

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 10 19 84

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 Lowe presided.

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

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The Pledge of Allegiance to the Flag was led by Supervisor Dorr.

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The Agenda was adopted, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, with the addition of a letter from the Apple Hill Growers regarding the new County Ranch Marketing Committee, and the removal of item number 15, a report entitled "Status of Sierra Foothills Water Management Studies", which was acted upon by the County Water Agency on January 9, 1984.

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The Minutes of January 3, 1984, were approved as submitted, on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried.

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

117 Budget Transfer No. 92 was approved, transferring \$1,500.00 from General Fund Appropriation for Contingency (9900) to Surveyor's Professional and Specialized Services (2180) to pay for emergency help to finalize and check boundaries for various special districts, for submittal to the State Board of Equalization by December 29, 1983, to meet next year's tax roll.

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117 Budget Transfer No. 93 was approved, transferring \$169,416.00 from General Fund Appropriation for Contingency (9900) to the Equipment Accounts (3370) in budgets for the Sheriff, Jail, Communications, and Coroner/Civil/Public Administrator, for the purchase of fixed assets as approved by the Board on November 22, 1983.

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270 The Board approved Assessment Roll Changes numbered 8310, 8311, 8312, and 8314.

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141-4 RESOLUTION NO. 10-84 was adopted, authorizing an action for the recovery of County funds paid out for Western Slope Ambulance (County Service Area No. 7), Pollock Pines-Camino Ambulance, Risk Management (Placerville Airport), County Clerk, Animal Control, Library, Public Defender, and Welfare Department.

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151-13 ✓
RESOLUTION NO. 11-84 was adopted discharging unpaid County Welfare accounts.

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(58) 349-1
As recommended by County Counsel, the Board rejected in its entirety, the claim for refund of secured property taxes, in the amount of \$3,419,457.00, levied for Fiscal Year 1983-84, pursuant to Revenue and Taxation Code 5096, et sequa, submitted by Allen O. Hunt on behalf of himself and all other taxpayers of El Dorado County.

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30-13
At the recommendation of the Airports Manager, the Chairman was authorized to sign a five-year Land Use Agreement with E. Dave McComas for lease of a portable hangar at the Placerville Airport.

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(57) 20
The Board approved the Planning Department's request for a continuance to February 14, 1984, for submittal of a proposed Amendment to the Airport Approach Zone District Regulations, for conceptual approval, addressing the issue of existing lots.

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242-4
44-4
21-
Upon being advised by the Public Works Department that the construction of traffic signals on Missouri Flat Road at the intersection of Forni Road (Project No. 3033) has been substantially completed according to the plans and specifications, the Board accepted the Project, and the Chairman was authorized to sign a Notice of Completion for same to be filed with the County Recorder.

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30-2
At the recommendation of the Health Department (Mental Health Division), the Chairman was authorized to sign an Agreement with the Alcoholism Council of the Sierra Nevada, in the amount of \$19,800.00, for indirect alcohol-related services at Lake Tahoe for period January 1, 1984, through June 30, 1984.

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60-8
At the recommendation of Community Programs, RESOLUTION NO. 12-84 was adopted, authorizing the Chairman to sign Amendment No. 1 to the Agreement (No. 83-834-515) with the State Office of Economic Opportunity for continuation of low income weatherization services in El Dorado County, to allow for a 10% increase in the average amount of reimbursement for Program support and labor for each dwelling weatherized; and the Chairman was authorized to initial a typographical error in said Amendment.

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102
(104-17)
(104-18)
(104-16)
(104-15)
At the recommendation of the Office of Emergency Services, the Chairman was authorized to sign Agreements with the Latrobe, Pioneer, Rescue, and Garden Valley Fire Protection Districts for reimbursement of County funds paid to the California Department of Forestry for fire dispatch services to said Districts for Fiscal Year 1983-84.

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350-2
At the recommendation of the Data Processing Division, the Chairman was authorized to sign an Addendum and a three-year Software Usage Agreement with Allinson-Ross Corporation of Toronto, Canada, for a TIP/30 software system for the County's Sperry 90/40 main frame computer.

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212
At the request of the American Red Cross, and on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, the Board declared January 7 through 14, 1984, as "CPR Week" in El Dorado County.

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74-15
At the recommendation of the General Services Division, and on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Board awarded the contract for construction of the Ponderosa Justice Court to the low bidder, Cullen Developers of Shingle Springs, in the amount of \$517,700.00, which includes alternates A through E; and the Board approved the transfer of \$10,000.00 of the project funds to the County Road Improvement Trust Fund, and authorized the General Services Division to make payments to the El Dorado Irrigation District in an amount not to exceed \$15,000.00 for water, sewer, and fire hydrant connection fees.

