

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 1 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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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 Mr. David Whittington, County Counsel.

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The Board presented a plaque to Thelma Buchanan (accepted by the County Assessor on her behalf) for her service to the County as an employee in the Assessor's Office from March 1, 1965 through March 4, 1983.

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A plaque was also presented to Mr. Jim Wood in recognition of his service to the County as Planning Commission, representing District V, from April 10, 1979 through February 24, 1983.

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The Agenda was adopted, on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, with two additions: (1) request for ratification of the Chairman's signature on certificates of acceptance of grant deeds for the Carson Road Connection Project; and (2) request for rescheduling the dedication ceremony at the new County Cultural-Educational Center (Library) at South Lake Tahoe.

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The Minutes of February 22, 1983, were approved as submitted, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried.

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

The Board approved the following Budget Transfers:

No. 125 for El Dorado Transit, increasing the Transportation Development Act Funds and Fixed Assets Account by \$3,056 for purchase of a van and battery charger.

No. 128 for Airport Enterprise, transferring \$389.78 from the Lake Tahoe Airport to the Goergetown Airport for runway repairs.

No. 130 for the Planning Department, increasing "salaries" budget to include 25% of the salary of Mark Anderson, Program Director, El Dorado Transit.

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(117) 124 No. 131 for the Public Works Department, transferring \$40,000 from Regular Employees (1010) to Extra Help (1020) to pay for extra help needed for snow removal; and transferring \$345 from Professional & Specialized Services/ Data Processing (2181) to Central Duplicating (2171) and Publications (2190), \$200 and \$145 respectively, to cover increased costs in said accounts.

(117) 151 No. 133 for General Relief, transferring \$1,250 from General Fund Appropriation for Contingencies (9900) to Cash Aid (4246) to provide funding for 8 cash aid payments to a foster home.

117 12 No. 136 for the Health Department, transferring funds into the Medical/ Laboratory Account (2140) to cover the high costs of rabies treatment.

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298A The Board approved Assessment Roll Changes numbered 1904; 1954; 1955; and 1961 through 1971.

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247 The Chairman was authorized to execute Releases 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>	
Hsiu-Fong Hwang	2073	404
Hsiu Fong Hwang	2140	518
Connie M. Owings	968	24

* * * *

46 As recommended by County Counsel, the Board denied claims for personal injury and damages, filed by Attorney Rodney R. Lumley on behalf of the heirs of the estate of David M. Strom, namely Mary Strom and Carole Kidder, and the estate of David M. Strom, in the amounts of \$1,000,000.00 each.

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344 As recommended by County Counsel, the Board rejected claims submitted by 11 claimants requesting refunds of taxes paid, pursuant to Revenue & Taxation Code Section 5097, on the basis of court decisions relating to the imposition of the 2 per cent escalator of 1975 to 1978.

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423 42 Upon being advised by the Public Works Department that Diamond Meadows Estates Unit No. 2 Subdivision has been substantially completed in accordance with the plans and specifications; the Board accepted the work within same, and, as requested by the developer, authorized the holding of the subdivision bond, in the amount of \$57,618.00, and the labor and materials bonds, in the amount of \$28,809.00, until such time as another surety, in the amount of \$6,361.80, is submitted to guarantee workmanship and materials for a period of one year.

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60 RESOLUTION NO. 45-83 was adopted authorizing the Community Programs Department Coordinator to sign an Agreement with the State Office of Economic Opportunity for funds, in the amount of \$160,000.00, for operation of the Community Action Agency for period March 1, 1983 through February 28, 1984.

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53-10
RESOLUTION NO. 46-83 was adopted, at the recommendation of Community Programs, authorizing the Chairman to sign Amendment No. 1 to the Agreement with the State Department of Health Services for administration of the Special Supplemental Food Program for Women, Infants and Children (WIC) for El Dorado County, to reflect minor language changes and line item budget changes to include increasing a Clerk II General position from half to three-quarter time.

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2-2
RESOLUTION NO. 47-83 was adopted, at the recommendation of Community Programs, authorizing the Chairman to sign an Agreement with the City of Placerville for the Community Programs Department to continue administering the Community Development Block Grant Housing Rehabilitation Program for the period April 1, 1983 through March 31, 1984.

