

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 23 19 80

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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12-7 The Invocation was offered by Reverend Jim Upshaw of the Federated Church.

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The Pledge of Allegiance to the Flag was led by Mr. Jene Leslie, Acting County Chief Administrative Officer.

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The Agenda was adopted, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, with the addition of four items as follows: (1) Claim submitted by Attorney Hugo N. Gerstl, on behalf of Valabco, Inc., for property damage; (2) Authorization for the Public Works Department to utilize funds up to \$500 for cleaning of illegal dumping along County roads; (3) Payment of allocated financial support to the Tahoe Regional Planning Agency; and (4) Paving of the Fairgrounds parking lot.

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The Minutes of September 16, 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 Walker, seconded by Supervisor Johnson, and unanimously carried, the Consent Calendar matters were considered and acted upon as follows:

50-1 The Community Action Council Claims were approved and allowed for payment.

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117 Budget Transfer No. 10 was approved, advancing \$20,000 from the County Treasury to the El Dorado Hills Community Services District until tax money is available.

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298a The Board approved Assessment Roll Changes numbered 2513 through 2518.

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247 The Chairman was authorized to execute Releases of Liens, 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>	
Robert C. and Jennifer B. Buchanan	1393	506
Francis A. Lytle	1355	450

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58-1
At the recommendation of County Counsel, the Board denied the claim submitted by Mrs. Peggy Sweezer, for property damage, in the amount of \$1,410.32.

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78
At the recommendation of the Airports Director, the Chairman was authorized to sign a five-year Land Use Lease with Mr. Bob O'Hara to erect a portable hangar at the Georgetown Airport.

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21/10
At the recommendation of the Airports Director, the Chairman was authorized to sign one-year Leases with Caesars Tahoe and AIR Corporation/Harrahs for advertising space at the Lake Tahoe Airport, at a cost of \$312.50 per month.

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282-11-77
At the recommendation of the Public Works Director, the Chairman was authorized to sign an Addendum to the Encroachment Permit Agreement with Petrolane, Inc., for installation of a 2" gas line across Cameron Park Drive on the easterly side of Strolling Hills Road; said Addendum to allow the location to be changed to approximately 570' south of Coach Lane.

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276-4
1300-11-77
RD.
At the recommendation of the Public Works Director, the Chairman was authorized to sign Change Order No. 3 for the Pleasant Valley Road Project (SS-28), increasing the cost by \$1,100.00.

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(151-2)
214-1
RESOLUTION NO. 272-80 was adopted, at the recommendation of the Welfare Department, fixing new rates for foster home care for children placed by the Welfare and Probation Departments, to be effective September 1, 1980.

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75
At the request of the Sheriff's Department, the Chairman was authorized to sign an Agreement with the California Highway Patrol for funds, in an amount not to exceed \$21,000.00, for operation of the Abandoned Vehicle Abatement Program for Fiscal Year 1980-81, and RESOLUTION NO. 273-80 was adopted accordingly.

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349-4
RESOLUTION NO. 274-80 was adopted, authorizing the Treasurer-Tax Collector to sell at public auction, 41 parcels of property deeded to the State for non-payment of delinquent taxes.

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82-3
At the recommendation of the County Administrative Office, RESOLUTION NO. 275-80 was adopted, approving an Amendment to the Contract with the Board of Administration of the Public Employees' Retirement System regarding reclassification of Miscellaneous Matron-Dispatcher to Safety category, and directing the Administrative Office to make legal notice to comply with State Law.

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12-11
The Purchasing Agent was authorized to sign and issue Purchase Order No. 12908 to ABM Lighting Company for conversion of fluorescent lighting lamps in the Government Center (Buildings A and B), Sheriff's Office, Probation Offices, Juvenile Hall, and Agriculture Building to energy saver lamps, at a cost of \$4,016.00. (Board approved the concept on September 10, 1980.)

