

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES October 9 19 79

The Board convened in regular meeting. Present: Supervisors Arliene Todd, William V. D. Johnson, W. P. Walker, Joseph V. Flynn, and Thomas L. Stewart. 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 Pastor Robert Wheatley, Camino Community Church.

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The Pledge of Allegiance to the Flag was led by Mrs. Amelia McAnnally, the County Auditor/Controller.

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A Plaque was awarded to Richard W. Lamparter in recognition of his service to the County as a member of the Sheriff's Department from November 10, 1973 to October 1, 1979.

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On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried, the Agenda was adopted with three additions: Consideration of a Resolution regarding State acquisition of the Gold Trail Grange #452 building in Coloma; Consideration of a letter to the State Department of Aging naming the Grantee for the Area Agency on Aging for aging programs in this County; and Consideration of a request that the County award a plaque to Mr. Art Scott, Dean of American River College (Placer-ville Campus), in appreciation of his services.

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The Minutes of October 2, 1979 were approved as submitted, on motion of Supervisor Todd, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Todd, Flynn, Stewart, and Walker; Abstain: Supervisor Johnson.

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On motion of Supervisor Todd, seconded by Supervisor Stewart, 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.

\* \* \* \*

50-3 The Board approved one (1) Assignment to the Northwest Creditors Service from the Collection Department for claim against Lillian Speck, named on the Assignment dated October 9, 1979, copy of which is on file in the Board of Supervisors Office.

\* \* \* \*

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES October 9 19 79

The Board approved Assessment Roll Changes numbered: 2159, 2162, and 2163.

\* \* \* \*

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

<u>Name</u>	<u>Volume and Page</u>	
James Tom Kavouras, Jr.	1291	418
James Thomas Kavouras	1586	247
Joyce M. Smart	1787	314
Pamela Lee Taylor	963	6

\* \* \* \*

At the recommendation of the County Collection Officer, the Board accepted a compromise settlement offer, in the amount of \$300.00, to close an old Welfare case under the name of Marjorie E. Nicks, and authorized the release of liens.

\* \* \* \*

RESOLUTION NO. 252-79 was adopted setting a Hearing for October 30, 1979, at 11:30 a.m., to consider adoption of a Resolution of Necessity to Acquire Property by Eminent Domain to Connect North Lane and Meeks Bay Avenue. (To permit access for Meeks Bay Fire Protection District emergency vehicles.) \* \* \* \*

Board acknowledged and placed on file, a letter from Air California advising it will terminate its lease agreement with the County for service at the Lake Tahoe Airport, effective November 8, 1979.

\* \* \* \*

RESOLUTION NO. 253-79 was adopted, at the request of the County Clerk, designating the Planning Commission Meeting Room as the location for tabulation of votes by electromechanical device for the Special State-wide Election to be held November 6, 1979.

\* \* \* \*

At the request of the Director of Public Works, the Chairman was authorized to sign the Notice of Completion for the A.C. Overlays 1979 Project, under contract to Teichert Construction Company, to overlay existing pavement on portions of Salmon Falls Road, Missouri Flat Road, Pleasant Valley Road, and Sly Park Road; said project completed on September 19, 1979.

\* \* \* \*

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES October 9 19 79

246-4  
P.R.  
(12-16-75)  
(12-16-75)  
At the recommendation of the Director of Public Works, the Chairman was authorized to sign an Agreement to release the United States from liability for damage that may have been caused to County owned land during the construction of the El Dorado Main No. 2 pipeline; said land occupied by Paul Bunyon Road, a County maintained road, which has been returned to acceptable condition. (Pertains to Contract and Grant of Easement with U.S. Bureau of Reclamation entered into on July 15, 1975.)

\* \* \* \*

22-1  
RESOLUTION NO. 254-79 was adopted, at the recommendation of the Director of Health Services, requesting the State Department of Health to amend El Dorado County's Health Care Cost Base for Fiscal Year 1977-78, which will be used in making Assembly Bill 8 fund allocations to counties; said amendment pursuant to Section 20 of Senate Bill 154.

\* \* \* \*

124-1  
At the request of the Purchasing Agent, the Board authorized the overhaul of three Caterpillar road graders used by the Public Works Department, by Tenco Tractor of Sacramento, at a cost not to exceed \$40,000.00 each.

