BOARD OF SUPERVISORS MINUTES August 26 1980

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 Todd presided.

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The Invocation was offered by Reverend Don O. Herman, First Lutheran Church.

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The Pledge of Allegiance to the Flag was led by Dixie L. Foote.

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RESOLUTION NO. 255-80, adopted by the Board of Supervisors, was presented to Reverend Don O. Herman, congratulating him on the celebration of the 25th Anniversary of his ordination, expressing sincere appreciation for his service to the community and the Board of Supervisors, and extending best wishes for a happy and rewarding future.

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

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The Minutes of August 19, 1980 were approved as submitted, on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried.

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On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Board approved the request of Mr. Reuben J. Goertzen for transfer of a sewer permit from Lot 415, Tahoe Paradise No. 9 (Parcel No. 34-154-18) to Lot 1130, Tahoe Paradise No. 29 (Parcel No. 34-561-180), pursuant to the provisions of County Ordinance No. 2082, adopted by the Board on April 22, 1980.

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ORDINANCE NO. 3018, amending Section 10731 of the El Dorado County Ordinance Code regarding the Transfer of Sewer Connections within areas served by the South Tahoe Public Utility District, was adopted as an Urgency Ordinance to become effective this date, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried.

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On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Consent Calendar matters were considered and acted upon as follows:

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

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Budget Transfer No. 3 was approved, advancing funds from the County Treasury to the following school districts until tax money is available: Buckeye Union (\$100,000.00); Gold Oak Union (\$50,000.00); Lake Tahoe Unified (\$500,000.00); Placerville Union (\$100,000.00); Pollock Pines (\$50,000.00); Rescue Union (\$100,000.00); and Lake Tahoe Community College (\$200,000.00).

The Board approved Assessment Roll Changes numbered: 1048, 1049, 2455, 2457, 2459, 2460, and 2461.

At the recommendation of County Counsel, the Board denied the claim submitted by Attorney Bruno D. Marraccini, on behalf of Stanley Anthony Kubins, for personal injury, in the amount of approximately \$200,000.00.

At the recommendation of County Counsel, the Board denied the claim filed by Attorney James T. Ford, on behalf of Von Housen Motors, Inc., for possession of vehicle seized by the Sheriff, together with damages computed from the date of seizure, February 19, 1980, in the amount of \$358.00 per month, which is the fair rental value of said vehicle.

At the recommendation of the Airports Director, the Chairman was authorized to sign a one-year Lease with Lake Tahoe Transportation Systems, Inc., for advertising space at the Lake Tahoe Airport, at a cost of \$165.00 per month.

At the recommendation of the Airports Director, the Chairman was authorized to sign an Amendment to the Airport Use Agreement with Great Sierra Airlines, to increase its office and counter space from 248 square feet to 496 square feet, at a yearly cost of \$4,712.00.

At the recommendation of the Health Department, the Chairman was authorized to sign an Agreement with Alpine County, in an amount not to exceed \$3,000, to provide mental health services to said County's residents for Fiscal Year 1980-81.

The Board acknowledged a Notice of Non-Renewal for Agricultural Preserve No. 128 submitted by Ms. Marilyn L. Williams, Ms. Judith L. Leggitt, and Kenneth W. and Melba L. Trowbridge, and directed that said Notice be placed on file. (Agricultural Preserve No. 128 consists of 310 acres.)

for a variance to County Ordinance requirements to allow a zero setback along the northerly property line of Parcel No. 16-410 00 The Board approved the request of the Tahoe City Public Utility District along the northerly property line of Parcel No. 16-410-08 to house a water tank and controls on a  $20' \times 50'$  site in order to provide water service to the Meeks Bay Campground.

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At the recommendation of the Public Works Department, and on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board directed that a letter be forwarded to the California Department of Transportation requesting said Department proceed with its investigations and hold a public hearing, to establish load limits for the following: Alder Creek Road Bridge, Glen Alpine Road Bridge, Hazel Valley Road Bridge, Mt. Murphy Road Bridge, Sandridge Road Bridge, Sayles Canyon Road Bridge, Wildwood Way Bridge, and 30 Mile Stone Road Bridge.

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The Board adopted a Proclamation designating Saturday, September 6, 1980, as "Mormon-Emigrant Trail Day", as requested by Mr. Mance H. Vaught, on motion of Supervisor JOhnson, seconded by Supervisor Flynn, and unanimously carried.

