

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES August 16 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 Supervisor Flynn.

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The Pledge of Allegiance to the Flag was led by Mr. Robert A. Laurie, Chief Assistant County Counsel.

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The Agenda was adopted, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, with five additions: Personnel Director's request to advertise job openings at South Lake Tahoe in the Tahoe Tribune; Resolution commending the Fair Manager and Fair Board for the extremely successful 1983 County Fair; Thomas W. "Tom" Millham's appointment to the County Fish and Game Committee; County Training Program's request for deobligation of a portion of its State subgrant funds; and Resolution of the County Redevelopment Agency receiving the preliminary plan for the Missouri Flat-Diamond Springs Redevelopment Project.

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The Minutes of August 9, 1983, were approved as submitted, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried.

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

117 Budget Transfer No. 20 was approved, transferring \$7,670.00 from the Placerville Justice Court Budget, Extra Help Account, to the Jail Budget, Extra Help Account, to cover the cost for a Reserve Sheriff's Deputy to serve as bailiff when needed in the Placerville Justice Court.

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117 Budget Transfer No. 19 was approved, transferring \$900 from the District Attorney's Professional and Specialized Services (2180) to Fixed Assets (3370) for purchase of a typewriter for a contract Steno II position employee.

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295 A The Board approved Assessment Roll Changes numbered 1375, 1387, 1388, 1394, and 8137 through 8142.

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41-4 RESOLUTION NO. 217-83 was adopted authorizing an action for the recovery of County funds paid out for Western Slope Ambulance (County Service Area No. 7); Lake Tahoe Ambulance; and Public Defender, Library, and Welfare Departments.

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58
At the recommendation of County Counsel, the Board denied the claim for personal injuries, in the amount of \$1,000,250.00, filed by Attorney Larry L. Dixon on behalf of Breed Pinneta.

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58-1
At the recommendation of County Counsel, the Board denied the claim for property damage, in the amount of \$217.62, submitted by Dorothy Kalen.

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The Chairman was authorized to sign a contract between the Superior Court and Donald M. Dezzani, Inc., and Beverly, Riley, Petersen & Combellack for professional services for defense of Justice and Superior Court matters where the Public Defender has a local conflict of interest, on the western slope of the County, at a total cost of \$28,975 for non-death penalty case services, and \$50 per hour, \$300 per day for actual trial time and additional costs as approved by the Presiding Judge of the Superior Court for death penalty case services. (Contract for period of one year.)

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296-4
At the recommendation of the Public Works Department, the Board took the following action regarding repair of storm damage on Salmon Falls Road at Sweetwater Creek (Project No. 3045):

- a. Authorized the Chairman to sign an Agreement of Entry, with conditions, with Daniel J. Louis and Walter Biggs, to obtain an imported borrow site for the acquisition of material necessary to repair the shoulder area at Sweetwater Creek;
- b. Approved contract documents, and authorized advertisement for bids, to be opened on September 1, 1983, at 2:00 p.m., with award by the Board on September 6, 1983.

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423
At the recommendation of the Public Works Department, the Board authorized release of the Performance Bond for Diamond Development Subdivision, in the amount of \$59,064.50, which was held for one year to guarantee workmanship and materials.

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246-5
At the request of the Public Works Department, the Board approved the Preliminary Report and Escrow Statement, in the amount of \$3,504.00 for purchase of real property owned by Velton B. and Maxine Price for right-of-way for the Mt. Aukum Road Bridge Reconstruction Project at River Pines (Project 3027), at a cost of \$3,320.00, and authorized the Chairman to sign the following relating to same:

- a. Agreement with Velton B. and Maxine Price for said purchase;
- b. Certificate of Acceptance of Grant Deed for said real property;
- c. Claim, in the amount of \$3,475.09.

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165-2
The Chairman was authorized to sign a one-year contract with Michelle Marie Alberty for stenographic services to the Family Support Division of the District Attorney's Office, at a cost of \$5.742 per hour.

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214
At the recommendation of the Probation Department, the Chairman was authorized to sign an Agreement with the Counties of Solano, Yolo, and Colusa, for use of Fouts Springs Boys' Camp, at a cost of \$1,219.00 per month per ward for Fiscal Year 1983-84.

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341-1
RESOLUTION NO. 218-83 was adopted, at the recommendation of the Agriculture Department, authorizing the Chairman to sign an Agreement with the State Department of Food and Agriculture for apiary assessment funds, not to exceed \$333.00, for bee disease control for Fiscal Year 1983-84.

