

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES December 16 19 80

The Board convened in regular meeting. Present: Supervisors Arliene Todd, William V. D. Johnson, W. P. "Dub" 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 Supervisor Joseph V. Flynn.

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

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The Agenda was adopted, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, with the removal of the ten o'clock time allocation, as requested by Captain Hamilton, to be rescheduled for January 13, 1981, at 10:00 a.m.; and the addition of one Capital Outlay matter, two Legislative matters, and three other "New Business" matters.

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The Minutes of December 8 and 9, 1980, were approved as submitted, on motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried.

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(113-1)  
113  
115 On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board ratified a letter sent to Mr. Kent Taylor, dated December 15, 1980, and signed by Mr. Jene Leslie, Acting County Chief Administrative Officer, wherein Mr. Taylor's selection by the Board of Supervisors for the position of County Chief Administrative Officer is confirmed. It was noted that Supervisors-Elect Robert Dorr and Patricia Lowe participated in the interviewing of applicants for said position, and both concur in the selection of Mr. Taylor.

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132 Supervisor Stewart and County Counsel advised the Board of the Tahoe Regional Planning Agency's interpretation of the recently worked-out bistate Tahoe Regional Planning Compact which will limit the number of sewer permits in the Tahoe Basin to the number issued in 1978. In accordance with this guideline, El Dorado County will be allocated only 252 permits for 1981. It now appears that all 1980 sewer permits allocated must have the building permits issued (plans approved and fees paid) by 5:00 p.m. December 31, 1980, or, if the building permits are issued to those allocations after that date, they will be deducted from the 252 sewer permits allocated for 1981. In previous actions, the Board has granted extensions of time to some persons with 1980 sewer permits, with said extensions running beyond December 31, 1980.

Supervisor Stewart stated he did not want to see any number of the 1981 sewer permit allocations jeopardized by 1980 permittees running over the time limit, so he believes those extensions should be amended by moving the deadline for having the building permits issued (plans approved and fees paid) up to December 31, 1980.

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Supervisor Johnson stated he felt this action would be premature, as a definite interpretation by the Tahoe Regional Planning Agency has not been issued in writing, and no one is really sure what the results will be. Supervisor Johnson pointed out that those 1980 permittees who have not completed the process and received building permits, have paid substantial fees to the South Tahoe Public Utility District and that money will be lost to them, as well as their sewer permits, if this deadline is moved up.

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board amended its previous actions to extend the deadlines for issuance of building permits (plans approved and fees paid) for 1980 sewer permittees, and limited the amount of time granted for same to 5:00 p.m. December 31, 1980.

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

56-1 The Community Action Council Claims were approved and allowed for payment.

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117 Budget Transfer No. 43 was approved for Animal Control, transferring \$552 from Maintenance of Equipment (92-2120) to Fixed Assets (92-3370) for the purchase of salvage cages from the University of California, to house stray cats brought to the Pound for 72 hours, as required by a new law which will be effective January 1, 1981.

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291A The Board approved Assessment Roll Changes numbered 2606 and 2609.

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151-13 RESOLUTION NO. 350-80 was adopted Authorizing an Action for the Recovery of County Funds Paid Out for Western Slope Ambulance (County Service Area No. 7); Lake Tahoe Ambulance; Library; Health Department (Animal Control); Public Defender; Probation; and Welfare Departments.

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58 At the recommendation of County Counsel, the Board denied the claim for personal injury, submitted by Mr. Paul D. Allen, in the amount of \$150,000.00.

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58 At the recommendation of County Counsel, the Board denied the claim for personal injury, in the amount of \$25,000.00, submitted by Attorney Michael P. Semmens on behalf of Michelle Lynn Bretz.

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58 At the recommendation of County Counsel, the Board denied the claim for personal injury, in the amount of \$105,350.00, submitted by Attorney Michael P. Semmens on behalf of Craig Bretz.

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30-13 At the request of the Airports Department, the Chairman was authorized to sign a five-year Lease with Manfred Stump to erect a portable hangar at the Placerville Airport.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

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423 Ridgeview Village Road #10

At the request of Mr. Steve Weddell, of Morton & Pitalo, Inc., project engineer, as submitted by the Department of Public Works, the Board approved extension of completion dates for improvements in Ridgeview Village Unit No. 10 and St. Andrews Village Unit No. 6 to April 15, 1981.

