



Office of
BOARD OF SUPERVISORS

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September 23, 2003

The Honorable David S. Richmond
Judge of the Superior Court
County of Amador
108 Court Street
Jackson, California 95642

RE: 2002/2003 Grand Jury Report

Dear Judge Richmond:

The Amador County Board of Supervisors appreciates the opportunity to respond to the 2002-2003 Grand Jury Report. The dedication of the Grand Jury to performing their responsibilities is admirable. The information provided in the report is very informative and would not otherwise be available without the time and effort of the Grand Jury participants.

Listed below you will find not only agency responses but also the Board of Supervisor's response to each relevant finding and recommendation made in the 2002-2003 Grand Jury Report.

WESTOVER FIELD

Finding #1: A large amount of the debris and junk is located near hangar #6.

Response to by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #2: The mobile home located behind hangar #6 is owned and is the residence of the Tenant.

Response to by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #3: The County has never executed a written lease or rental agreement with Tenant #1 and there is no evidence of any decree or action by the Board of Supervisors allowing him to live in a trailer parked on County property.

Response to by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #4: The Tenant does not have current liability insurance showing the county as an additional insured.

Response to by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #5: The mobile home was not “moved away” and none of the former complaints were ever acted upon.

Response to by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #6: The interior alterations and additions have been constructed to both lessee owned and County owned hangars.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #7: Hangar #6 was not inspected, but the Tenant told the inspectors he is willing to cooperate with the Building Department.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Recommendation #1: The Airport Manager and a representative of the county should regularly inspect the airport as required in the concessionaire contract with Amador County.

Response by Department Head: The Airport Manager and I plan to begin regular inspections of the airport.

Response by Board of Supervisors: This recommendation will be implemented.

Recommendation #2: All unauthorized trailers; machinery, vehicles and debris should be removed from the airport property.

Response by Department Head: The Airport Manager and I plan to remove unauthorized vehicles and debris from the airport property.

Response by Board of Supervisors: This recommendation will be implemented upon development of appropriate policies governing allowable uses within the boundaries of the Airport. The Airport Committee has begun addressing this issue.

Recommendation #3: GSA should develop a policy for the parking of unattended vehicles (also known as “airport cars”) on airport property.

Response by Department Head: We are requesting information from other airports regarding their policies for unattended parked cars on airport property and plan to implement our own policy and possible fee schedule.

Response by Board of Supervisors: This recommendation will be implemented upon development of appropriate policies governing allowable vehicle use within the boundaries of the Airport. The Airport Committee has begun addressing this issue.

Recommendation #4: Amador County General Services Administration should immediately enter into a lease agreement with the occupants of all the hangars at Westover Field.

Response by Department Head: Leases have been sent to all parties. Anyone refusing to enter into a lease will be evicted.

Response by Board of Supervisors: This recommendation is already partially implemented.

Recommendation #5: The Amador County Risk Manager should define the amount of coverage and type of insurance required by the county for leased or rented property, and insure that all the occupants of the hangars obtain insurance appropriate to meet the requirements of the county.

Response by Department Head: The Amador County Risk Manager has always defined the amount and the type of insurance coverage required in all County leases, contracts, and agreements.

Response by Board of Supervisors: This recommendation is already partially implemented.

Recommendation #6: Remove the mobile home from county property or rectify the code violation.

Response by Department Head: The attached document was found recently which gave the Tenant permission via “Commercial Operating Permit” to operate his

business and live at the airport. The document was valid for two years and renewable. I am currently negotiating an agreement with the Tenant for the mobile home and hangar leases.

Response by Board of Supervisors: This recommendation will not be implemented as identified. Currently the GSA Director is working with the Airport Committee to develop an appropriate contract for Board of Supervisors consideration.

Recommendation #7: GSA should provide airport security, if needed.

Response by Department Head: If it is determined that security is needed, GSA will contract with someone to provide that service.

Response by Board of Supervisors: The Board concurs with the GSA Director's response.

Recommendation #8: The Amador County General Services Administration and the Airport Manager should inspect all the buildings on county airport property for modifications or alterations.

Response by Department Head: The Airport Manager and me or my designee plan to inspect all the buildings on County Airport property for modifications or alterations and will do this in conjunction with our inspections described in item #1 above.

