BOARD OF SUPERVISORS MINUTES December 28 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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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 Dorr.

RESOLUTION NO. 336-82 was adopted, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, commending Mr. Fred DeBerry for his 20 years of service to the County and its citizens as El Dorado County Surveyor.

The Agenda was adopted, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried with the addition of two items: a Resolution setting County Justice Court filing fees; and a request for extension of the completion date for subdivision improvements in Swansboro Country Units Nos. 8 and 9.

The Minutes of December 14, 1982, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried.

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

Budget Transfer No. 62 was approved for the Superior Court, transferring \$250 from Office Expense (2170) to Maintenance of Structures and Grounds (2130) for construction of a partition in the Superior Court, court reporter's offices.

Budget Transfer No. 63 was approved for the Library, transferring \$540 from Office Expense (2170) to Postage (2173).

Budget Transfer No. 64 was approved, transferring \$143,677.12 in Revenue Sharing Funds from Phase II (83-3623) to Phase IV (83-3634) of the Cultural-Educational Center (Library) Project at South Lake Tahoe.

Budget Transfer No. 65 was approved for the Grants Program, transferring \$6,500 from Professional Services (2180) to Maintenance of Equipment (2120), \$2,500 and Office Expense (2170), \$4,000.00, to provide adequate funding for the balance of the fiscal year.

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The Board approved Assessment Roll Changes 1264, 1266, 1270, 1271, 1274, 1275 and 1276. 1275 and 1276.

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The Chairman was authorized to execute Release of Lien, discharging all property encumbered by the Agreement to Reimburse the County for Public Assistance, as recorded in the Official Records of El Dorado County under the name of Donald Taylor, volume 2123, page 95.

At the request of County Counsel, the Board approved a settlement, in the amount of \$1,000.00, and the release of excess proceeds being held in the Treasurer's Office, in the amount of \$2,916.85, relating to the matter of Edwin M. Ellis, et al vs. Joseph A. Hirsch, et al.

sign an Amended Agreement with John C. and Anita A. Fusano, trustees of the John C. and Anita A. Fusano Trust, for purchase of real another the the Pleasant Valley Road Project (1997). At the recommendation of County Counsel, the Chairman was authorized to the John C. and Anita A. Fusano Trust, for purchase of real property for the Pleasant Valley Road Projec Gerald L. and Janet M. Bordges.

The Board considered claims submitted by 48 claimants requesting refunds of taxes paid, pursuant to Revenue & Taxation Code Section 5097, on the 1 basis of court decisions relating to the imposition of the 2 per cent escalator of 1975 to 1978. As grouped by County Counsel, and recommended by same, the Board rejected the first and third categories of claims, and rejected the second category of claims as unverified.

RESOLUTION NO. 334-82 was adopted, at the recommendation of the Public Works Department, establishing a 7-ton weight limit on the 30 Mile Stone Road Bridge crossing the South Fork of the American River.

At the request of the Public Works Department, the Chairman was authorized to sign the Notice of Completion for the reconstruction of drainage improvements at six locations on County roads (Project 7073), and file said Notice with the County Recorder.

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Upon being advised by the Public Works Department that H & G Placerville Associates by Hahn Devcorp has completed the street improvements on Missouri Flat Road, in accordance with the plans and specifications, the Board accepted same for maintenance.

At the request of the Planning Director, Mr. Jake Raper was appointed as Alternate Chief Planning Official to the Tahoe Regional Planning Agency Advisory Planning Committee.

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At the request of the County Service Area No. 7 Program Monitor, the Chairman was authorized to sign an Agreement with same for accounting services of the County Auditor/Controller, at a cost of \$15,000.00, for Fiscal Year 1982-83.

At the recommendation of Nopp, Zeiner, Atchinson & Associates, Inc., the Chairman was authorized to sign the Notice of Completion for stacking type chairs and dollies (portion of Base Bid C), which is a part of Phase IV for the Cultural Educational Center (Library) at South Lake Tahoe.

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John H. Williams, Certified Public Accountant, submitted Combined Statement of Cash Receipts, Disbursements, and Changes in Trust Fund Balances of the El Dorado County Justice Courts, for Fiscal Year ending June 30, 1982. The Board accepted same for filing, and directed the Chief Administrative Officer to solicit comments from the Justice Court Judges and the Auditor/ Controller for report back to the Board.

At the request of the Project Engineer, the Board authorized the release of funds, in the specified amounts, from the restricted account for Springfield Meadows Community Services District held in the Auditor's Office; and the Auditor-Controller was authorized to issue warrants to Amador Plumbing & Heating, Inc., of Jackson for water improvements:

a. \$12,735.00 for Springfield Meadows Unit No. 2 Rural Subdivision;
b. \$21,244.50 for Springfield Meadows Unit No. 3 Rural Subdivision.

