

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES October 2 19 79

The Board convened in regular meeting. Present: Supervisors Arliene Todd, W. P. Walker, Joseph V. Flynn, and Thomas L. Stewart. Supervisor Johnson absent. Dixie L. Foote, Assistant Board of Supervisors Clerk, was also present. Chairman Walker presided.

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12-7 The Invocation was offered by Reverend Harrold McFarland.

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The Pledge of Allegiance to the Flag was led by Mrs. Amelia McAnnally.

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The Agenda was adopted on motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried by those present.

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The Minutes of September 25, 1979, were approved as submitted, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried by those present.

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On motion of Supervisor Todd, seconded by Supervisor Stewart, and unanimously carried by those present, 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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117 Budget Transfer No. 6, \$4,600.00 from Contingency Fund to Sheriff's Department Maintenance of Structures and Grounds Account, for replacement of the Sally-Port overhead door at the Sheriff's facility at South Lake Tahoe, and carpeting in the Tahoe Division facility, was approved.

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247 The Chairman was authorized to execute a Release of Lien, discharging all property encumbered by the Agreement 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>	
Charles J. & Kathy Katleba	1440	661

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2982 The Board approved Assessment Roll Changes numbered: 2147, 2148, 2149, 2150, 2156, 8491, and 8492.

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58-3 The Board approved 90 Assignments to the Northwest Creditors Service from the Collection Department for Claims against those persons named on the Assignments dated October 2, 1979; copies of which are on file in the Board of Supervisors Office, beginning with the name of Joe Lawson and ending with the name of Tony Bugavin.

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120 Board approved Property Transfer Request No. 520, transferring a 1977 Chevrolet Malibu from the Chief Administrator's Office to the Lake Tahoe Airport.

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114-7 Board awarded Bid No. 055, treated wood posts for the Public Works Department, to the lowest bidder, Diamond International, in the amount of \$7,843.92, as recommended by the Purchasing Agent.

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1164)
128
429 The Board acknowledged and placed on file, a Proclamation of the Governor of California of the existence of a State of Emergency in El Dorado County, and implementing the California Peacetime Emergency Plan, as a result of the Chili Bar Fire.

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30-13 At the recommendation of the Airports Director, the Chairman was authorized to sign a five-year Land Use Lease with Robert V. Cadle and William Wilbur, partners, to erect a portable hangar at the Placerville Airport.

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121-9)
119
213 At the recommendation of the Director of Health Services, the Chairman was authorized to sign a letter of intent to contribute \$1,500 to the Golden Empire Health Systems Agency, as approved during Budget Hearings for Fiscal Year 1979-80.

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114-9 At the recommendation of the Purchasing Agent, the Board authorized waiver of formal bidding procedures for purchase of twenty (20) IBM Selectric Typewriters directly from Internation Business Machines (IBM) to gain substantial savings under the State and Local Government price list which expires September 30, 1979.

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83-13 At the recommendation of the Purchasing Agent, the Board approved the plans and specifications for the Shingle Springs Plaza Park site; and authorized advertisement for bids, to be opened October 16, 1979, at 2:00 p.m., with award by Board on October 23, 1979.

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422
Buckeye
RESOLUTION NO. 248-79 was adopted, ordering the sale of Buckeye Union School District 1978 Bonds, Series B, in the amount of \$1,210,000.00, and setting October 30, 1979 at 10:00a.m. to receive proposals for the purchase of said bonds, and authorizing preparation of the Notice of Sale.

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422
Latrobe
RESOLUTION NO. 249-79 was adopted, ordering the sale of Latrobe School District 1974 Bonds, Series B, in the amount of \$35,000.00, and setting October 30, 1979 at 10:00 a.m. to receive proposals for the purchase of said bonds, and authorizing preparation of the Notice of Sale.

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31-82
At the recommendation of the Airports Director, and on motion of Supervisor Todd, seconded by Supervisor Stewart, and unanimously carried by those present, the Chairman was authorized to sign a one-year Lease Renewal with ~~Advertising-Insurance-Real-Estate Corporation~~ for advertising space at the Lake Tahoe Airport, at a cost of \$310.00 per month. (Name changed to AIR Corporation, Advertising Division; said change agreed to by both parties.)

