

# Plumas County

*Celebrating 150 years*  
*1854-2004*

**2003-2004**

## **Grand Jury Final Report**



Plumas County Courthouse circa 1857

Hall of Records circa 1895

June 11, 2004

The Honorable Garrett W. Olney  
Presiding Judge, Plumas County Superior Court  
520 Main Street, Room 304  
Quincy, CA 95971

Dear Judge Olney:

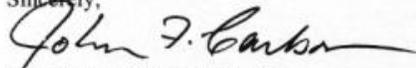
In compliance with Penal Code Section 933, the Plumas County Grand Jury 2003-2004 is pleased to submit to you its Final Report. This report is the result of nineteen members working many hours researching, interviewing, investigating, deliberating and writing our report in a collaborative fashion. The members of the jury worked in a collegial manner, with an open mind, and a focus to provide the enclosed comprehensive report.

Our jury took a slightly different approach than our predecessors. We determined early in our term that prior grand juries had made substantive findings and recommendations of which the Board of Supervisors ("BOS") had generally agreed to take action. A review of a five year history of Plumas County Grand Jury reports reflected that there are a number of instances where the BOS has not taken the action they reported to the Court they would undertake. We have included findings and recommendations that we hope will change the BOS lack of follow up. We encourage our successors to continue to follow up with BOS to carry out the previously agreed action items.

I would like to thank my eighteen colleagues for their tenacity, perseverance and dedication during the full year of their term. Additionally, we express our gratitude to Judges Olney and Kaufman, Superior Court Clerk Therese Phelps, Interim County Counsel Barbara Thompson and District Attorney Jeff Cunan for their cooperation and assistance during our term of service.

Finally, we acknowledge the severe financial budgeting issues faced by BOS and Department Heads trying to provide quality services to the citizens of Plumas County. Nevertheless, we hope the BOS will not arbitrarily or capriciously dismiss our recommendations due to what they conclude are budgetary issues. As one court commented, a grand jury is the only agency free from possible political or official bias that has an opportunity to see ... the operation of government ... on any broad basis." We encourage the BOS and citizens of Plumas County to keep that in mind in reading the enclosed report.

Sincerely,



John F. Carlson, Foreperson  
2003-2004 Plumas County Grand Jury

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**Plumas County Grand Jury Committees  
2003-2004**

County Administration  
County Services  
Editorial Review  
Health, Education, and Welfare  
Law, Justice, and Public Safety  
Oversight  
Special Districts

**Plumas County Grand Jury Members  
2003-2004**

John Carlson, Foreperson, Graeagle  
JoAnne Christensen, Foreperson pro tem, Portola  
Tom Fisher, Lake Almanor  
Bryan Hansen, Graeagle  
Judy Hogenson, Quincy  
Pati Hughes-Fudge, Quincy  
Wayne Johannson, Quincy  
John Kafel, Quincy  
Stacey Kapci, Portola  
Duane Knox, Quincy  
Jon Little, Greenville  
Bill Mainland, Portola  
Valerie Nellor, Quincy  
Phyllis Phelps, Lake Almanor  
Luanne Savercool, Chester  
Charles Spencer, Portola  
Isabelle Stone, Quincy  
Greg Todd, Lake Almanor  
Dolores Williams, Meadow Valley

## **Introduction**

Your 2003-2004 Plumas County Grand Jury is a body of nineteen Plumas County citizens charged and sworn to respond to citizen complaints and to inquire into matters of civil concern within the boundaries of Plumas County and incorporated cities within these boundaries. Grand Jury duties, powers, responsibilities, qualifications and selection process are set forth in the California Penal Code section 888 et seq.

The Grand Jury reviews and evaluates procedures, methods, and systems used by governmental agencies to determine whether they comply with stated objectives of the agency and if their operation can be made more effective and efficient. It may inquire into any aspect of the county and city government, special districts, joint powers agencies and service districts funded in whole or part by public monies, to ascertain that the best interest of Plumas County residents are being served.

The Grand Jury reviews all citizen complaints and investigates when appropriate. All complaints are treated confidentially. This applies to both written documents as well as the testimony of witnesses and participants. The complainant may be asked to appear as a witness. A complaint form may be obtained by contacting the Jury Commissioner's Office, or:

**Plumas County Grand Jury**  
**520 Main Street**  
**Quincy, CA 95971**

The Grand Jury functions lawfully only as a body. No individual grand juror, acting alone, has any power or authority. Meetings of the Grand Jury are not open to the public. Law requires all matters discussed before the Grand Jury and votes taken to be kept private and confidential. The end result of inquiries into civil matters are released to the public in a final report which is approved, prior to release, by the supervising Judge of the Superior Court of the County.

The Penal Code requires the Grand Jury to:

- Inquire into the condition and management of jails within the county.
- Investigate and report on the operations, accounts, and records of county officers, departments, and functions.
- Inquire into the willful or corrupt misconduct in office of public officers.
- Submit a final report of its findings and recommendations, no later than the end of its term, to the Supervising Judge of the Superior Court. Agencies to which these recommendations are directed are required to

respond to the Plumas County Grand Jury within 90 days after the final report is released.

Participation in grand jury investigation and discussion is a rich and rewarding experience. It is an opportunity to get an intimate look at how government works and to make informed and valuable recommendations regarding possible improvements. It is also an opportunity to serve with fellow county residents and to discover how a body of nineteen citizens reaches consensus. Service on the grand jury is also a way to contribute and to make a positive difference. Jurors serve 12 months and may be requested to serve a second 12 months, usually from July 1 to June 30.

## **Note to Respondents**

Effective January 1, 1997, there was an extensive change in the law affecting respondents and responses to Grand Jury findings and recommendations. The legal requirements are contained in the California Penal Code, Section 933.05.

For assistance of all respondents, Penal Code Sec. 933.05 is summarized as follows:

## **How to Respond to Findings**

The responding person or entity must, within time frames specified in Penal Code Section 933 (c), respond in one of two ways:

1. That you agree with the finding.
2. That you disagree wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons for disagreement.

## **How to Report Action in Response to Recommendations**

Recommendations by the Grand Jury require action. The responding person or entity must report action on all recommendations in one of four ways:

1. The recommendation has been implemented, with summary of the implemented action.
2. The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
3. The recommendation requires further analysis. If the person or entity reports in this manner, the law requires an explanation of the analysis or studies in a time frame not to exceed six months. In this event, the

analysis or study must be submitted to the officer, director or governing body of the agency being investigated.

4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation.

If either a finding or recommendation deals with budgetary or personnel matters of a county department headed by an elected officer, both the elected officer and the Board of Supervisors shall respond if the Grand Jury so requests, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority.

### **Requirement to Respond**

No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency (includes departments) shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury.