\* \* \* \*

296-4 Pleasant Valley Rd (34-1)

RESOLUTION NO. 351-80 was adopted, at the request of the Public Works Department, authorizing the Chairman to sign Program Supplement No. 5 to the Local Agency-State Agreement for the use of Federal Aid Secondary funds for the Pleasant Valley Road "Y" Project (HES V400(2)).

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The Board approved for payment, an invoice in the amount of \$28,291.00, submitted by Hester Roofing, for the re-roofing of the Sheriff-Jail-Justice Court facilities at South Lake Tahoe.

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At the recommendation of the County Auditor-Controller, and on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board authorized the County's 1979-80 Contract Auditor, John H. Ehlman, to prepare audited verification of all revenues due the County from the Skyroom Lounge at the South Lake Tahoe Airport, as said Lounge is being sold and it is necessary to have this report by January 5, 1981, that being the escrow date.

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On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board ratified a telegram which was wired to President-Elect Reagan's office in Washington, D.C., on December 12, 1980, wherein the Board urged the President Elect to appoint Mr. Gordon VanVleck of Plymouth, California, to the office of Secretary of the Interior, as local news reports indicated he was considering doing so; and the Board directed that a copy of said correspondence be forwarded to Mr. VanVleck.

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On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board, pursuant to the Congressional ratification and imminent signature and approval by the President of the amended bistate Tahoe Regional Planning Compact, appointed Mr. Ken Milam, the "chief planning officer" for El Dorado County, as an official member of the Advisory Planning Commission to the Tahoe Regional Planning Agency, as requested by said Agency.

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On motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Board directed that the County Welfare Director's comments regarding Pre-print Senate Bill 14, as outlined in his letter dated December 9, 1980, be transmitted to our legislators and the County Supervisors Association of California (CSAC).

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(303)  
WA 21  
In a letter dated December 11, 1980, signed by Mr. Robert L. Beeple, Jr., President of the Board of Directors of the El Dorado Irrigation District, said Board requested a meeting with the El Dorado County Water Agency on Monday, January 12, 1981, at 7:30 p.m., in the Irrigation District Board's meeting room, regarding the Environmental Impact Report on the South Fork of the American River (SOFAR) Project. On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Board scheduled the meeting as requested.

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12-4  
(104-6)  
On motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Board set a Policy Review Session with the Local Disaster Council for Wednesday, January 7, 1981, at 9:30 a.m., for an update on said Council's activities.

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(115)  
183  
At the recommendation of the Personnel Officer, and the request of the Honorable Terrence M. Finney, Judge of the Superior Court at South Lake Tahoe, the Board approved the addition of one Superior Court Clerk position to said Court, and RESOLUTION NO. 352-80 was adopted to amend the Authorized Personnel Resolution No. 343-80 accordingly, on motion of Supervisor Walker, seconded by Supervisor Johnson, and carried by the following vote: Ayes: Supervisors Johnson, Walker, Stewart, and Todd; No: Supervisor Flynn.

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RESOLUTION NO. 353-80 was adopted, at the request of the County Clerk, and on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, increasing the basic filing and answer fees for Civil and Probate proceedings in Superior Court, pursuant to Government Code Section 68090, as follows:

- (150)  
(178)
- First paper in a civil, family law, and probate actions, from \$45.00 to \$75.00;
  - First paper on behalf of any defendant, intervener, respondent, or adverse party from \$30.00 to \$55.00.

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21-9  
At the request of the Airports Department, and on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Automobile Rental Concession Agreements with Nevada Car Rentals, Inc. and Neva-Cal Car Rentals, Inc. (dba Hertz Systems Licensee); National Car Rental System, Inc.; and Avis Rent A Car System, Inc., at the Lake Tahoe Airport, were extended six months to June 30, 1981.

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(74-2)  
114-9  
Judge Finney, of the Superior Court at South Lake Tahoe, submitted a list of additional furniture needed for the new Superior Court at South Lake Tahoe, and requested direction on whether old furnishings should be replaced. Mr. Bill Schultz, County Purchasing Agent, was present and advised the Board that the purchase of the items listed in Judge Finney's request dated November 19, 1980, would cost approximately \$5,000.00 to \$7,000.00. This will furnish the upstairs portion of the new Superior Court only. To furnish the lower portion as well, replacing some old furnishings, would bring the cost up to approximately \$13,000.00 to \$15,000.00.

