

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES March 22 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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12-7 The Invocation was offered by Reverend Harley Weldin, Placer Heights Baptist Church.

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The Pledge of Allegiance to the Flag was led by Mr. Kent Taylor, County Chief Administrative Officer.

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The Agenda was adopted, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, with four additions: (1) Director of Public requesting direction regarding the opening of Fallen Leaf Road; (2) Mr. Frank Rocheleau requesting final inspection approval of a dwelling at 4611 Pleasant Valley Court in Pleasant Valley; (3) Chief Administrative Officer submitting letter, for Chairman's signature, to Mr. Ange Kovach in response to his offer to contribute funds to the County; and (4) County Counsel submitting for adoption, an urgency Ordinance to amend the County Animal Control Ordinance.

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The Minutes of March 15 and 21, 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 following budget transfers were approved:

11 No. 148 for the Assessor's Office, transferring \$161.47 from Regular Employees (82-1010) to Overtime (82-1030) to pay compensatory time accrued by John Gardner which he was unable to take off before his retirement.

No. 151 for the Farm and Home Advisor's Office, transferring \$260.24 from Extra Help (82-1020) to Regular Employees (82-1010) to pay an employee who worked 40 hours over budgeted time due to a secretary being on an extended sick leave.

No. 152 for the Family Support Unit of the District Attorney's Office, transferring \$21.58 from Health Insurance (82-1120) to Overtime (82-1030) to cover overexpenditure in same.

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11 The Board approved Budget Transfer No. 141, transferring \$1,362.00 from the Assessor's Office Expense Budget (2170) to Fixed Assets Budget (3370) for purchase of two portable dictating machines and one transcriber to replace existing equipment which is no longer economically feasible to repair.

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At the recommendation of County Counsel, the Board authorized this County's participation in the hiring of outside counsel to represent counties in the cases wherein Southern Pacific and other railroad companies are suing most California counties, challenging the assessment of their properties; and the Chairman was authorized to sign Budget Transfer No. 150, transferring \$500.00 from General Fund Appropriation for Contingency (9900) to County Counsel's Professional and Specialized Services (2180) for same.

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21-5
The Board acknowledged receipt of the Airports Department's report on questions raised when the Board authorized the Chairman to sign an Amendment to the Airport Land Use Agreement with Executive Aero Systems, Inc., increasing terminal space at Lake Tahoe Airport from 52 square feet to 749 square feet; and directed that said report be placed on file.

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296-Annual
The Public Works Department was authorized to solicit bid proposals for grading and paving improvements at five locations on County roads on the Western Slope (Project No. 7071); with bid opening to be on April 14, 1983, at 2:00 p.m., and award by the Board on April 19, 1983.

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(22)
117
The Health Department was authorized to purchase additional data processing hardware for the Mental Health Clinic at South Lake Tahoe, at a cost of \$13,545.00; and the Chairman was authorized to sign Budget Transfer No. 140 relating to same.

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59-2
The Board approved specifications for the electrical portion of the Multi Purpose Facility Construction Project at the Fairgrounds as submitted by the Fair Manager.

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114-11
At the request of the Deputy Purchasing Agent, the Board declared the list of items attached to his memorandum dated March 16, 1983, as surplus County property, and authorized the sale of same at Public Auction on Saturday, March 26, 1983.

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164-7
The Chairman was authorized to sign an Addendum to the Agreement with the City of Placerville for radio dispatch services, for a term ending June 30, 1983.

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At the recommendation of County Counsel, and on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Board rejected protests of possessory interest taxes levied for Fiscal Year 1982-83, which were filed by 26 river rafting companies who also requested the Board bind illegal and reduce to zero, the assessment of said possessory interest taxes.

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(27-4)
At the recommendation of the County Librarian, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign the following, relating to the relocation of a collection of materials commonly referred to as "the Tahoe Collection" from the Nevada State Library to the new County Cultural Educational Center (Library) at South Lake Tahoe:

- 74-12
- a. Contract with the Tahoe Regional Planning Agency for funds, in the amount of \$7,000.00, to hire a Library Assistant I, on an extra-help basis, for the South Lake Tahoe Branch Library;
 - b. Budget Transfer No. 149, placing the \$7,000 from the Tahoe Regional Planning Agency into the Library Extra Help Account (1020).

