

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 26 19 82

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, as also present. Chairman Walker presided.

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The Invocation was offered by Reverend Read Chatterton, United Church of Christ.

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

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

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The Minutes of January 19, 1982, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried.

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On motion of Supervisor Flynn, 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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The Board approved Assessment Roll Changes numered 1463 through 1467 and 1469 through 1471.

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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>	
William J. E. Perry, aka Edward Perry	2020	606
Richard Delk and Celia Delk	1431	21

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At the recommendation of County Counsel, the Board denied the claim for damages, in the amount of \$22,352.27, submitted by Attorney Jeffrey F. Paccassi on behalf of Robert L. Hinchman, Jr.

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RESOLUTION NO. 29-82 was adopted, at the recommendation of the Health Department (Mental Health Division), forming an Advisory Board in Mental Health, Drug Abuse, and Alcoholism and approving Bylaws for same.

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At the request of the Health Department (Mental Health Division), RESOLUTION NO. 30-82 was adopted, authorizing the Chairman to sign Phase II of the 1981-82 Mental Health Plan, to be submitted to the State Department of Mental Health.

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At the request of Community Programs, the Chairman was authorized to sign an Amendment to the Agreement with Lake Tahoe Transportation Systems, Inc., extending same from January 31, 1982, to June 30, 1982.

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At the recommendation of Community Programs, the Chairman was authorized to sign 1982-83 Summary of Work Programs and Budget, in the amount of \$92,457.00, to be submitted to the State Department of Health and Human Services by February 1, 1982, for continued operation of portion (01-05) of the El Dorado County Community Action Agency.

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The Board approved 30 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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The Board approved the request of the Pleasant Valley Fire Protection District for waiver of Building, Planning, and Road Encroachment fees for the proposed remodeling of the Oak Hill Fire Station.

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RESOLUTION NO. 33-82 was adopted, at the request of the El Dorado County Fair Board of Directors, proclaiming the week of May 9, 1982, as "Hangtown Rodeo Week".

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RESOLUTION NO. 34-82 was adopted declaring the Garden Valley Ranch Estates Community Services District duly organized, stating District purposes, fixing the District boundaries, and designating the following members of the Board of Directors: Beverly Jones, Clifford E. Beam, Cecil W. Jones, Joseph Mickey, and Walter W. Elrod.

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RESOLUTION NO. 31-82 was adopted, at the recommendation of Community Programs, and on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, authorizing the Chairman to sign a revised Annual Transportation Claim for the South Lake Tahoe Basin, in the amount of \$116,827.00, against the 1981-82 transportation fund apportionment to the California Tahoe Regional Planning Agency to provide El Dorado County's portion of transportation services in the South Lake Tahoe Basin.

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114-6
Bid No. 247, legal and classified advertising for the period February 1, 1982, through January 31, 1983, for the Eastern and Western Slope of El Dorado County, was awarded to the Tahoe Daily Tribune of South Lake Tahoe for the eastern slope, and The Mountain Democrat of Placerville for the western slope, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, with additional direction that planning matters in the Georgetown area are to also be "noticed" in the Georgetown Gazette.

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115
RESOLUTION NO. 32-82 was adopted, at the recommendation of the Personnel Director, and on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, changing the bargaining unit for Sanitarian IV (Environmental Health) from professional to supervisory.

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288
12-19
On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board set a Policy Review Session for February 3, 1982, at 10:30 a.m., for a report and update on the existing cable television companies in El Dorado County.

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(326)
141 87
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, RESOLUTION NO. 35-82 was adopted, at the request of the County Supervisors Association of California (CSAC), in support of Senate Bill 1336 (Davis) regarding limitation of public entity liability to degree of fault.

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113
(326)
By informal consensus, the Board requested the Chief Administrative Officer to develop statistics reflecting the costs incurred by the County due to unfunded 1981 State mandates, and bring same back to the Board so it can correspond with legislators advising them of said costs.