Response by Board of Supervisors: This recommendation will be implemented.

Recommendation #9: The County should require that all occupants of hangars or buildings on airport property which have additions or modifications to their structure for which there is not a valid building permit, either obtain the proper permit or demolish the modifications or additions.

Response by Department Head: Letters have been sent to Tenants known to have valid Building Permits. They have been given a deadline of August 11, 2003 to obtain those permits.

Response by Board of Supervisors: This recommendation will be implemented.

AMADOR COUNTY DETENTION CENTER

Administration

Finding #1: The administrative offices are well organized. As a result, the materials we requested were located in a very timely manner.

Response by Department Head: Agree

Response by Board of Supervisors: This is not a budget related issue and thus does not require a Board of Supervisors response.

Finding #2: To make it more conducive for the Captain to meet with personnel or conduct interviews his office should be enlarged.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #3: The Captain needs assistance in handling administrative duties.

Response by Department Head: Agree

Response by Board of Supervisors: While the Board of Supervisors agrees that additional staffing can assist with administrative issues, the Budget situation does not currently allow for the creation of new positions.

Operations

Finding #4: All documents reviewed were up to date.

Response by Department Head: Agree

Response by Board of Supervisors: This is not a budget related issue and thus does not require a Board of Supervisors response.

Staffing

Finding #5: Due to understaffing there is not only an increase in dollars spent but it directly affects sick leave, workmen's compensation time and staff morale.

Response by Department Head: Agree

Response by Board of Supervisors: The Board partially agrees with this finding. Understaffing is only one factor, which can, in some cases, contribute to staff morale issues.

Inmate Housing

Finding #6: The increased population in Amador County and the surrounding areas may be responsible for the overcrowding situation in the Jail.

Response by Department Head: Agree, however, the Sheriff does not think that an increase in population in Amador County and the surrounding areas is the sole cause of the overcrowding situation in the Jail.

Response by Board of Supervisors: The Board disagrees with this finding. There are many issues unrelated to population growth, such as casino related crimes, which affect the jail population.

Finding #7: With the increase in inmates there is also an increase in visitors.

Response by Department Head: Agree

Response by Board of Supervisors: This is not a budget related issue and thus does not require a Board of Supervisors response.

Finding #8: A home monitoring system could alleviate some of the overcrowding

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Food Services

Finding #9: Inmate meals are adequate and nutritionally sound.

Response by Department Head: Agree

Response by Board of Supervisors: Agree.

Finding #10: The meal storage room and the reheating room are currently very crowded

Response by Department Head: Agree, however, the facts are not entirely correct. Inmates are served three (3) meals a day. All three (3) meals have a hot entrée. The minimum standards for jail operation in California only require that two (2) of the meals are hot. However, we exceed the minimum and serve three (3) "hot" meals per day.

Response by Board of Supervisors: The Board of Supervisors agrees that the current facility is inadequate. This issue will be addressed as part of the Jail Renovation Project.

Inmate Medical Services

Finding #11: Inmates who requested medical attention were seen in a timely manner. Medical records were found to be legible and well recorded. Inmates are advised of the results of their health evaluation and, if necessary, any follow up care required.

Response by Department Head: Agree

Response by Board of Supervisors: This is not a budget related issue and thus does not require a Board of Supervisors response.

Recommendation #1: None

Response by Department Head: None

Response by Board of Supervisors: None

Recommendation #2: Increase the size of the Captain's office when the expansion of the Jail occurs.

Response by Department Head: The Grand Jury recommends an increase in the size of the Captain's office when the expansion of the Jail occurs. This precise recommendation will not be implemented. Expanding the current Captain's office during the Jail expansion is not practical within the structure of the building, without absorbing area from other rooms that serve a critical purpose. However, when the Administrative Wing expansion is complete it is planned to move the Jail Captain to a different larger office. The completion of construction is estimated to occur by June of 2004.

Response by Board of Supervisors: This recommendation will be addressed through expansion of the Sheriff's Office administrative offices.

Recommendation #3: Hire a Correctional Manager, holding a position between a Senior Correctional Officer and a Captain, to alleviate some of the Captain's responsibilities.

