

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 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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12-7 The Invocation was offered by Pastor Kenneth E. Peterson, St. Stephen's Lutheran Church.

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The Pledge of Allegiance to the Flag was led by Mr. David Whittington, County Counsel.

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The Agenda was adopted, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried.

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The Minutes of June 30, 1981, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Walker, and Stewart; Abstain: Supervisor Flynn.

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

8111 The Community Action Council Claims were approved and allowed for payment.

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117 Budget Transfer No. 1 was approved to advance \$35,000.00 from the County Treasury to the Cameron Estates Community Services District until tax money is available to said District.

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247 The Chairman was authorized to execute Releases 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>	
Howard Elitha Hall	1609	530
Paul Cromwell	1720	492
Kathleen Collins	1604	145
Wilbur Mott, Sr.	1269	525
Judy R. Morey	1051	400
Alice Moser & John L. Moser	894	76
William K. Moore	963	3
Emil & Pauline E. Millim	531	275
Emil & Pauline Millim	530	128

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423-70
221/11
At the recommendation of County Counsel, the Board approved the Conflict of Interest Code submitted by the Rescue Union School District.

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423
3-1-11
The Board approved the request, submitted by the Public Works Department, for reduction of the Subdivision Letter of Credit for Franciscan Village Subdivision, in the amount of \$68,984.53, leaving a balance of \$115,808.64.

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3-1-11
RESOLUTION NO. 190-81 was adopted, at the request of the Agricultural Commissioner, authorizing the Chairman to sign an Agreement with the State Department of Food and Agriculture for funds, in the amount of \$16,790.00, for pesticide use enforcement for Fiscal Year 1981-82.

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3-1-11
RESOLUTION NO. 191-81 was adopted, at the recommendation of the Agricultural Commissioner, authorizing the Chairman to sign an Agreement with the State Department of Food and Agriculture for funds, in the amount of \$6,600.00, for reimbursement of compensation paid the County Agricultural Commissioner during Fiscal Year 1981-82.

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423
Highlands
No. 5
At the recommendation of the Planning Department, the Board approved the Final Map for Highlands Unit No. 5 Subdivision in the Cameron Park area, consisting of 21.69 acres, comprising 46 residential lots. Subdivider: Robert L. Cameron; the Clerk was authorized to endorse such approval on said Final Map; and the Chairman was authorized to sign the Agreement to Make Rural Subdivision Improvements in said Subdivision, and the Certificate of Acceptance of Grant Deed for real property conveyed by Robert L. and Ruth D. Cameron.

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423-76
Upon being advised by the Area Agency on Aging that the Area Plan for Fiscal Year 1981-82 has been tentatively approved for funding, in the amount of \$333,563.00, for the Title III Aging Programs, under the Older Americans Act of 1965, as amended, the Board adopted RESOLUTION NO. 192-81 authorizing the Chairman to sign Sub-Grant Award No. 001 between the State Department of Aging and Area Agency on Aging, in the amount of \$333,563.00, and the Chairman was also authorized to sign the following:

1. Sub-grant Award Conditions;
2. Assurance of Compliance with the Department of Health, Education, and Welfare Regulations under Title VI of the Civil Rights Act of 1964;
3. Sub-Contract/Interagency Agreement between El Dorado County/Area Agency on Aging and Community Programs for direct services for the elderly, in an amount not to exceed \$277,042.00;
4. Budget Revision for period ending June 30, 1981, to include technical changes only.

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423
The Board accepted the Contract Auditor's Report for the year ending June 30, 1980, and departmental responses to recommendations contained therein, along with the comments and recommendations of the Chief Administrative Officer, and directed same be placed on file.

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92-3
At the request of the Chief Administrative Officer, the Chairman was authorized to sign a contract with the Public Employees' Retirement System for an actuarial valuation report, at a cost of \$241.00 (monies to come from Budget Unit 1-103, Personnel), for revision of the County's contract with same for Safety Employees to add the "highest 1-year" option.

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Bid Results:

112-3
Bid No. 200 - slurry seal aggregate, awarded to low bidder, Teichert Aggregates of Sacramento, in the amount of \$9.98 per ton.

Bid No. 201 - cut back asphalt mix, awarded to low bidder, Teichert Aggregates of Sacramento, in the amount of \$24.91 per ton.

Bid No. 202 - A.R. and M.C. SC Paving and Cut Back Mix for South Lake Tahoe and Tahoma, awarded to Tahoe Asphalt, Inc., of South Lake Tahoe, for Shakori Street Corporation Yard and low bidder, Teichert Aggregates of Sacramento, for Tahoma location, in amounts specified in the Purchasing Agent's letter of June 29, 1981.

