

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES May 19 19 81

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

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12-1 The Invocation was offered by Pastor Kenneth D. Harris, Calvary Bible 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 Lowe, and unanimously carried by those present, with the addition of two items: An Agreement with the State Department of Boating and Waterways for Federal Funds for a boating safety and law enforcement patrol on the South Fork of the American River; and the request of Mr. William Darr to place a mobilehome on his 10 acres until he can re-build his home which burned.

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The Minutes of May 12, 1981, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried by those present.

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422
2/23/81
At the recommendation of County Counsel, and on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried by those present, RESOLUTION NO. 151-81 was adopted, awarding the Latrobe School District 1974 School Bonds, Series B, in the amount of \$35,000.00, to the sole bidder, United States of America, Farmers Home Administration.

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233-4
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, and Flynn; No: Supervisor Walker; Absent: Supervisor Stewart, the Chairman was authorized to sign an Agreement with the State Department of Boating and Waterways, for Federal funds not to exceed \$15,500.00, to be used for purchase of equipment and to provide officers for a boating safety and law enforcement patrol on the South Fork of the American River for period ending June 30, 1981, and RESOLUTION NO. 150-81 was adopted accordingly; further, at the recommendation of the Purchasing Agent, the Board waived the formal bidding procedure and authorized the purchase of equipment necessary for said patrol.

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On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present, the Consent Calendar matters were considered and acted upon as follows:

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

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117
Budget Transfer No. 84 was approved, increasing the Public Guardian's Class II Budget by \$5,000.00 to cover a shortfall created by the necessity of paying board and care fees and not receiving the SSI/SSP payments from Social Security.

Budget Transfer No. 89 was approved for the Welfare Department, transferring a total of \$110,000 into Budget Account 1010.

Budget Transfer No. 90 was approved for the Welfare Department, transferring a total of \$125,000 into Budget Account 4005.

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292A The Board approved Assessment Roll Change numbered 1258.

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57 At the recommendation of County Counsel, the Board denied a claim for personal injuries, in the amount of \$1,000,000.00, submitted by Attorney David M. Blackman on behalf of Edward B. Carlson.

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58 At the recommendation of County Counsel, the claim submitted by Attorney Daniel B. Proud, on behalf of James Laughlin, for personal injuries, in the amount of \$500,000.00, was rejected as a late claim.

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354W At the request of the Drug Abuse Coordinator, the Board ratified the El Dorado County Drug Abuse Advisory Board Bylaws, which have been amended to conform to Senate Bill 1841; and appointed the following persons to the newly constituted Board: Elena Adams, Joe Alvey, Bob Ewing, Steve Healy, Woodrow Loit, Donna Nicolls, Gerry Orton, Allen Tuttle, and Dan Weinberg.

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341.1 At the recommendation of the Agricultural Department, the Chairman was authorized to sign the following:

- a. Lease with Amador County for use of El Dorado County's heavy capacity weight truck, at a cost of \$650.00, for period July 1, 1981, through June 30, 1982; and
- b. Lease with Placer County for use of El Dorado County's heavy capacity truck and 20-gallon liquified petroleum gas test prover, at a cost of \$1,550.00, for period July 1, 1981, through June 30, 1982.

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341-1 RESOLUTION NO. 147-81 was adopted, at the request of the Agricultural Department, authorizing the Chairman to sign an Agreement with the State Department of Food and Agriculture for equipment, personnel, and materials necessary to place and service 250 traps for the Mediterranean Fruitfly Trapping Program, at a cost of \$10,755.00.

* * * *

166 At the request of the Office of Emergency Services, the Chairman was authorized to sign a Letter of Promulgation, supporting the California Emergency Plan and Emergency Resources Management Plan, and urging citizens to participate in the total emergency effort of El Dorado County, City of Placerville, and City of South Lake Tahoe.

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The Board approved abatement of penalties for failure to file Change in Ownership Statements with the County Assessor for the following:

1. George & A. Claire Deubel (APN 98-020-30)
2. David & Debra Edwards (APN 58-490-27)
3. Irmgard Johnson (APN 48-350-17)
4. Eldon L. & Myra K. Barry (APN 41-722-10)
5. Joseph D. & Bertha Leger (APN 41-881-09)
6. Andrew P. & Dorothy Jensen (APN 6-380-09)
7. James I. & Helen S. Kolonics (APN 323-170-19)
8. Curtis & Jennifer Zlokovich (APN 33-441-23)

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At the request of the Purchasing Agent, the Board waived formal bidding procedure and authorized purchase of two Maytag commercial washing machines for Juvenile Hall, at a total cost of \$1,148.31, including tax, with funds to be taken from unspent money in the Juvenile Hall Expansion Project Budget, and the Chairman was authorized to sign Budget Transfer No. 88 accordingly.