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113-1
74-12
The General Services Division was authorized to purchase from Letter Crafters, Inc., of Placerville, a new wall directory and Health Department door sign for the County Administration Building at South Lake Tahoe, at a cost not to exceed \$500.00, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried.

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(74-12)
27-4
The Board did not approve the request that General Services Division be authorized to purchase from Letter Crafters, Inc., of Placerville, one 24" x 42" single-faced sign with frame and stand, at a cost of \$174.90, to be placed at the Cultural Educational Center at South Lake Tahoe, prior to April 16, 1983, to identify the future museum site, on motion of Supervisor Dorr, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Dorr, Walker, and Flynn; Noes: Supervisors Lowe and Stewart. However, the Board directed that the Lake Tahoe Historical Society be permitted to install a sign, at its own expense, if it wishes to do so, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Lowe, Flynn, and Stewart; Noes: Supervisors Dorr and Walker.

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The Chief Administrative Officer did not report on Assembly Bill 15X (Papan), regarding property tax refunds pursuant to Revenue and Taxation Code Section 5097, as planned, due to the matter being discussed at the Board's Policy Review Session on March 16, 1983.

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27-4
Ray Lawyer Drive
John
Ch...
On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign letters to State Senator Ray Johnson and Assemblyman Norm Waters, requesting assistance in obtaining funds, from the new federal highway funds to be allocated to California, for construction of the Ray Lawyer Drive interchange with State Highway 50.

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(21-A)
RESOLUTION NO. 59-83 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, amending Authorized Personnel Resolution No. 30-83, deleting 1 Secretary and 1 Custodian in the Airports Department, and reducing to half time (20 hours), 8 Airport Maintenance Operation Technicians I, II, and III, in said Department; and authorizing a 5-day temporary layoff of all Airport Maintenance Operations Technician positions to occur between March 23, 1983, and April 23, 1983; and the Acting Airports Director was directed to implement said temporary layoff and to notify affected employees immediately.

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240
The request of the Farm and Home Advisor's Office for authorization to purchase one new secretary/typing chair, at a cost not to exceed \$225.00, to replace the existing chair which is 25 years old, was continued to hearings on the 1983-84 County budget, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried.

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On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board approved the revised 1983-84 County budget schedule as submitted by the Chief Administrative Officer.

Further, on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign a memorandum to all department heads advising of the projected shortfall in County discretionary funds for Fiscal Year 1983-84, and notifying them of a mandatory department heads meeting in the Board chambers on Monday, March 28, 1983, at 5:00 p.m., to discuss the financial dilemma, with management employees encouraged to attend, although no accrual of overtime is to be allowed.

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Supervisor Walker requested the Board designate the responsibility of cleaning Church Mine Road, a County road, and its right of way, of illegal garbage being dumped along same.

(FO-2)
On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Chief Administrative Officer was requested to communicate with the garbage franchisee, El Dorado Disposal Service, Inc., regarding the problem, and request said company to consider whether it could get involved in solving same, and discuss the matter with the Board at the time of the public hearing to consider said company's request for an increase in its collection rates and extension of its franchise; said hearing tentatively scheduled for April 19, 1983, at 11:30 a.m.

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On motion of Supervisor Stewart, seconded by Supervisor Lowe, and unanimously carried, the Board concurred in the recommendation of the Public Works Director that the matter of said Department opening Fallen Leaf Road be delayed until after Easter, at which time the Public Works Department will re-examine the situation.

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(216)
221-2
Edward G. Melnike requested a refund of the bedroom tax, in the amount of \$600.00, for the Gold Trail Union School District, which he paid when obtaining a building permit for the construction of his residence in the Coloma/Garden Valley area; said request based on the fact that his children do not attend school in said District, but rather attend Georgetown Elementary School in the Black Oak Mine Unified School District.

On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the matter was referred to the two school districts for resolution; and the Board requested the County Superintendent of Schools look into the matter of the changing of these school districts' boundaries.

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19 83

*Dorr
Walker
15-18-83
7/28/83*

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 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.

