

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES June 15 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 Monsignor Patrick M. Nolan, St. Patrick's Church.

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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 Lowe, and unanimously carried with the addition of a memorandum from the County Energy Coordinator regarding the availability of Federal CVP electrical power.

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The Minutes of June 8, 1982, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Flynn, and Walker; Abstain: Supervisor Stewart.

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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.

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Budget Transfer No. 105 was approved for County Service Area No. 7 (Ambulance Service), transferring \$6,600.00 from the Class III category (Fixed Assets) to Class II to cover unforeseen administrative costs.

117 Budget Transfer No. 107 was approved for the Mental Health Division of the Health Department, transferring accrued savings, in the amount of \$42,557.00, into appropriate accounts for use for the Psychiatric Health Facility Remodeling Project.

\* \* \* \*

117 Budget Transfer No. 106 was approved, transferring \$818.00 from Appropriation for Contingency (92-9900) to Placerville Parking (93-3601), as the County budgeted \$50,000.00 for its contribution to Phase I of Parking District No. 1 Improvement Projects in the City of Placerville, and the County's actual share is \$50,818.00.

\* \* \* \*

299A The Board approved Assessment Roll Changes numbered 1605 through 1607 and 1623 and 1624.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

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58-1  
At the recommendation of County Counsel, the Board denied the claim for personal injury, in the amount of \$2,000,000.00, filed by Attorney Robert Walker on behalf of Michael Erickson.

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58-1  
At the recommendation of County Counsel, the Board denied the claim for damages, in the amount of \$200,000 plus interest, attorneys fees, and costs, submitted by Attorney John W. Delehant on behalf of Transcontinental Insurance Company and Columbia Casualty Company.

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58-1  
At the recommendation of County Counsel, the Board denied the claim for damages, in the amount of \$2,278.50, submitted by Attorney Dale L. Sare on behalf of Barbara Cunningham.

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30-13  
At the recommendation of the Airports Department, the Chairman was authorized to sign 5-year Land Use Leases with N. B. Godlove, and Dean Essenmacher, dba Precision Appraisal Service, for portable hangars at the Placerville Airport.

\* \* \* \*

58-8  
At the recommendation of Community Programs, RESOLUTION NO. 154-82 was adopted, authorizing the Chairman to sign Amendment No. 1 to Agreement (No. 8200-1013) with the California State Office of Economic Opportunity, reflecting an increase in income eligibility guidelines and minor language changes for operation of the low income weatherization program in El Dorado County.

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22  
At the request of the Health Department, the Chairman was authorized to sign Agreements with the following pharmacists for consultation services to the County's Health Department Programs for Fiscal Year 1982-83:

- a. Richard Mazzoni, at a maximum amount of \$1,000.00; and
- b. Doug Provan, at a maximum amount of \$1,200.00.

\* \* \* \*

22-1  
At the recommendation of the Health Department, the Chairman was authorized to sign a contract with Erron S. Plosker, M.D., Lake Tahoe Obstetrics, Gynecology & Infertility, a medical corporation, to provide prenatal, delivery, and post-partum care for patients referred by the County Health Department; at a cost of \$1,210 per month, with the understanding that the continued provision of services in 1982-83 will be discussed during budget hearings.

\* \* \* \*

22-3  
(115)  
The Board authorized the Health Department (Mental Health Division) to hire one, permanent, full-time Aide for the Psychiatric Health Facility, as said position is vacant due to resignation.

\* \* \* \*

(296-1)  
124  
At the recommendation of the Public Works Department, RESOLUTION NO. 156-82 was adopted, authorizing the Chairman to sign a petition to be sent to the California Department of Transportation for the annual revision of the County-maintained mileage, pursuant to Section 2121 of the Streets and Highways Code.

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At the request of the Public Works Department, RESOLUTION NO. 157-82 was 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 within Forest Service lands, and removing same from the County-maintained road system. (No agreement required.)

