

Mariposa County Grand Jury
Final Report
2010-2011



Mariposa County Grand Jury Final Report

June, 2011

The Honorable F. Dana Walton
Judge of the Mariposa County Superior Court
Mariposa
California, 95338

Dear Judge Walton,

The 2010/2011 Grand Jury herewith submits its Final Report.

A year ago eleven people of average ignorance were impaneled to serve on the Grand Jury. Given enormous powers to investigate any county agency or special district, we tried to get as smart as we could as fast as we could and get to work. At times our naiveté seemed crippling, but as the year wore on we gained a certain amount of proficiency and developed into a mature working body. We hope our recommendations reflect this.

We received thirteen complaints during our tenure. Three merited a complete investigation, and two others coincided with an Oversight Visit and were subsumed by that inquiry. Several others required more information or clarification, but as it was not forthcoming no action was taken. One complaint arrived late in our tenure and will be referred to the next Grand Jury. The remainder were either outside the authority of the Grand Jury to investigate or had no merit.

Eight Oversight visits were conducted and their reports follow. We also requested and received a large amount of data and information from two other agencies in order to conduct a review and analysis without making an on-site visit. The personnel at the various county departments and agencies that we phoned and visited were gracious, cooperative, and service-oriented. It was from these visits, collecting data, asking questions, and touring facilities that each one of us gained an understanding and appreciation of our county's government.

We would like to thank the county employees, at all levels, that spent time with us during these visits, as well as those we never met but who worked behind the scenes to insure we had what we needed. Additionally, our gratitude goes to the Courthouse staff who supported us unfailingly during the year. We invited a number of county officers and department heads to come and talk to us early on, in order to understand how various agencies functioned. To these fine folks we offer our sincerest appreciation for their time, efforts and insights.

And finally, Your Honor, we would like to thank you for selecting each of us to serve. It has been a rewarding experience, shared with exceptional people.

Respectfully submitted,

George Chynoweth
Foreperson,
2010/2011 Mariposa Grand Jury

Table of Contents

Mariposa County Grand Jury 2010-2011 Members	4
Summary of Recommendations	5
County-Wide Recommendations	6
Recommendations from Oversight Visits	6
Recommendations from Complaint Investigations	9
Recommendations from the Employee Survey	10
Oversight Reports	12
Behavioral Health & Recovery Services, Alcohol & Other Drug Program Oversight Report.....	13
Mariposa County Arts Council, Inc. Oversight Report	17
Assessor/ Recorder Oversight Report.....	20
Auditor's Office Oversight Report	23
Adult Detention Facility Oversight Report	29
Lake Don Pedro Community Services District Oversight Report	32
Public Works Fleet Maintenance Oversight Report	38
Mariposa County Senior Services Oversight Report	44
Technical Services Oversight Report	50
Treasurer/Tax Collector Department Oversight Report.....	56
Complaint Reports.....	59
Complaint 1.....	60
Complaint 2	61
Complaint 3	64
Complaint 4	65
Complaint 5	66
Complaint 6	67
Complaint 7	68
Complaint 8	69
Complaint 9	70
Complaint 10	71
Complaint 11	72
Complaint 12.....	73
Complaint 13.....	74
Employee Survey Results	75
Appendix.....	84
Public Relations Outreach	85
Agency Oversight Matrix	88
Employee Survey	92
Standard Data Set Map	93
Standard Data Request	94
Citizen Complaint Form.....	95
Summary of Grand Jury Activities 2010-2011	97

Mariposa County Grand Jury 2010-2011 Members

Alan Bryce

George Chynoweth – Foreman

Marie Harrington

Bill Hunt

Robert Jacobs

Dennis Mattiuzzi

Paul Reed

Catherine Tidwell

Maggie Vilott

Karen Warren

Amy Yanagi

Summary of Recommendations

County-Wide Recommendations

In the course of the Grand Jury's Oversight Visits and complaints investigations, some common recommendations became apparent, and are listed below.

1. The County needs to stress the importance of and implement employee job training, cross-training within a department, and leadership training.
2. Cash-handling departments need to implement a "chain of custody" cash handling procedure.
3. County employees at all levels should have annual performance appraisals.
4. The County needs to plan for disaster and disaster recovery, and particularly a loss of access to electronic data as well as a catastrophic loss of data.

Recommendations from Oversight Visits

Mariposa County Arts Council, Inc.

The Grand Jury thanks the Arts Council for opening its books and its cooperation. We did not see any discrepancies between the mission of the council and its use of funds. We recommend a review and update of the procedures as is feasible with a small staff.

Assessor/Recorder

R-1 Establish an incentives / awards program for employees who are performing their jobs at an excellent or superior level.

R-2 Employee and supervisor development and training need to become a budgetary priority.

R-3 The Department needs to provide their input as to what type of operating system is needed for them to cost effectively and efficiently perform their duties in the future.

Auditor

R-1 The County should support and enable the application of generic chain of custody of cash procedures to be implemented in all cash-handling departments as soon as is feasible. Further, spot audits of cash-handling departments needs to be conducted to see if the procedures are being followed.

R-2 It is recommended that the Auditor's Office be included in review of Memorandums Of Understandings prior to submittal for approval by the BOS. The Auditor's Office would be charged to review MOUs for legality of any payroll agreements to ensure that they are in line with Federal and State payroll laws.

Mariposa County Adult Detention Facility

R-1 The Detention Facility needs the attention of the Board of Supervisors to correct the staffing and safety of officers' issues. This has been recommended in the past by the 2005 Grand Jury without result. The Grand Jury believes that under certain conditions the deputies on duty are placed in jeopardy.

Lake Don Pedro Community Services District

R-1 The Board has demonstrated an inability to work as an effective government body. We strongly suggest the Board find and work with a mediator to work out the issues preventing them from governing.