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At the recommendation of the Purchasing Agent, the Chairman was authorized to sign annual rental Agreements with San Sierra Business Systems for the following equipment:

- 280
(220)
(151-2)
(141-1)
(22-9)
- a. Savin 780 copy machine for the Service Unit, at a monthly cost of \$120 plus tax;
 - b. Savin 780 copy machine for the Mental Health Department in Placerville, at a monthly cost of \$120 plus tax;
 - c. Savin 755 copy machine for the Mental Health Department at South Lake Tahoe, at a monthly cost of \$90 plus tax;
 - d. Savin 755 copy machine for the Agricultural Commissioner/Farm Advisor, at a monthly cost of \$90 plus tax;
 - e. Savin 790 copy machine for the Service Unit, at a monthly cost of \$131 plus tax; and
 - f. Savin 870 copy machine for the Welfare Department in Placerville, at a monthly cost of \$127 plus tax and installation.

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114-7
Bid No. 134, coarse salt for the Public Works Department, was awarded to the low bidder, E-Z Crete Products of San Jose, in the amount of \$17,640.00.

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212
At the request of the Fourth Annual Health Fair Chairman, the Board proclaimed the week of September 21 - 28, 1980, as "El Dorado County Total Health Week".

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87-7
The Board approved for payment, Golden Chain Council dues for Fiscal Year 1980-81, in the amount of \$450.00.

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89-1
The Board approved for payment, Sacramento-Mother Lode Regional Association of County Supervisors dues for Fiscal Year 1980-81, in the amount of \$369.00.

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119
The Board approved the apportionment of Special District Augmentation Funds for Fiscal Year 1980-81, as submitted by the County Auditor-Controller.

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58-1
At the recommendation of County Counsel, the Board denied the claim submitted by Attorney Hugo N. Gerstl, on behalf of Valabco, Inc., for property damage, in an amount estimated between \$5,250.00 and \$10,250.00.

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124
At the request of Supervisor Walker, the Board authorized the Public Works Department to utilize Buildings and Grounds Funds, in an amount not to exceed \$500.00, for cleaning of illegal dumping along County roads.

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70
At the request of Supervisor Stewart, the Board authorized the payment of this County's allocated financial support to the Tahoe Regional Planning Agency, in the amount of \$59,715.00, for Fiscal Year 1980-81.

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74-90
At the recommendation of the architectural firm for the project, the Board awarded the contract for the Cultural-Educational Center at South Lake Tahoe to the low bidder, DRW Construction, Inc., of Diamond Springs, in the amount of \$47,918.00, contingent upon receiving the necessary insurance certificates and labor/material/performance bonds, on motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried.

In addition, on motion of Supervisor Walker, seconded by Supervisor Todd, and unanimously carried, Supervisor Stewart was authorized to represent the Board at a ground-breaking ceremony at the Cultural-Educational Center site at South Lake Tahoe on Thursday, September 25, 1980, at 9:30 a.m.

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151-2
At the recommendation of the Welfare Department, and on motion of Supervisor Stewart, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Flynn, and Stewart; and No: Supervisor Todd, the Board approved the placement of a dependent child in St. Patrick's Children's Home in Sacramento, at a monthly cost of \$1,788.00.

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(12-14)
22-6
At the request of the Director of Health Services, and on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board set a Policy Review Session for October 8, 1980, at 2:30 p.m., regarding the County's Wild and Exotic Animal Ordinance.

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115
The Personnel Matters were considered and acted upon as follows, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried: RESOLUTION NO. 276-80 was adopted, adopting specifications for the positions of Chief Assistant Public Defender, Elections Clerk, Property/Identification Technician, Traffic Engineer, and Welfare Investigator Trainee; RESOLUTION NO. 277-80 was adopted amending the Personnel and Salary Ordinance, Section 4111, Resolution No. 183A-80, to incorporate the positions of Chief Assistant Public Defender, Elections Clerk, and Property/Identification Technician; the Board authorized the Lake Valley Justice Court to hire Ms. Tonia Anderson as a Justice Court Clerk I at Step E of the salary range; the Board authorized the Health Department to hire Ms. Karen Seitz as a Physical Therapist at Step E of the salary range; and RESOLUTION NO. 278-80 was adopted, amending and superseding Resolution No. 184-80, to establish the Public Defender's salary at the same level as the County Counsel and District Attorney.

