

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES May 15, 1979

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

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12 The Invocation was offered by Pastor James Hill, First Assembly of God Church.

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

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On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Agenda was adopted with an addition to item 14, Legislative Matters, concerning the critical gasoline shortage in the Georgetown area.

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The Minutes of May 8, 1979, were approved as submitted, on motion of Supervisor Todd, seconded by Supervisor Flynn, and carried by the following vote : Ayes: Supervisors Todd, Walker, Stewart, and Flynn; Abstain: Supervisor Johnson.

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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:

5/11 The Community Action Council Claims were approved and allowed for payment.

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70-3 The Board approved 16 Assignments to the Credit Bureau of El Dorado County from the Collection Department for Claims against those persons named on the Assignments dated May 15, 1979; copies of which are on file in the Board of Supervisors Office, beginning with the name of Jerry Kenneth Woldt and ending with the name of Celeste C. McCain.

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247 The Chairman was authorized to sign Release of Lien discharging all property encumbered by the Agreement to Reimburse the County for Public Assistance, to Dibrell Brewer, as recorded in the Official Records of El Dorado County on Page 28, Volume 904.

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278A The following Assessment Roll Changes cancelling Homeowners Exemptions were approved: No. 7609; 7618; 7622; 7625; and 7626.

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581 At the recommendation of County Counsel, the Claim for property damage in the amount of \$35 submitted by James McAdler was denied.

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(116) 22-9 At the recommendation of the Principal Analyst, the Board waived the bidding procedure for the purchase of a one-year supply of peg-board forms to allow implementation of a new cost accounting and patient billing system for the Mental Health Department by July 1, 1979.

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(114) 22-4 At the recommendation of the Principal Analyst, the Board considered the informal bids received for the repair of the incinerator at the Placerville Animal Shelter, from BAYCO Industries of California, San Leandro, and from Paul's Plumbing & Combustion Equipment Co., Inc., and awarded the bid to BAYCO on time and material basis, not to exceed \$1,000.00, and approved the Fund Transfer of \$1,000 from Appropriations for Contingencies to Maintenance of Equipment to cover said expenditure.

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(114) 22-4 Board adopted RESOLUTION NO. 117-79 setting Hearing on the proposed consolidation of the Diamond Springs Fire Protection District and the El Dorado Fire Protection District for June 12, 1979, at 3:00 p.m.

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(296-4) Board approved the Cost Applied Statement in the amount of \$912.32 for the repair of cattle guards on PiPi Road and Omo Ranch Road, as submitted by the Department of Public Works. (Continued from 5/1/79)

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(296-4) Board authorized the Chairman to sign the Escrow Instructions, and approved the Claim for payment of title fees and the purchase of land from James L. Hall and I. Jean Hall, for the Ray Lawyer Drive Extension Project. (Agreement on Acquisition of Land approved by Board on 4/12/79)

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(430) 141 Messrs. Paul Peterson, Shell Station operator, and Mike Murchie, Garage and Station operator; both of Georgetown, advised the Board of the critical gasoline shortage in that area. Mr. Peterson advised that he had only 12,000 gallons left till the end of the month, and Mr. Murchie is already out of gasoline. Inasmuch as all the fire protection districts and other emergency vehicles (sheriff, PG&E, tow trucks, and ambulances) depend on private service stations for gas, an extremely dangerous condition has been created. Aside from this point, the area is isolated and numerous residents commute; the population in the area has increased by 17% this past year; and the area is heavily wooded, therefore, fire protection is critical. Mr. Peterson stated that he had made application for additional gasoline from the State, but had been told that there would be none forthcoming.

On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, County Counsel was instructed to prepare a letter to the State Fuel Allocation Center urging them to reconsider Mr. Peterson's application, and also one being submitted by Mike Murchie, based upon the specific points outlined above.

(430) Pursuant to Governor Brown's telegram received this date revising Regulations for the Gasoline Emergency, the Board on motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried, urged each gasoline retailer in the County having a 1978 sales volume of 750,000 gallons to open on weekends on following basis: On Saturday if motor fuel pump location number is ODD, and on Sunday if motor fuel pump location number is EVEN.

