

STATE OF CALIFORNIA, COUNTY OF EL DORADO

BOARD OF SUPERVISORS MINUTES May 15 19 84

The Board convened in regular meeting. Present: Supervisors Robert E. Dorr, Patricia R. Lowe, Joseph V. Flynn, and Thomas L. Stewart. Absent: Supervisor W. P. "Dub" Walker. Dixie L. Foote, Assistant Board of Supervisors Clerk, was also present. Chairman Lowe presided.

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The Invocation was offered by Reverend Norman Greenfield, Community Baptist 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 Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, with the addition of one legislative matter, Senate Bills 2333 and 2334 regarding the sale and use of fireworks.

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The Minutes of May 8, 1984, were approved as submitted, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried.

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

117 Budget Transfer No. 202 was approved for the Surveyor, transferring \$8,000.00 from Data Processing (1-915/2180) to Surveyor (1-914/2181) to cover estimated charges through June 30, 1984.

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298A The Board approved Assessment Roll Changes numbers 1712 through 1716.

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247 The Chairman was authorized to execute Release 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 under the names of Richard Robinson and Susan Robinson, volume 1427, page 489.

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50 As recommended by County Counsel, the Board denied the claim for personal injuries, in the amount of \$25,000.00, submitted by Pauline F. Koller.

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58 As recommended by County Counsel, the Board denied Attorney William H. Shade's Application for Leave to Present Late Claim, on behalf of Charles Huffman, for indemnity or comparative partial indemnity (comparative contribution), in the amount of \$265,000.00, relating to the complaint of Ralph Langford vs. Jack Dorsey, et al, El Dorado Superior Court Docket No. 42726.

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124
296-4
194

At the recommendation of the Public Works Department, the Chairman was authorized to sign an Agreement with Forrest Scott and Richard Kellner for construction of road improvements on Greenleaf Drive and Mother Lode Drive to accommodate the additional traffic generated by the Placerville Inn development.

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At the request of the Public Works Department, the Board adopted the following:

- a. RESOLUTION NO. 149-84, enacting speed restriction of 35 miles per hour on Golden Bear Trail from Pioneer Trail to its end; and
- b. RESOLUTION NO. 150-84, designating as "through highway" that portion of Golden Bear Trail from Pioneer Trail to the most westerly intersection with Prospector Trail.

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296-5
Road
Budget

RESOLUTION NO. 151-84 was adopted, at the recommendation of the Public Works Department, authorizing the Chairman to sign an Agreement with the State Department of Transportation for right-of-way acquisition services for the Sand Ridge Road Bridge at the North Fork Cosumnes River Project (No. 3034), at a cost of \$3,600.00.

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421-1

The Board approved a variance of County Ordinance Code requirements for Gustav W. and Jerardine A. Meuhlenhaupt to allow a sight distance of 100 feet and a grade increase to 15 percent for their driveway at 4054 Pearl Road (Lot 105), Gold Ridge Forest in Pollock Pines, due to lava cap and County drainage facilities.

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227

RESOLUTION NO. 152-84 was adopted, approving the 1983-84 County Mental Health Plan Update, to be submitted to the State Department of Mental Health, and authorizing the Chairman to sign same.

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213

At the request of the Auditor-Controller, the Board set a hearing for June 5, 1984, at 11:30 a.m., to consider adoption of a Resolution establishing \$34,957,323.00 as the appropriation limitation from proceeds of taxes for the 1984-85 Fiscal Year, to comply with the provisions of Article XIII B of the California Constitution relating to the provisions of Proposition 4.

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423
Deer
Creek
Subdiv.
"Unit B"

At the recommendation of the Planning Department, the Board approved the Final Map for Deer Creek Estates Unit B Subdivision in the Cameron Park area, consisting of 19 residential lots on 7.56 acres; subdivider: David Jacobsen and Jeffrey Gold; and the Chairman was authorized to sign the Agreement to Make Subdivision Improvements.