R-2 Board members should educate themselves about existing policies and procedures. The Board needs to review and revise the documentation in a timely manner. If a Director or the Board as a whole does not follow policies, then it is the community's responsibility to decide whether to recall or re-elect the Director or Board.

R-3 The President of the Board at the time of the Grand Jury investigation should resign as President as he has voluntarily missed several meetings because of personal issues with other board members according to his own testimony. He is unwilling to follow policies and procedures regarding his responsibilities to the Board. (As of June 2011, this President did resign.)

R-4 The Board needs to hire a permanent General Manager as soon as possible.

R-5 Board members should stop publishing documents privately (e.g., blogs) that do not promote or represent the Districts interest as a whole.

R-6 Board members should seek clarification of the financial statements and accounting from the District's Financial Officer until they understand the District's financial health.

Fleet Maintenance -- Public Works

R-1 All mechanics should have the opportunity to expand their knowledge through training. That training should include such automotive industry maintenance standards that may exist, especially in the area of computerized technology. One or two mechanics could be given specific training. In effect, this would "train the trainer". These trained individuals would then spread their knowledge to the rest of the crew and thereby expand all of their expertise and keep costs in check. If certified training is deemed to be necessary for a specific scope of work, that training could be taken by individuals on a rotating basis.

R-2 The Director of Public Works and the Fleet Maintenance Superintendent should set up a weekly meeting for themselves to open the lines of communication. It is important that both parties understand each of their intentions and goals for the division. They can then work together to improve the division.

R-3 Steps should be taken to train someone to back up the Fleet Superintendent. The Superintendent should create guidelines to follow while he is out of the shop, out of the area, or off for the day and/or vacation. Once these guidelines are in place, he can then cross train someone to follow these procedures. All employees deserve their time off without worry of what's going on at work.

R-4 Improve lines of communications between management and employees. Have bi-weekly staff meetings, perhaps in conjunction with existing safety meetings. This will enable the employees to make comments and have input into the way shop procedures are followed. These meetings should be done in a way that employees could make comments without fear of repercussions. In addition, something as simple as having a suggestion box available might be sufficient to create topics of dialogue at the meetings.

R-5 Mark, stripe or cordon off specific areas for parking by division. At least have the heads of each division discuss how to improve the situation for everyone that is affected by the lack of designated parking.

Senior Services

R-1 The Director should continue with her plans for marketing Senior Services as well as Transportation Services that are available to the citizens of Mariposa County.

R-2 As discussed during the oversight visit, various community groups have assisted the Senior Services department with everything from wood splitting and delivery to food donations. In addition, the department is serviced by a number of dedicated volunteers. It is clear there is a tremendous amount of goodwill in the community toward the county's seniors. So, in addition to marketing services available, finding appropriate forums to publicize needs may prove beneficial.

Technical Services

R-1 Prepare for a computer disaster/ **catastrophic data loss**. A disaster recovery procedure needs to be in place and **verified**. This is of the utmost importance as taxpayers and county personnel need access to this data at all times. A disaster has the real possibility of losing critical operational data and access to that data. A catastrophic disaster will impact all departments and the county as a whole. This plan should define the immediate and long-term actions to be taken to recover county data and establish access to that data as soon as possible.

R-2 Customer complaint tracking system needed. TS should adopt a problem tracking system that would allow them to keep a record of problem trends and results. This could be used to justify additional headcount that would bring them to a reasonable workload per person.

R-3 Protect the county's computer servers. The server room should be relocated to a safe place immediately to prevent a failure that may be caused by the structure in which it is currently housed. The new location should also offer security, safety, and electronic discharge protection. It should offer reliable long term backup power and climate control.

R-4 Provide technical training to TS staff.

Training of department staff should be a priority to keep personnel up to date on the rapidly changing technical conditions and technology opportunities. Trained personnel make fewer mistakes, adopt new technology that improves service, and have a better personal feeling of success. Regular performance reviews should be conducted to inform employees of their successes and the need for improvement.

R-5 Make the transition to a new financial system.

The IBM AS400 should be replaced as soon as possible with input from all concerned parties. The lack of trained personnel and support for the AS400 platform will only become more critical as time goes by. Several alternatives have been forthcoming and a decision should be made soon. Transition to this new platform will require modification and additional training.

R-6 Automate backups.

The backup and restore procedure for county data should be revamped to be fully automatic and verified. A full restore should also be conducted to prove the procedures soundness. Backup data should be verified as it is created and sent to a different geographical area.

Tax Collector

R-1 Efforts need to be made to conduct more cross training within the department, along with the establishment of a career ladder or upward mobility type of environment.

R-2 Establish some incentives / awards for employees who are performing their jobs at an excellent or superior level.

R-3 Employee and supervisor development and training need to become a budgetary priority, if not now, then as soon as possible.

R-4 The Department needs to provide their input as what type of operating system is needed for them to cost effectively and efficiently perform their duties in the future.

Recommendations from Complaint Investigations

Mariposa County Unified School District

R-1. Although each department is clear about its own role in the developer fee assessment, there is no common source of information for the developer fee process available to the public. There is no direction on where to start and the public is left to find out on their own as to how to plan their construction to keep the fees at a legally allowed minimum. It is unfortunate that a customer needs to be more knowledgeable about a convoluted process than any of the county agencies involved in that process. Recommend that those agencies coordinate a public information document describing the process in detail with a point of contact at each step. This document should be readily available from all involved agencies.

R-2. The exemptions available can be complex. The school district, to their credit, created a FAQ in May 2010, for residents who happen to go to the school district first. However, there remains the problem of having only one individual with the most reliable knowledge (the Superintendent). No process or procedure should be dependent on any one individual. Recommend that a readily available source document with examples of different exemptions be created for the public.

