

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES April 10, 1979

The Board convened in regular meeting. Present: Supervisors Arliene Todd, William V. D. Johnson, W. P. Walker, Joseph V. Flynn, and Thomas L. Stewart. Ann R. Macy, Board of Supervisors Clerk, was also present. Chairman Walker presided.

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

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

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The Agenda was adopted with the addition of Item 5A; consideration of adoption of a resolution reducing the County Lake Tahoe Campground acreage; and the addition of Item 16A pertaining to the Crematorium at the Lake Tahoe Humane Society.

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The Minutes of April 3, 1979, were approved as submitted on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried.

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On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the 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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57-3 The Board approved 21 Assignments to the Credit Bureau of El Dorado County from the Collection Department for Claims against those persons named on the Assignments dated April 10, 1979; copies of which are on file in the Board of Supervisors Office, beginning with the name of John Dennis and ending with the name of Gary Downing.

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298A The Board approved Assessment Roll Changes numbered: 7602; 7585; 7598; and 7599.

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213 On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Board adopted RESOLUTION NO. 96-79 exercising the option for the purposes of the El Dorado County budget document for the 1978-79 Fiscal Year, to eliminate the use of subobjects of expenditures, other than for fixed assets, from said budget document and to segregate appropriations by expenditure objects.

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83-54
The Board adopted RESOLUTION NO. 97-79 authorizing the Chairman to sign a Covenant and Restriction reducing the El Dorado County Lake Tahoe Camp-ground acreage for the purpose of applying the California Tahoe Regional Planning Agency 30% land coverage formula.

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74-10
On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board approved the second courtroom at Lake Tahoe, and the Architect was authorized to incorporate same within the plans of Scheme B.

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121
On motion of Supervisor Todd, seconded by Supervisor Stewart, and unanimously carried, a Policy Review Session was set for May 2, 1979, at 2:00 p.m. with the Welfare Department regarding the possible incorporation of the Comprehensive Employment Training Act personnel into the Welfare Department.

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224-13
On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Board approved the Statement of Costs for the Camino Union School District Governing Board election held on March 6, 1979, in the amount of \$2,260.77, pursuant to Section 5421 of the Education Code.

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21-20
At the recommendation of the Acting Airports Manager, on motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Chairman was authorized to sign the Agreement with Americana Inn for advertising space at the Lake Tahoe Airport Terminal Building, at a cost of \$720.00 per year.

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Director of Public Works submitted recommendations for the adoption of a Board policy pertaining to use of County roads for special events.

(212)
353
On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the matter was referred to County Counsel to reduce the policy to writing, and to prepare form letters to cover the assemblage of pedestrians or cyclists who wish to use a portion of the County road, and also for special events where the road is closed for a specified length of time, and the matter was continued to May 1, 1979.

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214
At the recommendation of the Chief Probation Officer, on motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Chairman was authorized to sign grant modification request with the State Office of Criminal Justice Planning to extend funding for the Crisis Resolution/Shelter Care Homes to January 31, 1979, in the amount of \$276.00.

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(22/11A)
353 Director of Health Services submitted for approval, a proposed policy for composting and incinerating toilets in El Dorado County.

Supervisor Stewart's motion, seconded by Supervisor Walker, to approve the recommendations, with the changes as discussed, failed to pass by reason of the following vote: Ayes: Supervisors Flynn and Stewart; Noes: Supervisors Todd, Johnson, and Walker.

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59 The El Dorado County Fair Association Board of Directors submitted a letter requesting that the Board of Supervisors renew its efforts to acquire a new fairgrounds site.

On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, the Fair Board was authorized to seek a suitable Fair site, and if a prospective one is selected, then it shall be brought back to the Board of Supervisors for their action.

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22-6 The Board considered the matter of soliciting bids for a crematorium replacement at the Lake Tahoe Humane Society, and on motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried, the matter was referred to the Purchasing Agent to work in conjunction with the Animal Control people to proceed in any fashion necessary that is legal; with the necessary funding to be taken from the Contingency Fund.