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The Board set a public hearing for May 26, 1981, at 2:15 p.m., to consider an Appeal submitted by Mr. Melvin Hamilton on the Planning Commission's denial of River Use Permit No. 81-72 for river rafting on the South Fork of the American River.

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The Board set a public hearing for May 26, 1981, at 2:30 p.m., to consider an Appeal submitted by Mr. Ken Brunges on the Planning Commission's denial of River Use Permit No. 81-69 for river rafting on the South Fork of the American River.

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At the request of the El Dorado County Resource Conservation District, the Board proclaimed the week of May 24 through 31, 1981, as "Soil Stewardship Week" in El Dorado County.

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At the request of County Counsel, and on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried by those present, the Board approved the drawing of warrants from the Rosebud Drive-Buena Vista Drive-Hilton Way Assessment District's property acquisition fund for payment of an invoice submitted by Morton & Pitalo, Inc., for \$400 for maps and descriptions necessary for eminent domain proceedings for said District, and an invoice submitted by Earl C. Johnson, M.A.I., for \$750 for appraisal reports for the five parcels involved in said proceedings, with the "take" values to be deposited with the Superior Court.

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On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried by those present, the Board continued to May 26, 1981, the request of the Public Works Department that the Chairman be authorized to sign the Notice of Completion for construction of the handicapped restroom at the Veterans Building by DRW Construction, Inc.; and payment, in the amount of \$6,943.00, be authorized to same.

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372a
The Health Department requested the Chairman be authorized to sign an Agreement with the State Department of Health Services for family planning services, in the amount of \$105,000.00, for period July 1, 1981, through June 30, 1982. On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved the request, and RESOLUTION NO. 146-81 was adopted accordingly; further, the Board requested the Chairman forward letters to Congressman Norm Shumway and Senator S. I. Hayakawa, pointing out the ridiculous nature of Paragraph 20 (pages 11 and 12) in said Agreement which requires the County to comply with all the requirements of Section 114 of the Clear Air Act and Section 308 of the Federal Water Pollution Control Act.

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310
RESOLUTION NO. 149-81 was adopted, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, authorizing the closure of Rubicon Trail from Wentworth Springs to Rubicon Springs, between 8:00 a.m. on Thursday, July 23, 1981, and 10:00 a.m. on Sunday, July 26, 1981, for the 29th Annual Jeepers Jamboree.

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Capital Outlay matters were considered and acted upon as follows:

- 74-2c
- 74-1
- Approval of conceptual plans for the South Lake Tahoe Cultural-Educational Center (Library) was continued to June 2, 1981, when all Board members will be present, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present.
 - The Chairman was authorized to sign the Notice of Completion for the Juvenile Hall Addition and Remodel Project, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present.

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On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, the Board set the following Policy Review Sessions:

- 17 14
22-17
with
20-1
104
- May 20, 1981, at 11:30 a.m., regarding the location of a psychiatric facility (later rescheduled for 2:15 p.m. same date);
 - June 10, 1981, at 9:00 a.m., with the Water Committee;
 - June 10, 1981, at 10:30 a.m., regarding the Sierra Family Medical Clinic;
 - June 10, 1981, at 1:30 p.m., regarding Fire Advisory Board Consolidation.

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29-14
Pleasant Valley Road
The Public Works Department submitted the results of the bid opening held on May 7, 1981, for the construction of the Pleasant Valley Road "Y" and Curve Improvement Project (FAS-HES V400(2)); and, at the recommendation of said Department, and on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried by those present, the Board awarded said bid to the low bidder, Greenhalgh Company, Inc., in the amount of \$227,106.65.

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The Public Works Department submitted a feasibility study for completion of the following projects, as requested by the Board on April 14, 1981:

- a. Bike path from Park Drive to Francisco Boulevard in El Dorado Hills;
- b. Path along Pony Express Trail in Pollock Pines
- c. Path, as designated in the adopted Bikeway Master Plan as SR-E, extending along Missouri Flat Road to Herbert Green School.