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114-2
At the recommendation of the General Services Division, the Board took the following action relating to the bid opening for an energy project to convert the 12 mercury vapor lights at the County Library parking area to high pressure sodium units:

- 27
12-11
a. Bid awarded to El Dorado Electric of Placerville, low bidder, in the amount of \$4,390.00; and
b. Deputy Purchasing Agent authorized to sign a contract with with same.

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114-1
At the recommendation of the General Services Division, the Board approved allocation of three fixed assets, presently retained by County Stores, as follows:

- a. Two mobile radios, at a value of \$600 each, to El Dorado Transit;
b. One base/remote station to the Probation Department.

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114-1
At the recommendation of the General Services Division, the Board awarded Bid No. 959-358, typewriter maintenance for the Western Slope, to the low bidder, Action Office Machines of Shingle Springs, in amounts as specified in Exhibit B, which is attached to said Division's memorandum of February 22, 1983.

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308-3
The Board concurred with the Sierra Planning Organization staff's recommended review comment of "no comment" on the following:

- a. Preapplication of Rural Community Assistance Corporation for profit business development by non-profit community-based organizations in rural America;
b. Preapplication of Rural Community Assistance Corporation for technical training assistance to rural service agencies.

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RESOLUTION NO. 48-83 was adopted, a Resolution of Intention setting a public hearing to consider abandonment of approximately 600 feet of Ringold Road, from Sherwood Lane to the end of Ringold Road, in the Pleasant Valley-Oak Hill area, as recommended by the Public Works Department; said hearing set for March 29, 1983, at 11:30 a.m.

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RESOLUTION NO. 49-83 was adopted, a Resolution of Intention setting a public hearing to consider abandonment of public utilities easement between Lots 151 and 152 and Lots 152 and 153 of Gold Ridge Forest Subdivision Unit No. 3, as requested by Alan Hodges, Douglas W. K. Jue, and Gold Chain Realty; said hearing set for March 29, 1983, at 2:30 p.m.

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County Counsel requested the Chairman be authorized to sign a Certificate of Acceptance and Easement relating to the City of South Lake Tahoe's granting an easement in gross to El Dorado County for the construction and use of governmental offices on, in, and over real property known as Assessor's Parcel No. 25-010-21, for the South Lake Tahoe Courthouse.

At the recommendation of County Counsel this date, the matter was continued to March 8, 1983, on motion of Supervisor Lowe, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Walker, and Flynn; No: Supervisor Stewart.

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On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board accepted the resignation of Lieutenant T. L. Cook as Coordinator and Chairman of the Correctional Facility Advisory Committee, and directed that a Certificate of Appreciation be forwarded to Lt. Cook; and the Board approved the appointment of Sergeant James Roloff as Lt. Cook's replacement.

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At the recommendation of the General Services Division, and on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Chairman was authorized to sign an Escrow Agreement with SLN, Incorporated, contractor for the Animal Control Facility construction project, and Point West Bank, escrow agent, whereby funds normally held by the County from progress payments for the project, in an amount of approximately \$18,059.00, will be paid to Point West Bank, upon notice from said Bank that it has received securities/certificates of deposit from SLN having a market value of not less than the total amount paid to the contractor under the Agreement.

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At the request of El Dorado Disposal Service, Inc., and on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board scheduled a Policy Review Session with El Dorado Disposal Service, Inc., to review financial data submitted by same as relates to its request for authorization to increase the rates for garbage collection; said Policy Review Session scheduled for March 16, 1983, at 11:15 a.m.

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22-7
At the request of the Health Department (Mental Health Division), and on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board authorized the hiring of Stuart Tubis, M.D., as a psychiatrist in Mental Health, at the top step of the salary range for same.

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341-5
On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board denied the request of the Department of Agriculture for authorization to hire an Animal Control Officer I to fill the vacancy created by the death of the Supervising Animal Control Officer III.

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296-4
Carson Rd
(Dist #4-23)
On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Board ratified the Chairman's signature on the certificate of acceptance of grant deeds conveying real property to the County for road right of way purposes for the Carson Road Connection Project (No. 3017), in accordance with the Agreement between the County and David Lund which was approved by the Board on February 1, 1983.

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74-2
On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the dedication of the new County Cultural-Educational Center (Library) at South Lake Tahoe, scheduled for Saturday, March 19, 1983, was rescheduled for Saturday, April 16, 1983 (at a time yet to be determined) due to weather conditions at South Lake Tahoe.

