

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

April 13

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, was also present. Chairman Walker presided.

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12-7 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 Stewart.

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The Agenda was adopted, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, with the addition of Supervisor Dorr's request that the Chairman be authorized to sign a letter to thank the volunteers who built the audio-visual room at the Oakridge High School Library in El Dorado Hills.

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The Minutes of April 6, 1982, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried.

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On motion of Supervisor Flynn, 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.

\* \* \* \*

117 Budget Transfer No. 88 was approved, transferring \$879 from Appropriation for Contingency to Superior Court, Fixed Assets (92-3370), for purchase of a new typewriter for the new clerical position at the South Lake Tahoe Superior Court.

Budget Transfer No. 89 was approved, transferring \$3,534 from Appropriation for Contingency to the Board of Supervisors, Contributions to Other Agencies (92-4280), to pay this County's one-time-only assessment for financing the renovation of the County Supervisors Association of California (CSAC) office building.

\* \* \* \*

298A The Board approved Assessment Roll Change numbered 1529.

\* \* \* \*

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>	
Eva Marie Jones	1986	602
Steven E. Hunt	1874	712

\* \* \* \*

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154-3

RESOLUTION NO. 100-82 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; Pollock Pines-Camino Ambulance; Health Department (Animal Control); Lake Valley Judicial Court; Library, Public Defender, Probation, and Welfare Departments.

151-13

RESOLUTION NO. 101-82 was adopted Authorizing an Action for the Recovery of County Funds Paid Out for Mental Health Department.

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58

At the recommendation of County Counsel, the Board rejected as a late claim, the Application for Leave to Present Late Claim for personal injuries, in the amount of \$5,000,000.00, submitted by Attorney Gregory Ward Dwyer on behalf of Judith Patricia Platt.

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21-8

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: Executive Aero Systems, at a cost of \$3,000 per year; and The Ray Coen Company, at a cost of \$1,321 per year.

\* \* \* \*

435  
Dwyer  
Ambulance  
Publ

Upon being advised by the Public Works Department that Industrial Drive has been substantially completed according to the plans and specifications, RESOLUTION NO. 102-82 was adopted, accepting same into the County Maintained Road System.

\* \* \* \*

22-7

The Board authorized the Health Department (Mental Health) to purchase a small refrigerator, under five cubic feet, for the Psychiatric Health Facility, at a cost not to exceed \$200.00.

\* \* \* \*

214

At the request of the Probation Department, RESOLUTION NO. 103-82 was adopted, supporting the objectives and goals of the California Resource Rally, initiated by the State Solid Waste Management Board, to be held April 19 - 25, 1982, and urging citizens to participate in and support recycling, litter control, and waste reduction activities in El Dorado County.

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423  
County  
Ambulance  
Publ  
5-2

At the recommendation of the Planning Department, the Board approved the Final Map for Castlewood Subdivision Unit No. 2 in the Pollock Pines area, consisting of 14.3 acres, comprising 29 residential lots, subdivider: Foot-hill Builders; the Clerk was authorized to endorse such approval on said Final Map; and the Chairman was authorized to sign the Agreement to Make Subdivision Improvements.

\* \* \* \*

83  
(6)

At the recommendation of the Planning Department, the Chairman was authorized to sign an Addendum to the Lease Agreement with Ballard Development Company, to extend the period for submitting final plans for the restoration of the Bayley House from 90 days to 180 days.

\* \* \* \*

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At the recommendation of the Treasurer/Tax Collector, the Board awarded the audit of the 1911 Bond Debt Service fund for the period May 1, 1981, through April 30, 1982, to low bidder, John H. Williams of Shingle Springs, in the amount of \$1,750.00; and the Chairman was authorized to sign an Agreement with Mr. Williams for same.

\* \* \* \*

The Board approved 23 applications for abatement of penalties for failure to file Change in Ownership Statements with the County Assessor, as said Statements have now been filed.

\* \* \* \*

The Board denied the application for abatement of penalty for failure to file a Change in Ownership Statement with the County Assessor for Keith W. and Rosa Harry (APN 66-751-01), as the Statement has not been filed as of this date.

