

25% COTTON
EXCELEBRASE
STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

October 27

19 81
Fox RIVER

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. Also present: Dixie L. Foote, Assistant Board of Supervisors Clerk. Chairman Flynn presided.

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12-7 The Invocation was offered by Reverend Mark Cowles, Highway Bible Church.

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The Pledge of Allegiance to the Flag was led by Supervisor Robert E. Dorr.

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Supervisor Dorr exited the meeting room.

The Agenda was adopted, on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried by those present, with the addition of four items: (1) request of Mr. Rattero for extension of his building permit at South Lake Tahoe; (2) Contract of Employment of Reserve Sheriff's Deputy with K-MART Stores for reimbursable security for its grand opening; (3) claim of Mr. John R. Smith for expenses incurred when he purchased mailing labels from the County which turned out to be incorrect; and (4) request of Leonard Chapdelaine that the County correct a hazardous open ditch on his property which was created by the County's El Dorado "Y" and Curve Improvement Project.

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The Minutes of October 20, 1981, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lowe, Walker, and Flynn; Abstain: Supervisor Stewart; Absent: Supervisor Dorr.

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On motion of Supervisor Walker, 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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298A The Board approved Assessment Roll Change number 2857.

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151-13 RESOLUTION NO. 367-81 was adopted Authorizing an Action for the Recovery of County Funds Paid Out for Western Slope Ambulance (County Service Area No. 7); Lake Tahoe Ambulance; Health Department (Animal Control Division); Library, Probation, and Welfare Departments.

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58 At the recommendation of County Counsel, the Board denied the claim for damages, in the amount of \$69,779.73 plus interest, submitted by Attorney Dee Hartzog on behalf of L. N. Craig Construction (formerly Tenaya Construction.)

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(1165)
50-4
RESOLUTION NO. 368-81 was adopted, at the request of the District Attorney, authorizing the Chairman to sign an Agreement with the State Department of Justice for alcohol/drug analysis services, at a cost of \$21.20 per subject tested for the period ending June 30, 1982.

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248
The Board approved 51 applications for abatement of penalties for failure to file Change in Ownership Statements with the County Assessor, as said Statements have now been filed.

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132
At the recommendation of the Building Department, the Board approved the request of Mr. Rattero of South Lake Tahoe for an extension of his 1980 building permit to December 31, 1981.

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233-4
At the request of the Sheriff, the Chairman was authorized to sign a Contract of Employment of Reserve Sheriff's Deputy with K-MART Stores, for reimbursable security for the grand opening of the Placerville K-MART Store on October 29, 30, and 31, 1981.

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178-1
At the recommendation of the Chief Administrative Officer, the Board directed that Mr. John R. Smith, a candidate for the El Dorado Irrigation District Board of Directors, be reimbursed for postage, bulk mail permit, brochures, and labor, in the amount of \$727.57, as the labels purchased from the County for mailing said brochures were incorrect, therefore the Post Office threw away all the brochures he attempted to mail, and Mr. Smith must now incur the expense of repeating the entire effort. (The County will furnish Mr. Smith a new set of labels in lieu of reimbursement for the incorrect set.)

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Supervisor Dorr returned to the meeting room.

75
On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board approved the request of the Sheriff that the Abandoned Vehicle Abatement Program be continued, in conjunction with local auto dismantlers, with or without State assistance.

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150
RESOLUTION NO. 369-81 was adopted setting fees for selected County services as previously discussed in a policy review session on September 2, 1981.

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132
Mr. Tom Bullock, Building Official, submitted his recommendations for developing an equitable means of allocating the building permit allotment at South Lake for 1982 without retaining the ponderous system which was used this year.

The Board approved the procedure, in concept, as outlined, on motion of Supervisor Stewart, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Stewart, and Flynn; No: Supervisor Walker.

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80-7
At the recommendation of the Chief Administrative Officer, and on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board approved the five-year extension of the Franchise Agreement with Amador Disposal Service for the collection and disposal of refuse in the Grizzly Flat, Somerset, and Omo Ranch areas; and the revised account form for Amador Disposal Service, in principle, deleting the audit requirement; and the Board directed that appropriate Ordinances be drawn up, for the Board's adoption, to accomplish same.

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227
On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign an Agreement with Womenspace Unlimited, as drafted by County Counsel and amended by the Board this date, for provision of counseling, advocacy, and crisis intervention services to victims of domestic violence in El Dorado County.

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211
Airports Advisory Committees (Western Slope and South Lake Tahoe) submitted recommendations on the proposed Ordinance amending Part 18, Chapter 1, of the El Dorado County Ordinance Code for Rules and Regulations for El Dorado County Airports.

On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the matter was referred to the Airports Director, County Counsel, and the Airports Advisory Committees, to bring back to the Board on November 24, 1981.