R-3. Regarding the specific complaint, we find that the complainants may have been able to avoid the developer fee if they had known clearly what constitutes a "remodel" rather than new construction, and had planned in advance to leave part of the original structure standing. A process needs to be put in place to ensure that each individual situation is clearly understood and acted upon accordingly.

R-4. This complainants' experience was a source of frustration for all parties involved, which could have been avoided if all three departments had a common FAQ available to the public. The May 2010 document created by the MCUSD should be reviewed and complimented by the other two departments and made available on the county web site.

Recommendations from the Employee Survey

R-1 Recommendations regarding training have been made in other sections of this report; the major managerial concern regarding training is funding in a time of dwindling budgets. However, cross-training is an "in-house" activity, and the major resource required is time. Cross-training is one of the most effective ways of insuring mission continuity as well as functional flexibility within an agency or department: it allows an agency to continue to respond in all areas and at all times to the public. No citizen should ever have to hear something like, "That person isn't here today. Can you come back tomorrow?" If cross-training procedures have not been established by every department, they need to be, and if procedures do exist they need to be implemented. The Board of Supervisors should consider making this part of each department head's annual performance review, and each department head should consider making this part of every supervising manger's performance review as well: "People do best what the boss checks".

R-2 Supervisory evaluation and support are of concern to the employees who took this survey. The introduction of performance appraisals by the Board of Supervisors last year is an important step in addressing the evaluation concern. Objective performance standards and an annual review of employee performance need to be established for every county employee if they haven't been already. Additionally, an informal quarterly review, especially for newer employees, will help in understanding a supervisor's expectations as well as improving job performance.

R-3 Quite often a supervisor/manager will have excellent administrative talents but fall a bit short in the leadership arena. Leadership skills can and should be taught but are often overlooked or underrated. To address this issue in light of funding limitations, the Board of Supervisors might consider establishing a Professional Leadership Development Program, conducted in-house. All branches of the Armed Services have such a program with training in one and two hour blocks, offered from

Mariposa County Grand Jury Final Report

once a week to once a month for all personnel in leadership positions. These programs have been so successful that they are required for advancement in leadership positions.

Oversight Reports

Behavioral Health & Recovery Services, Alcohol & Other Drug Program Oversight Report

The Grand Jury requested and received a comprehensive set of documents from the Mariposa County Behavioral Health and Recovery Services, Alcohol and Other Drug Program in October 2010. Due to the request early in the fiscal year, the data received was from the 2009-2010 fiscal year. No site visit was made. No employee surveys were taken.

The authorization of the Grand Jury to inquire of the Alcohol and Other Drug Program is Penal Code 925a, which includes the watchdog function to "examine the books and records of any incorporated city or joint powers agency and to investigate and to report upon the operations, accounts, and records of the officers, departments, function and the methods or system of performing the duties of any such city or joint powers agency."

Introduction

In Fiscal Year 2003-04, Mariposa County assumed responsibility for delivery of the County's mental health services. Prior to that time this service was contracted to a private, non-profit corporation which operated mental health programs in several California counties. The mental health programs are State and Federal funded, except for a minimum County match requirement.

Each staff member who services clients in a treatment capacity is currently certified to work in the field of Alcohol and Other Drugs Treatment. Staff receive certification/recertification from a variety of certifying bodies.

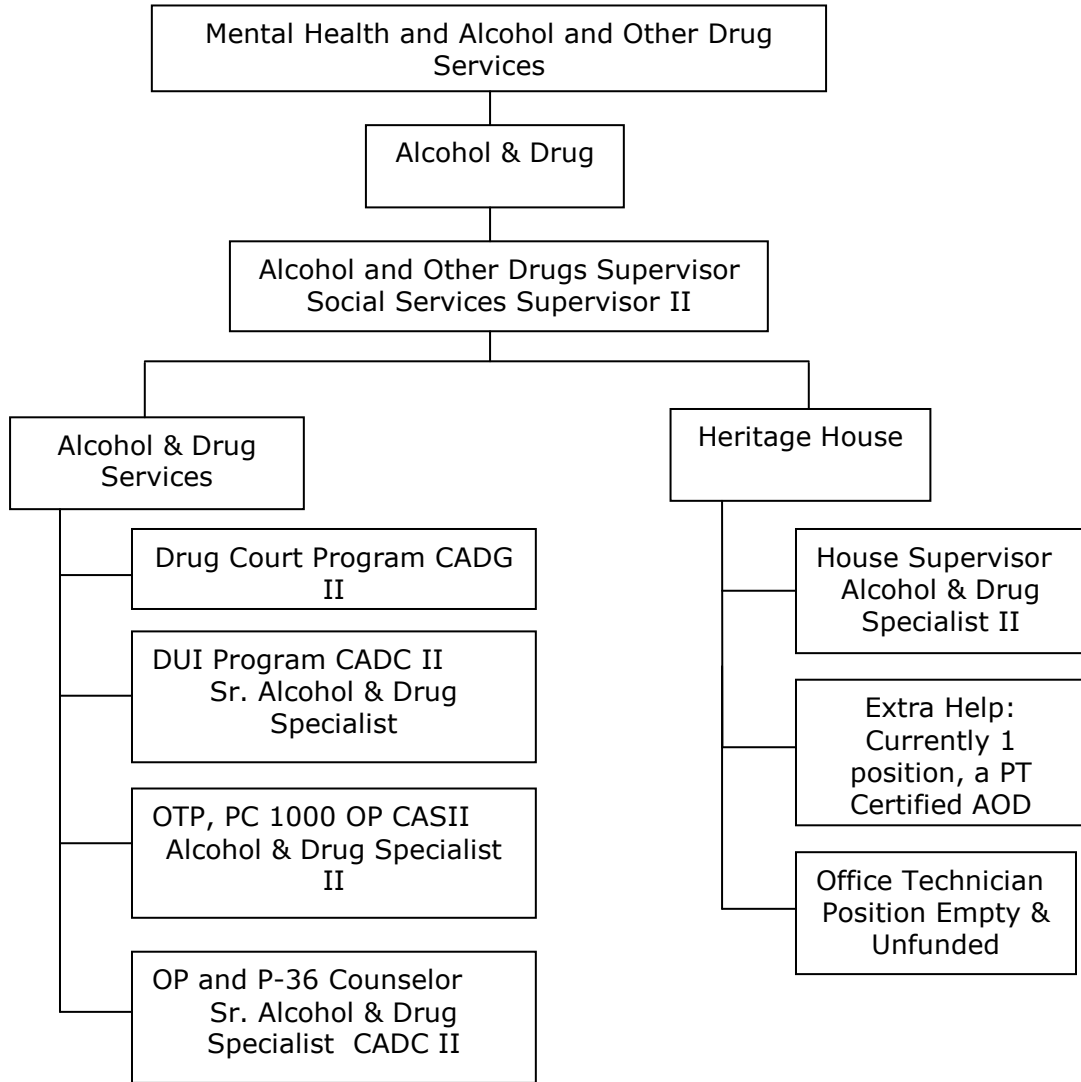
Mariposa County Behavioral Health and Recovery Services is also certified by the State of California to operate and maintain the alcohol and/or drug abuse recovery or treatment facility at 5037 Stroming Road to provide outpatient alcohol and/or other drug services.

