



County of El Dorado

Charter Review Committee
330 Fair Lane, Building "A"
Placerville, CA 95667

Minutes - Final Charter Review Committee

Kris Payne, District III, Chair
Don Fuller, District II, Vice-Chair
Rachel Michelin, District I
Michael Powell, District IV
Jeanne Harper, District V

Alternate Members:
Richard Ross, District I
Jim Hill, District II
Randy Pesses, District III
Gary Campbell, District IV
(No Alternate), District V

Shawne Corley, Assistant Chief Administrative Officer
Judith Kerr, Principal Assistant County Counsel
Jim Mitrising, Clerk of the Board of Supervisors

Thursday, October 5, 2017

4:30 PM

2850 Fairlane Court Placerville, CA 95667
Planning Commission Hearing Room

4:34 P.M. - CALLED TO ORDER

Present: 5 - Rachel Michelin, Don Fuller, Kris Payne, Jeanne Harper and Gary Campbell

Absent: 1 - Michael Powell

PLEDGE OF ALLEGIANCE TO THE FLAG

Member Fuller led the Pledge of Allegiance to the Flag.

ADOPTION OF THE AGENDA

A motion was made by Member Harper, seconded by Member Michelin to Adopt the Agenda.

Yes: 5 - Rachel Michelin, Don Fuller, Kris Payne, Jeanne Harper and Gary Campbell

Absent: 1 - Michael Powell

APPROVAL OF MINUTES

1. [17-1055](#) Approval of the Minutes for the Charter Review Committee meeting of September 14, 2017.

A motion was made by Member Harper, seconded by Alternate Member Campbell to Approve the Minutes for September 14, 2017.

Yes: 5 - Rachel Michelin, Don Fuller, Kris Payne, Jeanne Harper and Gary Campbell

Absent: 1 - Michael Powell

PUBLIC COMMENT (LIMITED TO 3 MINUTES PER SPEAKER)

Public Comment:

Sue Taylor mentioned that the Committee could reopen the item pertaining term limits (Item 2 as reflected on the September 14, 2017).

Matters not on the agenda may be addressed by the general public during Public Comment.

MEMBER REPORTS

Alternate Member Campbell asked whether or not certain content from a more recent Grand Jury Report would need to be addressed by this committee.

Member Payne mentioned item 34 on Tuesday, October 10, 2017 is an agenda item from Supervisor Frentzen to update the Board of Supervisors on activities of the committee to date.

STAFF / COUNSEL REPORTS

None.

ACTION ITEMS

2. [17-0910](#) Discussion of the 2015/16 Grand Jury Report Case 15-04, Finding F8 which states; "Section 102 of the El Dorado County Charter authorizes the Board of Supervisors to propose amendments to the existing charter at any time without the need of a Charter Review Committee." (Cont. 9/14/17 Item 6)

Member Payne provided a brief overview of the item.

Member Michelin stated she does not have any issues with this Finding.

Member Fuller stated he didn't feel there is any action to take on this matter.

Member Harper stated she didn't have any notes pertaining to actions on this matter.

Assistant Chief Administrative Officer provided that this matter, as well as Item 3 on today's agenda, would be that the committee could consider taking an action as the Grand Jury did make recommendations on both items.

Counsel Kerr read the Grand Jury's recommendation and concurred that this item is not necessarily an action item.

Member Harper stated that the committee could take an action similar to previous items that simply states the committee proposes no action be taken.

Counsel Kerr provided that the Grand Jury's Finding F8 is to request the Board place recommendations R1 through R7.

No action taken.

3. [17-0911](#) Discussion of the 2015/16 Grand Jury Report Case 15-04, Finding F9 which states, "The board of supervisors should do a comprehensive review of the authority granted to charter counties to determine if there are benefits to being a charter county that El Dorado County could take advantage of." (Cont. 9/14/17 Item 7)

A motion was made by Alternate Member Campbell, seconded by Member Michelin to Continue this matter to the next meeting.

Yes: 5 - Rachel Michelin, Don Fuller, Kris Payne, Jeanne Harper and Gary Campbell

Absent: 1 - Michael Powell

4. [17-1054](#) Discussion of a letter from Cherie Raffety, El Dorado County Treasurer-Tax Collector on the subject of "Grand Jury Selection Process."

Member Payne commented that he didn't feel the submission from Ms. Raffety was complete as far as the court case documentation provided.

Counsel Kerr provided a brief overview of the 1975 court case as submitted by Ms. Raffety. The appropriate avenue to challenge Grand Jury appointments is through the judicial system. Article 11 Section 4 of the state Constitution outlines what elements may be included in a County Charter. Penal Code section 896 clearly states that the Courts have authority regarding Grand Jury selection.

Member Fuller summarized the information provided.

Counsel Kerr agreed that Member Fullers summation is accurate.

Alternate Member Campbell asked if the committee needs to provide a formal response to Ms. Raffety.

Member Payne stated that would not be necessary as the Minutes will be publicly available.

FUTURE AGENDA ITEMS

Member Payne asked that the topic of the Registrar of Voters being an elected position versus an appointed department head based on the letter received from Ellen Day.

Member Payne invited Ellen Day to comment.

Ellen day reiterated what she wrote in the letter.

A motion was made by Alternate Member Campbell, seconded by Member Michelin to add this item to the next agenda.

Member Fuller asked the committee members if they should research all the other Charters to determine any other counties.

Counsel Kerr will research the question of how many Elected vs. non-elected positions in the state.

Asst. CAO Corley mentioned that she will provide the Clerk with documents pertaining to the history of the Registrar of Voters in this county.

The committee elected to move their previously scheduled meeting of October 26, 2017 to November 2, 2017.

Counsel Kerr provided that the Registrar's position is regulated by state statutes.

Committee to provide direction to staff as needed regarding future agenda items.

ADJOURNED at approximately 5:40 P.M