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved Alternate "B" for El Dorado Hills Boulevard, a side path at least 8 feet wide, two coats of chip and seal, along El Dorado Hills Boulevard from Park Drive to Francisco Boulevard, at a cost of approximately \$34,000.00, with the El Dorado Hills Community Services District to provide the funds for materials, and the County to provide labor and equipment.

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present, the Board approved Alternate "C" for Pony Express Trail, a side path at least 4 feet wide, with a gravel surface, which would meander through trees and other obstructions along Pony Express Trail from Ridgeway Drive to Sly Park Road, at an estimated cost of \$25,000.00; and the Board directed that said project be included in the County's Budget for Fiscal Year 1981-82.

Individually, Board members expressed intent for the \$14,355.81 of Transportation Development Act Funds allocated for Fiscal Year 1980-81 to be utilized for the Pony Express Trail side path described above.

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Hearing was held as duly advertised to consider the abandonment of a public utility and drainage easement located on the north side of Lot 2 of Deer Creek Estates Unit No. 1, as requested by Attorney David J. Spottiswood, on behalf of Delmed, Inc.

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

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present, RESOLUTION NO. 152-81 was adopted approving said abandonment.

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At the request of the District Attorney, and on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, the Chairman was authorized to sign contracts with Harold V. Cates and James R. Neves to provide investigative expertise, accumulate evidence, and testify at trials in and for special cases in violation of County Ordinances and State laws concerning the sale and development of real property, at a cost of \$17.50 per hour, respectively, plus reimbursement of expenses in accordance with the County travel policy. (Supervisor Lowe noted, for the record, that she is personally acquainted with Messrs. Cates and Neves.)

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On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present, the Board continued to May 26, 1981, consideration of the Assessor's recommendation that a fee appraiser be hired to appraise the 2-acre piece of County property (APN 84-17-15) on Mosquito Road, about one-half mile north of Union Ridge Road, for the purpose of establishing a minimum acceptable bid for public use (rather than the Assessor's Office personnel doing same as instructed by the Board on May 5, 1981).

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340
296
Pony Express Trail
296-4
El Dorado Hills Dist.

423
Deer Creek Estates

115-2

298
296-4
Mosquito Rd

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Hearing was held as duly advertised to consider the abandonment of the stub street portion of Marjorie Way within Alderman Acres Subdivision (along and only on the south line of Lot 21), as requested by Ernest and Della D. Mickle.

112-2-81
Mr. Mickle was present to speak to his request.

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

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present, RESOLUTION NO. 153-81 was adopted, approving said abandonment.

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34
On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, an Ordinance adding Section 16,701 et seq. to the County Ordinance Code, regarding beekeeping as an agricultural enterprise, was introduced, the reading thereof waived, and it was continued to June 2, 1981, for adoption. (Sponsor: Supervisor Walker)

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95
The Planning Department submitted for approval, the following revisions to Sections 3.0 "Limitation of Commercial Passengers, Group Size and Operating Plan" and 12.6 "Education Programs" of the Interim Management Plan for Whitewater Recreation:

- a. To allow each commercial rafting company to accumulate user-days in any one weekday period (Monday through Friday), up to a weekly maximum of 125 user-days on Friday;
- b. To clarify that the total season's user-day levels are regulated only on the weekend days (Saturday and Sunday);
- c. To further define Quiet Zone in Coloma.

Mr. Arlan Nickle of the Planning Department was present to answer questions Board members might have, and review the proposed changes.

Mr. Bob Harvey, riparian land owner, was present and voiced his objection to the Board considering amendments to the Interim River Management Plan without input from the citizens who worked on the development of said Plan. Mr. Harvey further expressed dissatisfaction with the County Planning Department for allowing illegal use of private lands for put-in and take-out of rafts, etc., to continue, and noted that the "Quiet Zone" in Coloma is still not being observed. Mr. Harvey also stated that sanitation facilities at the campgrounds along the river are being over used.

Individual Board members, too, expressed concern about land owners contracting with commercial rafting companies to allow use of their privately-owned land for put-in and take-out without having obtained Special Use Permits from the Planning Department to allow them to do so.

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the Board continued the matter to May 26, 1981, at which time Planning staff is requested to address questions raised this date and submit recommendations regarding same.

