

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES May 29, 1979

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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12-7 The Invocation was offered by Chairman Walker.

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The Agenda was adopted on motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried.

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On motion of Supervisor Johnson, seconded by Supervisor Flynn, 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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The Board approved 12 Assignments to the Credit Bureau of El Dorado County from the Collection Department for Claims against those persons named on the Assignments dated May 29, 1979; copies of which are on file in the Board of Supervisors Office, beginning with the name of Frank Bugarin and ending with the name of John Mikottis.

58-3

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RESOLUTION NO. 127-79 was adopted Authorizing an Action for the Recovery of County Funds Paid Out for Western Slope Ambulance, Lake Tahoe Ambulance, Probation, Public Defender, County Library, and Welfare Departments.

151-13

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At the recommendation of County Counsel, the Personal Injury Claim submitted by Attorney Eugene C. Treaster on behalf of Darlene Hiatt, in the amount of \$25,000.00, was denied.

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At the recommendation of County Counsel, the Personal Injury Claim submitted by Attorney Rodney A. Klein on behalf of Vesta Edwards, in the amount of \$500,000.00, was denied.

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At the recommendation of the County Surveyor who submitted on behalf of Len O. Kendall a request to use a scale of 1 inch equals 100 feet rather than the required 1 inch equals 200 feet, on the Final Map for Swansboro Country Units 8 and 9 Rural Subdivision, the Board approved said request.

423
Submitted
County Surveyor
5/29/79

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1979

296-4
(m-0)
(Dead
34-79)
At the recommendation of the Director of Public Works, the Chairman was authorized to sign Certificate of Acceptance of Deed for right-of-way on lands owned by Nicholas A. and Nola J. Rumsey, on North Shingle Road as a condition of acceptance of Parcel Map.

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50-7
On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Board awarded the bid for the El Dorado County Community Center Dining Room Addition to low bidder, Lynn J. Fetch Construction, in the amount of \$46,700; of which \$20,000 is to come from the Community Action Council, and \$26,700 is to be taken from Plant Acquisition.

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12-14
(N.M.)
On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, a Policy Review Session with Data Processing Committee was set for June 13, 1979, at 10:00 a.m.

3-5-1
On motion of Supervisor Todd, seconded by Supervisor Johnson, and unanimously carried, a Public Hearing was set for June 13, 1979, at 2:00 p.m. on Revenue Sharing Funds in the amount of \$1,336,063.00.

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Approximately 65 people were present on behalf of the request of the South Lake Tahoe Branch of the California Motel Association that the Board support the City of South Lake Tahoe's withdrawal from the California Tahoe Regional Planning Agency (CTRPA), as it is presently constituted, by also withdrawing from said Agency.

A Petition containing 2200 signatures was submitted to the Board requesting that the El Dorado County and Placer County Boards of Supervisors adopt a Resolution similar to the recent action of the City of South Lake Tahoe, and withdraw support from the California Tahoe Regional Planning Agency (CTRPA).

The following people spoke requesting that the El Dorado County Board withdraw their support from the CTRPA: Bob Pershing; Frank Benevento, motel owner and Director of Motel Association; Ralph Anderson, retired real estate broker; Bob Carray; Tom Terry; Lynn Holland representing Tahoe Resources Action Committee of El Dorado/Placer Counties; Lorraine Aarons, restaurant owner; Ed McCarthy, Nevada resident and owner of several motels; and Terry Trupp, member of the South Lake Tahoe City Council.

The motion of Supervisor Johnson, seconded by Supervisor Walker, to support the City of South Lake Tahoe in their resolution, was amended by Supervisor Stewart, and seconded by Supervisor Flynn, to: (1) Continue County policy of not adopting or enforcing CTRPA ordinances; (2) Adopt as policy of this Board, to support legislation to eliminate CTRPA; (3) Continue County representation on CTRPA Governing Board to hear citizens complaints and to press for local consideration on CTRPA actions; and (4) Request this County's representatives at State level to do everything within their power to bring common sense and equity through the CTRPA's actions, before the citizenry of the Tahoe Basin rise up in physical violence against said Agency. The Chairman called for the question on the amendment, and Continued on next page . . .

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(68)
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it failed to carry by reason of the following vote: Ayes: Supervisors Flynn and Stewart; Noes: Supervisors Todd, Johnson and Walker. The Chairman then called for the vote on the original motion, and it was unanimously carried. Supervisor Johnson then moved to request County Counsel to draft a resolution based upon the same principles embodied in the South Lake Tahoe resolution, but to apply to El Dorado County. Supervisor Todd seconded the motion, and it was unanimously carried.

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Mr. George Noller submitted a letter requesting reconsideration of the County Assessor's actions pertaining to his property described as Parcel Nos. 43-330-07 and 43-330-08: whether or not it is one or two parcels.

After a lengthy discussion, the motion of Supervisor Stewart, seconded by Supervisor Todd, that the Assessor's Office acted within the framework of the law, was not carried by reason of the following vote: Ayes: Supervisors Todd and Stewart; Noes: Supervisors Johnson, Flynn and Walker.