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On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board continued the Capital Outlay matters until later in the day, to be considered as the last item on the Agenda.

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On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board took no action on a letter from the County Supervisors Association of California, dated August 22, 1980, regarding Assembly Bill 3245 (Berman) for appropriation of \$100 million for county health facilities and \$40 million for county jails out of Tideland Oil Revenues.

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At the request of the County Auditor-Controller, and on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board set a hearing for Friday, September 12, 1980, at 9:00 a.m., to consider the matter of Augmentation Funds.

Within the aforementioned motion, the Board also set the following Policy Review Sessions:

Thursday, September 11, 1980, 8:30 a.m., with the Planning Commission, regarding the mobilehome ordinance; and

Friday, September 12, 1980, 10:00 a.m., regarding the Bayley House.

Also, on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board set a Policy Review Session with the El Dorado Irrigation District for Friday, September 12, 1980, at 11:00 a.m., regarding E.I.D. facilities within County road right-of-ways, as requested by the Public Works Department, and County Counsel was also requested to attend.

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The Personnel Matters were considered and acted upon as follows:

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board approved the request of the Health Department and authorized hiring Mr. Thomas Archipley, Registered Physical Therapist, at Step E of the salary range.

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On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Board rejected the request of the Operating Engineers Local Union No. 3 that the percentage of the Consumer Price Index change (17.86%) applied to County employees' salaries for 1980-81 be corrected to 18.1%.

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Hearing was held to consider the request of the Auburn Lake Trails Property Owners Association that the Board adopt a Resolution implementing the California Vehicle Code on private roads in said Subdivision.

Mr. Stan Hall, General Manager of said Association, was present and spoke on behalf of the request.

There was no work.

There was no written or verbal opposition, with the exception of the County Public Works Department's letter, dated August 12, 1980, wherein said Department advises it does not have the manpower to perform the work required on County-maintain roads and should not be extended to provide services on private roads.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, <u>RESOLUTION NO. 257-80</u> was adopted, a "Resolution Authorizing Implementation of Vehicle Code on Private Roads in Auburn Lake Trails Subdivision", with the understanding that the County Public Works Department will prepare the standards and specifications for use by the Auburn Lake Trails Property Owners Association to have the work done privately.

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On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board approved Abatement of Penalties for failure to file Change in Ownership Statements with the County Assessor for the following: Arambel Farms, Inc.; Charles V. and Mary Ann Dobson; Anita and Daniel Frias; James E. and Richard A. Bobet; James Edwin and Pamela May Pike; Charles A. and Maxine H. Berdan; Billy R. and Beverly J. Lewis, Marlene Lawson; and Robert M. and Susan Altmeyer.

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At the recommendation of the Health Department, and on motion of Supervisor Flynn, seconded by Supervisor Stewart,/the Chairman was authorized to sign said Department's Services Plan and Budget for Fiscal Year 1980-81, depicting public health's estimated expenditures, revenues, and net County cost for the various programs of the Health Department, for submittal to the State Office of County Health Services and Local Public Health Assistance.

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The Board considered the request of the Area Agency on Aging, supported by a Resolution of the El Dorado County Commission on Aging, that the Board designate the County-owned building currently leased to the City of South Lake Tahoe, for its Administrative Offices at South Lake Tahoe, as a Senior Citizens Services Center site.

In view of the fact that the City has a five-year lease on said building, which does not expire until 1985, the Board felt it would be premature to designate, at this time, the use of the site in 1985. Therefore, on motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board directed that the request be filed, with the understanding that, if the City should terminate the lease before 1985, the request will be reconsidered.

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At the recommendation of County Counsel, and on motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Chairman was authorized to sign an Agreement with Omega Collection Agency, of Sacramento, for collection of various bills, accounts, and claims.

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An Ordinance amending Section 7621 "Intersection Stops" of the County Ordinance Code, to reflect correct road number for Pleasant Valley Road, as recommended by the Public Works Department, was introduced; the reading thereof waived; and it was continued to September 2, 1980, for adoption; on motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried. (Sponsor: Supervisor Flynn)

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An Ordinance amending Section 7622 "Speed Restrictions" of the County Ordinance Code, to indicate proper road number for Pleasant Valley Road, and establish a 30 mile per hour speed limit on portion of Cedar Ravine Road and 35 mile per hour speed limit on Gold Ridge Trail, as recommended by the Traffic Advisory Committee, was introduced; the reading thereof waived; and it was continued to September 2, 1980, for adoption; on motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried. (Sponsor: Supervisor Flynn)