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(22-6)
164
429
128
At the recommendation of the Director of Health Services, and on motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried by those present, the Board directed that Certificates of Commendation be forwarded to the following members of the Animal Control Staff for the outstanding job they performed in rescuing animals from the forest fire in the Mosquito-Swansboro area on September 16 and 17, 1979: John Geringer, Paul Rosing, Mari Lee Bessette, Bill Brunette, Joan Walsh, and Bud Kimble.

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151-2
At the request of the Welfare Director, and on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board approved the placement of a male juvenile in the Castagnola's Family, Inc., a Sacramento group home for boys, at a cost of \$993.00 per month.

Also, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried by those present, the Board directed that the matter of \$800.00 being the maximum amount per month that can be spent for placement of special need children, without Board approval, be agendized for October 9, 1979 to possibly increase that amount, as it was set at that rate in 1976.

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220
At the recommendation of the Purchasing Agent, and on motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried by those present, the Chairman was authorized to sign a 42-month Lease Purchase Agreement with AM International Leasing Corporation for a printing press, platemaker and 80-bin collator for the Service Unit, at a cost of \$841.49 per month.

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(190)
141
On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried by those present, the Board approved the Assessment District Screening Committee's proposed modification to Assessment District policy, concerning use of assessment bonds, and referred same to County Counsel for use as guidelines to prepare a Resolution for adoption by the Board.

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(150-7)
(174-8)
At the recommendation of Mr. Jack Nopp, Architect for the projects, the Board authorized the Chairman to sign Change Order No. 2 for the Community Center Dining Room Addition, to repair the roof structure, thereby increasing the cost by \$2,814.00; and Change Order No. 2 for the Justice Court Remodeling at South Lake Tahoe, increasing the cost by \$483.96, on motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried by those present.

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12-14
On motion of Supervisor Todd, seconded by Supervisor Stewart, and unanimously carried, the Board set the following meetings: an Executive Session with the Sheriff on October 4, 1979, at 2:00 p.m., regarding personnel; a Policy Review Session with the Chief Administrative Officer on October 4, 1979, at 3:00 p.m., regarding Workmans Compensation for the Fire Districts; a Policy Review Session with the Superintendent of Schools on October 17, 1979, at 9:00 a.m., regarding the Forni Site; and a Policy Review Session with the Developmental Disabilities Area Board III on October 17, 1979, at 10:00 a.m., regarding legal advocacy for the developmentally disabled in El Dorado County.

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43
115
At the recommendation of the Personnel Officer, and on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried by those present, the Board adopted RESOLUTION NO. 250-79 amending the Authorized Personnel Resolution to place five Senior Transportation Driver authorized positions in the correct budget unit (from Community Programs 7-102 to Special Transportation 7-104); and rescinded the hiring freeze on regular authorized and extra-help positions which was imposed on July 10, 1979 (to allow filling of authorized and budgeted positions only).

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The Director of Health Services requested the Board to reconsider authorizing the use of County vehicles, with overnight retention, for the Animal Control Officers and the Health Department Laboratory Director, as the Animal Control Officers are often called out during late evening, night, and early morning hours on emergency situations, and the Laboratory Director serves both the western slope and South Lake Tahoe, transporting culture media, blood specimens, animal heads, and water samples.

(22-6)
113-2

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Flynn, Stewart, and Walker; No: Supervisor Todd; Absent: Supervisor Johnson, the Board authorized use of County vehicles, with overnight retention, for the Animal Control Officers.

(22)

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried by those present, the Board authorized use of a County vehicle, with overnight retention, for the Health Department Laboratory Director.

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74-372
(1248)

Mr. James C. Peppers, Property Manager for Raley's Supermarkets, was present to request permission to extend an existing 12" drain pipe, which crosses County-owned land, to prevent continued erosion to the embankment behind Raley's Supermarket in Placerville.

141

On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried by those present, Mr. Peppers' request was approved and County Counsel, in consultation with the Director of Public Works, was directed to draw up the necessary paperwork for the Chairman's signature.

Also, on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried by those present, the Board directed that the matter of the property in question be placed on the Agenda for October 9, 1979 to determine if said property might be declared surplus and offered for sale.

