

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES November 30 19 82

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

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127 The Invocation was offered by Supervisor Flynn.

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The Pledge of Allegiance to the Flag was led by Mrs. Foote.

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The Agenda was adopted, on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried by those present, with the addition of the Welfare Department's recommendation in the matter of a former El Dorado County foster child who is now adult living in Sacramento County where he attends high school.

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The Minutes of November 23, 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 Flynn, and unanimously carried by those present, the Consent Calendar matters were considered and acted upon as follows:

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

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117 Budget Transfer No. 51 was approved for the Placerville Justice Court, transferring \$50 from Office Expense (2170) to Fixed Assets (3370) as needed for the purchase of an IBM Selectric self-correcting typewriter.

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117 Budget Transfer No. 49 was approved, transferring \$500 from the General Fund Appropriation for Contingency (9-900) to County Counsel's Professional and Specialized Services Account (2180) for El Dorado County's contribution toward attorneys' fees in the matter of Poer, et al, vs. County of Alameda, et al.

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212 The Board approved Assessment Roll Change number 1244.

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BOARD OF SUPERVISORS MINUTES November 30 19 82

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>	
James Seifers	2118	242

* * * *

501
141
At the recommendation of County Counsel, the Board approved settlement, in the amount of \$100,000.00, in the matter of Transcontinental Insurance Company vs. County of El Dorado.

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29
11/23/82
216-11
At the recommendation of the Public Works Department, the Chairman was authorized to sign Change Order No. 1 to the contract with M & M Electric Company for construction of traffic signals on Missouri Flat Road at Highway 50 on and off ramps, including Mother Lode Drive (Project 3035), to allow the use of a new type of detector lead-in cable, at no additional cost.

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175-1
The Board accepted the County Clerk's Statement of Votes Cast at the General Election held on November 2, 1982, for State and Local Offices and Measures, and directed same be placed in the Board's records.

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423
7/24/82
6-29
At the recommendation of the Planning Department, the Board authorized release of the standby letter of credit, in the amount of \$6,500.00, for Woodpecker Acres Rural Subdivision, which was held for six months to insure payment to laborers and materialmen.

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352
27
RESOLUTION NO. 317-82 was adopted, at the recommendation of the Chief Administrative Officer, correcting Resolution No. 256-82 adopted September 28, 1982, to change the rate charged to community groups for use of the County Library meeting room from \$10.00 (as called for in Resolution No. 256-82) back to \$5.00.

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74-14
341-5
At the recommendation of the General Services Division, and on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Chairman was authorized to sign a Letter Amendment to the Agreement with Nopp, Zeiner, Atchinson & Associates, Inc., for the administration of the bidding and construction phase of the El Dorado County Animal Control Facility Addition, at a cost not to exceed \$4,075.00.

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74-14
At the recommendation of the General Services Division, and on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present, RESOLUTION NO. 318-82 was adopted authorizing Mr. Dick Zeiner of Nopp, Zeiner, Atchinson & Associates, Inc., to sign, on behalf of El Dorado County, any and all applications relating to the construction of the Senior Citizens Center at South Lake Tahoe.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES November 30 1982

74-90
At the recommendation of the General Services Director, and on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present, the Chairman was authorized to sign the Notice of Completion for Phase III of the County Cultural-Education Center (Library) at South Lake Tahoe.

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On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the Board directed the following relating to the Localizer/DME Equipment at the South Lake Tahoe Airport:

- 21-36
1. Airports Department to have the DME unit at said Airport repackaged and shipped to Wilcox Electric for inspection and estimate as to amount of damage and feasibility of repair;
 2. County Counsel to negotiate and prepare an agreement between the County and Wilcox Electric regarding the inspection and evaluation of the damaged equipment; and
 3. Appropriate County personnel be designated to contact the Federal Aviation Administration regarding interim or alternate approaches into the South Lake Tahoe Airport and funding for the localizer/DME project.

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12-14
(20)
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved the following:

- (50-4)
(34-)
1. The Policy Review Session set for December 8, 1982, at 2:30 p.m., regarding the feasibility of a new airport in El Dorado Hills, was rescheduled for December 1, 1982, at 10:30 a.m.;
 2. A Policy Review Session was set for December 8, 1982, at 2:30 p.m., to discuss the following:
 - a. Assembly Bill 3454 which deals with detention of persons for treatment of a mental disorder or impairment by chronic alcoholism, and becomes effective January 1, 1983;
 - b. Placement of non-psychotic patients in Napa State Hospital.