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(57)
317
The Board again considered the matter of the paving of the Fairgrounds parking lot; said work being performed by the Los Rios Community College District. Mrs. Ester Armstrong, Fair Manager, was present and spoke on behalf of the Fair Association Board of Directors requesting that the Agreement between the County and the Fair Association (lessor) and the Los Rios Community College District (lessee) be amended to require the College District to maintain the paved parking area. Mr. Art Scott, Dean of the American River College, Placerville campus, was present and agreed to the amendment.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board authorized County Counsel to correspond with the Los Rios Community College District and inform same it should proceed with the paving.

Further, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board requested County Counsel to incorporate the Fair Manager's requested amendment to the Agreement between the County and the Fair Association (lessor) and the Los Rios Community College District (lessee), and present the amended Agreement to the College District Board of Directors for approval, with the understanding that Mr. Scott agreed to the amendment.

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509
At the request of the Community Programs Director, and on motion of Supervisor Walker, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Walker, Flynn, Stewart, and Todd; Abstain: Supervisor Johnson, RESOLUTION NO. 279-80 was adopted, authorizing the Chairman, or Director of Community Programs as agent, to sign an Agreement with the State Department of Housing and Community Development, which will authorize the County Community Programs Department to administer Section 8 funds in El Dorado County.

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506
At the request of County Training Programs, and on motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Chairman was authorized to sign a one-year Lease with Reality Center, Placerville, for rental of two offices located at 2999 Alhambra Drive, Shingle Springs, at a cost of \$910.00 per month, which will be used for training of CETA participants in the electronic assembly field.

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506
At the recommendation of County Training Programs, and on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign Contracts with the following, in amounts approved by the Board on September 16, 1980, for period October 1, 1980, to September 30, 1981:

- a. Tahoe Human Services, Inc., in the amount of \$157,988.00, to provide required services and training for CETA participants at South Lake Tahoe;
- b. Human Synergetic Design, in the amount of \$149,996.00, to provide required services and training for CETA participants on the Western Slope of El Dorado County.

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198-5
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board approved the proposed response to the presiding Judge of the Superior Court regarding the 1979-80 Grand Jury Report, as submitted by the County Administrative Office, and the Chairman was authorized to sign same.

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390-7
Boat
Reps.
On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Board introduced an Ordinance amending Section 7745 "Restricted Speed Zone" of the County Ordinance Code to place a 5 mile per hour speed limit on boat travel in the entire cove located in the northwest corner of Union Valley Reservoir, adjoining the area known as Swifts Meadow; the reading thereof was waived, and it was continued to September 30, 1980 for adoption. (Sponsor: Supervisor Todd)

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12-11
At the request of the Energy Coordinator, and on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the following persons were appointed to the El Dorado County Western Slope Energy Advisory Council: Jack Atkins, David Beauchamp, Tony Camuti, Mike Conwell, Howard Koester, Richard Moody, and Richard Pierson; and the following persons were appointed as members of a Technical Advisory Committee to said Council: Ken Busch, Chris Holm, William Kriz, Stan Paolini, and Phil Vermuelen.

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185-13
El Dorado Landfill, Inc., requested a waiver of the building permit fee for construction of a 12' x 16' movable attendants booth at the Union Mine Disposal Site. On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board approved the request, with the understanding that the booth will become County property.

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On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board approved Abatement of Penalties for failure to file Change in Ownership Statements with the County Assessor for the following:

- 298
- a. Zora E. Chanes; Robert and Rose Alice Coleman (APN 030-380-49)
 - b. Gaylen and Judith Freeman (APN 068-223-16 and 088-040-21)
 - c. Timothy J. Roslansky (APN 068-675-05)
 - d. Robert C. and Joan Kittrell (APN 097-150-16)
 - e. Ernest D. and Betty J. Peters (APN 082-333-01)
 - f. Scott E. and Cathy S. Burrows (APN 085-590-14)
 - g. William H. and Linda J. Youel (APN 093-180-281)
 - h. Michael H. and Elaine Yip (APN 101-100-13)
 - i. Murray M. Smith, Jr.; Carol J. Castro (APN 015-381-03)
 - j. Brian A. and Joan L. Phillipe (APN 023-665-08)
 - k. Genevieve D. Mason (APN 082-111-04)
 - l. Dept. of Veterans Affairs, c/o Robert E. and Shelia A. Banta (APN 068-662-09)
 - m. Arthur T. and Mary Colvin (APN 086-760-061)
 - n. Daniel A. Boone; Billy D. Dunn (APN 086-750-131); Daniel A. and Kathy Boone (APN 086-750-051)
 - o. Judith A. Graham (APN 090-280-23)

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296-4
6-1
The Board again considered the request of Mr. and Mrs. Donald Moore that the Public Works Department open and maintain the easterly portion of Indian Diggins Road; said portion running west from Indian Diggins over "summer's Hill", "Whiskey Point", and to the west line of Section 11, Township 8, Range 12E.

