

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES November 27, 1979

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

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12-1 The Invocation was offered by Chairman Walker.

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

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The Agenda was adopted with two additions: 15A pertaining to a request for a variance to grade and sight distance requirements of Charles Hughes Encroachment Permit P79-874; and 27A; a request for Final Map approval for Diamond Place Subdivision.

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The Minutes of November 20, 1979, were approved as submitted on motion of Supervisor Todd, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Todd, Stewart, and Walker; Abstain: Supervisor Johnson; Absent: Supervisor Flynn.

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On motion of Supervisor Johnson, seconded by Supervisor Todd, 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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51-3 The Board approved 135 Assignments to Northwest Creditors Service from the Collection Department for Claims against those persons named on the Assignments dated November 27, 1979; copies of which are on file in the Board of Supervisors Office, beginning with the name of James Cundiff and ending with the name of David L. Allen.

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298-1 The Board approved Assessment Roll Changes numbered: 7786 and 7797.

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157-3 Resolution No. 290-79 was adopted Initiating Proceedings for Dissolution of Salmon Falls Water District and Setting Hearing date for December 18, 1979, at 2:30 p.m.

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104-16
The Board adopted RESOLUTION NO. 291-79 to provide tax revenues to the Rescue Fire Protection District relating to annexation of land to said District where no fire service has previously been provided, in accordance with the Board's policy statement regarding such annexations, and directing the Clerk of the Board to notify the annexing District and the Local Agency Formation Commission accordingly.

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104-7
The Board adopted RESOLUTION NO. 292-79 to provide tax revenues to the Pollock Pines-Camino Fire Protection District relating to annexation of land to said District where no fire service has previously been provided, in accordance with the Board's policy statement regarding such annexations, and directing the Clerk of the Board to notify the annexing District and the Local Agency Formation Commission accordingly.

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51-4
The Board adopted RESOLUTION NO. 293-79 authorizing the Chairman to sign an Amendment to the El Dorado County Alcoholism Program Plan for the Fiscal Year 1979-80, pursuant to Section 504 of the Federal Rehabilitation Act.

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183-2
At the recommendation of the Planning Director, the Board delegated the construction and administration of the Shingle Springs Plaza to the El Dorado County Recreation Commission, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Todd, Johnson, Stewart, and Walker; Absent: Supervisor Flynn. (Pulled from Consent Calendar, and acted upon separately.)

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50-8
At the recommendation of the Community Action Council, the Chairman was authorized to sign the Release Form for Contract with State Office of Economic Opportunity for the Emergency Energy Assistance Program, terminating said contract and entering claim for reimbursement in the amount of \$2,801.00.

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50-1
At the recommendation of the Community Action Council, the Chairman was authorized to sign the Release Form for Contract with the State Office of Economic Opportunity for the Crisis Intervention Program, terminating said Contract and entering claim for reimbursement in the amount of \$1,938.00.

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50-7
At the recommendation of the Community Action Council, the Chairman was authorized to sign Release Form for Contract with the State Office of Economic Opportunity for the Low-Income Weatherization Program, terminating said contract and entering claim for reimbursement in the amount of \$22,367.00.

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50-8
At the request of the Community Programs Director, the Board approved the Narrative of the 1979-80 Energy Crisis Assistance Program and authorized the transfer of \$10,000 from other programs for the preparation and implementation of said Program as authorized by the Community Services Administration, and the Chairman was authorized to sign approval on the letter request from Community Programs.

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34-4
At the request of the Treasurer/Tax Collector, the Board adopted RESOLUTION NO. 294-79 increasing the Cash Difference Fund from \$75.00 to \$250.00.

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57
At the recommendation of County Counsel, the Board denied the Claim submitted by Attorney Franklin G. Gumpert on behalf of Frank Faulconer, for Personal Injuries in the amount of \$100,000.00.

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52
At the recommendation of County Counsel, the Board denied the Claim submitted by Attorney Franklin G. Gumpert on behalf of Lucienne Faulconer, for Personal Injuries in the amount of \$100,000.00.

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22-8-79
Board approved the request of Charles Hughes, submitted by the Department of Public Works, for a variance to the grade and sight distance requirements of Encroachment Permit P79-874.

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On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, an Executive Session with the Planning Commission and the Planning Department staff was set for December 18, 1979, at 7:30 p.m.

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178-1
County Clerk presented the Abstract of All Votes Cast in the Special Statewide Election held November 6, 1979, for State and Local Offices and Measures, pursuant to Election Code Section 17089, and on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, RESOLUTION NO. 295-79 was adopted, adopting said Results of the Election.

