

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

May 18

19 82

The Board convened in regular meeting. Present: Supervisors Robert E. Dorr, Patricia R. Lowe, W. P. "Dub" Walker, and Joseph V. Flynn. Absent: Supervisor Thomas L. Stewart. Dixie L. Foote, Assistant Board of Supervisors Clerk, was also present. Chairman Walker presided.

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127 The Invocation was offered by Reverend Harley Weldin, Placer Heights Baptist Church.

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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 Lowe, and unanimously carried by those present, with three additions: (1) proposed response to request of the Environmental Planning and Information Council for timely notice of all public hearings as well as notification of and access to all paperwork generated for cancellation of agricultural preserves; (2) change order to the contract for Phase 3 of the South Lake Tahoe Library Project; and (3) Resolution in recognition of the outstanding individual effort and spirit of Glen Lucky in reaching out to care and provide for the less fortunate.

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The Minutes of May 6 and May 11, 1982, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried by those present.

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On motion of Supervisor Flynn, seconded by Supervisor Lowe, 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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117 Budget Transfer No. 96 was approved for Grant Programs for its 1981-82 budget.

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X288 The Board approved Assessment Roll Change numbered 1556.

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(59) At the recommendation of County Counsel, the Board denied the claim for property damage and personal injuries, in the amount of approximately \$5,000.00, submitted by Attorney Judith I. Stehr on behalf of Dove W. LaValley.

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At the request of the Sheriff, the Chairman was authorized to sign the following:

- (235-4)  
101
- a. Joint Operating and Financial Plan with the U. S. Forest Service, Lake Tahoe Basin Management Unit, for Sheriff's patrol services, at a cost of \$14.47 per hour and \$.25 per mile for equipment use, with the total amount not to exceed \$5,380 for the period October 1, 1981, through September 30, 1982;
  - b. Attachment No. 1 to the Agreement with the U.S. Forest Service, which is the 1981-82 Operating and Financial Plan for reimbursable law enforcement services on Forest Service lands, in an amount not to exceed \$21,361.28 for the period April 1, 1982, through September 30, 1982.

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(55)  
303

RESOLUTION NO. 130-82 was adopted, at the request of Attorney Timothy J. Hachman, granting consent to the formation of an assessment district (No. 6) by the El Dorado Irrigation District for the expansion of the Kirkwood Meadows sewer and domestic water facilities.

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(34)  
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The Board approved for payment, statement submitted by the City of Placer-ville for the County's share of the cost of the traffic signal at Ray Lawyer Drive, in the amount of \$25,625.00, in accordance with the Agreement approved by the Board on October 27, 1981.

\* \* \* \*

212

RESOLUTION NO. 131-82 was adopted in recognition of the outstanding individual effort and spirit of Glen Lucky in reaching out to care and provide for the less fortunate by undertaking a 200-mile marathon bicycle ride on behalf of handicapped persons, despite a handicap of cerebral palsy; and raising in excess of \$8,000 in conjunction with said marathon to establish the Glen Lucky Scholarship Fund for the Handicapped.

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(119)  
214

The Chief Administrative Officer recommended the Chairman be authorized to sign Budget Transfer No. 94 for Juvenile Hall, transferring \$1,100 from Revenue Sharing Contingencies to Fixed Assets, for purchase of two Maytag clothes dryers, as funds are not available in the Juvenile Hall budget.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Board directed that the purchase of the two clothes dryers be funded out of Probation Department or Juvenile Hall budgets.

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113

The Chief Administrative Officer submitted a status report on the County's financial condition as of March 31, 1982. On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present, the Board accepted said report, and directed that it be placed on file.

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23-4

On motion of Supervisor Lowe, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Lowe, Flynn, and Walker; No: Supervisor Dorr; Absent: Supervisor Stewart, the Board approved payment of an invoice submitted by the City of South Lake Tahoe, on behalf of the Tahoe Basin Transportation Authority (TBTA), in the amount of \$1,800.00, El Dorado County's contribution to the TBTA operating cost for Fiscal Year 1981-82.