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350-4

On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried by those present, the Data Processing Manager was authorized to attend the California Association of County Data Processers Fall Conference in Palm Springs, October 24th through the 28th, 1979.

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80-3
81-6
81-7

Hearing was held as duly advertised to consider increasing the rates for collection of garbage as requested by the American River Disposal Service, Sierra Disposal Service, and Amador Disposal Service.

Mr. John Marchini was present representing the three companies, as well as their Certified Public Accountant, Mr. Charlie George.

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On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried by those present, the Hearing was continued to October 16, 1979, and the Board requested that each company submit a more detailed financial statement for period March 31, 1979 to April 30, 1980, reflecting past and projected growth patterns, collection of revenues, and expenditures, taking into consideration projected increases due to inflation.

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On motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried by those present, the Board reluctantly accepted the resignation of Mr. Noble Sprunger, County Counsel, effective December 1, 1979.

141-2
Also, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, the Board set an Executive Session for October 9, 1979, at 9:00 a.m. to interview David Whittington, Assistant County Counsel, as a possible candidate to fill the position.

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SPECIAL ORDERS

PLANNING MATTERS

218-49-77
340-9a
Hearing was held as duly advertised to consider adoption of the proposed zoning for lands within the Pleasant Valley/Oak Hill Area to comply with the adopted Land Use Plan for said area.

Mrs. Bernita Issacson spoke to request that her 16 acres be zoned R1A rather than R2A as proposed. Arlan Nickel of the Planning Department explained that the Planning Staff recommended R2A zoning due to variable slopes and highly erodable soils.

Mrs. Beverly Graf stated that she believed her 30 acres will be zoned RE-10, and she would like it zoned R2A or R3A, and that the surrounding properties are zoned R1A or R2A. Mr. Nickel advised Mrs. Graf that her property is proposed for R3A, and Mrs. Graf stated that she is satisfied with that.

Mrs. Jean Klotz, representing Mr. Loring Brunius, spoke regarding 94 acres south of Quarry Road which is proposed for RE-5 zoning. Mr. Brunius would like to someday be able to expand his quarry operation to that area to extract the minerals on that property. He feels that residential development in that area would preclude those plans. Mr. George Wheeldon, Geologist, spoke in favor of preserving this property for future extraction of minerals which will be sorely needed by the construction industry in this County. Mr. Fred DeBerry, County Surveyor, reaffirmed this need for preservation. Mrs. Marge McVay, a resident of the area, also spoke in favor of preserving the area.

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19 79

Mr. Mike Richmond, representing Roy Carter, Inc. which is presently in escrow with the current owner of the 94 acres for purchase of same, spoke in favor of the RE-5 zoning to allow residential development.

Mr. John Cook, a resident of the area, raised the question of damage to County roads should extraction of minerals be started some day and have to be trucked out.

Supervisor Joseph Flynn read into the record, a letter from John G. Sherwood of Basic Minerals, Inc., current owners of the property in question, in which he strongly urges the RE-5 zoning as said Company feels the minerals in the land are useless, with no commercial value other than crushed rock. In the letter, Mr. Sherwood stated that Mr. Bill Lawson would attend the Hearing to represent the Company. Mr. Lawson was not present.

Mrs. Sondra Grant was present to request that her 10 acres be zoned Agricultural rather than RE-10 as proposed, as she feels that "Estate Residential" zoning only encourages residential development and future parcel splitting. Mrs. Grant stated that her interests are strictly agricultural and she wishes her zoning to reflect that. Mr. Nickel pointed out that a policy directive by the Board of Supervisors indicates that lands not utilized for Commercial Agricultural purposes and predominantly for Residential use should be zoned to the RE-10 designation, and lands that are utilized for Commercial Agriculture should be zoned to the Planned Agriculture Zone District.

Mrs. Winona Dillard was present and stated that the General Plan for her area calls for Re-5 zoning, however her land is proposed for RE-10. She requested the Board change her zoning to RE-5. Mr. Nickel stated that much of the land in that area is being proposed for RE-10 due to poor road conditions.

Mr. John Williamson spoke representing the Pleasant Valley Fire Protection District and expressed its concerns over the proposed Commercial zoning for the Gutenberger property, as it has not been annexed to the Pleasant Valley Fire Protection District and therefore has no structural fire protection.

