

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES December 8 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 Supervisor Robert E. Dorr.

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The Pledge of Allegiance to the Flag was led by Mr. Art Cort, Director of the County Public Works Department.

25% COTTON
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82-1 The Board presented a plaque to Mr. Ralph King in recognition of his service to the County as a member of the Civil Service Commission from November 28, 1960 to November 27, 1981.

EXCELRASE
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The Agenda was adopted, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, with the addition of three items: a request for a reduction of the letter of credit for Franciscan Village Subdivision; an Open Space Easement Agreement with Woodrow and Cecelia Mikesell; and the appointment of Julie Willis to the Commission on Aging.

by
FOX RIVER
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The Minutes of November 23, 24, and 30, 1981, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried.

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On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, 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. 29 was approved, for County Service Area No. 7, transferring \$252,827 from Administration (4-301) to field budget (4-300) to allow the Georgetown ambulance to start operations.

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298A The Board approved Assessment Roll Changes numbered 1401 through 1404.

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At the request of the Airports Department, the Chairman was authorized to sign one-year Leases with the following for advertising space at the Lake Tahoe Airport:

- 21-8A
1. Harvey's Wagon Wheel, Inc., at a cost of \$250 per month;
 2. Sahara Tahoe Corporation, dba Sahara Tahoe Hotel, at a cost of \$350 per month.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

December 8

19 81

30-13 At the request of the Airports Department, the Chairman was authorized to sign 5-year Land Use Agreements with the following for portable hangars at the Placerville Airport, at a land use fee of 100% of the annual tie-down fee: Paul E. Gervais and Industrial Enterprises.

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22-1 RESOLUTION NO. 407-81 was adopted, at the recommendation of the Health Department, authorizing the Chairman to sign Amendment No. 3 to the Agreement with the State Department of Health Services for funds to provide family planning services, increasing said funds by \$20,000 (\$120,000 total) for Fiscal Year 1980-81.

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50-6 At the request of County Training Programs, the Chairman was authorized to sign Closeout Registration No. 8000-6296, Title VI PSE, for Fiscal Year 1980-81, and authorize return of \$24,730.49 in unspent funds.

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298 The Board approved 40 applications for abatement of penalties for failure to file Change in Ownership Statements with the County Assessor.

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113 The Board acknowledged receipt of the Quarterly Budget Report submitted by the Chief Administrative Officer, for period ending September 30, 1981, and directed said Report be placed on file.

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Bid Results

114-4 Bid No. 236 - one 4-wheel drive vehicle for the Probation Department, awarded to the low bidder, Lutz Motors of Placerville, in the amount of \$10,200.00.

25% COTTON
u Bid No. 237 - three hatchback sedans, two for the Environmental Health Department and one for the Public Works Department, awarded to the low bidder, Patterson Motors of Placerville, in the amount of \$5,364.11 each.

EXCELLENT
" Bid No. 238 - two sedans, one for the Probation Department and one for the Public Works Department, awarded to the low bidder, Lutz Motors of Placerville, in the amount of \$7,430 each.

" Bid No. 239 - one 4-door sedan for the Public Works Department, awarded to the low bidder, Lutz Motors of Placerville, in the amount of \$5,060.00.

" Bid No. 240 - three compact pickup trucks for the Public Works Department, awarded to the low bidder, Stancil's Toyota, Inc., of Placerville, in the amount of \$6,172.90 each, plus tax.

" Bid No. 241 - one cab and chassis for the Public Works Department, awarded to the low bidder, Harrell Motors, Inc., of Placerville, in the amount of \$16,614.72.

" Bid No. 242 - one 3/4 ton pickup with low profile service body for the Agricultural Commissioner, awarded to the low bidder, Lutz Motors of Placerville, in the amount of \$10,389.00.

114-9 Bid No. 243 - annual supply for computer custom forms, awarded to low bidder, Christensen Business Systems of Rocklin, in the amount of \$7,762.62.

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EXCELEBASE

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES December 8 19 81

FOX RIVER

Julie Willis was appointed as representative of District I on the County Commission on Aging, for a term ending January 6, 1985, replacing Edna Chandler whose resignation was accepted by the Board on November 24, 1981.

50-7a

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At the recommendation of the Public Works Department, and 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 following Resolutions were adopted, authorizing the Chairman to sign transportation claims as follows:

(340)
124
124
68
(340)

- a. RESOLUTION NO. 404-81, for a claim to be submitted to the El Dorado County Local Transportation Commission, in the amount of \$221,435.00, for Western Slope routine maintenance; and
- b. RESOLUTION NO. 405-81, for a claim to be submitted to the California Tahoe Regional Planning Agency, in the amount of \$66,513.00, for Tahoe Basin routine maintenance.