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The request of the City of Placerville, submitted by the County Public Works Department, that the County agree to use all available funds, as well as those to be accrued under Electric Rule 20 for the next 18 months to two years, for the Placerville Drive Undergrounding Utilities Project, was continued to December 7, 1982, at the request of the Placerville City Manager, and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present.

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22
(22-1)
At the recommendation of the Health Department, and on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present, the Chairman was authorized to sign a Letter of Intent, as revised and submitted this date, to enter into a contract with the State Department of Health Services for participation in the County Medical Services Program for treating medically indigent adults, effective January 1, 1983.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES November 30 19 82

(114)
235

The Board reconsidered its action of November 2, 1982, authorizing the Chairman to sign a two-year Agreement with Motorola Communications and Electronics, Inc., for radio communications services and materials, at an approximate cost of \$168,550.00; said reconsideration requested by Mr. William J. Gyorgy, Proprietor of El Dorado Communications, and approved by the Board on November 16, 1982.

Following discussion, which included comments made by Mr. Gyorgy and a representative of Motorola Communications and Electronics, Inc., Mr. Bill Sheetz, the Board amended the Agreement with Motorola to reduce the term of same to one year, with Section III C on Page 3 of said Agreement to read "After 9 months...", rather than "After 18 months..."; based on the Board's finding that competitive bidding would not be in the public interest because the unique nature of the services required precludes receiving bids; on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried by those present.

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The El Dorado County Chamber of Commerce requested approval of a one-year Sublease with Thomas R. Daly, publisher of the El Dorado Gazette in Georgetown, for an approximately 160 square foot room in the downstairs portion of the Chamber's building, to be used for business purposes and other related activities, at a cost of \$150 per month.

53

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, and Stewart; No: Supervisor Lowe; Absent: Supervisor Walker, the Board approved the Sublease with additional language, as recommended by County Counsel, requiring the sub lessee to carry liability insurance naming the County as "additional insured", in amounts not less than those required of the Chamber of Commerce and subject to the same conditions as outlined in the Lease Agreement between the County and the Chamber of Commerce.

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On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the Chairman was authorized to sign the following, with alterations as recommended by County Counsel's office this date:

51

- a. Consent to Assignment of Airport Land Use Agreement from Oasis Petroleum Corporation to Oasis Aviation, Inc., a subsidiary of Oasis Petroleum Corporation;
- b. Consent to Sub-sublease from D. K. & H. Investments to The Hertz Corporation.

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Mrs. Arlene Wilkinson, Principal of El Dorado High School, requested the Board's assistance with the continuing problem of vandalism in the restrooms at Bennett Park.

131

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Chief Administrative Officer was requested to discuss with the High School principal, the possibility of posting a reward as a deterrent, and the County's willingness to share the cost of the reward with the School District and perhaps the City of Placerville.

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STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

November 30

19 82

87-3
On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unani-
mously carried by those present, the Board approved payment of a one-
time only County member service fee to the National Association of
Counties, in the amount of \$275.50, from the Board of Supervisors
Transportation and Travel Account (82-2250).

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151-2
At the recommendation of the Welfare Director, and on motion of Super-
visor Flynn, seconded by Supervisor Dorr, and unanimously carried by
those present, the Board authorized payment, in the amount of \$156.25
per month, for the months of November 1982 through June 1983, to the
foster parents of a former El Dorado County foster child, though he is
now a legal adult (19 years old) and living in Sacramento County where
he attends high school, with the Sacramento County Welfare Department
to match said monthly payments, so the subject can graduate from high
school as scheduled in June of 1983. (Matter referred to the Welfare
Director on November 23, 1982.)

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344
223
On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unani-
mously carried by those present, County Counsel was requested to bring
forth the necessary Resolutions to begin proceedings to convert the
Diamond Springs and Georgetown Lighting Districts to County Service Areas,
due to the fact that said Districts are not able to meet their operating
costs with the advalorem taxes they receive since the passage of Proposi-
tion 13 in 1978.

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SPECIAL ORDERS

PLANNING MATTERS

423
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The Board considered the request of Arthur Glick, subdivider, for approval
of the Tentative Map for Forest Meadows Subdivision in the Georgetown area,
consisting of 107.9 acres, comprising 29 lots. The Planning Commission
recommended approval of said Map.

