

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

April 7

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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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 Supervisor Robert E. Dorr.

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The Agenda was adopted, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, with the addition of four items: a request for support of defunding of the Federal Legal Services Corporation; Supervisor Dorr's letter to Senator Garamendi regarding SB215 (Foran); a request from the U.S. Forest Service Lake Tahoe Basin Management Unit regarding the Santini-Burton land acquisition plan; and consideration of Board's action of March 31, 1981, regarding relocation of the Mental Health Program's Psychiatric Health Facility.

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The Minutes of March 31, 1981, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried.

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On March 31, 1981, the Board authorized the Chairman to sign a one-year Lease with MORE and Company for rental of premises located at 6243 Pleasant Valley Road, El Dorado, for relocation of the Mental Health Program's Psychiatric Health Facility, at a total cost of \$25,140.00, with the Chairman directed not to sign said Lease until April 7, 1981, so the Board could determine public response to the action.

Supervisor Walker advised that the Board is now in receipt of petitions signed by 47 area residents and businessmen opposed to the relocation of this facility in their area, and one person who stated he would like to have more information regarding same.

Dr. Dougherty was again present to speak to the need for this facility, and the following residents were present to express their opposition: Ron Ellenberger, Carol Russell, and Glen Ridge.

Supervisor Walker again expressed his concern that the area residents were not adequately informed of the Health Department's plans to relocate the facility in their neighborhood, and feels they should have been given proper notice and an opportunity to speak to the matter. Dr. Weidmer, Director of Health Services, stated his department would be willing to conduct a meeting with the area residents, at a location in their neighborhood and during evening hours, and then bring the matter back to the Board for its consideration.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board rescinded its action of March 31, 1981, to authorize the Chairman to sign, this date, a one-year Lease with MORE and Company for rental of premises located at 6243 Pleasant Valley Road, El Dorado, for relocation of the Mental Health Program's Psychiatric Health Facility; and the matter will be reconsidered on April 21, 1981.

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

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

* * * *

117 Budget Transfer No. 76 was approved for the Elections Department, trans-
ferring \$3,600.00 from Office Expense (92-2170) to Fixed Assets (92-3370)
to purchase a new filing system for voter registration.

Budget Transfer No. 77 was approved, advancing \$5,111.85 from the County
Treasury(800) to STA-CTRPA (245) to cover a negative balance until May 15,
1981, when additional revenue will be received.

* * * *

298A The Board approved Assessment Roll Changes numbered 1210; 1213; 1214; 1215;
1216; 1221; 1222; 1227; and 2637.

* * * *

247 The Chairman was authorized to execute a Release of Lien, 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>	
Sylvia Fournier	1609	531

* * * *

8 At the recommendation of County Counsel, the Board denied an Application
for Leave to Present Late Claim for personal injuries, in the amount of
\$150,000.00, submitted by Attorney David M. Blackman, on behalf of Dennis R.
Guge.

* * * *

58 At the recommendation of County Counsel, the Board denied a claim for
personal injuries, submitted by Attorney James C. Hagedorn, on behalf of
Traci L. and Phillip G. Caress, in the amounts of \$125,000 and \$40,000
respectively.

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*(178-1)
100-10* The Board accepted for placement in the Clerk's records, the County Clerk's
Certification of Results of the Pleasant Valley Fire Protection District
All Mail Ballot Election held March 24, 1981.

* * * *

*425
Bostrom
Lundgren
Thompson
37-1* At the request of Harold S. Prescott, Jr., project engineer, as submitted
by the Public Works Department, the Board approved the reduction of the
Subdivision Improvement Letter of Credit for Castlewood Subdivision Unit
No. 1, in the amount of \$87,473.06, leaving a balance of \$13,871.45.

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At the request of Community Programs, the Chairman was authorized to sign
the El Dorado County Community Action Agency's Project Progress Review
Report for 1980-81, for submittal to the Community Services Administration.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

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22-1
At the request of the Health Department, RESOLUTION NO. 87-81 was adopted authorizing the Chairman to sign Amendment No. 2 to the Agreement with the State Department of Health Services for funds to provide family planning services, increasing said funds by \$6,140.00 for Fiscal Year 1980-81.