The Board accepted the resignation of William Miller as member of the Zone A Advisory Board of Directors of County Service Area No. 2, Arrowbee Ranch Estates area; directed a Certificate of Appreciation be forwarded to same; and appointed Sandi Bennett and Chris Miller as members of same, for terms to expire May 30, 1983.

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At the recommendation of the South Lake Tahoe Energy Advisory Council of El Dorado County, the Board directed that a Certificate of Appreciation be sent to Elizabeth Cambell, who served as secretary to said Council and whose term on same expired November 18, 1982.

RESOLUTION NO. 335-82 was adopted to provide property tax revenues to the El Dorado Irrigation District for annexation of the Bill Cotten (Euer Ranch) property (EID 82-6) in accordance with AB 8 negotiations.

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The Board approved the recommendation of the Public Works Department that a suit be filed against Suburban Ford and Heil Equipment Company of Sacramento, in the amount of \$2,109.12, to recover the cost of labor and materials in repairing the transmission of a Ford (F700) dump truck purchased from same, leaving the Public Works Department the authority to proceed through small claims court as an alternative, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried.

At the recommendation of County Training Programs, the Chairman was authorized to sign a Statement of Concurrence relating to the California Rural Conference Task Force policy position regarding Service Delivery Areas under the Job Training Partnership Act of 1982, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Lowe, Flynn, Stewart, and Walker; No: Supervisor Dorr.

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At the request of the Sheriff, the Chairman was authorized to sign an Application to be sent to the State Department of Boating and Waterways for funds, in the amount of \$190,694.00, for enforcement of boating laws on navigable waters for Fiscal Year 1983-84, 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.

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At the recommendation of the General Services Division, and on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Architect Selection Subcommittee was authorized to negotiate with Hellmuth, Obata & Kassabaum, Inc./Nacht & Lewis, Architects, for the development of the Jail Expansion Grant Application, including programming, schematics and environmental impact reports.

The Sierra Planning Organization (SPO) requested comments on the following:

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- a. Application of the California Human Development Corporation for the CETA Title III, Section 303 Program of training, education, and supportive services for eligible low income migrant and seasonal farmworkers (SPO staff recommends "no comment"); and
- b. Application of El Dorado County for the Pollock Pines Area Plan Land Use Element and Areawide Zoning (SPO recommends "favorable comment").

On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Board concurred with the Sierra Planning Organization staff's recommended review comments, with the additional comment on item a. that "this is not favorable for El Dorado County, and the proposed return on the investment is less than what would be anticipated".

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John H. Williams, Certified Public Accountant, submitted an Audit Report of the Airport Enterprise Fund for Fiscal Year ending June 30, 1982. On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried, the Board accepted the report for filing, and referred same to the Chief Administrative Officer and Airports Department for comment and report back to the Board.

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Notice of Non-Renewal on a portion of Agricultural Preserve No. 159 in the Greenwood area, consisting of 120 acres, owned by Morley H. and Freda E. Kerfoot, was continued to January 4, 1983, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried.

The matter of a letter in support of the appointment of David Austin to the Public Utilities Commission was removed from the Agenda, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried.

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On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, Nancy Fox was appointed as member of the Golden Empire Health Systems Agency Governing Body for a term ending July 1, 1984.

The Lake County Board of Supervisors submitted its Resolution urging the State Legislature to immediately repeal a portion of Section 69898 of the Government Code to remove the Superior Court's existing authority to establish the salary rate of the Superior Court Executive Officer and place that authority under the Board of Supervisors.

On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the matter was referred to the Chief Administrative Officer to discuss with the County Supervisors Association of California (CSAC) and report back to the Board.

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On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, the Board cancelled the Policy Review Session scheduled for January 5, 1983, at 10:00 a.m., regarding agreements with Lake Tahoe Transportation Systems, Inc.

At the request of the Health Department (Environmental Health Division), and on motion of Supervisor Dorr, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, Stewart, and Walker; No: Supervisor Lowe, the Board directed the Personnel Office to take appropriate action to implement the reduction of a Sanitarian II position to half time in January, 1983, with the necessary budget transfer to be brought back by the Chief Administrative Officer at a later date.

RESOLUTION NO. 337-82 was adopted, at the recommendation of the Personnel Director, and on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, adopting the job specifications for Deputy Purchasing Agent, Stores Supervisor, Services Supervisor, Stock Clerk, and Printing Technician of the General Services Division's Purchasing, Stores, and Service Units, and amending the Classification Schedule, and Section 4111 of the Salary Ordinance to incorporate same and adjust incumbents' salaries.