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An Ordinance amending Section 7651 "Through Highways" of the County Ordinance Code, to include South Shingle Road and Cedar Ravine Road in said Section, as recommended by the Traffic Advisory Committee, was introduced; the reading thereof waived; and it was continued to September 2, 1980, for adoption; on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried. (Sponsor: Supervisor Flynn)

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An Ordinance amending Section 7636 "Loading Zones" of the County Ordinance Code, to include portion of Merrychase Drive in said Section, as recommended by the Traffic Advisory Committee, was introduced, the reading thereof waived, and it was continued to September 2, 1980, for adoption; on motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried. (Sponsor: Supervisor Flynn)

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On July 1, 1980, the Chairman was authorized to sign a Cooperative Agreement with the State Department of Forestry for said Department to provide fire protection dispatching service for the following fire districts: Pioneer, Latrobe Hills, Rescue, Mosquito, and Garden Valley. The County would then, in turn, enter into individual agreements with districts: the aforementioned districts for reimbursement of County costs for same.

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Chairman was authorized to sign a revised Cooperative Agreement with the State Department of Forestry for said service, reflecting a \$16 increase on the Budget Sheet, and RESOLUTION NO. 256-80 was adopted accordingly.

Further, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board instructed Mr. Vern Peterson, County Deputy Director of the Office of Emergency Services, to follow up on the individual agreements with the five fire districts served, as not all five agreements are fully executed at this time.

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#### SPECIAL ORDERS

#### PLANNING MATTERS

Hearing was held as duly advertised to consider rezoning of lands in the Cameron Park area from Single Family Residential zone to Industrial zone, consisting of 46 acres, petitioned by Harry DeWolf and O.I. Scariot. The Planning Commission recommended denial, and the Planning Director enumerated the following findings of the Commission:

The Commission in recommending the General Plan Amendment, also recommended the zoning be Planned Unit Development, which cannot be satisfied until a development plan is proposed;

The Commission has initiated a General Plan Policy for this parcel which requires the Planned Unit Development zoning for development.

Mr. Jerry Culver was present and spoke on behalf of the applicants. Mr. Culver stated the applicants would be willing to amend their application for industrial zoning under a Planned Unit Development.

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

On motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Board continued the matter off calendar, and referred same to the Planning Commission to consider the amended application for Planned Unit Development.

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Hearing was held as duly advertised to consider zoning of lands in the El Dorado/Diamond Springs area, consisting of approximately 21,400 acres, to comply with the Land Use Plan as adopted by the Board on December 5, 1979.

Ms. Crystal Waters, of the Planning Department, reviewed the zoning map for the Board.

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Ms. Waters also read into the record, a letter from Mr. Charles V. O'Brien, dated August 22, 1980, wherein Mr. O'Brien requested that his property be zoned Rl rather than RE-10 as proposed. On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board referred Mr. O'Brien's request to the Planning Commission to consider Rl zoning on his property.

Supervisor Johnson read into the record, a letter from Robert L., Catherine A., Karl H., and Beryl B. Harris, dated June 9, 1980, wherein they request one-acre minimum zoning on their parcel number 325-17-26, rather than five-acre minimum as proposed.

Mr. Titus Carr was present to request that his 5.015 acres (APN 329-070-06) which is currently zoned RE, be zoned RIA, rather than R2A as proposed. The Board referred the request back to the Planning Staff for its recommendation.

Mrs. Tam Pine was present to request that her 22.18 acres (APN 327-150-01) which is currently zoned RIA, retain its RIA zoning, rather than R3A as proposed. The Board referred the request back to the Planning Staff for verification of steepness of slopes on said property.

Mr. Gerald M. Caditz, General Partner, Placerville Racquet Club, was present and spoke to his letter of August 25, 1980, wherein he states that a zoning line drawn through their property was an error of the Planning Staff, and requests that it be corrected to coincide with their property line. The Board referred the request back to the Planning Staff for further consideration. Also, Supervisor Walker requested the Planning Staff to check sewer service in the area.

Mr. Austin Joy was present to defend Policy D3b within the El Dorado/Diamond Springs Area Land Use Plan, wherein it states, "Further subdivision of land designated low density west of Crystal Boulevard will not be permitted until an adequate loop road is provided connecting those lands with Highway 49 at or near the Highway 49-Crystal Boulevard intersection, as outlined on the Land Use Map." Mr. Joy asked that this Policy be upheld in reference to the requests of Ronald Muhlbradt and Perry McCullach who are requesting RE-5 zoning on their properties in that area. On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board approved Mr. Joy's request and upheld Policy D3b as recommended by Planning Staff.