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113
(87)
The Chairman appointed Supervisors Dorr and Stewart, and the Chief Administrative Officer to "watch" the CSAC Legislative Bulletins and agendize the issues as they deem necessary, under "Legislative Matters".

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The Chief Administrative Officer recommended approval of the revised Management Performance Evaluation Program.

82-14
Supervisor Flynn made a motion, seconded by Supervisor Walker, to refer the matter back to the Chief Administrative Officer to discuss same with Department Heads before bringing it back to the Board for final adoption. The motion failed, by the following vote: Ayes: Supervisors Flynn and Walker; Noes: Supervisors Dorr, Lowe, and Stewart.

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Flynn, and Stewart; No: Supervisor Walker, the Board approved the revised Management Performance Evaluation Program; and requested management personnel report back in six months on the effectiveness of said Program.

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The Chief Administrative Officer reported on the petition signed by 86 South Lake Tahoe County employees regarding the Administrative Office's handling of employees' time off during the severe snow storm January 4 through 8, 1982.

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board approved the following recommendations of the Chief Administrative Officer, as outlined in his memorandum to the Board dated January 25, 1982:

1. Directed the County Administrative Office to bring back a formal written policy that provides that the County will only pay employees for time not worked when the County is unable to provide a work environment in which the employee can reasonably be expected to carry out their duties;
2. Determined that employees who have missed work due to severe storms such as the one that occurred over the New Year's holiday be given the opportunity to make up this time lost by working overtime upon the approval of the employee's department head (hours to be credited at straight time);
3. Handle the requests of the individual employees who signed the petition on a case by case basis using the approach outlined in numbers 1 and 2 above;
4. Administrative Office delegated the responsibility to determine, based on input from the affected departments, when work conditions in County facilities are such that the facility should be closed.

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At the recommendation of Public Works, and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, RESOLUTION NO. 36-82 was adopted authorizing the Chairman to sign a Memorandum of Understanding letter with the State Department of Transportation, regarding maintenance of the existing signal system at Prospector's Plaza on Missouri Flat Road and the new signal systems to be installed at the intersections of Missouri Flat Road with the westbound on/off ramps from Highway 50 and the eastbound on/off ramps from Highway 50.

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The Agricultural Commissioner and the Chief Administrative Officer submitted recommendations for the improvement of the animal control program for the western slope of El Dorado County by increased funding, expansion of facilities, and restructuring of staff.

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Lowe, Flynn, and Walker; No: Supervisor Stewart; Abstain: Supervisor Dorr, the Board approved recommendations 1, 3, 4, 5, 6, 7, 8, 9, and 10 in the Chief Administrative Officer's memorandum to the Board dated January 25, 1982, as follows:

1. Budget modification increasing salaries and employee benefits in the Animal Control budget by \$7,691 and increasing the services and supplies accounts by \$32,330 for a total budget adjustment of \$40,021.00, with funds to be transferred from General Fund Contingencies;
2. Omitted.

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3. Staff to bring back an architectural agreement for an amount not to exceed \$16,300 to initiate the design work on the project in the current fiscal year; funds to be transferred from Revenue Sharing Contingency to the Capital Improvement Budget to finance same;
4. Transfer of \$4,450 from Revenue Sharing Contingency to Animal Control - Equipment Budget - for the purchase of new necessary Fixed Assets which were not included in the current budget;
5. Administrative Office to bring back to the Board, a change to the position allocation and salary resolutions as outlined on Attachment 3 of the Agricultural Commissioner's report, with the understanding that in the establishment of the Animal Control career series, no current employee will have any reduction in their current salaries and benefits;
6. County Counsel to review all existing ordinances covering the Animal Control function for the purpose of bringing back any changes required to officially transfer the function from the Health Department to the Agricultural Commissioner's Office;
7. Compensation, in the amount of \$150 monthly, to be provided to the Agricultural Commissioner for this additional duty;
8. Administrative Officer to review the job classification of the Agricultural Commissioner's Secretary Biologist to ensure that individual will be properly classified after this function is transferred to the Agricultural Commissioner's Office;
9. Waive current prohibitions against extra help employees receiving funds other than at the first step to enable the acting Animal Control Officer, who is currently being compensated on a claim basis, to be hired as an extra help employee until the recruitment for the vacant Director of Animal Control position is completed;
10. Waive the prohibition against extra help employees receiving standby pay on an interim basis for the Animal Control unit, due to staffing shortages caused by employees on disability and due to vacant positions.