\* \* \* \*

124-1  
At the recommendation of the Purchasing Agent, the Board waived formal bidding procedures and authorized the purchase of an additional 1100 gallons of traffic line paint for the Public Works Department, from J. E. Bauer Coatings, at a cost of \$4.76 per gallon.

\* \* \* \*

At the recommendation of the Purchasing Agent, the Board waived formal bidding procedures and authorized the following purchases:

- 250  
(50-7)  
(50-7)  
250  
(151)  
250
- a. Purchase and installation of approximately 150 yards of carpeting in the Adult Services Offices of the old County Hospital (new Community Services Center), from Pat's Carpeting Unlimited of El Dorado, at a cost of \$1,537.50;
  - b. Purchase and installation of flame retardent draperies for 32 windows in the Senior Citizens' area of the new Community Services Center, from Sara's Drapery of Placerville, at a cost of \$2,329.72;
  - c. Moving of Adult Services section of the Welfare Department to the new Community Services Center by Mayflower Van & Storage Agency of Placerville, at a cost of \$413.70.

\* \* \* \*

406-1  
A request of the County Law Library Board of Trustees, that the filing and first appearance fees in the Justice Courts be raised to \$7.00 due to changes in jurisdictional limits, was continued to October 16, 1979; and the Board requested that a financial statement be submitted to justify said increase.

\* \* \* \*

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES October 9 19 79

59  
At the request of the County Fair Association, the Board approved the transfer of funds, in the amount of \$4,000.00, from the Fair's "Resources Available" account to the "Equipment Expense" account, for the purchase of a used pickup truck for the fairgrounds.

\* \* \* \*

34-1  
As recommended by the Agricultural Commissioner, the Chairman was authorized to sign an Agreement with Placer County to allow this County's use of a 100-gallon liquified petroleum gasoline prover, at a cost of \$500 per year, for a period of three years.

\* \* \* \*

50-1  
At the request of the Executive Director of Community Programs, the Chairman was authorized to sign the 1980 Grant Application to the Legal Services Corporation for funds in the amount of \$60,133.00, to establish a pro bono legal access program in Amador, Calaveras, and El Dorado Counties, for period March 1, 1980 to February 28, 1981.

\* \* \* \*

58  
At the recommendation of County Counsel, the Board approved payment of a claim in the amount of \$750.00, filed by Paul Hydrick for attorneys fees, bail bonds, loss of work and damage to his reputation; said payment to be made under a reservation of rights against Constable George Bergman.

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74-8  
As requested by Mr. Jack Nopp, architect for the project, and on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign a Notice of Completion for the Justice Court remodeling at South Lake Tahoe, as said project, under contract to Robert M. Plotkin, General Contractor, was completed October 9, 1979.

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59  
On motion of Supervisor Todd, seconded by Supervisor Flynn, and unanimously carried, the Board set a Policy Review Session with the Fair Board, regarding Fair-related operations, to be held in the Conference Room in Building A of the Government Center at 12:00 noon on October 23, 1979.

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421  
The Board reviewed the matter of Mr. John Schindler's construction of a rock wall on his lot in the Rancho Ponderosa Subdivision, said wall within the County road right-of-way (Pinon Road), without an encroachment permit. Mr. Schindler requested a variance to allow the wall, and said request was denied by the Board on March 27, 1979. The District Attorney has declined to pursue the encroachment as a misdemeanor. Therefore, as per his request, County Counsel was authorized to seek injunctive relief in this matter, on motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES      October 9      19 79

101  
(212)  
The Director of Public Works was directed to prepare for the Chairman's signature, letters to each Forest Service District Ranger Station requesting that the Board be notified of any proposed permits for special events to be held within the Forest Service lands, so the County can have terms incorporated into the permits to provide for maintenance of any County roads used for access to said events.

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12.4  
The Board considered the Director of Public Works' request for assignment of County vehicles with overnight retention for personnel in his department who are on call 24 hours a day. Supervisor Johnson's motion to authorize said assignment for the Assistant Highway Superintendent and the Equipment Superintendent did not receive a second. Supervisor Johnson's motion, seconded by Supervisor Stewart, to authorize assignment of County vehicles with overnight retention, during snow months only, for two Highway Maintenance Workers at South Lake Tahoe working in snow removal, did not carry by the following vote: Aye: Supervisor Johnson; and Noes: Supervisors Todd, Flynn, Stewart and Walker.

