

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 26 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. Mary Anne Kinkade, Assistant Board Clerk, was present. Chairman Stewart presided.

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2-9 The Invocation was offered by Supervisor Kutter.

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The Pledge of Allegiance to the Flag was led by Supervisor Todd.

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On motion of Supervisor Todd, seconded by Supervisor Walker, and unanimously carried by those present, the Agenda was adopted with the addition of three New Business Items concerning 1) a Resolution opposing CTRPA's attack on the decision of the Public Utilities Commission regarding air traffic in the Lake Tahoe Basin; 2) a letter of support to Supervisor Crowley of Tehama County in her efforts to reaffirm the role of counties in administering State laws; and, 3) correspondence from Golden Empire Health Systems Agency concerning the 1978-79 Health Systems Plan.

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The Minutes of September 19, 1978, were approved, as submitted, 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.

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GENERAL ORDERS

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

50-1 The Community Action Council Claims were approved and allowed for payment.

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241 The Chairman was authorized to execute Releases of Lien, discharging all property encumbered by the Agreements to Reimburse the County for Public Assistance, as recorded in the Official Records of El Dorado County, as follows:

<u>Name</u>	<u>Volume and Page</u>	
Larry W. Bowen	1306	809
Larry W. Bowen and Teena S. Bowen	1024	218

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53
At the recommendation of County Counsel, the Board denied the claim of William Michael McQuade in the amount of \$2,750 for alleged injuries sustained during a collision with a County car driven by Marion Hale, a County employee.

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58-1
At the recommendation of County Counsel, the Board denied the claim of Van E. and Mary J. Holzchuh, submitted by Recovery Services International, in the amount of \$1,076 for property damage.

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M6
#143
Board acknowledged and placed on file Notice of Non-Renewal of remaining 810.87 acres of Agricultural Preserve No. 143 submitted by Claude B. and Virginia B. Hudspeth; Robert E. and Marsha L. Lang; Edward S. and Ellen J. Graves; and, Albert E. and Carolyn A. Baze.

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27
74.39(4)
N.P.
On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried by those present, the Board set the following meetings concerning capital outlay matters: Monday, October 2, 1978, 10 A.M., re the County Library; Executive Session concerning drainage problem on Henningsen Property, Monday, October 2, 1978, at 11 A.M., with the capital outlay meeting to follow, and Mr. Henningsen shall be requested to attend. (At County Counsel's recommendation)

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60
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, a Policy Review Session was set for October 2, 1978, at 2 P.M., concerning the Commission on Aging.

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115
On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried by those present, the Board considered and approved Item 3 in the Personnel Letter dated September 21, 1978, submitted by the Board Assistant, relating to establishing a policy of rotating the Commissioners appointed to the Commission on Aging.

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113
On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried by those present, the Board approved Item 2 of the Personnel Letter relating to approving Job Specifications (Continued on following page)

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for Communications Technician, and adopted RESOLUTION NO. 207-A relating thereto; and further, the Board continued Item 1 of the Personnel Letter relating to staffing in the Sheriff's Department until the meeting of October 10, 1978.

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164
Emergency Services Coordinator recommended the Chairman be authorized to sign the 911 Emergency Telephone System Plan for the Western Slope of El Dorado County relating to geographic area covered by the system, how calls will be handled, operational standards, level of service, and how the public will be informed of the system.

On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried by those present, the Board approved the recommendations, with the understanding that the County will be reimbursed for cost of the operation, and authorized the Chairman, Sheriff, and Supervisor Walker (for Service Area No. 7) to sign the Plan, as requested.

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2146
Airports Director recommended that Chairman be authorized to sign an Agreement with Americana Inns, Inc., to provide transportation to and from their motel for air traffic passengers at the Lake Tahoe Airport; said motel to pay annual fee of \$250 to the County.

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 recommended.

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2147
Airports Director recommended that Chairman be authorized to sign Agreement with Heavenly Valley for advertising space at the Lake Tahoe Airport for a period of one year, at a cost of \$900.00.

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

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2964
2148
Director of Public Works recommended Chairman be authorized to sign plans for the Latrobe Road Construction Project.

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

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*296-4
P. Public Works*
Director of Public Works recommended that the Chairman be authorized to sign a Right-of-Way Certification for the proposed construction of Latrobe Road.

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried by those present, the Board adopted RESOLUTION NO. 208-78, authorizing the Chairman to sign the Certification as recommended.