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21.3
(115)

At the recommendation of the Personnel Officer, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board waived County Ordinance requirement (Section 4116(h) and permitted appointment of Phillip Y. Yoshimura, a Physician's Assistant, at Step E of the salary range, in the Health Department.

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(212)
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Airports Director submitted request from the Experimental Aircraft Association for authorization to hold its annual Father's Day Fly-in with Placerville Lion's Club at the Placerville Airport on June 17, 1979.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, RESOLUTION NO. 118-79 was adopted authorizing said Fly-in.

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21-8a

Airports Director recommended that the Chairman be authorized to sign Agreement with Sierra House Inn for advertising space at the Lake Tahoe Airport, at a cost of \$840 per year.

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

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30-13

Airports Director submitted letter recommending Chairman be authorized to execute five-year Land Use Leases with the following persons to allow them to erect portable hangars on the Placerville Airport property: Walter L. Ehrlich, and Richard B. Mitchell. On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign the Land Use Leases.

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296-3
30-13
Lake
Road

At the recommendation of the Director of Public Works, on motion of Supervisor Todd, seconded by Supervisor Johnson, and unanimously carried, RESOLUTION NO. 119-79 was adopted abandoning those portions of County Road No. 4, Bass Lake Road, which have been superseded by recent construction, to relocate same.

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296-4
30-13
Lake
Road

At the recommendation of the Director of Public Works, on motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Chairman was authorized to sign Program Supplement No. 3 to the Local Agency-State Agreement for Federal-Aid Funds for the Latrobe Road Project, and RESOLUTION NO. 120-79 approving said project and authorizing the Chairman to sign, was adopted.

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151

Welfare Director submitted a letter requesting adoption of a Resolution to provide Workers' Compensation coverage for Welfare Department Volunteer Workers, and also requesting that said volunteers be included in the County's self-insurance program.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and (Continued on next page . . .)

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unanimously carried, the request was approved and RESOLUTION NO. 121-79 was adopted, after amendment to delete the words, "be deemed employees of the County of El Dorado" on lines 3 and 4 of said resolution.

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201-1
At the recommendation of the Agricultural Commissioner, on motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign Lease Agreements with Placer County, for use of this County's heavy capacity weight truck and 20-gallon liquified petroleum gas prover; and Amador County, for use of the heavy capacity weight truck.

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59
Secretary/Manager of the El Dorado County Fair submitted letter advising that the Fair Board would be able to conduct a contest to select a "Miss El Dorado County" to participate in the 1979 Maid of California Pageant; however, County funds, in the amount of \$300.00, would be needed to cover the cost of motel and meals for the contestant and chaperone for the duration of the Pageant in Sacramento.

On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the request for County funds was denied.

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22-1
At the recommendation of the Director of Health Services, on motion of Supervisor Johnson, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Johnson, Flynn, Stewart, and Walker; No: Supervisor Johnson, the Chairman was authorized to sign an Agreement with Amador Mental Health Services, Inc., to provide mental health services for Amador Mental Health referrals at this County's Psychiatric Health Facility, at a cost of \$141.00 per day, for a period of April 1 through June 30, 1979.

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H23
Hearing was continued from May 1, 1979, to consider the proposal to abandon roads in Swansboro Subdivision and to sell said roads to the Swansboro Homeowners Association for the sum of \$200.00.

Ernest Smith, Chairman, Swansboro Country Property Owners Association, submitted a Resolution requesting the Board of Supervisors to designate those roads in the subdivision which will effectively serve existing ingress and egress rights to those property owners who are contiguous or surrounded by the subdivision, as County Roads and assume the maintenance of them and declare all other subdivision roads be returned to the Swansboro Property Owners in fee simple title as true private roads: said resolution was adopted by the Property Owners Association Board of Directors. Also submitted was a Petition to the Board signed by the Board of Directors reaffirming their original request made in 1978 for the return from the County of the fee simple title to the roads in the Subdivision to the Association.

Continued on next page . . .

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Two letters were received opposing the return of the roads to the Association from the following: The Penaranda Family and Clyde R. Kinman.

