

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 18, 1983

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. Ann R. Macy, Board of Supervisors Clerk, was also present. Chairman Stewart presided.

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12.7 The Invocation was offered by Reverend Larry George, Foothills United Methodist Church.

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The Pledge of Allegiance to the Flag was led by Ann Macy.

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On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Agenda was adopted with the addition of the following two New Business items: Appointment to the Sacramento-Mother Lode Association of County Supervisors' Board of Directors; and request for approval of the recommendations of the Advisory Committee regarding consultant services for the Mortgage Bond Revenue Program; and the addition of an 11:15 a.m. time allocation to Item 39.

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The Minutes of January 11, 1983, were approved as submitted, on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried.

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On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Consent Calendar items were approved as recommended, with the exception of Items 1, 2, and 3 which were pulled and acted upon as follows:

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the following Budget Transfers were approved:

117 Item 1: Budget Transfer No. 80 for the Lake Tahoe Airport; Placerville Airport; and Georgetown Airport, for varying amounts to provide funding for Salaries, Services, and Supplies

117 Budget Transfer No. 81 for Health Department, Account #4-104, in amount of \$15,808 for Alcohol and Drug Programs

117 Budget Transfer No. 83 for County Counsel, in amount of \$2,517 for Extra Help

117 Budget Transfer No. 88 for Health Department, Child Health, in the amount of \$1,204.66

117 Budget Transfer No. 92 for Health Department, in amount of \$4,273.77

117 Budget Transfer No. 93 for County Service Area No. 3: Board directed that Special Clothing for \$150, Account No. 2230, be deleted --if the clothing has not already been purchased.

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12
(117)
On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board directed that Item 2, Budget Transfer No. 85 for Board of Supervisors, in the amount of \$3,841.34 from Contingency to Office Expense to pay costs of County Ordinance Code Books and Supplements, be denied, and that the money be taken out of the Board's budget and the Chief Administrative Officer was requested to make the necessary line item adjustments.

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151
(117)
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board directed that Item 3, Budget Transfer No. 86; the amount of \$2,103 not be taken from Contingency at this time, and the County Administrative Officer was requested to look into the matter and bring it back to the Board. (For Welfare Dept.)

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247
The Chairman was authorized to execute Release of Lien discharging all property encumbered by the Agreement to Reimburse the County for Public Assistance in the name of William and Betty Fowler, as recorded in the Official Records of El Dorado County in Volume 1027, Page 61.

* * * *

349
At the recommendation of County Counsel, the Board rejected as a Late Claim, the claim submitted by John C. Grimm, Assistant Vice President-Finance Treasurer of CP National Corporation (formerly California Pacific Utilities Company), requesting refund of taxes paid, pursuant to Revenue & Taxation Code Section 5097, on the basis of court decisions relating to the imposition of the 2 percent escalator of 1975 to 1978.

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349
At the recommendation of County Counsel, the Board rejected eleven claims requesting refund of taxes paid, pursuant to Revenue & Taxation Code Section 5097, on the basis of court decisions relating to the imposition of the 2 percent escalator of 1975 to 1978.

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151-2
At the recommendation of the Welfare Department, the Chairman was authorized to sign an Agreement with the County of Alameda for Bay Area Placement Committee consultation services, at a cost of \$747.00 for the Fiscal Year 1982-83; said Committee assists in formulating proper rates for private and group homes or institutions for the placement of wards or dependent children.

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124
(Approved)
The Board approved the request of the Public Works Department for approval of the final estimate, in the amount of \$26,850.00, for the reconstruction of drainage improvements at six locations on County roads (Project No. 7073).

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423
At the recommendation of the Public Works Department, the Board approved the release of the balance of the Letter of Credit for Castlewood Subdivision Unit No. 1, in the amount of \$10,134.45, which was held for one year to guarantee workmanship and materials.

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296-4
Missouri
1 1/2 mi Rd
Upon the advice of the Public Works Department that the construction of traffic signals on Missouri Flat Road at State Highway 50 on and off ramps, including the intersection with Mother Lode Drive (Project No. 3035), under contract to M & M Electric Company, has been completed according to the plans and specifications, the Board accepted the project and the Chairman was authorized to sign the Notice of Completion for filing with the County Recorder.

