

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 20 19 81

The Board convened in regular meeting. Present: Supervisors Robert E. Dorr, Patricia R. Lowe, W. P. "Dub" Walker, Joseph V. Flynn, and Thomas L. Stewart. Dixie L. Foote, Assistant Board of Supervisors Clerk, was also present. Chairman Flynn presided.

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127 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 Supervisor Patricia R. Lowe.

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The Agenda was adopted, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, with the removal of item number 30 pertaining to the introduction of an Ordinance to establish "no parking" zones along portions of Cameron Park Drive and Country Club Drive in Cameron Park, as Supervisor Dorr wished to research the matter further before introducing the Ordinance; and the addition of a letter from Mr. Max Hoseit, attorney representing Lake Tahoe Aviation, regarding ramp procedures at the Lake Tahoe Airport.

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The Minutes of January 13, 1981, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried.

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50-1 On motion of Supervisor Walker, seconded by Supervisor Dorr, 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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The following budget transfers were approved:

No. 52 for the Welfare Department, transferring \$2,000.00 from Extra Help (92-1020) to Fixed Assets (92-3370) for the purchase of a four-wheel drive vehicle as approved in the 1980-81 budget;

117 No. 54 for the Health Department, transferring \$63.00 from Professional and Specialized Services (92-2180) to Fixed Assets (92-3370) to cover the cost of purchasing a centrifuge, as the price for same has increased since the order was placed;

No. 57 for the District Attorney, Family Support Unit, transferring \$1,954.00 from Employee Benefits (1-912) to Salary Adjustments (92-1140) to allow for salary increases granted January 1, 1981;

No. 58 for the Sheriff, transferring \$135,068.00 from Employee Benefits (1-912) to Salary Adjustments (92-1140) to allow for salary increases granted January 1, 1981;

Continued next page . . . . .



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No. 59 for the Coroner, transferring \$17,756.00 from Employee Benefits (1-912) to Salary Adjustments (92-1140) to allow for salary increases granted January 1, 1981;

No. 60 for the District Attorney, transferring \$9,874.00 from Employee Benefits (1-912) to Salary Adjustment (92-1140) to allow for salary increases granted January 1, 1981;

No. 61 for the Jail, transferring \$74,394.00 from Employee Benefits (1-912) to Salary Adjustments (92-1140) to allow for salary increases granted January 1, 1981;

No. 62 for the Public Defender, transferring \$1,954.00 from Employee Benefits (1-912) to Salary Adjustments (92-1140) to allow for salary increases granted January 1, 1981.

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272a The Board approved Assessment Roll Change number 2619.

\* \* \* \*

247 The Chairman was authorized to execute Release of Lien, discharging all property encumbered by the Agreement 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>	
Marietta Joyce Boston	1505	307

\* \* \* \*

151-13 RESOLUTION NO. 14-81 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; and Welfare Department.

\* \* \* \*

423- Block  
At the recommendation of the Public Works Department, the Chairman was authorized to sign a Certificate of Acceptance of Easement Deed for lands owned by Robert G. Armstrong, Jo Ann Armstrong, and William H. Lawler, to provide drainage and road slope for Diamond Place Subdivision.

\* \* \* \*

423- Block  
Upon being advised by the Public Works Department that Diamond Place Subdivision has been completed in accordance with the plans and specifications, RESOLUTION NO. 15-81 was adopted, accepting the streets within said Subdivision into the County Maintained Road System; and the Board approved the retention of 10% (\$22,662.80) of the surety bond as warranty of workmanship and materials for a period of one year.

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423- Block  
At the request of Gene Thorne, engineer for Franciscan Village Subdivision, as submitted by the Department of Public Works, the Board approved the reduction of the Subdivision Improvement Letter of Credit for said Subdivision, in the amount of \$7,185.60, leaving a balance of \$281,948.92.