On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the matter was continued to October 14, 1980, and the Public Works Director was requested to meet with the Moore's during the interim.

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SPECIAL ORDERS

PLANNING MATTERS

After lunch recess, the Board reconvened to consider Planning Matters, with Supervisor Johnson absent.

285-1
390-9a
Hearing was held as duly advertised to consider rezoning of lands in the Georgetown area from Single Family Residential Three-Acre Zone to Single Family Residential Two-Acre Zone, consisting of 5.0 acres, initiated by the Board of Supervisors on lands owned by Donald L. Bunch. The Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The rezoning is consistent with the General Plan and its Goals and Policies;
2. The project site is within the Georgetown Volunteer Fire Protection District;
3. The project site can be supplied with public water from the Georgetown Divide Public Utility District.

The applicant was present to answer any questions the Board might have.

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

On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried by those present, 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. 3036, which amends the County Zoning Ordinance accordingly.

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285-1
390-9a
Hearing was held as duly advertised to consider rezoning of lands in the Georgetown area from Commercial Zone to General Commercial Zone, consisting of 1.177 acres, initiated by the El Dorado County Planning Commission on lands owned by Michael McGowan and Harold L. Murchie. The Planning Commission recommends this rezoning, based on the following findings:

1. The rezoning is consistent with the General Plan and its Goals and Policies;
2. The project site is within the Georgetown Volunteer Fire Protection District;
3. The project site can be supplied with public water from the Georgetown Divide Public Utility District.

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The applicant was not present.

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

On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried by those present, 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. 3037, which amends the County Zoning Ordinance accordingly.

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Supervisor Johnson entered the meeting room.

The Board considered the zoning of lands in the Camino/Fruitridge area, consisting of approximately 22,000 acres, to comply with the Land Use Plan as adopted by the Board on March 7, 1978. This matter was continued from August 19, 1980, at which time public testimony was taken and the Hearing was closed.

285-04-80
39007
The Board received a letter, this date, from Vernon and Lorraine Mountain, who, in partnership with two other people, own parcel number 48-160-15 in Camino, and learned only last week that the proposed zoning for said parcel is RE-10. The current zoning on the property is R+1, and the newly adopted General Plan for the area will allow a minimum of RE-5 zoning. Mr. and Mrs. Mountain requested that the easterly, 10-acre portion of their parcel be zoned RE-5, and the remainder of the parcel be zoned RE-10 as proposed. Mrs. Mountain was present, and due to the circumstances (the Mountains did not receive notice of the hearings and were unaware of the pending rezoning), the Chairman allowed Mrs. Mountain to speak to her request. On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board declared its intent to amend the map to reflect RE-5 zoning on the easterly, 10-acre portion of the Mountain's property, south of Carson Road, and the remainder of their parcel to be zoned RE-10.

Mr. Ken Milam, Planning Director, reviewed individual requests the Board had referred back to the Planning Staff for its recommendation:

Mr. Ron Rose requested that his parcel (APN 48-420-16), consisting of 1.97 acres, which is currently zoned General Commercial, and proposed for General Commercial Zone, be zoned Industrial because it is being used for industrial manufacturing. Planning Staff advised that Industrial zoning on this parcel would require an amendment to the General Plan, therefore, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board took no action on Mr. Rose's request.

Mr. George Gill requested that his 1.25 acres (APN 43-290-32) be zoned Commercial. The parcel is currently zoned R-1, but the General Plan Designation is Commercial. Planning Staff recommended that the zoning remain R-1 until such time as a clear need exists in the area for additional Commercial to serve a larger population. On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board approved Mr. Gill's request for Commercial zoning, and declared its intent to amend the Zoning Map to reflect same.