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46-228
The Board acknowledged receipt of F. Kirk and Lois A. Countryman's Notice of Non-Renewal for Agricultural Preserve No. 228, consisting of 200 acres, in the San Ridge area, and directed said Notice be placed on file.

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46-124
The Board acknowledged receipt of Notice of Non-Renewal for Agricultural Preserve No. 134, consisting of 163.63 acres, in the Mt. Aukum area, submitted by Merle, Elnor, and Margery Higgins, Mavis Henson, and Lael McHugh, and directed said Notice be placed on file.

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104-4
RESOLUTION NO. 193-81 was adopted to provide tax revenues to the Placerville Periphery Fire Protection District for annexation of lands (No. 81-01 - Armin Winje, et al) to said District where no fire service has previously been provided.

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(1110) 219-2
RESOLUTION NO. 194-81 was adopted for consolidation of the election for Governing Board members of the Sierra Community College District with the General Election to be held on Tuesday, November 3, 1981.

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

- 298
1. Gordon A. & Merrily S. Wong (APN 86-040-39)
 2. Thomas W. & Sharon L. Felts (APN 89-150-19)
 3. Joseph & Antoinette Perez and Carlo & Anita Sorensen (APN 82-212-06)
 4. Thomas & Edith Prentice (APN 101-410-05)
 5. Gary H. & Rita M. Kasick (APN 73-231-02)
 6. George E. & Lynnea J. Cordis (APN 50-230-72)
 7. Lawrence D. & Karen L. Standing (APN 22-132-13)
 8. Fred & Linda Van Bebbber (APN 101-110-04)
 9. Ronald W. & Tina F. Forkner (APN 31-076-14)
 10. Anthony C. & Veronica Messina (APN 100-080-15)

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11. Fred & Helen L. Bauman (APN 33-684-04)
12. Sheila Z. Stirling & Pearl Nicholson (APN 43-221-11)
13. Dale S. Opsahl & Raymond F. Feilen (APN 77-173-06)

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218
The Board denied the abatement of penalties for failure to file Change in Ownership Statements with the County Assessor for the following, as the Assessor has not received said Statements as of this date:

1. Michael T. Sandusky, et al (APN 51-310-93)
2. Ray Juachon; Clarita Ramos (APN 36-471-03)
3. Roger Firstenberger (APN 101-220-12)

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21-30
The Airports Department requested the Chairman be authorized to sign an Agreement (No. NE-2566) with Wilcox Electric, Inc., for purchase of a Mark I Localizer with Distance Measuring Equipment (LOC/DME) for installation for Runway 18 at the Lake Tahoe Airport, at a cost to the County of \$25,844.10.

On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, the Chairman was authorized to sign said Agreement subject to confirmation from Airports personnel of approval of the California Tahoe Regional Planning Agency (CTRPA) and Tahoe Regional Planning Agency (TRPA); subject to availability of Federal Aviation Administration grant funds; and with the deletion of items numbers 3 and 5 under "Customer Responsibilities" on the Statement of Work in said Agreement.

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Legislative Matters were considered and acted upon as follows:

376
At the recommendation of the Chief Administrative Officer, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board voted to support Senate Bill 35, as amended, which establishes a pilot project in the counties of Los Angeles, Santa Cruz, and El Dorado from July 1, 1982, to July 1, 1985, under which trial juries in civil actions in municipal and justice courts shall consist of eight persons; and directed that our legislators be so advised by letter.

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377
The Board took no action on Assembly Bill 2020, which relates to the annexation of Heavenly Valley Ski Resort property to the City of South Lake Tahoe, on motion of Supervisor Stewart, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Stewart, and Flynn; No: Supervisor Lowe.

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378
At the recommendation of the County Supervisors Association of California (CSAC), and on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board voted to oppose Assembly Bill 1693, which would authorize "agency shop", allowing California public employers to negotiate "agency shop" contracts with public employees organizations, whereby extraction of union dues, or their equivalent, becomes a condition of continued employment; and directed that telegrams be sent to State Assemblyman Norman Waters and State Senator John Garamendi, with a copy to CSAC, advising same.

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326
The Board referred to County Counsel, for review and placement on the Board's agenda at a later date, Assembly Bill 1354, as amended, which would prohibit, until July 1, 1989, any person or public entity from undertaking or engaging in any planning of a project which will flood any portion of the South Fork of the American River between Chili Bar Reservoir and the Salmon Falls Bridge, or any project which would bypass that portion of the South Fork for nonconsumptive purposes.

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(296-4)
Missouri
Flat Road
The Board again considered the matter of the Public Works Department and Planning Department recommending the State Department of Transportation (Caltrans) be requested to issue an encroachment permit for work at the Missouri Flat interchange for the Prospector Plaza Shopping Center, subject to conditions.