Response by Department Head: The Grand Jury recommends the hiring of a Correctional Manager, holding a position between a Senior Correctional Officer and a Captain, to alleviate some of the Captain's responsibilities. The Sheriff requested such a position in the 2001/2002 fiscal year budget. The Board of Supervisors did not fund the requested position. The Board of Supervisors required the departments to submit a no growth budget and a fifteen- percent cut budget for fiscal year 2003/2004. Adding a new position such as Correctional Manager was not an option for the Sheriff, within the budgetary guidelines from the Board of Supervisors. The preliminary budget from the Board of Supervisors actually proposes a net loss of two Correctional Officers in the jail. The Sheriff will continue to request the Board of

Supervisors fund such a position in future year budgets. However, until the economy and the County budget move in a more positive direction, it is unlikely that the Board of Supervisors will fund the request.

Response by Board of Supervisors: This recommendation will not be implemented. Sixteen positions were eliminated as part of the 03-04 Preliminary Budget. There simply is not sufficient funding to add additional positions at this time.

Recommendation #4: None.

Response by Department Head: None

Response by Board of Supervisors: None

Recommendation #5: Request that the Board of Supervisors revisit the budget to ascertain if adjustments can be made which would allow for hiring the needed personnel.

Response by Department Head: The recommendation has been implemented. Currently the preliminary County budget calls for cutting two Correctional Officers positions from the jail. The Board of Supervisors required the departments to submit a no growth budget and a fifteen- percent cut budget for fiscal year 2003/2004. Adding new positions was not an option for the Sheriff, within the budgetary guidelines from the Board of Supervisors.

The Sheriff and the Board of Supervisors Budget Committee are to meet again in early September 2003, to review the adopted preliminary budget before it goes to final budget hearings. The Sheriff has requested additional staffing in the Jail for the last several years. The Sheriff will continue to do so until the need is met. However, the Sheriff does not have the authority to allocate additional funds or positions.

Response by Board of Supervisors: This recommendation will be considered by the Administrative Committee, which will be conducting a special Budget Hearing in early September to assess public safety impacts from the 03-04 Preliminary Budget.

Recommendation #6: Establish a start date to begin construction of the Jail addition.

Response by Department Head: The Grand Jury recommends that a start date be established for the commencement of construction of the Jail addition. The Sheriff is powerless to do that. Only the Board of Supervisors has the authority to allocate the funding and sign a construction contract with a contractor. Therefore, the recommendation that the Sheriff establish a start date for the construction is unreasonable and will not be implemented by the Sheriff. However, it is the Sheriff's understanding that the Board of Supervisors awarded the construction bid to a contractor in August of 2003. The contract between the contractor and the County is on the Board of Supervisor's agenda for August 26, 2003. The contract gives the contractor less than thirty days to start construction after the contract is signed. Completion of the project is estimated to occur before June of 2004.

Response by Board of Supervisors: This recommendation will be implemented upon execution of the construction contract, which is expected to occur in early September.

Recommendation #7: None

Response by Department Head: None

Response by Board of Supervisors: None

Recommendation #8: Implement an electronic home monitoring system for eligible inmates, who meet the criteria, which will reduce Jail overcrowding.

Response by Department Head: The recommendation to implement a home electronic monitoring system has been implemented. This program was budgeted in the fiscal year 2002/2003 budget. The program would have been implemented much sooner. However, it took several months to get the District Attorney, Public Defender and Superior Court to agree on how the program would work. A home electronic monitoring system has been implemented and is operational as of June 2003.

Response by Board of Supervisors: This recommendation has been implemented.

Recommendation #9: None

Response by Department Head: None

Response by Board of Supervisors: None

Recommendation #10: Complete the remodel of the re-therm (reheating of food to the appropriate temperature) area and kitchen.

Response by Department Head: The recommendation has not yet been implemented, but will be in the future. Refer to the construction time line for the Jail addition and remodel articulated above.

Response by Board of Supervisors: This recommendation will be implemented with the Sheriff's Office construction project scheduled to begin in late 03.

Recommendation #11: Attempt further negotiations with the orthopedic physician in Amador County.

Response by Department Head: The recommendation has been implemented. The orthopedic surgeon that the County had attempted to work with has closed his practice and is no longer practicing medicine in Amador County. However, there is another orthopedic

surgeon in the County now. The Sheriff and California Forensic Medial Group have begun conversations with the second orthopedic surgeon relative to his treating inmates.