## **Distribution List**

The final report of the 2003-2004 Plumas County Grand Jury will be distributed to the following individuals and agencies:

- The Honorable Judge Ira Kaufman
- The Honorable Judge Garrett W. Olney
- Plumas County Grand Jury for 2004-2005
- Plumas County Grand Jury for 2003-2004
- Plumas County Board of Supervisors
- Clerk of the Board of Supervisors
- Plumas County Administrative Officer
- Plumas County Auditor/Controller
- Plumas County Building Department
- Plumas County Clerk
- Plumas County Counsel
- Plumas County Department of Human Resources
- Plumas County Development Commission
- Plumas County District Attorney
- Plumas County Facility Services Department
- Plumas County Flood Control and Water Conservation District
- Plumas County Information and Technology Department (Website)
- Plumas County Jail
- Plumas County Libraries
- Plumas County Office of Emergency Services (OES)
- Plumas County Planning Department
- Plumas County Probation Department
- Plumas County Public Health Agency
- Plumas County Sheriff
- Plumas County Unified School District
- California State Archivist
- City of Portola
- Grizzly Lake Resort Improvement District
- California Department of Forestry Battalion Chief for Plumas County
- Local Agency Formation Commission (LAFCO)
- Fire Departments

## **Plumas County Reviews**

### **Grand Jury Oversight Committee**

#### **Background**

One of the primary functions of a civil Grand Jury is to investigate all branches of county government to determine if they are being administered efficiently, honestly and in the best interests of its citizens. Each year the Plumas County Grand Jury issues its findings and recommendations in the form of a written report, no later than the end of its term. The public agency or the governing body of the public agency must file a written response to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body.

The Committee interviewed all five current Supervisors, the former County Administrative Officer, Director of Planning and the Fire Warden. Additionally, the committee reviewed the past five years of Plumas County Grand Jury reports, including responses from the Board of Supervisors (BOS).

#### **Findings**

1. The current procedure is the Grand Jury issues its report, findings and recommendations on or about June 30'. The BOS or the agency involved then has 90 days in which to file a written response. That response is during a new Grand Jury term, when most of the members are not familiar with the findings and recommendations of the prior Grand Jury.
2. The BOS, on the last two Grand Jury reports for Plumas County, has failed to acknowledge and address all of the findings and recommendations with regard to fire protection issues. On the 2002/2003 report the BOS did file a supplemental response after they were reminded they had not responded to the initial report.
3. The BOS, on numerous occasions during the past five years, has responded that it agreed with the Grand Jury's findings and/or recommendations and set an action date for implementation, which on many occasions, they failed to keep. (See examples in Appendix A)
4. The 1999/2000 Grand Jury made findings and recommendations for annual evaluations of Department Heads. The BOS responded there was an existing performance review procedure. The 2003/2004 Grand Jury found, although the procedure does exist, not all Department Heads are evaluated annually. (See Finding #3, Department of Human Resources section.)
5. California Government Code Section 87300 requires every County to adopt and promulgate a conflict of interest code.

6. California's Political Reform Act of 1974 (Government Code Section 87 1 00 et seq.) prohibits public officials from making, participate in making, or in any way seeking to influence government decisions in which they have a financial interest.
7. In conducting interviews of the five members of the BOS, each member had a slightly different view of what constituted a "conflict of interest" while serving on the Board.
8. The former county counsel verbally advised some board members that in order for a conflict to exist it must be shown that the Supervisor in question must receive "financial gain."
9. Currently each Board member annually completes a Statement of Economic Interests (California Fair Political Practices Commission form 700), a public document disclosing personal financial interests.
10. The BOS rejected the Grand Jury's recommendation last year to re-establish the Plumas County Planning Commission.

### **Recommendations**

The Grand Jury recommends:

1. The BOS authorize the County Administrative Officer (CAO) to place Grand Jury Recommendation items on the BOS agenda to follow up on recommendations in which the BOS has already agreed to take action.
2. The BOS direct County Counsel to define what constitutes a "conflict of interest" by a board member and distinguish between "financial interest" and "financial gain".
3. The BOS voluntarily recuse themselves on any issue in which they have a "financial interest," prohibited by Govt. Code Sec. 87103, as opposed to an actual "financial gain".
4. The BOS study the pros/cons of either re-establishing the Plumas County Planning Commission or an Advisory Planning Committee to advise the BOS and Director of Planning on land use policy, amendments to the General Plan and Zoning issues.

## **Plumas County Public Health Agency**

### **Function**

The Plumas County Health Agency (PCHA) charter is to promote individual and community health within Plumas County. The Agency has five distinct departments that cover the following:

- Administration and Program Support
- Health Education

- Public Health Nursing
- Senior Nutrition and Transportation
- Environmental Health

### **Background**

The PCHA was selected to be reviewed because the entire agency had not been investigated by the Grand Jury for several years and a letter was received that stated that instances of nepotism and improper job postings existed within the agency. Interviews were conducted with the Director of the Agency; the Environmental Health Director; the Director of Administration and Program Support; the Division Director of Senior Nutrition and Transportation Program; the Director of Public Health Nursing; the Health Education Coordinator and the business manager of Operating Engineers, Local Union No. 3.

### **Findings**

1. *The Personnel Rules of Plumas County* ("Personnel Rules") define nepotism as: "The appointment in a department of a member of any employee's family to a permanent, temporary, or extra-help position resulting in the employee having substantial supervisory authority over the family member."
2. There was no supportable evidence of improper job postings.
3. The department heads reported that performance evaluations are not consistently completed on an annual basis.
4. In "Personnel Rules," the Plumas County Human Resources Department neither defines nor provides procedures for employee pre-disciplinary hearings (*Skelly v. State Personnel Board* (1975) 15 Cal.3d 194).
5. The Grand Jury found no evidence of Skelly Hearing violations in 2004.

### **Recommendations**

The Grand Jury Recommends:

1. PCHA should always comply with guidelines specified in "Personnel Rules" regarding nepotism. Posting job opportunities should continue to be in accordance with "Personnel Rules. "
2. Annual performance evaluations should be completed for each employee as required in "Personnel Rules. "
3. Basic rules of procedure for the Skelly Hearing process should be included in "Personnel Rules " in order that all county employees have knowledge of their rights in the disciplinary process.

## Commendations

The Plumas County Health Agency encompasses a wide array of disciplines. Each employee interviewed by the Grand Jury expressed enthusiasm for the work they were engaged in and for the working atmosphere within the agency. The impression of the Grand Jury was of a vibrant and enthusiastic agency going about work vital to the well being of the county.

## **Department of Human Resources**

### Function

Human Resources (HR) administers implementation of *The Personnel Rules of Plumas County* ("Personnel Rules"). The purpose of these rules is to provide a consistent, equitable and efficient program of personnel administration for Plumas County by:

- Maintaining permanent personnel records.
- Assuring equal employment opportunity.
- Providing for a classification plan for all positions.
- Establishing a salary plan including retirement and other benefits.
- Developing procedures for recruitment, appointment, training, evaluation, promotion and termination.
- Protecting employees from discrimination, arbitrary removal and political pressures.
- Developing and administering an employer-employee relation's policy.

### Background

The Grand Jury investigated the subject of performance evaluations of department heads. We also reviewed the timing of performance evaluations of employees when they are not currently eligible for a merit or longevity pay increase. The Grand Jury interviewed the Director of HR, the former County Administrative Officer (CAO), four members of the Board of Supervisors (BOS), and the Directors of the Planning and Public Works Departments.

