

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES August 10 1982

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 Associate Pastor Bill Pence, Camino Community Church.

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

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The Agenda was adopted, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, with the addition of a Resolution providing for the issuance of 1982 Tax and Revenue Anticipation Notes.

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The Minutes of August 3, 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 Lowe, 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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298-2 The Board approved Assessment Roll Changes numbered 1001, 1011, 1012, 1014, 1015, 1018 through 1021, 1032, 1049, 1050, 1059 through 1067, 1714, 1715, 1717, 1718, 1721, 1726 through 1729, and 1731 through 1735.

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117 Budget Transfer No. 7 was approved, advancing \$5,000 from the County Treasury (800) to Audubon Hills Community Services District (388), as a loan until tax money is available.

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247 The Chairman was authorized to execute Release 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>	
Chris S. Wind	706	490&491

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58-1 At the recommendation of County Counsel, the Board denied the claim for property damage, in the amount of \$1,450.00, submitted by Rob Allen.

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58 At the recommendation of County Counsel, the Board denied the claim for wrongful death of Nathan Dwaine Davenport, in the amount of \$250,000.00, together with funeral and burial expenses in an undetermined amount, submitted by Attorney Cavan Hardy on behalf of Bruce Wayne and Joyce LaVerne Davenport.

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178-1 The Board accepted for placement in the Board's files, Certification of Results of All-Mail Ballot Elections held on August 3, 1982, for special tax measures for Hickok Road Community Services District, East China Hill Community Services District, and Audubon Hills Community Services District, and the formation of the proposed Marble Mountain Homeowners Community Services District, as submitted by the County Clerk.

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74-80 At the recommendation of Nopp, Zeiner, Atchinson & Associates, Inc., the Chairman was authorized to sign the Notice of Completion for Phase II of the Cultural-Educational Center at South Lake Tahoe.

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212 At the request of The Friends of the Library, the Board proclaimed August 9 to August 14, 1982, as "First Annual El Dorado County Library Week".

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212 At the request of Ms. Bonnie Batten, the Board proclaimed August 14, 1982, as El Dorado County's "Parents Without Partners Day".

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(117) Budget Transfer No. 125 was approved, on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, transferring \$862,117.95 from 119 various Appropriations including Contingency to cover County Departments' year end closing transfers.

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117 Budget Transfer No. 6 was approved, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, advancing \$3,150,000.00 from the County Treasury (800) to the Lake Tahoe Unified School District (907), as a loan until tax money is available.

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(50-7) The Community Programs Department requested the Chairman be authorized to sign (23) Agreements with the following for use as the Senior Nutrition Program group and home delivered meal sites, for Fiscal Year 1982-83:

- a. Mother Lode Lions Club, at a cost of \$600 per month;
- b. Pollock Pines Recreation, Unlimited, Inc., at a cost of \$120.00, plus electrical utilities and base cost of water;
- c. Georgetown United Methodist Church, at a cost of \$5 per day;
- d. City of South Lake Tahoe, for the premises of its Recreation Complex, at a cost of \$550 per month.

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign the Agreements as outlined in a., b., and c.; however, in regards to d., the Chairman was authorized to sign a letter to the South Lake Tahoe City Council requesting it reduce the rental payment from \$550 per month to \$500 per month, to facilitate the ability of the Program to continue due to severe funding cutbacks.

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12-14
On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unani-
mously carried, the Board set a Policy Review Session for Wednesday,
September 8, 1982, at 10:30 a.m., for a cloud seeding demonstration.

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12-14
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unani-
mously carried, the Board set a Policy Review Session for Wednesday,
September 8, 1982, at 11:15 a.m., for the quarterly report on the County
budget.

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(115)
4067
On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously
carried, the Board authorized the Placerville Justice Court to hire an
extra-help clerical employee for a period of two days.

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(115)
507
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously
carried, the Community Programs Department was authorized to change a
vacant, half-time, Kitchen Aide position at South Lake Tahoe to a part-time/
extra-help, on-call position.

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(115)
444
On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unani-
mously carried, the Treasurer/Tax Collector was authorized to fill one,
vacant Account Clerk III position.