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50-10
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the Board accepted the resignation of Ms. Jean E. Smith as an alternate member for Supervisor Lowe to the El Dorado County Community Action Council, and directed that a Certificate of Appreciation be sent to Ms. Smith.

Further, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried by those present, the Board appointed Ms. Joyce Pierson to fill the position of alternate to Supervisor Lowe on said Council, for a term ending January 6, 1982.

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The El Dorado County Commission on the Status of Women requested a Resolution be adopted, opposing the discontinuation of funding for the State Commission on the Status of Women. Supervisor Lowe made a motion, which was seconded by Supervisor Dorr, to approve the request.

355
Mrs. Roberta Long, Chair of the El Dordo County Commission on the Status of Women, was present to speak to the request, stating Board approval would be a vote of confidence for the local Commission which relies on the State Commission for information and assistance.

Supervisor Walker stated he could not support the motion, stating he did not feel the County should interfere with the State's "budget business" any more than he wants the State to interfere with the County's "budget business".

Supervisor Flynn suggested that the Board have the Resolution prepared and before it before considering its adoption.

Supervisor Lowe withdrew her motion to approve the request; and, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the request was continued to May 26, 1981, with direction that an appropriate Resolution be drawn and before the Board that date.

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On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present, the Board approved the following requests of the Commission on the Status of Women:

- 355
- a. Authorization to reimburse expenses for guest speakers at domestic violence hearings, held May 14, 1981, at South Lake Tahoe and May 20, 1981, at Placerville, at a cost of \$90.00;
 - b. Approval of a five-member Committee, consisting of Dr. Frank Dougherty, Pat Taylor, Steve Healey, Terry Price, and Rosemary Manning regarding Domestic Violence Center funding.

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43
On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board directed that a letter of support be sent to Mr. Garth Tanner, Area Manager of Folsom Lake State Recreation Area, for the proposal of KROY AM & FM Radio Station for a "Summer 1981 Public Service Campaign" and "July Fourth Program" for Folsom Lake State Recreation Area".

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423
Franciscan
Village

Mr. Les Putnam, Vice President of Putnam and Jackson Enterprises, Inc., requested that the Final Map for Franciscan Village Subdivision be amended, eliminating the non-vehicular access easements on Francisco Drive. Supervisor Dorr expressed some concern about the matter, stating he did not feel the County should relinquish these easements without knowing the future plans for Lots A and B. Therefore, on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present, the Board continued the matter to the afternoon session of the Board's meeting on May 26, 1981, in order that Planning staff will be present for discussion on same.

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222-1-81

As Mr. William Darr's residence was destroyed by fire on May 16, 1981, the Board authorized the Planning and Building Departments to issue the necessary permits to Mr. Darr to allow him to place a mobilehome on his 10 acres of property in the Mosquito area, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present.

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SPECIAL ORDERS

PLANNING MATTERS

211-35-81
310-92

Hearing was held as duly advertised to consider the rezoning of lands in the El Dorado Hills area from Agricultural Zone to Commercial Zone, consisting of 3.83 acres, petitioned by Prospect Properties, Inc. The Planning Commission recommended denial based on the finding that it had not received information from the Agricultural Commission, the experts in the field, concerning the Exclusive Agricultural (Williamson Act Contract) properties to the west.

Mr. Ken Milam, Planning Director, advised he received the following recommendation of the Agricultural Commission via telephone conversation, this date, with Mrs. Marge Bolton, Secretary to the Agricultural Commissioner: "The Agricultural Commission recommended approval of this request, conditioning approval to this request only. Any further requests of this nature will have to be referred to the Agricultural Commission and considered on an individual basis".

Mr. Gene Thorne, engineer, was present and spoke to the request on behalf of the applicant. Mr. Ed Lily, President of Prospect Properties, Inc., was also present to speak to the request, stating his intent is to build a restaurant on the site.

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

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Walker, and Flynn; No: Supervisor Lowe; Absent: Supervisor Stewart, the Board accepted the Negative Declaration and approved the rezoning, by adoption of ORDINANCE NO. 3136 which amends the County Zoning Ordinance accordingly, based on the finding that the requested zoning is consistent with the General Plan.

