

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

November 3

19 81

25% COTTON

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 Pastor Bob K. Lutz, Pleasant Oak Baptist Church.

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The Pledge of Allegiance to the Flag was led by Mrs. Amelia McAnnally, County Auditor-Controller.

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

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The Minutes of October 27, 1981, were approved as submitted, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried.

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On motion of Supervisor Stewart, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Stewart, and Flynn; No: Supervisor Lowe, South Lake Tahoe Mayor Terry Trupp was appointed to represent the Board at the next regular meeting of the Tahoe Regional Planning Agency (TRPA) on November 18 and 19, 1981, as Supervisor Stewart will be attending the annual meeting of the County Supervisors Association of California (CSAC) in Fresno at that time.

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

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

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Budget Transfer No. 19 was approved for the Recreation Department, transferring \$500 from Transportation & Travel (92-2250) to Professional & Specialized Services (92-2180) as no appropriation was made for meeting fees at budget time.

Budget Transfer No. 21 was approved for the Jail Division of the Sheriff's Department, increasing Estimated Revenues (91-5284) to reflect \$16,395 in State (SB 924) funding for reimbursement of personnel and schooling costs incurred sending jail personnel to certified correctional training classes.

Budget Transfer No. 22 approved, transferring \$147.02 from Office Expense (92-2170) to Fixed Assets (92-3370) in the Board's budget, for purchase of a microphone not in fixed assets.

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The Board approved Assessment Roll Changes numbered 1364, 1367, 1368, 1370, 1371, and 1372.

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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>	
David Ventura Perez, Jr.	1480	723
Bruce Petke	1258	127

* * * *

A.D.
Rosebud
At the recommendation of County Counsel, the Chairman was authorized to sign Agreements with the following for purchase of real property pertaining to the Rosebud Drive-Buena Vista Drive-Hilton Way Assessment District: Ben R. and Lillian T. Rogers; and Dennis G. and Paula M. Hendrickson.

* * * *

50-9
At the request of Community Programs, RESOLUTION NO. 371-81 was adopted authorizing the Chairman to sign Amendment No. 1 to the Agreement with the State Department of Housing and Community Development, increasing same by \$13,194.00, for the administration of Federal Section 8 housing assistance funds in El Dorado County.

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298
The Board approved 31 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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82-3
At the recommendation of the Personnel Director, RESOLUTION NO. 372-81 was adopted, a Resolution of Intention to approve an Amendment to the Contract with the Board of Administration of the Public Employees' Retirement System, reflecting the amended benefit level of final compensation, from the present formula of three years' average, to one year; and the Personnel Office was directed to make legal notice to comply with State law.

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115
RESOLUTION NO. 373-81 was adopted amending Authorized Personnel Resolution No. 241-81, transferring an Accounting Technician position from Community Programs and Transportation to the Auditor/Controller's Office, as approved by the Board on October 13, 1981.

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Bid Results

114-3
Bid No. 227 - 1500 tons of black cinder de-icing aggregate for South Lake Tahoe, awarded to the sole bidder, Savage Construction Company of Carson City, Nevada, in the amount of \$16,410.00.

Bid No. 228 - 250 tons of K. D. coarse salt for Public Works Department, awarded to the low bidder, Leslie Salt Company of Newark, in the amount of \$3,280.00 plus tax for the Western Slope, and \$13,600.00 plus tax for South Lake Tahoe.

Continued next page

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Bid No. 229 - five ½-ton pick-up trucks for Public Works Department, awarded to the low bidder, Lutz Lincoln-Mercury/Lutz Motors of Placerville, in the amount of \$39,150.00 plus tax.

Bid No. 230 - one 4 x 4 pick-up truck for Public Works Department, awarded to the low bidder, Lutz Lincoln-Mercury/Lutz Motors of Placerville, in the amount of \$9,073.00.

Bid No. 231 - one 1-ton cab & chassis for Public Works Department, awarded to the low bidder, Patterson Motors of Placerville, in the amount of \$8,683.74.

* * * *

Board accepted the resignations of Sharon Hamann and Kathy Bryant as members of the South Lake Tahoe Health Council, and directed they be sent Certificates of Appreciation.

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At the recommendation of the South Lake Tahoe Health Council, the Board took the following action:

1. Appointed Phil Middleton and Beverly Hydrick to said Council, for terms to expire December 1981;
2. Approved amendments to said Council's Bylaws regarding associate members (representatives of public and private agencies) and duties of officers.