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214-1  
At the request of the Probation Department, the Chairman was authorized to sign a Shelter Care and Crisis Resolution Home Agreement with Michael and Joy Maulucci, decreasing the number of shelter care beds from five to four, at a cost of \$50.00 per bed per month, and \$10.00 per day per child for care rendered. (Agreement for five shelter care beds approved July 15, 1980)

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423  
Upon being advised by County Counsel that Coker-Kroeger Real Estate Development Company has completed the required dedication of certain lands for school, fire, and park purposes, in accordance with the Agreement to Guarantee Performance for Marina Village No. 2 Subdivision, the Board approved release of \$170,000 held in escrow with First American Title Insurance Company as security for same.

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114-7  
At the recommendation of the Purchasing Agent, Bid No. 171, office furniture for the upstairs portion of the Superior Court at South Lake Tahoe, was awarded to the low bidder, E. F. Corbin Company of Sacramento, in the amount of \$5,060.00, plus \$303.60 tax, delivered.

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429  
RESOLUTION NO. 16-81 was adopted, commending the Georgetown Gazette for 100 years of publication (1880 - 1980).

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112  
The Board accepted for deposit, a warrant submitted by Sacramento County, in the amount of \$882.43, as El Dorado County's semi-annual share of Weimar Medical Center trust funds.

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(113)  
113-1  
The Board approved for payment, a statement submitted by Ralph Andersen and Associates, in the amount of \$3,185.49, for services rendered during October and November 1980, for recruitment of a County Chief Administrative Officer.

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30-13  
At the request of the Airports Director, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign a five-year Land Use Lease with Robert L. Conrad to erect a portable hangar at the Placerville Airport.

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114-9  
On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried, the Board authorized the Purchasing Agent to purchase three, two-drawer, locking file cabinets for the offices of Supervisors Dorr and Lowe (Supervisor Lowe has two offices - one in Placerville and one at South Lake Tahoe), with the money to come from Miscellaneous Capital Outlay Funds.

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114-1  
An invoice, in the amount of \$1,070.00, submitted by Morton & Pitalo, Inc., for professional services rendered through December 25, 1980, for preparation of descriptions for right of way and commencement of record of survey extra work for Rosebud Drive-Buena Vista Drive-Hilton Way Assessment District, was referred to County Counsel, and the matter continued to January 27, 1981, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried.

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The Capital Outlay Matters were considered and acted upon as follows:

74-38  
On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board approved Change Order No. 3, Item No. 1, for the Sheriff's Office Addition & Remodel Project in Placerville (Items Nos. 2 - 5 in Change Order No. 3 were approved by the Board on January 13, 1981). The entire Change Order No. 3, Items 1 - 5, increase the cost of the Project by \$29,022.00.

\* \* \* \*

74-9  
On motion of Supervisor Walker, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Lowe, Walker, Stewart, and Flynn; No: Supervisor Dorr, the Board approved Change Order No. 3 for the Juvenile Hall Addition Project, increasing the cost by \$41,551.00.

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74-1  
On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board approved Change Order No. 4 for the Juvenile Hall Addition Project, increasing the cost by \$3,036.00.

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(481)  
12-14  
At the request of the Public Works Department, a Policy Review Session was set with same for Friday, February 13, 1981, at 9:00 a.m., regarding encroachment permit fees, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried.

\* \* \* \*

(83)  
57  
12-14  
At the request of the Planning Department, a Policy Review Session was set with same for Friday, February 13, 1981, at 9:30 a.m., regarding proposed allocations for the California Parkland Act of 1980 (Proposition I), on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried.

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(12-14)  
(57-9)  
The Board set a Policy Review Session for Friday, February 13, 1981, at 10:30 a.m., regarding mobilehome space stabilization and establishing a mobile rent review board in connection therewith.

\* \* \* \*

(12-14)  
(12-11)  
The Board set a Policy Review Session for Friday, February 13, 1981, at 1:30 p.m., regarding energy conservation, as previously requested by the Energy Coordinator, on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried.

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(119)  
113  
In reference to a memorandum dated January 8, 1981, from Mr. Larry Ames, Assistant Auditor/Controller, to Mr. Jene Leslie, Acting County Administrative Officer, regarding 1981-82 State Budget information from the County Supervisors Association of California and possible problems it might cause the counties, the Board referred the matter to the County Chief Administrative Officer, Mr. Kent Taylor, and Mr. Jene Leslie for a determination of impact on this County and recommendation as to any action the Board should take, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried.