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165-2
The District Attorney's request for approval of a travel request for Gene Hawkins to attend a seven-week polygraph school given by Gormac, Inc., at a total cost of \$4,565.00, was continued to March 8, 1983, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried.

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The General Services Division submitted bid results and recommendations for Bid No. 966-356, legal and classified advertising, and the Board awarded same as follows:

114-6
For the western slope, legal advertising was awarded to the low bidder, the Georgetown Gazette; and classified advertising was awarded to the low bidder, the Mountain Democrat; on motion of Supervisor Flynn, seconded by Supervisor Lowe and unanimously carried;

For South Lake Tahoe, legal and classified advertising was awarded to the low bidder, the Lake Tahoe News, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Walker, and Flynn; No: Supervisor Stewart.

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(17-2)
Mr. Dick Stanfield, of the County Chamber of Commerce, and Mr. Budd Lane, of the Golden Chain Council of the Mother Lode, were present to request a contribution of County funds which, together with funds donated by the County Chamber of Commerce, will be used to place an advertisement in the publication of the Golden Chain Council for the purpose of assisting efforts to bring more visitors and tourist dollars to El Dorado County.

The Board approved the allocation of \$725 from the Board of Supervisors' budget for same; and advised that, if after consideration at a later date, the Board increases the County motel occupancy tax from 6% to 8%, with the County Chamber of Commerce to receive the additional 2% tax monies, the Chamber will repay the \$725 to the County; on motion of Supervisor Walker, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Walker, Flynn, and Stewart; Noes: Supervisors Dorr and Lowe. (The County Chief Administrative Officer was requested by the Chairman to bring the matter of increasing the motel occupancy tax back before the Board at a later date.)

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22-11A
Mr. Ron Duncan, Director of the Environmental Health Division of the County Health Department, reported on Mr. Michael R. Zaun's request for waiver of the Board's Policy on Private Wells and Individual Sewage Disposal Systems, and authorization to put a well on his 1+ acre which also has a septic system, in the Pollock Pines area; said request having been continued from the Board's meeting on February 22, 1983.

On motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the matter was referred to Mr. Ron Duncan to work with Mr. Zaun and the El Dorado Irrigation District (E.I.D.) in an effort to obtain public (E.I.D.) water to the property.

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23
On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign an Agreement with King Video Cable Company for the Community Antenna Television System (CATV) franchise in the Cameron Park area.

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28
An Ordinance adding Subsection E to Section 5.52.080 of the County Ordinance Code governing community antenna television systems, to provide that franchisees be given 30 days' written advance notice of any proposed changes to same, was introduced; the reading thereof waived; and it was continued to March 8, 1983, for consideration of adoption; on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried.

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17
An Ordinance amending Section 15 of Ordinance No. 3254, allowing property owners to apply for the issuance of a conditional building permit if action by a Regional Agency, such as inability to determine land classification, keeps the owner from meeting deadlines, was introduced; the reading thereof waived; and it was continued to March 8, 1983, for consideration of adoption as an urgency measure; on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried.

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337
On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board authorized the printing of 15 identification cards, at a cost of approximately \$7.50 to \$10.00, for issuance to members of the County Fish and Game Committee, with funds for same to come from said Committee's budget. ✓

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73
At the request of Supervisor Stewart, and on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign a letter to the Tahoe Resource Conservation District requesting assistance in the development of a conservation plan for the Cedar Flat area.

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A.D.
Prescott
Request
The request of Prescott Engineering, that the Board consider using assessment bonds, particularly 1915 bonds, for developing commercial and industrial property, was referred to the Bond Screening Committee, as recommended by the County Planning Director, on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried.

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58-1
At the recommendation of County Counsel, and on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried, the Board denied the claim for property damage, in the amount of \$379.92, submitted by Wallace B. Melby. ✓

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SPECIAL ORDERS

PLANNING MATTERS

281-5-83
3/11/83
Hearing was held as duly advertised to consider rezoning of lands in the El Dorado Hills area from Research and Development Zone to Research and Development-Design Control Zone, consisting of approximately 1,260 acres, initiated by the County Planning Commission on behalf of Kimber Resources and El Dorado Hills Investors, Inc. ✓

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

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board concurred in the finding of the Planning Commission, that this action is a requirement of County Ordinance Code; accepted the Negative Declaration; and approved the rezoning by adoption of ORDINANCE NO. 3338, which amends the County Zoning Ordinance accordingly, and is to become effective 30 days after the filing of the Notice of Cancellation of the Euer Agricultural Preserve (No. 124) which was approved by the Board on November 2, 1982. ✓

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Hearing was held as duly advertised to consider rezoning of lands in the Latrobe area from Residential Agricultural Eighty-Acre Zone to Residential Agricultural Twenty-Acre Zone, consisting of 41.26 acres, petitioned by Bruce and Faith Bartleson. The Planning Commission recommended approval, based on the finding that the requested zoning is consistent with the County General Plan.