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282-7-81

At the request of the appellant, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the Board continued to June 30, 1981, consideration of the Appeal filed by Joseph T. Brunello on the Planning Commission's denial of Parcel Map 80-142 to divide into 12 parcels, 16 acres, zoned Industrial, located 500 feet west of Mother Lode Drive and Pleasant Valley Road in the Diamond Springs/El Dorado area.

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Hearing was held as duly advertised to consider the Appeal submitted by Mr. Robert Jones, on behalf of Sundown River Trips (owned by Mr. Sam Fortner) on the Planning Commission's denial of River Use Permit No. 81-64 for river rafting on the South Fork of the American River.

4-4-81
Mr. Jake Raper, of the Planning Department, reviewed the matter for the Board, advising that Mr. Jones is attempting to purchase Sundown River Trips from Mr. Fortner. However, Mr. Fortner has the user days which are required to obtain the River Use Permit and the permit, if issued, is non-transferrable. Under the Interim River Management Plan, the permit would revert to the County if the business is sold, then it is the decision of the Board of Supervisors whether to reallocate the user days to the buyer or distribute them among other companies. Further complicating the matter is the fact that Mr. Fortner is unable to obtain consent from the property owner to put-in and take-out at Chili Bar, however he can operate Sundown River Trips on the lower half of the river by using put-ins and take-outs on Bureau of Land Management (BLM) lands, for which he does have the necessary permits. Mr. Jones does have the consent of the property owner to put-in and take-out at Chili Bar, therefore he can operate Sundown River Trips on the full length of the river, however he needs the River Use Permit to which only Mr. Fortner is entitled.

Mr. Robert Laurie, Chief Assistant County Counsel, asked Mr. Jones and Mr. Fortner if either had any knowledge of any negotiations with a third party for purchase of Sundown River Trips or its allocated user days, to which Mr. Jones and Mr. Fortner both responded "No". When questioned by Mr. Laurie, Mr. Jones stated it is his intent to purchase Sundown River Trips for the purpose of operating same himself, however, he would like assurance that he will receive the River Use Permit which will entitle him to the user days.

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

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present, the Board directed that River Use Permit No. 81-64, for 2,652 total season user days, be issued to Mr. Sam Fortner, owner of Sundown River Trips, with the condition that, if he sells the business to Mr. Robert Jones, the permit can be transferred to Mr. Jones upon his supplying the Planning Department the proper documentation that he has complied with all regulations, which includes an Operations Plan and documented consents for put-in and take-out sites; further, the Board stated that this action in no way sets a precedent, that this action is taken because of the time involved, i.e., the necessity of acting right away as the 1981 season is soon to begin; and River Use Permit No. 81-64 is also subject to the following 9 "standard" conditions which are applied to all such permits:

1. All private lands used for passenger and bus parking shall be properly zoned and/or have a valid special use permit;
2. All operators using public lands for put-in, take-out, camping or lunch or rest stops, shall secure the proper permits from the agency having jurisdiction over those lands. The river use permit shall not be valid until those permits are approved;
3. All commercial operators shall observe the quiet zone designated from the residential area above Coloma to rivers bend, below Camp Lotus;
4. All insurance must be kept in force throughout the season in the minimum amounts, as required by El Dorado County;
5. All commercial operators must comply with the provisions of the adopted Interim Management Plan;
6. All rafts or other floating devices must be clearly identified by the company's name that is visible from either shore of the river;
7. Conditions 1 through 9 must be met prior to operation;
8. Adequate documentation necessary for user days;
9. Clearance by the Environmental Health Department.

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Hearing was held as duly advertised to consider the Appeal submitted by Mr. Douglas McNair, Manager of Adventure Odyssey, on the Planning Commission's denial of River Use Permit No. 81-65 for river rafting on the South Fork of the American River.

Mr. Jake Raper, of the Planning Department, reviewed the matter for the Board, stating that the Planning Commission denied the River Use Permit because the applicant did not supply the proper breakdown of user days. Mr. Raper advised that the Planning Department has now received that information, and recommends approval of the application of Adventure Odyssey for a River Use Permit.

Mr. McNair was present and spoke to the request, stating it was very difficult to provide the proper documentation to the Planning Commission because the instructions regarding same, which were sent out by the Planning Department, were confusing.