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233-4
The introduction of an Ordinance to regulate parades, mobile public address sound system equipment, outdoor amplified concerts, and prohibit loud and raucous noises, as requested by the Sheriff, was continued to November 3, 1981, at 11:00 a.m., on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried.

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70
The Tahoe Regional Planning Agency submitted a proposed Mitigation Fee Collection Procedure. On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board voted to maintain the status quo for the present time.

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(2)
34
At the request of the City of Placerville, and on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign an Agreement with same, for installation of a traffic control system at the intersection of Placerville Drive and Fair Lane, at a cost to the County not to exceed \$28,000.00, with the understanding the County is not obligated to fund 50% of the maintenance and operating costs of same, and RESOLUTION NO. 370-81 was adopted accordingly.

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SPECIAL ORDERS

PLANNING MATTERS

46-238

Hearing was held as duly advertised to consider establishment of Agricultural Preserve No. 238, in the Somerset/Fairplay/Mt. Aukum area, consisting of 147.41 acres, petitioned by the Bank of America NT & SA, as trustee under the wills of Robert B. and Joan R. Mearns.

Mr. Ken Milam, Planning Director, explained that the 147.41 acres will be ranched along with 209 acres in Amador County that was recently placed in an agricultural preserve. He further advised that the Agricultural Commission found that the preserves meet three of the four necessary criteria for inclusion under a Williamson Act contract -- they do not meet the \$3,000 gross criteria.

The Planning Commission recommended approval, subject to the condition that the two Williamson Act contracts (El Dorado and Amador Counties) be tied together to preclude non-renewal or cancellation of one without the other, based on the finding that the preserve is consistent with the General Plan: REA, Rural Estates-Agricultural (5-20 acre parcels).

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

On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Board continued the matter to November 3, 1981, and County Counsel was requested to further research the issue of the property being in two counties and the requirement for two agricultural preserves and two Williamson Act contracts.

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46-140

Hearing was held as duly advertised to consider a request for cancellation of a portion of Agricultural Preserve No. 140, consisting of 6.91 acres, in the Lake Tahoe area, petitioned by Alva Barton and Fay Ledbetter.

Mr. Ken Milam, Planning Director, explained that the purpose of the cancellation is to remove 6.91 acres from the Preserve so it can be added to the adjacent campground lease, after which the campground will then transfer a parcel of land to Barton Memorial for additional parking. He further advised that the Agricultural Commission found the cancellation to be for the public good and compatible with the intent of the Williamson Act.

The Planning Commission recommended approval, subject to the condition that the applicant apply for RF, Recreational Facilities zoning, based on the finding that the request is consistent with the General Plan: MDR, Medium Density Residential, 1-5 dwelling units per acre.

Attorney Melvin E. Beverly, who represents Barton Memorial Hospital, was present to speak 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 Lowe, and carried by the following vote: Ayes: Supervisors Lowe, Walker, Stewart, and Flynn; Abstain: Supervisor Dorr, the Board approved the cancellation as requested, based on the following findings:

- 1. The objective of the cancellation, i.e., construction of a parking area, could not be done in a timely fashion if the termination were to be done by Notice of Non-Renewal, because that is a ten-year roll-out and the parking facility is needed within the next two to five years;

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- 2. Cancellation serves the public interest in light of the recognized need for expansion of the medical facility;
- 3. The evidence indicates there is no proximate non-contracted land suitable for the use to which it is proposed the contracted land be put, i.e., parking facility for hospital expansion.

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Hearing was set for this time to again consider the Appeal of Nancy Averv, Sherian Kutzera, and Eugene A. Chappie on the Planning Commission's action on the Appeal of Don Morris, wherein said Commission upheld the Planning Department's action April 22, 1981, approving six parcel maps (Irwin Yates, Marie Yates, Marland Johnson, Vicki Howard, Karen Clark, and Raymond Craine), located adjacent to Indian Rock Road in the Cool/Pilot Hill area, subject to the condition that the road alignment be changed to the second proposal, a 60' wide access road from Indian Rock Road to Highway 193.

282-14-81

Mrs. Jean Klotz, attorney representing Mr. James Batten, surveyor, requested the matter be continued for two weeks. Mrs. Klotz further advised that she had spoken with Mr. Patrick Riley, attorney representing the appellants, and he had agreed to the two-week continuance.

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the hearing was continued to November 10, 1981, at 2:30 p.m., as requested.

Further, the Board requested Planning staff to provide a complete outline of the history of the parcels in question, including documentation of environmental assessment of the parcel maps in question at this time.

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On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board denied the request of Mr. M. W. Roberts for relief of provisions of a Notice of Restriction, dated August 1, 1978, wherein development is prevented on any of the properties created by Tentative Parcel Map P77-652 until all road improvements are completed within same, pursuant to Section 9900 of the County Minor Land Division Ordinance.

