

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 5 19 82

The Board convened in regular meeting. Present: Supervisors Robert E. Dorr, W. P. "Dub" Walker, and Joseph V. Flynn. Absent: Supervisors Patricia R. Lowe 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 Reverend Jim Upshaw of the Federated Church.

25% COTTON
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The Pledge of Allegiance to the Flag was led by Supervisor Walker.

EXCELFRASE
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12 The election of Chairman, First Vice-Chairman, and Second Vice-Chairman of the Board of Supervisors for 1982 was continued to January 12, 1982, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present.

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

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The Minutes of December 29 and 30, 1981, were approved as submitted, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present.

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On motion of Supervisor Walker, seconded by Supervisor Dorr, 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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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>	
Gary Crafton	2039	559

* * * *

151-13 RESOLUTION NO. 1-82 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; Public Defender, Probation, Library, and Welfare Departments.

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246-4 Pleasant Valley Road At the request of the Public Works Department, the Chairman was authorized to sign ten change orders to the contract with Greenhalgh Company, Inc., for the Pleasant Valley Road "Y" and Curve Improvement Project (FAS-HES-V400 (2)); and approved the Final Estimate, in the amount of \$221,964.02.

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Bid Results

114
Bid No. 244, towing service for County vehicles at South Lake Tahoe, awarded as follows: No. 1 Vendor to Pioneer Towing and No. 2 Vendor to Bruce's Towing, both of South Lake Tahoe.

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298
The Board approved 17 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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RESOLUTION NO. 2-82 was adopted to provide property tax revenues to the City of South Lake Tahoe for annexation of the BMH Properties (SLT 81-01) in accordance with AB 8 negotiations.

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The Purchasing Agent requested the Chairman be authorized to sign the following:

- 74-37(2)
74-38(2)
117
- Agreement and Amendment to same, for the lease/rental of an IBM copy machine, located on the upper floor of Building A, at a monthly cost of \$1,000.50; and
 - Budget Transfer, transferring funds, in the amount of \$7,500.00, from Contingency to the Service Unit Budget (1-601, 2-200, Rents and Leases - Equipment).

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried/ ^{by those present} the matter was continued to January 12, 1982, as a transfer from the Contingency Fund requires the vote of four Board members and only three members are present this date.

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12-14
82-14
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On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present, the Board set a Policy Review Session for Tuesday, January 12, 1982, at 8:30 a.m., with a committee of Management employees to discuss the Management Employees Evaluation System; and a "kick-off" meeting with the Chief Administrative Officer and County Department Heads on Tuesday, January 12, 1982, at 9:00 a.m., to discuss the instruction packet drawn up for preparation of the County Budget for Fiscal Year 1982-83.

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81
The request of the County Supervisors Association of California (CSAC), that El Dorado County join in CSAC's declaratory relief suit, as a named plaintiff, regarding CSAC's constitutional challenge of 1981 Chapter Legislation that does not comply with Article XIII B of the Constitution (State Mandates), was continued to January 12, 1982, on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present.

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81
The recommendation of the Napa County Board of Supervisors, that the Geographical Alternative Method of selecting officers for the County Supervisors Association of California (CSAC) be instituted, was continued to January 12, 1982, on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present.

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25% COTTON

EXCELEFRASE

The Public Works Department recommended the Chairman be authorized to sign an Agreement with the State Department of Transportation for maintenance of the traffic signal system on Missouri Flat Road, at an estimated annual cost of \$1,000.00.

A motion of Supervisor Flynn, seconded by Supervisor Walker, to approve the request, did not carry, by the following vote: Ayes: Supervisors Walker and Flynn; No: Supervisor Dorr; Absent: Supervisors Lowe and Stewart.

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present, the matter was continued to January 12, 1982.

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On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present, the Board endorsed the Sheriff's Department's proposal, to be submitted to the State of California for AB 2971 (California Community Crime Resistance Program) funds, and the Chairman was authorized to sign a letter regarding same.

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County Training Programs recommended the following relating to the Notice of Initial Audit Recommendation for the CETA Audit period of October 1, 1976, to September 30, 1978:

- a. Chairman be authorized to sign a Budget Transfer, in the amount of \$2,624.77, from Contingency to Grants Programs Budget to cover the costs disallowed; and
- b. Manager of the Grants Programs (CETA) be authorized to recover costs, in the amount of \$2,624.77, from agencies which incurred said disallowed costs.

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present, the matter was continued to January 12, 1982, as a transfer from the Contingency Fund requires the vote of four Board members and only three members are present this date.

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The request of the Capital Improvements Coordinator, that the Chairman be authorized to sign a 20-month interim Agreement and a 20-year permanent Agreement with El Dorado Union High School District for establishment of a joint-use library at the Oak Ridge High School, was continued to January 12, 1982, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, as the Agreements have not been presented to the Board for review. (By informal consensus of the Board, it was agreed that the Agreements, when prepared, should be referred to the County Librarian and Library Commission for their review and comment.)