\* \* \* \*

At the recommendation of the Planning Department, the Board approved a one-year extension of the Tentative Map for Cameron Park North Unit No. 9 Subdivision in the Cameron Park area, consisting of 67 acres, comprising 13 lots; subdivider: Smith and Gabbert, Inc.

\* \* \* \*

The Board approved the request of Earline Guttenberger to exercise her option to renew her Lease for operation of the cafeteria in the County Government Center for a two-year period, ending March 31, 1984, in accordance with Paragraph 4b of same.

\* \* \* \*

The Board accepted the resignation of Michael Noble as member of the South Lake Tahoe Energy Advisory Council, and directed that a Certificate of Appreciation be forwarded to Mr. Noble.

Mr. Frank Krozek was appointed as member of the South Lake Tahoe Energy Advisory Council to replace Mr. Noble.

\* \* \* \*

The Board accepted the resignation of Mr. Erwin R. Green as member of the Fish and Game Committee representing District III, and directed that a Certificate of Appreciation be forwarded to Mr. Green.

Mr. Haven W. Jorgensen was appointed as member of the Fish and Game Committee, representing District III, to replace Mr. Green.

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RESOLUTION NO. 159-82 was adopted, establishing the Cable Television Franchise Application Fee at \$500.00.

\* \* \* \*

Due to the possible revision of fees for same, the Chairman was authorized to sign a six-month lease with Lake Tahoe Realty, Inc., for advertising space at the Lake Tahoe Airport, at a cost of \$250 per month, rather than for a period of one year as requested, on motion of Supervisor Lowe, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, and Walker; No: Supervisor Flynn; Abstain: Supervisor Stewart.

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RESOLUTION NO. 155-82 was adopted, authorizing the Chairman to sign the revised 1982-83 budget, in the amount of \$135,603.00, to be submitted to the State Department of Health and Human Services for operation of the Administrative and General Community Programming portion of the El Dorado County Community Action Agency, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, Stewart, and Walker; No: Supervisor Lowe.

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(2964)  
PA-211  
423  
Cameron  
Park North  
Unit 9

74-70

12-11

337

288

21-80

50

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

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433  
Airport  
Shops  
Condominiums  
Development

At the recommendation of the Planning Department, and on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board approved the Final Map for Airport Shops Condominiums Development in the Cameron Park area, containing 14 units of commercial shops; subdivider: Marv Bukema; and the Clerk was authorized to endorse such approval on said Final Map.

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61-3

RESOLUTION NO. 158-82 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, setting the annual public hearing regarding the service fee imposed on improved parcels within County Service Area III for mosquito abatement purposes, for Thursday, July 8, 1982, at 9:00 a.m.

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250

On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Board continued to June 29, 1982, the recommendation of Nopp, Zeiner, Atchinson & Associates, Inc., that the Chairman be authorized to sign Change Order No. 4 to the Agreement with James P. Morton Construction Co. for the remodeling of the El Dorado County Psychiatric Health Facility, extending same an additional twenty working days due to the changes on Change Order No. 3.

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74-90

At the recommendation of the project architect, and on motion of Supervisor Lowe, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Lowe, Flynn, Stewart, and Walker; No: Supervisor Dorr, the Chairman was authorized to sign Field Order No. 1, authorizing changes in the drawings and specifications for Phase III of the Cultural Educational Center (Library) at South Lake Tahoe, with item 1 of said Order increasing the cost by \$155.00, and item 2 increasing the cost by \$1,625.00.

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34  
(326)

Upon being advised by the State Department of Transportation that, unless California's vehicle size and weight laws are brought into compliance with federal standards, the Federal Highway Administration will freeze the State's entire \$700 plus million interstate construction apportionment, the Board directed that our State Legislators be encouraged to make the necessary changes to the California Vehicle Code by July 1, 1982, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried.

\* \* \* \*

(326  
22-1)

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, Dr. Curtiss Weidmer, Director of County Health Services, was authorized to testify at hearings before State Legislature committees on Assembly Bill 3480 and Senate Bill 2093 pertaining to Medi-Cal reform, which includes the issue of medically indigent adults.