* * * *

(1149)
240
At the request of the Farm Advisor, the Board waived formal bidding procedure and authorized the Purchasing Agent to purchase, on a sole source basis, a Gestetner mimeograph machine for the Farm Advisor's Office, at a total cost of \$2,168.39; and authorized the Chairman to sign Budget Transfer No. 78, in the amount of \$683.39 for said purchase.

* * * *

411-234
At the recommendation of the Planning Commission, the Board set a public hearing for April 21, 1981, at 2:00 p.m., to consider the establishment of Agricultural Preserve No. 234 in the Latrobe Area, consisting of 200 acres, as requested by Robert Clarke and Surfside Hawaii, Inc.

* * * *

61-3
RESOLUTION NO. 88-81 was adopted, setting a public hearing for Thursday, April 30, 1981, at 2:00 p.m., at South Lake Tahoe, to consider the service fee imposed on improved parcels within County Service Area III for mosquito abatement purposed.

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123-3
RESOLUTION NO. 89-81 was adopted to provide tax revenues to the El Dorado Hills Community Services District for annexation of lands (Shadow Hills Subdivision) to said District where no recreational and parks service has previously been provided.

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A.D.
Horseshoe
RESOLUTION NO. 86-81 was adopted, on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, setting a hearing for April 28, 1981, at 11:30 a.m., to consider adoption of a Resolution of Necessity to acquire property by eminent domain for Rosebud Drive-Buena Vista-Hilton Way Assessment District.

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On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board set the following Policy Review Sessions for May 13, 1981:

- (21)
12:16
(66)
(85-1-1)
9:00 a.m. - regarding microwave instrument landing system at the Lake Tahoe Airport;
10:00 a.m. - for an examination of County regulations for determination of whether they are affecting the housing industry and prohibiting the low-to-moderate income people from buying into it;
11:00 a.m. - regarding the request of the Taxpayers Association for discussion of Bureau of Land Management (BLM) and Forest Service "islands";
1:30 p.m. - regarding the future administration of the Comprehensive Employment and Training Act (CETA);
2:30 p.m. - regarding an Ordinance relating to the placement of mobile-homes in residential zones.

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Legislative Matters were considered and acted upon as follows:

324
The Del Norte County Board of Supervisors requested support of its Resolution, adopted March 23, 1981, requesting legislation on Welfare Reform in California. On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Board declared its intent to support Del Norte County's position, and Supervisor Lowe will assist in drafting a Resolution to be brought before this Board for adoption on April 14, 1981.

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325
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board expressed its support of the defunding of the Federal Legal Services Corporation as recommended by President Reagan and California Senators Hayakawa and Cranston.

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326
On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Board authorized Supervisor Dorr to deliver his letter to State Senator John Garamendi, dated March 24, 1981, wherein he advises this Board feels the Foran Bill (Senate Bill 215), which calls for a raise in gasoline taxes to pay for road maintenance, does not go far enough to resolve the problem of deteriorating roads.

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1244
At the request of the Public Works Department, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board approved plans for the following two projects, to be funded by Road Impact Fees, and authorized work to proceed by Force Account:

- a. Garden Valley Road Walkway and Footbridge Project (\$4,000.00 budgeted for same);
- b. Harkness Street Pedestrian Walkway Project (\$4,000.00 budgeted for same).

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423
Upon being advised by Public Works that the following subdivisions have been completed in accordance with the plans and specifications, RESOLUTIONS NOS. 90-81, 91-81, and 92-81 were adopted, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, accepting the streets within said subdivisions into the County Maintained Road System; and the Board authorized retention of 10% of bonds and letter of credit as warranty of workmanship and materials for a period of one year:

- Approved by Board
at Public Works
Reagan
Bill #10 4/11/81
- a. Springwood Subdivision, in the amount of \$24,421.61;
 - b. St. Andrews Village Unit No. 6 Subdivision, in the amount of \$17,150.00;
 - c. Ridgeview Village Unit No. 10 Subdivision, in the amount of \$17,400.00.