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120 On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Board approved the permanent transfer of a 1977 Mercury from the Auditor/Controller's Office to the new Building Inspection Office at South Lake Tahoe, as requested by the Auditor/Controller.

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Auditor/Controller submitted for approval, nine Property Transfer Requests deleting property from various departments' property inventories.

120 A lengthy discussion followed pertaining to the "lost or misplaced" remarks on several of the Transfer Requests. Supervisor Flynn's motion to approve the deletion of said property from the inventory, failed to receive a second. Later in the meeting, Supervisor Walker moved for reconsideration of the matter. Supervisor Todd seconded the motion, and it was carried by the following vote: Ayes: Supervisors Todd, Walker, Stewart, and Flynn; No: Supervisor Johnson. Thereupon, on motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, the Board approved the Auditor/Controller/Property Officer's request to delete the items from various departments' inventories, and requested that the Property Officer reconcile the property inventory yearly.

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The Board reconsidered its action of March 13, 1979, to relocate the offices of the Air Pollution Control Officer/Emergency Services Coordinator, in an effort to relieve overcrowded conditions in the working spaces of the Sheriff's Department. (Referred 3/27/79)

On motion of Supervisor Stewart, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisors Todd, Flynn, and Stewart; Noes: Supervisors Johnson and Walker, the Board authorized the Air Pollution Control/Emergency Services Department to remain at their present location; the Employees Credit Union lease is to be cancelled, and the Credit Union was offered the vacated Service Unit area in Building B under a new lease at 22¢ per sq. ft., with the understanding that they will occupy all the area excepting enough space which the County will require to continue the present microfilming operation; the Sheriff was authorized to occupy the available area as he had requested; the space needs of the County Clerk's position (Lois Schroth) was referred to the Board Assistant; and Mary Milots (Ambulance services) was authorized to relocate to the Camino/Pollock Pines Fire District.

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Project Director, Senior Nutrition Program, submitted a letter recommending that the Chairman be authorized to sign Agreements with the Mother Lode Lions Club, Georgetown United Methodist Church, and Pollock Pines Recreation, Unlimited, Inc., for use of their meeting halls for the County Nutrition Program for the Elderly, for the period January 1, 1979, through December 31, 1979.

On motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign the Agreements and the additional \$900 required for the Mother Lode Lions Club was authorized to be taken from the Contingency Fund.

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SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider rezoning of lands in the Rescue area from Estate Residential Ten Acre zone to Estate Residential Five Acre zone, consisting of 136 acres, petitioned by Dennis O'Brien. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The land is adjacent to RE-5 zoning;
2. Staff investigation would indicate the most reasonable residential use of this property would be a development in the nature of 5-acre lots;
3. The amendment is consistent with the Goals and Policies of the Rescue Area Plan.

Three letters of opposition to the rezoning were received from: Charles A. Hanson; Harold and Donna R. Veerkamp; and Charles W. Brown.

Mr. Gene Thorne, Agent, was present on behalf of the Petitioner. There was no verbal opposition, and the Hearing was closed.
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On motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried, 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. 1995, which amends the County Zoning Ordinance accordingly.

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Planning Director submitted Tentative Map for Jayhawk Estates Rural Subdivision, in the Rescue area, consisting of 136 acres, comprising 21 lots; Subdivider: Dennis O'Brien.

Planning Commission recommended approval, subject to conditions.