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(115)  
22-3

The request of the Health Department, to fill one Public Health Nurse Practitioner position, on an extra help basis, to cover the position recently vacated by the resignation of Ms. Margaret O'Conner, was continued to June 22, 1982, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

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(115)  
50  
30-9

The Board authorized the Community Programs Department to establish and fill one Energy/Weatherization Technician position to perform specific tasks relating to energy conservation and emergency energy assistance, on motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried.

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(115)  
222-1

The Sheriff requested authorization to fill one vacant Sheriff's Clerk II position from the eligibility list to be established by the Personnel Director. On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the request was deferred until budget hearings, and the Sheriff was authorized to fill the position on an extra-help basis in the interim; and the Board authorized the Sheriff to proceed with recruitment for filling the position on a permanent basis if so budgeted.

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(115)  
151-9

On motion of Supervisor Stewart, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, Stewart, and Walker; No: Supervisor Lowe; the Welfare Department was authorized to fill the following positions in its AFDC Unit:

- a. One Eligibility Supervisor to fill the position which became vacant on June 11, 1982, and, in the event the position is filled by internal promotion, the position vacated by said promotion; and
- b. One Eligibility Worker II to fill the position vacated by resignation on May 7, 1982.

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(115)  
50

At the recommendation of the Personnel Director, and on motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried, the Community Programs Department was authorized to fill two existing, vacant, positions: one Senior Transportation Driver and one Driver Clerk; and authorized Personnel to recruit for, and fill same on a departmental promotional basis.

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(115)  
50  
(23-4)  
68

Community Programs requested Board direction in the matter of the continuation of the South Lake Tahoe Dial-A-Ride Program.

On motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Chairman was authorized to sign the Annual Transportation Claim, for submittal to the California Tahoe Regional Planning Agency, for local transportation funds in the amount of \$27,087.00, for continuation of the South Lake Tahoe Dial-A-Ride Program for Fiscal Year 1982-83, with said Claim revised to reflect that the \$1,000 proposed for allocation to the Area Agency on Aging, for monitoring the contract, will instead be allocated to the Community Programs Department to be used by same to pay for monitoring services to be provided by Mark Anderson of the Joint Transit Agency.

Further, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Board requested that the Joint Transit Agency be requested to comment on whether it approves of Mark Anderson's involvement in monitoring the Dial-A-Ride Program.

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19 82

(115)  
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At the recommendation of the Personnel Director, and on motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried, RESOLUTION NO. 160-82 was adopted, deleting two Program Assistant I positions in the Community Programs Department.

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At the recommendation of Community Programs, and on motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, RESOLUTION NO. 161-82 was adopted, authorizing said Department to submit an application to the California Department of Health Services, to operate a Special Supplemental Food Program for Women, Infants, and Children (WIC) in El Dorado County.

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124  
Mr. Art Cort, Director of Public Works, reported 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 490 signatures. On motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried, the Board accepted the petitions and directed they be placed on file; and requested the Director of Public Works to report on the level of services, whether it improves or not, in January of 1983.

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A committee consisting of the County Clerk, Chief Administrative Officer, and representative of the Lake Tahoe Wedding Chapel Association, submitted its recommendations for solution to the problem of escalating costs for "confidential" marriage license fees.

178  
On motion of Supervisor Dorr, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, and Stewart; Noes: Supervisors Lowe and Walker, the Board approved the reduction of County marriage certificate fees by eliminating the \$3.00 charge imposed by the Clerk and reducing the \$5.00 charge for mediation to \$3.00, contingent upon the enactment of Senate Bill 1330.

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423  
Deer Hills  
Unit #1  
Unit #2  
Hearing was held as duly advertised to consider the 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.

Mrs. Aileen Kokinos, Treasurer of the Deer Hills Homeowners Association, was present and spoke on behalf of same, requesting that said road be dedicated to said Association.

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

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, RESOLUTION NO. 163-82 was adopted, vacating dedication of subject roads to the Deer Hills Homeowners Association, subject to public utilities easements.