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423 Riverwood Subdiv

At the recommendation of the Planning Department, the Board approved the Final Map for Riverwood Subdivision in the Cold Hill area, consisting of 46 residential lots on 514 acres; subdivider: Secunda Investments; and the Chairman was authorized to sign the Agreement to Make Subdivision Improvements.

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114-10

At the recommendation of the Purchasing Office, the Board declared one 1978 Panther jet boat and one Correct Craft trailer as surplus property, and authorized the Deputy Purchasing Agent to sell same by sealed bid.

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82

At the recommendation of the Personnel Director, the Chairman was authorized to sign a Memorandum of Understanding with Jasmin Nikolich, effective April 28, 1984, regarding wages, hours, and conditions of employment for period ending June 30, 1985.

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(232-4) 101

At the request of the Sheriff, and on motion of Supervisor Lowe, seconded by Supervisor Flynn, and unanimously carried by those present, the Chairman was authorized to sign Attachment No. 1 to the Agreement with the U. S. Forest Service, which is the 1983-84 Operating and Financial Plan for reimbursable law enforcement services on Forest Service lands, for the period October 1, 1983 through September 30, 1984.

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34-5

The request of the Department of Agriculture, that a Resolution be adopted, adopting a fee schedule for dog licenses, impoundments, board, rabies vaccinations, adoption of puppies and kittens, services for man hours (overtime and regular), carcass pickups, and special services, was continued to May 22, 1984, at 11:00 a.m.; on motion of Supervisor Stewart, seconded by Supervisor Lowe, and carried by the following vote: Ayes: Supervisors Flynn, Stewart, and Lowe; No: Supervisor Dorr; Absent: Supervisors Walker.

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22-7-4

On motion of Supervisor Stewart, seconded by Supervisor Dorr, and unanimously carried by those present, the Board accepted Elaine S. Wester's resignation as member of the South Lake Tahoe Health Council, and directed that a Certificate of Appreciation be forwarded to Ms. Wester.

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(217) 753

RESOLUTION NO. 154-84 was adopted, at the request of California Governor George Deukmejian, proclaiming the month of May, 1984, as "Neighborhood Watch Month" in El Dorado County, on motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried by those present.

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(50-7-4) 50-7

RESOLUTION NO. 155-84 was adopted, at the recommendation of the Area Agency on Aging, and on motion of Supervisor Dorr, seconded by Supervisor Stewart, and unanimously carried by those present, authorizing the Chairman to sign the Area Plan for Senior Services, Planning, and Service Area 29, in the amount of \$619,021.00, for the administration of Title III Older Americans Act senior services for Fiscal Year 1984-85.

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(326)
115
At the recommendation of the Personnel Director, and on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board voted to oppose Senate Bill 1440 (Torres) which would limit the ability of counties and cities to stop employee strikes, allow employee unions to file charges with the Public Employment Relations Board and in Superior Court, and add major costs to local government; and Assembly Bill 2369 (Floyd), which would allow any peace officer to contribute up to 16 hours of vacation or compensatory time to a "time bank" for future use for union business; and the Board directed that letters be sent to appropriate legislators advising of said opposition.

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325
(101)
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Board received for filing, the County Farm Bureau's request for direction relating to Senate Joint Resolution No. 50, which would memorialize the President and the Congress not to enact legislation proposed by the U. S. Forest Service to provide for local taxation of federally-owned forest land.

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(326)
227
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Board reaffirmed its support of Assembly Bill 2381 (Mojonnier), as amended April 23, 1984, a mental health bill which streamlines current mental health law, planning, and reporting requirements. (The Board previously expressed support of said bill on March 6 and April 17, 1984.)

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326
On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Board reaffirmed its support of Senate Bill 2333 (Roberti), as it previously acted to support same on April 10, 1984, and voted to support Senate Bill 2334 (Ellis), companion bills which permit cities and counties to prohibit or regulate the sale and use of fireworks.