Mr. Patrick Wilson was present and stated that the boundary line on the Area Land Use Plan Map goes right through his 13 acres, putting 8 acres in RE-5 zoning and the remaining 5 acres in RE-10 zoning. Mr. Wilson would like the zoning for his entire 13 acres to be consistent, and would prefer RE-5. As this requires a request for a General Plan Amendment, and he does not feel he should have to bear the expense for what he considers to be the County's mistake, Mr. Wilson requested the Board to initiate the necessary General Plan Amendment. Mr. Wilson was requested to put his request in writing and submit to the Board.

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Supervisor Flynn read into the record, a telegram from Lynda A. Ward and Walter L. Davis who own two parcels and are requesting R1A zoning for both. Mr. Nickel explained that portions of their property are within the General Plan Designation of one to five acre minimums, however their total property in that area is recommended for RE-5 zoning.

Mrs. Mary Brown was present and requested clarification on the status of her Special Use Permit for a mobilehome on 11.9 acres which had been zoned RE-10, but now is proposed for R2A zoning. Mr. Nickel explained to Mrs. Brown that her Special Use Permit is good for one year after its issuance, however, if the mobilehome is not placed on her property within that one year, the new R2A zoning will prohibit the issuance of another permit.

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

On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried by those present, the Board accepted the Negative Declaration filed April 10, 1979 for rezoning of lands in the Pleasant Valley/Oak Hill Plan Area based on the following findings:

1. The proposed rezoning implements the goals and policies of the accepted Plan;
2. The proposal is consistent with the Plan and land use maps as adopted and, in some cases, more restrictive;
3. The proposed rezoning raises no environmental concerns other than those identified in the master Environmental Impact Report approved for the Area Plan;

and, further, approved the rezoning of lands in the Pleasant Valley/Oak Hill Plan Area as proposed on the map, as corrected, entitled Exhibit "A" Pleasant Valley/Oak Hill Area Plan zoning, based upon the finding that such rezoning is consistent with the El Dorado County General Plan, said rezoning adopted by ORDINANCE NO. 2031 which amends the County Zoning Ordinance accordingly, and the Board directed that the property in question south of Quarry Road proposed for RE-5 zoning be changed to RA-20 zone, and Mrs. Sondra Grant's request for Agricultural zoning on her 10 acres be referred to the Planning Commission for consideration of Planned Agriculture zone.

Also, on motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried by those present, the Board referred the matter of the property south of Quarry Road to the Planning Department to investigate the possibility of a General Plan Amendment and rezoning to the Mineral Resource Zone: the property currently owned by Basic Minerals, Inc.

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702-7-19
In the matter of the Appeal of Carroll Thomas on the Planning Commission's denial of his Special Use Permit Application No. 79-63, to allow a trout pond in conjunction with an existing art gallery on 1.7 acres in a Commercial zone located in the Mt. Ralston area, the Board, on motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, accepted the Negative Declaration and approved the Appeal based upon the finding (1) that it is within the intent of Section 9445 Commercial zone and (2) that the use will not be detrimental to the public health, safety, or general welfare, or injurious to the neighborhood in that:

- a. A number of adjacent property owners have testified in favor of the project;
- b. The project will enhance commercial enterprises along Highway 50;
- c. The conditions imposed upon the project will satisfactorily mitigate any possible adverse effect upon the adjacent neighborhood;

and, further, that the permit is subject to the following conditions:

1. All outdoor operations be conducted between the hours of 8:00 a.m. and 8:00 p.m.;
2. The property owner must conduct a water quality monitoring program in accordance with a plan first approved by the County Department of Environmental Health, and if clean water standards prescribed by the Department are not complied with, this permit shall be revoked;
3. The parking layout must comply with County Ordinance and contain a minimum of five spaces (with review in one year) for use with the fishing use, and the parking plan must be submitted to and approved by the Planning Department;
4. Outdoor signs will be limited to the square footage of the present sign, and will not be illuminated (the present sign is 32 square feet); also, there will be no banners or flags displayed outdoors;
5. No amplified music may be played or projected outdoors;
6. No overnight camping is permitted;
7. No outdoor lighting is permitted which projects into the surrounding residential neighborhood;
8. The ruptured water line that traverses Mr. Thomas' property and serves the adjacent subdivisions must be repaired;
9. A drainage ditch presently on the property will be subject to the rules and regulations of the Environmental Health Department if it is needed as a back-up for septic effluent, and a determination will be made as to whether it can exist legally at all;
10. No other outdoor commercial activities, such as arts and crafts shows, except the trout pond, are allowed by this permit.