34
On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board approved the concept of a "per acre" formula for determining cost sharing, as outlined in the document entitled "Signalization of the Missouri Flat Road-State Route 50 Interchange" submitted by the County Public Works Department, which itemizes the street improvements needed for this area due to the traffic to be generated by four commercial developments currently approved or in the planning process for the area; and directed County staff to negotiate the appropriate Agreements whereby Caltrans will provide \$50,000 for the needed improvements to the eastbound and westbound on and off ramps, and preliminary engineering for all improvements, and the developers of the four commercial developments in that area will share the cost of the remaining needed improvements, with each developer's cost determined according to the "per-acre formula"; further, the Board directed the Department of Public Works to determine the costs for construction of a pedestrian/bike path in the area for children walking to and from Herbert Green School.

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2-16-4
Mosquito Rd
As requested by the Board on May 26, 1981, the Assessor submitted an appraisal of the fair market value of a two-acre parcel on Mosquito Road, about one-half mile north of Union Ridge Road, which is owned by the County (APN 84-170-15). On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board accepted the appraisal, and directed same be referred to the Director of Public Works to take the necessary steps for sale of the property; further, the Board directed a letter be sent to the Assessor thanking him for said appraisal.

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132
An Ordinance deleting Section 10,222(d)(1) of the County Ordinance Code, regarding grading and site drainage, and adding the Uniform Building Code Chapter 70 in its entirety, was introduced, the reading thereof waived, and it was continued to August 4, 1981, for consideration of adoption, on motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried. (Sponsors: Supervisors Dorr and Lowe)

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22-6
At the request of the Health Department, and on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign an Agreement for Services with the Lake Tahoe Humane Society for animal control services on the Western Slope, effective July 11, 1981, with changes in line 6 on page 3 and line 6 on page 4 as recommended by County Counsel; lines 1 through 6 on page 4 as recommended by the County Risk Manager; and with the dollar amount of \$169,130 "or an amount as approved by the Board during budget hearings" inserted in line 4 on page 3.

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SPECIAL ORDERS

PLANNING MATTERS

*413
did
submit
plans*

The Board again considered the request of Mr. Gene Thorne, Agent for Mr. George Carasco, Subdivider, for waiver of the Planned Development Ordinance requirement of submitting a preliminary development plan, including building location, building types, elevations and uses, for Old Stonecellar Plaza, a Parcel Map which creates eleven parcels on 4.17 acres, zoned Commercial/Planned Development and located in the Diamond Springs/El Dorado area. The matter was considered by the Board on June 16, 1981, and referred to the Planning Department to work with Mr. Thorne in resolving the matter.

At the recommendation of the Planning Director, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board waived the requirement of submitting a preliminary development plan, and directed the applicant to file a Development Plan with refinements as outlined in the Planning Director's letter to Mr. Gene Thorne dated July 3, 1981.

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*413
will
be
done*

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, and Flynn; Noes: Supervisors Walker and Stewart, the Board approved the Planned Development Plan submitted by Monte Osborn, to establish a seasonal parking lot layout showing 308 spaces and seven bus spaces on 5.19 acres of land in the Lotus/Coloma area, subject to conditions (see below), and based on the following findings: (1) The Planned Development is consistent with the General Plan; and (2) The site is physically suited for the proposed parking lot.

Conditions:

1. The location of structures and uses shall conform with the approved site plan;
2. The parking lot shall be designed as per the development plan;
3. No areas shall be used for storage or display of merchandise outside of those areas designated on the site plan;
4. The parking lot will not be used from November 1, 1981, through March 31, 1982;
5. A metal storage building shall be allowed, subject to approval by the Planning Department;
6. Six (6) chemical toilets shall be provided, with valid contract for servicing during period of operation;
7. The lot shall at all times be oiled to maintain dust control, and the parking spaces lime striped;
8. The development plan shall be reviewed by Planning Staff prior to April 1, 1983, with the intent that the Development Plan will be amended to meet the then existing conditions.
9. Applicant to obtain an encroachment permit from the State Department of Transportation (Caltrans).

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2-2-1981

Hearing was held as duly advertised to consider the Appeal of the Strawberry Improvement Association on the Planning Commission's reapproval of Special Use Permit No. 75-128 which allowed Western Outdoor Advertising to add 240 square feet of billboard space to an existing 240 square foot billboard, for off-premise business, on 14.46 acres, zoned Commercial, on the south side of Highway 50 in the Strawberry area.

Mrs. Rosemary Sheldon, Vice President of the Strawberry Improvement Association, was present to speak on behalf of same.