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At the recommendation of the Chief Administrative Officer, the Board took the following actions relating to the 1982-83 County Budget:

- a. Rescheduled the beginning of public hearings from June 21, 1982, to August 2, 1982;
b. Directed the Administrative Office to present the proposed Budget for adoption as a discussion document on July 13, 1982;
c. Directed the Administrative Office to submit a recommended date for a Policy Review Session with the Department Heads to discuss the financial situation as it relates to Departmental Budget requests for next year.

\* \* \* \*

At the request of the Assembly Bill 90 Coordinator, the Board approved the allocation of AB90 County Justice System Subvention Program funds, in the amount of \$247,326.00, for Fiscal Year 1982-83, as follows: (Conditioned on the County reserving the right to cancel the contract or modify it should the State reduce AB90 funds coming to the County.)

Table with 2 columns: Item description and Amount. Items include Probation Department - Special Supervision Program (\$81,481.00), Probation Department - Juvenile Work Program (24,202.00), New Morning - Delinquency Prevention Program (10,456.00), New Morning - Status Offender Program (80,487.00), Tahoe Human Services, Inc. - Tahoe Runaway and Youth Services (25,704.00), South Lake Tahoe Voluntary Action - Tahoe Area Sentencing Alternative Program (23,796.00), El Dorado County Administrative Office - Program Coordination (1,200.00), and Total (\$247,326.00).

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RESOLUTION NO. 104-82 was adopted to provide property tax revenues to the City of Placerville for annexation of the Gordon T. Matson property (CP 82-01) in accordance with AB 8 negotiations.

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The Chairman was authorized to sign a letter to Mr. Kenneth A. Bansemar of Cameron Park, and his crew, for volunteering their time and services to build the audio-visual room at the Oakridge High School Library in El Dorado Hills.

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212  
At the request of the County Clerk, and on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board proclaimed April 26 - 30, 1982, "School Voter Registration Week" and April 30, 1982, "Citizenship Participation Day".

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212  
On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board proclaimed the week of April 19 - 23, 1982, as "El Dorado County Secretaries Week".

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On motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Board took the following action:

- 22-48  
a. Accepted the resignation of Dr. Donald H. Miner from the Lake Tahoe Health Council, and directed a Certificate of Appreciation be sent to Dr. Miner;
- b. Continued to April 20, 1982, the South Lake Tahoe Health Council's recommendation that Dave Moore and Rosemary Manning be appointed to said Council.

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250  
RESOLUTION NO. 106-82 was adopted, at the recommendation of the State Department of Health Services, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, authorizing the Chairman to sign a Grant Award, in the amount of \$19,800.00, for the remodeling of the El Dorado County Health Department facility.

\* \* \* \*

350  
On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign an Agreement with Nopp, Zeiner, Atchinson & Associates, Inc., for architectural services for the exterior retrofit and basement remodeling of the County Health Building in Placerville, at a cost not to exceed \$4,230.00.

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74-80  
On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, the Board awarded the construction of the South Lake Tahoe Cultural Educational Center (Library) - Phase III to the low bidder, Trent Uhlenbrock Construction, in the amount of \$575,000.00.

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15-1  
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board set the following Policy Review Sessions for April 21, 1982:

- 104  
(12.11)  
(94-3)  
(354)  
a. 9:30 a.m., with the Fire Advisory Board regarding said Board's purpose and role;
- b. 10:30 a.m., with the Western Slope Energy Advisory Council regarding proposed energy policy, which may be adopted as the official energy policy for El Dorado County;
- c. 1:30 p.m., with the High Sierra Resource Conservation and Development Area Council, and El Dorado County and Georgetown Divide Resource Conservation Districts regarding the handbook entitled "Erosion and Sediment Control Guidelines for Developing Areas of the Sierra";
- d. 2:30 p.m., regarding substance abuse priorities for services which can be used in preparing 1982-83 service contracts.

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903  
B  
(434)  
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board set a joint meeting with the El Dorado Irrigation District and the County Chamber of Commerce Economic Development Council, for April 19, 1982, at 7:30 p.m., in the Planning Commission meeting room at the County Government Center, to discuss problems facing commercial/industrial development and steps that have been, or may be, taken to solve them; and the Board also requested that the County Planning Department be represented at said meeting.