Mr. Bartleson was present to speak to the request.

The Board received a copy of a letter to the Planning Commission, from Hank and Jenny Meyer, Peter Howse, and Marsha Curran, who own property on Greenhorn Grade, Latrobe Hills Estates, and questioned the validity of the Latrobe Area Plan if the requested rezoning is approved; and also advised that Mr. Bartleson is not paying his assessment to the maintenance of the present roads in Latrobe Hills Estates, property which he has developed over the past several years.

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

The Board concurred in the finding of the Planning Commission; accepted the Negative Declaration; and approved the rezoning by adoption of ORDINANCE NO. 3339 which amends the County Zoning Ordinance accordingly; on motion of Supervisor Dorr, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Walker, and Stewart; No: Supervisor Flynn.

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The El Dorado Irrigation District (E.I.D.) requested deletion of the fifth paragraph in the Grant of Easement for the Shingle Springs Plaza Park, which is Attachment "B" to the Agreement between the County and E.I.D. dated June 1, 1982; said paragraph making E.I.D. responsible for any necessary pipeline relocation and costs of same, which is not in accordance with the original Agreement of June 1, 1982.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board approved deletion of subject paragraph, and the Chairman was authorized to sign an Addendum to the subject Agreement.

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Pursuant to the Board's action of February 15, 1983, the Board considered amending the Certificate of Tentative Cancellation for Agricultural Preserve No. 37 in the Rescue area, consisting of 194.8 acres, to allow for "parcel-by-parcel" cancellation upon the payment of fees.

The owners of the property in Agricultural Preserve No. 37 were present and spoke as follows:

Mr. Charles Fehnmann stated he is prepared to pay his share of the cancellation fee now, as he wishes to have the Williamson Act Contract cancelled now for his property, thereby removing it from the Agricultural Preserve.

Mrs. Ila Brazil stated she would prefer to have her property continue under the Williamson Act Contract, thereby remaining in the Agricultural Preserve. She further stated that, if her property cannot stand alone as an agricultural preserve, she would prefer the 10-year "roll out" rather than immediate cancellation.

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Mr. Halley Wing stated he does not wish to pay the cancellation fee, and submitted his Notice of Non-Renewal of the Williamson Act Contract for his property, thereby starting the 10-year "roll out" from the Agricultural Preserve.

Mrs. Roberta Wentz stated that the cancellation fee for her property was much more than she had anticipated, therefore, she is not sure yet whether she wants to pay the fee for immediate cancellation of the Williamson Act Contract on her property within the Agricultural Preserve, or to file a Notice of Non-Renewal for the 10-year "roll out" process.

There were no further requests to speak to the matter.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board approved the Notice of Tentative Cancellation on the Fehnemann, Wing, and Wentz parcels; and requested the Agricultural Commission to evaluate the Brazil parcel for a determination of whether it can stand on its own as an agricultural preserve and report back to the Board, with the Board's intent being that, if the Brazil parcel cannot stand on its own as an agricultural preserve, the Board will file a Notice of Non-Renewal of the Williamson Act Contract on said parcel.

Further, by consensus, the Board acknowledged receipt of a Notice of Non-Renewal submitted this date by Mr. Halley H. Wing for his parcel number 69-120-09, consisting of 107.30 acres, so his portion of Agricultural Preserve No. 37 can begin the 10-year "roll out" in the event he does not pay the cancellation fee within the allotted time.

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Mr. Ken Milam, Planning Director, was present to discuss the issue of community development block grants.

On motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Board requested Planning Department staff to prepare a list of priority items (projects for which block grant funding might be requested) for review by the Board on March 8, 1983.

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There being no further business, the Board adjourned to Tuesday, March 8, 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