

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 11 19 83

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 Stewart presided.

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127 The Invocation was offered by Reverend Joe Wiens, First Baptist Church, Pollock Pines.

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

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The Agenda was adopted, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, with two additions: (1) County Correctional Facilities Advisory Committee requesting extension of the Consultant Agreement with Mr. Greg Higgins; and (2) Planning Director's request that the Environmental Impact Report for the Lake Tahoe Airport Master Plan/ANCLUC Study be prepared "in-house".

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The Minutes of January 4, 1983, were approved as submitted, on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried.

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

298 The Board approved Assessment Roll Changes numbered 1282; 1283; 1285; 1287; 1288; and 1289.

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117 Budget Transfer No. 76 was approved for El Dorado Transit, transferring \$2,400 from TDA Capital Reserve to Fixed Assets for the purchase of 4 two-way radios.

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58 As recommended by County Counsel, the Board denied the claim for personal injury, in an undetermined amount, submitted by Attorney William E. Dopkins III on behalf of Gilbert Moreno, a minor, by and through his Guardian ad Litem Anna Moreno.

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21-36 At the recommendation of County Counsel, the Chairman was authorized to sign an Agreement (No. NE 5016) with Northrop Wilcox for purchase of replacement DME equipment at the Lake Tahoe Airport, at a cost of \$31,000.00.

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22-7
At the recommendation of the Chief Administrative Officer, the request of the Health Department (Mental Health Division) for adoption of a Resolution designating the Mental Health Division as the only agency within the County to provide conservatorship investigation functions as set forth in Chapter 3 of the Welfare and Institutions Code, and authorization to prepare an Amendment to the Short-Doyle Mental Health Plan to reflect same, was continued to January 25, 1983. (Referred 12/14/82)

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22-7
20-6
At the recommendation of the Chief Administrative Officer, the request of the Health Department (Mental Health Division) that the Chairman be authorized to sign a Memorandum of Agreement between said Department and the Public Guardian/Conservator for conservatorship investigation and administration services for Fiscal Year 1982-83, was continued to January 25, 1983. (Referred 12/14/82)

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8-9
RESOLUTION NO. 8-83 was adopted, at the recommendation of Community Programs, authorizing the Chairman to sign Amendment No. 3 to the Agreement (No. 8200-1013) with the California State Office of Economic Opportunity, increasing same to \$25,529.00, and extending termination date to March 31, 1983, for operation of the Low Income Weatherization Program in El Dorado County.

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25-9
At the recommendation of the General Services Division, the Chairman was authorized to sign one-year Agreements with the American Red Cross and Snowline Hospice for lease of office space in the former County Hospital at 935 Spring Street, at a rental cost of \$1.00 per year, plus \$500.00 per year for utilities and custodian services.

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74-20
At the recommendation of Nopp, Zeiner, Atchinson & Associates, Inc., the Chairman was authorized to sign the Notice of Completion for technical furniture (Section 12C - Base Bid D), which is a part of Phase IV for the Cultural Educational Center (Library) at South Lake Tahoe.

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147
The Board accepted for deposit, the warrant, in the amount of \$920.01, submitted by Sacramento County, which represents El Dorado County's semi-annual share of Weimar Medical Center trust funds. Further, on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Board directed that, in the future, warrants from Sacramento County for El Dorado County's share of Weimar Medical Center trust funds are to be processed by the Administrative Office and not placed on the Board of Supervisors' Agenda.

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The Board accepted the resignation of Viola Renshaw as member of the Area Planning Body and Private Industry Council, and directed that a Certificate of Appreciation be forwarded to Mrs. Renshaw.

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23-10
The Board accepted the resignation of Korkey Easterbrook as member of the Emergency Medical Care Committee, and directed that a Certificate of Appreciation be forwarded to Ms. Easterbrook; and Marilyn Griffiths, R.N., was appointed as member of same.

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(117)
143
Budget Transfer No. 68 was approved, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, transferring \$75,000 from General Fund Appropriation for Contingency (9-900) to Superior Court Trials Professional and Specialized Services (2180) for additional appropriation required for court appointed attorneys, arbitrators, doctors, legal research assistant, and juror related expenses.

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(117)
110
Budget Transfer No. 73 was approved, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, transferring \$3,000 from General Fund Appropriation for Contingency (9-900) to Public Defender's Special Departmental Expense - Investigative (2235) to comply with Superior Court Order No. 39055 for investigative funds pursuant to Penal Code Section 987.9.

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At the recommendation of County Counsel, and on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board denied the claim for personal injury, in an undetermined amount, submitted by Attorney William E. Dopkins III on behalf of Sebastiana Morales, by and through her Guardian ad Litem, Elizabeth Morales.

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296-4
2/11/83
At the recommendation of County Counsel, and on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign an Agreement with Ida B. Alexander for purchase of real property, in the amount of \$65,000.00, to settle a claim relating to flooding of Mrs. Alexander's property resulting from construction of the Latrobe Road Project. (Funds to be provided by the Road Fund.)