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At the request of Mr. Frank Rocheleau, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Building Department was directed to grant a final inspection approval, for funding purposes, on the dwelling at 4611 Pleasant Valley Court in Pleasant Valley, owned by Wayne and Lori Turner, subject to conditions outlined by the Director of Environmental Health in his memorandum dated March 22, 1983; with verbal agreement to said conditions by Mr. Rocheleau and Lori Turner.

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SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider the following:

- 786-14-83
423
Lakeside
Townhomes*
- a. Rezoning of lands in the Cameron Park area from Limited Multi Family Design Control Zone to Limited Multi Family Planned Development Zone, consisting of 0.57 acre, petitioned by Sequoia Pacific Builders, Inc., for Lakeside Townhomes; and
 - b. Tentative Map for Lakeside Townhomes in the Cameron Park area, consisting of 0.57 acre, comprising 6 units; subdivider: Sequoia Pacific Builders, Inc.

The Planning Commission recommended approval, based on the following reasons:

Rezoning

1. The Planned Development Zone is consistent with the land use designation and Goals and Policies of the Cameron Park Area Plan;
2. The project is designed to provide a desirable environment within the project boundaries;
3. There are no major deviations from the traditional zoning requirements;
4. The site is physically suited for the design and density proposed;
5. Water and sewer service are to be provided by the El Dorado Irrigation District (E.I.D.) and fire protection is to be provided by the Cameron Park Fire District;
6. The project does not significantly detract from the natural land and scenic values of the site;
7. The zoning is to become effective upon the filing of the final map.

Tentative Map

1. The Tentative Map is in compliance with the Cameron Park Area Plan;
2. The site is physically suited for the type of development and density proposed;
3. The design of the subdivision and the proposed improvements will not cause substantial environmental damage;
4. The environmental concerns identified in the review of the project have been mitigated as a result of conditions placed on the tentative map;
5. Adequate public services are available: water and sewer - E.I.D.; fire protection - Cameron Park Fire Protection District.

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Mr. Chris W. Eatough, Vice-President of Sequoia Pacific Builders, Inc., was present and spoke on behalf of same. In a letter to the Planning Department, dated February 3, 1983, Mr. Eatough requested that this development be exempt from school and fire mitigation fees, as the density proposed is less than the higher density apartment complex allowed under the current zoning.

Mr. Lou Gilbertson, General Manager of the Cameron Park Community Services District, in a letter dated March 17, 1983, requested the Board deny the requested exemptions.

There were no written or verbal protests to the requested rezoning and tentative map, and the hearing was closed.

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Board concurred in the reasons of the Planning Commission; approved the Negative Declaration as filed; and approved the rezoning by adoption of ORDINANCE NO. 3348, which amends the County Zoning Ordinance accordingly, to become effective upon the filing of the Final Map for Lakeside Townhomes.

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Board concurred in the reasons of the Planning Commission; approved the Negative Declaration as filed; and approved the Tentative Map for Lakeside Townhomes, subject to the 16 conditions proposed by the Planning Commission.

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Hearing was held as duly advertised to consider the following:

- 285-15-83
423
Cambridge
Sequoia*
- a. Rezoning of lands in the Cameron Park area from Limited Multi Family Design Control Zone to Limited Multi Planned Development Zone, consisting of 0.74 acre, petitioned by Sequoia Pacific Builders, Inc., for Cambridge Townhomes; and
 - b. Tentative Map for Cambridge Townhomes in the Cameron Park area, consisting of 0.74 acre, comprising 8 units; subdivider: Sequoia Pacific Builders, Inc.

The Planning Commission recommends approval, based on the following reasons:

Rezoning

1. The Planned Development Zone is consistent with the land use designation and Goals and Policies of the Cameron Park Area Plan;
2. The project is designed to provide a desirable environment within the project boundaries;
3. There are no major deviations from the traditional zoning requirements;
4. The site is physically suited for the proposed design and density of the project;
5. Water and sewer service are to be provided by El Dorado Irrigation District (E.I.D.), and fire protection is to be provided from the Cameron Park Fire District;
6. The project does not significantly detract from the natural land and scenic values of the site;
7. The zoning is to become effective upon the filing of the final map.