*423
Jayhawk
Estates
Subdiv*
On motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried, the Tentative Map was approved subject to the conditions proposed by the Planning Commission as set forth below; the Negative Declaration was accepted based on the findings: (1) The map submitted meets the requirements of the Subdivision Ordinance and Design Manual; (2) The proposed subdivision is consistent with the General Plan; and (3) The development as proposed and conditioned will not have a significant impact on the environment:

1. The developer shall obtain approval of construction drawings and cost estimates from the Planning Director prior to commencement of construction;
2. All required construction shall be completed with the presentation of the final map to the Planning Director before presenting the map to the Board of Supervisors for their approval; or the developer shall have surety of development by bond, cash deposit, or letter of credit from a financial institution. Verification of construction and cost of completion is determined by the developer's engineer.
3. Survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval; or the developer shall have surety of work to be done by bond, cash deposits, or letter of credit from a financial institution. Verification of set survey monuments, work completed, or work to be completed and cost of completion, is to be determined by the County Surveyor;
4. Timing of construction and revegetation of those areas disturbed during construction including cuts and fills, shall be accomplished to the satisfaction of the El Dorado County Resource Conservation District Work not completed prior to the Planning Director's presentation of the final map to the Board of Supervisors for approval, shall have surety of completion by bond, cash deposit, or letter of credit from a financial institution. Verification of work completed, or work to be completed, to be determined by the El Dorado County Resource Conservation District;
5. The developer shall establish a homeowners association to maintain roads and common area. The text will be reviewed by County Counsel;
6. Rescue Fire District shall verify satisfaction with facilities provided by the developer in writing, prior to the final map being presented to the Planning Director;
7. A drainage cross culvert shall be provided at the low point on Meadow Circle near Lot Line 4/5;
8. The developer shall provide a body of water capable of supplying water at 500 gallons per minutes for a period of two hours. The fire pond located on Lot 1 does not appear to be capable of supplying the required water supply for fire protection and a facility for refilling fire trucks.

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Hearing was held as duly advertised to consider the rezoning of lands in the Rescue area from RE-10, Estate Residential Ten Acre zone, to RE-5, Estate Residential Five Acre zone, consisting of 40 acres, petitioned by Warren B. More. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

- 245-37-79
1. That the portion of the development being changed by this amendment, does not differ in land character from the balance of the subdivision.
 2. Development to the west of Springvale Road is in 5-acre parcels with similar conditions.
 3. The Policy Guidelines for the Rescue General Plan provide for minimums of 5 acres where services are available.
 4. The proposal is adjacent to existing 5-acre zoning.

Mr. Jack Sweeney was present on behalf of the applicant, Mr. More.

There were no protests, and the Hearing was closed.

On motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried, 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. 1996, which amends the County Zoning Ordinance accordingly.

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4/23
Meadow Creek
Subdivision

Planning Director submitted the Tentative Map for Meadow Creek Subdivision in the Rescue area, consisting of 140.6 acres, comprising 24 lots; Subdivider: Warren B. More. Planning Commission recommended approval, subject to conditions.

On motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried, the Tentative Map for Meadow Creek Subdivision was approved subject to the conditions proposed by the Planning Commission, as well as the variance, the Negative Declaration was accepted based on the findings: (1) The map submitted meets the requirements of the Subdivision Ordinance and Design Manual; (2) The proposal is consistent with the General Plan Amendment; and, (3) The development, as proposed and conditioned, will not have a significant impact on the environment. The conditions are set forth below:

1. The developer shall obtain approval of construction drawings and cost estimates from the Planning Director prior to commencement of construction
2. All required construction shall be completed with the presentation of the final map to the Planning Director before presenting the map to the Board of Supervisors for their approval; or the developer shall have surety of development by bond, cash deposit, or letter of credit from a financial institution. Verification of construction, or partial construction and cost of completion, is determined by the project engineer.
3. Survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval; or the developer shall have surety of work to be done by bond, cash deposit, or letter of credit from a financial institution. Verification of set survey monuments, work completed, or work to be completed and cost of completion to be determined by the County Surveyor.