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Mrs. Sheldon read into the record, a letter to the Planning Commission, from the Strawberry Improvement Association, dated June 7, 1981, wherein it advised said Association adopted a Resolution requesting the complete removal of all free-standing, off-premise, billboards along Highway 50 within the American River Canyon as such billboards are inappropriate to the conservation of the natural beauty of the area and inconsistent with the maintenance of Highway 50 as a scenic highway. Mrs. Sheldon stated that, if Mr. Thomas cannot be made to completely remove the billboard in question, the Association would prefer it be reduced to its original size and the colors displayed be darkened for more compatibility with the surrounding environment.

Mr. James Ingram, planning consultant, was present and spoke on behalf of the owner of the billboard, Mr. Trevor Thomas. Mr. Ingram pointed out that Mr. Thomas has always complied with all conditions of the Special Use Permit since the Board approved same on January 13, 1976; that it is not in plain view of any homes; and Mr. Trevor has reduced the lighting from 18 candlepower to 10 candlepower.

Mr. Thomas was also present and spoke on his own behalf. When asked by Supervisor Lowe, Mr. Thomas advised that only 1.25 acres of the 14.46 acre site, on which the billboard is located, is actually zoned Commercial. The remainder of the property is zoned Agricultural.

The following property owners in the area were present and spoke in favor of the Strawberry Improvement Association's appeal: Mr. Jim Boyers, citing the inappropriateness of billboards in the American River Canyon, a fragile resource; Vickie Johnson, citing difficulty in crossing Highway 50 at the crosswalk near the billboard in question, as motorists are distracted by the billboard; and Mr. Robert Sheldon, who is on the citizens committee developing the American River Canyon Area Land Use Plan and advised said committee is recommending a "policy" in said Plan that there be no new outdoor advertising signs.

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

Supervisor Stewart made a motion, seconded by Supervisor Lowe, to uphold the appeal and direct that the 240 square foot addition to the sign be removed, as well as the lighting of the sign.

A motion of Supervisor Flynn, seconded by Supervisor Walker, to amend the motion to make the removal of the 240 square foot addition and the lighting of the sign effective in one year (the expiration date of the Special Use Permit reissued by the Planning Commission), did not carry by the following vote: Ayes: Supervisors Walker and Flynn; Noes: Supervisors Dorr, Lowe, and Stewart.

The Chairman called for the vote on the original motion, made by Supervisor Stewart, which carried by the following vote: Ayes: Supervisors Dorr, Lowe, Stewart, and Flynn; No: Supervisor Walker.

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On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board approved the Planned Development Plan submitted by Arla Torler, subject to the 7 conditions proposed by the Planning Commission, with condition number 7 amended to read: "The applicant shall sign an agreement, which will become binding upon future owners, so that the property owners will agree to pay their share of the costs of improvement to the Missouri Flat interchange and Missouri Flat Road"; said approval based on the following findings: (1) The Planned Development is consistent with the General Plan; and (2) The site is physically suited for the proposed uses.

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57.9
The Planning Department requested clarification of Section 9439.1(b) of the County Ordinance Code, regarding placement of mobilehomes, as to whether said Section will change the status of existing mobilehomes which were placed on ten-acre parcels by use permit, thereby allowing the land to be divided without a foundation or certification being required.

After some discussion, it became clear that the consensus of the Board is: "As long as the mobilehome is not moved, and as long as it is on the secured tax roll, the property can be split to the full extent of the zoning."

Mr. Milam, Planning Director, advised he will have an Ordinance prepared, for adoption by the Board, to amend Section 9439.1(b) of the Ordinance Code to so clarify the Board's intent.

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16
As requested by the Board on June 23, 1981, the Planning Department and County Counsel submitted recommendations on a proposed disclaimer to be included in all advertising promulgated by the rafting companies holding permits to operate on the South Fork of the American River, pointing out that the "whitewater" required for rafting the river is a secondary benefit of hydroelectric development subject to power requirements and available only when power requirements permit.

After some discussion, County Counsel advised he will prepare an Ordinance for adoption by the Board, to include the disclaimer requirement in the County Ordinance Code pertaining to whitewater recreation.

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GENERAL ORDERS

10
RESOLUTION NO. 196-81 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, allocating commercial square footage under the revised Tahoe Regional Planning Agency Compact for the years 1981 and 1982.

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37.2
At the recommendation of the Chief Building Official, and on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board approved the request of Mr. and Mrs. Jim Fithian that the starting date of their mobilehome occupancy permit be moved up to May 6, 1980, the date their building permit was reissued, due to revisions in their building plans, so they can obtain an extension of the mobilehome occupancy permit for a second year, and not have to apply to the Planning Department for a special use permit required for a third year extension.

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There being no further business to come before the Board this date, the meeting was adjourned to Friday, July 10, 1981, at 2:00 p.m., at which time the Board will consider adoption of the proposed County Budget for Fiscal Year 1981-82.

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APPROVED:


JOSEPH V. FLYNN, Chairman

ATTEST:

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

By Doris L. Foote
Deputy Clerk

7/7/81

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