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On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign a letter to the California Transportation Commission requesting it include the County Government Center Interchange Project in all State Transportation Improvements Programs (STIP) approved by the Commission until such time as said Project is completed.

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Adoption of a Resolution describing the boundaries of the Lake Valley, Ponderosa, and Placerville Judicial Districts was continued to February 2, 1982, for further amendments to the legal description of said Districts, with the County Surveyor requested to work with Captain Rengstorff, Area Commander of the California Highway Patrol, on said amendments, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried.

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On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board accepted the resignation of Mr. John Fox as member of the El Dorado Health Planning Council, and directed that a Certificate of Appreciation be forwarded to Mr. Fox.

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At the recommendation of the El Dorado Health Planning Council, and on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, Pamela McBride, Dr. Jeff Rabinovitz, and David P. Steward were appointed to said Council for terms ending May, 1984.

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Roger Stutts, Charles Falkenstein, and Ed Redmond were appointed to the Placerville Fire Protection District, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried.

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Mrs. Mary Ostrowski was appointed to the Developmental Disabilities Area Board III, for a three-year term, on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried.

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The matter of the appointment of one Board member as representative to the Governing Board of the Tahoe Regional Planning Agency and the California Tahoe Regional Planning Agency, was continued off calendar, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried.

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Ms. Arla Toler requested waiver of paving requirements for the new office building located at 3907 Missouri Flat Road due to weather conditions, in order to finalize and allow occupancy of the building; and submitted a letter of credit, in the amount of \$9,325.00, to guarantee completion of said requirements.

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the matter was continued to February 2, 1982, and County Counsel requested to contact Ms. Toler and advise her that the Board will not approve her request until she submits a signed copy of the Agreement to pay her part of the signal improvements at the Missouri Flat and Highway 50 Interchange, as required by condition number 7 on the proposed development plan for the subject office building.

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Hearing was held on the Appeal of Assessment Roll Change No. 1435, canceling homeowner's exemption for Harry G. and Kathleen Ryback. Mr. Ryback was present and spoke on his own behalf. Mrs. Vera Klimovich was present to explain the position of the Assessor's Office.

After much discussion, the matter was continued off calendar, to allow Mr. Ryback and Mrs. Klimovich an opportunity to further investigate the issue of Mr. Ryback's primary residence on March 1, 1981, and to bring the matter back before the Board when ready, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried.

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SPECIAL ORDERS

PLANNING MATTERS

285-7-82
390-9-82
Hearing was held as duly advertised to consider rezoning of lands in the Georgetown area from Estate Residential Five-Acre Zone to Planned Commercial and Single Family Residential Two-Acre Zones, consisting of 10.1 acres, petitioned by Arlie E. Couch. The Planning Commission recommended approval, based on the following findings:

1. The request is consistent with the County General Plan, including the Georgetown Area Plan and its Goals and Policies;
2. The project site does have adequate access for the density proposed;
3. The project site does have adequate public services for the density proposed;
4. The Georgetown Advisory Committee has advised, in writing, that it has no objections to the request.

Mr. Fred Lambert, resident of Georgetown, Chairman of the Georgetown Advisory Committee, and Agent representing the applicant, was present to answer any questions of the Board.

Mrs. Doris Wallace questioned the possible effect of this rezoning on water quality in the area, and Supervisor Walker responded to her question by advising that the matter of water quality is monitored by the Environmental Health Division of the County Health Department.

Supervisor Flynn read into the record, a letter from Teresa Lengyel, a resident of Georgetown who is opposed to the rezoning. She too is concerned with water quality in the area, as well as hazardous road conditions.