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25
Board considered the proposed Joint Powers Agreement, together with recommended changes, received by the Chief Administrative Officer from the City of South Lake Tahoe, to form and implement the Tahoe Basin Association of Governments (T-BAG).

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried by those present, the Joint Powers Agreement was approved with the change outlined by Chief Administrative Officer and County Counsel, i.e. Article II, Section 1. Membership, No. 2 shall read: "City of South Lake Tahoe.", rather than "City of South Lake Tahoe, and any (Continued on next page)

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other incorporated city within the boundaries of the above two counties subsequently formed.", and Article IV, 1. Amendments: shall read: "This Agreement may be amended at any time by vote of a majority of the membership, with the exception of those provisions dealing with fiscal matters.", rather than, "This Agreement may be amended at any time by vote of a majority of the representatives, with the exception of those provisions dealing with fiscal matters. Unanimous consent shall be required for any such amendment."

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(178-1)
104-12
The below-listed appointments were made in lieu of election for General Districts held November 6, 1979 (Election Code Sec. 23520)

On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried by those present, the Board appointed Patricia Slaight and Howard Martin to fill the two positions for Directors at Large (unexpired terms) for American River Canyon Fire Protection District.

104-14
On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried by those present, the Board appointed Edward L. Baehr and Edward T. Fox as Directors at Large (full terms), and Raymond Holbrook as Director at Large (unexpired term) for the Meeks Bay Fire Protection District.

104-8
On motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried by those present, the Board appointed Lawrence Shuler and Gary Austin to fill the two positions for Directors at Large (full terms) for the Shingle Springs Fire Protection District.

51
On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried by those present, the Board appointed George Baron to fill the position for Director at Large (full term) for the Tahoe Paradise Resort Improvement District. Supervisor Stewart requested that the other unfilled position for Director at Large be continued to December 11, 1979.

104-5
On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the following Board of Directors were appointed, in lieu of election, to the Coloma/Lotus Fire Protection District Formation: Robert N. Baker, William B. Dellinger, George C. Cary, Harry B. Regan, and James Goldthorpe.

104-2
On motion of Supervisor Johnson, seconded by Supervisor Todd, and unanimously carried by those present, the Board appointed the following Board of Directors, in lieu of election, to the Diamond Springs/El Dorado Fire Protection District Consolidation: Robert E. Morgan, Vernon L. Conover, James A. Eliassen, Fred B. Twigge, and Clarence H. Rengstorff.

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Supervisor Flynn arrived

428
On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Board at the recommendation of the Chief Probation Officer, appointed Steve Healey, the Director of New Morning, Inc. (replacing Sandy Nomer), and John Barnhill (replacing Mark Lippsmeyer), to fill the two vacancies on the County Justice System Advisory Group.

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Supervisor Johnson left the room

(12-302)
34024
The Board considered adoption of the Ordinance to amend Section 4103 of the Salary Ordinance wherein members of the Board of Supervisors shall be entitled but not required to receive the same benefits provided by the County to County employees, including but not limited to, retirement and medical and dental plans.

On motion of Supervisor Stewart, seconded by Supervisor Todd, and unanimously carried by those present, ORDINANCE NO. 2040 was adopted accordingly.

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Supervisor Johnson returned to the room

50-2
Hearing was held to consider the request of El Dorado Disposal Service, Inc., to increase the rates for collection of garbage, and to extend their current franchise for twenty-five years.

There were no protests on the increase in rates, and the Hearing was closed. On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, RESOLUTION NO. 296-79 was adopted increasing rates as requested.

The Board then considered the extension to the franchise. After considerable discussion, on motion of Supervisor Todd, seconded by Supervisor Stewart, and unanimously carried, the Board requested Mr. Scariot of El Dorado Disposal to return in 12 months on his request for extension to his franchise, with information on truck replacement, transfer stations, etc., and that the Chief Administrative Officer, John Fitzpatrick, research other areas and disposal companies as to the "norm" in this regard.

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574A
The Board considered the matter of the proposed Barnett Ranch Area Land Use Plan, and portion of Char Ranch, consisting of approximately 2800 total acres: a hearing having been scheduled on this date; however, the Planning Commission after having heard this Plan on November 15, 1979, and being unable to reach a recommendation for the Board, took the matter off calendar.

The Chairman advised those present that this was not a hearing this date due to the Planning Commission's actions, but that the Board would receive comments from the audience. Ten people came forward with their comments.

Supervisor Todd then made the following statement:

"I have reviewed the record of the three meetings held by the Planning Commission on the Barnett Ranch, including listening to the recorded tapes of those meetings.