Continued next page . . . . .



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On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board authorized the Purchasing Agent to go to bid for the needed furnishings as itemized in Judge Finney's letter to him dated November 19, 1980; and the Purchasing Agent was directed to assess the other needs spoken to in Judge Finney's letter to the Board dated November 26, 1980, and make a recommendation to the Board at a later date.

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421-1  
At the recommendation of the Public Works Department, and on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board denied the request of Michael and Clayton Hayes, on behalf of Mr. C. J. Hardy, for a variance to County Ordinance requirements, to allow a 16% grade for Mr. Hardy's driveway, instead of the 10% grade as shown on the encroachment permit for Lot 814, Cameron Park North Unit No. 2 (Parcel No. 82-13-2).

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151  
At the request of the Welfare Department, and on motion of Supervisor Johnson, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign an Agreement with Robert Proctor & Associates, Inc., for the design, development, and implementation of an Earnings Clearance System for said Department.

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The Board took a brief break, from which Supervisors Johnson and Flynn did not immediately return.

150-6  
At the request of County Training Programs, and on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Chairman was authorized to sign the Fiscal Year 1980-81 Title II-D Subgrant Agreement with the State Comprehensive Employment and Training Act (CETA) Office, in the amount of \$9,598.00, for a person to work as an outstationed employee at the Employment Development Department Tax Office.

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62  
At the request of County Training Programs, and on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried by those present, the Board approved the waiver of formal bidding procedure and authorized the purchase of an IBM typewriter for said Department from Carpenter's Office Supplies, at a cost of \$509.86.

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Supervisor Flynn returned to the meeting room.

300  
On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried by those present, the Board authorized the Agriculture Department to purchase a telephone answering and recording device, at a cost of \$200.00, to provide 24-hour, 7-day week answering service for the County biologist as required by new laws regarding agricultural pesticides; and the Chairman was authorized to sign Budget Transfer No. 42, transferring \$200 from Professional & Specialized Services (92-2180) to Fixed Assets (92-3370) for same.

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233-4  
At the request of the Sheriff, and on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried by those present, the Chairman was authorized to sign an Application for Financial Aid from the State Department of Boating and Waterways for boating safety, education, and enforcement for the 1981-82 Fiscal Year.

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Supervisor Johnson returned to the meeting room.

350-2  
At the request of the Data Processing Manager, and on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign Ownership Security Agreements and Maintenance Service Agreements with Sperry Univac for the following:

- a. Terminal equipment to be installed in the Auditor-Controller's and Public Works Departments;
- b. Additional terminal equipment for the Welfare Department (Chairman was authorized to sign Budget Transfer No. 39, transferring \$1,400 from the Welfare Department (Rents and Leases) to Data Processing (Rents and Leases) for purchase of same.

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214  
Mr. Ralph Standiford, Chief Probation Officer, was present to speak on behalf of his request for a Budget Transfer, in the amount of \$75,585.00, to supplement the Child Care and Support item in his Department's current budget.

On motion of Supervisor Johnson, seconded by Supervisor Stewart, and unanimously carried, the Board approved an increase in the Child Care and Support item in the Probation Department's current budget, from \$4,963.00 to \$55,800.00, to equal estimated revenues to be collected; and the Chairman was authorized to sign Budget Transfer No. 41, in the amount of \$50,837.00, accordingly.

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A.D.  
K. H. H. H.  
The Board again considered County Counsel's recommendation for approval of payment of charges, in the amount of \$14,996.35, submitted by Jones, Hall, Hill and White, bond counsel, for Rosebud Drive-Buena Vista Drive-Hilton Way Assessment District proceedings. Supervisor Walker advised that he had discussed this matter with bond counsel and Mr. Bill Osterlie, representing citizens of said District, and all had agreed to holding \$2,175.06 in abeyance until the contract is let and the work performed. Therefore, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board approved payment, in the amount of \$12,821.29, with the remaining \$2,175.06 to be held in abeyance until such time as the contract is let and the work performed.

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74-76  
V.S.  
On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board rescheduled the date and time for dedication of the new Superior Court facilities at South Lake Tahoe to Sunday, January 4, 1981, at 2:00 p.m.