Mrs. Jean Sawyer, resident of Diamond Springs, asked what plans are being made by the County to deal with noise problems resulting from the development of industrial, commercial, and residential projects in one area. Mr. Doug Noble, Planning Department, stated that the County has a Noise Element to the County General Plan, but has not adopted a Noise Ordinance to deal with specific problems. The Board members agreed that this could be discussed with the Planning Department at a future Policy Review Session.

There were no further comments and the hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unani-mously carried, further consideration and action of the Board was continued to September 2, 1980, with the hearing to remain closed.

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Hearing was held as duly advertised to consider the Appeal of the Church of Jesus Christ of Latter-Day Saints on the Planning Commission's denial of Special Use Permit No. 80-55, which would allow a church and related facilities on 5.31 acres of land zoned Estate Residential Five Acre in the Shingle Springs area.

Mr. Doug Noble, Planning Department, read the following correspondence in opposition to the church on said site: letter from Virginia and (first name unclear) Baldwin; and a petition signed by 57 residents of the immediate area. Mr. Noble also read one letter in favor of the request from Mr. Benjamin Foulk.

The Chairman noted the following correspondence received by the Board of Supervisors: letters in opposition: Mr. & Mrs. George Johnson of Jack Pine Road, and Jack M. and Elaine Ferris of Jack Pine Road; letters in favor: Kenneth Hibbard, Administrator of the El Dorado Convalescent Hospital which is adjacent to the Church of Jesus Christ of Latter-Day Saints in Placerville; Mr. Virgil Jensen, who used to live adjacent to the Church of Jesus Christ of Latter-Day Saints in Rancho Cordova; and a petition signed by 290 residents on the western slope of El Dorado County.

Mr. Floyd W. Andrus, representing the appellant, was present and stated the appellant's desire to withdraw the Appeal.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board accepted the appellant's withdrawal of the Appeal, and expressed its appreciation for same.

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Hearing was held as duly advertised to consider the Appeal of Bruce Deveraux on the Planning Commission's denial of Tentative Parcel Map No. 79-387, consisting of 40 acres, located approximately six miles northwest on the north side of the River in the American River Canyon area.

Mr. Doug Noble, Planning Department, explained that the Planning Staff had told Mr. Deveraux he would be required to prepare an Environmental Impact Report on this project. Mr. Deveraux appealed that requirement to the Planning Commission, and requested it accept his Negative Declaration. The Planning Commission upheld the Planning Staff's requirement of an E.I.R., and denied the Tentative Parcel Map, based on the following findings:

- 1. The project site has inadequate year-round access;
- 2. Necessary utilities may not be provided to the project site; and
- 3. The area is a sensitive wildlife habitat and subdivision activity may cause substantial environmental damage to wildlife habitat.

Mr. Deveraux and his attorney, Ms. Barbara St. Ours, were present to speak on behalf of the Appeal. Ms. St. Ours argued the findings of the Planning Commission, pointing out why she believes the facts do not support said findings. Ms. St. Ours further stated that Mr. Deveraux is being treated differently than others in the area who have been allowed to split their property without an Environmental Impact Report being required.

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The following persons were present and spoke in favor of Mr. Deveraux's request: Mr. Dean Jennings, resident of the area; Mr. Don Berry, resident of the area; and Mr. Chet Ansley, broker with Pony Express Realty in Pollock Pines.

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

On motion of Supervisor Flynn, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Flynn, and Todd; No: Supervisor Stewart, the Board approved the Tentative Parcel Map No. 79-387, subject to conditions which have been customary in the area, based on the finding that there is no significant impact on the environment, and directed Planning Staff to file a Negative Declaration on said project.

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Planning Director submitted the Tentative Map and four Design Waivers for Harold Buck Subdivision in the Diamond Springs/El Dorado area, consisting of 16.8 acres, comprising 13 lots; Subdivider: Harold Buck. Planning Commission recommended approval subject to 13 conditions (said conditions being on file in the office of the Clerk of the Board of Supervisors).