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Mrs. Mary Mostert requested that parcel number 100-07-07, consisting of 4.7 acres, which she recently sold to a Mr. Stacy, be zoned R1A. The property is currently zoned R2A, and the General Plan Designation is R1A. Planning Staff recommends the zoning remain R2A as the majority of parcels adjacent to it are two acres in size and larger. On motion of Supervisor Flynn, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisor Walker, Flynn, Stewart, and Todd; Abstain: Supervisor Johnson, the Board denied Mrs. Mostert's request. (Supervisor Johnson abstained due to the fact that his property is very near the property in question.)

Mr. Bob Williams requested his five-acre parcel off Mosquito Road (APN 49-01-34) retain its R1A zoning, rather than be rezoned to RE-10 as proposed. Planning Staff advised that the General Plan Designation for this parcel is 10-acre minimums, and the proposed conforming zoning for same is AG-10 zoning; and to retain R1A zoning would require an amendment to the General Plan. Therefore, the Board took no action on the request.

The Board took no action on Sandy Mathews' inquiry as to the impact the high density zoning proposed on the south side of U.S. Highway 50 will have on schools in the area.

Mr. Al Hamilton stated on August 19, 1980, that he is the owner of several large parcels on the south side of U.S. Highway 50 near the Birch Tree Restaurant, and he noticed that there were some differences when comparing the zoning map against the adopted Land Use Plan; and he requested that the map and Plan should be exactly the same. Planning Staff advised that the intent of having two Planning documents, a Land Use Plan and a Zoning Map, is to allow greater flexibility in governing land use. It is Staff's opinion that if any adopted area plan and the zoning for an area were exactly the same, the ability to "time" land use implementation according to the ability of schools, water, sewer, etc., to accommodate additional levels of use, and to plan on a long range basis, would be lost. The Board took no action in this matter.

Mrs. Judy McDonald, representing Mother Lode Rehabilitation Enterprises (M.O.R.E.) has received a gift of five acres of the Rupley property, which is currently zoned 10-acre minimum; and she requested the property be zoned to allow construction of a home for 11 disabled persons under the H.U.D. 202 Program. Planning Staff advised that the proposed zoning for this area is R-1, and the Planning Commission, on March 13, 1980, voted to initiate a rezoning of this property to RE-5, and requested that a Special Use Permit be obtained after the zoning is approved. On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Board declared its intent to amend the map to reflect RE-5 zoning on the five acres in question (APN 48-12-36).

No action was taken by the Board on the requests of Mr. Ron Stoddard and Mr. Mike Richmond, as they merely asked that the Board approve the zoning for their properties as proposed on the Zoning Map, and Planning Staff advised it is not recommending any changes contrary to their requests.

Mrs. Elizabeth Griffith requested that her 2.49 acres on the corner of Newtown Road and Mining Brook Road (APN 96-04-06) be zoned R1A, rather than RE-5 as proposed. Planning Staff advised that the General Plan Designation for this property is 5 acre minimums, except for a very small portion of the eastern ridge which is displayed for 1 acre minimums, and it is Staff's opinion that an amendment to the General Plan would be required in order to zone this parcel to R1A. Therefore, the Board took no action on this request.

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Mr. Harold Brock requested that his 5.59 acres (APN 48-47-37) be zoned R-1 on the southerly two acres, and Commercial rather than Planned Commercial on the northerly 3.59 acres. Planning Staff recommended that the proposed zoning be maintained, as the actual differences between Commercial and Planned Commercial zoning are negligible. On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board upheld Staff's recommendation for Planned Commercial zoning.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board accepted the Negative Declaration on the project, and adopted ORDINANCE NO. 3038 approving the rezoning in the Camino/Fruitridge area, as reflected on the map entitled "Camino/Fruitridge Area Plan Zoning Map", as that Map has been amended by Board action this date.

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Hearing was held as duly advertised to consider the Appeal of Loren L. and Helen B. Smith on the Planning Commission's denial of Special Use Permit No. 80-11, which would allow overnight camping in connection with commercial river rafting trips on approximately 1.5 acres of land, zoned Agricultural, in the Coloma/Lotus area.