Response by Board of Supervisors: The Board of Supervisors supports the Sheriff's response.

AMADOR COUNTY PUBLIC WORKS AGENCY

Amador County's Management of the Buena Vista Landfill

Finding #1: The county is reactive rather than proactive in meeting state regulatory requirements and then needs to file for extensions which cause undue attention by state agencies and the public. This causes confusion and concern.

Response by Department Head: Agree

Response by Board of Supervisors: Partially Agree. While this has been historically true, recent organizational changes should allow the County to plan for the future.

Finding #2: Waste management and the landfill require a great deal of time. The Public Works Agency isn't staffed to meet the demand. There needs to be a manager to meet the needs of the Waste Management Department and the landfill.

Response by Department Head: Agree

Response by Board of Supervisors: Partially Agree. The Public Works Agency has recently hired both a new Deputy Director and a Program Manager both of who will be focused on waste management.

Finding #3: There has been improvement in the management of the landfill since November 2001 when the Waste Management Department was moved to the Public Works Agency.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #4: There has been no work done on the solid waste facility permits or WDRs for phase 4.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #5: The County is currently trying to meet the 50% diversion of waste from the landfill as required by AB 939. The baseline year is in question with the CIWMB. The county was using 1990 as the baseline, which would have made the county inline with diversion requirements. The CIWMB was using 1993 as the baseline year and that puts Amador County out of compliance. The county is working with CIWMB to get the problem corrected.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Environmental

Finding #6: The State Water Resources Control Board has reduced most of the ground water monitoring tests to every six months from every three months in the current waste discharge requirements (WDRs). There are two reasons for this. First, there is a reduction in contaminates in the wells which first detected the movement of leachate out of Phase 1. Secondly, the county has been meeting testing and reporting requirements in a timely manner.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #7: The Amador County Sanitary Landfill is currently maintained and operated in compliance with state and federal laws.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #8: “The Buena Vista Landfill does not have a definable ground water contaminant plume” according to an e-mail sent to county officials from Jacobson, Helgoth Consultants dated September 18, 2002. Jacobson, Helgoth Consultants do the ground water monitoring for the landfill.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #9: Amador County’s control over what goes into the landfill will insure the environment will not be sacrificed for profits.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

October 1 2002 Rate Increase

Finding #10: The Board of Supervisors, County Administrative Agency, and the County Counsel's Office were willing to grant the increase requested without an audit until it was pointed out that the county had a right to request the audit from ADS to justify the proposed tipping fee increases.

Response by Department Head: Agree

Response by Board of Supervisors: Disagree. Both the County Administrator and County Counsel's office had noted there was insufficient information available for them to analyze the proposed rate increase. Based upon this information, the Board of Supervisors approved the rate increase as conditional upon completion of an in depth fiscal analysis conducted by a waste management specialist.

Finding #11: The County has not received financial records from ADS in over seven years, which makes it hard to determine if the current figures justify the increase because there is nothing to compare. It would be assumed when ADS was a small independent corporation it would not have the large overhead Waste Connections has. The Waste Services Industry tends to be a heavily leveraged (large debt) industry.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #12: ADS has not kept separate financial records for the landfill, the MRF and its solid waste hauler franchise.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #13: Raising the landfill tipping fees makes the landfill more attractive to a potential buyer.

Response by Department Head: Agree

Response by Board of Supervisors: Disagree. It is impossible to predict the impact of increase tipping fees at this time. For example if tipping fees are too high this may act as an incentive for haulers to seek to use alternative less expensive facilities.

Options for the Amador County Sanitary Landfill

(County Sells the Buena Vista Landfill)

Finding #14: The County would lose authority over the landfill and a new owner could allow dumping of anything into the landfill. It would be illegal for an operator to dump anything in the landfill that was not in the solid waste facility permit granted by the California Integrated Waste Management Board (CIWMB).

Response by Department Head: Agree

Response by Board of Supervisors: Disagree. The County can place limitations on allowable uses through land use procedures.

Finding #15 The County states it would put conditions on the sale of the landfill to mitigate citizen concerns regarding the environment, traffic and operation of the landfill. Considering the County has not held ADS to the terms of their contract to operate the landfill and MRF the likelihood of the county to hold a buyer of the landfill to a sales agreement is questionable.