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22-14
On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board scheduled the following Policy Review Sessions:

- (1933)
(22)
(165)
a. February 1, 1984, at 9:00 a.m., regarding a Resolution proposed by the County Chamber of Commerce, establishing an economic development policy for El Dorado County;
b. February 1, 1984, at 10:00 a.m., regarding long-term funding for law enforcement;
c. February 1, 1984, at 11:00 a.m., for a presentation by the District Attorney regarding his department's workload and staffing;
d. February 15, 1984, at 11:00 a.m., with the Washoe Cultural Foundation Inc., regarding the construction and operation of the proposed Washoe Indian Cultural Center at South Lake Tahoe.

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326
128
(164)
Upon being advised by the Santa Cruz County Board of Supervisors that the newly established criteria of the Federal Emergency Management Agency for assistance under Public Law 93-288 would create a hardship on local communities who have experienced a disaster and are seeking assistance from the Federal Government, the Board, in concurrence with Santa Cruz County, voted to appeal to said Agency and El Dorado County's representatives in the Congress for an immediate amendment to the guidelines in order to streamline the process, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried.

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326
On motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, the Chairman was authorized to sign a letter to Assemblyman Richard Robinson, with copies to be sent to the County's legislative delegation and the County Supervisors Association of California, opposing Assembly Bill 4 (Robinson) regarding long term local government finance.

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32-141
312
On motion of Supervisor Dorr, seconded by Supervisor Stewart, and unani-
mously carried, the Board denied the request of the County Management
Employees Bargaining Unit that the Board concur with Governor Deukmejian's ✓
declaration of the third Monday of every January as a State holiday, com-
memorating the birthday of Martin Luther King, Jr., effective January 16,
1984, by declaring same as a County holiday.

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22-7
The request of the Health Department (Mental Health Division) for authoriza-
tion to add two FTE Continuing Care Worker positions to the Mental Health
Division to provide case management services for said Division's clients, ✓
and that Personnel, with the assistance of said Division, be directed to
establish an appropriate job specification and salary schedule for same,
was referred to the County's Combined Advisory Board on Alcoholism, Drug
Abuse, and Mental Health Services with a request for its recommendation, for
consideration by the Board on January 24, 1984, on motion of Supervisor
Walker, seconded by Supervisor Stewart, and unanimously carried.

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42-4
At the request of the Tahoe City Public Utility District (T.C.P.U.D.),
County Counsel was directed to prepare an appropriate Agreement to allow
T.C.P.U.D. to place its Lonely Gulch water storage tank in the center of
the cul-de-sac at the end of Brook Drive, with the stipulation that, should
the County choose to abandon Brook Drive at a future date, T.C.P.U.D. will ✓
not contest such abandonment and T.C.P.U.D. will provide access to its
water storage tank as well as to any residence on Brook Drive; said Agree-
ment to be brought back before the Board for approval; on motion of Super-
visor Stewart, seconded by Supervisor Walker, and unanimously carried.

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(64)
423
Tahoe
Lake
Rubicon
Palisades
The letter from the California Regional Water Quality Control Board,
Lahontan Region, dated December 14, 1983, advising of noncompliance with ✓
Cease and Desist Orders (Nos. 6-82-118 and 6-82-119) for Tahoe Hills and
Rubicon Palisades Subdivisions, and stating Cease and Desist Order (No. 6-
82-120) for Rubicon Properties Unit No. 2 Subdivision should also be
considered for similar improvements, was continued off calendar, on motion
of Supervisor Stewart, seconded by Supervisor Flynn, and carried by the
following vote: Ayes: Supervisors Dorr, Walker, Flynn, and Stewart; No:
Supervisor Lowe.

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(94)
The Board tentatively approved the final draft Memorandum of Understanding,
submitted by the U.S. Forest Service for comments, between the Resource
Conservation Districts, Lake Tahoe Resource Conservation and Development
Council, Forest Service, and Soil Conservation Service, establishing ✓
procedures to be followed in the implementation of the Santini-Burton
erosion control program within the Lake Tahoe Basin, on motion of Super-
visor Flynn, seconded by Supervisor Stewart, and carried by the following
vote: Ayes: Supervisors Walker, Flynn, and Stewart; No: Supervisor
Lowe; Abstain: Supervisor Dorr.