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

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the Board directed that River Use Permit No. 81-65 be issued to Adventure Odyssey, Inc., (Mr. Douglas McNair, Manager) subject to the following 9 conditions applied to all such permits:

1. All private lands used for passenger and bus parking shall be properly zoned and/or have a valid special use permit;
2. All operators using public lands for put-in, take-out, camping or lunch or rest stops, shall secure the proper permits from the agency having jurisdiction over those lands. The river use permit shall not be valid until those permits are approved;
3. All commercial operators shall observe the quiet zone designated from the residential area above Coloma to rivers bend, below Camp Lotus;
4. All insurance must be kept in force throughout the season in the minimum amounts, as required by El Dorado County;
5. All commercial operators must comply with the provisions of the adopted Interim Management Plan;
6. All rafts or other floating devices must be clearly identified by the company's name that is visible from either shore of the river;
7. Conditions 1 through 9 must be met prior to operation;
8. Adequate documentation necessary for user days;
9. Clearance by the Environmental Health Department.

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The Board again considered the rezoning of lands in the Placerville Periphery area from Agricultural Zone to Estate Residential Five-Acre Zone, consisting of 12.34 acres, petitioned by Dayle Wellbrock. The matter was first heard by the Board on May 12, 1981, and the public hearing was closed at that time. The Planning Commission recommended denial of the request based on the following findings:

1. The property is part of the area being re-evaluated with the Placerville Periphery Area Plan;
2. The property is located at the east end of the Placerville Airport and in direct line with the take-off and landing zone;
3. The property has major slopes (20% - 0 to 10%; 25% - 10 to 15%; 25% - 15 to 20%; and 30% - over 20%) and is limited in building sites;
4. The Planning Commission is required to act within 90 days of the first public notice. First notice was published January 30, 1981, and the next available agenda was May 28, 1981.

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Mr. Bud Lane, of Huntley and Associates, was present on behalf of the applicant to answer any questions the Board might have.

On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried by those present, the Board accepted the Negative Declaration and approved the rezoning, by adoption of ORDINANCE NO. 3137 which amends the County Zoning Ordinance accordingly, based on the finding the requested zoning is consistent with the General Plan.

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The Planning Department submitted for the Chairman's signature, an Agreement with Mr. Art Ballard for the lease/purchase of the Bayley House in Pilot Hill.

(66)
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104-13
Mr. Robert Laurie, Chief Assistant County Counsel, advised the Board of a few minor, technical changes Mr. Ballard's attorney has requested in the proposed Agreement, and stated he (Mr. Laurie) concurs with same.

Individually, Board members reviewed their concerns with the proposed Agreement, with the consensus being that there should be an escalation clause, whereby the rent can be raised periodically, in accordance with the Consumer Price Index.

Mr. Ballard was present and requested the granting of a 50-foot easement along the Bayley House property line to the Northside Fire Protection District be deleted from the Agreement. Chief Anderson, representing the Fire District, was present and requested the granting of the easement remain in the Agreement. It was agreed that Supervisor Flynn would meet with Mr. Ballard and Chief Anderson, at the Bayley House property on Thursday, May 21, 1981, to attempt to resolve the matter.

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the matter was continued to May 26, 1981, with County Counsel to make the necessary changes in the proposed Agreement as recommended by the Board this date.

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57-9
On motion of Supervisor Walker, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Walker, and Flynn; No: Supervisor Lowe; Absent: Supervisor Stewart, the Board introduced an Ordinance adding Section 9439 to the County Ordinance Code, which implements Senate Bill 1960, allowing mobilehomes in all Single Family Residential zones; the reading thereof was waived; and it was continued to June 2, 1981, for adoption.

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GENERAL ORDERS

(233)
214
Fred H. Delmer, Esq., submitted a letter to Supervisor Walker, dated May 19, 1981, regarding the establishment of a Work-Education Furlough Program in El Dorado County, pursuant to Section 1208 of the Penal Code to alleviate congestion in the County Jail; and requested the Board adopt an Ordinance to enact such a Program, with said Ordinance to be adopted as an urgency measure due to the severely overcrowded conditions in the Jail.

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried by those present, the Board referred Mr. Delmer's request to the Sheriff and Chief Probation Officer with the request that they obtain input on this matter from attorneys and judges and bring a recommendation to the Board at a Policy Review Session in June.

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(115)
124-3

RESOLUTION NO. 148-81 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, deleting 27 positions in the Public Works Department due to lack of funds.

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There being no further business, the Board adjourned to Tuesday, May 26, 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