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114-4
Bid No. 110-483, two intermediate sedans for the Health Department, was awarded to the low bidder, Shehadi Motors, Inc., of South Lake Tahoe, in the amount of \$15,688.00 including tax.

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423
RESOLUTION NO. 219-83 was adopted, setting a public hearing for September 13, 1983, at 2:15 p.m., to consider the abandonment of the public utilities easement between Lots 279 and 286 in Lakehills Estates Unit No. 3 Subdivision in the El Dorado Hills/Salmon Falls area, as requested by John Hallimore and Andrew Jackson (Agent: Jorgen Olsen, Western National Realtors) and recommended by the Planning Commission.

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423
RESOLUTION NO. 220-83 was adopted, setting a public hearing for September 13, 1983, at 2:15 p.m., to consider abandonment of the public utilities easement between Lots 14 and 15 in Diamond Place Subdivision in the Diamond Springs/El Dorado area, as requested by Edward Mac Kay (Agent: Harold Prescott, Jr.) and recommended by the Planning Commission.

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123-12
RESOLUTION NO. 221-83 was adopted, setting a public hearing for September 20, 1983, at 2:30 p.m., to consider the formation of the Showcase Community Services District.

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303
RESOLUTIONS NOS. 222-83, 223-83, 224-83, and 225-83 were adopted, to provide property tax revenues to the El Dorado Irrigation District for annexation of the Sajad Janmohammed (EID 83-05), Edward and Ann Dolder (EID 83-08), Robert S. Brock (EID 83-09), and Carlos and Jessie Yelinek, et al (EID 83-10) properties in accordance with AB 8 negotiations.

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183
(170)
The Chairman was authorized to sign a contract between the Superior Court and Kim Dodge for professional services for defense of Justice and Superior Court matters where the Public Defender has a local conflict of interest, in the Lake Tahoe Basin, effective September 20, 1983, at a total sum of \$33,000 for non-death penalty case services, and \$50 per hour, \$300 per day for actual trial time and additional costs as approved by the Presiding Judge of the Superior Court for death penalty case services, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Flynn, and Stewart; No: Supervisor Lowe. (Contract for period of 11 months.)

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216-4
Pony Express
Pavement Overlay
Shoulder Widening
Drainage Improvements
At the recommendation of the Public Works Department, the Chairman was authorized to sign Change Order No. 1 to the contract with Granite Construction Company for the Pony Express Pavement Overlay, Shoulder Widening, and Drainage Improvements Project (No. 3063), to furnish flagmen to provide for passage of public traffic through the work, increasing the cost of the project by \$15,000.00, on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried.

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12-14
(164-7)
(109)
On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Board set the following Policy Review Sessions for Wednesday, August 17, 1983:

- a. 2:30 p.m. - regarding alternatives for managing the County's communication systems;
- b. 3:45 p.m. - regarding the Cameron Park Airport.

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(326)
50-14
At the request of the Area Agency on Aging, the Board voted to support Senate Bill 134 (Mello/Torres) which will provide funds, in the amount of \$350,000.00, for the establishment of Adult Day Health Care Centers, and directed that the Assembly Ways and Means Committee be so notified prior to August 17, 1983, on motion of Supervisor Walker, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Lowe, Walker, and Stewart; Noes: Supervisors Dorr and Flynn.

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213
The Chairman was authorized to sign a letter to Governor Deukmejian, drafted by the Chief Administrative Officer and amended by the Board this date, requesting suspension of the deflator in the State Budget for Fiscal Year 1983-84 and distribution of the \$607 million to local governments, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried.

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(151-9)
115
On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Board approved the request of the Welfare Department for waiver of the County's Nepotism Policy, and authorized said Department to hire the half sister of an employee in the Placerville office to fill a Homemaker position at the South Lake Tahoe office.

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115
The request of the Personnel Director, to advertise job openings in County offices at South Lake Tahoe in the Tahoe Tribune rather than the Lake Tahoe News, which was awarded the bid for legal and classified advertising for 1983, was referred to County Counsel to review the County's legal position as far as making such a change, on motion of Supervisor Walker, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Walker, and Stewart; No: Supervisor Flynn.

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132
The Board reconsidered its action of August 9, 1983, wherein Mr. Steve Bock was directed to reinstate his building permit (No. 24557) under terms of Section 15.16.130(4) of the Ordinance Code and pay the fee required for same, in order to complete his home near Shingle Springs.

On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the matter was referred to Supervisor Dorr to work with the County Building Official and Mr. Bock to resolve the matter.