Mariposa County Behavioral Health and Recovery Services, Alcohol and Other Drug Services works with the following agencies in the county:

- Mariposa Superior Courts
- Other Mariposa County Departments within Human Services
- Mariposa County Probation Department
- Mariposa County Cal Works
- Mariposa County Child Protective Services
- Mariposa County Adult Protective Services
- Mariposa County Sheriff's Office
- Mountain Crisis Center
- Other County's Probation Offices (in the past year these include Merced, Madera, Los Angeles, Venture, Fresno, and others)
- Job Connection
- Vocational Rehabilitation Services

Alcohol and Other Drug Services are provided year round to anyone who wishes to receive the services and meets the admission criteria.

Organization



There are five staff who office at the Behavioral Health Building, 5037 Stroming Road and three staff who office at the Heritage House at the corner of Bullion and Sixth street for a total of eight staff inclusive of the supervisor. Mental Health and Alcohol & Drug Services reports to is the Deputy Director Behavioral Health, who in turn reports to the Director of Human Services.

Due to the nature of the work provided and the licensing and/or certification required to serve in their respective positions, the employees of this unit do not typically cross-train, but when appropriate consult with colleagues regarding client needs.

Turn-over and absenteeism appears to be within standards. One formal reprimand was reported during the period and no accidents.

Services Provided

Groups

- Drug Court Services
- DUI School Services
- Out Patient Services – PC1000, JAG OTP (Adolescent, Concepts, and Relapse Prevention Groups)
- Basic Addictions and Relapse Prevention
- Dysfunctional Family Systems – w/MH (a continuation of SUD TX Group, AOD does family portion, MH does Parenting)

Other Services

- Co-Occurring Disorders – Counseling at Road House and AOD Counseling for Systems of Care and related programs
- Heritage House – Recovery Drop In Center and Continuing Support Program
- Prevention Program – Includes Friday Night Live and Friday Night Live Mentoring and All Community Based Prevention

In each program, the Counselor Assigned is responsible for the intake/assessment, treatment planning, group and individual services, progress notes and monthly reports to various agencies as required. Duties include crisis intervention, case management and linkage, and letters of verification of attendance/progress/completion as needed. All staff interface with the appropriate agency to meet the client's needs, as required by the court, or as directed by the client.

Findings

Mariposa County Behavioral Health and Recovery Services, Alcohol and Other Drug Program provided copies of:

- Policy & Procedures Manual on CD
- Program Budget for 2009-10
- Agreement between State of California Department of Alcohol and Drug Programs (ADP) and the County of Mariposa
- State of California Department of Alcohol and Drug Programs Certification
- Employees Certifications
- Mariposa County Multi-Agency Plan for the Comprehensive Drug Court Implementation Program Grant Award Year 2008-09
- "Indicators of Alcohol and Other Drug Risk and Consequences for California Counties Mariposa County 2007" Center for Applied Research Solutions (CARS) report
- Certification Renewal or Advancement for CADC I & CADC II Application, California Certification Board of Alcohol & Drug Counselors
- Certified Alcohol & Drug Counselor I/II Application, California Certification Board of Alcohol & Drug Counselors
- Certification Renewal for :CCS & CA CCS Application, California Certification Board of Alcohol & Drug Counselors
- The CA Certified Clinical Supervisor Portfolio CA CCS, California Certification Board of Alcohol & Drug Counselors
- CA CCS California Certified Clinical Supervisor Manual, California Certification Board of Alcohol & Drug Counselors

- Registered Addiction Specialist Scope of Practice, Breining Institute
- Quality Assurance Committee Review Form
- Operational Agreement between Mariposa County Behavioral Health and Recovery Services and Other Drug Programs and the Mariposa County Department of Probation
- Code of Federal Regulations, Title 42 – Public Health
- U.S. Dept of Health & Human Services “The Confidentiality of Alcohol and Drug Abuse Patient Records Regulation and the HIPAA Privacy Rule: Implications for Alcohol and Substance Abuse Programs” June 2004
- Certified Addiction Specialist (CAS) Procedures & Policies Manual 2008
- Client Services Report - sample
- Weekly Schedule for AOD Department – sample
- Quarterly Client Survey – sample
- Quarterly Client Survey Results/Summary
- Child Abuse Treatment Program Survey End of Treatment Survey (52-Week Treatment Program) – sample
- Alcohol and Other Drugs Program – Client Satisfaction Survey - sample

Conclusions and Recommendations

The Grand Jury thanks the Mariposa County Behavioral Health and Recovery Services, Alcohol and Other Drug Program its cooperation in supplying the material that provided insight into the operation of this part of the county government. Behavioral Health and Recovery Services has specific educational/training requirements for service providers as well as reporting requirements for state and federal government. This industry appears to be highly regulated and the Mariposa County Behavioral Health and Recovery Services, Alcohol and Other Drug Program seems to be providing service to the local community as dictated by those regulations.