Mr. Ken Milam, Planning Director, was present and reviewed the findings of the Planning Commission in this matter, which were as follows:

1. The use is not compatible with residential uses in the neighborhood;
2. The noise and sanitation would be detrimental to the neighborhood;
3. The commercial use of the road into the area is also detrimental to the neighborhood.

Mr. Loren Smith, appellant, was present, along with his attorney, Mr. Daryl McKinstry. Mr. Smith stated that he has owned the property in question since 1976, and until June 15, 1980, has used the site for overnight camping in conjunction with commercial rafting trips which he operates as owner of Adventours.

Mr. Daryl McKinstry spoke to each of the Planning Commission's findings with the following comments:

1. As to compatibility with residential uses in the neighborhood, Mr. McKinstry feels this is not a finding, but rather a "statement" of the Commission;
2. As to noise and sanitation problems, Mr. Smith will mitigate same by limiting the hours of operations (quiet time to come at 9:30 p.m. during summer months), and providing solid and liquid waste containers;
3. As to the commercial use of Sun Hill Road, that is currently a matter of litigation in the County Superior Court and will be spoken to there.

Mr. McKinstry further advised that Mr. Smith has mitigated fire danger by entering into a written agreement with the Coloma/Lotus Fire Protection District, whereby he will pay same \$100 a month for fire protection services. Mr. Smith also plans to provide fencing around his property to alleviate trespassing problems. Mr. McKinstry maintained that, if County standards are met, then the Special Use Permit should be issued. Mr. Smith should not be denied a Special Use Permit just because rafting is an undesirable activity to the residents in the area. As a final argument, Mr. McKinstry stated that Mr. Smith has been using this property for overnight camping since he owned it, without County regulation of any kind, and unpleasant things have occurred; therefore he should be given the opportunity to operate his business, with County regulation and control, via a Special Use Permit, and see if these occurrences cease.

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Mr. Gorman Silen, Attorney, was present and spoke on behalf of Mr. and Mrs. George Ross who own property adjacent to the property in question and are opposed to issuance of the requested Special Use Permit. Mr. Silen stated that "rafting" is not the issue here. The noise creates a disturbance, the sanitation facilities are totally inadequate, and the size of the property in question is much too small for the proposed use. Mr. Silen further stated that he feels it will be impossible for Mr. Smith to get 150 people quieted down at 9:30 p.m., when they have spent a good deal of money to go on a rafting trip and have a good time. A large group of people like this should not be confined to such a small site in a residential area. Mr. Silen feels that the fact that Mr. Smith has agreed to such elaborate conditions for said use points out that he knows he is on tenuous ground in making a request for such an inappropriate use of this property.

The following residents of the area were present and spoke in opposition to issuance of a Special Use Permit, reiterating the concerns outlined by Mr. Silen: Mr. Phillip Cuff, Mr. George Cary, Mrs. Bernice McHale, and Mrs. Reva Demicell. Mrs. McHale stated her primary concern is the fire danger and the commercial use of Sun Hill Road.

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

Mr. Robert Laurie, Chief Assistant County Counsel, requested Mr. Ken Milam to review for the Board, correspondence presented to the Planning Commission when it considered this matter.

The Commission received form letters in opposition to the issuance of a Special Use Permit, because of noise and litter, signed by the following persons: Dorothy R. and John W. Grother, Betty J. and Clarence E. Nichols, and William and Lucinda Seaton.

Letters of opposition were also received from the following: Marian E. Sanders, Bruce E. and Alice McDonald, Mrs. M. Hillenga, Mrs. Ella May White, Thomas J. and Shirley R. Murphy, and George G. and Barbara Cary.

The Planning Commission also received correspondence from the County District Sanitarian, Jon Morgan, and the Area Manager of the Northern Mother Lode Resource Area, Paul A. Bourgeois, expressing concerns regarding Mr. Smith's requested use of his land, and suggesting regulations for same if approved.