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At the request of County Training Programs, and on motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, the Chairman was authorized to sign an Agreement with Del Norte County for counseling services to said County's CETA participants who are enrolled in various vocational training institutes in Sacramento; said approval subject to the deletion of the first paragraph in Section VI as recommended by County Counsel.

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The Agricultural Commission advised that the term of Ed Bacchi as member of said Commission will expire on November 30, 1981, and recommended he be reappointed for a term ending November 30, 1985.

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the matter was continued to November 10, 1981, to review Ordinance No. 872, which created the Agricultural Commission, to determine whether the Board can adjust the expiration dates for the terms of the Commissioners so all terms will expire in the month of January of the appropriate years.

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On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board approved two Policy Review Sessions for December 2, 1981: one at 9:00 a.m. for discussion of the County's first complete summer season under the Interim River Management Plan; and one at 10:30 a.m. for discussion of affordable housing in El Dorado County.

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Supervisor Stewart exited the meeting room.

After further discussion of the costs related to road improvements in the Rosebud Drive-Buena Vista Drive-Hilton Way Assessment District, the Chief Administrative Officer was requested to proceed with setting up a meeting between residents of the District, bond counsel, and the project engineer, to clear up concerns of the residents, and the Board directed that payment of claims on this project be held up until after said meeting is held, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present.

A.D.
Rosebud

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At the recommendation of the Personnel Director, and on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board introduced an Ordinance amending Section 3505 of the County Ordinance Code, establishing minimum qualifications for the office of County Auditor, pursuant to provisions of the Government Code; the reading thereof was waived; and it was continued to November 10, 1981, for consideration of adoption. (Sponsor: Supervisor Dorr)

119-1

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On motion of Supervisor Lowe, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, and Flynn; Abstain: Supervisor Walker; Absent: Supervisor Stewart, the Board denied the request of Mr. Noel Gudmann, dba Noel Gudmann Contracting, Inc., that the Board reconsider its denial of his application for abatement of penalty, on September 22, 1981, for his failure to file a Change in Ownership Statement with the County Assessor; with the Board's action this date based on the fact that the 60 day period for appeal of the penalty has passed.

298

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Mr. Frank Schafer was present and spoke on behalf of the request of the Sleepy Hollow Home Owners' Association that the County take responsibility for removal of a fence which has been constructed approximately fifteen feet within the County dedicated roadway on Sleepy Hollow Drive in Shingle Springs.

296-4
"S-Z"

EXD-11-1981

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present, the Board directed County Counsel to write a letter to the Sleepy Hollow Home Owners' Association, with a copy to the property owner who constructed the subject fence within the County right-of-way, advising said Association of its authority to maintain said right-of-way and remove any obstructions therein.

(124)

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Eldorado National Forest submitted a formal 60-day notification of its intent to cancel Project Agreements 1 and 13 to the Forest Development Road Cooperative Agreement, relating to the Mormon Emigrant Trail; and requested the Board's concurrence of same and the transfer to the Federal Government of certain rights-of-way obtained by El Dorado County.

296-4
"H-O"
101

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved the concept of relinquishing control of Mormon Emigrant Trail to the Forest Service, and requested County Counsel to describe the procedures to follow in this action.

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25% COTTON
EXCELEBASE
RIVER

SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider the Appeal of George Stalls on the Planning Commission's termination of the non-conforming use of his two acres located on the north side of Sawmill Road, approximately 500 feet west of U.S. Highway 50, at Lake Tahoe.

Mr. John Weidman, attorney, was present to speak on behalf of Mr. Stalls, and requested the matter be referred back to the Planning Commission, as he has evidence to refute the findings of said Commission, and feels the Commission hearing on this matter should not have been conducted without Mr. Stalls having legal counsel present as he had so requested.

Mr. Russ Devey, representing neighboring property owners, objected to further continuances as they have already been inconvenienced many times by having to take time off work and travel to Placerville for these hearings.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lowe, Walker, Stewart, and Flynn; No: Supervisor Dorr, the Board referred the matter of the termination of the non-conforming use of Mr. George Stalls' two acres located on the north side of Sawmill Road at Lake Tahoe back to the Planning Commission to be heard at the earliest possible time.

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Hearing was held as duly advertised to rehear 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 and spoke on behalf of same, stating again, as she did at the Board's hearing on July 7, 1981, that the billboard in question is incompatible with the area, and the lights on the sign shine into her home which is directly across the river from the Strawberry Lodge. Mr. Sheldon was also present and spoke, further advising the Board that the lights on the sign are a distraction to motorists on Highway 50, especially during a snowstorm.