Mariposa County Arts Council, Inc. Oversight Report

The Grand Jury requested and received a comprehensive set of documents from the Mariposa County Arts Council in October 2010. Due to the request early in the fiscal year, the data received was from the 2009-2010 fiscal year. No site visit was made.

The authorization of the Grand Jury to inquire of the Arts Council is Penal Code 925a.

The Arts Council applies for and has received a grant from Mariposa County on a yearly basis to help fund its charitable activities.

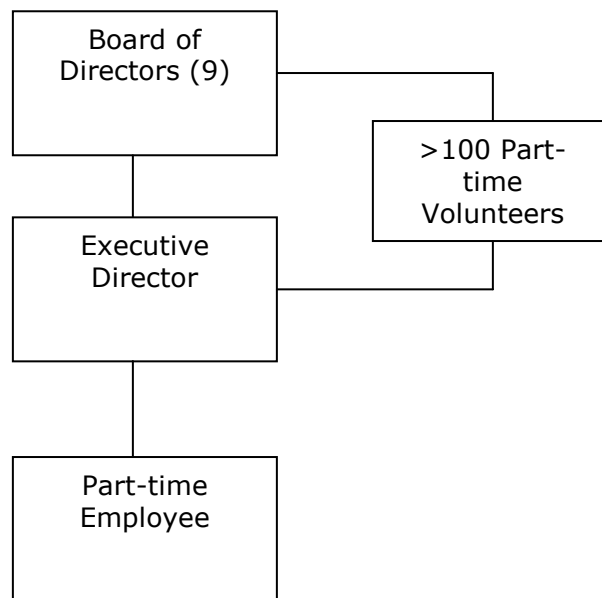
Organization

The Mariposa County Arts Council is a 501 (c) (3) nonprofit public benefit corporation whose purpose is to encourage, support and promote the cultural arts in Mariposa County. It filed articles of incorporation in 1981 with the State of California, and files annual tax returns at the Federal and State level as a tax-exempt organization.

Governance is by a nine-member unpaid Board of Directors of whom two are full-time. Officers include a President, two Vice Presidents, a Treasurer, and a Secretary. Board members are elected from dues-paying Arts Council general public members for a term of three years.

The Arts Council has employed a full-time salaried Executive Director since 2001 and one part-time hourly employee since 1998. It also hires employees on a part-time basis to assist with sound at events and to fill as needed, on an hourly basis.

The Arts Council has more than 100 part-time volunteers, including a volunteer intern to help with program development from October through December.



Fifty-nine Art instructors and performers were paid on a contract basis in 2009 – 2010.

In fiscal year 2009 (July 1, 2009 to June 30 2010), the Arts Council declared revenues of \$177,312 (data is from their Federal 990-EZ tax return). The majority of the revenues came from contributions, gifts, and Federal, State, and County grants (\$83,783); from program revenues (\$46,281); and other income such as sublet rent and sponsorships (\$35,689). In fiscal year 2009, grants included \$51,000 from Mariposa County.

Expenses totaled \$175,189, the majority of which consisted of payments for performers, office, and outside services (\$76,060), salaries (\$68,660), and rent (\$24,491).

Services Provided

The Arts Council provides public and Interagency services including:

- Mariposa Storytelling Festival
- Mariposa Symphony Orchestra performances
- Mariposa Evenings, summer music performances
- Arts in Education including
 - Story Writing competition for grades K-6
 - Young Masters Composers competition for grades 4-12
 - Welcome to Classical Music presentations for grades 4-12
 - Young Masters Art Competition for grade K-12
 - Multi-disciplinary arts instruction through schools and the Parks and Recreation Department
- Performing Arts presentations such as Cowboy Poetry, Music, and Dance

The Arts Council operates a gallery featuring works by local artists; the gallery is housed in the same area as the offices.

Findings

F-1 The Arts Council provided copies of:

- Articles of Incorporation
- The IRS letter recognizing the Arts Council status as a tax-exempt corporation
- Bylaws
- Federal and State tax filings for fiscal year 2009.
- Program Budget for 2009-2010.
- Memorandum of Understanding for \$51,000 in grant funding from Mariposa County for fiscal year 2009
- California Art Council grant agreements
- Directors Handbook
- Employees Handbook

F-2 A Review of the Bylaws, Articles of Incorporation, Tax Returns, Budget, and Services indicated consistency between the use of funds and the mission of the organization.

F-3 Policies and procedures

The Arts Council has documented its procedures extensively for its activities. Among the 32 different procedures received on a CDR were:

- Gallery and event ticket sales procedures, and how to record them in Excel and QuickBooks software;
- Suggestions for how to be an effective liaison between the customer and an artist, and negotiating a sale were also documented;
- Detailed instructions and schedules for making payroll, tracking hours, and reporting to state and federal tax agencies;
- Checklists on how to prepare for an event, including what equipment, supplies, signs, and brochures to have on hand;
- How to conduct children's classes, including how to provide a safe, secure environment.

According to procedures, all revenues whether from art works sales, donations, and performance tickets, are logged and reconciled daily. Provided the procedures are followed, the Arts Council tracks its money both incoming and outgoing, as a corporation would be expected to do.