On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board upheld the action of the Planning Commission on July 24, 1980, wherein it denied the request of Mr. Loren Smith for a Special Use Permit to allow overnight camping in connection with commercial river rafting trips; and Mr. Smith's appeal to the Board was denied, based on the following findings:

1. The use is not compatible with residential uses in the neighborhood;
2. The noise and sanitation would be detrimental to the neighborhood;
3. The commercial use of the road into the area is also detrimental to the neighborhood; also recognizing that, because of pending litigation, the right to use the road is still questionable.

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57 Mrs. Ellen B. Fredericks, in a letter dated September 17, 1980, requested a waiver of the five-day filing period for appeal to the Board on action of the Planning Commission relating to Special Use Permits, in order that she may appeal the Planning Commission's granting of Special Use Permit No. 80-94 on September 11, 1980, which will allow Sierra Ready Mix to construct a ready mix plant on eight acres, zoned Industrial, in the El Dorado/Diamond Springs area.

Supervisor Walker advised the Board that Mrs. Fredericks had contacted him this date, and asked that this matter be removed from the agenda as the problem has been resolved. Therefore, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the matter was removed from the agenda.

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57 The Economic Development Council of the El Dorado County Chamber of Commerce requested the appointment of a County Planning Department employee to a Special Task Force Committee, which will evaluate the needs of commerce and industry in El Dorado County, specifically relating to areas of water and sewer facilities, and explore sources of funding available to implement said systems. On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board appointed the Planning Director, Mr. Ken Milam, or his designee.

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Supervisor Stewart exited the meeting room.

25C-54-80 At this time, Mr. Ken Milam, Planning Director, advised the Board that he felt it should again consider the matter of the Camino/Fruitridge Area Plan Zoning Map, specifically, that property displayed as R1 Zone, south of U.S. Highway 50 (Section 11, T10N, R11E). It is the opinion of the Planning Staff that R1 zoning in this area is premature, and that the zoning should be more appropriate to provide the ability to "time" land use implementation according to the ability of schools, water, sewer, etc., to accommodate additional levels of use.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, the Board instructed the Planning Commission to consider rezoning of the aforementioned property.

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GENERAL ORDERS

61-2 At this time, the Board recessed, and convened as the Board of Directors of County Service Area No. 2, to consider the Administrative Office's recommendation for award of the bid for grading, overlay, and paving of approximately 10,000 square feet of Arrowbee Road to the low bidder, Joe Vicini, Inc., of Placerville, in the amount of \$5,150.00. On motion of Director Flynn, seconded by Director Johnson, and unanimously carried by those present, the Board approved the award of bid as recommended.

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61-3 The Board adjourned as the Board of Directors of County Service Area No. 2, and convened as the Board of Directors of County Service Area No. 3, to consider the request of the Health Department to construct a garage addition to the Vector Control facility at South Lake Tahoe for storing insecticides and providing vehicle protection; funds for same included in the 1980-81 Budget. On motion of Director Flynn, seconded by Director Johnson, and unanimously carried by those present, the Board approved the request.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES September 23 1980

The Board adjourned as the Board of Directors of County Service Area No. 3, and reconvened as the Board of Supervisors.

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27
At the request of Supervisor-Elect Robert Dorr, and on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Board authorized the County Librarian, Ms. Alice Stjernquist, to prepare for submittal to the California State Library, a letter of intent to apply for grant funds for a library and joint-use facilities on the western slope of El Dorado County.

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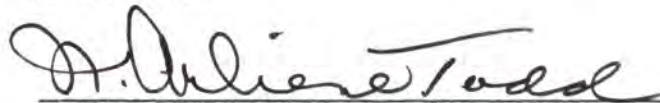
(50)
50-7
On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried by those present, the Board acknowledged receipt of a petition signed by 265 members of the Senior Citizens Coalition, dated September 1, 1980, wherein they request necessary funding to retain Mrs. Fran Williams as the Senior Recreation Director in El Dorado County, as it is their understanding that the position will be terminated in November due to the insufficiency of Comprehensive Employment Training Act (CETA) funds; and the Board directed that the Senior Citizens Coalition be informed that their petition has been forwarded to Mr. Bob Amburn, Director of Community Programs for El Dorado County.

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There being no further business, the Board adjourned to Tuesday, September 30, 1980, at 10:00 a.m.

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APPROVED:



N. ARLIENE TODD, Chairman

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

By 

Deputy Clerk