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Hearing was held as duly advertised to determine whether an abandoned vehicle, a 1958 International truck (expired California license plate number 1H94187) owned by Rosemary D. and Robert B. Eldredge, Jr., and located at the Pow Wow at Twin Bridges, should be removed and the costs of removal charged against the landowner, pursuant to Chapter 10.16 of the El Dorado County Ordinance Code.

Mr. Eldredge was present and explained how the truck got there, why it is in the condition it is in, and the difficulty in removing it at this time due to the snow conditions.

There were no requests to speak to the matter, and the hearing was closed.

On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board advised Mr. Eldredge that he has until June 1, 1984, to remove the vehicle, and, if he does not do so by that date, the County, without further notice to Mr. Eldredge, will remove the vehicle and bill Mr. Eldredge for the cost to do so.

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241-5
The request of the Lake Tahoe Humane Society, Inc., to repay the \$4,000 owed to El Dorado County at the rate of \$100.00 a month for a 40-month period, was referred to the Chief Administrative Officer to negotiate a repayment agreement with the Humane Society and bring same back to the Board, for approval, within one month, on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried.

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(53)
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At the request of the County Chamber of Commerce, and on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board authorized a budget transfer, advancing \$18,000.00 to the Chamber from funds generated by the 2% increase in the Transient Occupancy Tax which became effective January 1, 1984, for use in promoting tourism in El Dorado County for period ending June 30, 1984, and the Chief Administrative Officer was directed to draft an appropriate Agreement with the Chamber for same; and, in July, the Board will consider entering into a yearly contract with the Chamber through the budget process.

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SPECIAL ORDERS

PLANNING MATTERS

Hearing was held as duly advertised to consider the Appeal of Cleone C. Bujalski on the Planning Commission's denial of Special Use Permit No. 83-70 to allow a bed and breakfast facility on 5.225 acres zoned Estate Residential Five-Acre, in the El Dorado Hills/Salmon Falls area.

241-14
Mr. Robert A. Laurie, attorney representing the appellant, was present and advised that the site for the proposed bed and breakfast inn is within walking distance of Brown's Marina at Brown's Ravine on Folsom Lake which is used by 70,000 persons annually, and for which there is currently no such facility in the area. Mr. Laurie submitted a map of the proposed site and neighboring properties, and written support for the proposed bed and breakfast inn from two neighboring property owners, the Kellys and the McDonnells. Mr. Laurie asked that the letter to the Board from Mr. Doug Noble, dated December 8, 1983, regarding this Appeal, be stricken from the record as Mr. Laurie believes the contents of same to be irrelevant.

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Mrs. Bujalski responded to questions of Supervisor Dorr regarding the access road to her property, Hill View Drive, advising that she and her husband, and two other residence owners on the road, the Hagens and the McDonnells, have a written agreement for maintenance of the road which satisfies the El Dorado Hills Fire Department Chief, Robert Cima, who had expressed concern for emergency vehicle access to the property.

Mr. Bob Frew, who owns a residence on the parcel north of the Bujalskis, was present and stated he is opposed to the increase in traffic that will be passing his house to reach the bed and breakfast inn. Mr. Frew submitted photographs of the private road to their properties, illustrating the poor condition of the road. Mr. Frew also questioned the ability of the septic system to serve the proposed inn. Mr. Frew stated that, if the special use permit is issued, it should be conditioned upon the road being brought up to County standards, and a road maintenance agreement, and the property being served by public sewer.

Mr. Ralph Hagen, also a neighboring property owner and resident, was present and stated he is concerned that issuance of this special use permit would set a precedent for other requests for such use of other properties in the area, and he fears loss of the rural atmosphere.

Mr. Ray Olmstead, resident of the El Dorado Hills area, questioned the County's standards for commercial establishments on septic systems.

Janice Condit, Jim Zucki(?), and Nan Carson, owners of other bed and breakfast inns in El Dorado County, were present and stated their opposition to the special use permit, based on the fact that the residence to be converted into such an inn is not an historical structure.

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

The Board upheld the Planning Commission's denial of Special Use Permit No. 83-70, which would allow a bed and breakfast facility on 5.225 acres zoned Estate Residential Five-Acre, in the El Dorado Hills/Salmon Falls area, as requested by Cleone C. Bujalski, based on the incompatibility of the proposed use with surrounding land uses, as the requested use would be an introduction of commercial activity into a residential neighborhood and therefore injurious to same, on motion of Supervisor Flynn, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, Stewart, and Lowe; No: Supervisor Walker.