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329
Community Programs requested approval of a Proposal, to be submitted to the California Energy Extension Service, for a grant, in the amount of \$36,855.00, to provide workshops in self-help weatherization and solar projects for households whose incomes are between 125% and 195% of the Federal Poverty Guidelines. A motion of Supervisor Dorr, seconded by Supervisor Lowe, to approve the request, did not carry by the following vote: Ayes: Supervisors Dorr and Lowe; Noes: Supervisors Walker, Stewart, and Flynn.

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Ms. Bev Chadwick was present to speak on behalf of her request for a waiver of the time limitation for Application for Abatement of Penalty for failure to file Change in Ownership Statement with the County Assessor, and requested the Board abate said penalty as she had submitted said form.

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board approved the request and abated the penalty, based on the finding that Ms. Chadwick did mail the Change of Ownership Statement in on time.

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At the request of the El Dorado County Fair Association, and on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board approved the Sublease of Real Property between Los Rios Community College District (Sublessor) and Arnold Brink of Carmichael (Sublessee), for use of the main parking lots at American River College, Placerville Campus, on Saturdays and Sundays during period April 4, 1981 through October 31, 1981, at a cost of \$1.00.

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At the request of the Probation Department, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Stewart, and Flynn; No: Supervisor Walker, RESOLUTION NO. 93-81 was adopted, approving a Grant Renewal Application, in the amount of \$45,997.00, for the Victim/Witness Assistance Program, to be submitted to the State Office of Criminal Justice Planning.

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On motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Board approved the request of Dr. James M. Miner for a sewer permit transfer from Parcel D of Parcel Map Book 8, Page 18 (Parcel No. 80-050-12) to Lot 1, Tahoe Paradise Addition No. 1 (Parcel No. 33-652-01).

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On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign a Memorandum of Understanding with the El Dorado County Sheriffs' Association for period January 1, 1981 through December 31, 1982.

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ORDINANCE NO. 3120 was adopted, on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, amending Section 25,502 of the County Ordinance Code, regarding appointment of members, terms of office, and meetings of the El Dorado County Commission on Aging, to comply with the 1981 Older Californians Act. (Introduced March 31, 1981)

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At the recommendation of the El Dorado County Western Slope Energy Advisory Council, and on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board directed that letters of support be sent to the President, the Nuclear Regulatory Commission, the House Appropriations Subcommittee on Public Works, and California Governor Edmund G. Brown, Jr., requesting the expediting of the licensing of the Diablo Canyon Power Plant.

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(12-11)
165
At the request of the Western Slope Energy Advisory Council, and on motion of Supervisor Stewart, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Walker, Stewart, and Flynn; Noes: Supervisors Dorr and Lowe, the Board authorized funds in the amount of \$467.00, from the Buildings and Grounds Account, to be used for the weatherization of the District Attorney's building, and authorized two Public Works employees to perform the work.

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294
On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board approved abatement of penalties for failure to file Change in Ownership Statements with the County Assessor for the following:

1. Darrel E. and Judith L. Arnold (APN 84-010-19)
2. John A. and Karen K. Kessler (APN 90-210-07)
3. Pedrotti & Shipley Interiors (APN 31-052-02)
4. Covert Bailey (APN 37-010-29)
5. William L. and Edith M. Byng (APN 48-250-14)
6. Barry E. and Janice E. Tockar (APN 325-300-20)
7. Dennis K. Pyeatt (APN 77-090-79)
8. Benjamin H. and Thelma M. Beard (APN 69-010-23)
9. Louis C. and Jeanie Campbell (APN 67-290-75)
10. Douglas and Kathryn Caldwell
11. Samir Anastas (APN 22-343-11)
12. Photios G. Mamacos (APN 48-210-18)
13. Lyon Farm Associates of Western Connecticut (APN 22-421-13)
14. Levert Investment Ent. Inc. (APN 329-343-10)
15. Jim and Louise Thorne (APN 81-091-02)
16. J. D. and Therese Walsh, Jr. (APN 27-153-19)
17. Helen Brosnan (APN 58-870-17)
18. Sebastian J. and M. Elizabeth Paterniti (APN 32-332-02)
19. Leonard D. and Christie S. Olson (APN 31-153-06)
20. Frank M. Perez (APN 23-694-19)
21. Francis Joseph and Joyce L. Rocheleau (APN 77-090-88)
22. Anthony and Mary Fazio (APN 27-355-11)
23. George A. and Antoinette D. DiGioia (APN 22-071-12)
24. John D. and Penny F. Combs; Wells and Bennett Partnership (APN 33-603-05)
25. William Nakano (APN 41-480-08)
26. Leonard Duckworth (APN 26-145-11)
27. Robert L. Macy; Susan L. Ninneman (APN 77-090-37)
28. Gerald L. and Doreen F. Eaton, et al (APN 34-284-02 and 34-284-03)
29. Bruce A. and Barbara Davis (APN 22-331-02)
30. Oscar B. and Mary R. Snyder, Jr. (APN 31-082-04, 31-082-05, and 31-082-06)
31. Mark A. and Stacia S. Thiessen (APN 101-060-27)
32. Robert and Betty Leak (APN 93-140-17 and 93-140-18)
33. Lloyd D. Gabbert (APN 83-020-11, 83-020-12, 83-020-17, and 83-020-18)
34. L. R. Alderman (APN 101-030-04, 101-030-26, and 101-030-28)
35. Bernard A. and Marie Louise Mosbacher, Sr. (APN 31-152-01)
36. Garibaldi Roach, Inc. (APN 90-032-13)
37. Arthur O. and Luann Hawkins (APN 38-351-03)
38. Alex Leganza (APN 43-450-05)
39. Roger B. and Janice Chappell (APN 46-240-01 and 46-240-02)
40. Michael Robert and Graciela Fregeau (APN 92-252-04)
41. Eduardo and Donna R. DeClue Galvan (APN 95-020-75)
42. Donald and Patricia Wills (APN 38-300-112)

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43. Robert Don and Marilyn Karen De Metri (APN 23-696-23)
44. Clara M. Hickie; Zelko and Mary Ann Pavic (APN 33-512-06)
45. Sheila A. Dale; Sylvia Warren (APN 31-183-17)
46. Charles H. and Betty Y. Nagano (APN 22-101-49)
47. Richard and Annette Robison; Alan R. and Dana M. Robison (APN 42-515-10)
48. Daniel Sean and Stephanie Russell (APN 2-331-04)
49. Robert J. and Susan N. Wilson (APN 70-170-34)
50. Stephen Raymond and Edward W. Downer (APN 23-541-36)
51. John H. and Grayce A. Broughton (APN 80-113-04)
52. Robert J. Bolender, et al (APN 31-075-05 and 31-075-16)
53. James T. O'Brien, et al (APN 31-206-04)
54. Samir Anastas (APN 22-132-10)
55. Fred G. and Pauline A. Jenson (APN 66-722-03)
56. Brian R. and Lee Fitzgerald Smith (APN 51-506-02)
57. M. P. and Kathryn A. Burk (APN 34-266-30)
58. Leon T. and Patricia Hood (APN 41-734-09)
59. Walter D. and Janet E. Rodrigues (APN 85-351-10)
60. Edward and Dawn A. Curtin (APN 77-090-78)
61. David L. and Cynthia F. Butler (APN 68-574-06, 68-574-07, 68-574-08, and 68-574-09)
62. Western Cities, Inc., c/o James Harris (APN 70-180-20)

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SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider rezoning of lands in the Diamond Springs/El Dorado area from Estate Residential Ten-Acre Zone to Estate Residential Five-Acre Zone, consisting of 12 acres, petitioned by Robert Fuller and Phillip Stewart. The Planning Commission recommended denial, based on the finding that the request is in compliance with the El Dorado/Diamond Springs Area Plan; however, the RE-10 Zoned lands in this area were proposed to be held in "urban reserve lands."