### Findings

1. HR came into existence in 1996.
2. The "Personnel Rules" were originally adopted February 14, 1986 by BOS resolution No. 86-3979. They were completely revised and adopted February 15, 2000 by BOS resolution No. 00-6363.
3. Rule 15 - Performance Evaluation. 15.01 Policy: "Each appointing authority shall be responsible for effectively evaluating the performance and conduct of the department's employees. **The frequency shall be at least once a year.** An effective evaluation provides written documentation, in regular and timely manner, on the quality of performance and employee departmental needs. Such documentation shall provide a basis for future personnel decisions. The

performance evaluation shall be completed and presented to the employee prior to the end of the calendar date covered by the evaluation." (emphasis added)

4. Rule 6 - Salary. 6.05 Merit Advancement by Salary Ste2: "The personnel action shall be based on performance evaluations conducted pursuant to Rule 15."
5. 6.06 Longevity Advancement: "Upon satisfactory performance, as evidenced by a performance evaluation, an employee's salary shall be increased (5%) at the following times: upon completion of seven, ten, fourteen, eighteen, and twenty-one years of full-time continuous and compensated service, measured from date of hire."
6. The CAO has the responsibility to prepare performance evaluations and provide them to the BOS for the seventeen positions that constitute the department heads, which the CAO supervises. The CAO is to provide the department head with a copy of what is provided to the BOS. The BOS makes the final evaluation after a closed hearing with the department head and the CAO. Official personnel records from HR disclose that thirteen of the department heads performance evaluations are delinquent. The HR director has not been evaluated since July 2002. The head of Planning/Building Services was last done October 1997, the head of Public Works was last done July 1997, the head of Probation had gone from January 1991 until December 2003, (the performance evaluation occurred because the department head requested it).

The head of Office of Emergency Services (OES) hired in January 1977 (a one- half time appointment) has never received a performance evaluation. This position includes the responsibilities of County Fire Warden; this position is often overlooked by both the CAO and HR Director. HR omitted this position from the listing of department heads they supplied to the Grand Jury.

7. Within the departments there are delinquent performance evaluations for employees whose tenure falls into the time frames when they are not eligible for either a merit or longevity salary increase. This occurs during employment years eight, nine, eleven, twelve, thirteen, fifteen, sixteen, seventeen, nineteen, twenty, or over twenty-one years of service. These merit and longevity raises are separate from cost of living raises, which usually occur annually and do not require a current performance evaluation. The department heads are responsible for assuring that all performance evaluations occur in a timely manner in their departments. HR does not notify department heads of due dates.

The following table shows employees of Plumas County whose tenure status does not provide an opportunity for either a merit or longevity salary increase:

Years of tenure	Number of employees in this tenure grouping	Number with delinquent performance evaluations
8 or 9	31	7
11-13	34	6
15-17	41	4
19, 20 & >21	29	7

The departments with the delinquent evaluations are Assessor, Auditor, County Counsel, District Attorney, Mental Health, Probation, and Information Technologies.

8. HR tracks all employees to verify that each employee has received all raises he/she is entitled to and that the evaluation necessary to support the raise has been forwarded to HR. The evaluation is not official until it is on file in HR.
9. The HR computer system does not pick up due dates for evaluations. The HR Department does not have computer software to track personnel, therefore tracking must be performed manually.

**Recommendations:**

The Grand Jury recommends that:

1. The CAO and the BOS agree on a monthly schedule for conducting annual performance reviews of all department heads. This would average three evaluations every two months. At that review the department head would document the currency of the performance reviews of employees in their department.
2. The prior CAO, currently on retainer, could assist the present CAO in bringing performance evaluations up to date.
3. There have been various memos, letters of direction and procedures generated over the last four years that are not reflected in the "Personnel Rules." The "Personnel Rules" should be reviewed and updated annually.
4. The HR department should obtain software that will facilitate its operations.

## **Plumas Unified School District**

### **Function**

Plumas Unified School District's (PUSD) mission is to provide a quality education for all students in a supportive environment. The interscholastic program is an extension and integral part of the total physical education program of the district.

### **Background**

An important part of the PUSD program is the interschool athletics program. In a rural county like Plumas County the athletics program requires travel over long distances to competitive events, and the transportation of the student athletes has been a concern, both to the school and to the parents. The Grand Jury was informed that parents of Portola High School student athletes had chartered private buses for athletic events played in other venues. This resulted in a union grievance which the PUSD settled. A preliminary inquiry indicated sufficient substance to warrant further investigation. The Grand Jury interviewed the Superintendent of Schools of Plumas County; the Supervisor of Transportation; the Director of Personnel of Plumas County Schools; the Principal of Portola High School; and a basketball coach of Portola High School. Also interviewed was the parent who had arranged for the chartered buses.

### **Findings**

1. The PUSD notified each school administrator at the beginning of the school year that there would be a 75% cut in athletic funds. Portola High School elected to meet this requirement by eliminating funds for transportation to athletic events.
2. Parents of Portola basketball players, both boys and girls, were verbally informed that they would be responsible for transporting their student athletes to athletic events at other schools.
3. Student fundraisers and parent donations raised money for transportation to athletic events.
4. A coach deposited the funds in the Portola High Associated Student Body (ASB) account.
5. Once placed in an ASB account, the money was under the jurisdiction of the school district, not the parents. (Educational Code 48930 through 48936 governs the purposes and activities of the student body funds.)
6. On one occasion parents, following PUSD procedures, arranged to pay for a PUSD bus to transport the basketball team. However, at the last minute, parents were notified that no PUSD drivers were available. The parents transported the students in private vehicles.

7. The parents reasoned that chartered private buses would be more dependable. A parent paid for the charter buses with a personal credit card and was reimbursed from the ASB account.
8. The California State Employees Association Chapter 193 (CSEA) filed a grievance on behalf of the bus drivers, claiming that the trips should have been made in PUSD buses. Since they were not, the drivers did not receive overtime pay they would otherwise have earned. The CSEA 193 contract states that work traditionally performed by classified (uncredentialed) employees must continue to be performed by classified employees.
9. The PUSD settled the grievance and awarded the bus drivers a total of approximately \$1,500. The bus drivers' grievance resolution was paid out of the Portola High School ASB account. The PUSD has since reimbursed the Portola High School ASB account and the amount of the grievance settlement- will be deducted July 1, 2004 from the 2004-2005 Portola High School athletic budget.
10. The Director of Personnel Services on March 3, 2004 issued a memo that reads, in part, "...no PUSD students are to be transported on a chartered bus unless CSEA 193 has agreed in writing to the chartering of such a bus." This memo was sent to all high school principals and athletic directors.

**Recommendations:**

The Grand Jury Recommends:

1. The- school district and the individual school principals provide clear guidance to the parents and other community groups to help make their support for the school programs effective and rewarding for both students and community.
2. All instructions regarding transportation of students to athletic events be conveyed in writing to parents identifying what is expected of them in transporting students, chartering buses or using school buses.
3. Students who participate in the management of ASB funds should be provided written guidelines on their responsibilities.
4. Parents should be given written instructions of the limitation on the ASB fund.
5. Teachers and coaches should be advised that their presence on any school bus trip, chartered or not, makes that trip a school sponsored affair.
6. The PUSD clarify the memo of March 3, 2004, regarding the authority for chartering buses.