Response by Department Head: Agree

Response by Board of Supervisors: Disagree. Any conditions on sale would be contractual requirements and thus enforceable by the County.

Finding #16 The County would sell the landfill “As Is” which would mean the new owner would take the liability of the existing phases of the landfill but this would lower the price for the landfill.

Response by Department Head: Agree

Response by Board of Supervisors: It is premature to agree with this finding. It is not currently known if the facility will be sold or what specifications will be included in a sales contract.

Finding #17 Ultimately there is a legal concern as to whether the county can ever rid itself of past ownership liability since it is always a potentially responsible party for site clean up as reported by Intelliwaste Inc. to the Board of Supervisors. Even if the county can negotiate away its liability as an owner/operator it would still be liable as a generator of waste. Corporations can go bankrupt and taxing entities, such as the county, are seen as financial deep pockets in litigation.

Response by Department Head: Agree

Response by Board of Supervisors: It is premature to agree with this finding. It is not currently known if the facility will be sold or what specifications will be included in a sales contract.

Finding #18 There are waste management companies interested in the possible purchase of the landfill.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #19 Franchise haulers would not be required to use the landfill if it were purchased.

Response by Department Head: Agree

Response by Board of Supervisors: It is premature to agree with this finding. It is not currently known if the facility will be sold or what specifications will be included in a sales contract.

(County Keeps the Landfill)

Finding #20 It takes 200 tons per day of waste for a landfill operation to reach an economy of scale (operate efficiently).

Response by Department Head: Agree

Response by Board of Supervisors: Disagree. The Board has not reviewed any analyses which support the above finding.

Finding #21 County continues to have control over the landfill, which benefits environmental concerns for the area.

Response by Department Head: Agree

Response by Board of Supervisors: Disagree. There are many methods by which the County can regulate land use other than through direct management.

Finding #22 The landfill under county control provides reasonable waste disposal to citizens of the county. Tax dollars used to meet landfill expenses provide a benefit to all Amador County citizens. If the landfill is sold there is a good chance the cost to dispose of garbage by Amador County citizens would increase.

Response by Department Head: Agree

Response by Board of Supervisors: Disagree. Recent transactions with nearby Kiefer Landfill indicate that a variety of factors affect rates and in fact it is quite possible that rates would decrease if the facility were sold or operated as a regional facility.

Finding #23 As prices go up illegal dumping through out the county becomes a greater problem.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #24 The County would be responsible for the cost of permitting, regulatory liaison, environmental monitoring, closure and post closure costs as they are now.

Response by Department Head: Agree

Response by Board of Supervisors: It is premature to agree with this finding. It is not currently known who would be responsible for future expansion should the County retain ownership.

Finding #25 The Amador County Board of Supervisors has chosen not to fund this option.

Response by Department Head: Agree

Response by Board of Supervisors: Disagree. The County is reviewing multiple options as part of the environmental and financial review process currently underway.

(Close the Landfill and Haul Waste Out of County)

Finding #26 It is unknown if hauling waste out of the county would increase costs to Amador County citizens. Out of county tipping fees and the cost to haul the waste to the disposal site would determine costs.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #27 The MRF is used to sort waste into recyclables and for disposal into the landfill. Not all waste received at the gate go into the landfill. The MRF was required to help the county meet requirements of AB 939 for diversion of waste from landfills. Under the contract for the operation of the landfill, ADS has exclusive rights to sell any salvageable items.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #28 If the county closed the landfill the MRF would be used as a transfer station.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #29 This will be the option if the Board of Supervisors does not act soon. It is the default option.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

(Allow ADS to Expand the Landfill)

Finding #30 ADS would get all necessary permits and address all outstanding issues such as completing the revised closure plan, completing the permitting of all disposal activities and the expansion of the landfill.

Response by Department Head: Agree

Response by Board of Supervisors: It is premature to agree with this finding. Final responsibilities could only be determined through a negotiation process should the Board at some future point choose this option.

Finding #31 ADS would fund the majority of the costs of the permits.

Response by Department Head: Agree

Response by Board of Supervisors: It is premature to agree with this finding. Final responsibilities could only be determined through a negotiation process should the Board at some future point choose this option.

Finding #32 ADS would limit out of county waste to fifteen truckloads per day and would prevent the trucks from traveling through Ione.