Mr. Gene Thorne, project engineer, was present and spoke on behalf of
Mr. Glick.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unani-
mously carried by those present, the matter was continued to December 14,
1982, to allow Mr. Thorne an opportunity to consult with Mr. Glick regard-
ing a condition proposed this date to require chip and seal roads within
the subdivision.

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BOARD OF SUPERVISORS MINUTES November 30 19 82

702-12-82
Hearing was held as duly advertised to consider the Appeal of Mr. Paul Hadjes on the Zoning Administrator's deletion of a driveway when approving Special Use Permit No. 82-85 to allow maintenance and rental of equipment in a commercial zone, consisting of .327 acres, in the Pollock Pines area. The Zoning Administrator approved the Special Use Permit, subject to 12 conditions, based on the following findings:

1. The request to establish an equipment rental with maintenance of said equipment in a C, Commercial, Zone District is authorized by Section 9411(b-4) of the El Dorado County Ordinance Code;
2. The establishment of the use is not considered detrimental to the public health, safety and welfare, or injurious to the neighborhood.

Condition number 3 of the Special Use Permit, which is the one Mr. Hadjes is appealing, reads as follows: "The applicant shall secure an encroachment permit from the Public Works Department, prior to construction, for the driveway to the west, and limit it to one driveway in accordance with the recommendation of the Area Committee".

Mr. Hadjes was present and spoke to his appeal, explaining the advantages of allowing him to continue using the two driveways that currently serve the subject property. One is used by eastbound traffic, the other by westbound traffic, and neither, as they are currently constructed, can serve both. Mr. Hadjes advised that, if one driveway is eliminated, the other will have to be widened and improved, which will require the removal of some very large trees within the County right-of-way on Pony Express Trail.

Mr. Chuck Terhune, member of the Pollock Pines Chamber of Commerce, was present and spoke in support of Mr. Hadjes' request.

The Board received a letter from Avary and June Abbott, owners of 13 Mile Post at 6306 Pony Express Trail in Pollock Pines, stating they object to this type of business across the street from them. The Abbotts requested that, if the Special Use Permit is approved, Mr. Hadjes be required to construct a fence that will hide the equipment from public view. (That concern is addressed by condition number 11 of the Special Use Permit.)

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried by those present, the hearing was continued to December 14, 1982, to obtain a report from the Public Works Department on the matter of the driveway encroachments onto Pony Express Trail from the subject property, particularly the safety factor.

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Hearing was held as duly advertised to consider the request of Ernest and Guner Broseker for relocation of an access easement on Lot 49, Sleepy Hollow Subdivision Unit No. 3, in the Rescue area.

The Planning Commission recommended denial of the request, as it feels the County is being asked to ratify a private agreement, and County Counsel advised the Commission that this is an inappropriate action for the Planning Commission, and the respective property owners should seek private legal counsel to settle the problem.

Mrs. Broseker was present and reviewed the matter for the Board and offered to withdraw her request if the Board did not feel it could resolve the issue.

Mr. Charles Barrett, attorney, was present representing Mr. and Mrs. Leo Metz, owners of Lot 48 in Sleepy Hollow Subdivision, who were also present. Mr. and Mrs. Metz are opposed to the requested relocation of the 15-foot easement presently located on Lot 49.

Mrs. Ina Martin, owner of Lot 53 in Sleepy Hollow Subdivision, was also present to speak to the matter, stating she is opposed to the relocation of the subject easement as it provides access to her lot.

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the request was continued to December 28, 1982, for hearing before a full Board; and the Board requested comments from the County Surveyor regarding the disputed easement.

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At the request of the Planning Department, and on motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried by those present, the Board appointed Supervisors Dorr and Flynn to meet with representatives of the Planning and Public Works Departments, and the State Department of Transportation (Caltrans), to discuss the future impact of the El Dorado Hills Business Park on State Transportation facilities in the area of Latrobe Road and Highway 50.

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On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved the request of the County Transportation Commission, that the Board formally request the State Department of Transportation to conduct a Corridor Survey and Highway Facility Study on specified sections of Highways 49, 50, and 89, leading to designation of same as State Scenic Highways. (RESOLUTION NO. 318A-82 adopted.)

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There being no further business, the Board adjourned to Tuesday, December 7, 1982, at 10:00 a.m.

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APPROVED:

THOMAS L. STEWART, Chairman pro tem

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

By Dixie L. Foote Deputy Clerk