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*296-4
P. Public Works
208-78*
Director of Public Works recommended Chairman be authorized to sign Escrow Instructions and authorize payment of claim in the amount of \$545 for purchase of right-of-way, plus title fees, for lands owned by Willard T. Egloff for the Latrobe Road Project; acquisition of said land approved on June 27, 1978.

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

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*296-4
P. Public Works
208-78*
Director of Public Works recommended Chairman be authorized to sign Escrow Instructions and authorize payment of claim in the amount of \$556 for purchase of right-of-way, plus title fees, for lands owned by Wayne L. Varozza for the Latrobe Road Project; acquisition of said land approved on July 18, 1978.

On motion of Supervisor Todd, seconded by Supervisor Walker, and unanimously carried by those present, the Board authorized the Chairman to sign the Escrow Instructions, and further, authorized payment of the claim as recommended.

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Director of Public Works requested approval of specifications and authorization to advertise for bids for repair of the bridge on Peavine Ridge Road, crossing the South Fork of the American River. (Dates for bid opening and award of bid to be set by Board.)

*296-4
Peavine
Bridge Rd*
On motion of Supervisor Johnson, seconded by Supervisor Kutter, and unanimously carried by those present, and after some discussion and input from Mr. Flynn, the Board requested the Department of Public Works to include in the specifications the three suggestions made by Mr. Flynn (his letter of September 26, 1978), plus prepare specifications for stabilization only, and bring before the Board for consideration on October 10, 1978.

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50-7
Project Director, Senior Nutrition Program, requested authorization for a petty cash fund of \$10 for the newly opened Pollock Pines site of the Senior Nutrition Program, to make change for seniors desiring to make donations for meal service.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Board authorized establishment of a cash fund of \$10, as requested.

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50-1
Director of Community Programs recommended Chairman be authorized to sign the 1979 Title III Direct Service Area Budget of \$176,388.00, providing for the operation of Senior Information and Referral, Legal Center for the Elderly, and Transportation Programs.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Chairman was authorized to sign the Budget as recommended.

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Assistant to the Board submitted request of the County Chamber of Commerce for funds in the amount of approximately \$400 to \$500 for the updating and printing of 8,000 copies of a brochure on the Community Economic Profile for El Dorado County.

53
Considering the effects which may ensue if Proposition "B" is passed (in the November 7, 1978 election), (said proposition will limit the number of building permits to be issued in one year), the Board, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, directed that the request be filed until after the election, as the presentation may have to be altered.

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83
Assistant to the Board recommended that the Board authorize advertising for proposals to lease the Bayley House with the stipulation that it be restored to accurately reflect the era in which it was built; said lease to be for a period of fifty years with resoration to be completed within three years.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the Board authorized advertising for proposals, as recommended.

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Assistant to the Board recommended the Chairman be authorized to sign an Agreement with the House Committee of the Veterans Memorial Building for their lease, maintenance and management of the Veterans Building for a period of ten years, commencing October 1, 1978.

32 After some discussion, on motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the Board authorized the Chairman to sign the Agreement (contingent upon a time limit being set for incorporation of the Committee, as well as kitchen repairs being completed.)

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At this time, Supervisor Stewart requested Board consideration of payment to the Tahoe Regional Planning Agency of the County's assessment, in the amount of \$62,505.07.

70 On motion of Supervisor Stewart, seconded by Supervisor Kutter, and carried by the following vote: AYES: Supervisors Todd, Walker, Kutter and Stewart; NOES: Supervisor Johnson, the Board authorized payment of the sum of \$62,455.00 to the Tahoe Regional Planning Agency, under protest, inasmuch as the State is not paying an equal amount in financing the Agency.

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Supervisor Todd requested consideration of whether the Board should request the State Department of Health to extend the acute care license on Pioneer Hospital to accommodate the initiative pertaining to Pioneer Hospital on the November 7, 1978 ballot.

25 On motion of Supervisor Todd, seconded by Supervisor Walker, and carried by the following vote: AYES: Supervisors Todd, Walker, Kutter and Stewart; NOES: Supervisor Johnson, the Board authorized that the State Department of Health be requested to extend the license, accommodating the Pioneer Hospital Initiative, as set forth; further, Board Assistant and Health Director to inquire into specifics for conversion to convalescent or intermediate care facility in event Measure "C" is not passed by the voters.