### **Commendations:**

The Grand Jury commends the Portola High School parents for making their decisions with good intentions. They were not aware of the technicalities of the ASB account or the provisions of the contract with CSEA Chapter 193. The Grand Jury commends the PUSD Superintendent, Mr. Chelloti, for his tenacity in finding funding solutions in a difficult financial environment with deteriorating budget revenues. The Grand Jury also commends the Principal of Portola High School, Mr. Lake, for his leadership and guidance through a difficult situation.

## **Plumas County Flood Control and Water Conservation District**

### **(PCFC)**

#### **Function**

Provide for control and disposition of storm, flood and other waters of the district; make water available for any present or future beneficial use or uses of lands or inhabitants within the district, including acquisition, storage and distribution for irrigation, domestic, fire protection, municipal, commercial, industrial, recreational and all other beneficial uses; develop and sell at wholesale hydroelectric energy to aid in financing water projects.

#### **Background**

Plumas County is recognized by the state of California as a County of Origin and therefore has water rights to specified amounts of water flowing from the county. That right would have been lost via an agreement (The Monterey Agreement (MA)) that was about to be finalized between State Water Project (SWP) contractors and the Department of Water Resources (DWR) approximately eight years ago. The PCFC (along with the other agencies) sued DWR and SWP. As a result of the litigation a resolution was reached, the Settlement Agreement (SA), whereby the DWR is required to make annual payments of \$1 million to PCFC for four years. An additional \$1 million dollars of payments for four additional years are authorized pending completion of a new Environmental Impact Report (EIR) and a successful defense of any legal challenge trying to invalidate the SA.

The SA directs that:

#### *"3. Use of Funds.*

- a. *Funding of Watershed Programs.* Plumas shall apply a majority of all funds received each year pursuant to Section IV(A) to Watershed Programs.
- b. *Balance of Funds to General Purposes.* Plumas may apply the balance of funds received each year to other district-related purposes, as determined by Plumas with due consideration for the needs of the Watershed Forum."

In the SA, "Plumas" is defined as PCFC. The Watershed Forum (WF) is comprised of PCFC, DWR, and the SWP.

The SA states, for the WF:

## *2. Purpose and Goals*

- a. Generally. The Watershed Forum's purpose is to implement watershed management and restoration activities for the mutual benefit of Plumas and the SWP. Forum activities include design of, participation in, implementation of, and review of studies and demonstration projects related to watershed restoration.
- b. Specific Goals. The specific focus of the Watershed Forum's activities is to implement programs designed to achieve the following benefits:
  - (1) Improved retention (storage) of water for augmented baseflow in streams;
  - (2) Improved water quality (specifically, reduced sedimentation), and stream bank protection;
  - (3) Improved upland vegetative management; and
  - (4) Improved groundwater retention/storage in major aquifers."

The Grand Jury noted the contentiousness of the July 28, 2003 meeting of the Plumas Watershed Forum. There was disagreement over how the funds should be spent. The Grand Jury therefore decided to investigate how the funds of the SA were going to be dispersed and what direction was provided by the settlement. The Grand Jury interviewed the members of the Board of Supervisors (BOS), past members of the BOS, Director of Public Works, Director of Planning/Building Services, the former County Counsel, County Auditor, Plumas County's litigation counsel, members of the WF Technical Advisory Committee (TAC), and personnel previously employed by Plumas Corporation.

## **Findings**

1. Some approved expenditures of the initial installment have not been consistent with stated goals of the SA. Projects not aligned with the goals of the SA have included \$10,000 for increasing the capacity of a well owned by the Grizzly Lake Resort Improvement District, \$115,000 to the PCFC for the 2003-2004 budget expenditures, \$452,000 to repay the general fund for loans to the PCFC for expenditures that had accumulated for several years (These expenditures are being reviewed by DWR).

2. Plumas County has a building permit moratorium in the Sierra Valley. This moratorium can be lifted only after the Federal Emergency Management Agency (FEMA) determines that an adequate Sierra Valley flood plain map has been developed.
3. The PCFC has recommended approximately \$500,000 be allocated to a Sierra Valley flood plain study to develop a flood plain map of the county's portion of the valley.
4. Some approved expenditures are consistent with the goals of the SA. They include \$75,000 for a vegetative management project contracted through Plumas Corporation and approximately \$28,000 to develop a strategy document (Feather River Watershed Management Strategy) for using the SA funds.

### **Recommendations**

The Grand Jury recommends:

1. The BOS/PCFC avoid the temptation to use the SA funds for projects or activities that offer short fixes but are not consistent with the stated goals. The BOS/PCFC has a unique opportunity to show it can be a responsible steward of these watershed improvement funds. To the extent funds are expended for watershed restoration the more likely business and citizens of Plumas County will receive an environmental and economic benefit.
2. The Sierra Valley flood plain study should not be funded with SA money because it is not in compliance with the goals of that agreement.
3. The BOS/PCFC should utilize the Feather River Watershed Management Strategy as a guide to prioritize and fund projects.
4. The BOS/PCFC seek opportunities to leverage these funds through partnerships with public agencies and private landowners, thereby increasing the benefit to Plumas County.
5. Appropriate use of the SA funds can demonstrate to the SWP that it is economically sound policy to fund additional programs beyond those authorized by the WF.

## PLUMAS COUNTY JAIL

### Function

To confine Plumas County prisoners who are awaiting arraignment, trial or serving sentences.

### Background

The Grand Jury made its required annual inspection of the Plumas County Jail on February 5, 2004. On April 6, 2004, at the suggestion of the Grand Jury, two members of the Plumas County Board of Supervisors (BOS) made an inspection of the jail accompanied by the members of the Grand Jury. On both visits, the jail staff escorted the jurors and/or supervisors on a walk-through inspection. The County Sheriff was present during the February 5<sup>h</sup> inspection.

The staff consists of a minimum of three Correction Officers during the day, two on swing shift and two on graveyard shift. The maximum capacity of the jail is 67. At the time of the April 6<sup>th</sup> inspection, there were 47 prisoners. The jail Commander reported the prisoner count grows to the high 60's on the weekends. The majority of prisoners are incarcerated because of drugs and drug-related offenses. According to the jail staff, there is a recidivism rate of over 90%.

In addition to the two visual inspections, the Grand Jury performed the following steps:

1. Reviewed the 2002-03 Grand Jury report on the jail and the County Sheriff's response.
2. Reviewed the reports submitted by the Environmental Health Department, the Nutritional Specialist and the Medical/Mental Health Specialist.
3. Interviewed the County Sheriff and Under Sheriff (the Under Sheriff is in charge of maintenance for the jail).
4. Interviewed the County Director of Facility Services.

From the aforementioned procedures, the Grand Jury noted numerous maintenance and security problems associated with the jail. Some of these problems have been present for a number of years and were documented in previous Grand Jury reports. The following findings and their related recommendations from last year's Grand Jury report **have not been corrected**:

1. The Control Room still contains a crowded maze of wires, monitors and cords hanging in a jumbled manner.
2. The drop ceiling in one of the hallways had been removed to repair piping and was not replaced. Utilities carried in the ceiling space are exposed. This also creates a potential security issue.

3. Portions of the security wire in the female exercise yard have not been installed.
4. The area used for fingerprinting is not isolated from the Control Room thus burdening the already limited jail staff and creating a potential security issue.