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22-7 At the recommendation of the Health Department (Mental Health Division), the Chairman was authorized to sign an Agreement with Bruce T. Kaldor, M.D., for inpatient psychiatric services for Fiscal Year 1981-82, at a maximum cost of \$1,500.00, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried.

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22-7 At the recommendation of the Health Department (Mental Health Division), the Chairman was authorized to sign the following, on motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried:  
a. Post-doctoral psychology intern Agreement with Barbara Greenstein for the South Lake Tahoe Clinic for variety of services, from patient therapy to program evaluation, in the amount of \$1,666.00, to expire August 31, 1982;  
b. Post-doctoral psychology intern Agreement with Katherine Tuttle for the Placerville Clinic for variety of services, from patient therapy to program evaluation, in the amount of \$1,666.00, to expire August 31, 1982;  
c. Agreement with Bruce T. Kaldor, M.D., for psychiatric services to patients placed into Eskaton American River Hospital, in an amount not to exceed \$4,000.00, for Fiscal Year 1982-83;  
d. Agreement with Crestwood Hospitals, Inc., dba Crestwood Manor Sacramento and Crestwood Manor Carmichael, for skilled nursing facility services to patients referred by Mental Health, in an amount not to exceed \$14,000.00, for Fiscal Year 1982-83.

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At the recommendation of the Health Department (Environmental Health Division), and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board took the following action:

AA-11A a. Accepted the Countywide Septage Study Phase I Report, submitted by Frederick R. McLaren Environmental Engineering, Inc., with direction it be forwarded to the California Regional Water Quality Control Board for approval; and authorized the Chairman to sign Request for Clean Water Grant Payment, in the amount of \$8,900.00;  
b. Authorized the Chairman to sign a letter to the California Regional Water Quality Control Board requesting a Grant Amendment, in the amount of \$28,000.00, to cover the estimated cost of Phase II of said study.

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At the recommendation of the Chief Administrative Officer, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board took the following action:

113  
12-15  
104-15  
(114) ✓  
12-11  
(113) ✓  
(115) ✓  
(114) ✓  
(113) ✓  
(115) ✓  
(114) ✓  
(113) ✓  
(115) ✓  
(114) ✓  
(113) ✓  
(115) ✓  
(114) ✓  
(113) ✓  
(115) ✓  
27  
a. Approved the consolidation of Purchasing, Service Unit, Central Duplicating, Messenger, Central Stores, Buildings and Grounds, Energy and Capital Improvement Coordination into a General Services Division;  
b. Adopted RESOLUTION NO. 162-82, approving job specifications for General Services Director; amending Authorized Personnel Resolution No. 241-81 to include one General Services Director and one Secretary, and deleting the position of Purchasing Agent; and amending the salary schedule for department heads and management units to set the salary for the Director of General Services;  
c. Appointed Mr. Joe Winslow, County Energy Coordinator, as General Services Director at Step 3 of the Salary range;  
d. Approved the appropriation of funds, not to exceed \$10,000.00, for alterations or remodeling required to consolidate the activities of the General Services Unit, and the Director of same, in the existing Service Unit portion of the Library basement;

Continued next page . . . . .

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115  
113  
e. Directed that classification of positions in the General Services Division be reviewed by the Personnel Office, with a report back to the Board within six months.

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298  
Hearing was held as requested by Mr. Robert H. Howard on Assessment Roll Changes Nos. 1580 and 1582, relating to name and value change on two parcels owned by Mr. Howard. Mr. Howard was present to speak on his own behalf.

On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried, the Board upheld the action of the Assessor, and approved Assessment Roll Changes Nos. 1580 and 1582.

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23  
44-1  
113  
12-11  
The Chief Administrative Officer recommended the Board approve in principle, the execution of a Memorandum of Understanding (M.O.U.) between the County, the City of South Lake Tahoe, and the South Tahoe Public Utility District to study the feasibility of a co-generation project at South Lake Tahoe, specifically, the proposed construction of a plant which would convert refuse from the Tahoe Basin to useful energy; and recommended the Administrative Office be directed to work with the City of South Lake Tahoe staff to develop such an M.O.U. for Board approval.

