

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 17 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 Pastor Neville Arroues, First Baptist Church of Placerville.

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

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The Board presented a plaque to Roberta Long for her service to El Dorado County as a member of the County's Commission on the Status of Women from April 17, 1979 to November 29, 1983.

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The Agenda was adopted, on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried, with the addition of the request of the County Surveyor to hire additional personnel.

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The Minutes of January 9, 10, and 11, 1984, were approved as submitted, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried.

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

The Board approved Assessment Roll Changes numbers 1651, 1653, 1654, 1656, 1660, 1661, 1662, 1668, 1672, 1675, 1678 - 1686, and 1690. ✓

\* \* \* \*

RESOLUTION NO. 14-84 was adopted authorizing an action for the recovery of County funds paid out for Mental Health services. ✓

\* \* \* \*

The Chairman was authorized to execute Releases of Lien, discharging all property encumbered by the Agreements to Reimburse the County for Public Assistance, as recorded in the official records of El Dorado County as follows:

<u>Name</u>	<u>Volume and Page</u>	
Kim Williams	2147	501
Katrina Myers	2173	156

\* \* \* \*

# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 17 19 84

58.1 As recommended by County Counsel, the Board denied the claim for property damage, in the amount of \$218.58, submitted by D. Keith Caldwell.

\* \* \* \*

58.2 As recommended by County Counsel, the Board denied the claim for personal injuries and damages, in the amount of \$100,000.00, submitted by Attorney Douglas R. Roeca on behalf of Nathaneal C. Worth.

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58.3 As recommended by County Counsel, the Board denied the claim for property damage, in the amount of \$730.34, submitted by Edward Walker.

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Upon being advised by the Public Works Department that Castlewood Subdivision Unit No. 2 has been completed in accordance with the plans and specifications, RESOLUTION NO. 15-84 was adopted accepting the streets within same into the County Maintained Road System; and the Board directed that the reduced Letter of Credit, in the amount of \$17,962.74, be extended to January 17, 1985, to guarantee workmanship and materials, and a surety, in the amount of \$89,813.70, be executed and held until July 17, 1984, to guarantee payment to laborers and materialsmen.

\* \* \* \*

2 At the recommendation of Community Programs, the Chairman was authorized to sign an Agreement, on behalf of the El Dorado County Joint Transit Agency, with Lucky Stores, for placement of a bus stop sign on its property located at 1270 Broadway, Placerville, designating same as a site for El Dorado Transit to pick up and leave passengers.

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At the recommendation of the Auditor/Controller, the Chairman was authorized to sign an Agreement with Robert Proctor & Associates, Inc., for programming services for the Welfare Integrated Earnings Clearance/Fraud Detection System in El Dorado County, at a maximum cost of \$1,900.00.

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424 At the recommendation of the County Surveyor, the Board approved the request of Eugene S. and Doris J. Borello and Thomas D. and Mary Henson, submitted by William J. Rothaus, authorizing the Chairman to sign a Certificate of Compliance for Tentative Parcel Map 77-754, as roads within same are in substantial compliance with the requirements of the Minor Land Division Ordinance.

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57.6 RESOLUTION NO. 16-84 was adopted, at the recommendation of the Planning Department, amending Resolution No. 342-83 to correct the description of parcels owned by Carlos and Jessie Yelinek, et al, in Shingle Springs, for which the General Plan was amended.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 17 1984

At the request of the State Department of Housing and Community Development, the Board took the following action:

- 21'
- a. Adopted RESOLUTION NO. 17-84 authorizing the Chairman to sign Amendment No. 2 to the Agreement with said Department (Agreement No. 80-RHC-009) for annuity funds, in the amount of \$7,822.48, for Mother Lode Rehabilitation Enterprises' (M.O.R.E.'s) Pathways Home for the Developmentally Disabled for Fiscal Year 1983-84, and to replace Exhibit "D" relating to the annuity fund payment schedule; and
  - b. Authorized the Chairman to sign Amendment No. 2 to Section 10C of the Regulatory Agreement (No. 80-RHC-009) with M.O.R.E. to read as follows: ".....The deposit to the Reserve Fund for Replacements shall be \$123.00 per month.....".

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63  
At the recommendation of the General Services Division, and on motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Chairman was authorized to sign a Letter of Agreement with the El Dorado County Chamber of Commerce for use of a 10'3" x 13' office in the Chamber of Commerce Building to house a staff member of the District Attorney's Office, for period December 1, 1983 through August 31, 1984.

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212  
At the request of Gerry Orton, Director of the South Lake Tahoe 1984 Winter Carnival, and on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board proclaimed the week of January 22, 1984, as "Winter Carnival Week" and extended invitations to everyone to attend and join in the fun.