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(22-6)
340-30 On motion of Supervisor Kutter, seconded by Supervisor Walker, and carried by the following vote: AYES: Supervisors Todd, Walker, Kutter and Stewart; NOES: Supervisor Johnson, the Board adopted ORDINANCE NO. 1930 Amending Section 6331 of the El Dorado Ordinance Code, pertaining to Wild, Exotic or Non-Domestic Animals in Captivity; said amendment to delete zoning restrictions on permits for such animals, and to allow denials of revocations by the Director of Health Services or Planning Department to be appealed to the Board of Supervisors. (Introduced 9/19/78)

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82-96
South Lake Tahoe Health Council submitted a request for ratification of the following individuals nominated for membership: Consumer category: Kathleen Sorensen, Judith Laver, Nels Edeen, and Mary Cooper; and Earl Elliot, Provider category. (Continued from 9/19/78)

On motion of Supervisor Todd, seconded by Supervisor Johnson, and unanimously carried by those present, the Board continued consideration of this matter until October 17, 1978, at which time consideration will also be given to the by-laws of the Council.

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72-6
Lake Tahoe Humane Society, Inc., requested authorization to bill the County for their gasoline (\$6,000 per year) and diesel fuel (\$3,600 per year).

On motion of Supervisor Walker, seconded by Supervisor Kutter, and unanimously carried by those present, the Board denied the request.

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132
Mr. Jesse E. Gibson appeared before the Board, requesting 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 Todd, seconded by Supervisor Kutter, and unanimously carried by those present, the Board waived the ordinance, as requested, allowing Mr. Gibson to place a mobilehome on his lot in Rescue.

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101
Western Timber Association requested the Board state its position on the RARE II Program pertaining to future uses of 331 roadless areas totalling over 6 million acres of National Forest lands in California.

On motion of Supervisor Kutter, seconded by Supervisor Walker, and unanimously carried by those present, the Board directed that a copy of Resolution No. 109-78 be forwarded to Western Timber Association. (Resolution No. 109-78 sets forth the Board's position on RARE II.)

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District Manager, Bureau of Land Management, requested Board's position on taking subdivision roads which cross public lands into the County-maintained road system.

9248
(124)
On motion of Supervisor Kutter, seconded by Supervisor Walker, and carried by the following vote: AYES: Supervisors Todd, Walker and Kutter; NOES: Supervisors Johnson and Stewart, the Board reaffirmed their previous policy of only accepting roads that meet County standards, and requested the Bureau of Land Management to consider the alternatives as outlined in the Planning Director's communication of September 14, 1978, i.e., that the Bureau of Land Management could grant a right-of-way in such a way that the original developer transfers his interests to the eventual homeowner's association. The road could be improved to rural standards. In cases of Class I subdivisions, the County could acquire rights-of-way with the subdivider making full County improvements as suggested by Mr. Thomson, District Manager of the Bureau of Land Management in his letter of September 5, 1978.

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50-6
A communication was received from the California Balance-of-State Council (concerns goals, policies and procedures for the Comprehensive Employment and Training Act of 1973) advising that Ed Redmond's term on said Council will expire December 31, 1978, and requesting nomination for a representative of this County to serve a two-year term ending December 31, 1980.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the Board re-appointed Ed Redmond to serve as the County's representative until December 31, 1980, as requested.

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285-
63-78
Hearing was held, as duly advertised, to consider rezoning of lands in the El Dorado Area from Estate Residential Five Acre to Single Family One Acre zone, petitioned by Lanny Mason, consisting of 2.389 acres. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The proposal is consistent with the General Plan.
2. Favorable recommendation is based on the percolation data submitted by Mr. Dean Johnson.
3. The information submitted meets all County requirements.

Mr. Mason was present to answer any questions.
(Continued on the following page)

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There were no protests to the rezoning, and at this time, the hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried by those present, the Board concurred in the findings of the Planning Commission; 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. 1931, which amends the County Zoning Ordinance accordingly.

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2285
64-18
Hearing was held, as duly advertised, to consider rezoning of lands in the Pilot Hill Area from Single Family One Acre Residential to Commercial Zone, petitioned by Darrell E. Nance, consisting of 1.68 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 property is adjacent to existing Commercial zoning and is a logical extension thereof.

There were no protests to the rezoning, and the hearing was closed.

On motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried by those present, the Board concurred in the findings of the Planning Commission; 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. 1932, which amends the County Zoning Ordinance accordingly.