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(115)
183
The Superior Court requested the Chairman be authorized to sign an Agreement
with Mary T. Muse, the Court's Legal Research Assistant, in the amount of
\$17.50 per hour, not to exceed 30 hours per week, for Fiscal Year 1982-83.

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously
carried the request was continued to August 17, 1982, in order to obtain
further justification for same.

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59-3
The County Risk Manager submitted the request of the County Fair Manager
that she be permitted to participate in the County's life insurance program
for Department Heads, with the provision that the Fair Association deposit
the required premium to support the benefit.

On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously
carried, the request was denied, and the Board directed that a copy of the
letter dated August 6, 1982, to Atwood Insurance Agency from the Regional
Group Manager of Mutual Benefit Life, wherein the County is advised it can-
not grant the request, be sent to the Fair Association Board of Directors.

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423
Gene E. Thorne & Associate requested the Board grant to Louis W. Franz, a right-of-way for road and utility purposes across County-owned Assessor's Parcel No. 67-27-06, on Green Valley Road, to gain access to the 80 acres he is planning to develop, to be known as Highland Village Unit No. 3 Rural Subdivision.

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the matter was referred to County Counsel to research further, with authorization to hire an appraiser, at the developer's expense, and to report back to the Board.

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80-1
RESOLUTION NO. 211-82 was adopted, approving a rate increase of 22 per cent, as requested by Tahoe City Disposal, Co., Inc., for garbage pickup in the Tahoma-Emerald Bay franchise area, plus a 9 per cent surcharge as requested by Placer County, on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried.

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74-15
406-12
The Director of General Services recommended the Board review the six proposed building sites for the Ponderosa Justice Court and indicate its preference, or provide direction to the Planning Department, Architect, and said Division relating to the finalization of the site selection.

On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Chief Administrative Officer was requested to schedule a tour of all six proposed sites by the Board of Supervisors, sometime within the next two weeks.

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57-6
Cameron
Park
Hearing was held as duly advertised to consider the Transportation Study for the Cameron Park Plan Area, the road improvements described therein, the estimated cost, an area of benefit, and a fee structure to finance same.

Mr. Arnold Johnson, representing TJKM Transportation Consultants, the firm that conducted said Study, was present and reviewed same for the Board.

Mr. James Martino, President of the Cameron Park Property Owners Association, was present and spoke on behalf of same, stating he feels the proposals set forth in the Study are very good, and commending TJKM Transportation Consultants for a fine job, and the Board of Supervisors for contracting with same.

Mr. Abe Dodie, resident of Cameron Park and owner of undeveloped commercial property in the Park, was present and expressed his dissatisfaction with the fee schedule as proposed in the Study, stating he feels it is unfair to place the burden of paying for needed road improvements on those who have not yet developed their properties.

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

On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried, the Study was approved in principle, and staff was directed to prepare the necessary documents (Resolutions or Ordinances) to enact recommendations therein.

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Chairman Walker exited the meeting room; Vice Chairman Stewart presided.

423
Hearing was held as duly advertised to consider removing from dedication, all those roads within Garden Park Rural Subdivision which were accepted by the Board of Supervisors on June 9, 1970, as requested by the Garden Park Homeowners Association, Inc.

Mrs. Joyce Thompson was present and stated that she is concerned about losing access to her property. Access to her property is by way of Bayne Road, however, during heavy rains, when Bayne Road is flooded, she utilizes her right-of-way easement through a 10-acre parcel between her property and Garden Park Subdivision, and then travels through said subdivision to gain access to Garden Valley Road.

Mr. Beech, resident of Garden Park Subdivision, was present and spoke on behalf of same. Mr. Beech stated that residents of the subdivision are not aware of any private easements through their subdivision, but added, if there are such easements existing, they realize they must acknowledge them. He further added that their major problem is that of miners with heavy equipment using their subdivision roads for access to Bureau of Land Management (BLM) lands.

There was no further public input, and the hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, RESOLUTION NO. 213-82 was adopted, vacating roads in Garden Park Subdivision, with additional language to be incorporated in same, as discussed this date, regarding right-of-way easements previously granted to private property owners and public utilities and the protection of same.