Mr. Robert Fuller and his attorney, Mr. Patrick Riley, were present to speak to the request.

Mr. Hagen and his representative, Mr. John O'Leary, were present to speak in opposition to the request. Mr. Hagen owns acreage adjacent to the property in question, on which he operates a cattle ranch.

The Board also received a letter of opposition from Mr. Richard D. Scherer.

The following owners of property in the area sent letters to the Board in support of the request: Robert W. Vaught, Dale M. Korzan, and Frank D. and Grace E. Wheeler.

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

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board found the rezoning to be in conformity with the General Plan; accepted the Negative Declaration; and approved the rezoning by adoption of ORDINANCE NO. 3121 which amends the County Zoning Ordinance accordingly.

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283-26-81
390-90
Hearing was held as duly advertised to consider rezoning of lands in the Georgetown area from One-Acre Residential Zone to Planned Commercial Planned Development Zone, consisting of 1.41 acres, petitioned by John E. and G. Ann Anderson. The Planning Commission recommended denial based on the finding that the request is in conflict with Policy D-1 of the Georgetown Area Plan, which reads as follows: "Locate commercial development in the Main Street core area and expand as required along Highway 193. Retain the Post Office in a central location. The core area is defined as extending from the Georgetown Divide Public Utilities District along Main Street to the Marshall Grade turn-off, including South Street and Church Street within this corridor, and extending north and south from the intersection of Highway 193 and Main Street."

Mr. Jack Anderson was present and spoke on behalf of his request.

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

Mr. Ken Milam, Planning Director, recommended that, if the Board approves the rezoning, it should probably just rezone the property to Planned Commercial, without the Planned Development overlay, due to the small size of the parcel.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board found the rezoning to be in conformity with the Policies of the Georgetown Area Plan, and the Plan itself; accepted the Negative Declaration; and approved rezoning of the property to CP, Planned Commercial Zone, by adoption of ORDINANCE NO. 3122 which amends the County Zoning Ordinance accordingly.

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265-17-81
390-90
Hearing was held as duly advertised to consider rezoning of lands in the Garden Valley area from Estate Residential Ten-Acre Zone to Estate Residential Five-Acre Zone, consisting of 19 acres, petitioned by Jill E. Johnson. The Planning Commission recommended denial, based on the following findings:

1. The request is not in compliance with the El Dorado County General Plan. The Garden Valley Area Plan shows a Land Use Designation of Single-Family, Low Density, one (1) dwelling unit per five (5) acres; however, Policy F-1 states that areas with slopes over 30% should have rural residential/agricultural densities, 10-acre minimum parcel sizes; therefore, the request is in conflict with the Area Plan Policies;
2. The majority of the parcels are over 30% slope.

Ms. Jill Johnson and her representative, Mr. Bill Rothaus, were present and spoke to the request.

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 Walker, Stewart, and Flynn; Noes: Supervisors Dorr and Lowe, the Board found the rezoning to be in conformity with the General Plan; accepted the Negative Declaration; and the rezoning was approved by adoption of ORDINANCE NO. 3123 which amends the County Zoning Ordinance accordingly.

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281-215-81
391-9a
Hearing was held as duly advertised to consider rezoning of lands in the Pollock Pines area from Single-Family Residential Zone to Multi-Family Zone, consisting of 16,000 square feet, petitioned by Donald J. and Irene M. Williams. The Planning Commission recommended approval based on the finding that the zone change is consistent with the County General Plan.

Mrs. Betty Westerhat was present and spoke on behalf of the applicants.

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

On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried, the Board found the rezoning to be in conformity with the General Plan; accepted the Negative Declaration; and the rezoning was approved by adoption of ORDINANCE NO. 3124 which amends the County Zoning Ordinance accordingly.