The Board took no formal action on the recommendation; however, the Chairman requested the Chief Administrative Officer to inform the South Lake Tahoe City Manager, Mr. Milbrodt, that the Board will discuss the matter with the City Council at a later date.

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80  
The Chairman requested the Board make a determination as to whether it wishes to reconsider its action of December 29, 1981, wherein Ordinance No. 3214 was adopted to enact mandatory refuse and garbage collection for the unincorporated portion of South Lake Tahoe.

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, Stewart, and Walker; No: Supervisor Lowe, the numerous letters of complaint were referred to Supervisor Stewart to work with South Tahoe Refuse Company to resolve specific complaints therein.

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## SPECIAL ORDERS

### PLANNING MATTERS

78-31-92  
Hearing was held as duly advertised to consider rezoning of lands in the Diamond Springs/El Dorado area from Estate Residential Ten-Acre Zone to Commercial Zone, consisting of 2 acres, petitioned by Raymond and Sally Gemmet. The Planning Commission recommended denial, based on the following findings:

1. Public Works indicated Oriental Street is inadequate for commercial use;
2. Sewer service is limited by the existing zoning;
3. There is adequate vacant commercial land in the area.

There were no written or verbal protests, and the applicant was not present; therefore the public hearing was closed.

Continued next page . . . . .



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Supervisor Flynn exited the meeting room during discussion on the request.

Supervisor Flynn returned to the meeting room.

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Stewart, and Walker; Abstain: Supervisor Flynn, the Board concurred in the Planning Commission's findings and denied the request.

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7205-3282  
Hearing was held as duly advertised to consider rezoning of lands in the Diamond Springs/El Dorado area from Single Family Residential One-Acre Zone to Commercial Zone, consisting of .45 acre, initiated by the El Dorado County Planning Commission on lands owned by Jack and Marie Pesola. The Planning Commission recommended denial, based on the following findings:

1. Both North Street and Missouri Street are of insufficient standards to accommodate commercial use (12' wide, chipseal);
2. A commitment for sewer service for commercial development is not available.

The property owners were not present. 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 and denied the request.

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7205-3382  
390-92  
Hearing was held as duly advertised to consider rezoning of lands in the Georgetown area from Residential Agricultural Forty-Acre Zone to Residential Agricultural Twenty-Acre Zone, consisting of 40 acres, petitioned by Jack Podsedly. The Planning Commission recommended approval, based on the following findings:

1. The zoning is consistent with the General Plan;
2. The Agricultural Commission indicates the rezoning would not affect agricultural uses in the area;
3. The parcel is divided by Wentworth Springs Road.

Mr. Podsedly was present to speak on behalf of his request. There were no written or verbal protests, and the hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board concurred in the Planning Commission's findings; accepted the Negative Declaration; and approved the rezoning by adoption of ORDINANCE NO. 3273 which amends the County Zoning Ordinance accordingly.

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## GENERAL ORDERS

12-11  
On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board authorized Mr. Joe Winslow, County Energy Coordinator, to set up a meeting between County representatives, County Counsel, a representative of Congressman Shumway's office, Mr. Mike Catino of the Bureau of Reclamation, and Mr. David Coleman of the Western Area Power Administration (W.A.P.A.) of the Department of Energy, to explore the availability of Federal CVP electric power for allocation to El Dorado County.

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119  
(349)  
The County Treasurer/Tax Collector and Auditor/Controller submitted for Board approval, proposed contract with First Interstate Bank for financial consultation services relating to the County's issuance of tax anticipation notes, in the approximate amount of \$6,000,000.00, for Fiscal Year 1982-83.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board approved the contract, and authorized Chairman to sign same, with additional language as recommended by County Counsel in his memorandum to the Board dated June 8, 1982.

141  
Further, on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, County Counsel was authorized to negotiate an agreement for bond counsel.