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Supervisor Lowe's request for a status report on the Environmental Impact Report for the Lake Tahoe Airport Master Plan was continued to January 12, 1982, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present.

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FOX RIVER

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294
294

33-4

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(299)

21-3

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Supervisor Walker advised the Board of a problem of illegal dumping of garbage and refuse on Church Mine Road below the Union Mine Dump.

124 On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present, the matter was referred to the Public Works Department to investigate and report back to the Board on what it would cost to clean up the area now, and what can be done to prevent future illegal dumping.

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12 Appointments to various Board-appointed committees and commissions were continued to January 12, 1982, on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present.

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124 Messrs. George Meeks and Alton Lewis submitted letters requesting the cattleguard on Sandridge Road, which was removed by the County Public Works Department when it was in disrepair and constituted a hazard to the travelling public, be replaced for the purpose of controlling their cattle.

Mr. Art Cort, Director of Public Works, was present and advised the Board that, pursuant to the Streets and Highways Code, the actual owners of the property surrounding the cattleguard site are the ones who should, properly, be requesting permission to replace the cattleguard in question. Mr. Cort suggested that Mr. Lewis, who was present this date, should obtain written permission from those property owners which are, according to his records, Messrs. Milburn, Jepperson, and Mathison.

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present, the Board requested Mr. Lewis to meet with Mr. Art Cort, Director of Public Works, to determine what is necessary, and return to the Board when ready.

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27-6 On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present, the Board continued to January 12, 1982, the matter of the Lake Tahoe Humane Society, Inc., commenting on a letter from Robert J. Smith, wherein he proposes a State-wide sales tax not to exceed $\frac{1}{2}$ of 1% on pet foods, pet supplies, and pet services, to be used only for animal services, thereby lowering fees for adoption at the pound, and for spaying and neutering, and starting an educational program to make pet owners responsible.

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SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider rezoning of lands in the Rescue area from Estate Residential Ten-Acre Zone to Estate Residential Five-Acre Zone, consisting of 20.27 acres, petitioned by Donald E. Davey. The Planning Commission recommended approval, based on the following findings:

1. The request is consistent with the General Plan;
2. Adequate services are available to support the request;

Continued next page

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- 3. The access is by Luneman Road. This road is being improved with the development of Arrowbee Woods Subdivision;
- 4. The lands to the north and east are zoned RE-5 and the lands to the south and west are zoned RE-10.

Mr. Jim Wilson was present and spoke on behalf of the applicant.

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

Supervisor Dorr expressed concern with the ultimate impact on Luneman Road by development of the property, and would like assurance that the developer will contribute to the improvements needed.

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the rezoning request was continued off calendar, to be brought back before the Board with the Tentative Parcel Map for said property after said Map is approved by the Planning Department staff.

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Hearing was held as duly advertised to consider rezoning of lands in the Camino/Fruitridge area from Single Family Residential Two-Acre Zone to Single Family Residential One-Acre Zone, consisting of 13.788 acres, petitioned by Hubert Henderson and Gerald Stacy. The Planning Commission recommended denial, based on the following findings:

- 1. Although the proposed zoning is consistent with the General Plan, it has more recently been identified as choice agricultural land on the Long Range Land Use Map;
- 2. A letter from Public Works indicates Cable Road is substandard. Before any further subdivision of land, this road should be improved..

Messrs. Stacy and Henderson were present to speak to their request.

The following persons were present and spoke in favor of the request: Bill Noaks, who hopes to purchase one acre of Mr. Stacy's property; Mary Mostert, who sold the property to the applicants; Max Roberts, who reviewed the history of the property's zoning; and Daryl Roberts, who lives in the area and feels denial of the request would cause a hardship to Mr. Stacy due to the money he has already invested in the property.

Mr. Tim Taylor, who owns a 13-acre apple orchard across from the property in question, was present and spoke in opposition to the request, citing the adverse effect of high density development on agricultural pursuits. Mr. Taylor submitted a petition signed by nine area residents also opposed to the request.

Mrs. Nadine Bunting, who owns a 5-acre apple ranch in the area, was also present and spoke in opposition to the request, stating she is concerned about water availability, trees being cut to widen the road, and the loss of their rural atmosphere.

At this time, 3:20 p.m., the electricity shut off, with the meeting continuing with lights provided by auxiliary power and no taped recording of the proceedings.

At the request of the applicants, and on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present, the public hearing, and decision of the Board, was continued to January 19, 1982, at 2:00 p.m., in order to have a full Board present.