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423
Village
2/11/83
RESOLUTION NO. 6-83 was adopted, at the recommendation of the Public Works Department, and on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, accepting the streets within Governor's Village Unit No. 11 Subdivision into the County Maintained Road System, as Public Works has advised that said Subdivision has been completed in accordance with the plans and specifications; and the Board authorized release of the balance of the letter of credit, in the amount of \$74,301.20, which was held for one year to guarantee workmanship and materials.

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22-1
RESOLUTION NO. 7-83 was adopted, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, authorizing the Chairman to sign an Agreement (CMSP 09-83) with the State Department of Health Services, with language change on page 1 of same as recommended by the Director of Health Services this date, for funds in a maximum amount of \$58,212.00, for participation in the County Medical Services Program for medical care to medically indigent adults, for the period January 1, 1983 through June 30, 1983. (Letter of intent approved by the Board on November 30, 1982.)

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115
At the request of the Superior Court, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board approved an amendment to the list of classifications to be covered by the Early Retirement Option during the window period, January 3 through April 22, 1983, to include the Superior Court Clerk, Placerville only.

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326
In a letter dated December 27, 1982, the Butte County Board of Supervisors requested support of its Resolution urging the enactment of legislation to abate the alleged abuse of public funds perpetrated by the California State Legislature. On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Board received the correspondence and directed it be filed.

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326
At the recommendation of the County Supervisors Association of California (CSAC), and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Chief Administrative Officer was directed to prepare a letter to our State Legislators urging them to oppose legislation proposed by the State Bar of California and legal services groups to take 5% of the civil filing fees collected by the courts to make up for reduced Federal funding to legal services programs, which will amount to a statewide loss to counties of \$3.6 to \$4.2 million annually; and the Chairman was authorized to sign said letter.

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12-14
On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Board tentatively scheduled a Policy Review Session with the South Lake Tahoe City Council, and appropriate transportation agencies, for March 2, 1983 (time and place yet to be determined).

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(50-78)
115
At the request of the Area Agency on Aging, the Board approved the increase of the secretarial position for same from half time employment to full time employment, effective January 15, 1983, through June 30, 1983, and RESOLUTION NO. 9-83 was adopted accordingly, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried.

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(341-2)
115
At the recommendation of the Personnel Director, and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board restored to Mr. Robert Stewart, an Agricultural Biologist III in the Agricultural Commissioner's Office, the maximum vacation accumulation rate and appropriate longevity steps based on his combined years of service, effective June 25, 1983, which he lost due to a break in service which occurred in 1979.

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(82)
115
RESOLUTION NO. 10-83 was adopted, at the recommendation of the Personnel Director, and on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, revising the El Dorado County Employer-Employee Relations Resolution which establishes policies, rules and regulations thereto.

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1173
34
The request of the Department of Agriculture, that the Chairman be authorized to sign Budget Transfer No. 82, transferring \$14,303.00 from General Fund Appropriation for Contingency to various accounts in the Agriculture Department's budget, for a sterilent roadside weed and grass control program in 1983, was removed from the agenda to be considered during hearings on the 1983-84 budget, on motion of Supervisor Walker, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Flynn, and Stewart; No: Supervisor Lowe.

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27-1
The matter of discussion of the composition of the Child Abuse Council, which the Board officially recognized on August 17, 1982, was continued to January 18, 1983, on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried.

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341
341-1
ORDINANCE NO. 3330 was adopted, at the request of the Department of Agriculture and the County Beekeepers' Association, and on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, deleting Section 6.48.080 of the County Ordinance Code, which, coupled with newly adopted Senate Bill 1635, would create double assessment for beekeepers in El Dorado County. (Sponsor: Supervisor Lowe/Introduced January 4, 1983)

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104-14
Twenty-two property owners of Meeks Bay Vista requested the Public Works Department be directed to remove the unnatural rock barrier which exists at the south end of Meeks Bay Avenue/North Lane in order to provide an alternate route for fire protection, ambulance service, County road clearing equipment, sanitary service, and fuel delivery.

A motion by Supervisor Stewart, seconded by Supervisor Lowe, to direct the Public Works Department to make application to the California Tahoe Regional Planning Agency (CTRPA) to have this matter considered at the CTRPA Governing Body meeting on February 4, 1983, failed by the following vote: Ayes: Supervisors Lowe and Stewart; Noes: Supervisors Dorr, Walker, and Flynn.

A motion by Supervisor Stewart to direct the Sheriff's Office and the Public Works Department to remove the boulders, died for lack of a second.

On motion of Supervisor Walker, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Walker, and Flynn; Noes: Supervisors Lowe and Stewart, the Board voted to take no action and wait for the demise of CTRPA. (Later in the day, after planning matters were acted upon, the Board took further action on this request; said action documented on page 19 of these Minutes.)