### **Findings**

1. The jail's heating and ventilating is regulated by an offsite computer- controlled system (the "DELTA" system). The purpose of this system is to realize energy efficiencies. It was noted during the inspections that the jail areas, particularly the maximum-security section, appeared very warm and damp. The jail staff indicated conditions were often too hot or cold.
2. It was noted the standby generator for emergency power during power failures was missing. The Grand Jury was informed that the generator had been removed by Facility Services in December 2003 because it had been "red tagged." During a countywide power outage in that month, the jail was without backup power for over twenty-four hours creating a security problem. While a new generator was on order, it had not yet been received (as of May 1, 2004), forcing the jail to rent a temporary trailer-mounted generator at a cost of \$1,800 per month for three months.
3. The present jail facility presents many security issues because of the way it was constructed in 1976. Examples: there is no automated lock-in control when moving inmates from one cell to another; the physical layout is linear which makes it more labor intensive and places staff in direct contact with prisoners; there are no slots in maximum security cell doors requiring food to have to be served to prisoners by opening the cell door; access to jail facilities for disabled female inmates is inadequate. The Jail Commander estimated a new jail facility might cost in excess of \$12 million.
4. There are numerous maintenance problems applicable to the jail. Previously, the jail had its own full-time maintenance employee. Maintenance now has to be requested of the Facility Services Department. Due to that department's understaffing situation, requested maintenance orders are often not completed in a timely manner or not completed at all. Documentation indicated twenty- two open work orders for the jail with only six currently in the process of correction.
5. Outside the jail, there are several problems relating to security in the yard areas. These include:
  - a. Two surveillance cameras are not functioning; another camera is needed to cover the east end of the yard.

- b. Some of the lighting sensors are not functioning properly. One security light was noted as being on at 4:00 P.M. during the inspection.
- c. The main electrical panel and transformer are without adequate security.
- d. The outside female exercise area is not adequately wired for security.

### **Recommendations**

The Grand Jury recommends:

1. The Board of Supervisors should make a thorough review of the jail to determine the current and future adequacy of this facility. Sources of funding should be included in this review.
2. The Chief Administrative Officer, Sheriff, Facility Services Director and the jail staff should meet to assess the significant security and maintenance issues listed in the findings. Written programs and schedules should be developed to address these problems and establish priorities for their rectification. Copies of these documents should be provided to each party involved.
3. Assign a full-time maintenance person to this facility.
4. All members of the Board of Supervisors should tour the jail facility at least once each year.

### **Commendations**

The Grand Jury commends the jail personnel for their efforts in maintaining a relatively safe and secure environment and in complying with substantially all the recommendations of the Health Department officers.

## **PROBATION DEPARTMENT**

### **Function**

Under the general direction of the Judge of the Superior Court, the Probation Department administers the adult and juvenile probation programs of Plumas County. The goals of the department are to protect the community, rehabilitate probationers, prevent crimes and delinquency, and protect non-delinquent youth.

### **Background**

Interviews were conducted with the Chief Probation Officer and two Deputy Probation Officers. This investigation was in conjunction with Plumas County Community School (PCCS). See Complaint #03/04-02.

### **Findings**

1. One probation officer is now assigned to students on probation who are enrolled at PCCS. This officer follows prescribed procedures by signing the visitation log and notifies teachers if students on probation are to be removed from the classroom. This has improved communications between the Probation Department and PCCS.
2. The Probation Department does not have a separate juvenile division.
3. The Probation Department is in need of expanded office space for personnel and equipment. Lack of space has caused overcrowding conditions and lower staff morale. Currently, there is inadequate office space for fourteen employees.
4. Two hundred hours of training are required for newly employed probation officers. The Chief Probation Officer indicated the department experiences high turnover. Many officers leave for higher paying positions in other counties once they reach the two hundred hour mark. The average retention duration for entry-level probation officers is eighteen months. Current annual compensation levels are: entry level - \$29,448; 1 year - \$31,200; 4-5 years - \$34,800.
5. Funding for the Probation Department is provided from the County general fund (55%), six separate grants (22%), State and federal sources (20%) and fees charged to probationers (3%).
6. At the time of the Grand Jury interview, the Chief Probation Officer had not received a performance evaluation for eleven years.

## **Recommendations**

The Grand Jury recommends:

1. The space situation in the Probation Department should be addressed and corrected. The needs include three more offices and one room for conferences. Once some departments move to the new facility, the old law library could be considered for expansion of the Probation Department.
2. The Human Resources Director perform a study to address the turnover issues in the Probation Department.
3. The Board of Supervisors hold an annual performance evaluation with all the appointed Department heads.

## **FACILITY SERVICES DEPARTMENT**

### **Function**

The Facility Services Department maintains over thirty physical structures; real properties owned by the county; one park and one campsite. It also is responsible for the janitorial services for those facilities and the county vehicle fleet. Duties include maintenance, repair and renovation of county buildings. Staffing, after 2003/2004 budget reductions, was reduced from ten employees to a Department Manager, one office staff and five full-time field staff. However, since the beginning of the fiscal year, the Department has experienced the resignation of a heating and air conditioning technician, and the loss of two other field staff due to illness or injury, reducing the staff to four employees.

### **Background**

The Facility Services Department head was interviewed in connection with certain repair and maintenance issues concerning the county jail (see comments under PLUMAS COUNTY JAIL). During the jail visits, this interview and comments from other departments, it became evident that serious problems may exist with the overall county maintenance program. Some of these problems stem from State law governing the contract bidding process, lack of staff and lack of established maintenance priorities.

### **Recommendation**

Due to time constraints, the 2003-04 Grand Jury was unable to conduct a thorough investigation of the Facility Services Department. It therefore recommends that the 2004-05 Grand Jury undertake a comprehensive investigation of this department.

## **Complaint Summaries**

### **COMPLAINT #03/04-01**

#### **Nature of Complaint**

This is a continuation of last year's Grand Jury Complaint # 02/03-15.

#### **Response**

The issues in the complaint were investigated as part of the Plumas County Health Agency review, and were found to be without merit.

### **COMPLAINT #03/04-02**

#### **Nature of Complaint**

A citizen submitted a complaint alleging improper conduct by County Probation officers, the Sheriff's Department and the District Attorney involving the Plumas County Community School (PCCS) and one of its teachers. This complaint was carried forward from the 2002-03 Grand Jury due to that Jury's time constraints. Specifically, the complaint alleged:

1. Disruption of the PCCS's instructional program and the health and safety of students and staff caused by the Probation officers.
2. Lack of timely follow-up by the Sheriff's Department to death threats against the PCCS's lead teacher and vandalism against this individual's property.
3. Lack of response to several potential sexual harassment cases referred by PCCS teachers to the School District.
4. Lack of cooperation from the School District, District Attorney and Probation Department to numerous reports of dangerous and negative conditions existing at the PCCS.

#### **Background**

The Grand Jury conducted interviews with Community School teachers, Probation Department personnel, School District officials, the County Personnel Director and the Sheriff's Department. A total of eleven interviews were conducted. In addition, the Grand Jury reviewed extensive documentation pertaining to these complaints, including internal memorandums, e-mails and a Sheriff's report.

#### **Findings**

1. At any one time, the PCCS enrollment may include both students who are or are not on probation. The Probation Department notifies the School District of those students sent to PCCS who are on probation; however, the School District does not inform the PCCS teachers of those students on probation. This creates a potential safety problem for those teachers.