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4. Timing of construction and revegetation of those areas disturbed during construction, including cuts and fills, shall be accomplished to the satisfaction of the El Dorado County Resource Conservation District. Work not completed prior to the Planning Director's presentation of the final map to the Board of Supervisors for approval, shall have surety of completion by bond, cash deposit, or letter of credit from a financial institution. Verification of work completed, or work to be completed, to be determined by the El Dorado County Resource Conservation District.
5. The developer shall establish a homeowners association to maintain roads and common areas. The text of the CC&R's is to be reviewed by County Counsel to ensure the roads will be maintained by the association.
6. When public water is installed, location of fire hydrants and fire flow systems are to meet the requirements of ordinances as verified by the fire district. Written verification from the fire district shall accompany the final map when submitted to the Planning Director.
7. If the subdivision is allowed to develop with wells, the developer shall provide a standby water supply of 500 gallons per minute for a continuous period of at least two hours. The water supply, with construction of ramps or other devices, are to meet the requirements of the fire district. Written approval from the fire district shall accompany the final map when submitted to the Planning Director.
8. Access to all double frontage and corner lots should be limited to Meadow Creek or Red Fox Roads.
9. The Environmental Health Department shall verify in writing acceptance of the water source prior to presentation of the final map to the Planning Director.
10. All roads shall have an aggregate surface.
11. As indicated by project geologist, test wells should be drilled in the southeast area of development to prove adequate water supply.
12. Configuration to be modified subject to approval of Environmental Health to assure compliance with guidelines.

Variance:

1. Allow variance in the lot-width-to-lot length ration as prescribed in the Design Manual for Lot #8.

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423
2-11-79
L.A. 10-1
Planning Director submitted the Tentative Map for Woodpecker Acres Subdivision in the Grizzly Flats area, consisting of 343.54 acres, comprising 33 lots; Subdivider: D. I. and V. M. Cobb. Planning Commission recommended approval and acceptance of the Negative Declaration based on: (1) It is consistent with the General Plan and meets all design standards and ordinance requirements except the lot-t-width ratio for which a variance is hereby granted; (2) Condition 7 be amended to include "change of zone from U, Unclassified and A, Agricultural to RE-10, Estate Residential 10-Acre zone.

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Tentative Map for Meadow Creek Subdivision was approved and the Negative Declaration was accepted based upon the Planning Commission's recommendations, and subject to the following conditions proposed by the Planning Commission:

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1. The developer shall obtain approval of construction drawings and cost estimates from the Planning Director prior to commencement of construction;
2. All required construction shall be completed with the presentation of the final map to the Planning Director before presenting the map to the Board of Supervisors for their approval; or the developer shall have surety of development by bond, cash deposit, or letter of credit from a financial institution. Verification of construction, or partial construction and cost of completion, is determined by the project engineer;
3. Survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval; or the developer shall have surety of work to be done by bond, cash deposit, or letter of credit from a financial institution. Verification of set survey monuments, work completed, or work to be completed and cost to completion, to be determined by the County Surveyor;
4. Timing of construction and revegetation of those areas disturbed during construction, including cuts and fills, shall be accomplished to the satisfaction of the El Dorado County Resource Conservation District. Work not completed prior to the Planning Director's presentation of the final map to the Board of Supervisors for approval, shall have surety of completion by bond, cash deposit or letter of credit from a financial institution. Verification of work completed, or work to be completed, to be determined by the El Dorado County Resource Conservation District;
5. The developer shall establish a homeowners association to maintain roads and common areas. The CC&R's test is to be reviewed and approved by County Counsel to ensure proper road maintenance;
6. Provide access to the reservoir, with construction of ramps or other devices, as required by the fire district. Written approval by the fire district shall be presented to the Planning Director with the final map for approval by the Board of Supervisors;
7. The Planning Commission shall initiate a change of zone from A, Agricultural, to RE-10, Estate Residential Ten Acre zone.

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743
Subdivision
with
sub 1.