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(147)  
390-16  
made

ORDINANCE NO. 3082 was adopted, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, amending Part 6 of the County Ordinance Code to impose an additional fee of \$1.00 for filing documents, to defray the cost of converting the Registrar-Recorder's document storage system to micrographics. (Sponsor: Supervisor Walker/introduced December 9, 1980)

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(341)  
390-16  
made

ORDINANCE NO. 3083 was adopted, on motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, adding Sections 16,601 to 16,609 to the County Ordinance Code, to prevent the infestation of grape phylloxera in the vineyards of El Dorado County; said Ordinance having been submitted by the El Dorado Wine Grape Growers Association and recommended for adoption by the Agricultural Commission. (Sponsor: Supervisor Walker/introduced December 9, 1980)

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339

Ms. Mary Jane Battaglia submitted her resignation as a member of the El Dorado County Library Commission. On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board accepted the resignation, and directed that a Certificate of Appreciation be forwarded to Ms. Battaglia.

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132

At the recommendation of the Building Department, and on motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Board approved the request of Ms. Christine Fudel for transfer of a sewer permit from Lot 292, Montgomery Estates Unit No. 5 (APN 25-812-09) to Lot 260, Tahoe Paradise Unit No. 56 (APN 35-212-12).

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132

At the recommendation of the Building Department, and on motion of Supervisor Stewart, seconded by Supervisor Johnson, and unanimously carried, the Board approved the request of Mr. Michael J. Kirby for transfer of a sewer permit from Lot 1230, Tahoe Paradise Unit No. 16 (APN 34-363-07) to Lot 38, Meadow Lakes Subdivision Unit No. 1 (APN 80-121-09).

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(22-74)  
118-2

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board referred to the El Dorado Health Planning Council, for its consideration and recommendation, a letter from the Marshall Hospital Board of Directors, Administrator, and Chief of Staff, dated November 25, 1980, wherein recommendation is made that El Dorado County and counties adjacent to Sacramento County participate in a central facility for the treatment of unmanageable or abusive persons who are under the influence of alcohol or other drugs and in need of medical attention.

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Mr. John M. McRae, General Manager, ERA Cameron Park, Realtors, in a letter dated December 10, 1980, requested the Board send a letter to the California Department of Transportation (CALTRANS) regarding a need for better signing on Highway 50 for the Cameron Park area, specifically requesting the following:

- 34  
(35)
- a. Going east on Highway 50 the sign before the Cambridge Road exit to read "Cameron Park - Next Two Exits", replacing the one reading "Cameron Park - Next Right";
  - b. The addition of "Cameron Park" to the sign at the Bass Lake overpass which presently reads mileage to the Cambridge Road exit.

Mr. McRae further advised that CALTRANS indicated its willingness to place two additional signs on Highway 50, on the east and west perimeters of Cameron Park, if so requested by the Board of Supervisors, giving the elevation and population of Cameron Park. Mr. McRae expressed his opinion that the population should not be included, as such figures are seldom accurate and change quite rapidly in a community such as Cameron Park, and stated that is also the consensus of their realtor group.

On motion of Supervisor Johnson, seconded by Supervisor Flynn, and unanimously carried, the Board authorized the Chairman to sign a letter to the California Department of Transportation as requested by ERA Cameron Park, Realtors.

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222-9  
255-105-10  
290-700

On motion of Supervisor Walker, seconded by Supervisor Johnson, and unanimously carried, the Board approved the request of Mr. Larry Abel for waiver of the bedroom tax on a temporary mobilehome for a caretaker at his gravel pit off Lotus Road.

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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 One Family Residential Zone to Industrial Planned Development Zone, consisting of 34 acres, petitioned by Harry K. DeWolf and O. I. Scariot. The Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The request is in compliance with the El Dorado County General Plan;
2. The project site appears to have adequate public services for the density proposed;
3. The project site appears to have adequate access.

The applicant was not present.