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115  
RESOLUTION NO. 105-82 was adopted, at the recommendation of the Personnel Director, and on motion of Supervisor Lowe, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Lowe, Flynn, Stewart, and Walker; No: Supervisor Dorr, amending Authorized Personnel Resolution No. 241-81 to reflect the following:

- a. Addition of one Legal Secretary to the Superior Court;
- b. Addition of one Building Maintenance Worker II to the Public Works Department (Buildings and Grounds Division), and deletion of same from Community Programs.

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115  
At the recommendation of the Personnel Director, and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board took the following action:

- a. Approved the revised Job Specification for Program Director-Transportation;
- b. Authorized Community Programs to fill the El Dorado Transit Program Director position, which will become vacant April 23, 1982.

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178-1  
At the request of the County Clerk, and on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Board authorized the lease of a PEPS ballot counter (mini computer) from Diamond International Corporation of Emeryville for use at South Lake Tahoe for the June, 1982, Primary Election, at a cost of \$2,000.00.

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124  
(246-3)  
The Board took no action on the Public Works Director's discussion of snow removal costs for Fiscal Year 1981-82.

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115  
The District Attorney requested authorization to hire three Account Clerk II's as extra help to audit files for the tax return intercept program, at a cost of \$7,713.00. On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board approved the program, in concept, and requested the Chief Administrative Officer to bring back the necessary budget transfer to implement same.

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At the request of County Counsel, the Board took the following actions relating to the adoption of the new El Dorado County Ordinance Code:

141-5  
On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, an Ordinance, adopting by reference the recodification of the El Dorado County Ordinance Code, was introduced, the reading thereof waived; and a public hearing was set for May 4, 1982, at 11:00 a.m., pursuant to Government Code Section 50022.3, for consideration of adoption.

\* \* \* \*

141-5  
On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board directed that three copies of the Code be placed where the public may inspect same; Board Clerk's Office; and County Clerk's Office at Placerville and South Lake Tahoe.

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141-5  
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board established a price of \$100 for purchase of the original Code, and a subscription fee of \$25 per year for Code Supplements.

\* \* \* \*

141-5  
Determination of departments, persons and entities, if any, that will receive a Code without charge, was referred to the Chief Administrative Officer, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried.

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141-5  
On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, the Board authorized County Counsel to proceed with the necessary supplement to the Code to include Ordinances affecting the Code which were adopted by the Board subsequent to September 1, 1981, at a cost of \$15 per printed page, and \$25 per diagram page, at a total cost in the range of \$3,000 to \$6,000.

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141-3  
At the request of the Administrator of Marshall Hospital, the Chairman was authorized to sign a letter of endorsement, supporting the reclassification of fifteen skilled nursing beds to acute care beds, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried.

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429  
On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board continued to April 20, 1982, the Alta California Regional Center's request that the Board recommend a candidate to be considered by the Nominating Committee for appointment to the A.C.R.C. Board of Directors.

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781-21-82  
390-9a  
Hearing was held as duly advertised to consider rezoning of lands in the El Dorado Hills area from Agricultural Zone to Estate Residential Five-Acre Zone, consisting of 24.13 acres, petitioned by John T. Steinbach. The Planning Commission recommended approval, based on the following findings:

1. The request is consistent with the County General Plan;
2. The Long Range Plan indicates urban development or high density use but the limitation of access, lack of sewer services and the property being within the watershed and adjacent to Folsom Lake, lends to the five-acre density;
3. The access and services are available, or pending, which would support the request;
4. The Agricultural Commission found no conflict with agricultural uses.

The applicant was present to answer questions of Board members.

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

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board concurred in the Planning Commission's findings; the Negative Declaration was accepted; and the rezoning was approved and adopted by ORDINANCE NO. 3255 which amends the County Zoning Ordinance accordingly.

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465-22-82  
390-9a  
Hearing was held as duly advertised to consider rezoning of lands in the Lotus/Coloma area from Estate Residential Five-Acre Zone to Commercial Zone, consisting of 1 acre, petitioned by Bill Rathbun. The Planning Commission recommended Mr. Rathbun amend the application to Planned Development Zone, and the Commission recommended approval of same, based on the following findings:

1. The preservation and continued use of the school site is appropriate for this area.
2. The request is in compliance with the County General Plan.