2. Probation officers do not visit the PCCS on a regular basis.
3. There are no written procedures covering probation officers' visits to the PCCS. Drug testing is sometimes conducted on school premises.
4. Periodic reports on probationary students are not prepared by PCCS staff on a scheduled basis. Probation Department reports on students are not provided to PCCS staff, in some cases due to the confidential nature of these reports. This often results in a lack of adequate communication between Probation and PCCS teachers.
5. There is no present means to remove expelled students to a higher level of supervision. These students are often returned to PCCS within a few weeks as there is no other place to send them.
6. Conditions at the PCCS do not facilitate a good learning environment. Examples include worn carpeting, hoist equipment located in the middle of the classroom, students observed listening to "rap" music or unassigned reading of newspapers during class time.
7. Complaints by PCCS teachers to the Sheriff's Office were not investigated in a timely manner.
8. There is no juvenile officer assigned by the Sheriff's Department to the PCCS.

### **Recommendations**

The Grand Jury recommends:

1. That communications between the School District, Probation Department and PCCS staff be strengthened.
2. The School District administration should inform PCCS staff of all students enrolled who are on probation.
3. Written visitation procedures specifying appropriate conduct by probation officers should be prepared and communicated to both PCCS staff and the probation officers. These should include regularly scheduled visits, advance notification and permission, sign-in logs, and manner of performing student interviews.
4. Any drug testing should be performed at the Probation Department and not on school premises since the drug testing of minors requires confidentiality.
5. Periodic visits to the PCCS should be made by School District personnel to observe conditions and meet with teachers. We understand this is now being done since the beginning of the current school year.

6. If the Sheriff's Department does not presently have sufficient resources to assign a juvenile officer to PCCS, an officer should visit the school at least once each month to interact with students and to instill awareness for authority.
7. At least two to three times during the school year, a general meeting of the School District, Probation Department, Sheriff's Department and PCCS staff should be held to discuss current and emerging issues.

### **COMPLAINT #03/04-03**

#### **Nature of Complaint**

A citizen submitted a complaint against the Sheriff's Department and the District Attorney alleging, among other charges, improper use of the California Law Enforcement Telecommunications System ("CLETS") program in the District Attorney's Office by a County employee.

#### **Response**

The Complainant was advised that this complaint was not within the jurisdiction of the Grand Jury and that his complaint and related documentation was forwarded to the California State Attorney General's Office. Complainant was further advised to pursue his complaint with the California Attorney General and to consider consulting with the current County Sheriff.

### **COMPLAINT #03/04-04**

#### **Nature of Complaint**

A citizen requested the Grand Jury investigate the Grizzly Lake Resort Improvement District (GLRID) in regard to its management in the Crocker Mountain area. Complaints were as follows:

- The GLRID refuses to serve (provide water) to the entire Crocker Mountain Subdivision
- GLRID does not have maps available of the water and sewer system pipes on Crocker Mountain
- GLRID does not post minutes of its board meetings and they do not have a Public Comment period on their agenda
- No citizen of the Crocker Mountain area serves on the board of the GLRID

#### **Background**

The GLRID is a special district in the eastern portion of Plumas County, south of Lake Davis. It is charged with supplying water and sewage services to the Delieker area and the Crocker Mountain area. Prior to the poisoning of Lake Davis by the State of California Department of Fish and Game, the GLRID supplied water to the Crocker Mountain area using water from Lake Davis by way of a county-owned water filtration plant. After the poisoning of Lake Davis the filtration plant was shut down. This plant filtered water from Lake Davis for domestic use of the City of Portola and Crocker

Mountain. Wells have been drilled by the county to provide water for Crocker Mountain on an interim basis.

The Grand Jury interviewed a former Plumas County Supervisor, the Plumas County Public Works Director, two employees of the GLRID and a member of the GLRID Board of Directors.

### **Findings**

1. The original well did not supply enough water for existing residences in Crocker Mountain. Using \$ 1 0,000 from Plumas County (see report on Plumas County Flood Control and Water Conservation District for source of funds) the well was improved. Enough water is now available for existing residences of Crocker Mountain.
2. There is a building moratorium on new construction in the Crocker Mountain area. The GLRID plans to provide a new water storage tank by July or August 2004 to provide adequate water pressure to serve all of Crocker Mountain. The building moratorium will be lifted at that time.
3. The county is in the process of obtaining funding for a new water filtration plant to provide water for the City of Portola and Crocker Mountain. Completion of the plant is expected in 2006.
4. The GLRID Board of Directors holds monthly meetings. The agenda is posted in four places in the district, including a bulletin board at Crocker Mountain. Copies of the minutes are available for the public at the GLRID office. The public comment section of the agenda does not appear on the agenda, but the public is invited to make comment throughout the meeting.
5. As of May 2004, four members of the board are from Delieker and one from Crocker Mountain. Vacancies on the board are posted with meeting notices, indicated in bills to customers and sent to the county clerk.
6. Maps of both serving areas, Crocker Mountain and Delieker, are posted and available at the GLRID office.

### **Response**

The grand jury concluded there is no longer any basis for this complaint.

### **Recommendations**

The Grand Jury recommends:

Public comment should be added to the agenda of board meetings.

## **COMPLAINT #03/04-05**

### **Nature of Complaint**

Parents of a teenager submitted a complaint alleging their son had received an unfair trial in 2003.

### **Response**

The Complainants were advised that because their complaint involved the criminal justice system, it was not within the jurisdiction of this Grand Jury.

## **Complaint #03/04-06**

### **Nature of Complaint**

A citizen submitted a complaint asking if the Solid Waste Fee on his county property tax bill is legal. The Solid Waste Fee listing on the bill falls under the heading "Voter Approved Taxes, Taxing Agency Direct Charges, and Special Assessments," and the complainant states that he has never voted on this issue. He wanted the Grand Jury to determine if the fee is legal and if so, how long can it be imposed.

### **Findings**

1. On March 27, 1990, Board of Supervisors (BOS) Resolution No. 90-5004 provided for a county trust fund to meet state-mandated requirements for funding the eventual closures of the Gopher Hill and Chester landfills. The resolution states "WHEREAS, engineers in the county's Department of Public Works have prepared initial landfill closure cost estimates showing that: the cost of closing Gopher Hill in five years will be met by depositing approximately \$130,446 annually in a trust fund with CIWMB (the California Integrated Waste Management Board) as beneficiary; and the cost of **closing Chester in twenty-five** years will be met by depositing \$197,431 annually in a trust fund with CIWMB as beneficiary; such deposits generating a total of \$5,588,008 (includes 20 percent contingency required by CIWMB); and ..... (emphasis added) The BOS also stated in the resolution "...Further, the board intends to present to the voters of the county in April 1991 the choices available for funding solid waste mandates ... long-term borrowing, raising new revenues through user fees or taxes, or trimming the budget by deleting existing programs and services that are local options." The Grand Jury has been advised that no public election was held on that issue.
2. On June 18, 1991, Board of Supervisors Resolution No. 91-5191 established the solid waste generation fee of \$38.00 per year per residential equivalent for parcels in unincorporated county areas in order to meet the funding requirements of Resolution No. 90-5004. Section 5 of the resolution says, in part, "The 1991 solid waste generation fee shall be billed and collected with the FY 1991-92 property taxes by the County tax collector. **The fee shall be deemed a type of 'user fee' charged for the privilege of using or having available for use the county landfills.**" (emphasis added)