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In response to a request from the Environmental Planning and Information Council (EPIC) for timely notice of all public hearings as well as notification of and access to all paperwork generated for cancellation of agricultural preserves, the Chairman was authorized to sign a letter in response to same, advising that the request would require additional material and personnel time which is not funded, therefore an additional fee will have to be assessed to meet the expense of fulfilling the request, on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present.

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At the recommendation of County Counsel, and on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present, the Board denied the claim for property damage, submitted by Aetna Casualty & Surety Company and Mike Fisher of Joseph Phelps Vineyards, in the amounts of \$164.87 and \$200.00 respectively.

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74-90  
At the recommendation of the Chief Administrative Officer, and on motion of Supervisor Lowe, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Lowe, Flynn, and Walker; No: Supervisor Dorr; Absent: Supervisor Stewart, the Chairman was authorized to sign a change order to the contract for Phase 3 of the South Lake Tahoe Library Project, increasing the cost by \$1,524.00.

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87  
On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present, the Board authorized Supervisor Dorr and a committee of department heads to prepare a "position paper" on the County's fiscal situation, to be made available to legislators and news media at the County-State Summit Conference, a CSAC Rally on the State Budget, on Wednesday, May 19, 1982, in Sacramento.

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12-14  
(50)  
The Board set a Policy Review Session for June 16, 1982, at 3:00 p.m., regarding the Community Action Council, on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried by those present.

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122-3  
115  
At the recommendation of the Chief Administrative Officer, and on motion of Supervisor Flynn, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, and Walker; No: Supervisor Lowe; Absent: Supervisor Stewart, the Health Department's request to fill one full-time Public Health Nurse Practitioner position at South Lake Tahoe was deferred until budget hearings.

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22-3  
(22-7)  
115  
At the recommendation of the Personnel Director, and on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board approved a change in status for Dr. Vernon Bry, from a contract employee for psychiatric services at the Mental Health's South Lake Tahoe Clinic, to a one-half staff psychiatrist, at an hourly rate of \$28.427.

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115-290  
The Farm Advisor requested reinstatement of one extra help employee, on a part-time basis for approximately 5 months, to conduct research in irrigation management with the wine grape growers of El Dorado County. On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved the request with the understanding the program is covered by grant funds deposited in a trust account with the Auditor-Controller.

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1229-11  
115  
On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board approved the request of the County Surveyor to hire one Survey Technician I, as extra help, due to one Survey Technician II being on six months leave of absence due to a medical disability.

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1229-11  
115  
The Public Works Department requested a Resolution be adopted, authorizing the Chairman to sign a Cooperative Agreement with the Forest Service, U. S. Department of Agriculture, relinquishing all the County's rights, title and interest, and jurisdiction over portions of Capps Crossing Road and Camp Snowline Road within Forest Service lands, and removing same from the County-maintained road system. The request was continued to June 1, 1982, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present, in order that area residents can be advised of the proposed relinquishment.

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132  
(124)  
A Resolution amending Resolution No. 401-81, which adopted a schedule of building and related permit fees, to add Subsection L. to Part 5 (Miscellaneous Fees) to include the Road Improvement Fee, was continued to May 25, 1982, with direction that representatives of the Building and Public Works Departments meet and determine which department will collect the subject fee, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present.

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298-11  
Dianne Diamond requested reinstatement of her homeowner's exemption, which was cancelled by the Board on January 12, 1982, by approval of Assessment Roll Change No. 1420. On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved the recommendation of the Assessor and authorized the refund as requested.

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421-2  
On motion of Supervisor Lowe, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lowe, Flynn, and Walker; No: Supervisor Dorr; Absent: Supervisor Stewart, the Board approved the request of Mr. John Thode for removal of the requirement to improve the private road/public road encroachment from Mr. Thode's parcel, consisting of 10 acres, in the Pleasant Valley area; and authorized release of the bond held for completion of improvements for same.

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The Echo Lakes Association requested the Public Works Department be authorized to clear the snow on Echo Summit Road, from Echo Portals to Echo Lake, even though the County has relinquished said road to the Forest Service, as the Forest Service did not budget funds for same.