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62
At the recommendation of County Counsel, and on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Board approved the settlement of litigation in the case of Stanley and Pamela Thrall, and authorized the County Risk Manager to make payment to same, in the amount of \$187,500.00.

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SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised (continued from December 28, 1982) 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 square feet or larger, with reduction of yard setbacks; and criteria for maintenance agreements, which would be required for all single family attached dwellings.

51
3909
Mr. Ken Milam, Planning Director, submitted a second draft of the proposed Ordinance reflecting changes made in response to concerns expressed by Board members on December 28, 1982.

Mr. Jack Sweeney, property owner and land surveyor, was present and spoke in favor of the Ordinance, clarifying that it does not allow any more dwelling units than already allowed under the specified zone districts, but the proposed Ordinance will allow separate ownership of the dwelling units, with a maintenance agreement.

Mr. Vern Sayles of the El Dorado Board of Realtors, and member of the County Housing Advisory Committee, was present and spoke in favor of the Ordinance.

Mrs. Guner Broseker, member of the Environmental Planning and Information Council, Inc., (EPIC) Board of Directors, was present and spoke on behalf of same, reading its letter to the Board, dated January 11, 1983, regarding this Ordinance. Although EPIC has no objection to allowing single family dwellings on lots smaller than 6,000 square feet, the letter outlines EPIC's three concerns regarding efficient use of land, common maintenance of buildings and grounds, and common planning of design and construction.

The Board also received a letter, dated January 7, 1983, from Mary Ellen Carter, Manager of the El Dorado Builders Exchange, stating that the Board of Directors of same voted unanimously to approve the proposed Ordinance.

There were no further comments from the public sector, and the hearing was closed.

On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Board approved the Negative Declaration, and adopted ORDINANCE NO. 3331 as amended.

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51
The Planning Director requested direction on whether the County should require filing of map improvements and the payment of any fees prior to the issuance of a building permit or Certificate of Compliance on parcels created by court partitions.

The Board took no formal action on the request, however its consensus was that owners of such parcels should be required to file parcel maps and meet all requirements imposed on anyone attempting to divide a parcel of land. County Counsel and the Planning Director advised that they would research further to determine whether the Board should adopt an Ordinance in this regard.

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233
At the recommendation of the County Correctional Facilities Advisory Committee, and on motion of Supervisor Flynn, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Walker, Flynn, and Stewart; Noes: Supervisors Dorr and Lowe, the Chairman was authorized to sign an Addendum to the Consultant Agreement with Mr. Greg Higgins, for research services for the preparation of a major needs assessment and application for State funding for proposed correctional facility expansion plans; said Addendum to extend the Consultant Agreement for a two-month period ending March 9, 1983.

Later, at the recommendation of the Chief Administrative Officer, and on motion of Supervisor Walker, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Flynn, and Stewart; No: Supervisor Lowe, the Board amended its previous action, allowing it to stand but, further, reducing Mr. Higgins' rate of pay from \$1,600 to \$1,200 per month for the extended two-month period.

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21-3
In a memorandum to the Board, dated January 10, 1983, the Planning Director recommended that the Environmental Impact Report for the Lake Tahoe Airport Master Plan/ANCLUC Study be prepared "in-house", relying heavily on the assistance of the California Tahoe Regional Planning Agency and the original basic data which should be available from the original contractors, Burns and McDonnell.

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the matter was continued to January 18, 1983, in hopes that representatives of the Lake Tahoe area would be present to provide more accurate estimates on the time and costs involved, as well as sources of funding.

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332
On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Chief Administrative Officer was directed to schedule a Policy Review Session with Mr. F. B. Schullerts, Consulting Electrical Engineer, to discuss his report entitled, "One Consultant's Opinion of the Electric Energy Costs in El Dorado County", which he submitted to the Board in November, 1982; and that Mr. Schullerts be advised of the Board's intentions via letter from the Chief Administrative Officer immediately.

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68
21-32
On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign a letter to the California Tahoe Regional Planning Agency (CTRPA) requesting Agency "mitigation" funds to reimburse the County's cost (\$31,000) for purchase of replacement DME equipment at the Lake Tahoe Airport.

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302
On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Chairman was authorized to sign a letter to Governor Deukmejian commending the work of Mrs. Carole Onorato as Chairman of the Water Resources Control Board and urging she be retained in that position.

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104-14
Supervisor Stewart requested the Board reconsider its vote earlier this date to take no action on the request of twenty-two property owners of Meeks Bay Vista, that the Public Works Department be directed to remove the unnatural rock barrier which exists at the south end of Meeks Bay Avenue/North Lane in order to provide an alternate route for fire protection, ambulance service, County road clearing equipment, sanitary service, and fuel delivery.

The Board agreed to reconsider the matter on January 18, 1983, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Lowe, Flynn, and Stewart; Noes: Supervisors Dorr and Walker.

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There being no further business, the Board adjourned to Tuesday, January 18, 1983, at 10:00 a.m.

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APPROVED:


THOMAS L. STEWART, Chairman

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

By 
Deputy Clerk