Planning Director submitted the Tentative Map for Frenchtown Hills Subdivision in the Shingle Springs area, consisting of approximately 309 acres, comprising 30 lots; Subdivider: James E. Moore. Planning Commission recommended approval of the Subdivision and acceptance of the Negative Declaration based on the findings: (1) The map submitted meets the requirements of the Subdivision Ordinance and Design Manual; (2) the proposed Subdivision is consistent with the General Plan, and (3) the development, as proposed and conditioned, will not have a significant impact on the environment.

On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, the Tentative Map for Frenchtown Hills Subdivision was approved and the Negative Declaration was accepted based upon the Planning Commission's recommendations, and subject to the following conditions proposed by the Planning Commission, plus changing the name of Rose Lane to Lumbo Road, as condition No. 8:

1. The developer shall obtain approval of construction drawings and cost estimates from the Planning Director prior to commencement of construction;
 2. All required construction shall be completed with the presentation of the final map to the Planning Director before presenting the map to the
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Board of Supervisors for their approval; or the developer shall have surety of development by bond, cash deposit, or letter of credit from a financial institution. Verification of construction or partial construction and cost of completion, is determined by the project engineer;

3. Survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval; or the developer shall have surety of work to be done by bond, cash deposit, or letter of credit from a financial institution. Verification of set survey monuments, work completed, or work to be completed and cost of completion to be determined by the County Surveyor;

4. Timing of construction and revegetation of those areas disturbed during construction, including cuts and fills, shall be accomplished to the satisfaction of the El Dorado County Resource Conservation District. Work not completed prior to the Planning Director's presentation of the final map to the Board of Supervisors for approval, shall have surety of completion by bond, cash deposit, or letter of credit from a financial institution. Verification of work completed, or work to be completed, to be determined by the El Dorado County Resource Conservation District;

5. The developer shall establish a homeowners association to maintain roads and common areas. CC&R's are to be reviewed by County Counsel to ensure the association is responsible for road maintenance;

6. Location of fire hydrants and systems for fire flows are to meet the requirements of the fire department. Written approval from the fire district shall be submitted with the final map to the Planning Director prior to the Board of Supervisors' approval;

7. Reconstruct Old Frenchtown Road to a standard to include 4 inches aggregate base with a bituminous seal coat with a single layer of aggregate cover to a width of 20 feet (i.e., RS-1 county standard with one layer of oil and chips) through this subdivision up to the paved section of Old Frenchtown Road; and

8. The name of Rose Lane shall be changed to Lumbo Road.

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57-6(A)
The Planning Director submitted a summary of three bid proposals received from planning consultants to develop the General Plan and Environmental Impact Report for the Barnett Ranch, and recommended that the Board reject said proposals and approve development of the Barnett Ranch Area Plan by the Planning Department personnel who will work evenings and weekends for a period of approximately two months.

After consideration, on motion of Supervisor Todd, seconded by Supervisor Stewart, and unanimously carried, the Planning Director was authorized to proceed with the study of the Barnett Ranch area by means of utilizing Planning Staff on overtime and weekends at a cost not to exceed \$4500.00.

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GENERAL ORDERS

349
Treasurer-Tax Collector submitted letter recommending that the Chairman be authorized to sign an Agreement with Bartig, Bassler and Ray, Certified Public Accountants, to conduct an audit of the 1911 Bond Debt Service Fund for period May 1, 1978, through April 30, 1979, at a cost not to exceed \$2,450.00.

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

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151
115
Assistant to the Board recommended award of \$20.00 to Mr. Brian Smith, County employee, for his suggestion of mailing Juvenile Hearing notices by first class rather than by certified mail, resulting in an annual savings of \$615.00.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Board authorized the award of \$20.00, as recommended.

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82-4
Assistant to the Board submitted a request from the El Dorado County Federal Credit Union to enter into an Agreement with the County Health Department for use of approximately 60 square feet of office space at the Environmental Health Office at South Lake Tahoe.

On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, the matter was continued off-calendar.