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1244  
67  
On motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried, the Board approved a Policy Review Session, to include lunch, with the County Fair Association Board of Directors on February 14, 1984, at 12:00 noon, at which time the Fair Board will describe its 1983 accomplishments and explain its goals for 1984.

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226  
At the request of the County Supervisors Association of California (CSAC), and on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, the Chief Administrative Officer was directed to forward telegrams to members of the State Senate Finance Committee advising of this Board's opposition to Senate Bill 778 (Dills), which provides for binding arbitration in labor relations pertaining to police and fire employees.

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1144  
At the recommendation of the General Services Division, and on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried, RESOLUTION NO. 17A-84 was adopted amending Authorized Personnel Resolution No. 228-78 to decrease a full-time General Services Clerk position to a three-fourths time position.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 17 19 84

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233-1  
At the recommendation of the Risk Manager, and on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried, RESOLUTION NO. 18-84 was adopted finding and determining that James B. Doan, Jr., is incapacitated within the meaning of the Public Employees' Retirement Law for the performance of his duties in the position of Deputy Sheriff II, and that such disability is the result of injury arising out of and in the course of his employment.

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112  
229  
At the recommendation of the Chief Administrative Officer, and on motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried, the Board took the following actions on requests of the County Surveyor:

- a. Approved the hiring of two extra-help positions in the Surveyor's Office, for 30 days, to assist in completing election precinct maps;
- b. Directed that a budget transfer in the amount of \$2,500.00, transferring said funds from Contingencies to fund said positions, be brought back to the Board for approval, with direction that, in the interim, the positions be funded from the County Surveyor's existing budget;
- c. Continued to January 24, 1984, the Surveyor's request to hire one full-time clerical employee and reclassify one Surveyor Technician II to Deputy County Surveyor.

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22  
At the recommendation of the Health Department, the Chairman was authorized to sign a letter to the Alameda County Board of Supervisors requesting it change its policy regarding payment for emergency care rendered to its medically indigent adult patients outside of Alameda County, on motion of Supervisor Walker, seconded by Supervisor Stewart, and carried by the following vote: Ayes: Supervisors Walker, Flynn, Stewart, and Lowe; No: Supervisor Dorr.

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25  
33909  
At the recommendation of County Counsel, and on motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, ORDINANCE NO. 3417 was adopted amending Sections 10.16.080 and 10.16.100 of the County Ordinance Code, to make hearings for abatement and removal of abandoned, wrecked, dismantled, or inoperative vehicles optional.

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355  
Appointment of a District IV representative to the Commission on the Status of Women was continued off calendar, on motion of Supervisor Flynn, seconded by Supervisor Walker, and unanimously carried.

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428  
Catherine Aisner was appointed to the County Justice System (AB 90) Advisory Group for a term expiring October 26, 1984, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 17 1984

35  
1296-4  
10  
53  
A letter from the Douglas County Board of County Commissioners, advising of the importance of keeping Iron Mountain Road in a state of readiness due to the continuing concern over Highway 50 linking the California tourist market to Lake Tahoe, was forwarded to the County Chamber of Commerce's Transportation Council which, in conjunction with the State Department of Transportation, is studying Highway 50, on motion of Supervisor Lowe, seconded by Supervisor Walker, and unanimously carried.

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23-4  
At the request of the Tahoe Transportation District, the County Surveyor's Office was authorized to ascertain and verify said District's boundaries within El Dorado County, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, Stewart, and Lowe; No: Supervisor Walker.

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## SPECIAL ORDERS

### PLANNING MATTERS

(57)  
124  
59-11-8  
After considering the Planning Department's request for direction relating to preparation of a dredging Ordinance, the Board referred the matter to County Counsel to work with the Sheriff's Department, and any other departments deemed necessary, to draft an Ordinance addressing the problems of dredging; one suggestion being to prohibit panning and dredging within County road rights of ways; on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried.

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H23  
Cameron  
12-11-8  
Hearing was held as duly advertised to consider abandonment of the public utilities easement between Lots 1049 and 1050 in Cameron Park North, Unit II Subdivision, as requested by Ron Gough and D. Roland.

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

The abandonment was approved, and RESOLUTION NO. 19-84 adopted accordingly, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried.

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57  
After hearing public input on the proposed definitions and criteria for bed and breakfast inns in El Dorado County, which the Planning Commission adopted and recommended the Board adopt, the matter was continued off calendar, and the Planning Department and Chief Administrative Officer were requested to schedule a workshop for the Board of Supervisors and Planning Commission to address the issue within the next 30 days, on motion of Supervisor Walker, seconded by Supervisor Dorr, and unanimously carried.