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28-2901
34-9a
Hearing was held as duly advertised to consider rezoning of lands in the Salmon Falls area from Agricultural Zone to Estate Residential Five-Acre Zone, consisting of 10.68 acres, petitioned by S. Cobb, on behalf of Warren G. Sargent. The Planning Commission recommended approval, based on the following findings:

1. The request is in compliance with the El Dorado County General Plan;
2. The project site has adequate access for the density proposed; the site is currently serviced by a parcel map road created by tentative parcel map P75-391;
3. The project site has adequate public services for the density proposed: water - private wells; sewage disposal - septic systems; fire protection - Rescue Fire District.

Mr. Cobb was present and spoke to the request.

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

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Board concurred in the Planning Commission's findings; accepted the Negative Declaration; and approved the rezoning by adoption of ORDINANCE NO. 3125 which amends the County Zoning Ordinance accordingly.

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46-110
The Board again considered the request of Archie and Ethel Lawyer and Ethel Tidd for cancellation of a portion of Agricultural Preserve No. 190, consisting of 1,000 acres, in the Pilot Hill-Cool area.

Attorney Gorman Silen was present to speak on behalf of Archie and Ethel Lawyer, and Attorney John Weidman was present to speak on behalf of Ethel Tidd.

Mr. Silen stated again that he does not believe an Environmental Impact Report (E.I.R.) is required for this cancellation. He advised that immediately upon cancellation of the Williamson Act Contract, his clients will apply for zoning to accommodate twenty-one 40-acre parcels zoned A, Agricultural, or AE, Exclusive Agricultural; and two 80-acre parcels. Mr. Silen also reviewed much of the testimony presented at previous Board meetings regarding this request.

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Mr. Weidman stated he, too, does not believe this cancellation creates a situation which would qualify under the California Environmental Quality Act (C.E.Q.A.) for an E.I.R. The property now can have one or two residences on it and, after the cancellation, could have six to eight residences, each on 120-acre parcels, which Mr. Weidman believes does not have a substantial impact on the physical environment of the area. Mr. Weidman stated that, should the owners apply for zoning to 80-acre and 40-acre parcels at a later date, and the County requires the preparation of an E.I.R. at that time, the owners would be willing to comply. Mr. Weidman then reviewed what he considers "extraordinary circumstances" affecting the owners of this agricultural preserve, regarding inheritance tax laws, times of deaths, and the present financial status of the heirs, which he feels justifies the cancellation of the Williamson Act Contract for same. Mr. Weidman believes the public interest is out-weighed by these "extraordinary circumstances".

Supervisor Flynn made a motion, which was seconded by Supervisor Walker, to approve the cancellation of a portion of Agricultural Preserve No. 190, consisting of 1,000 acres, in the Pilot Hill-Cool area; and accept the Negative Declaration, as the change of use contemplated is not significantly different than what it has been in the past, based on the contention that the Planning Commission will hold hearings on the Board's request for suitable agricultural zoning at a minimum of 40 acres or larger; with approval of the cancellation based on the following findings:

1. The normal method of cancellation (being non-renewal) would fail to serve the applicants' purpose, as is evidenced by the economic necessities of the applicants who are unable to wait the nine years for roll out;
2. The cancellation, with no specific alternate use proposed, would retain the agricultural and open space uses which presently occupy the land;
3. The evidence has shown the market relating to cattle grazing has changed significantly since the contract was entered into;
4. There is not consideration of alternate use of the land, as discussions regarding potential uses are not specific and brought forward for discussion purposes only.

After discussion of the motion, the Chairman called for the vote, and the motion failed by the following vote: Ayes: Supervisors Walker and Flynn; Noes: Supervisors Dorr, Lowe, and Stewart.

Supervisor Lowe made a motion, which was seconded by Supervisor Dorr, to deny the request for cancellation of a portion of Agricultural Preserve No. 190, consisting of 1,000 acres, in the Pilot-Hill Cool area, as there has been insufficient evidence submitted to show: (1) that the cancellation would be in the public interest; and (2) that there has been any significant change in conditions since the time the contract was entered into to warrant a cancellation of the contract based upon the uneconomic quality of the land. The motion did not carry by the following vote: Ayes: Supervisors Dorr and Lowe; Noes: Supervisors Walker, Stewart, and Flynn.