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164
On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Ordinance amending Section 13,103 of the County Ordinance Code to revise the rules and regulations governing the local disaster council to make it a more efficient and useful tool in planning for emergencies, was introduced, the reading thereof was waived, and it was continued to April 17, 1979, for adoption. (Sponsor: Supervisor Walker)

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22-10
On motion of Supervisor Todd, seconded by Supervisor Johnson, and unanimously carried, the resignation of Dr. Felix Santiago from the Mental Health Advisory Board due to his inability to attend most meetings due to scheduling conflicts and medical emergencies, was accepted, and the Clerk requested to forward a Certificate of Appreciation to Dr. Santiago.

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219-3
On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the letter received from Louis DeLallo declining reappointment to the Happy Homestead Cemetery District when his term expires April 30, 1979, due to his moving from the area, was approved, and the Clerk was directed to forward to Mr. DeLallo a Certificate of Appreciation. The Clerk was informally requested to reagendaize the matter for appointment, on May 1, 1979, agenda.

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59-2
On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried, Mr. Jim Wood was appointed to the Planning Commission for District V, to fill the vacancy created by the resignation of Joseph Imbach.

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Communication was received from Joseph Keating requesting a variance of the Uniform Plumbing Code to allow the use of Polybutylene Piping in concrete floor slabs as a means of utilizing solar heat from collectors for space heating.

At the recommendation of the Assistant Building Office, on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board approved the request, subject to the following conditions:

1. The Polybutylene piping will be used for solar heating.
2. The system is used for only supplementary heat and is not proposed for the primary heat system.
3. Documents have been provided wherein the City of Davis has approved such use on May 25, 1977.
4. The use be limited to radiant heating system with 180 degrees maximum temperature limiting device, maximum 20 P.S.I. operating pressure and no joints in piping below floor.

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On motion of Supervisor Flynn, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisors Todd, Flynn, Stewart, and Walker; No: Supervisor Johnson, the communication received from the Taxpayers Association of El Dorado County submitting its Resolution declaring April 15th as Taxpayers Independence Day and proposing an Amendment to the United States Constitution for the Repeal of Income Tax, was placed on file.

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Donald L. Ambrose, Commander of American Legion Post #795, was present and requested that the County provide funding for the repaving of their parking lot. He read two bids received from: Joseph J. Fite, Paving Contractor, South Lake Tahoe, and from D&L Paving Contractor, South Lake Tahoe, in the amounts of \$19,000 and \$19,500 respectively.

Upon the advice of County Counsel that there was no legal authority to accomplish this request, Supervisor Flynn moved to deny the request, Supervisor Todd seconded the motion, and it was carried by the following vote: Ayes: Supervisors Todd, Flynn, and Walker; Abstain: Supervisors Johnson and Stewart (Supervisor Johnson abstained as the property was donated by his mother to the American Legion Post, and Supervisor Stewart abstained since he is a member of the Post.)

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On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, Marylou Mosbacher was reappointed to the El Dorado County Recreation Commission for a term to expire on January 1983.

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On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Traffic Advisory Committee was requested to review the need for a speed limit sign on View Circle Road, South Lake Tahoe.

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The Board adjourned to a continued meeting on April 12, 1979, at 2:00 p.m.

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The Board convened in an Adjourned (Continued) Meeting this date at 2:00 p.m. Present: Supervisors William V. D. Johnson, Thomas L. Stewart, and W. P. Walker. Also present: Ann R. Macy, Board of Supervisors Clerk. Chairman Walker presided. (Supervisor Arliene Todd arrived at 2:30 p.m.)

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Director of Public Works submitted Agreements with the following persons on Acquisition of Lands for the Ray Lawyer Drive Extension: the acquisition of these properties as hardship cases was approved by the Board on December 12, 1978:

- a. Marland D. and Judith R. Johnson, in the amount of \$23,197.57
- b. James L. and I. Jean Hall, in the amount of \$70,522.55

On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried by those present, the Chairman was authorized to sign the Agreements. The Board having only three members present were unable to approve a Budget Transfer from the Contingency Fund to pay for these acquisitions; moneys taken from Contingency require a 4/5ths vote, therefore, the Budget Transfer will be submitted for Board approval on April 16, 1979.