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(30)  
1248  
Mr. Randy Berg, Airports Director, was present to discuss the matter of no 80 octane fuel at the Placerville Airport, and the difficulty obtaining same. On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board directed the Airports Director and the Director of Public Works to write a letter to Mr. Bob Mooney, Retail Sales Manager of Chevron USA, to be signed by the Chairman, requesting Chevron strongly consider supplying the Placerville Airport's aviation fuel requirements.

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21  
In response to a letter from Mr. Max H. Hoseit, attorney representing Lake Tahoe Aviation, dated January 19, 1981, regarding ramp procedures at the Lake Tahoe Airport, and at the request of Supervisor Lowe, the Board informally directed Mr. Randy Berg, County Airports Director, to arrange to meet with representatives of Lake Tahoe Aviation and Executive Aero Systems regarding same.

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At the request of the Airports Department, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign the "Certification Relating to Land Rights" for the Critical Area Treatment Plan for solution to the erosion problems at Placerville Airport; said Certification, with the Land Rights Map attached, verifies to the Department of Agriculture Soil Conservation Service that the County owns the Placerville Airport land; and, in addition, the Chairman was authorized to sign a Subordination Agreement, subject to County Counsel's approval of same, between the County and the California Department of Forestry, relative to this matter.

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0-296-4  
1-76-4  
(Randy Berg)  
Signs  
Trail  
At the request of the Public Works Department, and on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Board approved the Plan for improvement of the intersection of Fern Avenue with Pony Express Trail and the Negative Declaration for same; and authorized completion of the work which will include tree removal to be accomplished by contract, and road work to be accomplished by County forces at force account; with funds, in the amount of \$10,000.00, from the Interim Fee Structure for that area, having been budgeted for this project.

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5-26  
At the request of County Training Programs, and on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign Fiscal Year 1981 Title VI Subgrant Agreement with the State Comprehensive Employment and Training Act (CETA) Office, in the amount of \$8,591.00, for a person to work as an outstationed employee with the State Employment Development Department.

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On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board adopted the following Resolutions pertaining to Personnel Matters:

115  
233-1  
145-2  
RESOLUTION NO. 17-81 amending Section 4111 of the County Personnel & Salary Ordinance, increasing the salaries of law enforcement and District Attorney Investigator personnel by 12.6%, as required by Proposition A; and

113-1  
233-1  
RESOLUTION NO. 18-81 amending Resolution No. 278-80, amending the salaries of the Chief Administrative Officer and the Sheriff/Coroner/Public Administrator as follows: Chief Administrative Officer reduced from \$3,741 per month to \$3,417 per month; Sheriff/Coroner/Public Administrator increased from \$3,139 per month to \$3,410 per month.

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Supervisor Walker exited the meeting room.

233-2  
At the request of the Sheriff, the Board waived formal bidding procedure and authorized the purchase of five, used rental automobiles from Hertz Corporation, to be used as undercover units, at an average price of \$5,000.00 each, on motion of Supervisor Stewart, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Stewart, and Flynn; No: Supervisor Lowe; Absent: Supervisor Walker.

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297  
On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved abatement of penalties for the following, for failure to file Change in Ownership Statements with the County Assessor:

- a. Charles L. O'Donnell (APN 46-610-04)
- b. Alvin and Colleen Long (APN 60-540-44)

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164-7  
(164)  
At the request of the County Fire Chiefs Association, and on motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved one-time, start-up funding, in the amount of \$20,829.22, for two mountain-top radio repeater stations which can be used by all County fire agencies and resolve current dispatch problems, with money for same to come from Miscellaneous Capital Outlay Funds.

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144-1  
113  
The Planning Director submitted proposed mitigation measures for South Tahoe Public Utility District's sewer improvements. On motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried by those present, the matter was continued to January 27, 1981, to allow Board members and the County Chief Administrative Officer an opportunity to review this to determine what impact this might have on the County and what the County's commitments might be.