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825
55-18
Hearing was held, as duly advertised, to consider the rezoning of lands in the El Dorado Area from Single Family One Acre Residential to Single Family Residential zone, petitioned by John Hassler, consisting of 1.07 acres. (Continued from 9/19/78) Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. All services are available;
2. The proposal is consistent with the General Plan;
3. The proposal is compatible with the surrounding neighborhood.

Mr. Hassler was present to answer any questions the Board might have.

There was no opposition to the rezoning, and the hearing was closed. (Continued on next page)

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On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried by those present, the Board concurred in the findings of the Planning Commission, 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. 1933, which amends the County Zoning Ordinance accordingly.

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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 C.L. O'Donnell, Sr. and Chester A. Ansley, consisting of 20 acres. Planning Commission recommends approval. (Continued from 8/29/78)

At this time, County Counsel asked that this matter be continued for thirty days, as the property is under a 'stay order' from the Superior Court, which should be resolved at that time.

The Planning Director concurred in this recommendation, and the hearing was closed.

On motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried by those present, the Board continued this matter until October 31, 1978.

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Hearing was held, as duly advertised, to consider the rezoning of lands in the Camino area from Single Family One Acre Residential to Commercial Zone, petitioned by Donald E. Christopherson, consisting of 0.206 acre. Planning Commission recommends approval. (Continued from 8/29/78)

At this time, County Counsel asked that this matter be continued for thirty days, as the property is under a 'stay order' from the Superior Court, which should be resolved at that time.

The Planning Director concurred in this recommendation, and the hearing was closed.

On motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried by those present, the Board continued this matter until October 31, 1978.

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At this time, the Board considered the following related requests:
(a) Planning Director recommended that the County allow to expire, building permits for construction of 108 apartments in Camino Heights due to unavailability of sewer hook-ups. (Continued from 9/19/78)

AND
(Continued on following page)

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(b) Mr. John P. Casper requested his building permits for 108 apartments in Camino Heights be extended one year from the date El Dorado Irrigation District completes the State required improvements to Sanitation District No. 1. (Continued from 9/19/78)

Planning Director addressed the Board and advised that it was his conviction that an alternate plan could be worked out with Mr. Casper, i.e., perhaps altering the plans to condominiums rather than apartments.

Mr. Casper spoke favorably of this concept, and expressed a willingness to work with the Planning Director, if his permits were extended.

County Counsel also approved this possible solution to this problem.

Therefore, on motion of Supervisor Kutter, seconded by Supervisor Todd, and unanimously carried by those present, the Board directed that the applicant's permits, Nos. 23102 through 23119, be extended for the period of one year from August 27, 1978; that the permits maintain their issued date of February 27, 1978, and the approval contained therein, on the condition that: (1) the applicant pay any additional permit filing fees the Building Department deems appropriate to change the design of the building; and (2) that the applicant obtain approval by the County for a Condominium Subdivision.

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Director of Planning and Recreation submitted the comments of the Recreation Commission on proposed donation of the Hess property in Pilot Hill to the County for recreational purposes. (Referred 8/22/78)

After some discussion, on motion of Supervisor Kutter, seconded by Supervisor Walker, and carried by the following vote: AYES: Supervisors Johnson, Walker, Kutter and Stewart; NOES: Supervisor Todd, the Board directed that the proposed donation of the Hess property in Pilot Hill to the County be declined, with regret.

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At this time the Board considered adoption of a Resolution to rescind Resolutions 13-78 and 131-78, and to set forth as members of County Service Area No. 2 Advisory Committee, the following people: Delbert Gatten, Fred Denham, Sidney Friedman, Elmer Phillips (alternate), Bill Mosack, Marsha Norona, Jerry Cunningham and Glen Ladd (alternate). (Continued from 9/19/78)
(Continued on following page)

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On motion of Supervisor Kutter, seconded by Supervisor Walker, and carried by the following vote: AYES: Supervisors Todd, Walker, Kutter and Stewart; ABSTAIN: Supervisor Johnson, the Board adopted RESOLUTION NO. 207-78 rescinding Resolutions 13-78 and 131-78 and appointing the named persons, as set forth.

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61-2
Petition was submitted by Four Corners area residents containing 120 signatures requesting that "Arrowbee Ranch Estates" be officially severed from the adjacent "Hidden Lake Estates"; or, that tax monies from "Arrowbee Ranch Estates" not be used for road work in "Hidden Lake Estates". (Continued from 8/29/78)

Supervisor Kutter submitted a proposed policy and answer to the petition, which was considered by the Board.