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Hearing was held as duly advertised to consider the Appeal of Melvin A. Hamilton on the Planning Commission's revocation of Special Use Permit No. 83-02 to allow recreational campground usage including 110 open campsites; 6 cabins; related supportive services including office building and store; pool; stable; and restroom and show facilities on 38 acres zoned Recreational Facilities in the Lotus/Coloma area. (Continued from 11/29/83)

Arlan Nickel of the Planning Department was present and reviewed the history of Camp Coloma. ✓

Dean Harthorne, representing the appellant, stated they believe they have met the conditions of the special use permit, and denied that there was a "sewage spill" at the campground in September of 1983 as reported. Bill Rothaus, engineer employed by Camp Coloma, was also present to speak to the adequacy of the septic system.

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Sheriff's Deputy Dave Supal was present and spoke to his written report on the sewage spill at Camp Coloma which he observed on September 13, 1983.

Mr. Finn Schmidt, area resident, was present and spoke in favor of the Planning Commission's revocation of the special use permit.

Mr. Ron Duncan, Director of the Environmental Health Division of the County Health Department, was present and responded to questions of Board members, stating he believes an "incident" did occur at Camp Coloma on September 13, 1983, however, he feels the issue now is to establish how future incidents can be prevented.

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

A motion by Supervisor Dorr, seconded by Supervisor Walker, to suspend Special Use Permit No. 83-02 and direct the Planning Department to revise the conditions on same to incorporate recommendations of the Health Department and revisions proposed by the Planning Department on October 20, 1983, and bring the matter back before the Board when evidence is available that Camp Coloma is in compliance with the requirements of "plans" the conditions call for, failed by the following vote: Aye: Supervisor Dorr; Noes: Supervisors Walker, Flynn, Stewart, and Lowe.

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board upheld the Planning Commission's revocation of Special Use Permit No. 83-02, issued to Melvin A. Hamilton for operation of Camp Coloma, with the stipulation that the appellant can apply for a new special use permit at any time, based on the evidence of violation of special use permit conditions 3(c) and 3(f), by lack of substantial compliance; and, because of the sewage spill of the system and long history of problems with the Camp, the Camp constitutes a public nuisance.

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At the recommendation of the Planning Commission, and on motion of Supervisor Dorr, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Walker, and Flynn; Noes: Supervisors Stewart and Lowe, the Board declared Assessor's Parcel No. 87-020-40 in Latrobe, owned by Raymond E. and Susan L. Olmstead, a non-conforming buildable parcel if all health requirements are met, based on the following reasons:

1. This parcel was created by gift deed from father to daughter and son-in-law in 1980;
2. The parcel was originally zoned RE-5 in 1971 (Ordinance No. 1101);
3. The parcel was under interim zoning initially for four months, an additional eight months, and an additional one year.

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Hearing was held as duly advertised to consider the following:

- 57-6
1/10/84
- a. Amendment to the County General Plan in the Latrobe area from Rural Residential Agricultural Ten to One Hundred Sixty-Acre, to Single Family Residential-Low Density, consisting of 12.56 acres, petitioned by Raymond E. and Susan L. Olmstead and William C. and Maxine E. McCabe; 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 request is in conflict with the Latrobe Area Plan Development Policies A-1 and C-1a, which read as follows:
 - A(1). "Exclusive Agricultural - Williamson Act properties shall be protected from conflicting land uses. A minimum 40-acre parcel size shall be maintained around these identified agricultural properties, and on these 40-acre parcels there will be a 300-foot minimum setback for all residences from the boundaries of Exclusive Agricultural properties."
 - C(1a). "Availability of public water and sewer will be provided to each parcel to be created as a result of zoning to higher density. The service shall be operated and maintained by a public utility providing the public water or sewer service."
2. The zoning request is not consistent with the General Plan.

Mr. Olmstead was present but did not speak, there were no verbal protests, and the hearing was closed.

On motion of Supervisor Flynn, seconded by Supervisor Dorr, 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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Arlan Nickle of the Planning Department reported on the progress of the restoration of the Bayley House by Ballard Development Company.

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(66)

On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, the Board directed staff to formally notify Mr. Ballard that he is in default and move to terminate the Lease Agreement with Mr. Ballard for restoration of the Bayley House; and the Board further required that Mr. Ballard post a lien bond as required by Lease Section 12.

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The hour being late, the Board continued the meeting to Wednesday, January 11, 1984, at 9:00 a.m., on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried.

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