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The Board again considered the following: (Public hearing held September 22, 1981)

- 1. Environmental Impact Report (E.I.R.) and Supplemental E.I.R. for Arrowbee Woods Unit No. 2 Subdivision;
- 2. Rezoning of lands in the Rescue area from Estate Residential Ten-Acre Zone to Estate Residential Five-Acre Zone, consisting of 179 acres, petitioned by Joseph Reade for Arrowbee Woods Unit No. 2 Subdivision;
- 3. Board consideration of Tentative Map for Arrowbee Woods Unit No. 2 Subdivision, consisting of 179 acres, comprising 27 lots, subdivider: Joseph Reade.

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Mr. Doug Noble, Assistant Planning Director, submitted verbally, and in writing, Planning staff's "Response to Environmental Comments Made at Board of Supervisors Meeting of September 22, 1981". The Chairman directed that said document be incorporated in the Final E.I.R. for Arrowbee Woods Unit No. 2 Subdivision.

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On motion of Supervisor Flynn, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Stewart, and Flynn; Abstain: Supervisor Lowe, the Board approved the E.I.R. which consists of an original plus the supplemental E.I.R., and incorporating the document submitted this date by the Assistant Planning Director, entitled "Response to Environmental Comments Made at Board of Supervisors Meeting of September 22, 1981"; and certified that the Final E.I.R. has been completed in compliance with the California Environmental Quality Act (CEQA) and the State guidelines, and that the Board of Supervisors has reviewed and considered the information contained in the E.I.R."

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On motion of Supervisor Flynn, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Stewart, and Flynn; Abstain: Supervisor Lowe, the Board approved the rezoning of 179 acres in the Rescue area, on lands designated by the Arrowbee Woods Unit No. 2 Sub-division Map, from Estate Residential Ten Acre to Estate Residential Five Acre, based on the following findings, and ORDINANCE NO. 3186 was adopted which amends the County Zoning Ordinance accordingly:

- 215-54-81
390-9w
1. The rezoning is consistent with the County's General Plan and Policies;
 2. RE-5 zoning is compatible with surrounding land uses and is an appropriate use of the land;
 3. Changes or alterations, in the form of conditions, have been required and incorporated into the project which mitigate the significant environmental effects identified in the E.I.R. The conditions required on the project successfully reduce all impacts to an acceptable level. Reference is made to the E.I.R. for all of the specific mitigation measures, however, the mitigation for the more significant impacts are as follows:
 - a. Salmon Falls Reservoir: set back line to be 100 ft. horizontally from the proposed reservoir level;
 - b. Fire - one acre site to be donated to Rescue Fire District for a future fire station;
 - c. Schools - impact fees, as may be subsequently required;
 - d. Roads - improvements on Luneman Road as required.
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The Board considered the following four Design Waivers:

1. Allow up to 15% grade on roads, as identified on the Tentative Map;
2. Allow cul-de-sacs longer than 500' as identified on the Tentative Map;
3. Allow a reverse curve between Lots 26 and 27;
4. The developer is not required to upgrade Luneman Road west of the intersection of Joe Court and Luneman Road.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Stewart, and Flynn; Abstain: Supervisor Lowe, the Board approved said Design Waivers, based upon the following findings:

1. There are special conditions or circumstances peculiar to this property which would justify the waivers, specifically, the grading in the area which would prevent further improvements;
2. Strict application of the design or improvement requirements of this chapter would cause extraordinary and unnecessary hardship in developing the property because of the extreme cost of further improvements;
3. Such waivers would not be injurious to adjacent properties or detrimental to the health, safety, convenience and welfare of the public because of the mitigation measures and improvements to be made by the developer;
4. Such waivers would not have the effect of nullifying the objectives of this chapter or any other law or ordinance applicable to the subdivision.

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On motion of Supervisor Flynn, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Stewart, and Flynn; Abstain: Supervisor Lowe, the Board approved the tentative subdivision map for Arrowbee Woods Unit No. 2 Subdivision, consisting of 179 acres, comprising 27 lots, subject to the conditions* listed below, based on the following findings:

- 423
Arrowbee
Woods
Unit #2
1. The subdivision is consistent with the County's General Plan and Policies;
 2. Changes or alterations, in the form of conditions, have been required and incorporated into the project which mitigate the significant environmental effects identified in the E.I.R. The conditions required on the project successfully reduce all impacts to an acceptable level. Reference is made to the E.I.R. for all of the specific mitigation measures, however, the mitigation for the more significant impacts are as follows:
 - a. Salmon Falls Reservoir: set back line to be 100 ft. horizontally from the proposed reservoir level;
 - b. Fire - one acre site to be donated to the Rescue Fire District for a future fire station;
 - c. Schools - impact fees as to be determined;
 - d. Roads - improvements on Luneman Road as required.