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57
(390-9)
Planning
ORDINANCE NO. 2032 was adopted, amending Sections 9413(b), 9512(b), 9507(b), and 9418(b) of the Zoning Ordinance to allow by Special Use Permit, recreational vehicle parks, campgrounds, and their accessory uses and structures, on motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried by those present.

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Mr. Jack Sweeney of Caldorado Lan-Pac was present and spoke on behalf of Mr. James Woodward to request a revision of the conditions of approval for Tentative Parcel Map 79-107 pertaining to an encroachment permit for access onto Bass Lake Road.

59 On motion of Supervisor Flynn, seconded by Supervisor Todd, and carried by the following vote: Ayes: Supervisors Todd, Flynn, and Stewart; No: Supervisor Walker, the Board approved the recommendation of the Public Works Department and amended the condition to require the encroachment identified as type "103(5)" on the diagram submitted by Mr. Sweeney.

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57 At the request of the Planning Director, and on motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried by those present, the Board waived the formal bidding procedures and authorized negotiation of a contract with Mr. Charles Goudey to perform aerial photography and interpretative mapping for Fiscal Year 1979-80 Area Plans, at a cost of \$8,866.00.

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421 County Counsel submitted a request to seek injunctive relief in the matter of a rock wall built within the County right-of-way in the Rescue area. On March 27, 1979, the Board denied the request of Mr. John Schindler for a variance to the Encroachment Ordinance to allow the rock wall to remain. On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Board directed that reconsideration of Mr. Schindler's request of March 27, 1979, be placed on the Board's agenda for October 9, 1979, in view of the District Attorney's position that he will not prosecute Mr. Schindler's encroachment as a misdemeanor, and County Counsel's request is to be held in abeyance until the matter is resolved.

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(19)
(12)
(3907) ORDINANCE NO. 2029 was adopted, authorizing stop signs on Cedar Drive at its intersections with Mace Road and Fern Avenue, as recommended by the Traffic Advisory Committee (sponsor: Supervisor Flynn) and on motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried by those present.

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(19)
(124)
(3907) ORDINANCE NO. 2030 was adopted, deleting Subsections "d" through "i" from Section 11,501 "Load Limits" of the County Code to eliminate existing load limits on Cedar Drive, Fern Avenue, Madrone Drive, Jacquier Road, Carson Road, and Hazel Drive, as recommended by the Traffic Advisory Committee (sponsor: Supervisor Flynn) and on motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried by those present.

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On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried by those present, the proposed five-year Joint Powers Agreement with Alpine and Amador Counties, submitted by Amador County, to develop and implement a cooperative and integrated program of land-use regulation for the Highway 88 and Kirkwood Meadows area, was approved and the Chairman was authorized to sign.

(57)
35-150

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A request by the Echo Lakes Association that the County install signs on Echo Lake Road and at Echo Lake Chalet prohibiting motor-driven snowmobiles on and around Echo Lakes and in the Desolation Wilderness area was referred to the Lake Tahoe Management Unit of the U. S. Forest Service, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried by those present.

(296-4)
Echo Lakes Assoc
101

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On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried by those present, the Chairman was authorized to sign a revokable license authorizing the City of South Lake Tahoe to place a bus shelter on County-owned land, located near the City Art Building and Chamber of Commerce offices at South Lake Tahoe, with the City of South Lake Tahoe to maintain and operate said shelter at no cost to the County.

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RESOLUTION NO. 251-79 was adopted, proclaiming the week of October 7 through 13, 1979 as 4-H Week in El Dorado County, to coincide with National 4-H Week, on motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried by those present.

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There being no further business, the Board adjourned to Tuesday, October 9, 1979, at 10:00 a.m.

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APPROVED:

W. P. Walker
W. P. WALKER, Chairman

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

By Cepiel L. Foote
Deputy Clerk