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46-232  
Hearing was held as duly advertised to consider the establishment of Agricultural Preserve No. 232 in the Latrobe area, consisting of 273.13 acres, petitioned by Willard Thomas Egloff and Lauretta Nadine Hannaford. The Planning Commission recommended approval, based on the finding that the establishment of the preserve is consistent with the Rural Estates-Agricultural Land Use Designation (1 dwelling unit per 5 - 20 acres) and all elements of the General Plan.

The Assessor's Office indicates that the land meets the following three criteria, as required, for inclusion in the Williamson Act:

1. The land consists of 20 acres or more;
2. There have been \$10,000 worth of agricultural improvements to the land, excluding dwelling and the cost of the land;
3. The land is capable of making a profit through agricultural pursuits.

Mr. Egloff was present to answer any questions the Board members might have.

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

On motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried by those present, the Board concurred in the finding of the Planning Commission and approved the establishment of Agricultural Preserve No. 232, and adopted RESOLUTION NO. 20-81 accordingly, and authorized the Chairman to sign the Williamson Act Contract for same.

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285-11-8  
The Board again considered the request of rezoning of lands in the Greenstone area from Estate Residential Ten-Acre Zone to Single Family Residential Three-Acre Zone, consisting of 43 acres, petitioned by Horst Bendzulla for Black Forest Estates Rural Subdivision. Also before the Board again, was the Design Waiver and Tentative Map for Black Forest Estates Rural Subdivision in the Greenstone area, consisting of 43 acres, comprising 12 lots; Subdivider: Horst Bendzulla. This matter was before the Board, and a public hearing held on same, on November 18 and 25, 1981; and the public hearing was closed on November 25, 1981.

The Planning Commission recommended approval of the rezoning, based on the following findings:

1. Adequate services are available to serve the increase in density;
2. The property is suitable to the requested three-acre minimum density;
3. The proposed zoning is in compliance with the Greenstone Area Plan Land Use Designation, Goals and Policies;
4. The surrounding zoning is as follows: south - RE-5; west - RE-5; east - R1A; and north - RE-5.

The Planning Commission recommended approval of the Tentative Map, based on the following findings:

- 432  
Black  
Forest  
Estates  
Subdivision
1. The site is physically suited to the proposed density;
  2. The project is in conformance with the Greenstone Area Plan;
  3. Public water is to be provided by the El Dorado Irrigation District, and structural fire protection is available from the Diamond Springs/El Dorado Fire District.

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At the request of the Probation Department, and on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Chairman was authorized to sign the following Budget Transfers:

- (117)  
214
- a. No. 46, increasing appropriations for Special Departmental Expense (92-2230) by \$7,684.00 and Contributions to Other Agencies (92-4280) by \$2,112.63; said amounts are additional 1979-80 AB90 funds received within the Aid for Justice Account (92-5252);
  - b. No. 47, transferring \$1,000 from the Contingency Fund to the Probation Department's Maintenance of Equipment Account (92-2120) for repair and repainting of two automobiles acquired from Surplus Property.

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(41)  
214

At the request of the Court, in the case of Concerned Citizens vs. County of El Dorado, currently under Appeal on the question of attorneys fees, the Board authorized County Counsel to stipulate to allow a hearing into the findings of fact contained in a proposed order of the Board to deny those fees, on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present.

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## SPECIAL ORDERS

## PLANNING MATTERS

(110-231)

Hearing was held as duly advertised to consider the establishment of Agricultural Preserve No. 231, in the Latrobe area, consisting of 149.10 acres, petitioned by Willard Thomas Egloff. The Planning Commission recommended approval, based on the finding that the establishment of the preserve is consistent with the Rural Estates-Agricultural Land Use Designation (1 dwelling unit per 5 - 20 acres) and all elements of the General Plan .

The Assessor's Office indicates that the land meets the following three criteria, as required, for inclusion in the Williamson Act:

1. The land consists of 20 acres or more;
2. There have been \$10,000 worth of agricultural improvements to the land, excluding dwelling and the cost of the land;
3. The land is capable of making a profit through agricultural pursuits.

Mr. Egloff was present to answer any questions the Board members might have.