The matter was continued to April 28, 1981, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Walker, Stewart, and Flynn; Noes: Supervisors Dorr and Lowe.

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221-3
(221-5)

The Mother Lode Union and El Dorado Union High School Districts responded to the Board's request of March 10, 1981, that said Districts discuss the matter of the safety of children walking several hundred yards along Highway 49 to the access road leading to Charles Brown School, and grant and accept the necessary easement across El Dorado Union High School District property to solve the problem, as recommended by Attorney Jean Klotz.

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board acknowledged receipt of said correspondence from the two school districts, and directed they be placed on file.

Attorney Jean Klotz was present to make a statement on behalf of Dr. Michael E. Arnell who owns property in the vicinity which he plans to develop. Mrs. Klotz stated that, since the school districts feel this is not a proper arena for them to enter and they do not plan to take steps to rectify the problem, her client will take the position that there is no problem and if there were, there is always the solution for the school districts to reconsider their position and grant and accept the necessary easement.

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ASSESSMENT AND SPECIAL DISTRICTS

A.D.
Cedar
Blvd

The Board considered initiation of special assessment proceedings for the road improvements to Cedar Boulevard in the Garden Valley Ranch Subdivision in Garden Valley.

Accordingly, Mr. Stephen R. Casaleggio of Jones, Hall, Hill & White, bond counsel, recommended adoption of the following:

- a. Resolution Appointing Engineer and Attorneys;
- b. Resolution Determining to Undertake Proceedings Pursuant to Special Assessment and Assessment Bond Acts for the Making of Acquisitions and Improvements Without Further Proceedings under Division 4 of the Streets and Highways Code;
- c. Resolution of Intention to Make Acquisitions and Improvements.

Mrs. Sally Monteath was present and spoke on behalf of those homeowners who favor the formation of an assessment district for the purpose of improving Cedar Boulevard.

Mr. Cecil Jones was present and spoke on behalf of those homeowners who oppose the formation, but wish to form a community services district for the purpose of improving all the roads in Garden Valley Ranch.

Mrs. Rebecca Cuts was present and stated that many of those, like herself, who signed the petitions in favor of formation of an assessment district, also signed the petitions in favor of forming a community services district when ^{they} were made aware that such an option is available and would benefit more people as it would facilitate improvement of all the roads.

Mr. Bill Rathaus was present and stated that he is not a part of either group, but supports the group desiring formation of a community services district. Mr. Rathaus asked why it is necessary to hire an out-of-town engineer. He lives in the area, is a licensed engineer, and would do the engineering work himself in lieu of his assessment.

Continued next page

STATE OF CALIFORNIA, COUNTY OF EL DORADO

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Board members expressed concern over the fact that the residents of the area are not in agreement as to what should be done and, of those present, they seem to be equally divided.

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the matter was continued to April 21, 1981, at which time the two groups (one desiring formation of an assessment district, and one desiring formation of a community services district) are requested to present more detailed and factual proposals for the Board's consideration.

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GENERAL ORDERS

(101)
115
Supervisor Stewart advised of a letter from the Lake Tahoe Basin Management Unit of the U.S. Forest Service, dated March 27, 1981, regarding the Santini-Burton land acquisition plan and the Unit's efforts to gather information and estimate the effects of said acquisitions upon the physical, biological, social and economic environment; and wherein the County is requested to provide, by April 17, 1981, a brief statement of the types and magnitude of effects that the acquisition will have upon the County.

On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, the matter was referred to the County Chief Administrative Officer, with direction to call upon the necessary County departments to gather the information requested and submit same to the Lake Tahoe Basin Management Unit for its meeting on April 17, 1981.

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(113)
2 p.
In an informal action, the County Chief Administrative Officer was requested to work with the County Clerk on the problem of the inadequate housing of the Elections Department, and research the possibility of relocating same.

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There being no further business, the Board adjourned to Tuesday, April 14, 1981, at 10:00 a.m.

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APPROVED:



JOSEPH V. FLYNN, Chairman

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

By 

Deputy Clerk