Mr. Rathbun was present and stated he did not wish to amend his application to Planned Development Zone, as he feels Commercial Zone is appropriate. Mr. Rathbun agreed that the intersection of Bassi Road and Lotus Road is a dangerous one, but stated that the County has many such intersections, and the local people are aware of the hazard and approach it accordingly. He pointed out that he plans to operate a day care center in the old school house on the property, and it would be patronized by local people. He also stated there is a "working" well and septic system on the property. Mr. Rathbun submitted a letter in support of his request, signed by 14 area residents.

Mrs. Dave Grizzell, of Lotus, was also present and spoke in favor of the rezoning to Commercial Zone.

Mr. Foust, who lives on the property adjacent to the property in question, was present and spoke in opposition to the request, citing the hazardous intersection and inadequate septic system, and stating he does not want 25 pre-schoolers in his backyard.

Mr. Ed Spall, resident of Monument Road in Coloma, was also present and spoke in opposition to the request.

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

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On motion of Supervisor Flynn, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, Stewart, and Walker; No: Supervisor Lowe, the Board accepted the Negative Declaration, and approved the rezoning to Commercial Zone as requested, based on the following findings: (ORDINANCE NO. 3256 adopted amending the County Zoning Ordinance accordingly)

1. The preservation and continued use of the school site is appropriate for this area;
2. The request is in compliance with the County General Plan.

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Hearing was held as duly advertised to consider the Appeal submitted by Mr. Paul Bachinger, owner of Little Switzerland, on the Planning Commission's granting of River Use Permit No. 82-12 to Wild River Raftin' Company (Paul Parker) for river rafting on the South Fork of the American River.

Mr. Ken Milam, Planning Director, was present and stated he feels the issue is more appropriately a matter of litigation, for civil proceedings, between Messrs. Bachinger and Parker.

Mr. Bachinger was present, and when asked by the Chairman, stated that Mr. Parker is suing him for his mailing list and damages. Mr. Bachinger explained that he and Mr. Parker operated as partners, under verbal agreement, during the 1980 and 1981 rafting seasons, as Wild River Raftin' of Little Switzerland, and submitted documents which he felt reflected same. He stated that, since Mr. Parker took care of obtaining the river use permit required in 1981, his name only (Parker's) appears on the permit. The two partners have now split up, and Mr. Bachinger feels he is entitled to one half of the user days issued to Wild River Raftin' Company under River Use Permit No. 82-12.

Mr. Parker was not present, though he was notified of the hearing.

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

On motion of Supervisor Dorr, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, and Stewart; Noes: Supervisors Lowe and Walker, River Use Permit No. 82-12 was allowed to stand; and the appeal held in abeyance for 30 days with the Board's intent being that, if the issue of legal ownership of the user days allocated to Wild River Raftin' Company is not resolved within that 30 days, the permit may be suspended.

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At the recommendation of the Planning Commission, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board adopted the following:

- a. ORDINANCE NO. 3257 amending Section 9395 of the County Ordinance Code, clarifying and simplifying the design review procedure in historically and visually sensitive areas; (Introduced 4/6/82)
- b. Historical and Community Design Guides.

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The meeting was continued to Wednesday, April 14, 1982, at 11:00 a.m.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES April 14 19 82

The Board convened in a continued meeting, from April 13, 1982. 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 Walker presided.

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21-5  
In the matter of Lake Tahoe Aviation vs. County of El Dorado, the Board, on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, directed County Counsel to prepare the appropriate lease agreements with Oasis Petroleum Corporation and Executive Aero Systems, Inc., as part of the settlement process; directed the independent auditor to extend the scope of his audit, with regard to Lake Tahoe Aviation, to include the first quarter of 1982, or to April 20, 1982, or the date of purchase/sale of the assets of Lake Tahoe Aviation, to include the lease they have; and further directed the matter be returned for full consideration of the Board on April 20, 1982.

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12-4  
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign letters inviting the following persons to serve on an Ad Hoc Committee to enhance the productivity of the County Public Works Department: Don Klang, Joe Vicini, Chuck Falkenstein, and Howard Ulrich.

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There being no further business, the Board adjourned to Tuesday, April 20, 1982, at 10:00 a.m.

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APPROVED:

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

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

By Dixie L. Foote  
Deputy Clerk