

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES July 19 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 Associate Pastor Bill Pence, Camino Community 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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212
The Chairman presented RESOLUTIONS NOS. 182-83, 183-83, 184-83, and 185-83, which were unanimously adopted by the Board, to Christopher J. Poulos, Anthony L. Wallace, Stephen M. Hendricks, and Ernest J. Jordan commending their heroism in the rescue of two passengers from a burning car on Sly Park Road on June 18, 1983.

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The Agenda was adopted, on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, with two additions: Fair Manager requesting financial assistance for a proposed contract for security at the 1983 County Fair; and Environmental Health submitting a proposed policy on sewage disposal systems on parcels where severe conditions exist.

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The Minutes of July 12 and 13, 1983, were approved as submitted, on motion of Supervisor Walker, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Flynn, and Stewart; Noes: None; Abstain: Supervisor Lowe (as she was not present at those meetings).

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

117
Budget Transfer No. 270 was approved, transferring \$700 from General Fund Appropriation for Contingency (9900) to County Counsel's Professional and Specialized Services (2180) for additional payment to outside counsel representing counties in cases wherein Southern Pacific and other railroad companies are suing most California counties.

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21-212
At the request of the Airports Department, the Board authorized submittal of a claim to the Tahoe Regional Planning Agency (TRPA) for Lake Tahoe Airport Erosion Control Project mitigation funds, in the amount of \$879.42, to reimburse the County Public Works Department for implementation of temporary erosion control at the site of heavy gullying at the Lake Tahoe Airport, as requested by the California Regional Water Quality Control Board, Lahontan Region.

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(34-1)
124
34-2
35-172
RESOLUTION NO. 186-83 was adopted, at the recommendation of the Public Works Department, designating the existing alignment of State Route 49 between Cool and Auburn to be in the Federal-Aid Primary System.

* * * *

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At the recommendation of the Public Works Department, the Chairman was authorized to sign a Certificate of Acceptance of Grant Deed, conveying title to a portion of Assessor's Parcel No. 331-261-02 to the County of El Dorado for the realignment of Union Mine Road at State Highway 49, to complete terms of Agreement on acquisition of Land for County Road Purposes dated April 1, 1968.

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At the request of the Planning Department, the Board took the following action:

- a. Approved the Final Map for Gold Strike Rural Subdivision in the Weber Creek-Snows Road area, containing 22 residential lots on 147.50 acres, subdivider: Leonard A. Miller; and
- b. Authorized the Chairman to sign Certificates of Acceptance of Corporation Easement Grant Deed from Bar-M-West, a California Corporation, and Easement Grant Deed from Leonard J. Miller, Jr., for road and public utility purposes for Snows Road, North and South, and Glory Hole Drive, North and South Encroachments.

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The Board accepted the resignation of Ruth A. Klos as member of the Combined Advisory Board on Alcoholism, Drug Abuse, and Mental Health Services, and directed that a Certificate of Appreciation be forwarded to Mrs. Klos.

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The Superior Court's request that the Chairman be authorized to sign an Agreement with Mary T. Muse, the Court's Legal Research Assistant, in the amount of \$19.50 per hour, not to exceed 30 hours per week, for fiscal year 1983-84, was continued to July 26, 1983, 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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On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board set a hearing for August 16, 1983, at 3:00 p.m., to consider formation of the Mother Lode Recreation District, an Area of Benefit within County Service Area No. 9.

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On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Board set a Policy Review Session for August 3, 1983, at 9:00 a.m., regarding development of alternative proposals for financing community services improvements.

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On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Chief Administrative Officer was requested to schedule a joint meeting of the Board of Supervisors, and its Chief Administrative Officer; the Planning Commission, and the Planning Director; and the El Dorado Irrigation District, and its Manager; for either August 1st, 8th, or 15th, 1983, at 7:00 p.m., regarding "mutual benefit".

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On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Board agreed to schedule a Policy Review Session for some time after September 1, 1983, with the City of Placerville, City of South Lake Tahoe, South Tahoe Public Utility District, and the El Dorado Irrigation District, to discuss municipal financing as it applies to the Teeter Plan.

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Supervisor Flynn advised that he will participate, as a delegate, in the Regional Council of Rural Counties' presentation before the Senate Subcommittee on Public Land and Reserved Water, regarding S. 1515 (Wilson), to continue the fight for a reasonable "wilderness bill" which contains a maximum of 1.2 million acres of additional California wilderness lands, on July 28, 1983, in Washington, D.C.