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A.D. & K...

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Board continued to December 15, 1981, consideration of adoption of a Resolution accepting into the County maintained road system, the roads to be improved under the procedures of the Rosebud Drive-Buena Vista Drive-Hilton Way Assessment District.

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(2-1)

RESOLUTIONS NOS. 408-81 and 409-81 were adopted to provide tax revenues to the City of Placerville for annexation of the Kenneth Veerkamp (CP 81-04) and James Sullivan (CP 81-03) properties in accordance with AB 8 negotiations.

189

Further, on motion of Supervisor Dorr, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, and Stewart; Abstentions: Supervisors Walker and Flynn, the Planning Department was directed to forward correspondence to the Local Agency Formation Commission (LAFCO) pointing out the Board's concerns with the annexation of this property.

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25% DOTION

2-2
(164-7)

The City of Placerville submitted for the Chairman's signature, an Agreement for radio dispatching services, for a term ending June 30, 1982. On motion of Supervisor Lowe, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lowe, Walker, Stewart, and Flynn; No: Supervisor Dorr, the matter was referred to County Counsel, to research the matter of the County's liability for any negligence relating to dispatch services provided for the City, and report back to the Board on same at a later date.

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FOX RIVER

74-8a

The request of the Capital Improvements Coordinator, for authorization to advertise "Notice to Bidders" for the South Lake Tahoe Administration Building Remodeling Project, was continued to December 15, 1981, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES December 8 19 81

On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unani-
mously carried, the Board set the following Policy Review Sessions:

- 12-14
(81-3)
12-14
- December 30, 1981, at 9:00 a.m., regarding winter season staffing for County Service Area No. 3's vector control;
 - December 30, 1981, at 9:15 a.m., regarding the issue of allowing additional living units, with kitchens, on single family residential lots when special circumstances exist.

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Legislative Matters

326
The Sierra County Board of Supervisors requested support of its Resolu-
tion urging the State Legislature to eliminate the minimum revenue guaran-
tee provisions of the Forest Taxation Reform Act of 1976, and substitute
the County of origin concept so as to allow each County to receive the
taxes paid on harvested timber within that County's boundaries.

On motion of Supervisor Flynn, seconded by Supervisor Walker, and unani-
mously carried, the Board requested the County Assessor have a representa-
tive at a joint legislative hearing on this issue on December 10, 1981, in
Sacramento, and support Sierra County's position.

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EXCELEBASE
At the recommendation of the Welfare Director, and on motion of Supervisor
Lowe, ✓ seconded by Supervisor Stewart, and unanimously carried, RESOLUTION
NO. 410-81 was adopted, as amended by the Board this date, urging the State
of California to lower its welfare grants, especially AFDC, not to exceed
the average allowed by the states of Oregon, Nevada, and Arizona, or the
national 50-state average, whichever is lower.
FAY RIVER

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233
At the request of the County Supervisors Association of California (CSAC),
and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unani-
mously carried, the County Chief Administrative Officer was authorized to
prepare a letter, for the Chairman's signature, to be forwarded to the
Governor and the Director of Finance, urging them to include a second year
of funding, in the 1982-83 State budget, for jail construction. (1981-82
State budget includes \$40 million dollars for jail construction, however,
no such funds appear in the proposed 1982-83 State budget.)

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At the recommendation of the Chief Administrative Officer, and on motion of
Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried,
the Board took the following action:

- 52-3
(115)
- Adopted RESOLUTION NO. 411-81, rescinding Resolution No. 18-74 and
returning the sole authority to deter-
mine industrial disabilities for safety members and making applications
on behalf of the County for safety member disability retirements, to
the Board of Supervisors;
 - Authorized the County Risk Manager and Health Officer to prepare and
implement a comprehensive pre-employment physical for safety members;
 - Authorized Personnel and the Sheriff to investigate the possibility of
implementing psychological testing programs as part of safety employees
pre-employment testing;
 - Authorized the Administrative Office to explore the benefit and costs
of a physical maintenance program for safety employees;
 - Requested staff to investigate the possibility of annual physical
examinations to determine if the disabilities still exist.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

December 8

19 81

Mr. Robert W. Amburn, Director of Community Programs, submitted a memorandum to the Board, dated December 8, 1981, wherein he outlined the five recommendations developed by a committee which met on December 3, 1981, to arrive at a plan that would provide the best transportation services possible for the elderly and handicapped at South Lake Tahoe with the resources that are available. Those recommendations are as follows:

1. To continue the contract with Mr. La Blanc through the period January 31, 1982;
2. To amend the subsidy rate to Mr. La Blanc for the period beginning January 1, 1982, from \$1.75 per ride to \$2.00 per ride for 300 one-way rides per month, and from \$1.75 to \$2.50 per ride for 300 one-way rides per month;
3. To remove the contractual requirement that Mr. La Blanc must transport wheelchair bound persons in the lift equipped bus;
4. To remove the lift equipped bus from Mr. La Blanc's operational fleet and put it to use elsewhere;
5. To amend the contract so that the upper Christmas Valley is no longer included in the area to be served by the program.

On motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Board approved the recommendations of the Director of Community Programs, numbered 1 through 5, and added number 6 to read as follows: "To allow the Area Agency on Aging and Community Programs to adjust the criteria that has been adopted to give it more flexibility."

Further, on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board directed that the lift-equipped van be brought back to the western slope until such time as it is needed in the Basin.

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At the recommendation of the Agriculture Department, and on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign an Agreement with Placer County to hire an Agricultural/Weights and Measures Inspector to be used jointly by El Dorado and Placer Counties for the enforcement of pesticide use, for a term ending June 30, 1983.

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The Fair Manager requested permission from the Board for engineering assistance from the County Public Works Department in the designing of bases for new latticework towers for the lighting system at Walker Field at the Fairgrounds.

On motion of Supervisor Walker, seconded by Supervisor Stewart, and unanimously carried, the Board requested the Director of Public Works to contact Dr. Paul Washburn to see what is required, and bring the matter back before the Board if necessary.

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At the recommendation of the Chief Administrative Officer, and on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, RESOLUTION NO. 412-81 was adopted establishing a Criminal Justice Temporary Construction Facility Fund (AB189), and the Auditor-Controller's Office was requested to prepare a special trust fund in which all revenues can be deposited; further, the Chief Administrative Officer was directed to work with the Courts in adjusting the bail schedule amounts to reflect the surcharges.

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EXCELEBASE

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES December 8 19 81

FOX RIVER

Mr. Richard Kellner and Mr. Forrest Scott requested permission to continue the grading project on their property on Mother Lode Drive and Missouri Flat Road, without obtaining a permit, as said project was started in 1980, prior to adoption of the grading ordinance.

132

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board authorized Messrs. Kellner and Scott to proceed and finish the project, with the understanding that, if there is any building on that site, at that time there will have to be proven a compaction test before those buildings are placed on the fills.

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RESOLUTION NO. 413-81 was adopted, on motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, adjusting the boundary line between Supervisorial Districts 2 and 5, South Lake Tahoe.

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The U. S. Forest Service, Lake Tahoe Basin Management Unit, requested authorization to install winter gates on Echo Portal Road and Angora Ridge Road, South Lake Tahoe.

1001
124

On motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Board approved the request, with direction to the Public Works Department to bring the matter of transferring Echo Portal Road and Angora Ridge Road to the U. S. Forest Service, back to the Board for consideration at a later time.

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SPECIAL ORDERS

PLANNING MATTERS

At the request of the Planning Director, the Board, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, continued to December 29, 1981, at 2:00 p.m., the hearing to consider adoption of an Ordinance amending Planned Development Zoning Regulations regarding the method of processing Planned Developments where the County has imposed, or the property owner has requested, the Planned Development zoning; and elimination of the 24-month start period for a project.

57

EXCELEBASE

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At the recommendation of County Counsel, and on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Board approved the request of Attorney Jack L. Herron that Capitol Federal Savings and Loan be authorized to release \$29,000 of the proceeds of the construction loan for Franciscan Village Subdivision, leaving a balance of \$59,358.66 on deposit; with the \$29,000 to be placed in an escrow account whereby the contractors will agree to finish the work and to release all the claims and rights against the County.

423
Franciscan Village

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GENERAL ORDERS

Tammi & Sanders, Certified Public Accountants, submitted the Audit Report for grants administered by the El Dorado County Community Action Council, Inc., for year ending February 28, 1981. On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board referred the report to the Community Action Council for comment; further the Director of Community Programs was requested to provide the Board with a summary of policies he plans to institute so the problems identified on pages 29 through 36 of said report are not repeated.

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25% COTTON

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES December 8 19 81

EXCELERASE

FOX RIVER

The matter of Mr. Darby Huffman's letter regarding his inability to obtain a public utility easement across his neighbor's property in order to provide electric power to his home, was removed from the agenda at Mr. Huffman's request, and on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried.