3. The solid waste fee has been renewed by the Board of Supervisors each year since. In fee-renewing Resolution No. 97-6021, dated April 15, 1997, the BOS specified that it "...relies on advice of County Counsel as to the legality of this fee and the manner of its continuation. ... The fee is a **'property-related service fee'** under Section 6 of Proposition 218 which takes effect on July 1, 1997. (emphasis added)
4. The fee-renewing BOS Resolution No. 03-6869, dated June 3, 2003, under findings and declarations, restates the Proposition 218 reference, cites an opinion letter from the Legislative Counsel of California and states that "... any incidental reference to the fee as a 'tax' or 'assessment' shall not be construed so as to change the nature of the fee from that of a property-related service fee."
5. The Director of Public Works advised the Grand Jury that the total solid waste generation fee revenues from fiscal years 1992/1993 through June 2004 will have totaled over \$7.5 million. Of this total, the closure trust fund has accumulated \$3.99 million. The Director of Public Works further reports "The remainder of the funds have been spent solely on solid waste budgeted items. This includes the construction of three transfer stations and the ongoing maintenance of the system as well as trying to satisfy all of the requirements of the state for solid waste compliance items." The accumulated trust fund of \$3.99 million is short of the 1990 goal of \$5.58 million.
6. The closure of Gopher Hill Landfill, originally predicted for 1995, is scheduled for the summer of 2004. A contract with a value of \$1.53 million has been awarded to Joy Engineering for this project.

### **Response**

The Grand Jury could find no illegality about the Solid Waste Fee. The BOS has, in multiple documents, stated that it is a user fee and, in Resolution 97-6021, that the BOS had consulted County Counsel. Since the Solid Waste Fee is renewed annually by vote of the BOS, the duration of its imposition is up to the BOS.

### **Complaint #03/04-07**

#### **Nature of Complaint**

A citizen submitted a complaint against a County Supervisor charging a violation of Government Code Sections 6250-6270, the California Public Records Act (CPRA). The complainant stated that he was unable to gain full access to a file used by the Supervisor at a public hearing regarding authorization of a Special Use Permit.

#### **Background**

The complainant had informally requested access to the file in May 2003. On June 18, 2003, he submitted to the Supervisor a formal request for access to the file and to the previous Supervisor's file on the subject (then in the possession of the current Supervisor), which the previous Supervisor had informed him was public information.

Copies were sent to County Counsel and the Chairman of the Board of Supervisors. Complainant received a letter dated July 15, 2003 from County Counsel informing him that a copy of the first file was in his office and could be picked up or mailed. Complainant found that two items from the file had been excluded. He received another letter from County Counsel, dated August 14, 2003 and informing him that the previous Supervisor's file was available for inspection in County Counsel's office.

When the complainant came before the Grand Jury in December, he still had not gained access to the raw file originally requested. It was suggested that he submit another request to the new County Counsel. He was granted access to the file early this year.

The CPRA specifies that an agency receiving a request for access to documents has 1 days to decide whether or not they must comply. If they decide the documents are exempt from disclosure the agency must cite reasons for denial. If the documents are not exempt, the agency must make them available within another 14 days.

### **Findings**

1. The complainant did not gain access to the requested documents within the time prescribed by law.
2. The county has no formal procedure for handling requests under the CPRA.

### **Recommendations**

The Grand Jury recommends:

1. The Board of Supervisors develop standardized procedures to achieve compliance with the CPRA.

## **COMPLAINT #03/04-08**

### **Nature of Complaint**

A citizen submitted a complaint against the Plumas County Sheriff's Department alleging lack of follow-up on a death threat and confiscation of Complainant's property.

### **Response**

Complainant has been advised this matter is not within the jurisdiction of this Grand Jury due to criminal allegations made in this complaint.

## **COMPLAINT #03/04-09**

### **Nature of Complaint**

A citizen submitted a complaint alleging wrongful and retaliatory termination of employment from Plumas District Hospital (PDH).

**Response**

Following interviews and legal advice, the Grand Jury determined that this complaint is predominantly an employment dispute and that this complaint does not fall within the scope of the Grand Jury's jurisdiction.

**COMPLAINT #03/04-10**

**Nature of Complaint**

A county employee submitted a complaint against members of the Board of Supervisors alleging wrong doing regarding a salary issue.

**Response**

The complainant was advised that the complaint did not provide sufficient information for the Grand Jury to evaluate the merits of the complaint and asked that it be resubmitted with additional information.

**COMPLAINT #03/04-11**

**Nature of Complaint**

A citizen submitted a complaint alleging improper job posting, nepotism and improper pre-disciplinary hearing at the Plumas County Health Agency.

**Response**

A thorough review and investigation of the Plumas County Health Agency had been conducted prior to the submitted complaint.

The findings of the Grand Jury's investigation into the Health Agency indicated that the complaint was without merit.

## **APPENDIX A**

The following is a list of some recommendations from the Grand Jury (GJ) reports and the Board of Supervisors (BOS) response. In some cases the BOS agreed with the recommendation and stated an action date for completion. The GJ could find no evidence that action was taken by the BOS nor that the completion date was met.

### **2002/2003 Planning Department**

#### **GJ Recommendation #2**

"2. That the General Plan be reviewed and revised with regard to fire protection issues in Plumas County. The County Fire Warden, Fire District Chiefs and CDF should be consulted and be instrumental partners in this review".

#### **BOS Response**

"We agree that the General Plan should be reviewed with regard to fire protection issues in Plumas County. We also agree that the Fire Chiefs of the various districts and CDF should be consulted as part of this review. If necessary, revisions can be brought forward to amend the County's General Plan. We are directing the Planning Director to return with a report on the process at an estimated time frame no later than January, 2004."

#### **GJ Recommendation #3**

"3. That personal meetings between county department heads and State and Federal agencies be held on a scheduled basis in order to build inter agency rapport and cooperation ".

#### **BOS Response**

"We believe that this recommendation needs further analysis and the Planning Director is in the process of contacting the various agencies to specifically identify what problems or issues exist and will return with a recommendation for resolving the issues that would be acceptable to the various parties. This should be accomplished no later than December, 2003."

### **2002/2003 Fire Districts**

#### **GJ Recommendation #1**

"1. That the Board of Supervisors form a Fire District Consolidation Committee, with members including the County Fire Warden, Fire District Chiefs, Executive Director of LAFCO and a representative of both CDF and Fire Safe Council to determine the feasibility of establishing three to five regional fire departments within the County. The Grand Jury urges the Board of Supervisors to make this a high priority and coordinate closely with LAFCO's Executive Director."

## **APPENDIX A** (continued)

### **BOS Response**

"The Board of Supervisors agrees to form a Fire District Consolidation Committee which would include the County Fire Warden, Fire Chiefs for the various Districts, the Executive Director of LAFCO, John Guilixson, as well as representatives from the Fire Safe Council and CDF. The County Administrative Officer would also be part of this committee. A letter will go out asking each of the Districts, as well as the other entities to designate a representative so that a meeting can be scheduled sometime in the near future."