The procedures were created in different years and do not appear to have been updated. It may be that the procedures have remained approximately the same from year to year.

F-4 Training, Employee Turnover, Absenteeism, Reprimands and Accidents

- Training is provided in person and by use of an Employee Training Manual;
- Both employees are cross-trained;
- Absenteeism is extremely low, and there have been no reprimands or accidents;
- The Arts Council has a very small paid organization, and the employees seem to be satisfied based on the low turnover

Conclusions and Recommendations

The Grand Jury thanks the Arts Council for opening its books and its cooperation. We did not note any discrepancies between the mission of the council and its use of funds. Its procedures were well documented. We recommend a review and update of the procedures when feasible.

Assessor/ Recorder Oversight Report

The Grand Jury performed an oversight review of the Assessor/Recorder Department of Mariposa County on April 19, 2011.

The Grand Jury inquired into the Assessor/Recorder's responsibilities, operating procedures, and the challenges of assessing all properties within Mariposa County along with recording land and financial documents.

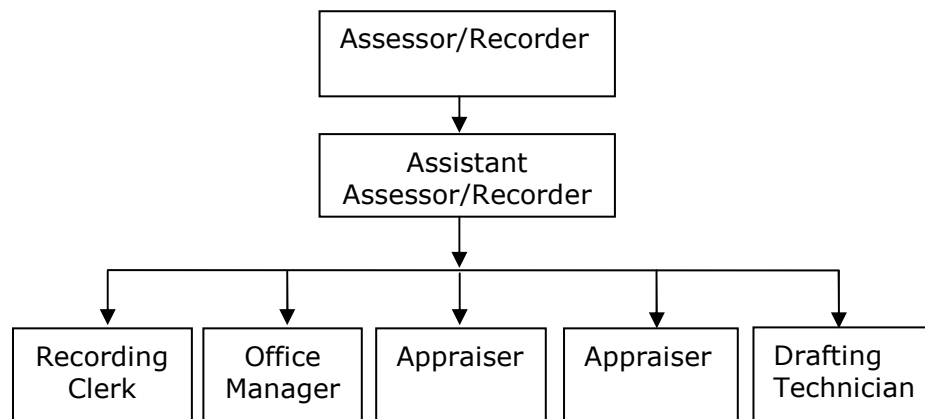
The Grand Jury oversight review consisted of an interview with the County Assessor/Recorder. Information provided to the Grand Jury by the Assessor/Recorder included an organizational chart, an Office Manual for work procedures, and a reference to visit the Mariposa County website for additional information.

Organization

The Assessor/Recorder is an elected County official, with a staff of twelve full time employees. The Assessor's Office is annually responsible for discovering and assessing all taxable real and personal property located in the county, and for determining eligibility for various property tax exemptions and exclusions.

The Recorder maintains various land and financial documents for Mariposa County. Typical land documents include deeds, leases, mining claims, subdivision maps, homestead declarations and records of survey. Typical finance documents include trust deeds, notices of default, reconveyances, and various liens. The recorder's office collects the Documentary Transfer Tax when real property exchanges hands.

The Recorder is also the registrar of vital records (marriage, birth, and death certificates) for events that occurred within the County of Mariposa.



Findings

F-1 The staff size has remained consistent and the Assessor/Recorder feels that the staff size is correct for the workload.

F-2 The Department has been told that they have had no formal complaints.

F-3 Annual Performance appraisals for employees have been established starting in March of this year.

F-4 There is no performance based award system for employees.

F-5 This Department has had a budget reduction of \$17,000, and is overcoming this shortfall by not filling a position of a recently retired individual.

F-6 This Department has done training to meet the State requirements for appraisers. Mandatory training for Ethics and Sexual Harassment Training has also taken place. Other than those classes, there are no other formal training classes offered, either for employees or managers. Budget constraints and staff shortages if employees attend training classes hinder the training process.

F-7 Advancement opportunities exist for both the appraisers and clerk positions, but in both cases these potential advancement opportunities are hindered by budget constraints.

F-8 Appraisers spend time in the field on a rotating basis. Appraisals are grouped and conducted by area in order to maximize time usage and minimize mileage.

F-9 A Cadastral Drafting Technician drafts maps using CAD, GPS, and other electronic mapping devices. This position used to be called the Property Mapper.

F-10 Information on the procedures for a homeowner to have their assessed property values reviewed is available on line or in the assessor's office. The process consists of filling out the proper form, and supplying a list of comparable properties. An existing list of properties to select from is available in the assessor's office. No answer was obtained as to what percentage of homes had been reappraised during the last year, or what percentage of homes had their tax appraisal reduced.

F-11 Boats and planes are appraised per Blue Book values. Recreational vehicles are not appraised. House boats are appraised by an actual inspection.

F-12 The Documentary Transfer Tax fee is determined with a flat rate of \$1.10 per \$1,000 of assessed value.

F-13 The AS400 is the primary software program. If the system goes down, the office would be at a standstill, and would have to rely on paper records only. Future reliability and cost effectiveness of maintaining this system are an issue. This Department feels that the AS400 needs to be replaced as soon as possible.

Conclusions

C-1 Budgetary constraints are restricting all but mandatory training. No supervisory development training is offered or attended.

C-2 While the AS400 system is currently operational and functional, it will need to be upgraded in the near future.

C-3 Due to budgetary considerations, employees leaving the department are not being replaced in order to remain within the downsized budget limitations.

C-4 There is no performance award system in place.

Recommendations

R-1 Establish an incentives/awards program for employees who are performing their jobs at an excellent or superior level.

R-2 Employee and supervisor development and training need to become a budgetary priority.

R-3 The Department needs to provide their input as what type of operating system is needed for them to cost effectively and efficiently perform their duties in the future.