The Chairman declared that no action is taken by the Board in this matter.

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214  
The Board denied the request of the Chief Probation Officer for assignment of County vehicles, with overnight retention, for himself and his Lake Tahoe staff officers, on motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried. The Chief Administrative Officer noted that one County vehicle is assigned to the South Lake Tahoe Office of the Probation Department, to be rotated among the officers as they serve on-call duty.

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Hearing was held as duly advertised to consider adoption of the proposed new alignment of Carson Road, connecting the discontinuous sections from Carson Court to Barkley Road, a distance of 0.77 mile, and acceptance of the Environmental Report.

296-4  
Carson Rd.  
Mr. Art Cort, Director of Public Works, and Mr. Virgil Mustain of that Department were present to review the proposal and answer questions.

Supervisor Flynn read into the record, a letter from the Camino Seventh Day Adventist Church Congregation in which they state their favorable opinion of the new alignment as proposed (with the road going behind the church, not in front of it).

Continued next page . . . . .

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES October 9 19 79

Mr. David Brat, Superintendent of the Camino Union School District, and Mr. Roland B. Adams, resident of the area, were present and spoke in favor of the new alignment.

There were no written or verbal protests, and the Hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board adopted the new alignment of Carson Road, connecting the discontinuous sections from Carson Court to Barkley Road, a distance of 0.77 mile; and accepted the Environmental Report.

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Ms. Dianne Kushner, Director of Womenspace, Unlimited, the South Lake Tahoe Women's Center, was present requesting the Board provide written support of their application to the State Department of Social Services for funds, in the amount of \$10,000.00, to establish a sexual assault crisis center at South Lake Tahoe.

22-7  
On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried, the Board expressed its support of the program as requested, recognizing a need for such a program and noting that the South Lake Tahoe Women's Center has demonstrated its ability to obtain community support and the programs do interface with the County-run Mental Health Programs; and directed that said support be put in written form and the Chairman was authorized to sign same, with the understanding that no County funds are committed now or in the future, nor are there any provisions in the grant application that commit the County in any way.

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344-1  
At the request of the Agricultural Commissioner, and on motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign an Agreement with Alpine County whereby this County's Department of Agriculture/Weights and Measures will perform the duties of said office for Alpine County for the balance of Fiscal Year 1979-80.

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(246-1)  
(Elstner St)  
1248  
250  
The Board reviewed a request submitted by County Counsel, on behalf of Kenneth Thompson, for a 23-foot wide easement over County property to Spring Street, said property an extension of Elstner Street which was given to the County in 1967 and leads into the old County Hospital area. On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, the request was approved.

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74-382  
(124-8)  
At the recommendation of County Counsel, and on motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, the Board authorized the Assessor to appraise Parcel No. 325:12:75, at his convenience, said parcel being located behind Raley's Supermarket in Placerville and Raley's has expressed an interest in purchasing same from the County.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES October 9 19 79

(151-2)  
214-1

Board consideration of increasing the maximum dollar amount allowed without Board approval (\$800), for placement of special need children in group or institutional care facilities, was continued to October 16, 1979, and directed that the Welfare Director and Chief Probation Officer be notified so they can be present to discuss the matter, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Flynn, Stewart, and Walker; and Noes: Supervisors Todd and Johnson.

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(114)  
310-5

An Ordinance submitted by the Purchasing Agent, amending Section 5105 of the County Ordinance Code regarding cost limits and formal bidding procedures, was introduced, the reading thereof waived, and it was continued to October 16, 1979, for adoption, on motion of Supervisor Todd, seconded by Supervisor Stewart, and unanimously carried.