Also present to speak to the matter was Mr. Ron Pizer, a member of the County Recreation Commission, stating he feels the billboard is very incompatible with the area.

Mr. Trevor Thomas, owner of the billboard in question, was present and spoke on his own behalf. Mr. Thomas' attorney, Jonathon Landau, was also present and spoke on behalf of Mr. Thomas. Mr. Thomas again advised the Board that he had reduced the "candle power" of the sign lighting before the Board's hearing on July 7, 1981. Mr. Landau stated he heard no testimony this date to substantiate the contention that the billboard and lighting of same is injurious to the neighborhood, or creates a hazard.

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

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202-11-81
Coram 207
Side 2

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Supervisor Stewart made a motion, seconded by Supervisor Lowe, to deny the Special Use Permit, based on the following findings:

1. The additional sign area, as requested by Mr. Thomas and now exists, is detrimental to the neighborhood in that:
 - a. Sign area is a commercial type use and incompatible with the use of the majority of the surrounding area;
 - b. The existing lighting of the sign area is disruptive of the quiet enjoyment of the surrounding residential area;
2. Memorandum dated January 7, 1980, to the Planning Director from Supervisor William V.D. Johnson, with transcript of a portion of the Board of Supervisors' meeting of January 13, 1976, regarding the appeal of Western Sign Company on the Planning Commission's denial of a special use permit to enlarge said billboard;

further, the additional 280 square foot structure to be removed within 30 days of this date, and the lighting of the total structure to be eliminated within 5 working days.

Supervisor Walker made a motion, seconded by Supervisor Flynn, to amend the motion to make the removal of the 280 square foot addition and lighting of the sign effective on the expiration date of the special use permit issued by the Planning Commission on June 11, 1981. (Expiration date: June 11, 1982)

The Chairman called for the vote on the amendment, which did not carry by the following vote: Ayes: Supervisors Walker and Flynn; Noes: Supervisors Dorr, Lowe, and Stewart.

The Chairman then called for the vote on Supervisor Stewart's motion which did carry by the following vote: Ayes: Supervisors Dorr, Lowe, Stewart, and Flynn; No: Supervisor Walker.

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95 Mr. Robert Jones, dba Wild West, and Mr. Jon Osgood, dba Libra Expeditions, were again present to request the Board approve the transfer of Mr. Jones' 1981 river use permit, representing 1179 "user days" to Mr. Osgood, as Mr. Jones is selling his company (Wild West) to Mr. Osgood.

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Board took no action at this time as to the transfer of said permit.

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95 On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board continued to November 24, 1981, the Planning Department's request for approval of a proposal for the preparation of a River Management Plan for the South Fork of the American River, including a detailed Environmental Impact Report, and authorization for staff to proceed with solicitation of bid proposals.

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On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, ORDINANCE NO. 3187 was adopted, amending Ordinances pertaining to road improvement fees and subdivision mitigation. (Sponsor: Supervisor Walker/Introduced October 20, 1981)

296-4 General
(57)
3909 Planning

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board adopted the following language for a policy relating to mitigation of impacts upon public services: "When considering the impact upon school and fire protection services pursuant to the provisions of County Ordinance No. 3092, this Board shall consider there to be such impact only upon the additional lots or parcels created. Mitigation must be tendered accordingly."

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The Planning Department submitted a request for reduction of Subdivision Letter of Credit for Hines Ranch Estates Rural Subdivision, in the amount of \$53,630.00, leaving a balance of \$11,370.00.

423 Hines Ranch Estates

Mr. Marvin LeDane and Mr. Danny Lake, residents in the area, were present to advise the Board of road and drainage problems created by said Subdivision, and requested the Board require the developer to repair same.

On motion of Supervisor Dorr, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Stewart, and Flynn; No: Supervisor Walker, the matter was referred to the Public Works Department to review the three major complaints of neighboring property owners: (1) ditch along Mr. LeDane's property; (2) washout of intersection at Kincaide Road; and (3) culverts plugged up with silt; and to determine whether, under subdivision law in effect at the time this subdivision was approved, the subdivider can be required to remedy said complaints.

25% COTTON

The Board considered the matter of interim zoning within the Area of Influence of the Cameron Park Airport, as identified on the Cameron Park Area Plan Map.

EXCELEBASE

Mr. Doug Noble, Assistant Planning Director, advised that the Planning Commission is concerned about development in the area of the Cameron Park Airport before the County adopts an Airport Approach Zone, currently being developed, which will impose adequate safeguards such as height restrictions on buildings in said area. The Planning Commission recommended interim zoning of RE-5, Estate Residential Five-Acre Zone, on all parcels within the area of influence of the Cameron Park Airport, and requested the Board take urgent action on the Airport Approach Zone Ordinance.