"After reviewing the record, I've determined that my Planning Commissioner should be commended for his concern over the needs of the citizens in
(Continued on next page)

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District I. The Planning Commission's action of seeking further public input on the plan is a proper goal and is consistent with County policy.

"On the other hand, some time ago, this Board, on my motion, directed that the Barnett Ranch be planned and accorded the completion and adoption of that plan a priority status. I believe that the action by the Planning Commission, although understandable, may be inconsistent with this Board's directions.

"Therefore, recognizing the need for full public input, as well as this Board's direction that the adoption of the Plan be accorded priority status, I would move that the Planning Department be directed to initiate one more public hearing before the Planning Commission as soon as possible so as to allow the Commission to submit a plan to this Board by January 11, 1980. I would further move to set a public hearing before the Board of Supervisors on January 15, 1980, so as to allow the Board to take appropriate action." Supervisor Johnson seconded the motion, and it was unanimously carried.

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12-22
(61) On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board authorized the request of the Taxpayers Association of El Dorado County that a member of said Association attend the Board of Supervisors' Salary Adjustment Committee meetings.

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433
Planning
Plan
Subdivision
Planning Director submitted Final Map for Diamond Place Subdivision consisting of 16 R2 (Limited Family Residential); one CPA (Professional Office); and one RM (Multiple Family Residential) lots; comprising 12.5 acres in the El Dorado-Diamond Springs area. Subdivider: Roy Carter, Inc.

At the recommendation of the Planning Director, on motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Agreement to Make Subdivision Improvements in the Diamond Place Subdivision was approved and the Chairman was authorized to sign, and the Clerk authorized to endorse such approval on said Final Map.

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The Board adjourned to 7:30 p.m. to consider adoption of the proposed Georgetown Area Land Use Plan. See Page 502.

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The Board convened in an adjourned session this date, 7:30 p.m. 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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SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider adoption of the proposed Georgetown Area Land Use Plan, consisting of approximately 19,400 acres, as recommended by the Planning Commission.

Mr. Samuel E. Gillion, Project Planner, was present and reviewed the proposed Plan for the Board and those persons present.

Mr. Bernard W. Kammerer was present and spoke to request that his 20.05 acres due north of Highway 193 and Graybar Mine Road (Assessment Parcel No. 60-530-1710) be changed from 10-acre minimum designation to 5-acre minimum designation.

There were no verbal protests on Mr. Kammerer's request.

On motion of Supervisor Flynn, seconded by Supervisor Todd, and unanimously carried, the Board approved Mr. Kammerer's request and requested the Planning Commission review same at its meeting of November 29, 1979, for comment to the Board before final acceptance of the Plan on December 5, 1979.

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Mr. Ernie Qualey was present and spoke to request that his 15.13 acre parcel, approximately 3/10 mile from Main Street in Georgetown, be designated 5-acre minimum rather than 10-acre minimum as proposed. Mr. Qualey has not come forward before because he was not aware until this date, when he saw the proposed Land Use Map in the Post Office window, of the proposed designation for his property. In support of his request, Mr. Qualey noted that the three neighboring properties are designated 5-acre minimum.

Mr. Gillion stated that the Planning Staff based its recommendation on the land use capabilities map.

There were no verbal protests to Mr. Qualey's request.

On motion of Supervisor Flynn, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Todd, Johnson, Flynn, and Walker; and No: Supervisor Stewart, the Board approved Mr. Qualey's request and requested the Planning Commission review same at its meeting of November 29, 1979, for comment to the Board before final acceptance of the Plan on December 5, 1979.

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Mr. Mark Smith was present and spoke to advise the Board that there are approximately 19,000 acres within the Plan area, of which approximately 3,000 acres are under the Williamson Act. Those lands will "roll out" from under the Williamson Act in March of 1980. Mr. Smith would like the Board to consider an amendment to this proposed Area Plan, after March of 1980, so that those approximately 3,000 acres can be appropriately designated at that time. Although the Board does not like to amend any newly adopted Plan for at least two or three years, it concurred with Mr. Smith that this is a unique situation; therefore, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board directed that the minutes show that the Board recognizes that there will have to be some General Plan Amendments considered in this area, to take into account the effects of the "roll out" of a significant portion of the Plan area from the Williamson Act in March of 1980; and requested that the Georgetown Advisory Committee and Planning Department begin looking at these properties as to their potential uses.

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Mr. Mark Weiner was present and spoke to request 5-acre minimum designation on approximately half of his 640 acres which is presently under the Williamson Act. The Board's action on Mark Smith's request, to consider General Plan Amendments after March of 1980 on lands presently under the Williamson Act, spoke to Mr. Weiner's request.