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RESOLUTION NO. 338-82 was adopted, at the request of the County Clerk, and on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, increasing by 6 per cent, the Civil Court filing fees for only those matter filed pursuant to the following Government Code Section, effective January 1, 1983:

a. Section 26820.4, increase from \$86.00 to \$91.00;

b. Section 26826, increase from \$63.00 to \$67.00;
c. Section 26827, increase from \$86.00 to \$91.00.

RESOLUTION NO. 344-82 was adopted, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, setting County Justice Court filing fees which shall remain in effect until amended by Resolution of the Board of Supervisors hereafter.

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At the request of the subdivider, and on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board approved the extension of the completion date for improvements in the Granada Heights Townhouses to June 1, 1983, with the understanding that, if, at that time, construction is well underway, the Board can further extend the completion date; and the Public Works Department was requested to review the bond posted to insure said improvements, to ascertain whether it is adequate considering today's prices.

RESOLUTION NO. 339-82 was adopted, at the recommendation of the Health Department (Mental Health Division), and on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, authorizing the Chairman to sign the El Dorado County Mental Health Plan Update for Fiscal Year 1982-83 and Assurance of Compliance with Section 504 of the Rehabilitation Act of 1973, as amended, for submittal to the State Department of Mental Health.

At the request of the Health Department (Mental Health Division), and on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board took the following actions:

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- Adopted a Policy and Procedure Statement relating to use of State a. mental health facilities;
- Approved placement of a 14 year old adolescent in Napa State Hospital b. for a maximum of sixty days, pending the placement of same in a more appropriate residential treatment facility by the Welfare Department.

Community Programs submitted a draft Ordinance clarifying and redefining the role of the Community Action Board, and requested the Board consider adoption of such an Ordinance. On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board referred the matter to County Counsel to prepare an Ordinance authorizing the establishment of the Community Action Board, with the by-laws for same to be in Resolution form.

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At the request of the Sheriff, and on motion of Supervisor Stewart, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Flynn, Stewart, and Walker; Noes: Supervisors Dorr and Lowe, the Board waived formal bidding procedures and authorized the purchase of budgeted radio equipment from Motorola Communications and Electronics, Inc., of Sacramento, for the Sheriff's Department, at a total cost of \$76,403.70, based on the finding that competitive bidding would not be in the public's interest because the unique nature of the property precludes receiving bids.

In a letter dated December 9, 1982, the Agricultural Commission recommended the Board take the following actions relating to the everincreasing problem of marauding dogs worrying and killing livestock:

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- That signs be posted on major thoroughfares warning dog owners of their liabilities on allowing dogs to run loose and that if their dogs were found worrying livestock they would be killed. Signs would be similar to those posted by Placer County:
- That homeowners, in areas where dog depredation problems are serious, be contacted making them aware of the seriousness of dog depredation;
- That homeowners in areas experiencing domestic and wild animal depredation be contacted to guarantee that all dogs are licensed and wearing the licenses on their dog collars at all times;
- 4. That the present educational program conducted by El Dorado County Animal Control be expanded to cover a large number of persons.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board authorized the Agricultural Commissioner to procure and post signs similar to those used by Placer County, as well as larger signs on the State highway locations as recommended by the Agricultural Commissioner this date; and to look into an expanded educational program and report back to the Board on same.

At the request of Supervisor Walker, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign a letter to Mr. John Middleton, Placerville Postmaster, concurring with the Placerville City Manager's letter to Mr. Middleton, particularly the third paragraph of said letter, regarding the Postal Department's intended elimination of door-to-door mail service on Morrene Drive in Placerville.

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At the request of Supervisor Dorr, and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board approved the concept of an Airport south of El Dorado Hills, and authorized meetings with representatives of the City of Folsom, Sacramento Airport, and Mather Air Force Base and, if the possibility looks feasible, the Board directed that the request for proposals for hiring a consultant to perform the site selection study be brought back before the Board (no commitment of funds at this time).

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On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, the Board referred to the County Fish & Game Committee for its recommendation, the possible appointment of A. L. Hamilton to the State Fish & Game Commission.

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SPECIAL ORDERS

9.2

PLANNING MATTERS

Hearing was held as duly advertised (continued from December 14, 1982) 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 acre, in the Pollock Pines area.

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

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board approved Special Use Permit No. 82-85, subject to the 13 conditions imposed by the Zoning Administrator, with conditions numbers 3 and 4 amended by the Board this date to reflect that the encroachment permit from the Public Works Department will include a standard which will allow one driveway, to be built with the removal of only one small cedar tree, and to be completed within 6 months. (Mr. Hadjes was present and concurred with the aforementioned conditions.)