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The Board recessed for lunch, after which it reconvened with all members present. Chairman Walker presided.

SPECIAL ORDERS

PLANNING MATTERS

46-221
Hearing was held as duly advertised to consider Parcel Map 82-36, submitted by Alfred L. Fenaughty, to divide 54+ acres zoned Exclusive Agricultural in the Camino/Fruitridge area into two lots (one 30 acres and one 20 acres). The Planning Commission recommended denial, based on the following findings:

1. The proposed split will be detrimental to the existing agricultural pursuits, based on evidence at hand;
2. The approval of the parcel map would further be detrimental to the long term agricultural pursuits on the parcel, based on evidence at hand.

The applicant, as well as his engineer, Bill Furtwangler, were present to speak to the request.

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

(continued next page)

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On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board approved Parcel Map 82-36, submitted by Alfred L. Fenaughty, to divide 54+ acres zoned Exclusive Agricultural in the Camino/Fruitridge area into two lots, subject to the 5 conditions listed below, based on the following findings:

1. The proposed split will not be detrimental to the existing agricultural pursuits, based on the evidence heard this date;
2. The request is in accordance with the zoning of the property.

Conditions:

1. Hassler Road and Fruitridge Road shall have a dedicated road easement of twenty-five feet from centerline by a recorded Grant of Easement.
2. This project is subject to Ordinance 11,700, Road Impaction Fees.
3. Subject to Environmental Health approval.
4. Subject to provisions of Ordinance 3098: Provide mitigation measures to the El Dorado High School and Pollock Pines/Camino Fire District.
5. A 12-foot road within the 20-foot easement as shown on tentative parcel map shall be established only if parcel two's access to Fruitridge Road is not sufficient for a driveway encroachment.

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423
Summit View
Subdivision
The Planning Director advised, in a memorandum dated August 4, 1982, that the developer of Summit View Subdivision, Mr. Allan Harris, has requested El Dorado Irrigation District (E.I.D.) to refund the money, in the amount of \$174,600.00, he has paid to reserve sewer hookups for 97 undeveloped parcels; and recommending E.I.D. be notified that since the tentative and final maps were approved with the finding that public sewer was available, and since the County has no unilateral means of reversing this process, the money should not be refunded and reservations canceled unless the owners agree to a reversion to acreage on the property.

Upon being advised by E.I.D., in a transmittal letter dated August 10, 1982, that Mr. Harris has withdrawn his request that E.I.D. cancel the 97 reservations for sewer hookups, the Board directed that the correspondence be filed, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried.

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51
The Planning Commission recommended an Ordinance be adopted amending the Minor Land Division Ordinance and Design Manual, relating to requirements for road standards for single-family residential parcel maps.

Mr. Vern Sayles was present and suggested that the proposed Ordinance be amended to require a 20-foot road width, rather than 24-foot road width, for parcels maps of less than 1 acre.

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Ordinance was introduced, the reading thereof waived, and it was continued to August 17, 1982, for consideration of adoption.

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Acting as the Board of Directors of County Service Area No. 3, hearing was held as duly advertised to consider the proposed service charge, not to exceed \$1.40 per improved parcel in the unincorporated portion of County Service Area No. 3, for ambulance service.

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

On motion of Director Stewart, seconded by Director Lowe, and unanimously carried, RESOLUTION NO. 210-82 was adopted ordering ambulance services to be provided within the unincorporated area of County Service Area No. 3.

(61-3)
257) On motion of Director Stewart, seconded by Director Lowe, and unanimously carried, the fee charged to each improved parcel within County Service Area No. 3 for ambulance services was set at \$1.40 per parcel per year; and County Counsel was authorized to prepare the appropriate Ordinance to authorize the Treasurer-Tax Collector to collect said fee in the same manner as real property taxes.

On motion of Director Stewart, seconded by Director Lowe, and unanimously carried, the Chairman of County Service Area No. 3 was authorized to sign an Agreement with the Tahoe City Fire Protection District for ambulance services within the unincorporated portion of County Service Area No. 3 along the west shore of Lake Tahoe to the north boundary of D.L. Bliss Park, as outlined in Exhibit "A" of said Agreement, or extended zone when State Highway 89 is closed due to rock slides or weather conditions, then zone of responsibility would be extended to point of road closure.