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## SPECIAL ORDERS

## PLANNING MATTERS

370-92  
(215-65.79)

Hearing was held as duly advertised to consider rezoning of lands in the Camino area from Agricultural zone to Estate Residential Five Acre zone, consisting of 20 acres, petitioned by C. L. O'Donnell, Sr. and Chester A. Ansley. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. Five acre parcels are compatible with the uses in the area;
2. On a previous rezoning, adjacent to this property, Mrs. Grace Larsen, a long-time resident, testified by letter that the land is unsuitable for Agricultural uses;
3. The proposed rezoning from A, Agricultural, to RE-5, Residential Estate 5 Acre, is compatible with the Camino-Fruitridge Area Plan,

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. 2033, which amends the County Zoning Ordinance accordingly.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

October 9

19 79

(285.6-79)  
370-90  
Hearing was held as duly advertised to consider rezoning of lands in the Cameron Park area from Single Family Residential zone to Commercial zone, consisting of 0.344 acre, petitioned by Adan Dominguez for Green Valley Nursery. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The zone change request is in compliance with the General Plan;
2. The surrounding properties to the north and east are zoned R1, Single Family Residential; and the property to the west is zone RT, Residential Tourist and C, Commercial;
3. The site has public water and public sewer and is within the Cameron Park Fire Protection District.

There were no protests, and the Hearing was closed.

On motion of Supervisor Todd, seconded by Supervisor Johnson, 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. 2034, which amends the County Zoning Ordinance accordingly.

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(285.6-79)  
370-90  
Hearing was held as duly advertised to consider rezoning of lands in the Shingle Springs area from Estate Residential Five Acre zone to Estate Residential Ten Acre zone, consisting of 40 acres, petitioned by John T. Gilmore. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The proposed zone change from RE-5, Estate Residential Five Acre zone to RE-10, Estate Residential Ten Acre zone, is in compliance with the General Plan (the General Plan identifies the area as medium density, 1 to 5 dwelling units per acre);
2. Services are available as follows: Water - E.I.D.; Sewer - Septic Systems; Fire Protection - El Dorado Fire Protection District.

There were no protests, and the Hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Todd, 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. 2035, which amends the County Zoning Ordinance accordingly.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES October 9 19 79

Hearing was held as duly advertised to consider rezoning of lands in the Camino area from Single Family One Acre Residential zone to Commercial zone, consisting of 0.206 acre, petitioned by Donald Christopherson. Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

- 285-28-79  
390-9a
1. The property is located on a corner opposite existing Commercial property;
  2. The existing large unsegmented floor area of the structure is suitable for commercial use;
  3. Public water and structural fire protection are available to the property; sewage disposal is by septic system.

Mr. Christopherson was present, but had no comments to add to his writings.

Mrs. Ruth Loffelbein was present and questioned if the zoning map for the Camino area had been adopted. County Counsel stated it had not, but that does not prohibit individual rezonings being approved by the Board.

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

On motion of Supervisor Johnson, 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. 2036, which amends the County Zoning Ordinance accordingly.

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Hearing was held as duly advertised to consider an Appeal filed by Robert N. Baker on the Planning Commission's denial of his request for a waiver of road encroachment requirements set forth in the County's Minor Land Division Ordinance, as pertains to his Parcel Map No. 79-173.

282-5-79

Attorney John Olson was present and spoke on behalf of Mr. Baker who was also present. Mr. Olson spoke of the great hardship the requirements create, especially the expense involved which could be as high as \$50,000.00. Mr. Olson noted the fact that many of the present resident property owners of the area are satisfied with the access road as it is now and would not like to have it improved. Mr. Olson also posed the question that perhaps the County created the substandard encroachment when it moved Lotus Road up to its present location, with the "loop" road now in question being the old Lotus Road. Supervisor Flynn and Joe Hurley of Public Works agreed with Mr. Olson on this point.

Mr. Harry Nash, resident of Arrowbee Drive, was present and spoke in opposition to the waiver.

Continued next page . . . . .

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

October 9

19 79

The Planning Director stated that he is not sure this problem was created by the County, feels the Board would be setting a precedent by allowing the waiver, and noted that Mr. Baker has not offered even a compromise improvement such as a little grading or surfacing.

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

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Todd, Johnson, Flynn, and Walker; No: Supervisor Stewart, the Board granted a waiver of the encroachment requirements, with a requirement that a hard surfacing on both the north and south legs of the access road be carried back twenty feet from the edge of the pavement on Lotus Road, based on the following findings:

1. That special circumstances exist which are peculiar to this project as follows:
  - a. High costs;
  - b. A private owner owns those portions of the property over which the improvements would probably have to be made;
  - c. Opposition to improvements by other property owners;
2. Extraordinary hardships as there are high costs to this project;
3. No evidence before the Board to indicate the waiver would be injurious or detrimental to adjacent property owners; and
4. No evidence before the Board to indicate that granting a waiver would have the effect of nullifying the objective of the improvement sections of the Minor Land Division Ordinance.