After some further discussion, on motion of Supervisor Kutter, seconded by Supervisor Johnson, and unanimously carried by those present, the Board referred the matter to the County Counsel and the Auditor for recommendations and policy statement in line with the general concept of division of expenditures in proportion to assessed valuation.

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68
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 adopted RESOLUTION NO. 209-78 opposing the California Tahoe Regional Planning Agency's attack on the decision of the Public Utilities Commission re air traffic in the Lake Tahoe Basin. (Copies to be sent to City of South Lake Tahoe, Placer County Board of Supervisors, California Tahoe Regional Planning Agency, Public Utilities Commission, Senator Hayakawa, Senator Cranston, Congressman McFall, Senator Garamendi and Assemblyman Waters.)

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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 of support be sent to Supervisor Crowley of Tehama County (with a copy to the County Supervisors Association), in her effort to reaffirm the role of counties in the two-way process of developing and administering state laws.

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22-13
After some discussion, the Board informally directed that the Golden Empire Health Systems Agency be contacted (by the Board Clerk) concerning their letter of September 18, 1978, inquiring if the State Department of Health will give final approval on October 9, 1978 re the El Dorado County portion of the 1978-79 Health Systems Plan (as inferred in the letter), and also, what is the intent of the last paragraph of the letter (which refers to the intent of the Agency to seek final State approval before the Advisory Health Council on October 19, 1978).

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At this time, the Board recessed the meeting until 7:30 p.m.

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The Board reconvened with all members present. Mary Anne Kinkade, Assistant Board Clerk, was present. Chairman Stewart presided.

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33-18
Hearing was held, as duly advertised, to consider the rezoning of lands in the Cameron Park area from Exclusive Agricultural and Agricultural to Estate Residential Five Acre Zone, consisting of 2180 acres, petitioned by Kenneth Wilkinson, et al. Planning Commission recommends approval, and recommends a minimum 200 foot set-back be established by deed restriction to be recorded for lands adjacent to those lands owned by El Dorado Limestone Company, and Industrially-zoned lands. (Referred 8/22/78)

Various members of the audience spoke in favor and in opposition to the proposed rezoning. (About 14 for, and 10 against.)

Superintendent of Schools enumerated the problems the school districts would have with a sudden influx of students in that area.

At this time, the hearing was closed.

The motion of Supervisor Todd, seconded by Supervisor Walker, to concur with the findings of the Planning Commission, accept the Environmental Impact Report, and adopt an ordinance to rezone the lands as recommended by the Planning Commission, failed by the following vote: AYES: Supervisor Todd; NOES: Supervisors Walker, Kutter, and Stewart; ABSTAIN: Supervisor Johnson.

(Supervisor Johnson was advised by County Counsel to abstain from voting in this hearing, as he had arrived late, and had not had the benefit of the full audience input.)

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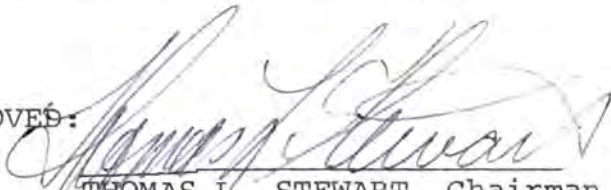
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After some further discussion, on motion of Supervisor Todd, seconded by Supervisor Stewart, and carried by the following vote: AYES: Supervisors Todd, Walker, Kutter and Stewart; ABSTAIN: Supervisor Johnson, the Board directed that Planning Staff work with the property owners to general plan the area commonly known as the Barnett/Char Ranch as shown on the plan on the wall, with the following to be given special consideration: the Northern portion that is adaptable for highest density as determined by Staff, to be master-planned Single Family Residential-High Density; the remaining Southern portion to be master-planned Single Family Residential-Low Density, with the policy in the text that no rezoning more dense than ten acres be approved, except with the tentative map of an acceptable subdivision, nor be effective until a final subdivision is approved; further, that this be given No. 1 priority to make the presentation of a subdivision map more palatable by the property owners, for better utilization of county services, and to insure that this important area is planned according to proper and effective planning principals.

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There being no further business, the Board adjourned until October 3, 1978.

APPROVED:


THOMAS L. STEWART, Chairman

ATTEST:

DOLORES BREDESON,
Acting County Clerk

By 
Deputy

Deputy