity with the General Plan;
2. The proposal is compatible with surrounding uses;
3. Public water and fire protection are available. Sewage disposal by septic systems.

Mr. Knapp was present to answer the Board's queries, and presented three letters in support of the rezoning.

Mr. David Williamson presented his views in opposition to the rezoning.

At this time, the hearing was closed.

On motion of Supervisor Kutter, 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; the Negative Declaration was accepted, and the rezoning was approved and adopted by ORDINANCE NO. 1923, which amends the County Zoning Ordinance accordingly.

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88
57 18
Hearing was held, as duly advertised, to consider the rezoning of lands in the El Dorado Area from Agricultural to Estate Residential Five Acre Zone, petitioned by Robert W. Osgood for Gold County Subdivision, containing 322 acres. Planning Commission recommended approval, to become effective with the recording of the Final Subdivision Maps, of the rezoning of 245 Acres (not to include Lot A consisting of 80 Acres), and Planning Director enumerated the following findings of the Commission:

1. The proposal is consistent with the General Plan;
2. The location is suitable for the land use proposed;
3. Adequate services are available: Water - E.I.D.; Sewage Disposal - Septic tanks; Fire Protection - El Dorado Fire District.

There being no protests, the hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Todd, and (continued on following page)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 12 19 78

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; the Negative Declaration was accepted, and the rezoning was approved and adopted by ORDINANCE NO. 1924 rezoning 245 Acres, excluding Lot A, consisting of 80 Acres, amending the County Zoning Ordinance accordingly. (Effective upon filing of the final map.) The Board then considered the Tentative Map for Gold Country Subdivision; Subdivider: Gold Country (Richard Dalen); 245 acres; 49 lots; El Dorado Area.

The Planning Commission recommended approval, subject to conditions, said conditions being on file in the office of the Board of Supervisors.

*423
Gold
Country*
On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Board approved the Tentative Map for Gold Country Subdivision, approved the negative declaration as filed, found the Map to be in conformity with the General Plan, concurring in the conditions set forth by the Planning Commission, except that Condition #5 relating to establishment of a homeowners association shall be stricken.

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*46
#226*
Hearing was held as duly advertised to consider the establishment of Agricultural Preserve No. 226, and if approved, the attendant rezoning thereto, in the Nashville Area, consisting of 164.01 acres, petitioned by Howard Neilsen. Favorable recommendations were received from the Agricultural Commission, the Assessor, and the Planning Commission, advising that three of the four established criteria have been met, and that the Preserve is in conformance with the General Plan.

There were no protests to the establishment of the Preserve, and the Hearing was continued to consider the resultant rezoning of said lands from Agricultural to Exclusive Agricultural Zone. There being no protests to the rezoning, the Hearing was closed.

*285
59-78*
On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried by those present, the Board concurred in the finding of the aforementioned Commissions, the Chairman was authorized to sign the Williamson Act Contract, and RESOLUTION No. 201-78 was adopted establishing Agricultural Preserve No. 226, and ORDINANCE NO. 1925 was adopted amending the County Zoning Ordinance accordingly.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 12 19 78

Hearing was held, as duly advertised, to consider the request for formation of the Connie Lane Community Services District in lieu of an election. (Referred 9/5/78)

123-14
At the previous hearing held September 5, 1978, the proper Petitions were received and verified by the Acting County Clerk. At this time, Mrs. Bonnie Coleman, representing the Petitioners, appeared before the Board and awaited their disposition of this matter.

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 adopted RESOLUTION NO. 202-78 Dispensing With an Election and Declaring the Connie Lane Community Services District Duly Organized, Stating District Purposes, Fixing the District Boundaries and Designating the Board of Directors.

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Hearing was held, as duly advertised, to consider adoption of the Resolution of Intent to Adopt Amendment to the Scenic Highways Element to the County General Plan.

57-6
During a discussion, the County Counsel and the Board agreed that it is also intended to revise, update, and consolidate that information presently contained in and considered a part of the presently existing Scenic Highway Element into the General Plan.