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

On motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried by those present, the Board concurred in the finding of the Planning Commission and approved the establishment of Agricultural Preserve No. 231, and adopted RESOLUTION NO. 19-81 accordingly, and authorized the Chairman to sign the Williamson Act Contract for same.

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Mr. Ken Milam, Planning Director, reviewed the matter for the Board, advising the matter had been continued to allow the developer an opportunity to meet with the four neighbors who have water pressure problems and are concerned about those problems being intensified by the proposed subdivision. The four neighbors concerned are: Uptons, Hornsbys, Osbornes and Rasinias. The developer did meet with those neighbors, as well as representatives of the El Dorado Irrigation District (E.I.D.). Mr. Bendzulla has offered to provide installation of interim pumping stations to serve these four properties until the area-wide masterplan is prepared and constructed by E.I.D. in the future.

Mr. Don Fallon, representing Mr. Bendzulla, was present and confirmed Mr. Bendzulla's offer.

The Chairman re-opened the public hearing, and Messrs. Upton, Osborn, and Rasina spoke to the matter. All felt that it was unfortunate that Mr. Bendzulla is having to bear the burden of E.I.D.'s responsibility to the residents in the area, and noted their many years of unsuccessfully trying to have their water pressure problems resolved by E.I.D.

The question arose as to who would maintain the interim pumping stations that Mr. Bendzulla offered to install. Mr. Fallon stated he was sure E.I.D. would agree to maintain them, as they are the property of E.I.D., but he did not have anything in writing to assure everyone of that fact. Mr. Rasina stated that he would not accept responsibility for maintaining the pumping station to be installed on his property, and he would like to see something in writing as to who will maintain it. Mr. Bendzulla then offered to maintain the pumping stations for a period of five years, however, the question then arises as to what happens at the end of that five year period if the problem still has not been permanently resolved by E.I.D.

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

Mr. Robert A. Laurie, Chief Assistant County Counsel, advised the Board that Supervisors Dorr and Lowe would not be able to vote on this matter until they review testimony at the previous two hearings -- either by listening to the tapes or reading the minutes of same. With Supervisor Walker absent, there were only two members present who could vote on the issue, therefore the request would have to be continued to allow Supervisors Dorr and Lowe an opportunity to review the previous testimony.

With the concurrence of Mr. Bendzulla, and on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried by those present, the matter was continued to February 10, 1981.

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282-1-81  
Hearing was held as duly advertised to consider the Appeal of Carol Templin on the Planning Commission's denial of Special Use Permit No. 80-114 to allow a general machine shop in an existing structure, as a home occupation, on ten acres of land, zoned Estate Residential Five-Acre Zone, in the Somerset/Fairplay/Mt. Aukum area.

Mrs. Jean Klotz, attorney, was present and spoke on behalf of the appellants, stating the Templins bought the property in early 1979, at which time Mr. Templin worked as a machinist in the city and commuted to work each day. In August of 1979 Mr. Templin obtained a building permit to construct a steel building on a cement floor to be used for storage.

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Soon after that, Mr. Templin fell ill and suffered occasional seizures, therefore, the Department of Motor Vehicles revoked his driver's license which meant he was unable to commute to his job, consequently he lost his job. When Mr. Templin's health improved, he was unable to find another job because of his medical history. He does not wish to rely on public assistance, therefore, he would like to operate a machine shop in the steel building, thereby remaining self sufficient.

The following persons submitted letters in opposition to Mr. Templin's request for a Special Use Permit: Mr. and Mrs. James D. Ferguson; John S. and Mary J. Herrmann; Mr. and Mrs. Gary P. Peters; and Jessie H. Festerman. Their concerns were increased traffic on Sandridge Road, noise, and pollution of the Cosumnes River.

Mr. Norm Tindell, who lives up the road from the Templins, was present and spoke in favor of Mr. Templin's request.