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59
RESOLUTION NO. 228-83 was adopted, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, commending the Board of Directors of the El Dorado County Fair Association, and the Fair Manager, Susan Clark, and her entire staff, for conducting an extremely successful 1983 County Fair much to the benefit of the entire El Dorado County community.

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337
On motion of Supervisor Lowe, seconded by Supervisor Stewart, and unanimously carried, the Board appointed Thomas W. "Tom" Millham to the County Fish and Game Committee.

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22-1
At the recommendation of the Health Department, and on motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Chairman was authorized to sign the following:

- a. Agreement with the State Department of Health Services, for funds in a maximum amount of \$111,589.00, for participation in the County Medical Services Program for medical care to medically indigent adults, for Fiscal Year 1983-84; and
- b. Letter of Transmittal, stipulating the Board considers said Agreement as an Agreement of adhesion, and El Dorado County accepts responsibility for medically indigent adults only insofar as the State provides funding to cover costs of the program.

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50-6
At the request of County Training Programs, and on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign a letter to the State CETA Office requesting deobligation of County Training Program subgrant funds, in the amount of \$40,427.00, reducing said Programs' budget from \$989,763.00 to \$949,336.00, for period October 1, 1982, to September 30, 1983.

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The Board recessed to convene as the Board of Directors of the County Redevelopment Agency (see Page 13 of said Agency's Minutes), then reconvened as the Board of Supervisors.

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296-4
13 Green Valley Hill
Mr. Steve Jackson of the Public Works Department reported on the availability of funds to place traffic signals at the intersection of Green Valley Road and Francisco Drive in El Dorado Hills, as requested by Jane Anker, Norbert Blaszkowski, and John and Mary Uhri.

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, the Public Works Department was requested to look into the possibility of constructing a pedestrian crosswalk at subject intersection, as children will be crossing Green Valley Road to the new Green Valley School in the Fall; and also look into the possibility of a warning light on Green Valley Road just before the crest of the hill approaching Francisco Drive, or a reduction in the speed limit on Green Valley Road in the area of this intersection; and report back to the Board on August 30, 1983.

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80-2
Attorney Patrick J. Riley was present to respond to Board members' questions on the Summary Plan Description for El Dorado Disposal Service, Inc.'s Profit Sharing Retirement Plan prepared by Benetech, Inc., as requested by the Board on April 19, 1983, when approving the garbage collection rate increase requested by El Dorado Disposal Service, Inc.

The Summary Plan and Description was received and filed, on motion of Supervisor Flynn, seconded by Supervisor Lowe, and unanimously carried. ✓

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65
At the request of Francis E. Leighton, and on motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, RESOLUTION NO. 226-83 was adopted, designating the Rose Springs Literary Society Building (Rescue Post Office Building) in Rescue to be a County Historical Building. ✓

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53-2
Mr. John Wynn of the South Lake Tahoe Chamber of Commerce was present to speak to the Chamber's request for funds, in the amount of \$2,500.00, as El Dorado County's cost for participation in the Fall and Spring Litter and Trash Cleanup Program for Fiscal Year 1983-84, which will be available to all residents in the south shore area.

On motion of Supervisor Lowe, seconded by Supervisor Dorr, and unanimously carried, the Board accepted Mr. Wynn's offer this date to withdraw the request at this time; and the Chief Administrative Officer was requested to bring the matter back before the Board during hearings on the County 1984-85 budget. ✓

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On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Board continued to August 23, 1983, the matter of petitions submitted by Patricia Schneider, signed by twenty-eight persons recommending the following relating to the significant increase of child molestation in the community:

- 22-7
- a. County co-ordinator be appointed to bring together various agencies relating to children's welfare;
 - b. The book, We Have a Secret, by Lloyd Martin and Jill Haddock, be placed in local libraries;
 - c. Program patterned after the community "Neighborhood Watch" Program be implemented; and
 - d. Training classes be offered by County agencies to educate parents in detecting sexual exploitation of their children.

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SPECIAL ORDERS

PLANNING MATTERS

282-6-83
Hearing was held as duly advertised to consider the Appeal of Jean Stirtan, et al, on the Planning Commission's granting of Special Use Permit No. 83-02 to Melvin Hamilton for a recreational campground including 110 campsites, 6 cottages, an office, general store, pool, stable, and restroom and shower structures on 38 acres zoned Recreational Facilities in the Lotus/Coloma area.

Mrs. Jean Stirten was present and stated that the special use permit was approved by the Planning Commission on July 14, 1983; there was a sewage spill at Camp Coloma on July 16, 1983; and she and the other appellants filed the Appeal on July 21, 1983, based on that sewage spill. She further stated that they are prepared this date to discuss the Camp's non-compliance with certain conditions of the special use permit.