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61-2) Acting as the Board of Directors of County Service Area No. 2, the Board approved the request of Zone A of said Service Area, Arrowbee Ranch Estates, and awarded the bid for road repairs and improvements within said area to Joe Vicini, Inc., of Placerville, in the amount of \$12,950.00.

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349) RESOLUTION NO. 215-82 was adopted, at the recommendation of County Counsel, and on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, providing for the issuance of 1982 Tax and Revenue Anticipation Notes, with County Counsel authorized to make any necessary changes therein; and bond counsel was authorized to publish the notice of the sale of the notes as required.

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(164)
178-1) The Board reconsidered its action of July 27, 1982, wherein Resolution No. 203-82 was adopted, placing a measure on the ballot of the General Election on November 2, 1982, to read as follows: "Should El Dorado County participate in the national nuclear civil protection plan?".

After much public input, the Board took the following actions:

Resolution No. 203-82 was rescinded, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, Stewart, and Walker; No: Supervisor Lowe, with direction that the County Clerk be so advised.

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(164)
M.P.
RESOLUTION NO. 214-82 was adopted, on motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried, urging national and world leaders to take necessary steps to ensure a safe world for our and future generations, acknowledging receipt of the draft "National Nuclear Protection Plan", and pledging this Board's cooperation with federal and state agencies in developing a plan to provide the greatest protection possible for the citizens of El Dorado County and the region.

The County Deputy Director of Emergency Services was directed to schedule and advertise publichearings on said Plan, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried.

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22-1
The El Dorado County Council on Child Abuse requested the Board recognize said Council and recommend a member "at large" to serve on same. On motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried, the request was referred to the Chief Administrative Officer to research further and report back to the Board on August 17, 1982.

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101
(124)
The Sawtell Pipeline Association requested potholes in the access road into Forty One Milestone Tract be repaired; and sand, gravel, and debris be swept from the asphalt surface.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the matter was referred to the Department of Public Works for determination of whether this road is maintained under Special Use Permit and, if so, recommendation as to whether the County should terminate said use permit and turn the road back over to the U.S. Forest Service.

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434A
RESOLUTION NO. 212-82 was adopted, at the request of the County Chamber of Commerce, and on motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried, declaring the Board of Supervisors to be the Board of Directors of the El Dorado County Industrial Development Authority.

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board continued to September 14, 1982, the matter of the Industrial Development Authority convening to elect a Chairperson; adopt a Resolution appointing a secretary, treasurer, and any additional staff support; and consider and adopt General Guidelines for the Authority's operation.

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Mr. Harvey Hall, District Superintendent of the Gold Oak Union School District, requested the Board outline specifically what services County Counsel is to provide school districts.

221
(221-12)
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board requested County Counsel and the Chief Administrative Officer to prepare a letter to the Gold Oak Union School District, and the Chairman was authorized to sign same, advising that the County's position, as outlined in County Counsel's letter to the Board dated August 6, 1982, is the best that can be done for the school districts with resources available, in view of current budget restraints. (Copies to go to all school district superintendents.)

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151-2
Attorney Michael A. Zatopa, representing Group Homes Association of California (GHAC), requested the Board forward a letter to the Bay Area Placement Committee (BAPC), which provides its 20 member counties a forum for sharing information regarding placement resources, requiring said Committee to open its meetings to the public pursuant to the Brown Act.

On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the request was received and filed, and Mr. Paul Berman, County Welfare Director, was requested to advise Mr. Zatopa, by letter, that he is welcome to attend the next meeting of BAPC.

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87
On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board directed that a letter be sent to the County Supervisors Association of California (CSAC) requesting it respond to a political editorial by Martin Smith entitled "A Schizophrenic Tax System" published in the Sacramento Bee's August 8, 1982, edition.

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There being no further business, the Board adjourned to Tuesday, August 10, 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 *Dorothy L. Foote*

Deputy Clerk