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296-4  
Pleasant Valley Rd  
19  
On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board requested the Traffic Advisory Board to study the first .6 of a mile of Pleasant Valley Road, from the intersection of Pleasant Valley Road and Highway 49 (east end of Diamond Springs), for consideration of a 25-mile per hour speed limit and a double yellow line in the center of the roadway to prevent passing, with the request that the matter be given a high priority.

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(235-4)  
The Sheriff's Department requested consideration of an Ordinance amending the County Ordinance Code to add Section 12.64.065, "Activities on Bridges", and amend Section 12.64.070, "Use of Personal Floation Devices Required".

296-5  
95  
Co. 296-5  
On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried the Ordinance was introduced as amended (two grammatical changes and direction that the intended bridges and rivers, and "reaches" thereof, be designated); and it was continued to June 22, 1982, for consideration of adoption.

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(341-5)  
133-4  
An Ordinance was introduced, amending the County Ordinance Code relating to working animals to include police dogs, the reading thereof was waived, and it was continued to June 22, 1982, for consideration of adoption.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

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## SPECIAL ORDERS

## PLANNING MATTERS

Hearing was held as duly advertised 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 No. 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.

Mr. Ross Hutchinson, of the Planning Department, spoke on behalf of the Planning Commission, and submitted photographs of the site in question.

Mr. Robert A. Laurie, Chief Assistant County Counsel, reviewed Ordinance Section 17.20.110 regarding non-conforming uses and advised that abandonment of same for a period of one year is basis for the Planning Commission to terminate the permit for the non-conforming use.

Attorney Timothy W. Pemberton was present representing surrounding property owners and spoke on behalf of same. Mr. Pemberton reviewed declarations of the following persons, which were submitted by Attorney John Weidman on behalf of the appellant: Chester Woons, George Stalls, Clay Fried, Manager of Cal Gas - South Lake Tahoe, Kirk Von Tagen, Maurice P. Langis of Integrity Construction Company, Richard L. Davis, Lowell Phenix, C.C. Jackson, Lawrence R. Hatcher, John Gillespie, Marko Putic, Dennis Pimley, Lynne Llewellyn, Bud C. Frisbee, William David Moffit, Herman Marty, and Kenneth Erickson. Mr. Pemberton emphasized that nowhere in all the declarations is there any objective evidence, such as receipts of concrete purchases to support their statements that they made such purchases from the site.

Mr. Pemberton submitted declarations from the following persons, in support of the surrounding property owners' position: Pat Phillipe, Lance Hourany, Bruce Thomas, and Mr. and Mrs. H.G. Loeffler.

Mr. Pemberton introduced the following persons who spoke, answering questions of Mr. Pemberton, in support of the surrounding property owners who are opposed to the continuance of the non-conforming use of the property in question: Brian Fillipe, Pat Phillipe, Irv Christianson, and John Gillespie who attested to the fact the use had been abandoned for over one year; and the following homeowners: Judy Pierce, Gary Edwards, and Russ Deavy, all of whom complained about many annoying uses of the site, but not the non-conforming use for which the special use permit was issued.

Mr. Pemberton closed by requesting that, if the Board finds there has been a continuance of the non-conforming use (batching and sale of concrete), a continuance be granted for the purpose of addressing the issue of "attractive nuisance".

Attorney John Weidman spoke on behalf of Mr. Stalls, and submitted photographs supporting his position. Mr. Stalls was also present and answered questions of Board members.

The Chairman then closed the public hearing.

On motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried, the Board took the matter under submission, and advised it will render its decision on July 13, 1982.

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GENERAL ORDERS

330-2  
On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, Supervisor Dorr was appointed as primary member, and Supervisor Walker was appointed as alternate member of the newly formed American River Authority, which was created by a Joint Powers Agreement between Placer County, El Dorado County, the Placer County Water Agency, and the El Dorado County Water Agency for the joint exercise of powers for the construction of the Auburn Dam and Reservoir and a hydroelectric power plant at the Dam.

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There being no further business, the Board adjourned to Tuesday, June 22, 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 L. Foote  
Deputy Clerk