Kenneth Provance was present and opposed to the County taking over the maintenance of the roads when they are not up to County standards.

Mrs. Halladay and Mrs. Hillbon both were in favor only if there was an agreement with Section 9 of the Subdivision allowing them also a right-of-way over the private roads.

John Mahoney questioned what would happen to development of land surrounding or contiguous to the Subdivision. Would they also be able to use the roads if they were privately owned.

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

On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, the matter was continued off-calendar, pending a meeting with interested parties in an attempt to resolve the differences before it is brought back to the Board.

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A hearing having been held on April 17, 1979, to consider the acceptance of the Environmental Study and Route Adoption for the Ray Lawyer Drive Extension Project, and the Board having advised that written statements and exhibits could be submitted until April 27, 1979, thereupon directed that the matter be scheduled on the Board's Agenda for May 15, 1979, at 11:00 a.m.

Director of Public Works submitted a letter that he had received from Mr. Raybon Upton wherein Mr. Upton states that the road extension project would affect his property and create a financial hardship on him. The Director of Public Works requested that when the Board took action on the proposed route adoption, that the Board authorize him to enter negotiations for the purchase of the Upton property.

There were no other communications received on this matter.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board adopted the Negative Declaration. On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Board adopted the route location as presented, and on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board instructed that the Upton case be considered a hardship case.

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Supervisor Todd left the room.

Mr. Austin Gillihan submitted a letter requesting a 24-foot road easement across the north end of the former County Hospital (Pioneer Hospital) property be granted to the City of Placerville, stating that he has a 9-foot easement across Parcel No. 01-06-02 (the northwest corner of the County Hospital lot). Mr. Gillihan indicated that an easement of 42 feet in width may be given to the City of Placerville along the centerline of an existing prescriptive right road designated as Wren Court. He stated he would relinquish his interests in the easement if the City is granted the easement along Wren (Continued on next page . . .)

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Court.

Upon the recommendation of the County Surveyor that improving the road would make it safer to drive, and acceptance of the easement and maintenance of it by the City of Placerville would transfer liability from the County, the Board on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried by those present, granted said road easement to the City of Placerville.

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Director of Health Services submitted letter advising that El Dorado County has been unsuccessful in obtaining supplemental funding for the Maternal and Infant Care Program in the South Lake Tahoe area, from the State Maternal and Child Health Branch, and that a letter was delivered to the State Director of Health on April 27, 1979, requesting the Director to take action under Section 14077 of the Welfare and Institutions Code by establishing Medi-Cal physician reimbursement rates of \$650.00 for prenatal, delivery, and postpartum care for the South Lake Tahoe area.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Director of Health Services and County Health Officer was authorized to petition the State Director of Health to establish Medi-Cal reimbursement rates of \$650.00 for Medi-Cal in South Lake Tahoe, and request the State Director to waive the public hearing and any other requirements which would result in delay, and to act favorably upon this request immediately; and further, the Director of Health Services and County Counsel were authorized to take any additional action necessary to resolve this problem, including legal action.

Supervisor Todd returned to the Chambers.

SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider rezoning of lands in the El Dorado/Diamond Springs area from One Acre Residential (5.6 acres) and General Commercial (15.9 acres) to Planned Commercial, consisting of 21.5 acres, initiated by the Planning Commission on lands owned by Hahn Devcorp. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The area being rezoned constitutes the minimum necessary to serve the commercial shopping needs of citizens in this area;
2. Services are available or can feasibly be made available;
3. CP zoning gives site plan review which ensures the orderly development of the property.

Mr. Bill Krauch, Vice President of Hahn Devcorp, was present. There were no protests, and the Hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, 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. 2002, which amends the County Zoning Ordinance accordingly.

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Communication was received from Mr. Richard Tobey advising that the property which he presently owns in South Lake Tahoe was zoned Commercial in 1965, yet a building permit was issued (but not used) for a residence in 1975; and on March 1, 1979, Mr. Tobey received through the lottery, a building permit for said property which he had purchased some time after 1975. He requested that the Board take some action to allow him to utilize his building permit.

Upon the advice from the Planning Director that the Planning Commission will initiate rezoning to Single Family Residential, the Board, on motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, directed the Building Department to issue a building permit to Mr. Tobey.