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Mr. Edward Bernard was appointed as representative of District II to the Tahoe Basin Transportation District Technical Advisory Committee, on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried.

23-4

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RESOLUTION NO. 414-81 was adopted, on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, adopting design standards for the site evaluation and design of sewage disposal systems.

22-11A

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At the recommendation of the Planning Department, and on motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, RESOLUTION NO. 415-81 was adopted, authorizing the Chairman to sign an Open Space Easement Agreement with Woodrow and Cecelia Mikesell, from Lot 259, Mountain View Estates No. 3, to Lot B, Montgomery Estates, to comply with the conditions imposed by the California Tahoe Regional Planning Agency regarding developmental rights; said approval subject to County Counsel's approval of additional required documents that have not yet been received.

132

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SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider the Appeal of Mr. Les C. Anderson on the Planning Commission's granting of Special Use Permit No. 81-115 to Edward Beasley, to allow an automotive transmission repair facility on one acre zoned Planned Commercial in the Cameron Park area.

82-20-81

Mr. Ed Cavendar was present and spoke on behalf of the appellant, advising the Board that Mr. Anderson owns commercial property adjacent to the property in question. Retail shops are located on Mr. Anderson's property and he is concerned about the unsightliness of an automotive transmission repair shop directly across the street from the shops. Noise is also a concern of Mr. Anderson's.

EXCELERASE

Mrs. Beasley was present to speak on behalf of her husband, Edward Beasley. She pointed out the exact location of the proposed shop, and explained that all the work will be done inside the building.

Mrs. Valerie Seeman, owner of the property in question, was present and explained that the property in question is between Mr. Anderson's property and a car wash to the south. Therefore, the retail shops on Mr. Anderson's property presently face unsightly weeds and a carwash, and she feels Mr. Beasley's proposed use of the property will be an improvement.

Continued next page

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

December 8

19 81

Mr. John Neider, who owns two auto repair shops southeast of the property in question, was present and spoke to the matter, stating he is not sure this is a good use of the property. He feels that whatever is constructed at that site should be something nice to look at, and noise is a factor. He also questioned the need, stating one of his shops is now vacant and the other is not doing well.

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

On motion of Supervisor Walker, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Walker, and Stewart; Noes: Supervisors Lowe and Flynn, the Board denied the Appeal, and approved Special Use Permit No. 81-115 subject to the 11 conditions recommended by the Planning Commission.

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Hearing was held as duly advertised to consider the Appeal of Mr. James M. Moore on the Planning Commission's granting of Special Use Permit No. 81-99 to Dorado Mining Company, Inc., to allow a mining and milling complex on 49.12 acres zoned Agricultural in the Placerville Periphery area.

Mr. Jake Raper of the Planning Department was present and spoke on behalf of the Planning Commission, and reviewed the history of this project. Mr. Raper reviewed documents which comprise the environmental study, and advised that staff believes no environmental impact concerns exist due to conditions imposed on the Special Use Permit, which mitigate same. The Chairman ordered that the following documents, which comprise the environmental study, be entered into the record:

1. Summary of Environmental Assessment, consisting of 11 pages;
2. Noise Analysis prepared by Brown-Buntin Associates;
3. Expanded statements and documentation associated with Planning Department's environmental assessment form (51 pages) which includes an archeological report;
4. Memorandum to Mr. Robert Laurie, Chief Assistant County Counsel, dated December 7, 1981, identifying the process used and Planning staff's responses to the concerns identified in the Appeal to the Board of Supervisors;
5. Document dated December 7, 1981, from Brown-Buntin Associates, clarifying concern of the appellant regarding significant impact on the ambient noise levels, and further clarifying the previous noise study on the project;
6. Letter to the Planning Department from Dorado Mining Company, dated September 22, 1981, entitled "Addendum to Noise Quality";
7. Letter to Mr. Robert Laurie from the Director of Environmental Health, dated December 8, 1981, responding to concerns in the Appeal regarding stagnant water and breeding of mosquitos.

Mr. Gary Hursh, representing Doroda Mining Company, was present and spoke on behalf of same. Mr. Hursh spoke to the integrity of said Company, and further advised that this is a 3-year project, after which it will take 6 months to remove all buildings, etc., and restore the property. He emphasized there will be no underground mining. Mr. Hursh advised he spent 2 days walking in the neighborhood, and reviewed the responses he received, from which he summarized there is no opposition of any substance to the project. Mr. Hursh closed with the request that the Appeal be denied, the Special Use Permit approved, and condition number 14 recommended by the Planning Commission be deleted in turn for Dorado Mining Company's offer to reduce the depth of the "open pit" from 140 feet to 70 feet.

