

Nutting silenced for bulk of supervisors' meeting

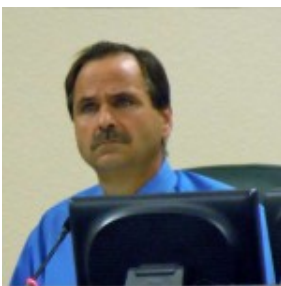
By Peter Hecht, Sacramento Bee

It was an awkward public spectacle Tuesday for El Dorado County Supervisor Ray Nutting.

One week after the district attorney had him arrested on four felony charges of violating political disclosure and conflict of interest laws, the veteran supervisor publicly declared his innocence. Then he recused himself from participating in nearly every vote by the Board of Supervisors indefinitely.

Free on \$55,000 bail in a criminal case stemming from his alleged concealment of state income for brush-clearing on his family ranch, Nutting took his seat Tuesday with his fellow supervisors as usual.

But then he agreed not to vote on anything involving the county budget, state and federal contracts – or even approving minutes of board proceedings.



Ray Nutting

Wearing a gray suit, Nutting listened as County Counsel Ed Knapp delivered a lengthy address to the board asserting that it would be imprudent for Nutting to participate in any vote involving expenditure of taxpayer funds or any matter that could raise a specter of conflict of interest due to the

supervisor's criminal case.

"The county recognizes that all persons accused of a crime are presumed innocent until proven guilty in a court of law," Knapp said at the opening of the board meeting. "However, the standards for the operation of the county's business are different, and the county will take all necessary steps to ensure that the recent developments involving Supervisor Nutting do not interfere with the proper functioning of county government."

A criminal complaint against Nutting, 53, charged that he broke the law by failing to list on statements of economic interest – required for public officials – that he received some \$70,000 in income from the state in 2003 and 2009. He received the money from the California Forest Improvement Program for clearing brush at his 340-acre family ranch and is due to receive another \$49,348 grant.

The supervisor also was charged with violating conflict of interest laws by failing to recuse himself from votes on county contracts with conservation districts that distribute the funds.

Nutting is due to be arraigned on the criminal charges next week. He said in an interview Tuesday, "I look forward to a speedy trial and being exonerated."

At the board meeting, he promised to confine his votes to ministerial items – such as two declarations at Tuesday's session in support of local Independence Day fireworks extravaganzas and a third item affirming an administrative list of surplus county property.

Nutting had pledged last week that he wouldn't vote on any budget matters involving the District Attorney's Office, which is prosecuting him. But Supervisor Ron Briggs, the board chairman, said supervisors were advised that no elected county officer facing indictments or complaints for political

corruption could vote on county claims involving federal and state contracts.

In agreeing to recuse himself from most board votes, Nutting said Tuesday, "Although I am innocent, I believe my constituents want me to do what is in the best interest of the constituents – and protect those dollars."

He added, "I do not believe there should be such a law that puts an innocent person in this situation."

Amid sudden confusion over Nutting's participation, the board on Monday had tabled a special hearing on the county budget. It also voted to hire the San Francisco law firm of Hanson Bridgett to advise the Board of Supervisors on how to handle the matter.

In his address to the board Tuesday, Knapp said that "due to the nature of the charges against Supervisor Nutting and various regulations involving use of state and federal funds, county counsel advises that Supervisor Nutting not participate in any board items that involve funding."

Knapp also said Nutting should "recuse himself from any other items where his participation might give rise to an appearance of a conflict of interest."

That infuriated one of Nutting's constituents, Linda Columbo. A member of the Nashville-Sand Ridge Fire Safety Council in Nutting's district, Columbo let the board have it for silencing his vote.

"I would like to see a little bit of fairness here, a little bit of compassion," she told supervisors. "Stop the witch hunt. He (Nutting) represents my district and, for you to take away his right to represent me fairly, I can't believe it."

Nutting spent the day joining board members in passing noncontroversial items, honoring Boy Scouts and praising a

presentation by a local skateboard park operator. But when most votes came up, he retreated to the audience or the hallway outside the supervisors chambers.

Nutting insisted Tuesday he will continue to work a full schedule. He outlined a public schedule including a community meeting tonight in Shingle Springs, where residents are protesting a proposed subdivision, and meetings with county school officials, the El Dorado County Chamber of Commerce and local fire districts. He also will listen to community groups focused on mining and the federal Endangered Species Act.

"I'm trying to be as good of a supervisor as I can," he said.

Then he recused himself from an afternoon discussion on a board letter to the U.S. Fish and Wildlife Service over the proposed federal status of the Sierra Nevada yellow-legged frog and the Yosemite toad.

Nutting said it was suggested to him that he sit this one out, too.