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Dr. Dougherty, Director of the Mental Health Division of the County Health Department, advised he has been requested to testify on Senate Bill 181 (Carpenter) at a State Assembly hearing on same on July 20, 1983, and was authorized by the Board to do so, on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried.

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On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign a letter to Eugene Andreuccetti, Chairman of the Soil Conservation Service's Field Advisory Committee, expressing the Board's concern over the fact that the study of the Cameron Park flooding problems has been given a priority ten in relation to said Committee's other projects.

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ORDINANCE NO. 3373 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, to impose a fee (to be established at a future public hearing before the Board) on improved parcels within the unincorporated portion of County Service Area No. 3 for purchase of snow removal equipment; said Ordinance adopted as an urgency Ordinance, to become effective immediately.

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Supervisor Lowe exited the meeting room.

The South Lake Tahoe Airport Director was authorized to select the fourth auto rental concession at the Lake Tahoe Airport, for operation on a "month-to-month" basis, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried by those present.

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Supervisor Lowe re-entered the meeting room.

In a memorandum to the Board, dated July 7, 1983, the Director of the Public Works Department recommended the Board transfer all right, title, and interest to a 2-inch waterline which served the County-operated Georgetown Dump, and was installed a distance of 3300 feet along Georgia Slide Road, to the Georgetown Divide Public Utility District (G.D.P.U.D.).

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On motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the matter was continued to July 26, 1983, to allow County Counsel an opportunity to further research the matter in light of the fact that the Georgetown Divide Public Utility District has advised it will not accept the waterline.

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The Sheriff requested the Board discontinue the pro rata share method of distributing the cost of the courier-messenger service to each County department, and initiate a system to charge for same based upon actual use.

The request was received and filed, on motion of Supervisor Lowe, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, and Stewart; Noes: Supervisors Walker and Flynn.

The Chairman directed the Chief Administrative Officer to review the courier-messenger service and schedule a Policy Review Session with interested County departments regarding same.

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The Agricultural Commissioner recommended the Chairman be authorized to sign the following:

- a. Agreement with the South Lake Tahoe Humane Society, Inc., for aid in the enforcement of the County Animal Control Ordinances and for maintenance of a County animal shelter at South Lake Tahoe;
- b. Lease with the South Lake Tahoe Humane Society, Inc., for lease of real property, commonly known as Lot 41 in Tahoe Paradise Unit No. 51, and all appurtenances and improvements, including personal property at said premises.

The Board agreed to two changes in the proposed Agreement (a.):

1. Paragraph 7 amended to delete the last sentence and the next-to-the-last sentence amended to read: "All revenues collected by the Society will remain as property of the Society."; and
2. Paragraph 8 amended to read: "The Agricultural Commissioner shall monitor this contract for compliance, and during any absence of the Agricultural Commissioner, the Director of Animal Control shall act in his stead."

Representatives of the South Lake Tahoe Humane Society, Inc., present this date, concurred in the changes.

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board approved the Agreement (a.) as amended, with direction that, if the Agreement is not signed by the Humane Society by August 1, 1983, no further payments will be made to the Society and the Agreement will be null and void, and the Chairman is not to sign the Agreement until after the Humane Society signs it.

On motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the Humane Society was requested to provide the Agricultural Commissioner a schedule for repayment of the Society's \$4,000 outstanding debt to the County.

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the matter of the Lease (b.) was continued to July 26, 1983, to allow County Counsel an opportunity to review previous leases and the possibility of including County vehicles used by the Society in said Lease.

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RESOLUTION NO. 189-83 was adopted, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, granting jurisdiction to the El Dorado Irrigation District to conduct a special assessment district to fund preliminary steps leading toward the expansion of water and sewer facilities in the El Dorado Hills area (Assessment District No. 3, Phase 1), as requested by Attorney Robert Brunsell of Sturgis, Ness, Brunsell & Sperry and Mr. Ed Santa Rosa of CH2MHill.

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Mr. Gary L. Black was present to speak to his request for assistance in securing a utility easement to his newly constructed residence at the end of Scott Road in Coloma.

429
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board Clerk and County Counsel were directed to set a public hearing on the matter and notify all parties involved.