Response by Department Head: Agree

Response by Board of Supervisors: It is premature to agree with this finding. Final contract specifications would be determined through a negotiation process should the Board at some future point choose this option.

Finding #33 By allowing ADS to continue operations this would permit the landfill to remain in operation.

Response by Department Head: Agree

Response by Board of Supervisors: Agree

Finding #34 Once a landfill closes it is very hard to resume operations because of state agencies and regulations.

Response by Department Head: Agree

Response by Board of Supervisors: Disagree. Recent conversations with the California Integrated Waste Management Agency indicate that other facilities have reopened after closure.

Finding #35 Under this proposal the county would have a difficult time covering costs for meeting post closure monitoring.

Response by Department Head: Agree

Response by Board of Supervisors: It is premature to agree with this finding. Final closure responsibilities would be determined through a negotiation process should the Board at some future point choose this option.

Recommendation #1: Hire a Waste Management Department Director to report directly to the Board of Supervisors and County Administrative Officer. The Director would oversee and meet state regulations governing the landfill, procure out of county waste, direct waste management issues within the Amador County Waste Management JPA, plan for future landfill needs and monitor landfill costs. The candidate should have a strong business and financial background to analyze revenues and costs.

Response by Department Head: This recommendation has been implemented. The PWA hired a Program Manager (PM) who is expected to be starting August 18, 2003. The PM will be reporting directly to a new PWA Deputy Director who started work August 4, 2003. Part of the Deputy's duties is to oversee the PM's work. The PM, with the assistance of an intern, (to start work on or about August 18, 2003) will focus on waste management functions including implementing waste recycling and source reduction programs to maintain compliance with State regulations (AB 939 requirements).

Response by Board of Supervisors: This recommendation has been implemented.

Recommendation #2: Use tipping fees to pay salary and benefits of the Waste Management Director

Response by Department Head: This recommendation has been implemented. The Amador County Integrated Solid Waste Management Regional Authority JPA, referred to as the Regional Agency (RA) agreed with the recommendation and the Board of Supervisors approved to increase the tipping fees to cover the salary and benefits of the PM and intern for time spent on AB 939 compliance

Response by Board of Supervisors: This recommendation has been partially implemented. There is insufficient tipping fee revenue to cover both salary and expected closure costs. In fact, there remains a significant outstanding loan from the General Fund to the Waste Management Fund to cover recent shortfalls.

Recommendation #3: Request the annual balance sheets and income statements on landfill and MRF operations as required by the contracts with ADS so there can be a comparison of operation revenues and expenses on a year to year basis.

Response by Department Head: The PWA agrees with the recommendation. The County's consultant, Intelliwaste, Inc., reviewed the audits and presented the County with a written report dated July 1, 2003. The consultant also presented this report to the Board of Supervisors at the July 22, 2003 meeting. The consultant provided an example of the format that should be followed in the future.

Response by Board of Supervisors: This recommendation will be implemented and the Board will direct the Public Works Agency to request this information annually.

Recommendation #4: The County retains ownership of the landfill.

Response by Department Head: The PWA partially disagrees with the statement that the County retain ownership of the Landfill. It is premature to conclude on the options. The DEIR document has been made public and will discuss the options available. The public and the Board of Supervisors now have the information from which the Board can make a decision after receiving public comments.

Response by Board of Supervisors: It is premature to consider this recommendation. The Board is conducting an environmental and financial analysis and review. Only after the public has had an opportunity to review and comment will the Board begin to review and potentially select a preferred alternative.

Recommendation #5: Construct phase 4 to a capacity of at least 850,000 tons and use as a regional landfill taking in at least 250 tons per day of waste.

Response by Department Head: To make any recommendations prior to reviewing the DEIR would be premature. The DEIR will have an extended review and comment period

ending the middle of October after which the Board of Supervisors can make a decision on one of the options.

Response by Board of Supervisors: It is premature to consider this recommendation. The Board is conducting an environmental and financial analysis and review. Only after the public has had an opportunity to review and comment will the Board begin to review and potentially select a preferred alternative.

Recommendation #6: Use a bond issue to finance construction if funds are not available.

Response by Department Head: To make any recommendations prior to reviewing the DEIR would be premature. The DEIR will have an extended review and comment period ending the middle of October after which the Board of Supervisors can make a decision on one of the options.