109

Because the RE-5 Zone allows building heights up to 35 feet, which in some cases may not provide adequate safeguards at the Airport, the Planning Director recommended the Board adopt, as an urgency measure to become effective immediately, a completely amended Airport Approach Zone; and further, adopt urgency interim zoning of Airport Approach, combining it with the existing basic zone districts, for the Area of Influence of the Cameron Park Airport.

A motion of Supervisor Dorr, seconded by Supervisor Flynn, to adopt "An Ordinance Adopting An Airport Approach Overlay Zone" as an urgency measure to become effective immediately, failed by the following vote: Ayes: Supervisors Dorr, Walker, and Flynn; No: Supervisor Lowe; Abstain: Supervisor Stewart. (Urgency measures require a 4/5's vote)

The Board took no action on the proposed Ordinance to implement the "Cameron Park-Airport Approach, Interim Zoning".

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46-238
The Board again considered the 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. (Public hearing held, and closed, on October 27, 1981.)

RESOLUTION NO. 375-81 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, approving the establishment of Agricultural Preserve No. 238 contingent upon the other portion of the land, 209 acres in Amador County, also being established as an Agricultural Preserve in that County; and with the provision that, request for cancellation of the Preserve in Amador County will be deemed as a request for cancellation of the Preserve in El Dorado County, and, if the owners file a Notice of Non-Renewal on the Preserve in Amador County, El Dorado County will subsequently file a Notice of Non-Renewal on this Preserve.

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GENERAL ORDERS

110-4-81
Attorney Patrick J. Riley, representing Mr. Robert Barrett, requested the County abandon the offer of dedication for "C" Street, between Third Street and the railroad right of way or end, in Camino.

RESOLUTION NO. 374-81 was adopted, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, setting a public hearing for December 1, 1981, at 11:30 a.m., to consider the proposed termination and abandonment of said offer of dedication.

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58-1
The matter of Mr. John A. Ray's claim that his property on Pleasant Valley Road was damaged during the realignment of same, was continued on November 24, 1981, as requested by Mr. Ray, and on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried.

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46-236
Charles and Signy Swift submitted a Notice of Non-Renewal for a portion of Agricultural Preserve No. 236, consisting of 134 acres, in the Latrobe area. At the recommendation of County Counsel and the Agricultural Commission, and on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Board rejected said Notice of Nonrenewal, as the 60 acres that would remain in Agricultural Preserve No. 236 does not meet 3 of the 4 criteria for an agricultural preserve; and directed County Counsel prepare a Notice of Non-Renewal for the entire preserve and file same.

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87
On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, Supervisor Thomas L. Stewart was appointed as the Board's Director for the County Supervisors Association of California (CSAC) for 1982, for a one-year term commencing with the annual meeting in November of 1981.

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The Board of Supervisors recessed, and convened as the Board of Directors of County Service Area No. 7 (Ambulance Service Area)

61-7
In reference to Ordinance No. 3160, an Ordinance to impose a standby fee of \$12 per improved parcel for Fiscal Year 1981/82 for ambulance service purposes, adopted by the Board of Directors of County Service Area No. 7, the Board, on motion of Director Walker, seconded by Director Flynn, and unanimously carried, requested the Treasurer-Tax Collector and Auditor-Controller report to the Board on a solution of the problems encountered this year; and requested the Assessor, Auditor-Controller, and others as required, to work on the problem to settle it before next year's billing for taxes.

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The Board of Directors of County Service Area No. 7 adjourned, and the Board of Supervisors reconvened.

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by
FOX RIVER

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES November 3 19 81

W.A.
21-1

On motion of Supervisor Flynn, seconded by Supervisor Walker, and unani-
mously carried, the Board directed that the Federal Energy Regulatory
Commission be notified by letter that Mrs. Virginia Gleadall, while a
member of the County Water Committee, was not authorized to represent
El Dorado County or the Water Committee at FERC's public hearing at the
El Dorado High School gymnasium on October 1, 1981, regarding the SOFAR
Project.

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There being no further business, the Board adjourned to Monday, Novem-
ber 9, 1981, at 9:00 a.m., at which time it will conduct a public hearing
to consider the Cameron Park Area Land Use Plan.

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APPROVED:

Joseph W. Flynn

JOSEPH W. FLYNN, Chairman

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

By *Dottie L. Foote*
Deputy Clerk

25% COTTON
EXCELERASE
by
FOX RIVER