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170-1
The request of Supervisor Dorr, that the Board consider the matter of allocation of Public Defender staff to the South Lake Tahoe Office, was continued to May 22, 1984, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present.

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298-4
Award of the bid for the construction of the Green Valley Road Curve Improvement Project (No. 3032) was continued to May 22, 1984, as recommended by the Public Works Department, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present.

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(132)
115
117
On motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried by those present, the Board approved the following relating to the increased workload and limited staff, due to illness and injuries, in the Building Department:

- a. Recruitment of one full-time Building Inspector II;
- b. Budget Transfer No. 204, increasing Estimated Revenue by \$11,000.00, and transferring same, along with \$14,000.00 from Regular Employees (1010), into Professional and Specialized Services (2180) for outside professional assistance in plan checking.

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Hearing was held to consider abandonment of that portion of Jurgens Road and Luneman Road lying within the property of Sidney and Bernice Turoff.

In a memorandum to the Board, dated April 12, 1984, the Board was advised that Jurgens Road starts at Deer Valley Road and proceeds north to Weber Creek where it becomes Luneman Road which continues on to Lotus Road. The road has been impassable at the river crossing since the winter of 1982-83, and no work is scheduled at the present time. If the lower portions of both roads were abandoned, it could landlock parcels numbers 104-09-16 and 104-09-17.

Mr. David Turoff, son of Sidney and Bernice Turoff, was present and spoke on behalf of same, requesting said abandonment.

Mr. C. W. Ball, who owns the property adjacent to the subject property, was present and advised he is not opposed to the abandonment but, if the road is abandoned, he would like a gate or signs placed there advising of the dead end so motorists would not continue down the road and have to turn around at his property. Mr. Ball also advised that he would not object to having the road repaired and opened, as it would improve access to the area for emergency vehicles.

The following owners of property in the area were present and spoke in opposition to the abandonment, citing reasons of inconvenience and lack of emergency vehicle access: Robert Cribbs, Wayne Swart, Frank Carpenter (who also submitted a letter), Ed Bolin, Joe Reed, Vince Guiffreda (who also submitted a letter), Leo Finneran, and Randy Walthall (who also submitted a letter).

The Board also received letters of opposition from Carl W. Hennig, Anna A. Luneman Baldwin, and James Bowen.

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

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Board denied the requested abandonment. In addition, Supervisor Flynn requested the Public Works Department to bring back at budget time, an estimate of what it would cost to at least restore said portion of Jurgens Road/Luneman Road to its previous low-water crossing status.

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The request of Granite Construction Company, that the Board appoint a review board to review its claim protesting Change Order No. 5 to its Contract with the County for the Pony Express Trail Pavement Overlay, Shoulder Widening and Drainage Improvements Project (No. 3063), was continued to May 22, 1984, on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present.

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At the request of the El Dorado County Transportation Commission, and on motion of Supervisor Stewart, seconded by Supervisor Flynn, and unanimously carried by those present, the Chairman was authorized to sign a letter of support, to be included in said Commission's presentation at a State Transportation Commission (Caltrans) public hearing on May 23, 1984, requesting Caltrans include the Highway 50 corridor from Riverton to Kyburz on its Special Studies List; and Supervisor Dorr was designated to attend said hearing as part of the delegation.

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PLANNING MATTERS

On motion of Supervisor Flynn, seconded by Supervisor Stewart, and unanimously carried by those present, the Board received for filing, requests of the El Dorado Hills County Water District, Shingle Springs and El Dorado/Diamond Springs Fire Protection Districts, and Cameron Park Community Services District, submitted by Attorney Robert A. Laurie, that in order to resolve the fire district mitigation fees issue, the Board develop a uniform policy regarding the responsibilities of the development industry to the respective fire protection districts, and designate a member of the Board of Supervisors to work with representatives of said Districts regarding same.