Therefore, on motion of Supervisor Kutter, seconded by Supervisor Todd, and unanimously carried by those present, the Board adopted RESOLUTION NO. 203-78, a Resolution of Intent to Amend the Scenic Highways Element to the General Plan, which has been reviewed by the Board of Supervisors and approved by said Board; adoption of said Amendment being withheld until such time as the Board considers the General Plan Amendments.

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Supervisor Kutter submitted an ordinance to amend Section 1303 of the County Ordinance Code pertaining to appeals heard by the Board of Supervisors on actions of the Planning Commission, to allow for introduction of new evidence not previously presented to the Planning Commission; and to bring it into conformity with the Planning Appeals Section 9450(i).
(Continued on the following page)

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 12 19 78

On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried by those present, the Ordinance was introduced, the reading thereof was waived, and it was continued until September 19, 1978, for adoption.

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Supervisor Kutter submitted an ordinance to amend Section 3202 of the Ordinance Code pertaining to office hours, to provide for revision of business hours by Resolution adopted by the Board of Supervisors.

390-3
On motion of Supervisor Kutter, seconded by Supervisor Todd, and unanimously carried by those present, the Ordinance was introduced, the reading thereof was waived, and it was continued for adoption to September 19, 1978.

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54
At this time, a Resolution modifying office hours of the Planning Department was considered and found to be inappropriate, inasmuch as the Ordinance allowing the revision of business hours by Resolution will not be adopted until September 19, 1978. (Ordinance introduced this date, in accordance with immediately preceding action in these Minutes.)

On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried by those present, the Board continued this matter until September 19, 1978, at which time, a Resolution of Intent to Modify Office Hours of the Planning Department, will be adopted. (After adoption of the Ordinance allowing modification to be made by Resolution.)

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County Service Area No. 2 Advisory Committee requested authorization for release of funds in the amount of \$1500 to ditch, grade and gravel portions of Arrowbee Road. (As set forth in correspondence from Committee dated July 12, 1978.)

61-2
Various residents of the area spoke favorably and unfavorably about the suggested area of repair. Whereupon, after discussion, the Board, upon motion of Supervisor Stewart, seconded by Supervisor Todd, and carried by the following vote: AYES: Supervisors Todd, Walker and Stewart; ABSTAIN: Supervisor Kutter, directed that the recommendations of the Committee be followed, and that the funds be released, when required, in payment of road work lists as set forth by the Advisory Committee.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 12 1978

Tammi and Sanders submitted an audit report on El Dorado County Community Action Council, Inc. grants from the U.S. Community Services Administration under the Emergency Energy Assistance Programs for period March 16 through May 20, 1978.

50 On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried by those present, the Board directed that the Report be filed in the records of the Board Clerk.

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Congressman John J. McFall submitted a request for comment on the Forest Service's Draft Environmental Impact Statement on the Roadless Area Review and Evaluation Process (RARE II) which was issued in June 1978.

101 On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Board directed that a copy of Resolution No. 109-78 be sent to Congressman McFall. (This Resolution requests that all commercial forest land and multiple use land be excluded from RARE II inventoried lands to be recommended for wilderness use, and was previously sent to Congressman McFall on May 23, 1978.)

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57 County Counsel advised the Board that the report concerning the obtaining of a special use permit by Mr. Loring Brunius will be available in approximately thirty days. (Continued from September 5, 1978) (Previously considered by Board on May 16 and 30, 1978) (Re Limestone Quarry - Board directed a report from staff ensue concerning possible litigation if Mr. Brunius declines to obtain a Special Use Permit, if required to do so by the Board.)

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There being no further business, the Board adjourned to Tuesday, September 19, 1978, at 10:00 a.m.

APPROVED:


THOMAS L. STEWART, Chairman

ATTEST:
DOLORES BREDESON, Acting
County Clerk

By _____
Deputy