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SPECIAL ORDERS

PLANNING MATTERS

57-6
Hearing was held as duly advertised to consider an Amendment to the County General Plan in the Rescue area from Residential Agricultural Ten-Acre to Residential Agricultural Five-Acre, consisting of 15.38 acres, initiated by the El Dorado County Planning Commission on lands owned by Henry Reiter. The Planning Commission recommended approval based on the following reasons:

1. The request is consistent with the General Plan policies;
2. Adequate services are available for the density proposed;
3. The land is in choice agricultural soils within the Long Range Land Use Plan but meets Section III, Agricultural Goals and Policies (B) 1, 2, and 3, which are findings for allowing a change in land use.

The applicant was present to respond to questions.

Two area residents, Pamela Duchek and Kathleen Cozart, were present and stated they would not object to Mr. Reiter having one 5-acre parcel where his residence is located, but want the remaining 10 acres to be one parcel, not split into two more 5-acre parcels. They fear that neighboring properties would then "break up" into 5-acre parcels.

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

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board approved the Negative Declaration and declared its intent to approve the Amendment to the County General Plan as requested, based on the reasons of the Planning Commission. (See Minutes of July 26, 1983, for Resolution No. 199-83 amending the County General Plan accordingly.)

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Hearing was held as duly advertised to consider the following:

- 57-6
205-31-83
- a. Amendment to the County General Plan in the Rescue area from Residential Agricultural Ten-Acre to Residential Agricultural Five-Acre, consisting of 26 acres, petitioned by V.L., B.J., and P.L. Piatt; and
 - b. Rezoning of said lands from Estate Residential Ten-Acre Zone to Estate Residential Five-Acre Zone.

The Planning Commission recommended denial based on the following reasons:

1. The properties are isolated from similar land use designations and zoning as requested by the applicants;
2. Policies (a) and (b) of the Rescue Plan indicate that low density and rural atmosphere is the primary objective; and for these reasons, the Committee recommended that parcels be zoned to the lowest parcel size.

Mr. Vern Piatt and his son, Pat Piatt, were present and spoke to their request.

There were no written or verbal protests, 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 and denied the requested General Plan Amendment and Rezoning.

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Hearing was held as duly advertised to consider the following:

- 57-6
205-31-83
- a. Amendment to the County General Plan in the Shingle Springs area from Commercial and Single Family Residential Medium Density to Commercial, consisting of 11.4 acres, petitioned by Raj Kumar; and
 - b. Rezoning of said lands from One-Acre Residential Zone to General Commercial and Limited Multi-Family Residential Zones.

The Planning Commission recommended denial based on the following reasons:
General Plan

1. Limited service connections exist for both sewer and water;
2. Preliminary traffic analysis indicates that South Shingle Road would be approaching capacity upon buildout; and no methods exist under a zoning application committing to participation for necessary road improvements once the zoning request is approved; and
3. The observation that was identified during the August 13, 1981, hearing still applies: The request is in conflict with the existing Policies 1 and 2 of the Shingle Springs Area Plan which read: "1) The landowners and residents of Shingle Springs are dedicated to maintaining a rural atmosphere of the area. There is a strong desire for open space, scenic beauty, privacy and old-fashioned country living; 2) Commercial development shall be incorporated into the central portion of the Plan Area south of Highway 50 to establish compact rather than scattered development; 4) The newly formed Assessment District No. 4 within the Shingle Springs area, will probably result in intensifying land uses to off-set property owners assessments to pay for sewer improvements; 5) Existing land use patterns indicate the request is premature. The current zoning surrounding the property is R1A, Single Family Residential, One-Acre to the south and east and C, Commercial to the north and west."

Zoning

1. The request is not in compliance with the El Dorado County General Plan. The request for change is located south of the core commercial area for Shingle Springs. The request begins the expansion of commercial use activity into residential areas.

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Mr. Raj Kumar, applicant, was present but did not wish to speak to this request.

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

On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board concurred in the reasons of the Planning Commission and denied the requested General Plan Amendment and Rezoning.

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Public hearing was held and closed on July 5, 1983, and the decision of the Board continued to this date, on the following:

- 374
198-33-73
311-7a
- a. Amendment to the County General Plan in the Pleasant Valley area from Rural Residential Agricultural Ten to One Hundred Sixty-Acre to Single Family Residential Medium Density, consisting of 9.5 acres, petitioned by Arthur Brewer; and
 - b. Rezoning of said lands from Estate Residential Ten-Acre Zone to Single Family Residential Two-Acre Zone.