Continued next page

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES December 8 19 81

Mr. Jim Buntin of Brown-Buntin Associates was present and spoke to the noise analysis prepared by said firm, stating the project would result in an approximate 5 decibel increase in the noise level one would expect to find in the area now, which is a noticeable difference but not above the recommended daytime level.

The following persons were present and spoke in favor of the Special Use Permit, primarily speaking to the need for jobs in this County and the need to extract our valuable mineral resources: Ester Townsend, Chris Buckley, Vern Sayles, Bud Olson, Dave Brazel, George Wheldon, John O'Leary, Andrew Taylor, Ardel Ord, Larry Zumwalt, Jim Shrader, and Cliff Reed.

Attorney Patrick Riley was present and spoke on behalf of the appellant, as well as 120 other area residents who are opposed to the project. Mr. Riley stated it is the belief of his clients that the Special Use Permit should be denied because it will be detrimental to the public health, safety and welfare, and injurious to the neighborhood; and, if the Permit is granted, it should be done only after the preparation of an Environmental Impact Report (E.I.R.)

The following area residents were present and spoke in opposition to the Special Use Permit: James Moore, Kay Hess, Jerry Blumell, Orlon Herrick, William Lawson, Bill Furtwangler, Gene Barnes, William Hill, Linda Mushell, and Stephanie Dolman. Collectively they raised concerns of increased traffic on their roads, the hazard to children created by the "open pit", noise, and the effects of blasting. All agreed an E.I.R. should be prepared by the County or a firm employed by the County, for an objective assessment of the environmental impact of such a project. Mr. Hill submitted a petition, signed by over 500 persons, in opposition to the County issuing the Special Use Permit without the preparation of an E.I.R.

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

The Chairman ordered that the following be entered into the record:

1. Letter from Mr. Ronald A. Cory, who is opposed to the Special Use Permit;
2. Petition in favor of the Special Use Permit, with 62 signatures, submitted by Mr. Gary Hursh;
3. Twelve letters submitted to the Planning Commission in favor of the Special Use Permit;
4. Letters from the following agencies which were contacted for the review and documentation of the environmental assessment for the project:
 - a. Soil Conservation Service
 - b. Air Pollution Control District
 - c. Public Works Department
 - d. State Division of Mines and Geology
 - e. Assistant County Geologist
 - f. El Dorado Irrigation District
 - g. South Fork of the American River (S.O.F.A.R.) Council.

Supervisor Walker advised that he received letters in opposition to the Special Use Permit from Susan Yocum, Donald and Marilyn Wilson, Mr. & Mrs. Gary Selmyhr, and Mrs. Gail Furtwangler. He received letters in favor from John Rogers and J. C. McLaughlin.

Supervisor Lowe advised she received a letter in support of the project from Mr. Chuck Falkenstein.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board took the matter under advisement, with the public hearing closed, to review summary of testimony taken this date, which will be prepared by County Counsel and Planning staff, and the Board to act on the Appeal on December 29, 1981, at 2:00 p.m.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

December 8

19 81

GENERAL ORDERS

132
Consideration of adoption of an Ordinance amending the El Dorado County Building Code was continued to December 15, 1981, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried.

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The matter of the Planning Department's proposal for accomplishing "in house", a River Management Plan for the South Fork of the American River, including a detailed Environmental Impact Report, was continued to December 29, 1981, on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried.

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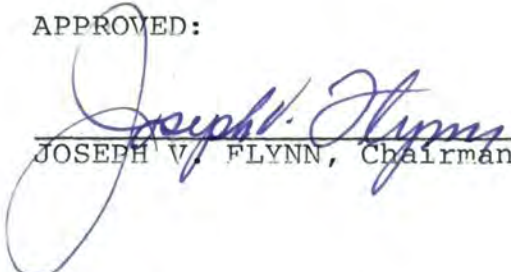
226
On motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Board referred to the Lake Tahoe Humane Society for comment, a letter from Robert J. Smith, dated November 4, 1981, wherein he suggests Statewide sales tax of less or 1/2 of 1% on pet foods, pet supplies, and pet services, to be used only for animal services, lowering the fees for adoption at the pound, lowering the fees for spaying and neutering, and starting an educational program to make pet owners responsible.

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There being no further business, the Board adjourned to Tuesday, December 15, 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

25% COTTON

EXCELERASE
by
FOX RIVER