* * * *

The Board adopted the following resolutions as they pertain to traffic regulations on various County roads:

19-1
RESOLUTION NO. 11-83 - for Interseciton stops on all approach lanes of Cameron Park Drive and Country Club Drive at their intersection, on Pine Ridge Court at its intersection with Pine Ridge Drive, and on Kings Row Drive at its intersection with Pine Ridge Drive; and further deleting interseciton stop on Castlebrook Road at its intersection with Linwood Lane;

19-1
RESOLUTION NO. 12-83 - for through highways on Cameron Park Drive from Country Drive (not Coach Lane) to Green Valley Road, and on Lotus Road from Green Valley Road to State Route 49;

19-1
RESOLUTION NO. 13-83 - for parking prohibited zones upon the westerly side of Cameron Park Drive from the intersection with Country Club Drive to a point 450 feet north and to a point 4 50 feet south, and upon the northerly and southerly side of Country Club Drive from the intersection with Cameron Park Drive to a point 100 feet west.

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706-2
(Revised)
2-83
At the recommendation of the General Services Division, the Chairman was authorized to sign a Certificate of Acceptance of Grant Deed from Smith & Gabbert Investment Enterprises for purchase of 4.833 acres of land at the corner of Cameron Park Drive and Meder Road for the new Ponderosa Court building.

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22-9a
The Board accepted the resignations of David E. Carey, D.C.; Paul E. LeCave; Harriet B. Rose; Pamela McBride; and David P. Steward as members of the El Dorado Health Planning Council, and directed that Certificates of Appreciation be forwarded to them.

22-9a
The Board then appointed Jean Manning, Dennis Michaeloff, Brian Reeves, and Jacqueline Winston as members of said Council for terms to expire in May 1983; and appointed Paul Gessler, Fred S. Sanford, and Vivian Turney to the Council for terms to expire in May 1984.

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132-3
The Board accepted the resignation of Irving "Jim" Farrell as a member of the Building Appeals Board, and directed that a Certificate of Appreciation be forwarded to him; and then appointed Edward Murray, A.I.A. as a member to the Board.

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249-4
The Board removed from the Agenda, the appointment of a member to the Kelsey Cemetery Trustees for a four-year term. (Matter placed on Agenda inadvertently due to a clerical error)

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(83)
12-14
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Policy Review Session proposed to be set for January 19, 1983, at 10:00 a.m., was referred back to the County Administrative Officer to set another date. (P.R.S. with Recreation Commission re: bike trails, priorities and implementation.)

* * * *

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the following Policy Review Sessions were set:

434
12-14
February 2, 1983, at 10:00 a.m. with representatives of the City of Placerville, City of South Lake Tahoe, and school and fire districts, regarding redevelopment projects; and

(332)
12-14
February 2, 1983, at 10:30 a.m., 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."

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233-1
At the recommendation of the Risk Manager, the Board adopted RESOLUTION NO. 14-83 finding Deputy Sheriff Ernest F. Bishop incapacitated for the performance of his duties as a Deputy Sheriff II due to injuries sustained while performing his work, on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried.

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82-2a
At the recommendation of the Personnel Director, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Board approved a Memorandum of Understanding between the County and the Operating Engineers Local Union No. 3, AFL-CIO, to continue the salaries, benefits, and conditions of employment for County employees in the Trades & Crafts Unit for 1982-83.

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(3-1)
124
At the recommendation of the Public Works Department, on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, RESOLUTION NO. 15-83 was adopted authorizing the Chairman to sign an Agreement with the State Department of Transportation for sharing the maintenance costs of street lighting and traffic signals at the intersection of County roads with the State highways, at an estimated cost between \$7,200.00 and \$10,000.00.

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124
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board accepted and placed on file the report submitted by the Public Works Department on the level of service resulting from the move of its maintenance crews from shops in Somerset and Gerogetown to the Placerville area.

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50-7
On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board approved the request of the Community Programs Department Director to work in conjunction with the Sierra Pacific Power Company to establish a "Special Assistance for Energy" program for El Dorado County's portion of the Tahoe Basin.