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

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board concurred in the Planning Commission's findings; the rezoning was found to be in conformity with the General Plan; the Negative Declaration was accepted; and the rezoning was approved and adopted by ORDINANCE NO. 3084, which amends the County Zoning Ordinance accordingly.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

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Hearing was held as duly advertised to consider rezoning of lands in the Diamond Springs/El Dorado area from Estate Residential Five-Acre zone to One-Acre Residential Zone, consisting of 8.69 acres, initiated by the El Dorado County Board of Supervisors on lands owned by Helen and Melvin Outlaw. The Planning Commission recommended denial, and the Planning Director enumerated the following findings of the Commission:

- 285-101-80
1. The project site is outside the water district boundary;
  2. The project site does not have sewer immediately available;
  3. Due to a drafting error, the project site is shown to be Agricultural Exclusive Land Use Designation. The Staff person who prepared the Diamond Springs/El Dorado Plan indicated that the project site should have been shown as Low Density Residential, one (1) dwelling unit per 5 to 9 acres. Therefore, the request is not in compliance with the General Plan;
  4. No parcels can be of less than the five-acre minimum without having either sewer or water;
  5. The property is adjacent to agricultural lands.

Mr. Milam, Planning Director, explained to the Board that a series of drafting errors has brought the matter to this point; that, in fact, the property is currently zoned RE-10, Estate Residential Ten-Acre Zone, not RE-5, Estate Residential Five-Acre Zone, as states in the Planning Department's memo of November 21, 1980. Therefore, the requested One-Acre Residential Zone is inconsistent with the General Plan Designation for said property. Mr. Milam advised the Board that it could take one of the following two actions:

1. Deny the request as inconsistent with the General Plan for the area;
2. Recognize there needs to be a correction of the General Plan Designation to take the property out of Exclusive Agricultural; and send the rezoning request, along with a request for a General Plan Amendment, to the Planning Commission for reconsideration.

Mr. Melvin Outlaw was present to speak on behalf of the rezoning, stating he thought the property was zoned R1A when he purchased it, and had no knowledge of it being rezoned RE-10. He had hoped to "split off" one acre each for his daughter and son for them to build their homes on, and he and his wife will have their home on the remainder of the acreage. He stated that the Planning Department will only agree to 5-acre zoning until water and sewer is available, but his request remains for R1A Zone. Mr. Outlaw stated he would like to compromise and zone only two acres of the property R1A, so that he can "split those two acres off" for his son and daughter.

Mr. John Forni, whose Agricultural Preserve is adjacent to the property in question, was present and spoke in opposition to the rezoning, citing the problems with high-density zoning adjacent to Agricultural Preserves.

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

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board denied the rezoning request, based on the fact that the request is inconsistent with the General Plan.

Further, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board referred the request back to the Planning Department for a study to determine a General Plan Designation that will fit the property.

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Hearing was held as duly advertised to consider rezoning of lands in the Kelsey area from Estate Residential Ten-Acre zone and Residential Agricultural Twenty-Acre Zone to Mineral Resources Zone, consisting of 80 acres, petitioned by Stephen and Deborah Mann. The Planning Commission recommended approval, based on the finding that the request is in compliance with the El Dorado County General Plan, RA-10 to 160 Land Use Classification.

Mr. and Mrs. Mann were present to answer any questions the Board may have in regard to this request.

Mr. Carol D. Vickrey, Chairman of the Kelsey Planning Advisory Committee, was present to speak on behalf of same, stating the Committee has reviewed the Mann request for MR zoning, prefers that the current zoning be observed for a longer period than one year, but feels the regulations for Mineral Resource districts are adequate to govern the proposed Mann operations and still maintain the rural atmosphere; and, further, read the Committee's following recommendations:

1. The Kelsey Planning Advisory Committee does not endorse or oppose the Mann request;
2. The Kelsey Planning Advisory Committee desires this letter to go into the record so as to reassert our desire to maintain the optimum land usage in Kelsey as briefly outlined above. We hope the Mann request for limited gold mining operations is just that. However, if the MR zoning request is just a "foot in the door" type change and part of any incremental type escalation of land usage in Kelsey, our committee would be concerned. We hope we don't sound like alarmists, but we did note how fast an industrial zone materialized in rural Rescue. We want to preclude, now, any misunderstanding as to our desire to stick to current Kelsey zoning.

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

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board concurred in the Planning Commission's finding; 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. 3085 which amends the County Zoning Ordinance accordingly.

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Hearing was held as duly advertised to consider rezoning of lands in the Pollock Pines area from Single Family Residential Zone to Commercial Zone, consisting of 0.5 acre, petitioned by David C. and Ella L. George. The Planning Commission recommended approval, and the Planning Director enumerated the following findings of the Commission:

1. The request is in compliance with the El Dorado County General Plan Land Use Element, Commercial Land Use Designation;
2. The project site has adequate access;
3. The project site has adequate public services.