(298)
141-1
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, the matter was referred to County Counsel to research the title sufficiently to determine whether at the time Mr. Noller acquired the property, it was two separate legal parcels.

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18-2
Airports Director submitted for Board's review, three proposals to provide Fixed Base Operator service at the Georgetown Airport; and requesting authorization to negotiate a lease agreement with Sierra Flyers as their proposal is the most complete.

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the request was approved, and the Airports Director was instructed to obtain a current financial statement.

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30-3
Airports Director submitted letter recommending that the Chairman be authorized to sign a five-year Land Use Lease with Robert E. Fuller, to erect a portable hangar on Placerville Airport property.

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

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Director of Health Services submitted letter recommending that the Chairman be authorized to sign the Agreement with Women United Against Battering for use of office space in the basement of the Health Department on Spring Street to provide domestic violence health services; and requesting contributions of \$500 each from the Welfare, Health, and Sheriff's Departments each fiscal year.

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On motion of Supervisor Todd, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign the Agreement, and funding to be subject to the 1979-80 budget; and term of contract to be from June 1, 1979, through June 30, 1980.

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390-7 On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board adopted ORDINANCE NO. 2005; an ordinance to establish that any person attempting to defraud the proprietor or manager of a ski area, by using ski lift facilities without first having paid the required fee, shall be guilty of a misdemeanor punishable by a \$500.00 fine, or six months in jail, or both. (Introduced 5/22/79)

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On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, the following personnel matters were considered and acted upon as follows:

82-14 The Memorandum of Agreement with the County Management Unit for 1978-80 and 1980-81 was approved;

RESOLUTION NO. 128-79 was adopted amending the Authorized Personnel Resolution to provide for a Director of Airports;

115 Board approved Revised Job Specifications for Group Counselor II position, Probation Department;

RESOLUTION NO. 129-79 was adopted providing for 11 positions of Public Service Employees assigned to County departments, increases Projects with four positions and adds Work Experience positions;

82-14 Approved assignment of the classification of Laboratory Director and Administrative Assistant I to the Management Unit.

On motion of Supervisor Todd, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Todd, Flynn, and Walker; Noes: Supervisors Johnson and Stewart, RESOLUTION NO. 130-79 was adopted authorizing the Assistant to the Board to fill the Deputy Sheriff II position during a Disability Leave of Absence.

On motion of Supervisor Todd, seconded by Supervisor Johnson, and unanimously carried, the proposed Ordinance which would permit a five day notice (instead of a ten day notice) to an employee prior to dismissal, suspension or demotion, was continued to June 5, 1979; said Ordinance having been introduced, and the reading thereof waived.

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296-4 Director of Public Works submitted results of bid opening on May 24, 1979, for the Latrobe Road Project; bids having been received from: Norman Brown & Sons, DBA: Delta Construction Company, Folsom; Erickson-Shaver Contracting Corporation, Fresno; Teichert Construction, Sacramento; and Granite Construction Co., Watsonville.

296-4 On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the project was awarded to low bidder, Delta Construction Co., Folsom, in the amount of \$1,220,891.25; said award subject to the approval by the State, and the Chairman was authorized to sign the Contract.

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Director of Public Works submitted letter pertaining to the annual revision in maintained County roads as required by Section 2121 of the Streets and Highways Code.

296-1 On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, RESOLUTION NO. 131-79 was adopted certifying that the mileage of the maintained County roads be as graphically shown on the accompanying map, as Exhibit "A", and as detailed by terminus and length of each route marked on Exhibit "B".

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SPECIAL ORDERS

PLANNING MATTERS

423
Open
Public
Hearing
Planning Director submitted Tentative Map for Deer Park Estates Subdivision in the Diamond Springs area, consisting of 9.2 acres, comprising 29 lots; Subdivider: Lake Oaks Mobile Home Community, Inc. Planning Commission recommended approval subject to conditions (said six conditions being on file in the office of the Clerk of the Board of Supervisors).

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Tentative Map was approved subject to the conditions set forth by the Planning Commission as follows, and the Negative Declaration was accepted:

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.

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Hearing was held to consider the Appeal filed by Robert W. Hansen on the Planning Commission's denial of a Special Use Permit to allow a sustaining mobilehome as housing for a new property owner (inherited from his mother) on 34.4 acres in the Finnon Lake area.

Mr. Hansen was present and explained that he was not a "new owner", that he and his mother had owned the land for many years, and that he had inherited the mobilehome from his mother; he was not moving anything onto the property, he merely wanted to keep what was there and belong to him.

292-4-79
The following persons (all neighbors) were present and stated that they had no objection to his mobilehome: Gus Canallis; Rocky Hale; Mrs. Canallis; Orville Beckett; Charles Womack; Paul Hines; Anthony Darr; and Ronald Darr. There were no objections, and the Hearing was closed.

After discussion, on motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, the Board approved the Appeal filed by Robert W. Hansen, and instructed that a Special Use Permit be issued to allow the existing mobilehome on 34.4 acres, zoned Unclassified, in the Finnon Lake area.

