

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES May 25 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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12-7

The Invocation was offered by Reverend Don O. Herman, First Lutheran Church.

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

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151-9

The Board presented a plaque to Mrs. Neoma B. Dunton, in recognition of her years of service to the County as an employee of the Welfare Department from May 1, 1960, through May 31, 1982.

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The Agenda was adopted, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present, with two additions: Chief Administrative Officer's recommendations pertaining to the Cameron Park cable T.V. franchise project; and County Counsel's recommendations regarding settlement of eminent domain action of County v. Ed Shinn, et al., and County v. John D. Forni, et al.

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The Minutes of May 18, 1982, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present.

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On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present, the Consent Calendar matters were considered and acted upon as follows:

501

The Community Action Council Claims were approved and allowed for payment.

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298A

The Board approved Assessment Roll Change numbered 1567.

\* \* \* \*

141-4

RESOLUTION NO. 132-82 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; Animal Control, Library, Public Defender, Probation, and Welfare Departments.

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117

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:

| Name              | Volume and Page |     |
|-------------------|-----------------|-----|
| Michael Galbraith | 2068            | 194 |
| Mike Grover       | 2063            | 420 |
| Jo Nell Walker    | 1704            | 492 |

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21-80  
At the request of the Airports Department, the Chairman was authorized to sign a one-year Lease with Sierra House Inn for advertising space at the Lake Tahoe Airport, at a cost of \$1,155 per year.

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124  
The Board approved the request of the Public Works Department to continue to June 1, 1982, its report on reasons for the move of its maintenance crews from shops in Somerset and Georgetown to the Placerville area, in response to petitions submitted by residents of District II, containing 851 signatures, and the Georgetown Divide, containing 461 signatures.

\* \* \* \*

506  
At the recommendation of County Training Programs, the Chairman was authorized to sign Modification No. 2 to the 1981-82 Comprehensive Employment and Training Act (CETA) Subgrant Agreement (No. 8100-4602) to add Title IV Summer Youth Employment Program (SYEP), increase Administrative Allocation, and incorporate program changes, increasing said Department's current budget from \$923,809.00 to \$1,131,077.00.

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341-1  
At the recommendation of the County Department of Agriculture, the Chairman was authorized to sign Leases with the following for Fiscal Year 1982-83:

- a. ✓ Amador County for use of El Dorado County's heavy capacity weight truck, at a cost of \$650.00; and
- b. ✓ Placer County for use of El Dorado County's heavy capacity weight truck and 20-gallon liquified petroleum gas test prover, at a cost of \$1,550.

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74-12  
23  
RESOLUTION NO. 134-82 was adopted, authorizing the City of South Lake Tahoe and the Sierra Cultural Arts Center to sign Agreements (Nos. AC-1917 and AC-1918) with the State of California for grant funds, in the amounts of \$3,595.07 and \$2,812.95, respectively, for local arts programming for period June 1, 1982 - June 1, 1983.

\* \* \* \*

(7172)  
124-B  
114-9  
At the request of the Capital Improvements Coordinator, the Board authorized the following relating to the remodeling of the South Lake Tahoe Administrative Building:

- a. Purchasing Agent to obtain a roll of 4' wide rubber-backed carpet runner to place in traffic aisles of the office area, at a cost of \$360.00, and 4 plastic desk chair floor mats, at a cost of \$108.00;
- b. Public Works Department, Buildings and Grounds Division, to relocate the drinking fountain, at a cost of \$300.00.

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115  
The Board ratified RESOLUTION NO. 135-82, which was presented to Mr. Bill Schultz on May 21, 1982, in recognition of his many years of service to El Dorado County.

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406-5

RESOLUTION NO. 136-82 was adopted, increasing the Lake Valley Judicial District Court's cash drawer fund from \$50.00 to \$100.00.

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296-4  
Salmon Falls Rd

RESOLUTION NO. 137-82 was adopted, establishing a tow away zone on Salmon Falls Road commencing at the New York Creek Bridge to 1/2 mile north of same.

\* \* \* \*

212

RESOLUTION NO. 138-82 was adopted, closing Rubicon Trail from Wentworth Springs to Rubicon Springs, between 6:00 a.m. on Thursday, July 22, 1982, to 8:00 a.m. on Sunday, July 25, 1982, for the 30th Annual Jeepers Jamboree.