The Planning Commission recommended approval of the General Plan Amendment as requested, and rezoning of the lands to R3A, Single-Family Residential Three-Acre Zone, based on the following reasons:

General Plan

1. Single-Family Residential-Medium Density land use would be an expansion of the same use and density of land to the north and the land identified in this application is capable of further development.

Rezoning

1. The rezoning is consistent with the General Plan.

Mr. Homer Banks, engineer, was present to respond to question of the Board on behalf of the applicant, Mr. Brewer, who was also present.

Mrs. Mildred Mulder, the neighbor who spoke at the hearing regarding her concerns about the excavation that has already been done on the site, was also present to respond to questions of Board members.

Mr. Banks advised that a grading permit was obtained July 18, 1983, and the required erosion control measures contained therein will be accomplished. Mr. Banks also requested, on behalf of the applicant, a variance to County Ordinance Code requirements to allow a 250-foot site distance to the north of the road encroachment onto the County road, rather than the 300-foot site distance required, as he was advised by the Public Works Department that such a variance is required for an encroachment permit to be issued under those conditions. (Mr. Banks was advised by the Board to make separate, written application to the Board for said variance.)

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 concurred in the reasons of the Planning Commission; accepted the Negative Declaration; declared its intent to approve the requested General Plan Amendment (see Minutes of July 26, 1983, for Resolution No. 199-83 amending the County General Plan accordingly); and approved rezoning of said lands to R3A, Single-Family Residential Three-Acre Zone, (with the applicant's concurrence) by adoption of ORDINANCE NO. 3374 which amends the County Zoning Ordinance accordingly, to become effective 30 days following the effective date of the General Plan Amendment.

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782-4-69
On July 5, 1983, the Board considered the Appeal of Dan Hamilton on the Planning Commission's revocation of Special Use Permit No. 71-82 for a recreational campground including 115 open campsites, 10 cabins, related office and stores, playgrounds and amphitheater on 38 acres zoned Recreational Facilities in the Lotus/Coloma area; the hearing was closed; and the decision of the Board was continued to this date.

In a letter dated July 15, 1983, Mr. Hamilton withdrew his Appeal, due to the fact that the Planning Commission granted him a new special use permit on July 14, 1983.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Board accepted the appellant's withdrawal of the Appeal, and the matter was removed from the Agenda.

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ASSESSMENT AND SPECIAL DISTRICTS

County Service Area No. 2

61-2
Seated as the Board of Directors of County Service Area No. 2, the Board conducted a public hearing to consider the following:

- a. Placement of a \$100 assessment fee on all parcels of land within the boundaries of Zone A, Arrowbee Ranch Estates Area, of Service Area No. 2 for road maintenance for the 1983-84 Fiscal Year; and
- b. Appointment of the following to the Zone A Advisory Board for the 1983-84 Fiscal Year: Ronald A. Gatten, Anton Stinauer, Gary Brewer, Willard McKee, Gary Straus, and Sandra Bennett.

Sandra Bennett and Gary Brewer were present and spoke on behalf of the Service Area A Property Owners Association, and Mr. Brewer submitted a report on how the assessment fee monies were spent in fiscal year 1982-83.

Harry Nash, Joe Winslow, Ron Gatten, Willard McKee, and Bonnie Brewer, area residents, were present and spoke in favor of the requested assessment, although Mr. Nash stated he is concerned about how the money has been spent in the past and feels it could be better spent for better quality work.

Jane Cavanaugh and Sid Friedman, area residents, were present and spoke in opposition to the assessment fee of \$100 due to the lack of quality roadwork being done, as well as the Property Owners Association's method of operating and its lack of notice to all property owners for their vote in the issue.

The Board received a letter from Mr. Wilmer F. Cline, area resident, in support of the \$100 assessment fee. Letters are also on file from some of those residents who spoke this date.

The Chairman closed the public hearing.

On motion of Director Flynn, seconded by Director Dorr, and unanimously carried, the Board adopted RESOLUTION NO. 190-83 establishing a \$100 assessment fee on all parcels of land with the boundaries of Zone A, Arrowbee Ranch Estates Area, of County Service Area No. 2 for road maintenance for 1983-84 Fiscal Year; and appointing the following to the Zone A Advisory Board for said Fiscal Year: Ronald A. Gatten, Anton Stinauer, Gary Brewer, Willard McKee, Gary Straus, and Sandra Bennett.