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26-3-82
The Governors Village Park Committee submitted a petition containing 262 signatures, protesting the intended commercial development of the site presently know as Governors Village Park in El Dorado Hills, and requesting rezoning of same to preserve the Park.

On motion of Supervisor Flynn, seconded by Supervisor Walker, and unani-
mously carried by those present, the matter was continued to February 16,
1982, at 3:30 p.m., at the request of Mr. A. Ellison Rumsey, Chairman of
said Committee, due to only three Board members being present, one of which
has stated he must abstain from voting on the issue; and residents of
El Dorado Hills having difficulty travelling to the Government Center in
the bad weather, and some of those wishing to attend having difficulty get-
ting time off work to do so.

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28-4-82
A hearing was advertised for this time to consider rezoning of lands in
the Georgetown area from Single Family Residential Three-Acre Zone to
Single Family Residential One-Acre Zone, consisting of 2 acres, petitioned
by Daniel Alley.

On motion of Supervisor Flynn, seconded by Supervisor Walker, and unani-
mously carried by those present, the public hearing was continued to
January 19, 1982, at 2:00 p.m., based on the applicant's desire to have
a full Board present to act on his request.

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Hearing was held as duly advertised to consider the renaming of streets
as set forth below. There were no verbal protests and the hearing was
closed.

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unani-
mously carried by those present, the following Resolutions were adopted
renaming streets as specified:

- 54-2-281
54-2-3-81
54-2-4-81
54-2-5-81
54-2-6-81
54-2-7-81
54-2-8-81
54-2-9-81
54-2-10-81
54-2-11-81
54-2-12-81
54-2-13-81
- a. RESOLUTION NO. 3-82, renaming Road 1012, in the Shingle Springs area, to Wild Chaparral Drive, as requested by the Planning Department;
 - b. RESOLUTION NO. 4-82, renaming Road 61, Finnon Road, in the Finnon Lake area, to Trail Gulch, as requested by the Planning Department;
 - c. RESOLUTION NO. 5-82, renaming Road 42, Rattlesnake Bar Court, in the Cool/Pilot Hill area, to Goose Flat Road, as requested by the Planning Department;
 - d. RESOLUTION NO. 6-82, renaming Pinos Way to Embarcadaro Drive, and Encinos Drive to Telegraph Hill, in the Franciscan Village Subdivision in the El Dorado Hills area, as requested by the El Dorado Hills Fire Department;
 - e. RESOLUTION NO. 7-82, renaming Road 2225, Valley Oak Court, in the El Dorado Hills area, to Maul Oak Court, as requested by the Folsom Post Office;
 - f. RESOLUTION NO. 8-82, renaming Road 1871, in the Diamond Springs/El Dorado area, to Georges Alley, as recommended by the Planning Commission;
 - g. RESOLUTION NO. 9-82, renaming Road 1872, in the Diamond Springs/El Dorado area, to North Alley;
 - h. RESOLUTION NO. 10-82, renaming Road 1875, in the Diamond Springs/El Dorado area, to McHatten Alley;
 - i. RESOLUTION NO. 11-82, renaming Road 1874, in the Diamond Springs/El Dorado area, to Locust Road;
 - j. RESOLUTION NO. 12-82, renaming Road 1208, in the Pollock Pines area, to Mountain Lake Drive, as requested by the Public Works Department;
 - k. RESOLUTION NO. 13-82, renaming Road 887, portion of Griffith Drive, in the Diamond Springs/El Dorado area, to Sunlight Drive, as requested by the Planning Department;
 - l. RESOLUTION NO. 14-82, renaming Road 186 to Cayuga Road and Road 186A to remain Kamloops Drive, in the Pollock Pines area, as requested by the Public Works Department.

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The Planning Department requested the following regarding the City of South Lake Tahoe Planning Commission/El Dorado County Planning Commission Joint Report on City/County joint planning efforts to be forwarded to the Tahoe Regional Planning Agency (TRPA):

- EXCELEPHASE
- a. Planning Commission recommendations be approved, and Supervisor Thomas Stewart and Mr. Ken Milam, Planning Director, be appointed to make a joint presentation with the City of South Lake Tahoe representatives, to the TRPA Governing Board;
 - b. Resolution be adopted, regarding involvement in and commitment to the process of TRPA's Environmental Threshold and Carrying Capacity Study.

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present, the matter was continued to January 12, 1982.

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282-21-5

The Board again considered 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. The public hearing was held, and closed, on December 8, 1981, and the decision of the Board considered on December 29, 1981, at which time it was continued to this date.

Supervisor Walker requested that a representative of Dorado Mining and a representative of the area residents each give a review of the meeting of the two groups held since the Board's last consideration of this matter.