NOTE: The Grand Jury has determined no letter ever was sent to the individuals noted above. On or about May 27, 2004 there was a meeting attended by some, Fire Chiefs, the County Administrative Officer (CAO), the County Fire Warden and two representatives of the CDF. The meeting was moderated by the Planning Director. There was no agenda nor written goals and objectives of the meeting. The Grand Jury does not believe this meeting complies with the spirit of the recommendation contained in last year's report. The Grand Jury recommends that the CAO assume control of this recommendation and hold meetings at an appropriate time when all the fire chiefs can attend and participate.

### **GJ Recommendation #2**

"2. That the proposed Fire District Consolidation Committee advise the boards of County Fire Districts on methods to increase funding, including but not limited to, developer and user fees. The Grand Jury recognizes that this is a cumbersome, legalistic and political process, nevertheless, the Board of Supervisors should do everything necessary to provide the committee with expertise in raising fees and exactions to property fund the fire protection effort within Plumas County."

### **BOS Response**

"The Board of Supervisors has always encouraged Fire Districts to consolidate areas and in order to provide enhanced services whenever possible within budgetary limitations the Board will, through its staff, provide what assistance it can with regard to fees, exactions and organization."

### **GJ Recommendation #4**

"4. That the Board of Supervisors empower and direct the County Fire Warden to determine which areas in the county are not covered by a fire district and advise LAFCO, so that those areas can be annexed into a fire district."

## **APPENDIX A (Continued)**

### **BOS Response**

"The Board of Supervisors will direct the County Fire Warden to work with the Planning Director to determine which areas in the County are not covered by a Fire District and provide that information to LAFCO. The questions of whether or not those areas can or should be annexed into a Fire District is something for the District and the residents of the non-annexed areas to consider along with the Local Agency Formation Commission."

### **2001-2002 Fire Districts**

#### **Recommendation #2**

"2. That residents living outside of a fire district consider annexation to an adjacent district to improve their fire protections."

#### **BOS Response**

No response

#### **Recommendation #3**

"3. That Fire Districts pursue available grants to assist with their needs. The County Fire Warden, working with the Fire Officers' Association, could assist with this effort. The Vision 2020 program may be able to provide assistance with grants in the near future."

#### **BOS Response**

No response.

#### **Recommendation #4**

"4. That the County Fire Warden, in collaboration with the Fire Officers' Association, coordinates implementation of countywide standardized training and safety programs. Additional funding through the County Fire Warden's office should assist in these endeavors. Secure Rural Schools and Community Self-Determination Act of 2000 Title HI funding, in addition to other grants, could be utilized."

#### **BOS Response**

No response.

## **APPENDIX A** (continued)

### **Recommendation #5**

"5. That the Board of Supervisors clarify the County Fire Warden's job description in regard to countywide enforcement of all laws and ordinances, rules and regulations relating to fires or to fire prevention and protection, as addressed in Government Code Section 24008."

### **BOS Response**

"Response: The recommendation will be implemented by March, 2003, or shortly thereafter in the CAO's discretion."

### **Recommendation #6**

"6. That all Fire Chiefs, or their representatives, participate in the Plumas County Fire Officers' Association."

### **BOS Response**

No response

## **2001-2002 Plumas County Purchasing Procedure**

### **Recommendation #4**

"4. That the purchasing officer should be charged with preparing guidelines for purchasing; especially in areas like office supplies, computers and printers and office furniture so that savings may be realized through bulk buying."

### **BOS Response**

"RESPONSE: This recommendation requires further analysis, which will be concluded by mid-February, 2003.

## **1999-2000 Building Department:**

### **Recommendation #1**

"1. The Board of Supervisors should set forth protocol to better evaluate performance of the Building official (and other department heads). The protocol should include input from employees within the department as well as those individuals or agencies served by the department."

## **APPENDIX A** (continued)

### **BOS Response**

"Recommendation No. 1. Existing performance review forms and procedures apply to all employees, including department heads. A special department head performance review protocol will be drafted for consideration by the Board of Supervisors prior to March 31, 2001."

### **1999-2000 Human Resources**

#### **Recommendation #1**

"1. That the county move expeditiously towards solving the space needs of the Human Resources Department."

#### **BOS Response**

"Recommendation No. 1. The county is moving expeditiously toward solving the space needs of the Human Resources Department. There appears to be a leasing/purchase opportunity at the old Fidelity Title Building across from the courthouse on Court St. The Courthouse itself has no room for expansion of the HR Department."

#### **Recommendation # 6**

"6. That a formal evaluation procedure be developed for department heads and management which incorporates input from employees and other departments or advocacy groups."

#### **BOS Response**

"Recommendation No. 6. Existing performance review forms and procedures apply to all employees. Special department head performance review protocol, which includes input from employees and other, will be drafted for consideration by the Board of Supervisors prior to March 31, 2001."

## APPENDIX B

### Plumas County Grand Jury Evaluations

<b>DEPARTMENT/ AGENCY/PROGRAM</b>	<b>Earlier Years</b>	<b>2000- 2001</b>	<b>2001- 2002</b>	<b>2002- 2003</b>	<b>2003- 2004</b>
Administrative/CAO	95-96		X		
Assessor	95-96, 98-99				
Auditor/Controller			X		
Board of Supervisors			X		
Clerk/Recorder			X inc.		
Chamber of Commerce					
Information Technology	99-00				
Fair			X		
Farm Advisor					
Law Library	99-00				
Library	98-99				
Literacy Program	98-99				
Museum	98-99				
Human Resources	99-00				X
Treasurer/Tax Collector	98-99				
Alcohol and Drug	95-96		X inc.		
Senior Services					
District Attorney – Family Support Division	97-98				
Mental Health	95-96, 99-00				
Plumas County Public Health Agency					X
Public Administrator					
Public Guardian/Conservator	99-00				
Sierra House	99-00				
Social Services	95-96				
Veteran’s Services	95-96				
Animal Control	95-96		X	X	
County Counsel					
District Attorney	98-99				
Fish and Game Commission					
Jail	98-99		X	X	X
Victim Witness					
Office of Emergency Services					
Probation	98-99		X		X
Juvenile Hall				X	

**APPENDIX B** (continued)

**Plumas County Grand Jury Evaluations**

<b>DEPARTMENT/ AGENCY/PROGRAM</b>	<b>Earlier Years</b>	<b>2000- 2001</b>	<b>2001- 2002</b>	<b>2002- 2003</b>	<b>2003- 2004</b>
Public Defender					
Sheriff/Coroner	95-96, 96-97, 98-99		X		
Fire			X	X	
Ag. Commissioner					
Engineering					
Environmental Health					
Housing and Community Development					
Local Agency Formation Commission					
Planning				X	
Public Works	95-96, 97-98, 98-99		X		
Plumas County Flood Control and Water Conservation District					X
Airport Operations					
Building	99-00			X	
Building and Grounds	99-00				
Extension Office	95-96				
Central Plumas Recreation District	95-96				
Greenville Nutrition	95-96				
Plumas Corporation			X		
Plumas District Hospital			X		
Indian Valley Community Services District				X	
Plumas Unified School District				X	X