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Seated as the Board of Directors of County Service Area No. 2, the Board conducted a public hearing to consider the following:

- 61-2
- a. Placement of a \$100 assessment fee on all parcels of land in the boundaries of Zone B, Hidden Lakes Estates Area, of County Service Area No. 2 for road maintenance for the 1983-84 fiscal year; and
 - b. Appointment of the following to the Zone B Advisory Board for the 1983-84 Fiscal Year: Gary Beauchamp, Tom Menefee, Manuel Cereceres, Warren Radekin (alternate), and Wesley Lindquist (alternate).

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

On motion of Director Flynn, seconded by Director Lowe, and unanimously carried, the Board adopted RESOLUTION NO. 191-83 establishing a \$100 assessment fee on all parcels of land in the boundaries of Zone B, Hidden Lakes Estates Area, of County Service Area No. 2 for road maintenance for the 1983-84 Fiscal Year; and appointing the following as members of the Zone B Advisory Board for said Fiscal Year: Gary Beauchamp, Tom Menefee, Manuel Cereceres, Warren Radekin (alternate), and Wesley Lindquist (alternate). ✓

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GENERAL ORDERS

59 In a letter dated July 19, 1983, the El Dorado County Fair Manager advised the the Fair Association Board of Directors plans to enter into an agreement with the City of Placerville for security at the 1983 County Fair, and the Fair Board requested the County assist in the financing of this unbudgeted expense which is estimated not to exceed \$2,000.00.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board voted to contribute one half of the cost, up to \$1,000.00, from the Board of Supervisors' budget (Transportation and Travel Account). ✓

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(132) 22-11A On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the Board approved a "Policy on Approval of Building Permits on Existing Parcels Where Severe Conditions Exist for Sewage Disposal Systems" (Draft #4), as formulated by a Board-appointed committee and submitted by the Director of Environmental Health. ✓

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150 (132-A) At the recommendation of the Building Department, and on motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, RESOLUTION NO. 187-83 was adopted, amending Resolution No. 401-81 to allow for the collection of permit fees for mobilehomes installed on residential property with conventional foundation systems. ✓

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119 County Counsel advised that under certain provisions of the Social Security Act as implemented by Section 22017 of the Government Code, payment of compensation to employees who are on approved leaves of absence on account of sickness may be excluded from wages which are subject to payment of the Social Security tax; therefore, the Board took the following actions to make a claim for refund on behalf of the County of El Dorado and its employees for the year 1980, on motion of Supervisor Lowe, seconded by Supervisor Walker and unanimously carried: ✓

- a. Adopted RESOLUTION NO. 188-83 authorizing the establishment of a system, and a Plan or System, pursuant to said Section of the Government Code;

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- b. Authorized the Auditor-Controller to process the claim for refund, and upon receipt of same, to process the refunds to the employees;
- c. Authorized the Auditor-Controller to pay the invoice, in the amount of \$11,207-62, which was submitted by Management Resource Controls for professional consulting services relating to a claim for refund when same is received by the County.

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At the recommendation of the Planning Department, and on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the Board approved the transfer, with conditions, of River Use Permit No. 83-04, Sierra Mac River Trips, from Martin McDonnell to Bruce Budman of Riff Raft Drifters (River Use Permit No. 83-54). ✓

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57-2
The Planning Director recommended the Board approve the request of the Planning Commissioners that they be permitted to participate in the County's Health Insurance Program.

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N.S.
On motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried, the Board approved the request, with the understanding that the Commissioners will pay the total cost of the insurance coverage with no contribution by the County.

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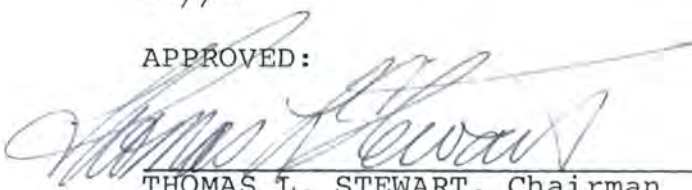
95
At the recommendation of the Planning Director, and on motion of Supervisor Flynn, seconded by Supervisor Walker, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Flynn, and Stewart; No: Supervisor Lowe, the bid for installation of four composting toilets in two locations along the South Fork of the American River was awarded to the sole bidder, Knutsen Builders, in the amount of \$18,250.00; and the Board authorized the Planning Department to accept the offer of El Dorado Professional Outfitters to maintain the composting toilets for a fee of \$50 per trip to accomplish same. ✓

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There being no further business, the Board adjourned to Tuesday, July 26, 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 Daniel J. Foote
Deputy Clerk