Mr. J. Bluemel, representing area residents, outlined their suggested changes in the conditions of the Special Use Permit. Mr. Bluemel submitted a letter to Mr. Sam Gillion of the County Planning Department from Mr. Derrel W. Houdashelt, Manager of Dorado Mining Company, Inc., dated December 30, 1981, wherein Mr. Houdashelt states that the Company's proposed activities are not dependent on the Mineral Reserve Zoning, but only on the issuance of the Special Use Permit, therefore they will not become involved with efforts to develop a Mineral Reserve Classification for said property. At the request of Mr. Bluemel, the Chairman directed that said letter be entered into the record.

At this time, 4:00 p.m., the electricity came back on and taped recording of the proceedings resumed.

Mr. Derrel W. Houdashelt, representing Dorado Mining, responded to the suggestions made by Mr. Bluemel. During the discussion that ensued, Mr. Houdashelt and Mr. Bluemel agreed to the following changes to specific conditions of the proposed Special Use Permit (said conditions outlined in a memorandum to the Board from the Planning Department, dated December 30, 1981):

- a. Condition number 6(b) amended to read, "Mill operation - limit mill hours to 12 hours with earliest starting time 6 a.m., and latest closing time 7 p.m., and any day's work to be 12 consecutive hours".
- b. Condition number 8 amended by deletion of the words "surrounding properties", to be replaced by the words "receiving station".
- c. Condition number 22 amended by the addition of the following sentence at the end of said condition: "The permit holder will use best efforts to mitigate individual noise complaints regardless of the noise level".
- d. Condition number 24 was added, to read as follows: "Where reasonable, traffic will be directed to enter and exit by way of Pleasant Valley Road".

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FOX RIVER

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During discussion of condition number 22, which deals with noise, the Board informally designated the Department of Environmental Health, using qualified people, as the office to contact when making a complaint about noise.

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present, the Board approved, received and filed the Mitigated Negative Declaration for the project.

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present, the Board denied the Appeal of Mr. James M. Moore, and approved Special Use Permit No. 81-99 subject to the 23 conditions as listed in the Planning Department's memorandum to the Board dated December 30, 1981, as modified by the Board this date and the addition of condition number 24; said approval based on the following findings:

1. All impacts noted in the Initial Study and through public testimony which include noise, aesthetics, traffic, erosion and siltation, exposing people to major geologic hazards, and violation of air quality standards, will be mitigated by conditions incorporated into the project. (See Exhibits A-C and the Initial Study attached hereto and incorporated herein by reference.)
2. The mining and milling operation, as shown on the approved site plan and described in the Environmental Assessment, is found to be an acceptable temporary land use within the existing land patterns and uses. The conditions control the development and operation and ensures protection to surrounding land uses.
3. The mining and milling operation is authorized by Section 9415(d-4), A, Agricultural Zone District and is consistent with the General Plan.
4. The established conditions will ensure that the mining and milling operation will not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.
5. Extraction of valuable resources and the potential for employment, are in the interest of El Dorado County and the State of California.

At the request of County Counsel, Mr. Derrel Houdashelt, representing Dorado Mining Company, Inc., stated, for the record, his concurrence with the 24 conditions as imposed.

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The Board recessed to convene as the Board of Directors of the County Redevelopment Agency (see County Redevelopment Agency Minutes, Page 9); then reconvened as the Board of Supervisors.

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(1981)
The Board again considered the requests of the City of South Lake Tahoe and the City of Placerville for consolidation of City Elections with the State-wide Direct Primary Election to be held June 8, 1982, as permitted by Senate Bill 230. On December 29, 1981, the Board continued the matter to this date in order to obtain comments from the Cities regarding correspondence from the Office of the Secretary of State which questioned the constitutionality of Senate Bill 230.

The County Chief Administrative Officer advised that the State Attorney General will release an "opinion" on the question of constitutionality of Senate Bill 230, in late January. He further advised that the Cities are standing by their requests for consolidation, and recommended the Board approve same, with the understanding that the City of Placerville may withdraw from the consolidation if the Attorney General's opinion is that Senate Bill 230 is unconstitutional.

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present, the Board approved the requests.

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(74-7a)
(74-8a)
201

The County Auditor-Controller submitted an Audit Report on El Dorado County's vending machine contracts for the latter part of 1977 through September, 1981, and recommended (1) John Davis Vending be notified that its contract is to be terminated; and (2) reporting requirements be changed from the current monthly report to a quarterly report.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unani- mously carried by those present, the Board approved both recommendations.

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By informal consensus of the Board members present, the Policy Review Session regarding the Animal Control Division of the Health Department was rescheduled from Wednesday, January 6, 1982, to Wednesday, January 13, 1982, at 9:00 a.m.; and a Closed Session was scheduled for Wednesday, January 13, 1982, at 8:45 a.m.

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There being no further business, the Board adjourned to Tuesday, January 12, 1982, 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 *Debbie L. Foote*

Deputy Clerk

25/6 COTTON