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(423  
Tahoe  
Paradise  
#53)  
57  
The Planning Director submitted a request, on behalf of Mr. Paul Bachinger, for waiver of the 25-foot building setback which was established in the creation of Tahoe Paradise Unit 53 Subdivision so that he can add a 20-foot by 20-foot garage to his house on Lot 99 in said Subdivision. The Board granted Mr. Bachinger a 5-foot encroachment on the 25-foot setback to allow the garage front to face the area presently being used as a driveway, thereby leaving a 20-foot clearance for the driveway, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Flynn, Stewart, and Walker; Noes: Supervisors Todd and Johnson.

\* \* \* \*

(423  
Tahoe  
Paradise  
#48)  
57  
The Planning Director submitted a request on behalf of Mr. Dan Mahoney, builder for Robert Stranaham, for waiver of the 25-foot building setback easement established in the creation of the Tahoe Paradise Unit 48 Subdivision, so he can locate a dwelling on a steep lot with a 10-foot setback (Lot 59 of said Subdivision). The Board took no action on this request.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES      October 9      19 79

183)  
65  
92  
On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board authorized the Planning Director to forward a letter to the State Department of Parks and Recreation, a draft of which was presented to the Board for review, regarding the proposed disposition of the Historic Old Bayley House in Pilot Hill, California.

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423  
Arrowbee  
Woods  
Unit  
#2  
The Board reviewed a request submitted by Attorney John R. Olson, on behalf of Mr. Joseph Reade, applicant for Arrowbee Woods Unit No. 2 Subdivision in the Rescue area, requesting the Board reconsider its approval of said Subdivision on May 22, 1979, in light of recent amendments to the Safety and Seismic Safety Elements of the County General Plan.

On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Board approved reconsideration of the Subdivision, with Hearing to be held on October 30, 1979, at 2:30 p.m., and discussion limited to determination of its consistency with the recent amendments to the Safety and Seismic Safety Elements of the County General Plan.

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## GENERAL ORDERS

92  
At the request of the Gold Trail Grange, and on motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, the Board adopted RESOLUTION NO. 256-79 expressing its opposition to the State of California's intentions to acquire the Gold Trail Grange #452 building in Coloma for any purpose, as said building was constructed in 1923 as a community use facility and is still being used by the Coloma community which does not want to see it altered or destroyed; and the Board directed that copies of said Resolution be forwarded to the State Department of Parks and Recreations and the Gold Trail Grange.

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22-9a  
At the recommendation of the El Dorado Health Planning Council, and on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board approved the removal of Dolores Garcia from said Council as she has missed three consecutive meetings without valid excuse, and the Board directed that a Certificate of Appreciation be sent to Ms. Garcia for her service.

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22-9b  
At the recommendation of the South Lake Tahoe Health Council, and on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board approved the removal of Michael Orofino from said Council as he has missed three consecutive meetings without valid excuse.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES \_\_\_\_\_ October 9 \_\_\_\_\_ 19 79 \_\_\_\_\_

50-7  
On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried, the Chairman was authorized to sign a letter to the California Department of Aging stating it fully concurs in the application and recommendations of the El Dorado Service Area Task Force for El Dorado County to be designated the Grantee for the Area Agency on Aging for aging programs in this County.

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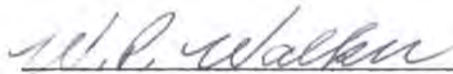
317  
On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board directed the Chief Administrative Officer to have a plaque prepared for Mr. Art Scott, Dean of American River College (Placerville Campus), in appreciation of his service to the students and citizens of El Dorado County, to be presented to Mr. Scott sometime in November when an "Appreciation Night" will be held in his honor.

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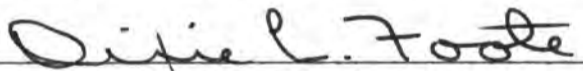
There being no further business, the Board adjourned to Tuesday, October 16, 1979, at 10:00 a.m.

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APPROVED:

  
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W. P. WALKER, Chairman

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

By   
Deputy Clerk