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Tentative Map

1. The tentative map is in compliance with the Cameron Park Area Plan;
2. The site is physically suited for the type of development and density proposed;
3. The design of the subdivision and the proposed improvements will not cause substantial environmental damage;
4. The environmental concerns identified in the review of the project have been mitigated as a result of conditions placed on the tentative map;
5. Adequate public services are available: water and sewer - E.I.D.; fire protection - Cameron Park Fire District.

Mr. Chris W. Eatough, Vice-President of Sequoia Pacific Builders, Inc., was present and spoke on behalf of same. In a letter to the Planning Department, dated February 3, 1983, Mr. Eatough requested that this development be exempt from school and fire mitigation fees, as the density proposed is less than the higher density apartment complex allowed under the current zoning.

Mr. Lou Gilbertson, General Manager of the Cameron Park Community Services District, in a letter dated March 17, 1983, requested the Board deny the requested exemptions.

There were no written or verbal protests to the requested rezoning and tentative map, and the hearing was closed.

On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Board concurred in the reasons of the Planning Commission; approved the Negative Declaration as filed; and approved the rezoning by adoption of ORDINANCE NO. 3349, which amends the County Zoning Ordinance accordingly, to become effective upon the filing of the Final Map for Cambridge Townhomes.

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board concurred in the reasons of the Planning Commission; approved the Negative Declaration as filed; and approved the Tentative Map for Cambridge Townhomes, subject to the 17 conditions proposed by the Planning Commission, with condition number 1 revised by the Board this date to state "there will be a drainage plan with specific attention given to a culvert under Cambridge Road".

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Hearing was held as duly advertised to consider the Appeal of Duane R. Tamagni on the Planning Commission's granting of Special Use Permit No. S82-95 to Sierra View Grace Brethren Church to allow a church on 4.7 acres zoned Estate Residential Five Acre in the Shingle Springs area.

Mr. Tamagni was present and spoke to his Appeal, advising that his property is on a hill overlooking the site for the proposed church, and he strongly objects to looking down on an 82-car paved parking lot as he does not feel that it would be in keeping with the rural nature of the area.

Mr. Claire H. Bourne, who lives across the street from the proposed site, at the corner of Shingle Springs Drive and Maggie Lane, was present and spoke in opposition to the Special Use Permit as he feels it will encourage other non-residential uses in the area.

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On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board denied the application for a license to operate a card-room on the second level of the building located at 3420 Palmer Drive in Cameron Park, petitioned by Paul Dante and Charles Piper, based on the finding that, due to the design of the facility, such use would be injurious to the health, safety, and welfare of the public, as outlined in the correspondence from the County Health Department and Cameron Park Fire Department.

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57-6 Adoption of a Resolution amending the County General Plan to incorporate those amendments approved by the Board on March 8, and 15, 1983, was continued to March 29, 1983, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried.

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The Planning Department submitted the request of the Citizens River Advisory Committee that the Board clarify said Committee's role in the review and recommendations of the River Management Plan.

95 The following members of the Committee were present and spoke: Virginia Bacchi, Jean Stirten, Bill Center, Ralph Lao, and Dave Grizzell. Committee members were distressed by the fact that the County Planning Department issued to the public, and the Board of Supervisors, the draft River Management Plan and Environmental Impact Report for same, without giving the Committee an opportunity to first review the documents. The Committee is dissatisfied with the draft River Management Plan as submitted to the Board.

On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the matter was continued to March 29, 1983; and Planning staff was requested to meet with the River Advisory Committee in the interim, to draft and submit to the Board for approval, written instructions as to the role of said Committee and the procedure to be followed before the River Management Plan is brought to the Board for public hearing.

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95 On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board approved the transfer of River Use Permit No. 82-21 from Tom Malcamp (Wilderland) to Shane Murphy, owner of Sandpiper Whitewater Guides (River Use Permit No. 82-42), subject to the two conditions proposed by the Planning Department, and with the additional condition that "this is in no way to be construed that the river use permit for these user days will be approved".

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70 On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board received the monthly status report on the Tahoe Regional Planning Agency's Regional Plan for the Lake Tahoe Basin as submitted by the Planning Department; and directed same be placed on file.