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Ms. Teresa Lengyel was present and spoke to review her feelings on the proposed Plan. With some concerns, Ms. Lengyel is basically in agreement with the Plan as proposed.

* * * *

Mr. Fred Lambert, Vice-President of the Georgetown Advisory Committee, was present and spoke in favor of the proposed Plan; and noted that he felt those persons with property under the Williamson Act have a right to be heard after the "roll out" in March of 1980.

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At the recommendation of Supervisor Johnson, and on motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board directed that the Medium Density Residential designation be changed from 1-3 acre minimum to 1-4.9 acre minimum, and that said change be reflected on the Area Plan Map and the Area Plan Text; and the Board requested the Planning Commission to review same at its meeting of November 29, 1979, for comment to the Board before final acceptance of the Plan on December 5, 1979.

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Mr. Gillion stated that the three changes approved by the Board this date do not create a significant environmental impact; and, more specifically, the Board commented as follows on the environmental impact of the changes made this date, with said comments to be included in the final Environmental Impact Report:

In regards to the approval of Bernard Kammerer's request to have his 20 acres changed from Residential Agricultural 10-160 acre to Low Density Residential 5-acre:

1. The areas designed for low density residential use (1 dwelling unit to 5-acre parcel minimum) will not be rezoned until either public water is provided to each parcel to be created, or sufficient data has been supplied to the Environmental Health Department by a qualified individual or firm that provides conclusive evidence of the ability of each proposed 5-acre parcel to successfully utilize in the long term, a private well for domestic water;
2. The property fronts on Highway 193 and, as a provision of the development of 5-acre parcels, the County may require encroachments, as part of the Minor Land Division Ordinance, as a mitigating measure for any possible traffic hazard;
3. This change will not create a significant environmental impact and should not contribute to any significant cumulative impact.

In regards to the approval of Ernest S. Qualey's request to have his 15.13 acres changed from Residential Agricultural 10-160 acre to Low Density Residential 5 acre:

1. The areas designed for low density residential use (1 dwelling unit to 5-acre parcel minimum) will not be rezoned until either public water is provided to each parcel to be created, or sufficient data has been supplied to the Environmental Health Department by a qualified individual or firm that provides conclusive evidence of the ability of each proposed 5-acre parcel to successfully utilize in the long term, a private well for domestic water;
2. The property fronts on Marshall Grade and, as a provision of the development of 5-acre parcels, the County may require encroachment permits to mitigate problems of alignment;
3. This change will not create a significant environmental impact and should not contribute to any significant cumulative impact.

The Chairman directed that the document entitled, "Summary of Hearings and Comments" be made a part of the final Environmental Impact Report (E.I.R.), and that the memo from the Director of Planning, Ken Milam, to the Board of Supervisors, dated November 20, 1979, entitled, "Impacts of Changes Made by the Planning Commission on the Georgetown Area Plan", be incorporated into the final E.I.R.

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On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board certified that the final E.I.R. has been completed in compliance with California Environmental Quality Act (C.E.Q.A.) and State Guidelines and that this Board has reviewed and considered the information contained in the E.I.R. prior to its consideration of the Georgetown Area Plan.

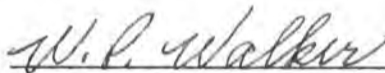
On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board declared its intent to adopt the Georgetown Area Plan as that Plan is presented in the document entitled, "County of El Dorado, Georgetown Area Plan and Environmental Impact Report", as well as the Georgetown Map which is identified as the Georgetown Area Plan and Map; and adopted the following findings: (1) Changes have been incorporated into the Plan which mitigate all of the significant effects identified in the final E.I.R. (Reference is made to pages 90 through 108 of the final E.I.R. for a listing of the mitigation measures; and (2) The Area Plan is consistent with the General Plan and all of the Elements thereof; and the Board requested that the three changes previously acted upon this date be referred to the Planning Commission for its comments to come back to the Board prior to the final acceptance of the General Plan Amendments. (See Minutes for December 5, 1979, Page 519 for Resolution No. 302-79, amending the County General Plan accordingly.)

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There being no further business, the Board adjourned to Tuesday, December 4, 1979, at 10:00 a.m.

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APPROVED:

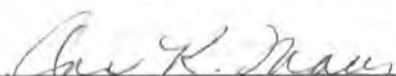


W. P. WALKER, Chairman

ATTEST:

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

By: 
Deputy Clerk (Evening Session)

By: 
Deputy Clerk (Day Session)