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The Board considered the composition of the Child Abuse Council which the Board officially recognized on August 17, 1982.

22-7
Dr. Jeff Rabinowitz, Vice Chairman of the Council was present, and stated they were trying to have a Council that exists County-wide, and that they were working on a needs assessment for the entire County. Jerry Orton was also present, and stated he supported the recommendation of Dr. Rabinowitz that the Child Abuse Council composition be maintained as is.

After due consideration, the Board on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, found the composition of the Council satisfactory.

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The Board considered the Planning Department's recommendation 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 (CTRPA) and the original basic data which should be available from the original contractors, Burns and McDonnell. (Continued from 1/11/83)

21-3
Planning Director outlined for the Board the California Environmental Quality Act requirements were were incomplete from the data provided by Burns and McDonnell, which are: Mitigation Measures; Short Term/ Long Term Program; and Significant Irreversible Changes. He also estimated the timing to accomplish the E.I.R. from the draft document to the adoptions by the Board of Supervisors; California Tahoe Regional Planning Agency; and the Tahoe Regional Planning Agency.

Dennis Winslow, Executive Officer, California Tahoe Regional Planning Agency, was present and stated that his Agency is willing to take the Master Plan and its environmental assessment and organize that document in a form consistent with the State standards; this would follow after his Agency has assisted the County in the preparation of responses that have been received -- and finally they would submit that information to the County; the County would still be the lead Agency.

John Winn, South Lake TAHOE Chamber of Commerce, was also present. He stated that he feels that the Board's intent to prepare the Environmental Impact Report is correct.

On motion of Supervisor Lowe, seconded by Supervisor Flynn, and carried ✓ by the following vote: Ayes: Supervisors Lowe, Walker, Flynn, and Stewart; No: Supervisor Dorr, the Board directed the Planning Department to work in cooperation with the California Tahoe Regional Planning Agency staff to cause an Environmental Impact Report for the Airport Master Plan be accomplished as soon as possible.

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104-14
Board reconsidered the request of twenty-two property owners of Meeks Bay Vista that 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.

Dennis Winslow, Executive Officer, California Tahoe Regional Planning Agency (CTRPA), was present and stated that CTRPA is willing to approve the opening of this roadway if the Board of Supervisors sends a letter to his Agency requesting their reconsideration of the (Continued on next page)

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project, in view of the fact that the Board of Supervisors has received a Petition signed by 22 residents stating their support in opening up this roadway; and the fact that the TRPA staff has indicated this date their willingness to approve the opening of this roadway.

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221-15
296
Black Oak Mine Unified School District submitted request that the appropriate departments and agencies within El Dorado County establish the permanent repair of Black Oak Mine Road, and that the appropriate personnel be directed to develop a plan, including cost estimates, for consideration and inclusion in a budget governing repair of roads in the County.

On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the matter was continued off calendar, to be discussed with the Director of Public Works when he prepares his preliminary budget for Fiscal Year 1983-84.

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27
Board considered a Petition signed by 54 students of American River College, Placerville, requesting the opening of the Main County Library on Mondays.

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board recognized the Petition, and directed that the students be informed that this matter will be considered at budget time, and that a letter will be sent to American River College requesting they consider providing the County with funds to help in this request.

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PLANNING MATTERS

Planning Department submitted recommendations relating to the on-going problem of school and fire district impactions by residential development.

(57)
Vern Sayles, Board of Realtors, was present and stated that some kind of an agreement is needed that will run with the land.

104
221
Jack Sweeney, Land Surveyor, was present and stated that the County should proceed at this time to process Tentative Maps and Environmental Impact Reports, with the developers making their own agreements regarding mitigation with the schools and fire districts.

Supervisor Dorr's motion, seconded by Supervisor Lowe, to continue this matter off calendar indefinitely, and direct Planning Director to develop a specific proposal for legislation that would help the County get out of this situation, and bring said proposal back to the Board, as well as work with the people present this day who have advised the Board on this matter, failed to pass by virtue of the following vote: Ayes: Supervisors Dorr and Flynn; Noes: Supervisor Lowe, Walker, and Stewart.