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72
At the recommendation of the Planning Director, on motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Chairman was authorized to sign a letter to the State Department of Finance requesting certification of the County population, estimated to be 79,000 as of January 1, 1979.

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221-17
688-4479
390-9-5
The Latrobe School Board submitted a request that the Board of Supervisors take action to stop land splitting in the Latrobe School District until a Master Plan can be developed for that area. (Continued from May 1, 1979)

Inasmuch as there were a number of people present, the Chairman inquired of the Deputy County Counsel whether or not this matter was a public hearing, and he was advised that it was not a public hearing, but that if the Chairman wished to allow those people in the audience who desired to speak, he could certainly do so.

Thereupon the Chairman did so authorize anyone who wished to speak on the subject.

Mr. G. Richard Brown, attorney for Latrobe School District, requested that until a master plan is developed, that subdividing and rezoning be kept to a minimum, due to the critical situation in the Latrobe School pertaining to lack of space for more children, as well as financing to correct an already overcrowded condition.

William McCabe submitted a letter and spoke on behalf of curtailing land splitting until a Master Plan is developed. Mrs. Donna Lundquist also spoke in this behalf. Also, a letter in this regard was received from Mrs. Patricia A. Larsen.

Mr. Pat Riley, attorney on behalf of Rainbow Meadows; George Carasco, subdivider. He stated that Rainbow Meadows was developed and qualified and approved by the Division of Real Estate of December 18, 1978. He further stated that the Tentative Map was approved subject to conditions; one of which was the acceptance of a school site. Mr. Gene Thorne, engineer for said developer, also stated that not only was the school site provided, but the road to the site was improved by another developer.

Others who spoke requesting an interim zoning were: Phoebe Murphy; Candace Key; Mrs. Benecchi.

Others who spoke supportive of subdivider, George Carasco, were: Dr. Phillips; Arnold Ludwig; Rick Dwyer; Bill Staggs; and Dick Zelmer.

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Mr. Jim Sullivan suggested that an advertised public hearing be held on this matter.

There were no others who wished to speak, so the Chairman brought the matter back to the Board for action.

On motion of Supervisor Todd, seconded by Supervisor Johnson, and unanimously carried, the Board accepted the Latrobe Plan Area Interim Zoning Study, as submitted by the Planning Department.

Supervisor Todd then moved that pursuant to Government Code Sec. 65858, and in order to protect the health, safety and welfare of the people of El Dorado County, to enact interim zoning in that area encompassed within the Latrobe Area Plan and which is designated by the Latrobe Area Plan map on file with the Planning Department, as follows: all properties to be RA-40, based on the following findings which are incorporated within this motion:

1. The County of El Dorado is presently studying and plans to implement an area plan for the Latrobe area;
2. Such plan is expected to be reviewed and diligently pursued;
3. Until such plan is adopted, the health, safety, and welfare of the people in the area is threatened because of presently inadequate vital services, most specifically: road and schools as evidenced by the report submitted to the Board of Supervisors from the Planning Department dated May 1, 1979, as well as by other oral and written testimony which has been offered;

and EMERGENCY ORDINANCE NO. 2003 was adopted, adding Section 9406(e) to the El Dorado County Ordinance Code relating to Interim Zoning in the Latrobe area.

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Director of Planning submitted a letter requesting that he, Kenneth Milam, and the Deputy Recreation Director, Arlan Nickel, be designated as independent authorized representatives of the County of El Dorado on the Shingle Springs Plaza and Georgetown Park Projects, in order that the State may accept either of their signatures on correspondence relative to park projects, rather than requiring both signatures.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the request was approved, with the understanding that the Director of Planning still retains the responsibility.