Auditor's Office Oversight Report

The Mariposa County Auditor was selected for a general oversight review. In response to a Request for Documents letter from the Grand Jury, the Auditor provided its organization chart, a list of codes governing the office activity, a copy of its 2010-2011 budget and the Adopted 2010-2011 Mariposa County Budget, outside auditors' reports, and a copy of the 2009-2010 Financial Statements and Independent Auditors' Report for Mariposa County.

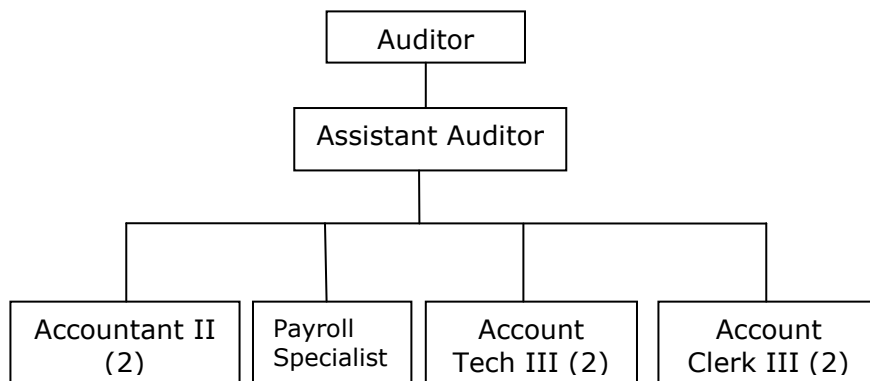
The Grand Jury visited the Auditor's Office on April 20th, and interviewed the Mariposa County Auditor. As the Auditor and his staff occupy a small suite in the County Offices complex, a tour of the space was not necessary. A short employee survey was conducted during the visit.

The authority for an oversight review is Penal Code 925.

Introduction

The Auditor, according to the County's budget description, is the Chief Financial Officer of the County. He and his office are to exercise financial control over revenues and expenditures of the county; prepare the final budget document; receive and pay all County monies, maintain tax rolls, calculate taxes, and apportion tax collections, and complete financial reports. The Auditor is also head of the Audits function, which oversees outside independent audit of the County's finances, the Trial Courts audit, and other audits for specific programs, such as Transportation.

Organization



At the time of the oversight visit, the Auditor's Office was staffed by nine employees, eight full-time and one part-time. In Mariposa County, the Auditor is an elected official and serves a four-year term. Mr. Davis has held this position since January 2011. With the exception of the Assistant Auditor, the remaining personnel are represented employees.

The functions of the Auditor's Office are governed by federal, state and county regulations which include the following:

- IRS Tax Code
- Social Security Administration Regulations
- California Board of Equalization Tax Code
- CALPERs Regulations (California Public Employees' Retirement System)
- GAAP (Generally Accepted Accounting Principles)
- GASB (Governmental Accounting Standards Board)
- Union MOU's (Memorandum of Understanding)
- California EDD Regulations (Employment Development Department)
- U.S. Department of Labor Regulations
- Cal OSHA Regulations (Occupational Safety & Health Administration)
- Mariposa County ordinances and resolutions that apply

The 2010-11 Auditor's Budget, adopted by the Board of Supervisors, totaled \$815,894 in expenditures and \$28,000 in revenues generated through internal transfer fees and other activities. The net cost for this department for the 2010-11 fiscal year is budgeted to be \$787,894. Salaries and Benefit cost make up approximately 93% of this expense. Of the remaining \$60,351 in expenditures, approximately \$20,000 is allocated to cover software license fees for the County's AS400 computer system. Less than five percent is for discretionary expenditures.

Services provided to county entities by the Auditor's Office include auditing and budget, payroll processing, benefit administration, accounts payable, cost allocation planning. The Auditor's Office produces all financial statements and is responsible for completing and submitting Federal and State reports as required. In addition, the Auditor's Office provides the following property tax services: extension of property tax rolls, special assessments, property tax corrections and refunds.

The budgeting, reporting and oversight requirements of the Auditor's Office dictate the workload. From March/April through October/November, the demand on personnel is very high. The period from late November to early March, which tends to be less demanding, is used as an opportunity to catch up on issues that may have been postponed during the peak period.

Should new staff be hired by the Auditor's Office, the Auditor or Assistant Auditor would introduce him/her to the current employees and provide an overview of each individual's job functions. In addition, the new personnel would be given a tour of the County Offices complex and an overview of the various departments and their department heads.

On the job training is done by one of the persons who have previously performed the task. Desktop instructions are currently being updated to aid in this task. In the past, the staff has been cross-trained simply by virtue of the individuals needing to provide backup when another team member is out of the office or because someone has previously performed the function as an old assignment. The current plan is to increase the amount of cross-training done on a formal basis prior to being needed.

According to the Auditor, there has been less formal training than there should have been. The plan is to increase the amount of formal training by increasing attendance at seminars and instructional classes. Cost however is a limiting factor.

The average length of service for employees in the Auditor's Office is over nine years. Absenteeism is minimal and within the parameters of standard business and negotiated procedures. Under the current Auditor's tenure there have been no reprimands and no work-related injuries or illnesses.

Findings

F-1 Management

The Auditor's belief is that every employee in his department has expertise in their specific area and they should be able and encouraged to apply that expertise. He expects them to know what they do and why they do it. He expects them to ask questions and to request back-up documentation for the procedures and tasks they perform. He said that everyone in the office needs to know what is going on in the department. He indicated that through active participation by all staff in budget development, mistakes if any would be caught and his staff empowered.

F-2 Job Duties & Documentation

The staff in the Auditor's Office is in the process of reviewing and revising their desk procedures for their job duties. The end result is to have operation manuals at each desk so that anyone in the office will have the necessary information to perform any task should the need arise. The Auditor and Assistant Auditor are in the process of creating a master list of the tasks and schedules of the tasks they perform, a list which did not exist when the Auditor took office in January.