Supervisor Walker, seconded by Supervisor Flynn, then moved to postpone the matter to February 1, 1983, at 11:00 a.m., as requested by Mr. Larry Achaetel, Chairman of the El Dorado County Superintendents' Council (Schools), and the Building and Accounting Departments were requested to be represented at that time. The motion was unanimously carried.

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Hearing was held as duly advertised to consider the following:

- 46213
- a. Cancellation of Agricultural Preserve No. 213 in the Pleasant Valley area, consisting of 196.96 acres, requested by Edward A. and Neeltje Hengenius.
 - b. Rezoning of said lands from Exclusive Agricultural Zone to Estate Residential Ten-Acre zone.

The Agricultural Commission recommended denial on the basis that it would be detrimental to the adjacent preserves.

The Planning Director advised the Board of the soils on the property.

Attorney Pat Riley was present on behalf of the applicants. He too spoke of the soils on the property.

George Weldon, Geologist spoke to a water study which he had made on this land; his conclusion was that there was no large underground reservoir, that there was water only in isolated areas; therefore, he had a serious question about the availability of water for agricultural uses.

Howard Heilman, at the request of the Board, outlined where the El Dorado Irrigation extension was: somewhere between one-half and one mile from the property in question.

Mr. Clarence Alvis, adjoining agricultural preserve owner, was also present. He stated his concern was with dogs that would be brought in if the property were split up, and also the possibility of wells which could draw down on his wells.

Mr. Hengenius stated he had owned the property for the last seven years and had tried raising cattle on it in the last six years, but that it was economically not feasible.

Attorney Riley spoke again and requested that the property be released under the window situation. He also stated there would be no objection to a 50-foot buffer so that there would be no building closer than that to the adjoining agricultural preserve. He stated he felt the zoning should be RE-10 and if RE-10 is not acceptable, then they would request the matter be continued in order for them to get the contours to show the Board where RE-10 and RA-20 could be located.

Mr. Alvis again emphasized the fact that the springs he has do not irrigate his pasture; his water comes from El Dorado Irrigation District lines. He stated his opposition to the cancellation of the Preserve due to the impact on his land.

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

Supervisor Lowe moved to approve the cancellation provided the property is zoned Planned Agricultural based on the following reasons:

1. The cancellation and proposed alternate use are consistent with the General Plan;
2. The cancellation and proposed alternate use do not result in "leapfrog" (discontiguous urban land use patterns) development;
3. The proposed alternate use will not diminish or impair the agricultural use or potential agricultural use of this property or contiguous properties.

The motion died for lack of a second.

(Continued on next page)

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On motion of Supervisor Lowe, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lowe, Walker, Flynn, and Stewart; No: Supervisor Dorr, the Board accepted the Negative Declaration and approved the cancellation provided the property is rezoned to RA-20, based on the following reasons:

1. The cancellation and proposed alternate use are consistent with the General Plan;
2. The cancellation and proposed alternate use do not result in "leapfrog" (discontiguous urban land use patterns) development;
3. The proposed alternate use will not diminish or impair the agricultural use or potential agricultural use of this property or contiguous properties.

(155-1-83)
370-9a
On motion of Supervisor Lowe, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Lowe, Walker, Flynn, and Stewart; No: Supervisor Dorr, the Negative Declaration was accepted and the Board approved that the property be rezoned to RA-20, based on the following reasons: (ORDINANCE NO. V3332 adopted.)

1. That the zoning would preserve the land for agricultural use;
2. The proposed recommendation would be consistent with the General Plan

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GENERAL ORDERS

214
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board continued to January 25, 1983, the recommendation of the Probation Department that the contract be approved with Fay Crawford for services to said Department's Victims of Sexual Assault Assistance Program, at the rate of \$6.484 per hour for 72 hours per biweekly pay period, for a term expiring June 30, 1983.

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341-1
At the recommendation of the Department of Agriculture, RESOLUTION NO. 16-83 was adopted authorizing the Chairman to sign Agreement with the State Department of Food and Agriculture, for inspection of nursery stock at one-half of the El Dorado County producer locations and at six County retail nursery locations, in an amount not to exceed \$338.00, for period January 1, 1983 - July 31, 1983.