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Tentative Map was approved subject to the 13 conditions set forth by the Planning Commission; the four Design Waivers were approved; and the Board accepted the Negative Declaration based on the following findings of the Planning Commission:

#### Tentative Map Findings:

- The project is consistent with the General Plan Land Use Designation and Goals and Policies of the Area Plan and the existing RIA, One-Acre Residential zoning;
- The project conforms to Section 66473.1 of the Subdivision Map Act for conformance with passive solar opportunities;
- 3. The project has sufficient public services: fire protection, water and sepit capability.

#### Design Waivers Findings:

- That the project site currently provides access to several other dwellings and has current lot design which would warrant special consideration for extending the length of the cul-de-sacs and because the existing road access would warrant increasing the percentage of the required grade at the end of Mother Lode Court;
- Strict application would require increased grading activity and deviation from recommended lot configuration;
- 3. The requested waivers to allow 625-foot cul-de-sacs and an increase in percentage of grade at the cul-de-sac, does not appear to be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public;
- 4. The deviations requested do not have the effect of nullifying the objectives of the Interim Design Manual.

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Mr. Sam Patton requested the Board consider the matter of three parcels of land in Camino: APN 43-520-38, 5.402 acres; APN 43-520-39 5.28; and APN 43-520-40, 4.98 acres Mr. Patton stated they should have been "grandfathered in"/when the area was rezoned 10-acre minimum in 1968; however, Planning Staff stated it could not be due to an adjustment in the size of the lots, decreasing the size of two and increasing the size of one, as a result of a record of survey made in 1973. Mr. Patton is requesting that each of the three lots be determined buildable.

On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Board determined those parcels to be "grandfathered in" as buildable sites, with the understanding that all requirements of the building code are met.

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At the recommendation of the Planning Department, and on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign an Agreement with James A. Roberts, Ph.D., for consulting services in the preparation of the Interim River Management Plan for the South Fork of the American River, in the amount of \$10,000.00, with changes in paragraph 6 of said Agreement as recommended by County Counsel.

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The Board took a brief recess, then returned to consider Capital Outlay Matters continued from this morning, with Supervisor Johnson absent at this time.

GENERAL ORDERS

At the request of the architectural firm of Nopp, Zeiner, Atchinson, and Associates, Inc., and on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried by those present, the Board approved the extension of the bid opening date for the County Sheriff's Office Addition and Remodel, from 3 p.m. on September 4, 1980, to 3 p.m. on September 11, 1980.

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Supervisor Johnson re-entered the meeting room.

The Board discussed a letter it received from Ursula Smith, Editor of the Mountain Democrat, wherein she requested that either the Board of Supervisors or the Board of Directors of the El Dorado Irrigation District change its regular meeting day, as both Boards meet on Tuesdays, and this makes it very difficult for interested citizens who wish to attend both meetings. On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Chairman was directed to respond to Mrs. Smith's letter, explaining that it is not feasible for the Board of Supervisors to change its meeting day as such a change would create conflicts with the numerous other meetings the Board members must attend.

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The Board also reviewed a letter it received from the Agricultural Commission, dated August 18, 1980, wherein the Commission discussed the El Dorado Irrigation Distriction processed the El Dorado Irrigation District's proposal for a master plan and stated its support of same. The Commission further stated that it believes the agricultural community should be given the opportunity to contribute its input to the plan during its development, especially since it feels the agricultural water needs of El Dorado County should be addressed in the plan. The Board informally directed that the Agricultural Commission be advised that the aforementioned letter should be directed to the El Dorado Irrigation District and the Georgetown Divide Public Utility District.

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board recessed to discuss Revenue Sharing Funds with the County Auditor-Controller and the Acting County Chief Administrative Officer; after which the Board then reconvened to act

On motion of Supervisor Stewart, seconded by Supervisor Johnson, and carried by the following vote: Ayes: Supervisors Johnson, Flynn, and Stewart; Noes: Supervisors Walker and Todd, the Board authorized the Chairman to sign an Agreement with Nopp, Zeiner, Atchinson, and Associates, Inc., for the Cultural-Educational Center at South Lake Tahoe, and authorized said firm to proceed with foundation work for same according to the "reduced library plan" as illustrated in the drawing before the Board this date, consisting of 12,000 square feet, with basic compensation for architectural services as necessary for site clearing and foundation work not to exceed \$25,000.00 (Revenue Sharing Funds).

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There being no further business, the Board adjourned to Tuesday, September 2, 1980, at 10:00 a.m.

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APPROVED:

ARLIENE TODD, Chairman

ATTEST:

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

Deputy Clerk

August 26, 1980