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423  
6-15-82  
Deer Hills

The Board set a public hearing for Tuesday, June 15, 1982, at 11:30 a.m., to consider a petition to remove from dedication, all those roads (Doe Street, Fawn Street, Buck Court, and Doe Court) within those rural subdivisions known as Deer Hills Unit No. 1 and Deer Hills Unit No. 2 in the Shingle Springs area, which are recorded in the official records of the County of El Dorado (Book F, Page 53).

\* \* \* \*

332

The Board accepted the resignation of Mr. F. B. Schullerts as member of the Committee for Lower Utility Rates, and directed that a Certificate of Appreciation be forwarded to Mr. Schullerts.

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277A

The Board accepted the resignation of Mrs. Margaret Chatterton as member of the Combined Advisory Board on Alcoholism, Drug Abuse, and Mental Health Systems, and directed a Certificate of Appreciation be forwarded to Mrs. Chatterton.

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58-1

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 of Denise Jarman Fischer for equitable implied indemnity, on behalf of Gerhard Widmann, dba Bauhaus Properties, Inc., for any damages Mr. Widmann may have to pay Chance Hoffman, by and through Dianne Hoffman, Guardian Ad Litem, in the action filed in El Dorado Justice Court, Action No. 1187-C.

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The Public Works Department submitted the request of Mickie Patterson for a variance to County Ordinance requirements to allow a reduction in sight distance, from 300 feet to 175 feet, for the south side of the driveway of a single family residence off Lotus Road due to the restriction caused by a cut bank along said road.

421-1

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board approved the request, with County Counsel to incorporate a "hold harmless" clause as a condition on the encroachment permit.

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22-1  
The recommendation of the Health Department, that a Resolution be adopted authorizing the Chairman to sign an Agreement with the State Department of Health Services, to provide funds, in the amount of \$120,000.00, for family planning services for Fiscal Year 1982-83, was continued to June 1, 1982, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present.

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24 80  
At the recommendation of the Capital Improvements Coordinator, and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present, the Chairman was authorized to sign Change Order No. 1 to the Agreement with Trent Uhlenbrock Construction for construction of Phase III of the El Dorado County Cultural Educational Center (Library) at South Lake Tahoe, increasing same by \$5,667.56.

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(326)  
(132)  
At the recommendation of the Public Affairs Council of the El Dorado County Chamber of Commerce, and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present, the Board resolved that the new residential energy standards proposed by Senate Bill 351 (Foran), to be implemented on July 13, 1982, are ill-conceived, arbitrary and expensive, and the mountain counties are split into only 2 zones (Placerville being cut in half), creating great inequity within the transition areas.

Further, at the recommendation of the Regional Council of Rural Counties, and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Lowe, Flynn, and Walker; No: Supervisor Dorr, the Board supported SB351 as amended, and authorized the Chairman to sign a letter advising same to our State legislators, with copies to the Assembly Energy and Natural Resources Committee.

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(324)  
57  
In response to a request from Mr. Tom Sweet of the County Supervisors Association of California, for comments on Assembly Bill 3159 (Papan), relating to timberland preserve zones, the Board voted to oppose AB 3159, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present.

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(21 A)  
(115)  
On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present, the Board authorized the Airports Department to fill an Administrative Assistant I position, at the South Lake Tahoe Airport, with an Account Clerk I/II when the incumbent retires on July 1, 1982.

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178-2  
(115)  
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the County Clerk was authorized to hire an extra help employee to fill a vacant position at the Clerk's Office at South Lake Tahoe.

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50-6  
At the recommendation of County Training Programs, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the Board took the following action relating to the Notice of Final Audit Recommendations for the CETA Audit period of October 1, 1976, to September 30, 1978:

- a. Authorized the Chairman to sign Budget Transfer No. 97, in the amount of \$2,877.75, from General Fund Contingencies to Grant Programs to cover costs disallowed; and
- b. Authorized the Manager of the Grant Programs to recover costs from the Agency which incurred the disallowance.

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(57)  
132  
The Building Department recommended the Board consider adoption of an Ordinance amending the County Ordinance Code to include RA-20, RA-40, RA-60, RA-80, and RA-160 Zone Districts with those zones that receive fee exempt permits for agricultural buildings. On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the proposed ordinance was referred to the Building and Planning Departments for response to specific concerns expressed by Board members this date, particularly the issues of no fees being imposed and applicability to Timber Preserve Zones.