On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Memorandum of Understanding with the State Department of Food and Agriculture relating to the above, was approved and the Chairman was authorized to sign same.

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298
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the following requests of the Assessor's Department was approved: to enter into a contract with Deloitte, Haskins & Sells for the addition of new programs and the modification of existing programs relating to the current on-line data processing program system, at a cost of \$7,780.00, and the Chairman was authorized to sign same upon the approval as to form by County Counsel, and the Board approved the approximate \$2,200.00 charge from the Data Processing Department for computer time and services.

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✓
2-8
On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board continued to February 1, 1983, Ordinance amending Chapter 5.52 of the El Dorado County Ordinance Code relating to community antenna television systems.

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Chief Administrative Officer submitted recommendations relating to the complaint submitted by Dr. and Mrs. Demetre Bertakis on the Building Department's method of inspecting the roof of their house at 504 Oak Hill Road, Placerville. (Continued off calendar 7/27/82)

✓ 132
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the following recommendations of the Chief Administrative Officer were approved:

1. Direct the Building Official to write all roofing contractors in the County reminding them of the necessity to apply for County building permits when doing work in an unincorporated area prior to the initiation of work;
2. Direct the County Building Official to emphasize the importance of good public relations in their dealing with the public.

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Chief Administrative Officer recommended the following relating to revision of the El Dorado County Travel Policy:

- ✓ 12-8
- a. Resolution be adopted setting limits on the dollar amount for meal reimbursement which may be claimed;
 - b. All Departments be advised that lunch meal expenses for Western Slope employees traveling to Lake Tahoe or vice versa to carry out their regular daily activities are not to be authorized;
 - c. The above revision to said Policy be circulated to all Departments.

On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the recommendations were approved, and RESOLUTION NO. ✓17-83 was adopted; and the Board advised that their actual travel expense reimbursements would remain as in the past.

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Board discussed its action of October 19, 1982, whereby it approved the development of Agreements between the County, the City of South Lake Tahoe, and Sierra Ski Ranch to provide bus service between the Tahoe Basin and Sierra Ski Ranch.

✓ (23)
23-4
50-7
After a brief discussion, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Board directed that all negotiations on the Sierra Ski Ranch bus were discontinued at this time, as it is too late in the season for any service to be beneficial.

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✓
12-14
Flynn
Dorr
Lowe
A Policy Review Session was requested by the Board of Directors of the El Dorado County Fair Association for January 26, 1983, at Noon, to discuss its contract to operate the Fairgrounds and review progress made during the past year. On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Chief Administrative Officer was requested to arrange for another meeting date with the Fair Board.

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(11-1)
✓ 115-2
Board considered the letter submitted by Frank Nachtman, Administrator of Marshall Hospital, expressing concern about the future treatment of medically indigent adults (MIA's) in El Dorado County in light of the Agreement between the County and the State Department of Health Services, approved by the Board on January 11, 1983, for the County Medical Services Program for medical care to MIA's.

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the matter was referred to the County Health Officer for report back to the Board on issues raised by Mr. Nachtman.

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✓ 87-1
On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, Supervisor Joseph V. Flynn was appointed to the Sacramento-Mother Lode Regional Association of County Supervisors Board of Directors.

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(57-12)
✓ 113
On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board approved the recommendations of the Advisory Committee regarding consultant services for the Mortgage Bond Revenue Program as follows:

- (1) Approved in principle the selection of Mills-Carnegi as the County's Housing Consultant for the subject program;
- (2) Approved in principle the selection of Shearson-American Express as the County's Bond Underwriter for the program;
- (3) Approved RESOLUTION NO. 18-83 authorizing Chief Administrative Officer to certify County's participation in the State Mortgage Revenue Bond Program.

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✓ 141
At the recommendation of County Counsel, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, County Counsel was authorized to enter a Stipulation for Bankruptcy regarding S&L Investments vs. County of El Dorado.

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There being no further business, the Board adjourned to Tuesday, January 26, 1983, at 10:00 a.m.

APPROVED: 

Thomas L. Stewart,
Chairman

ATTEST:
Dolores Bredeson, County Clerk
& ex officio Clerk of the Board

By: 
Deputy