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Mr. Steve Jackson, of Public Works, advised that if said department clears Echo Summit Road, it cannot fund the work with "road" funds since said road is no longer in the County maintained road system.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, the Board directed Public Works to clear Echo Summit Road (from Echo Portals to Echo Lake) Fallen Leaf Lake Road, and Cathedral Road by Memorial Day, and Public Works to forward the bill for clearing Echo Summit Road to the Board; further, the Board directed that the Echo Lakes Association be advised that this is the last year the County will clear Echo Summit Road.

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On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board denied the request of Lake Tahoe Humane Society, Inc., for additional operating funds, in the amount of \$6,000.00, to maintain its current level of service for the remainder of Fiscal Year 1981-82.

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## SPECIAL ORDERS

## PLANNING MATTERS

Hearing was held as duly advertised to consider establishment of Agricultural Preserve No. 239, in the Camino/Fruitridge area, consisting of 12.95 acres, petitioned by Tim and Sue Taylor. The Planning Commission recommended approval, based on the following findings:

1. The request is consistent with the General Plan (RRA10-160);
2. The Long Range Goals and Policies show the property to have choice soils.

The Agricultural Commission also recommended approval, advising the property meets three of the four criteria necessary for inclusion in the Williamson Act, the exception being that the parcel is less than 20 acres in size.

Mr. Taylor was not present, and the Chairman advised that Mr. Taylor called the Board office this date and requested a continuance as he is now uncertain whether he desires the establishment of the agricultural preserve as requested.

There were no written or verbal protests to said establishment.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the hearing was continued to May 25, 1982, to allow Supervisor Flynn an opportunity to meet with Mr. Taylor and discuss the matter.

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At the request of the appellant's attorney, and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present, the hearing to consider the appeal submitted by Attorney John Weidman on behalf of George Stalls on the Planning Commission's termination of the non-conforming use on Assessor's parcel number 33-090-07, located on the north side of Sawmill Road, approximately 500 feet west of U.S. Highway 50, in the Lake Tahoe area, was continued to June 15, 1982, with direction that the parties involved be notified that this is the last continuance of this appeal.

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The Board again considered the appeal submitted by Paul Bachinger, owner of Little Switzerland, on the Planning Commission's granting of River Use Permit No. 82-12 to Wild River Raftin' Co. (Paul Parker) for river rafting on the South Fork of the American River. On April 13, 1982, the Board closed the public hearing on this matter; allowed the permit to stand; and directed that the appeal be 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.

Mr. Bachinger and Mr. Parker were not present this date.

A motion by Supervisor Dorr, seconded by Supervisor Lowe, to refer the matter to the Planning Commission to determine legal ownership of the user days and, when necessary conditions are met, issue the permit to the legal owner, did not carry by the following vote: Aye: Supervisor Dorr; Noes: Supervisors Lowe, Flynn, and Walker; Absent: Supervisor Stewart.

96-1-82  
The Board denied the appeal, and directed that River Use Permit No. 82-12 be issued to Wild River Raftin' Co. (Paul Parker), on motion of Supervisor Walker, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Lowe, Flynn, and Walker; No: Supervisor Dorr; Absent: Supervisor Stewart.

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In a letter dated May 10, 1982, Attorney Richard J. Idell requested, on behalf of Mr. Robert Licht, proprietor of Watercourse Ways, the transfer of the River Use Permit from Watercourse Ways to Outdoor Adventures and/or its nominee, as Outdoor Adventures is purchasing the business from Mr. Licht.

As requested by Mr. Idell, in his letter dated May 17, 1982, the matter was continued to May 25, 1982, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present.

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On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved the transfer of stock in W.W.A.R.T.'s Corporation from Bob Jones and George Sheehan to Jon Osgood, based on the finding the parties have demonstrated that the transfer of the corporate stock has not placed any value on River Use Permits Nos. 82-62 and 82-64 for Wild West River Rafters and Sundown River Trips respectively, which are being purchased by Jon Osgood from Bob Jones; said river use permits having been issued for calendar year 1982.

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There being no further business, the Board adjourned to Tuesday, May 25, 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 Daniel Foote  
Deputy Clerk

May 18, 1982

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