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES

January 17

19 84

28-11-83  
The public hearing resumed on the Appeals of Attorney James D. Zupancic on behalf of Bruce Ashwill; Kenneth R. Stemmler, Coordinator - Mother Lode Alliance; and Jeff Freitag and Janice Marques on the Planning Commission's granting of Special Use Permit No. 83-48 to Gold Fields Mining Corporation to allow the establishment of mineral exploration operations on approximately 1,000 acres zoned Estate Residential Ten-Acre, Residential Agricultural Forty-Acre, and Exclusive Agricultural in the Shingle Springs, Diamond Springs, El Dorado, and Latrobe area.

The Chairman advised that the purpose of the hearing today is to hear the appellants' rebuttal to the presentation by Gold Fields Mining Corporation, and that representatives of Gold Fields would not be offered another opportunity to speak unless new evidence is brought forth by the appellants during their rebuttal, in which case, Gold Fields would then be given the opportunity to address said new evidence.

Barbara Ashwill spoke (representing appellant Bruce Ashwill), stating that many of her concerns were not adequately addressed by Gold Fields, that she is still concerned about use of their roads, and that her main concern is still the spring on their property. Mrs. Ashwill submitted documentation of their water rights. Finally, Mrs. Ashwill again requested that a full Environmental Impact Report be prepared by an independent agency contracted by the County.

Appellant Jeff Freitag, speaking on behalf of himself and appellant Janice Marques, rebutted testimony of Jim Buntin of Brown, Buntin and Associates, acoustical consultants, regarding noise. Mr. Freitag, too, requested that an Environmental Impact Report be prepared.

Joyce Pogue, representing Mother Lode Alliance, spoke in rebuttal to the testimony of representatives of Gold Fields Mining Corporation, and submitted her rebuttal in writing for the record. During her testimony, Mrs. Pogue raised two issues which had not been raised before: (1) The amount of money spent by Gold Fields to fight the requirement for an Environmental Impact Report; and (2) A four-year study, funded by the Ford Foundation, regarding the impact of environmental regulations on the selection of commercial and industrial sites.

Appellant Kenneth R. Stemmler also spoke in rebuttal to the presentation by Gold Fields Mining Corporation, submitting a written copy of his statement for the record, and submitting a written document entitled, "Rebuttal From The MLA". Dr. Stemmler also submitted a written statement by Paula Stemmler wherein she formally objects to the three findings made by the Planning Commission in granting Special Use Permit No. 83-48 to Gold Fields Mining Corporation. Dr. Stemmler, too, requested that an Environmental Impact Report be prepared.

Collon Kennedy, Assistant Counsel for Gold Fields Mining Corporation, was given an opportunity to address the two new issues raised by Joyce Pogue.

The Chairman closed the public hearing.

On motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried, the matter was continued to January 24, 1984, at 3:00 p.m., for action by the Board at that time. ✓

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# STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES January 17 1984

104  
At the recommendation of the Fire Chiefs Association, the Board appointed Chief Sherwood Spencer and Chief Frank Cunha to the Fire Advisory Board, for terms expiring June 21, 1986, on motion of Supervisor Walker, seconded by Supervisor Flynn, and unanimously carried.

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326  
On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Board expressed its support of Senate Bill 575 (tort reform) which deals with the issue of joint and several liability; and directed that letters advising same be sent to Governor Deukmejian, State Senators Johnson and Doolittle, and Assemblyman Norm Waters.

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65  
RESOLUTION NO. 20-84 was adopted, on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried, recognizing the efforts of the California Division of the National Pony Express Association, and thanking same for shedding historical glamour along with the excellent publicity for the County.

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792-1000  
On motion of Supervisor Dorr, seconded by Supervisor Walker, and unanimously carried, the Board agreed to meet in closed session on January 18, 1984, at 8:30 a.m., to obtain County Counsel's advice relating to possible litigation pertaining to the appeals filed on the Planning Commission's issuance of Special Use Permit No. 83-48 to Gold Fields Mining Corporation.

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2  
The letter dated January 14, 1984, from Jesse S. Kaplan, attorney representing Vernon McMicken in the matter of Mr. McMicken's problems with El Dorado Transit, was referred to the El Dorado County Joint Transit Agency for its consideration, on motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried.

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12  
(313)  
On motion of Supervisor Stewart, seconded by Supervisor Walker, and unanimously carried, the Board agreed that its joint meeting with the El Dorado Irrigation District, scheduled for February 15, 1984, at 9:00 a.m., will be held in the Planning Commission meeting room in Building "B" of the Government Center.

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There being no further business, the Board adjourned to Tuesday, January 24, 1984, at 10:00 a.m.

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APPROVED:

  
PATRICIA R. LOWE, Chairman

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

By   
Deputy Clerk

January 17, 1984

- 28 -

dlf