

**Re: Open Letter to the Plumas County Board of Supervisors (BOS)**

Good morning,

I am here today because I do not understand why the Board has scheduled a special meeting on a date when most of the citizens of Plumas County would not expect a Board meeting to take place in order to give \$175,000 to Treasurer-Tax Collector White and approve Chair Goss' \$40,000 request for payment of "unexpected legal costs".

I want to be sure the citizens of Plumas County are aware that this money will come out of the general fund and thus **the taxpayers are paying Julie White's legal fees**. The agenda states that the \$175,000 will be paid in exchange for a release of claims by White. I am very confused as to why the Board is willing to pay \$215K of taxpayer money just to make White's complaint go away.

There are many reasons this should not happen.

- White's lawyer joined BOS meetings 3 times in an attempt to get his legal fees paid. **The request was denied by the Board 3 times**. County Financial Policy requires a 4/5 vote of the Board to approve his fees and he never got the votes.
- In addition, contrary to the opinion of County Counsel, White alleged there was a conflict of interest so she needed to engage outside counsel. White failed to make a record of the alleged conflict AND failed to request pre-approval of a budget for legal fees.
- Not only is the County taking much needed taxpayer funds and giving them to White, who has done substantial damage to the County by incompetent performance of her duties.

This legal issue started on September 6, 2023 when White was given an "accommodation letter" by the HR Department. The Accommodation or "Selvage" Letter is central to White's legal complaint and request for County funds to pay her legal fees; however, **White's failed performance as Treasurer Tax Collector is the center piece of the 2023-2024 Plumas County Grand Jury report**. The report points to the Treasurer Tax Collector's office as the main source of disarray in the Plumas County financial system and **the current credit rating of triple B minus**.

**The 2023 – 2024 Grand Jury report released in June of 2024 highlights the inadequate performance of the Treasurer Tax Collector as the primary cause of Plumas County's financial problems.** The Grand Jury found that the Treasurer/Tax Collector:

1. failed to use the software of the county's system (Tyler Munis) resulting in an inability to communicate with the Auditor, Assessor and CAO offices digitally,
2. did not file audited financial statements and audits to the State Controller's Office on time negatively affecting the county's ability to secure financing for projects,
3. did not file Single Audit Reports (SAR) for agencies with federal funds on time impacting Public Works transportation projects and grant applications funded by federal dollars,
4. failed to provide monthly reports as required by the Plumas County Investment Policy and Guidelines,
5. did not manage the investments of special districts leaving them with financial uncertainty and lower amounts of return,
6. failed to implement a system to collect taxes from Airbnb preventing the county from collecting all taxes due from all lodging facilities,
7. did not have a Treasurer Oversight Committee leaving White as the Trustee of the

investment funds in spite of the fact that the current policy states that the investment policy will be reviewed at least annually,

8. failed to transfer the 2% assessment for the Feather River Tourism Association (FRTA) causing FRTA to ask for a loan citing \$30,000 plus in overdue payments from the county,
9. failed to transfer interest on Feather River College (FRC) funds invested in the county investment pool which the Treasurer/Tax Collector managed in a timely manner resulting in FRC being unable to close its books for 2023. This caused the college's annual audit to result in a finding - a statement by the auditor indicating deviations from standard accounting practice. In October of 2023 FRC sent a demand letter to the county counsel requesting this information and a reason why the interest on their investments had not been posted to the FRC account, and
10. did not respond to FRTA and FRC who made repeated and serious inquiries and complaints to the BOS and the CAO regarding non-performance of Treasurer Tax Collector White after she did not follow-up on their inquiries regarding interest payments due to them.