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Supervisor Todd arrived.

The Criminal Justice Advisory Group submitted for approval a re-evaluation of the AB 90 proposals for the County Justice System Subvention Program for Fiscal Year 1979-80 following the Board of Supervisors' action taken on April 3, 1979 wherein the Board established that \$112,000 of the \$221,000 available to the County would be allocated to the Probation Department. Mr. Ralph Standiford, Chairman of said Group was present and advised the Board that following said Board's action the Advisory Group met to re-examine and modify its recommendations, but that it was the consensus of the Group that its original recommendations were sound and appropriate and that the Board should be requested to reconsider its actions of April 3, 1979. Nevertheless the following recommendations were submitted:

<u>Agency</u>	<u>Program</u>	<u>Amount</u>
Placerville Police Dept.	Juvenile Diversion	\$26,610.00
Tahoe Voluntary Action	Court Referral	2,900.00
Mother Lode Big Brothers & Big Sisters	Big Brothers & Big Sisters	10,000.00
New Morning Inc & Tahoe Human Services	Placerville & Tahoe Runaway Youth Services	64,490.00
	Sub Total	<u>\$109,000.00</u>
Probation Department	Special Supervision	<u>112,000.00</u>
	Total	<u>\$221,000.00</u>

Sandra Nomer and Terry Price of New Morning Inc. and Tahoe Human Services were both present and submitted their requests. Max Hanna of Big Brothers and Big Sisters was also present. Sheriff Pacileo was present and spoke

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on behalf of the Watch Crime Programs in the County. Hall Pringle spoke on behalf of the Placerville Police Department Juvenile Diversion Program. Rosemary Manning was also present on behalf of Tahoe Voluntary Action. Steve Tapson, Public Defender, was present and stated that the County should fund the Probation Department, and then the other moneys that are available from the State should be used for the other recommended programs; all of which augment the Probation Department.

Supervisor Stewart moved to fund New Morning, Inc. in the amount of \$72,374.00, and Tahoe Human Services, Inc. in the amount of \$21,141.00, for a total of \$93,515.00 from the \$109,000 that is available, and to award \$2,900.00 for Court Referral, with the balance to go to the City of Placerville Juvenile Diversion Program, provided the City matches that sum to carry on the Program. The motion died for lack of a second.

Supervisor Walker moved to adopt the alternative presented by the Committee. The motion died for lack of a second.

The Chairman declared there was no action at this time, and the matter was continued off-calendar.

(See motion following this next item for more on the above matter.)

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Supervisor Stewart stated that after the Board's Executive Session held this morning, he felt the Board should clarify their position in tendering a defense in the Judge Wenger matter. He further stated that because the County had numerous reservations of rights, one of which was providing the defense through Jefferson Insurance Company, who has refused to defend, he wished to make the following motion:

Supervisor Stewart moved that the Board rescind their prior action in tendering a defense, and direct County Counsel to consider, and if necessary, seek declaratory relief in Superior Court concerning the County's duty to defend in this matter. He further stated that this action should not be taken as an indication that the Board might not reconsider its position.

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Supervisor Stewart departed.

The Board members, at the suggestion of the Assistant to the Board, again considered the matter of the AB 90 State Subvention funds, and on motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the Assistant to the Board was instructed to review the law to determine what the County's obligations are concerning AB 90 funds, and to submit his recommendations to the Board on the next Agenda of April 17, 1979.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES April 12, 1979

There being no further business, the Board adjourned to Tuesday, April 17, 1979, at 10:00 a.m.

APPROVED:

W. P. Walker

W. P. Walker, Chairman

ATTEST:

DOLORES BREDESON, County Clerk
and ex officio Clerk of the Board

By: Gene R. Macy

Deputy