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424-1  
At the recommendation of the County Surveyor, and on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board approved the request of James W. Guthrie and Leland J. Hill and authorized the Chairman to sign a Certificate of Compliance relating to Parcel Map 22-82, to remove certain deed restrictions from the north boundary, being Cable County Road.

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County Counsel submitted for approval, a Joint Powers Agreement between Placer County, El Dorado County, Placer County Water Agency, and El Dorado County Water Agency for the creation of the American River Authority, pertaining to the joint exercise of powers for the construction of the Auburn Dam and Reservoir and a hydroelectric powerplant at the dam.

330-2  
After much discussion and review, the proposed Agreement was referred back to County Counsel to make changes as recommended by the Board this date, and to contact the other agencies for their approval of said changes, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present.

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53  
At the request of the El Dorado County Chamber of Commerce, and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present, the Board authorized an Agreement between the County and Sachs Display of Sacramento, for construction of an El Dorado County Exhibit to be displayed at the Pomona Fair in September of 1982, and the Orange Fair in San Bernardino County in May of 1983, at a cost of \$2,500.00; and directed staff to prepare the necessary Agreement and Budget Transfer and place same on the Consent Calendar of the Board's Agenda for June 1, 1982.

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427  
THUR

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved the request of Mr. Dennis Smith for a letter in support of his efforts to have an unnamed mountain at Lake Tahoe named "Jake's Peak", in honor of his brother who died in an avalanche on March 31, 1982.

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## SPECIAL ORDERS

### PLANNING MATTERS

46 237

The hearing to consider establishment of Agricultural Preserve No. 239, in the Camino/Fruitridge area, consisting of 12.95 acres, petitioned by Tim and Sue Taylor, was continued off calendar, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, to allow staff an opportunity to discuss the matter further with the applicant.

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285-30-82

Hearing was held as duly advertised to consider rezoning of lands in the Pleasant Valley area, from Single Family Residential Two-Acre Zone to Single Family Residential One-Acre Zone, consisting of 16.83 acres, petitioned by Bernita L. Isaccson. The Planning Commission recommended approval, based on the following findings:

1. The request is consistent with the General Plan (Single Family Residential, Medium Density);
2. The area contains numerous parcels one acre or less in size;
3. E. I. D. water is available.

The applicant was not present.

The Planning Commission received two letters in opposition to the request: from Don and Lavina Brasel and Ronald A. Harris, all of whom own property in the area and are concerned such a rezoning will result in a loss of the rural atmosphere.

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

A motion by Supervisor Lowe, seconded by Supervisor Walker, to accept the Negative Declaration and approve the rezoning, based on the findings of the Planning Commission, did not carry, by the following vote: Ayes: Supervisors Lowe and Walker; Noes: Supervisors Dorr and Flynn; Absent: Supervisor Stewart.

On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present, the request was continued to June 29, 1982, at which time the public hearing will be reopened, in hopes a full Board will be present.

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On motion of Supervisor Dorr, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, and Flynn; No: Supervisor Walker; Absent: Supervisor Stewart, the Board approved the transfer of River Use Permit No. 82-16, issued to Watercourse Ways, to Outdoor Adventures, Inc., subject to the following conditions:

- 95
1. That Outdoor Adventures, Inc., provided evidence to the Board's satisfaction that the permit has no value in the transaction (the sale of Watercourse Ways to Outdoor Adventures, Inc.);
  2. That the sale and transfer of the River Use Permit to Outdoor Adventures, Inc., include all equipment and boats now utilized by Watercourse Ways for its rafting operation on the South Fork of the American River;
  3. That all other County river use permits standard conditions are met prior to issuance of the permit to Outdoor Adventures, Inc.;
  4. The permits (River Use Permit No. 82-63 issued to Outdoor Adventures, Inc., and River Use Permit No. 82-16 issued to Watercourse Ways) and conditions shall remain separate and distinct unless specific amendment thereto is approved.