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

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board accepted the Negative Declaration and approved the rezoning by adoption of ORDINANCE NO. 3221, which amends the County Zoning Ordinance accordingly, based on the findings of the Planning Commission, and the additional finding that the property is immediately adjacent and contiguous to other commercial property.

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285-9-81
390-9-81
Hearing was held as duly advertised to consider an eight-month extension of the Cameron Park Airport Approach Interim Zoning, which was adopted as an urgency measure on November 30, 1981, and will expire on March 3, 1982.

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

ORDINANCE NO. 3222 was adopted, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, extending the Cameron Park Airport Approach Interim Zoning to November 3, 1982, unless further extended as provided by law.

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285-18-81
390-92
Hearing was held as duly advertised to consider rezoning of lands in the Kirkwood area from Agricultural and Planned Commercial Zones to Planned Development Zone, consisting of 90 acres, to comply with the Kirkwood Area Master Plan.

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

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board found that the previous Environmental Impact Report prepared for the Kirkwood Meadows Ski Development adequate for the rezoning of the area identified as Exhibit "A" of the Kirkwood Area Master Plan from A, Agriculture, and CP, Planned Commercial, to Planned Development, and approved said rezoning by adoption of ORDINANCE NO. 3223, based on the following findings:

1. It is consistent with the General Plan;
2. Measures have been incorporated into the project sufficient to mitigate the identified impacts to an acceptable level; those measures identified in the Environmental Impact Report as mitigation measures.

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282-1-82
Hearing was held as duly advertised to consider the Appeal of the Pacific Telephone and Telegraph Company on the Planning Commission's denial of Special Use Permit No. 81-83, to allow the construction of a 62-foot microwave radio tower on .385 acre zoned Commercial in the Georgetown area. (Continued from January 19, 1982.)

Mr. Steve Long, representing the Pacific Telephone and Telegraph Company, was present and recapped his presentation on January 19, 1982.

Mr. Jack Enzler, resident of Shingle Springs, and Mr. Robert Cribbs, resident of Coloma, both of whom work in the field of electronics, were present and spoke to the issue of safety and in support of the Appeal.

The following area residents were present and spoke in opposition to the requested Special Use Permit: Fred Lambert, Ed White, Dr. Alan Lubanes, Jane Grimm, Doris Wallace, Larry Morgan, Dan Little, Barbara Battaglia, and Richard Legman. Mrs. Mary Jane Battaglia, representing the American Association of University Women, was present and spoke in opposition to the request. Many of those opposed expressed reservations about the safety of microwaves, and all stated that such a structure is incompatible with the historical architecture of Georgetown. Mr. Lambert, Chairman of the Georgetown Advisory Committee, advised that said committee voted 10-0 against the microwave tower in the town. Mr. Lambert further advised that members of the committee are most willing to work with the appellant in locating an alternate, more suitable, site for the tower.

There being no further protests, the hearing was closed.

Supervisor Flynn advised that during the last week, office staff has received telephone calls from 43 persons opposed to the microwave tower, and 2 who are just opposed to locating the tower in downtown Georgetown.

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Lowe, Flynn, Stewart, and Walker; No: Supervisor Dorr, the Board denied the Appeal, based on the finding that the granting of the Special Use Permit would be injurious to the neighborhood, and incompatible with surrounding land uses.

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90-9
(57)

ORDINANCE NO. 3224 was adopted, on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, adding Section 9445.5 to the County Ordinance Code, relating to the issuance of temporary use permits. (Sponsor: Supervisor Walker/Introduced January 19, 1982)

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(101
124)

At the recommendation of the Planning Department, and on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign a letter to the Eldorado National Forest, regarding its exchange of land program with the Southern Pacific Land Company, involving lands north of Georgetown.

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There being no further business, the Board adjourned to Tuesday, February 2, 1982, at 10:00 a.m.

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APPROVED:

W. P. "DUB" WALKER
W. P. "DUB" WALKER, Chairman

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

By Dorrie L. Foote
Deputy Clerk

25% COPY
EXCELEPHASE
34
FOX RIVER