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Hearing was held as duly advertised to consider rezoning of lands in the Lotus/Coloma area from Estate Residential Ten-Acre Zone to Single Family Residential Two-Acre Zone, consisting of 10 acres, petitioned by W. Landon Heffner.

By a two-two vote, the Planning Commission failed to forward a recommendation to the Board on this request.

Mr. Warren More, of More & Company, and Mr. Bill Furtwangler, project engineer, were present and spoke to the request on behalf of Mr. Heffner.

The following area residents were present and spoke in opposition to the request, citing conerns of water availability, traffic and fire protection: Mr. Clifton Sangmaster, Mr. Ramos, Mr. Harry Borday, and Mr. Paul Robert.

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

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

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board agreed to reconsider the rezoning request when Mr. Heffner comes forth with a parcel map which has been conditionally approved by the Planning Department, i.e., the approval of the parcel map to become effective upon the approval of the rezoning.

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Hearing was held as duly advertised to consider amendments to the Limited Multi Family, Multi Family, and Tourist Residential Zoning Districts to allow by right, single family attached dwellings on lots of 2,000 sqaure feet or larger, with reduction of yard setbacks; and criteria for maintenance agreements, which would be required for all single family attached dwellings.

Mr. Vern Sayles, President of the County Housing Advisory Commission, was present and spoke on behalf of same, as well as on behalf of the El Dorado County Board of Realtors, in support of the proposed amendments.

After much discussion, the hearing was continued to January 11, 1983, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried.

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Hearing was held as duly advertised to consider the formation of the Grassy Run Road Community Services District (C.S.D.).

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

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, Stewart, and Walker; No: Supervisor Lowe, <u>RESOLUTION NO. 340-82</u> was adopted declaring the Grassy Run Road C.S.D. duly organized and appointing the following persons as members of the Board of Directors of same: Louie A. Babbitt, Tom C. Uhrhammer, Teresa Williams, Constance Dolan, and Larry Masterton.

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Hearing was held as duly advertised to consider the formation of the Shadow Lane Community Services District (C.S.D.).

Mr. Claude Reed, resident of Shadow Lane, was present and spoke in favor of the formation. There were no verbal protests, and the hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, Stewart, and Walker; No: Supervisor Lowe, <u>RESOLUTION NO.V341-82</u> was adopted declaring the Shadow Lane C.S.D. duly organized and appointing the following persons as members of the Board of Directors of same: Nina Stephens, Mike Consalves, Mary Jeffs, Robert Leatherwood, and Claude Reed.

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Hearing was held as duly advertised to consider the formation of the West El Largo Community Services District (C.S.D.).

Mrs. Faye Emick, area resident, was present and spoke in favor of the formation. There were no verbal protests, and the hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, Stewart, and Walker; No: Supervisor Lowe, <u>RESOLUTION NO. 342-82</u> was adopted declaring the West El Largo C.S.D. duly organized and appointing the following persons as members of the Board of Directors of same: Paul Dabbs, Verne Emick, Eugene Lewis, Arthur Edwards, and Cecil Wagy.

December 28, 1982

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Hearing was held as duly advertised to consider the formation of the Rising Hill Road Community Services District (C.S.D.).

Mrs. Madeline Restino, area resident, was present and spoke in favor of the formation. There were no verbal protests, and the hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, Stewart, and Walker; No: Supervisor Lowe, <u>RESOLUTION NO. 343-82</u> was adopted calling an election to be held in the proposed Rising Hill Road Community Services District to determine whether or not said District shall be organized.

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Hearing was held (continued from November 30, 1982) 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.

Mrs. Broseker was present and reviewed the matter for the Board.

Mr. Charles Barrett, attorney, was present representing Mr. and Mrs. Leo Metz, owners of Lot 48 in Sleepy Hollow Subdivision, who were also present, and are opposed to the relocation of subject easement.

Mrs. Ina Martin, owner of Lot 53 in Sleepy Hollow Subdivision, was also present and spoke to the matter, advising she is concerned about the relocation of the easement as it provides access to her lot.

The public hearing was closed.

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Lowe, Flynn, and Stewart; Noes: Supervisors Dorr and Walker, the Board denied the Brosekers' request, as recommended by the Planning Commission, based on the finding that this is an inappropriate action for the Planning Commission and the Board of Supervisors, and the respective property owners should seek private legal counsel to settle this problem.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board referred to the Public Works Department for recommendation, the request of Swansboro Country, Inc., that its Agreements for subdivision improvements in Swansboro Country Units Nos. 8 and 9 be amended to extend the completion date for said improvements to September 15, 1983.

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There being no further business, the Board adjourned to Tuesday, January 4, 1983, at 10:00 a.m.

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APPROVED:

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W. P. "DUB" WALKER, Chairman

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

·P foote By Q Deputy Clerk

December 28, 1982