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26 287  
Board again considered the Appeal submitted by Attorney J. Mark Nielsen, on behalf of Wild Water Whitewater Trips (Jay M. Bryan, owner), on the Planning Commission's denial of an increase from 800 user days to 1800 user days for River Use Permit No. 82-27 for river rafting on the South Fork of the American River.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, and Flynn; No: Supervisor Walker; Absent: Supervisor Stewart, the Board granted the appeal and authorized the increase of user days allocated to River Use Permit No. 82-27, from 800 to 1800.

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423  
Summit View  
Subdivision  
On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried by those present, the Board approved the revision to the Tentative Map and Final Map for Summit View Subdivision in the Diamond Springs/El Dorado area, to eliminate the requirement for a clubhouse and swimming pool, as requested by the subdivider, Mr. Allan M. Harris; said approval subject to the condition that the land for the clubhouse and pool shall remain as open space in conjunction with the other open space, as indicated on the Final Map, and there shall be deed restrictions, in perpetuity, to insure that the open space be used only for recreational purposes, as designated by the homeowners; based on the following findings:

1. The request will contribute to more affordable housing;
2. Open space can create a suitable atmosphere for recreation as well as specific facilities;
3. Overall costs will be reduced, while still retaining the opportunity, at the homeowners' discretion, to provide the amenities at a later time.

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423  
Summit View  
Subdivision  
132  
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the Board denied the request of Mr. Allen Harris that he not be required to pay the school bedroom tax to the Building Department, pending outcome of litigation between him and the school districts regarding said fees for Summit View Subdivision.

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## GENERAL ORDERS

279  
In reference to proposals received for the Cameron Park cable T.V. franchise, the Chairman was authorized to sign an Agreement with George Sitts Engineering for consulting services for the Cameron Park franchise project, at a cost not to exceed \$2,300.00; and the Board also approved Budget Transfer No. 98, adding \$1,000 in cable T.V. application fees already paid by the applicants, to the Administrative Office's Professional and Specialized Services Account, for funding the aforementioned agreement, on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present.

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279  
At the recommendation of County Counsel, and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present, the Board authorized County Counsel to take such appropriate and necessary action to settle the eminent domain action, County of El Dorado v. Ed Shinn, et al., Superior Court Case No. 36347, for the amount of \$850.00.

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279  
At the recommendation of County Counsel, and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present, the Board authorized County Counsel to take such appropriate and necessary action to settle the eminent domain action of County of El Dorado v. John D. Forni, et al., Superior Court Case No. 36348, for the amount of \$1,250.00, plus 7% interest from date of possession and certification as to the location of the new fencing.

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279  
On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board continued to June 1, 1982, recommendations of a committee consisting of the Chief Administrative Officer, Treasurer/Tax Collector, Assessor, Auditor/Controller, and Mr. Rod Roda regarding Section 9628, Certification by County Surveyor, of the County Ordinance Code.

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(132A)  
150  
RESOLUTION NO. 139-82 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present, 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.

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(309-3)  
22-1  
In response to the request of the Sierra Planning Organization for comments on the application of New Morning, Inc., for federal assistance for Combination Adolescent Family Life Demonstration Project, the Board voted "no comment", on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried by those present.

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(308-3)  
50-14  
In response to the request of the Sierra Planning Organization for comments on the grant application of the El Dorado County Area Agency on Aging for Title III, Older Americans Act Programs for PSA 29, the Board voted "favorable comment", on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried by those present.

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dlf



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234  
The Tahoe Transportation District requested the release of funds allocated to El Dorado County under Section 18 of the Urban Mass Transportation Act, in the amount of \$22,100.00, to commence processing of the grant application. On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board acknowledged receipt of the correspondence, and directed it be placed on file.

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201  
At the recommendation of the Chief Administrative Officer, and on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present, the Board agreed to reconsider its action of May 11, 1982, awarding the contract for the conduct of the 1981-82 County Audit, including Airport Concessionaires and Fixed Base Operators, Special Districts, and Revenue Sharing Audit, to the low bidder, Touche Ross & Co., in the amount of \$10,200.00; said reconsideration to be placed on the Board's agenda for June 1, 1982, at which time the Chief Administrative Officer will report on new information regarding the actual costs of said contract.

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412  
RESOLUTION NO. 140-82 was adopted, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, declaring the Highway Fifty Association Wagon Train as an annual event of historic significance in the County of El Dorado.

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There being no further business, the Board adjourned to Tuesday, June 1, 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