Mr. Dave Brizzell, one of the appellants, spoke on behalf of the Appeal and submitted a letter from Mr. Vern Bickford. Mr. Bickford's home is about 80 feet from the river's edge, directly across the river from Camp Coloma; and he complained that commercial rafts have been "putting in" and "taking out" on the beach at Camp Coloma, in violation of the special use permit.

After much discussion of this issue, it was clarified by the Planning Director that the Planning Commission's definition of "putting in" and "taking out" is passengers arriving by bus, then "putting into" the river in their rafts, or passengers arriving by raft, then "taking out" and leaving the area by bus. That is not occurring at Camp Coloma. What Mr. Bickford is referring to is private and commercial rafts "beaching" at Camp Coloma, that is, arriving and departing in their rafts.

Robert and Jane Harvey, riparian land owners, were also present and voiced their objection to the inadequate sanitation facilities at Camp Coloma.

Finn and Betty Schmidt, who live on property adjacent to Camp Coloma, were present and spoke to their dispute with Mr. Hamilton about the property boundaries, as well as problems that occur as a result of the increased commercial use of the Camp. Mr. Finn stated that there is a trailer on the Camp property, in view from his property, in which he believes someone is living year-around in violation of condition number 10 on the special use permit.

Mr. Dan Hamilton was present and spoke to his commercial operation at Camp Coloma. Also speaking on behalf of Mr. Hamilton was Dean Hawthorne of Camp Coloma, and Mr. Bill Rothaus, engineer, who works for Mr. Hamilton for the purpose of keeping the Camp's sanitation facilities in compliance with the special use permit. Mr. Hawthorne and Mr. Hamilton advised that, as much as they try, they cannot keep the rafters from "beaching" on their property. Many of the trespassers even get belligerent when asked to leave. They acknowledged that the sewage spill did occur on July 16, 1983, and advised they have taken steps to prevent another such occurrence.

Mr. Ron Duncan, Director of County Environmental Health, was present and spoke to the sewage spill, advising it did occur, was identified, and the situation corrected to his satisfaction.

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

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While reviewing the 22 conditions the Planning Commission placed on the special use permit, the Board voted to amend condition number 3(f) to read as follows: "Acceptable method of areation will be provided in the secondary pond."; on motion of Supervisor Stewart, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, and Stewart; Noes: Supervisors Lowe and Walker.

By consensus, the Board also agreed to amend condition number 21 to read: "Rafts shall not be permitted to beach on the subject property for the purpose of using campground facilities."

By consensus, the Board also agreed to amend condition number 22 to read: "This permit shall be subject to review by the Planning Commission on or before February 1, 1984, to certify compliance with the above conditions."

The Planning Director also advised that, if the special use permit is approved by the Board, the month "August" should be replaced with the month "September" in conditions numbers 6 and 7, and the Board concurred.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Flynn, and Stewart; No: Supervisor Walker, the Board denied the Appeal; approved the Negative Declaration as filed; and approved Special Use Permit No. 83-02, subject to the 22 conditions proposed by the Planning Commission, with conditions numbers 3(f), 6, 7, 21, and 22 amended as stated above, based on the following findings:

1. The establishment of this use is authorized by Section 17.48.060 of the RF, Recreational Facilities, Zone;
2. The use, as conditioned, will not be detrimental to the public health, safety and welfare of the public.

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Hearing was held as duly advertised to consider the following:

- a. Cancellation of Agricultural Preserve No. 137 in the Greenwood area, consisting of 258.23 acres, requested by Morse Trusts Company; and
- b. Rezoning of said lands from Exclusive Agricultural Zone to Estate Residential Ten-Acre and Residential Agricultural Twenty-Acre Zones.

The Planning and Agricultural Commissions recommended denial of the cancellation of the Agricultural Preserve; and the Planning Commission also recommended denial of the rezoning.

Attorney Patrick Riley was present and spoke on behalf of the applicant, and advised that the applicant agreed at the Planning Commission hearing to accept rezoning of the property to RA-20 Zone with PD, Planned Development Overlay.

Also present to speak on behalf of the applicant was Jerry Van Ryan, who holds college degrees in animal husbandry and farm management, is a teacher at Sierra College, and has leased the subject property for the last seven years to graze cattle and provide a training ground for his students; and Mr. Fred Barber, a land planner, who submitted topographic maps of the subject property and spoke to same. Mr. VanRyan spoke to the inadequate soils in relation to agricultural pursuits on the property, and Mr. Barber spoke to the slopes and appropriate development of the property into 20-acre parcels.