**MANY OF THESE ITEMS HAVE STILL NOT BEEN ADDRESSED AND HAVE CAUSED THE COUNTY UNTOLD COSTS IN CONSULTANTS, CATCH-UP, LATE FEES, ETC.**

White's poor performance is generally known and has been noted by many sources including the following:

- January 27, 2023: Former County Counsel Gretchen Stuhr (at the request of the Board of Supervisors), addressed White's lack of keeping her office open to the public as required by ordinance.
- February 5, 2023: Plumas County CAO, Debra Lucero noted that as of Sept. 2022, there was \$574,296 sitting in the Treasurer-Tax Collector's 3% fee fund in her budget which should have been moved to the general fund.
- In May of 2023 the Board of Supervisors hired the accounting firm Clifton, Larson, & Allen (CLA) to review processes and procedures of the county's financial offices and help address the financial risks that had become apparent. CLA identified areas of noncompliance in the Treasurer Tax Collector's office including:
  - a backlog of journal entries,
  - failing to reconcile cash and investments,
  - failing to apportion interest to the special districts,
  - insufficient staffing,
  - insufficient training on software,
  - lack of updated policies and procedures, and
  - non-existence of a Treasury Oversight Committee.
- June 22, 2023: Former County Counsel Gretchen Stuhr (at the request of the Board of Supervisors), addressed noncompliance with the required timing of payments under the MOU with Feather River Tourism Association, stating, failure to comply could result in litigation for breach of contract and cost the County tens of thousands of dollars in litigation fees, and damages which might be awarded by the jury or court.
- **September 6, 2023:** White was given an accommodation letter citing examples of "dereliction of duties" and inquiring whether White had any "physical impairment" or "limitations" in performing the essential functions of her job.
- **September 14, 2023:** Instead of meeting with the HR Director as suggested White engaged Brisbois, Bisgaard, & Smith, LLP without a prior determination at that a conflict of interest existed with County Counsel such that they could not represent her in violation of Government

Code 31000.6. It was White's decision to hire outside counsel to assist her in her response to the Accommodation Letter and the decision was never approved by the Board. White and her counsel delayed filing a request to the Court regarding a conflict of interest until June 6, 2024, allowing White to accumulate significant legal fees.

- Deputy County counsel Sara James, and Interim Plumas County Counsel, Joshua Brechtel, repeatedly said no conflict existed between their office and White. Without a conflict of interest, White had no reason to hire an attorney and request reimbursement for his fees.
- October 6, 2023: White received a demand letter from Lozano Smith Attorneys at Law for "Immediate Accounting" due to a poor audit FRC had received.
- On January 2, 2024, controversy over the mismanagement of the county's financial operations dominated the BOS meeting with a discussion of dereliction of duties by the Treasurer/Tax Collector as the source. A plan of action was requested, and was met with resistance by White who stated her preference to add items to the BOS agenda "when ready".

The question of reimbursement for White's legal fees has been included on the BOS agenda for public discussion at least five times. The request, which has now grown to \$265,578, appeared on the agendas for all three July board meetings as a closed session item. The supervisors have taken no action.

**Now the Board wants to spend \$175,000 of precious taxpayer money just to make this issue go away!!**

**IF THE BOARD PAYS \$175,000 FOR WHITE'S LEGAL FEES IT WILL SET A PRECEDENT FOR OTHERS TO SUE THE COUNTY, NOT FOLLOW COUNTY FINANCIAL POLICY OR PROPER PROCEDURE, THEN GET THEIR LEGAL FEES PAID. IF the County let's White get away with this they WILL HAVE TO PAY AGAIN AND AGAIN. THIS WOULD BE A TERRIBLE MISTAKE.**

**I URGE THE BOARD OF SUPERVISORS TO DENY PAYMENT OF THE \$175,000 OF TAXPAYER MONEY FOR WHITE'S LEGAL FEES.**

A few Plumas County taxpayers felt compelled to write a Facebook post illustrating 16 actual facts of this case covering activities involving the Treasurer-Tax Collector over the past several years. Here is a link.

[https://docs.google.com/document/d/e/2PACX-1vQ0NgQcuw4O8RluSYllwSKublR\\_FptuBVS0ooS5MrbcLwyRB524Si2hkAN2xKW-Hg/pub](https://docs.google.com/document/d/e/2PACX-1vQ0NgQcuw4O8RluSYllwSKublR_FptuBVS0ooS5MrbcLwyRB524Si2hkAN2xKW-Hg/pub)