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

In response to concerns of residents in the area, Mrs. Klotz suggested the following conditions the County could impose, to which Mr. Templin would agree:

1. Combine the two parcels;
2. After necessary machinery is delivered and installed, no more pick-up and delivery activity - other than the Templins going to and from the site in their own vehicle - with the exception of the possible need, occasionally, to have equipment picked up and transported elsewhere for servicing or repair;
3. After machinery is installed, Board could request the Environmental Health Department to take a decibel reading outside the shop, with the doors closed, and impose a reasonable noise level as a restraint;
4. County Fire Coordinator could visit the site and make any suggestions he might have as to disposal of any waste or residue to make prevention of fire in the building more certain;
5. As to pollution concerns, County could impose a condition that all waste materials and scraps be placed in containers and transported off the property for sale or disposal;
6. Restrictions on size or hours of operation.

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, and Flynn; No: Supervisor Stewart; Absent: Supervisor Walker, the matter was referred to the Planning Department to define the conditions proposed, for further review and action by the Board on January 27, 1981.

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Hearing was held as duly advertised to consider the Appeal of Jacqueline Marliave on the Planning Commission's granting of Special Use Permit No. 75-100 to Cameron Park Investors Company to allow the use of a tract real estate office in an existing "A Frame" building in a Single Family Residential Zone, consisting of approximately 18,400 square feet, located at the southwest corner of Country Club Drive and Cameron Park Drive in Cameron Park. On December 30, 1980, at the direction of the Superior Court, the Board set aside its action of August 8, 1978, of approving the Special Use Permit and denying the Appeal, and set the hearing for this date to reconsider said Appeal.

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Mr. Patrick Riley, attorney, was present and spoke on behalf of the appellant, requesting the Special Use Permit be revoked on the basis that it was issued for a "tract" sales office, and there is no longer a need for a "tract" sales office on the north side of Cameron Park.

The following residents were present and spoke in opposition to the Special Use Permit: Mr. Carl Feichtinger, Chairman of the Cameron Park Property Owners' Association Architectural Committee; Mr. Carl Jones; Mrs. Micqui Miller, President of the Cameron Park Property Owners' Association; Mr. Eugene L. Cushman; Lt. Col. Ret. Frank Fucich; and Mr. Bob Pepper, resident of the south side of Cameron Park and member of the Cameron Park Planning Advisory Committee. The consensus of these people is that this commercial activity is in violation of their deed restrictions; that Kiernan Realtors will get this land zoned commercial on the basis of this existing use, which would have a "domino" effect resulting in commercial zoning along the entire strip between Highway 50 and County Club Drive. Mr. Pepper pointed out that there is plenty of commercial land in Cameron Park (including 35 acres on Cambridge Road) and no need to rezone residential lands to commercial zoning.

Mr. Daryl McKinstry, attorney, was present and spoke on behalf of Kiernan Realtors, the permittee. Mr. McKinstry stated that the permittee has relied on County permits since 1975, has built a business, and has never violated any directions of the Board of Supervisors. Mr. McKinstry stated that, since the Superior Court found certain wording objectionable in condition number 1 of the permit issued in 1978, the Board should simply issue the Special Use Permit as it was originally written in 1975. Mr. McKinstry requested the Board take into evidence, and review in its entirety, transcripts of previous hearings on this matter, excerpts of which Mr. Riley read this date.

Mr. Riley requested the Board to act on this matter now.

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

The Board was in receipt of three letters in opposition to the Special Use Permit: one from Dr. and Mrs. Al Schmid; one from Robert E. and Arline E. Hamilton; and one signed by Carl Feichtinger, Marjie Jenkin, Werner J. Igel, James M. Martino, J. W. Wenger, and Lloyd B. Shinn.

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board upheld the Appeal of Jacqueline Marliave and denied the Special Use Permit for a tract real estate office on the 18,400 square feet at the southwest corner of Country Club Drive and Cameron Park Drive, based on the following findings:

1. The application is for a tract sales office which is consistent with County Ordinance Code;
2. The existence of a tract sales office is inappropriate in the Cameron Park area as it exists today in light of the sell-out nature of the Cameron Park neighborhood; and
3. Were the permit to be issued, there would be injury to the neighborhood based upon encroachment of a commercial use into a residential neighborhood.