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1983

Mrs. Joyce Gates, who lives with her family on 320 acres across Highway 193 from the subject property, was present and spoke in favor of the cancellation and rezoning. Mrs. Gates advised that she has "walked" the property, and agrees that it is not, and never will be, a gainful agricultural preserve.

Mrs. Ruth Loeffelbein, representing the Environmental Protection and Information Council, was present and spoke in opposition to the cancellation and rezoning.

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

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 Board took the following action:

- a. Approved the Negative Declaration, and approved the tentative cancellation of Agricultural Preserve No. 137 in the Greenwood area, consisting of 258.23 acres, to become final upon payment of the cancellation fee, based on the following findings:
 1. The request is consistent with the General Plan, including the criteria set forth in the Long Range Plan; and
 2. The request will not result in "leapfrog" development.
- b. Approved the Negative Declaration, and approved the rezoning of said lands to RA-20 Zone with PD, Planned Development Overlay, by adoption of ORDINANCE NO. 3387, to become effective 30 days after the final cancellation of Agricultural Preserve No. 137, based on the finding the zoning is consistent with the General Plan.

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Hearing was held as duly advertised to consider the formation of the Mother Lode Recreation District, an Area of Benefit within County Service Area No. 9, which will include the Mother Lode, Gold Oak, Pioneer, and Indian Diggins School Districts.

Mrs. Gaby Box, Administrative Assistant in the Planning Department, was present and reviewed the matter for the Board, advising that petitions for the formation were signed by more than 100 registered voters within the proposed zone boundary as required.

Mr. Jack Sweeney and Mr. Chris Payne of Diamond Springs were present and spoke in favor of the formation. There were approximately one dozen people present who raised their hands in favor of the formation, and no one present who was opposed.

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

On motion of Supervisor Walker, seconded by Supervisor Lowe, and unanimously carried, RESOLUTION NO. 227-83 was adopted forming an Area of Benefit within County Service Area No. 9 to be entitled "Mother Lode Recreation Tax Zone"; and the Board approved the Negative Declaration as filed for same.

Further, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried, the following persons were appointed to an Advisory Committee for said Zone: Erol Harnage, Linda Parham, and Chris Payne, representing the Mother Lode School District; Suzanne Briggs, Judy Vasquez, and Sherri Slightam, representing the Gold Oak School District; Jerry Fenno, Terry Zode, Nancy Temple, and Hugh Hayden, representing Pioneer School; and Bruce Ligon, representing Indian Diggins School.

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County Counsel reported on the matter of the Federal Emergency Management Agency's information regarding El Dorado County's participation in the National Flood Insurance Program.

411
On motion of Supervisor Dorr, seconded by Supervisor Lowe, and unanimously carried, the matter was referred to the Planning Director for more in-depth analysis. Note: Questions of Board members include: How much will it cost to implement? Is there any reason the County should not get involved? Can the County get involved by areas, rather than the whole County at one time?

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61-1
Consideration of Policies for County Service Area No. 9 was continued to August 23, 1983, on motion of Supervisor Walker, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Lowe, Walker, and Flynn; Abstain: Supervisor Stewart.

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GENERAL ORDERS

21-12
At the recommendation of the Airports Department, the Chairman was authorized to initial a change in the Lease with Sahara Tahoe for advertising space at the Lake Tahoe Airport; said change to increase the space from 20 square feet to 40 square feet, and the cost from \$100 per month to \$200 per month; on motion of Supervisor Stewart, seconded by Supervisor Dorr, and carried by the following vote: Ayes: Supervisors Dorr, Walker, Flynn, and Stewart; No: Supervisor Lowe.

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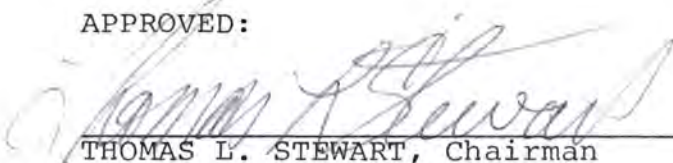
406-5
On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Board directed that Judge Rasmussen of the Lake Valley Justice Court be requested to appear before the Board and explain why he did not comply with his plan to meet the savings required by the County's work furlough plan, and why his department over-spent its 1982-83 budget for "regular employees".

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There being no further business, the Board adjourned to Tuesday, August 23, 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 Dipie L. Foote
Deputy Clerk