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Hearing was held to consider the request of Prentiss and Josephine Moore for the removal of a portion (2.8 acres) of Agricultural Preserve No. 199, as well as an addition of 2.8 acres to said Agricultural Preserve.

Planning Director advised that Mr. Moore had, some time ago, placed a building on a portion of land that was not his land; this fact having been revealed by a recent survey. Therefore, he and the person whose land the structure is on, agreed to an exchange of lands (a boundry line adjustment) to correct this situation.

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=179
There were no objections, and the Hearing was closed.

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 Board approved the cancellation of 2.8 acres of Agricultural Preserve No. 199, based on the findings that: (1) It would not be inconsistent with the purposed of the Land Conservation Act, and (2) It would be in the public interest; and waived the penalty based on the findings that: (1) It would be in the public interest; (2) The land is not immediately suitable nor will it be immediately used for a purpose which produces a greater economic return to the owner; and further, the Board approved the addition to the contract of 2.8 acres to Ag Preserve No. 199, based on the finding that it meets the minimum criteria and is consistent with the General Plan.

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423
Kanaka
Valley
Rural
Sub
Caldorado Lan-Pac submitted letter requesting Board consider the matter of road maintenance within the proposed Kanaka Valley Rural Subdivision. On motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried, County Counsel was requested to work with Mr. Ken Purcel of Caldorado Lan-Pac to establish a criteria for financing road maintenance for other than County-maintained roads.

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59
El Dorado County Fair Board of Directors requested approval of a Budget Transfer in the amount of \$3,000.00, from "Resources Available" to "Attractions Expense", in order to stage a Four-Wheel Drive Pull Show on Saturday, August 4, 1979. (Fair time)

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

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(59)
141
Fair Association Board of Directors submitted for discussion, a proposed new Fair site in the Shingle Springs area, and on motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the matter was referred to County Counsel to confer with the attorney for the property owner, and continued to June 5, 1979, at 3:30 p.m.

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On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the matter of a Board study-workshop with the Assistant to the Board and several department heads, away from the County offices, was removed from the Agenda.

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Director of Public Works submitted letter recommending completion date for improvements to Granada Heights Subdivision be extended to June 30, 1980, as requested by Mr. Arthur Soltar, Subdivider.

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

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Director of Health Services submitted letter recommending Chairman be authorized to sign Agreement with County Service Area III to utilize staff expertise in implementing an effective plague prevention and control program.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the matter was continued to June 5, 1979.

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Executive Director, Community Action Council, submitted plan and timetable for the 1979-80 Community Services Administration Grant; and recommending that the Chairman be authorized to sign. On motion of Supervisor Walker, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisors Todd, Flynn, and Walker; Noes: Supervisors Johnson and Stewart, the Chairman was authorized to sign.

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Executive Director of Community Action Council submitted letter recommending that the Chairman be authorized to sign a contract amendment extending the Community Services Administration Emergency Energy Assistance Program from March 15, 1979, to May 31, 1979.

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 contract amendment was approved, and the Chairman was authorized to sign.

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On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Introductory Ordinance amending Section 7621 of the County Ordinance Code, "Intersection Stops", as recommended by the Traffic Advisory Committee and approved by the Board on July 11, 1978, was introduced, the reading thereof waived, and it was continued to June 5, 1979, for adoption.

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On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the resignation of Lucky Nelson from the Alcoholism Advisory Board, representing District IV, was accepted, and the Clerk was instructed to send Ms. Nelson a Certificate of Appreciation.

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El Dorado Health Planning Council submitted nominees for membership to said Council for term ending May 1981: Mary Jane Battaglia, Katherine
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Burrows, Dorothy M. Cardell, River Kaye Dansing, Kenneth Hibbard, Hazel E. Hoak, Marion MacAdams, Cora Maitland, Ginger Thelin, and Joan Winton.

On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, the matter was referred back to the Council with the notation that it has been the Board's policy in regard to the South Lake Tahoe Health Planning Council that County employees not be named (therefore, the same policy should apply to both Councils), and further, the Board would like to have two nominations for each position.

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The Board having heard the request of Mr. and Mrs. Glenn C. Thorp for waiver of County Ordinance to exempt them from paying the Bedroom Tax, on May 22, 1979, wherein the Thorps claimed when they approached the Building Department in August 1977, they had their plans available at that time for their home, but due to a few uncertainties pertaining to a solar heating system, they were instructed to simply pay the fees for the construction permit,

A representative from the Building Department was present and stated that application was made for foundation and a septic tank only on August 4, 1977, and one month later it was finalized. A year later a permit application for a dwelling was received.

After consideration, on motion of Supervisor Todd, seconded by Supervisor Stewart, and unanimously carried, the request for waiver of the County Ordinance was denied.

Supervisor Flynn departed

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On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried, Supervisor Johnson was appointed to attend the Tahoe Regional Planning Agency's June 27th meeting regarding the item pertaining Tahoe Keys' classification.

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There being no further business, the Board adjourned to Tuesday, June 5, 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: Ann K. Macy
Deputy