Response by Board of Supervisors: It is premature to consider this recommendation. The Board is conducting an environmental and financial analysis and review. Only after the public has had an opportunity to review and comment will the Board begin to review and potentially select a preferred alternative.

Recommendation #7: Use tipping fees to payoff the bond.

Two examples of how tipping fees could be used to pay for construction, salary and benefits for a Waste Management Director, closure costs and operational expenses. The per ton breakdown at an average of 250 tons per day based on a 358 day year would be:

Using a bond issue:

ADS \$15.75

Retirement of Bonds at six-year amortization

(\$2.8 million @ 4%) \$ 5.87

Capping and closing phase 4 (Estimate of \$1.6 million) \$ 1.88

Operating Expenses (Based on average cost of
\$668,713.81 last 10 years) \$ 7.47

Salary and Benefits for Waste Management Director \$ 0.89

State Franchise Tax Board Fee \$ 1.34

Total County Tipping Fee \$17.45

Total Landfill Tipping Fee \$33.20

Life of the landfill remaining after six years assuming a life of 9.5 years with a capacity of 850,000 tons would be 3.5 years or 42 months. 42 months times 7,458 tons equals 313,236 tons. 313,236 tons times \$5.87 equals \$1,838,695 towards the next cell requiring less financing.

Using funds available:

ADS \$15.75

Payback on \$2.8 million over six years to general fund \$5.21

Capping and closing phase 4 (Estimate of \$1.6 million) \$1.88

Operating Expenses (Based on average cost of \$668,713.81 over the last 10 years) \$ 7.47

Salary and Benefits for Waste Management Director (\$80,000.00) \$ 0.89

State Franchise Tax Board Fee \$ 1.34

Total County Tipping Fee \$16.79

Total Landfill Tipping Fee \$32.54

Life of the landfill remaining after six years assuming a life of 9.5 years with a capacity of 850,000 tons would be 3.5 years or 42 months. 42 months times 7,458 tons equals 313,236 tons. 313,236 tons times \$5.21 equals \$1,631,960 towards the next cell requiring less financing.

Response by Department Head: To make any recommendations prior to reviewing the DEIR would be premature. The DEIR will have an extended review and comment period ending the middle of October after which the Board of Supervisors can make a decision on one of the options.

Response by Board of Supervisors: It is premature to consider this recommendation. The Board is conducting an environmental and financial analysis and review. Only after the public has had an opportunity to review and comment will the Board begin to review and potentially select a preferred alternative.

Recommendation #8: The next best option behind the county constructing the next phase is to allow ADS to fund and construct phase 4. This will allow the landfill to continue to operate. Time is running out on the ability to keep the landfill open and operating under current permits.

Response by Department Head: The PWA disagrees with the recommendation at this time, since the DEIR is now in hand and discusses the options available to the Board of Supervisors. The Board of Supervisors can make a better informed decision on what option is best to pursue, based on more information given in the DEIR and public comments.

Response by Board of Supervisors: It is premature to consider this recommendation. The Board is conducting an environmental and financial analysis and review. Only after the public has had an opportunity to review and comment will the Board begin to review and potentially select a preferred alternative.

Recommendation #9: Set aside funds to construct the next phase, phase 5.

Response by Department Head: The PWA disagrees with the recommendation at this time, since the DEIR is now in hand and discusses the options available to the Board of Supervisors. The Board of Supervisors can make a better informed decision on what option is best to pursue, based on more information given in the DEIR and public comments.

Response by Board of Supervisors: It is premature to consider this recommendation. The Board is conducting an environmental and financial analysis and review. Only after the public has had an opportunity to review and comment will the Board begin to review and potentially select a preferred alternative.

Thank you for allowing the Amador County Board of Supervisors the opportunity to respond to the 2002-2003 Final Grand Jury Report. Hopefully the information contained within this response addresses any questions or concerns the 2002-2003 Grand Jury has regarding the policies, procedures, and functions of services being provided by Amador County. Should there be any remaining questions please do not hesitate to contact County Administrative Officer Patrick Blacklock or me.

Sincerely,

Chairman

c: County Counsel
General Services Administration Director (Westover Field)
Sheriff
Public Works Agency Director
Amador Ledger-Dispatch Newspaper
Hometown Radio
file