Mrs. Ella L. George was present to speak on behalf of the request.

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

On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Board concurred in the Planning Commission's findings; the rezoning was found to be in conformity with the General Plan; the Negative Declaration was accepted; and the rezoning was approved and adopted by ORDINANCE NO. 3086, which amends the County Zoning Ordinance accordingly.

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Hearing was held as duly advertised to consider rezoning of lands in the Pollock Pines area from Tourist Residential Zone to Planned Commercial Zone, consisting of 0.61 acre, petitioned by Robert D. Kerner. The Planning Commission recommended denial based on the finding that the creation of a narrow strip of commercial land may create design problems for septic design, circulation, parking and building layout.

Mr. James Ingram, agent, was present to speak on behalf of the Kerners, citing the following reasons why this is a good location for commercial zoning: the property is in the core of the community; it is across from a Safeway supermarket; it is located adjacent or near industrial property; and a commercial building at that location would shield the adjacent mobile-home park from street noise (Pony Express Trail). Mr. Ingram stated that the fact that the lot in question is very narrow is a matter of "design" consideration, not "land use" consideration, and he feels it is a solvable problem.

Mr. and Mrs. Kerner also spoke in behalf of their request, stating they have owned the property for 20 years, are residents of the area, and care a great deal about the future of Pollock Pines. The land is currently zoned for apartments or a motel-type facility, which they feel would be more detrimental to the area than the mini storage facility they would like to construct.

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

On motion of Supervisor Flynn, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Johnson, Walker, and Flynn; Noes: Supervisors Stewart and Todd; the Board accepted the Negative Declaration and approved the rezoning, and adopted ORDINANCE NO. 3087 which amends the County Zoning Ordinance accordingly, based on the following findings:

1. The proposed Planned Commercial Zone is not inconsistent with the County General Plan;
2. The area is generally commercial at the present time;
3. This proposed use would provide a buffer between busy Pony Express Trail and the existing mobilehome park;
4. It is a better use of the land.

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At the recommendation of the Planning Director, and on motion of Supervisor Flynn, seconded by Supervisor Johnson, and unanimously carried, the Final Map of Jenkinson Lakes Estates (formerly Rice Estates) Rural Subdivision in the Pollock Pines area was approved, and the Clerk authorized to endorse said approval of said Final Map.

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Supervisor Stewart exited the meeting room.

Mr. Chris Pardee was present to request the Board authorize release of his cash bond, in the amount of \$75,000.00, which was posted as security for completion of subdivision improvements for Pardee Condominiums. At the recommendation of the Planning Director and County Counsel, the Board took no action on the request, as the posting of said bond was a condition of approval of the Final Map, pursuant to County Ordinance, and the required improvements have not been constructed.

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61-2  
The Board adjourned as the Board of Supervisors, and convened as the Board of Directors of County Service Area No. 2, to consider the following requests of said District, Hidden Lakes Estates area:

- a. Authorization to purchase a used road grader, at a cost of \$3,500.00, from Howard Sackett of Foothill Sand and Gravel;
- b. \$500 for maintenance of said grader for oil, diesel, ripper blades, and new cutting edge;
- c. Future funding for the maintenance and support of said grader;
- d. Authorization for Rumsey Trenching in Shingle Springs (low bidder) to perform the following work: provide rock for road, at a cost of \$1,400.00, and installation of culvert, at a cost of \$275.00.

Director Flynn explained that, if the Board approves purchase of the used grader, then it becomes County property; however, the Service Area plans to use a volunteer driver to operate the grader.

Mr. Art Cort, Director of Public Works, expressed concern about County liability should the operator be injured or damage any property. Mr. Jene Leslie, County Risk Manager, concurred in Mr. Cort's concerns.

The Board discussed the idea of dissolving the County Service Area No. 2, and the property owners could then form a Community Services District or Assessment District with its own Board of Directors, separate from the County Board of Supervisors.

On motion of Director Flynn, seconded by Director Johnson, and unanimously carried, the Board referred the matter to County Counsel.

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There being no further business to come before the Board this date, the meeting was adjourned to Tuesday, December 30, 1980, at which time the Board of Supervisors will convene its regular weekly meeting.

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APPROVED:



N. ARLIENE TODD, Chairman  
Board of Supervisors

ATTEST:

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

By

  
Deputy Clerk