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Mr. Ken Milam, Planning Director, presented to the Board, correspondence submitted to the Planning Commission at its meeting on February 10, 1983, which consisted of the following: a letter from Myrtle Baker, resident of Shingle Springs, who is not opposed to the proposed church, but is concerned about recreational facilities in the area; a letter from Mr. John M. Nordquist, principal of Buckeye School, which is on property adjacent to the site for the proposed church, advising he does not foresee any problem with a church being located adjacent to the school; and a petition in support of the church, signed by 20 residents of Buckeye Rancheros Subdivision, which is across the street from the site for the proposed church.

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

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board upheld the action of the Planning Commission, and directed that Special Use Permit No. S82-95 be issued to Sierra View Grace Brethren Church to allow a church on 4.7 acres zoned Estate Residential Five Acre in the Single Springs area, subject to the 10 conditions proposed by the Planning Commission, with conditions numbers 1 and 9 revised by the Board this date to read as follows: Condition No. 1 - "The location of the structures and uses shall conform with the approved site plan. A revised site plan and elevation drawings, including landscaping, shall be submitted to the Planning Department. The site plan, to include parking lot, must be approved by staff prior to construction. Staff shall use the Design Control Guidelines to determine compliance with this condition. Landscaping must be installed prior to use of the structure."; and Condition No. 9 - "Construction of the church facility to be initiated within one year and diligently pursued thereafter."

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Hearing was held as duly advertised to consider an application for a license to operate a cardroom on the second level of the building located at 3420 Palmer Drive in Cameron Park, petitioned by Paul Dante and Charles Piper.

The applicant was not present, there were no verbal protests, and the hearing was closed.

The Chairman reviewed the following correspondence regarding this request:

- a. Letter from the Sheriff, dated March 1, 1983, wherein he advised his office can see no problems with the applicants or location of the cardroom;
- b. Memorandum from the Planning Department, dated December 22, 1982, wherein said Department recommends approval of the request, as the property is located in an area of commercial zoning and the use would not be detrimental to the health, safety and welfare of the neighborhood;
- c. Letter from Chief Richard Samples of the Cameron Park Fire Department, dated December 20, 1982, wherein he advised he inspected the premises and determined it is not suitable for the cardroom occupancy due mainly to the inability to provide adequate exiting due to the physical features of the structure;
- d. Memorandum from the County Building Official, Thomas S. Bullock, dated December 17, 1982, recommending denial of the application as the proposed space is not suitable for a cardroom operation due to the lack of handicapped accessibility and fire egress.

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GENERAL ORDERS

On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign a letter to Mr. Ange Kovach in response to his offer to contribute funds to be applied towards the Sheriff's Department travel requests which were denied by the Board; and outlining the procedure necessary if Mr. Kovach wishes to pursue the possibility of establishing a trust fund for Sheriff's Department training expenses.

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On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, County Counsel was authorized to settle the case of the County of El Dorado v. Environmental Development (Case No. 36565), in the amount of \$388.06, and the Chairman was authorized to sign appropriate documents to accomplish same.

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ORDINANCE NO. 3350 was adopted, at the recommendation of County Counsel, and on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, amending the animal control ordinance to allow misdemeanor convictions for wilful failure to pay fines imposed pursuant to said ordinance; Ordinance No. 3350 adopted as an urgency measure, to become effective immediately.

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Assemblywoman Jean M. Moorhead requested El Dorado County review its procedures for imposing, collecting, and reporting fines for driving under the influence of alcohol and drugs, provided under Assembly Bill 541.

The Chairman was authorized to sign a letter to Assemblywoman Moorhead, advising that El Dorado County's performance is better than the statewide average, ranking second only to Tuolumne County in collections; but also advising that the County's court workload has increased substantially as a result of AB 541, and offsetting revenues are not keeping pace with the cost increases being incurred by criminal justice system departments; on motion of Supervisor Dorr, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Flynn, and Stewart; No: Supervisor Lowe.

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On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board directed that the County Supervisors Association of California (CSAC) be requested to represent El Dorado County at a public hearing to be conducted by representatives of the federal government on March 30, 1983, in Los Angeles, regarding the renewal of Revenue Sharing Funds; this County's position being in favor of the renewal.

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There being no further business, the Board adjourned to Tuesday, March 29, 1983, at 10:00 a.m.

APPROVED:


THOMAS L. STEWART, Chairman

ATTEST:

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

By 
Deputy Clerk

March 22, 1983

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