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At the recommendation of the Planning Department, and on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board established a policy requiring that all public agencies that are responsible for accepting all or a part of the improvements indicate compliance prior to the County releasing any surety documents, guaranteeing improvements.

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Hearing was held to consider abandonment of a 30-foot public utilities and service easement in front of Assessor's Parcel No. 81-051-04 (Lot 36) in Tahoe Paradise Unit No. 48 in the Tahoe area, as requested by R. Neil and Debra J. Thompsen. The Planning Commission recommended denial, based on the following reasons:

- 1. Sierra Power has present and future need for the public utility easement;
- 2. The El Dorado County Department of Public Works has present and future need for the snow storage easement.

The Sierra Pacific Power Company, in a letter to the Planning Department, dated March 14, 1984, signed by Earl W. Cooper, District Manager, advised that it has a pole and two down guys and anchors at the northeast corner of Lot 36 on Elks Club Drive; therefore Sierra Pacific Power Company is not in a position to abandon its rights to said easement.

CP National Operations Superintendent, Jack E. Bruns, in a letter to the Planning Department, dated March 16, 1984, advised it would have no objection to the abandonment, as it would have no significant effect on any future development of that area that CP National may have planned.

Mr. Thompsen was present and spoke to his request. Mr. Thompsen submitted a letter addressed to him, from Mr. Richard Minetto, Tahoe District Engineer for Sierra Pacific Power Company, dated May 14, 1984, wherein Mr. Minetto advised that Sierra Pacific Power Company will relinquish a portion of its easement from the corner dividing lots 36 and 37 to the corner of the intersection of Elks Club Drive and Skyline Drive.

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

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443
7/23/84
Planning
Committee
5/16/84

Based on the finding the easement is unnecessary for present or prospective public use, the Board approved the abandonment of the public utilities and service easement in front of Assessor's Parcel No. 81-051-04 (Lot 36) along Skyline Drive only, and RESOLUTION NO. 156-84 was adopted accordingly, as amended to delete reference to Elks Club Drive, subject to (1) Planning staff verifying agreement by Sierra Pacific Power Company to the relinquishment of said easement, and (2) property owner providing the County with an indemnification agreement in regards to any possible damage from relinquishment of the snow storage easement, with said agreement to be executed in a form approved by County Counsel; on motion of Supervisor Lowe, seconded by Supervisor Flynn, and carried by the following vote: Ayes: Supervisors Dorr, Flynn, and Lowe; Abstention: Supervisor Stewart; Absent: Supervisor Walker.

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5/16/84

On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Board approved the request of the Conservation/Mineral Resource Task Force that organizations that make up same be allowed to appoint representatives of their choice.

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At the recommendation of the Planning Department, and on motion of Supervisor Dorr, seconded by Supervisor Flynn, and unanimously carried by those present, the Board approved the transfer of River Use Permit No. 84-14, Living Waters, from Don McNelis to George Wendt, O.A.R.S., subject to the following conditions:

1. That the river use permit has no value in the sale of the business;
2. That all river use permits are subject to a revised user-day allocation system that may be developed for the 1984 season;
3. The river use permit capacity to be transferred is:
 - a. 273 total weekend user days;
 - b. 30 maximum group size per weekend day;
 - c. 25 user days, basic weekday allotment.

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(83-4)
1/21/84


On motion of Supervisor Flynn, seconded by Supervisor Dorr, and unanimously carried by those present, the Public Works Department was authorized to repair and gravel roads at Finnon Lake Campground with funds, in the amount of \$5,000.00, previously allocated for same.

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There being no further business to come before the Board this date, the Board adjourned to Tuesday, May 22, 1984, at 10:00 a.m.

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APPROVED:



PATRICIA R. LOWE, Chairman

ATTEST:
BILLIE MITCHELL, County Clerk and
ex officio Clerk of the Board

By 

Deputy Clerk