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Assessor submitted letter requesting that the Board raise the mileage allocation for employees using their private vehicles for County business; said allocation at present is 20¢ per mile. (Continued from 5/8/79)

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board authorized that Travel Policy and Procedure Resolution No. 239-77 be amended to allow reimbursement of mileage at 25¢ per mile. Also, the motion of Supervisor Flynn, seconded by Supervisor Walker to allow the following for meals: breakfast, \$3.50; Lunch \$5.00; and dinner, \$10.00, and anything over and beyond those amount must be supported by a receipt in order to receive payment, was lost by the following vote: Ayes: Supervisors Flynn and Walker; Noes: Supervisors Todd, Johnson, and Stewart. Supervisor Johnson, seconded by Supervisor Todd, then moved to allow the actual expenses of room and board, both they must be supported by a receipt. This motion failed by

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reason of the following vote: Ayes: Supervisors Todd and Johnson; Noes: Supervisors Flynn, Stewart, and Walker. Finally, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board allowed reimbursement for the actual cost of meals, with a receipt required for amounts in excess of: \$3.00 for breakfast; \$4.00 for lunch; and \$8.00 for dinner, and RESOLUTION NO. 122-79 was adopted amending the Travel Policy and Procedure Resolution No. 239-77 allowing for the cost of mileage and meals as hereinabove authorized.

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520-4
Director of Health Services submitted for approval, the preliminary County Alcoholism Program Budget for Fiscal Year 1979-80, in the amount of \$196,892.00.

On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the budget was approved, and the Chairman was authorized to sign said budget, and RESOLUTION NO. 123-79 was adopted accordingly.

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114-7
Mental Health Administrator and Program Manager of County Training Programs submitted a letter requesting that the Board take the necessary to terminate the Agreement with Hill and Dale Maintenance for janitorial services for Mental Health, Manpower, and the El Dorado Justice Court, as said service is unsatisfactory; and requesting authorization to seek a replacement.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the request was approved with the understanding that the County's rules and regulations are followed pertaining to the bidding procedure.

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298-2
Assessor submitted a letter requesting authorization for three appraisers from his department to attend 24 hours of training offered by the American Institute of Real Estate Appraisers, at a total cost of \$1,253.00; said training required by Section 671 of the California Revenue and Taxation Code.

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

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27-42
Assistant to the Board submitted for approval, an additional Condition required by the California Tahoe Regional Planning Agency Governing Board for approval of the County's application for the Library-Museum at South Lake Tahoe; said Condition requiring a restriction be recorded which states that when the proposed new library-museum building is granted an occupancy permit, the present library building will be used only for storage or remain vacant. (Continued from 4/17/79)

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the matter was referred to Supervisor Stewart to bring before the California Tahoe Regional Planning Agency for clarification.

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Assistant to the Board submitted a letter recommending transfer of funds in the amount of \$3,000.00 from Miscellaneous Projects to Fixed Assets, to purchase bookcases for the Superior Court at Lake Tahoe.

153
(3484)

On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the request was approved and the Chairman was authorized to sign Budget Transfer No. 100.

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County Counsel submitted report on the process of conveying road right-of-way along Ray Lawyer Drive. (Continued from 4/17/79)

142-2
County Counsel
Shelton

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board directed that a memo be sent to the County Surveyor requesting that he draw the description for conveying Ray Lawyer Drive to the City of Placerville, and that he confine the description to the improved portion of the right-of-way, and the Board stated their intent that any property outside of that will be retained by the County of El Dorado and that no ingress or egress will be given to Ray Lawyer Drive without approval of the Board of Supervisors.

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On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, John McChesney was appointed to the Happy Homestead Cemetery District to fill the expired term of Louis DeLallo; said term to expire in January 1983.

241-3

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On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, James W. Goldthorpe was appointed to the Local Disaster Council for District IV. On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Board continued appointments for the other four districts to May 29, 1979.

164-6

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On motion of Supervisor Flynn, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisors Todd, Johnson, Flynn, and Walker; Abstain: Supervisor Stewart, RESOLUTION NO. 124-79 was adopted honoring and commending Volunteers of Northside Fire Protection District for presentation at the Auburn Area Chamber of Commerce Community Recognition Dinner for May 24, 1979.

104-13

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There being no further business, the Board adjourned to Tuesday, May 22, 1979, at 10:00 a.m.

APPROVED: W. P. Walker
Chairman

ATTEST: Dolores Bredeson, County Clerk
and ex officio Clerk of the Board

By: Jan L. Tracy
Deputy