*Conditions:

1. The developer shall obtain approval of construction drawings and cost estimates from the Planning Director prior to commencement of construction.
2. All required construction shall be completed with the presentation of the final map to the Planning Director before presenting the map to the Board of Supervisors for its approval; or the developer shall have surety of development by bond, cash deposit, or letter of credit from a financial institution. Verification of construction, or partial construction and cost of completion, is determined by the project engineer.
3. Survey monuments must be set prior to the presentation of the final map to the Board of Supervisors for approval; or the developer shall have surety of work to be done by bond, cash deposit, or letter of credit from a financial institution. Verification of set survey monuments, work completed, or work to be completed and cost of completion to be determined by the County Surveyor.
4. Timing of construction and revegetation of those areas disturbed during construction, including cuts and fills, shall be accomplished to the satisfaction of the El Dorado County Resource Conservation District. Work not completed prior to the Planning Director's presentation of the final map to the Board of Supervisors for approval, shall have surety of completion by bond, cash deposit, or letter of credit from a financial institution. Verification of work completed, or work to be completed, to be determined by the El Dorado County Resource Conservation District.
5. The developer shall establish a homeowner's association to maintain roads and common areas. CC&R's are to be reviewed by County Counsel to ensure the association is responsible for road maintenance.
6. Location of fire hydrants and systems for fire flows are to meet the requirements of the fire department. Written approval from the fire district shall be submitted with the final map to the Planning Director prior to the Board of Supervisors approval.
7. Water supply by El Dorado Irrigation District: No building permits will be issued until the piped water is available to the property.

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8. Mr. Joseph Reade's letter to the Planning Director, dated March 20, 1979, and attached map, wherein Mr. Reade proposes to make improvements on Luneman Road, becomes a part of the tentative map conditions, as well as Exhibit "5" in the Supplemental E.I.R., "Luneman Road Specifications", which includes a map showing sites to be improved, and a letter dated September 3, 1980, to the Planning Director from the applicant.
9. The deed to the fire department for a one acre parcel (site approved by the fire department) is to be recorded and proof of recording presented before the final map is approved by the Board of Supervisors.
10. The roads adjacent to the property which are used as emergency road connections are to be brought up to the standard of 16' wide, with gravel surface, and maintained by the subdivision homeowner's association. These emergency roads are to be secured as 50' easements and are to remain open, except that break-away barriers will be placed so as to discourage general use. The developer shall obtain and maintain an easement for such purpose.
11. The project sponsor is to mitigate impacts, per Ordinance No. 3098, with the school and fire districts; to the school district in an amount to be determined in a subsequent hearing of the Board of Supervisors.
12. Requirements of Ordinance Section 11,700 have been met by improvements on Luneman Road.
13. The zoning shall become effective upon the filing of the final map.
14. Easement and single encroachment shall be placed; and the single encroachment constructed by the developer, serving lots 8, 9, and 10, shall be done prior to the filing of the final map, or bonded, subject to approval by Public Works.

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The Planning Director submitted for adoption, proposed policies to amend current policies and override existing Ordinances relating to water and sewer commitments for major and minor subdivisions, general plan amendments, rezonings, and special use permits.

On motion of Supervisor Dorr, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Stewart, and Flynn; No: Supervisor Lowe, the Board approved the proposed policies, as outlined by the Planning Director in his memo dated October 15, 1981, contingent upon public purveyors' adoption of policies that are consistent with same.

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GENERAL ORDERS

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In response to a letter from Daryl McKinstry, attorney representing Mr. Leonard Chapdelaine, the Board, on motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, directed the Public Works Department to obtain a cost estimate to add pipe to, and cover, an open ditch on Mr. Chapdelaine's property at the El Dorado "Y", which was created as a result of the County's El Dorado "Y" and Curve Improvement Project.

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October 27, 1981

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On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unani-
mously carried, the Chairman was authorized to sign an Amendment to the
Joint Powers Agreement with the City of South Lake Tahoe for the Building
Allocation Program for 1981.

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by

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On motion of Supervisor Walker, seconded by Supervisor Flynn, and unani-
mously carried, the Board requested County Counsel and Planning Department
staff to report back on November 10, 1981, with their interpretation of
Ordinance No. 3000 (Mitigation of Impact of Developments on Public Services),
and the Board's action of December 30, 1980, clarifying same in relation
to school impaction.

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There being no further business, the Board adjourned to Tuesday, Novem-
ber 3, 1981, at 10:00 a.m.

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APPROVED:

Joseph V. Flynn
JOSEPH V. FLYNN, Chairman

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

By Daniel Foote
Deputy Clerk

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EXCELERASE

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