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Mr. McKinstry offered as evidence, a certified copy of the transcript from which Mr. Riley read excerpts, and requested the Board accept same. Chairman Flynn responded that the entire transcript is irrelevant to the Board's decision this date -- that all evidence necessary was submitted.

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At the request of the applicant, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the Board continued to February 3, 1981, the request of Universal Contractors, Inc., for rezoning of lands in the Cool/Pilot Hill area from Estate Residential Five-Acre Zone and Unclassified Zone to Single Family Three-Acre Residential Zone, consisting of 674+ acres, for Cool Properties Subdivision; and the Tentative Map, Design Waivers, and Environmental Impact Report for said Subdivision.

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The Board was requested by Mr. Robert Laurie, Chief Assistant County Counsel, to consider the question of whether the Summit View Subdivision (an adult mobilehome park) has a significant impact on the Mother Lode and El Dorado Union High School Districts, in accordance with Ordinance No. 3000.

The Board heard presentations by the subdivision developer, Mr. Allan M. Harris; his attorney, Mr. Gerald B. Ferrari; and the subdivision engineer, Mr. Larry A. Patterson.

Mr. Robert Edwards, Superintendent of the Mother Lode Union School District, and Ms. Freddie Clark, representing the El Dorado Union High School District, were present and spoke on behalf of said Districts.

On motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried by those present, the matter was continued to February 3, 1981, and the Board directed the developer and school district representatives to engage in meaningful negotiations and come back before the Board at that time.

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ORDINANCE NO. 3092 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, as an urgency Ordinance to become effective immediately, amending Ordinance No. 2009, an "Ordinance Adopting an Interim Fee Structure for the Improvement of Roads Within the County of El Dorado", for the purpose of extending the Ordinance and eliminating the "expiration clause", and designating that said fees be a condition for approval of Tentative Maps rather than Final Maps (with no change in the method of payment of said fees).

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 20 19 81

1320  
The Building Department submitted an Ordinance amending Section 10,222 of the County Ordinance Code and adding Chapter 9 to same, regarding grading and site drainage, to be used in lieu of Chapter 70 of the Uniform Building Code, to provide a base for the County Building Department's supervision of all grading work which is done pursuant to building construction. (Sponsor: Supervisor Walker)

On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, the matter was continued to January 27, 1981, with County Counsel requested to bring this back in the form of two separate Ordinances for introduction at that time.

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## GENERAL ORDERS

141  
At the recommendation of County Counsel, and on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved payment of the billing submitted by Attorney Richard C. Creegan of McDonald, Saeltzer, Morris & Caulfield, in the amount of \$3,127.48, for professional services rendered from August 8, 1980, to December 29, 1980, in the matter of Mills vs. El Dorado County, et al.

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114-6  
The Purchasing Agent submitted the results of Bid No. 172, legal and classified publication requirements for the period February 1, 1981 through January 31, 1982, for the east and west slopes of El Dorado County. The Board continued the matter to January 27, 1981, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried by those present.

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164-6  
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, Barbara Grigsby was appointed as District II representative to the Local Disaster Council for a term expiring January 6, 1985.

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2-19-81  
The appointment of alternate members to the El Dorado County Community Action Council was continued to January 27, 1981, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present.

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53  
At the request of the El Dorado County Chamber of Commerce, and on motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved the Chamber's arrangement with Assemblyman Norman S. Waters for a portion of the Chamber's building at 542 Main Street, in Placerville, to be used once a week as his regional office, for the purpose of continuing communications with the citizens of El Dorado County.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

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34  
(B)

The Board is in receipt of a letter from Mr. Leo J. Trombatore, District Director of Transportation, State Department of Transportation, dated January 7, 1981, in response to the Board's letter to said Department requesting additional signs on Highway 50 in the Cameron Park area. At the request of Supervisor Dorr, the Board informally directed that said letter be forwarded to ERA-Cameron Park, Realtors, who initiated the Board's action, by its letter of December 10, 1981.

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There being no further business to come before the Board this date, the meeting was adjourned to Tuesday, January 27, 1981.

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APPROVED:

  
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JOSEPH V. FLYNN, Chairman

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

By   
Deputy Clerk