F-3 Cash Handling Procedures

The Auditor had heard about a lack of "chain of custody" of cash (meaning both cash and checks) in at least one department in the county, and chose to investigate the reality of the problem. He found in his interviews with that department's employees that in that department, no tracking of cash, and no reconciliation of register tapes with cash deposited at the bank were taking place.

In a separate instance, another department has had several hundred dollars go missing, and due to lack of a chain of custody, there was no way to determine who took the money, meaning all employees in the process are suspect.

Because the Auditor has observed little or no chain of custody procedure being applied in the county in general, his office is developing generic cash handling procedures for use by county offices and departments. The intent is to have any cash-handling departments apply a proper chain of custody procedure and still be flexible enough to allow departments some opportunity for customization while protecting both the employees and the public from potential mishandling of cash receipts.

F-4 Training

Budget funding has affected staff training opportunities. The Auditor's Office, as with all the departments, was instructed to develop two budget scenarios for this year – as anticipated and then one with a five percent decrease. The Auditor's Office has \$60,000 for supplies & expenses, \$20,000 of which is obligated for licenses fee for software, leaving \$40,000 as "discretionary". A five percent reduction will reduce this to zero. A five percent cut will impact labor/payroll.

F-5 AS400 Disaster Recovery Plan

Part of the Grand Jury's concern overall for the county is the condition of the information infrastructure (please refer to the Oversight Visit to Technical Services). Due to the intensive use that the Auditor's Office makes of the computer system, and primarily of the AS400, we asked about what sort of disaster recovery plans the office might have if the AS400 should be unavailable for a minimum of six weeks.

In the event the AS400 is unavailable to process the data needed by the Auditor's Office, the Auditor considers making payroll to be the major issue. The Office has planned to issue payroll manually. Employees will be paid based on their previous payroll check, with reconciliations to be made once the system is back on line. 90% of payroll is currently issued by direct deposit, and those payments can be continued electronically. At most the Auditor anticipates needing to process two payroll cycles manually for those not using direct deposit.

It will take tremendous effort to reconstitute the information generated during the time the system is off line. That being said, the Auditor feels that as computer systems go, the AS400 is secure and stable. Because it represents old technology, which makes it more and more difficult to find people to service it and parts for replacement, it also is an unlikely target for hacking. Consequently, support for the AS400 is getting more and more expensive. Potentially, one could argue that the escalating maintenance costs would have been better spent on a new system. The upfront costs are at this point prohibitive. The county does have system replacement on the radar and projects having funding available in about three years.

The Auditor has actually anticipated two disaster scenarios. In the case of the second disaster scenario, that the building housing the Auditor's Office is unfit for occupancy, they Auditor and staff would be relocated to the Board of Supervisors' meeting area.

F-6 Review of County/Union MOU's

This year, the Auditor requested an opportunity for his office to use their expertise to review this year's Memorandum of Understanding for union employees prior to review by the BOS. He and his staff would look for any parts of the agreement that do not meet Federal and State payroll laws, for example, and suggest changes. Four unions represent county employees: SEIU, DSA, SMA and MEMCO. Union MOU's are negotiated for the County by the County Administrator, County Personnel Analyst and a contracted Labor Attorney and approved by Board of Supervisors. The Auditor's office, in the current Auditor's understanding, has not been included in the review in prior years. The County Administrator has the power to act upon the recommendations if he so chooses, and have the MOUs amended.

F-7 Internal Audits

It is under the prevue of the Auditor's Office to audit any department in the county. The Auditor would like to conduct audits, but at this time he does not have the staff to do so. He anticipates that an audit would be performed only if there was red flag for specific issue.

F-8 External Audit

Smith & Newell – Certified Public Accountants conducted the annual audit of the financial statements of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information of the County of Mariposa

Mariposa County Grand Jury Final Report

for the year ended June 30, 2010. Smith & Newell CPA's issued their Management Report to the Board of Supervisors and the Grand Jury on February 10, 2011.

F-9 Special Districts and Courts are not subject to audit by the Auditor's Office; these areas make arrangements to be independently audited separate from County offices and departments.

Employee Survey Information

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12
Auditor Average	9.4	9.5	9.3	9.5	9.5	8.1	8.7	8.9	9.3	9.5	9.2	9.4
Grand Average	9.1	8.5	7.9	8.7	9.1	7.6	7.8	7.9	9.2	9.0	7.4	7.7

S-1 The surveys indicate that the staff in the Auditor's Office work well together and feel they provide good service to other county departments and the general public.

S-2 The staff is concerned about pending budget cuts and would like more communication from county administrators regarding the situation and potential layoffs and furloughs.

S-3 Staff in the Auditor's Office would like to be able to provide more direction and assistance to other departments regarding proper accounting procedures.

S-4 Staff would like to be able to attend classes and receive additional training.

Conclusions

C-1 The Auditor and staff are to be congratulated on their hard work in updating and detailing their desktop procedures while continuing to conduct their normal business.

C-2 The Auditor, in the short time in office, has moved swiftly to tighten up the cash flow documentation in the County.

C-3 The Auditor has adjusted the management style in the Auditor's Office to make the best use of everyone expertise and to encourage team work. This should enable the Auditor's Office to spot and correct potential errors, and improve the budgeting procedure and accuracy.

Recommendations

R-1 The County should support and enable the application of a generic chain of custody of cash procedure to be implemented in all cash-handling departments as

Mariposa County Grand Jury Final Report

soon as is feasible. Further, spot audits of cash-handling departments needs to be conducted to see if the procedures are being followed.

R-2 It is recommended that the Auditor's Office be included in review of MOUs prior to submittal for approval by the BOS. The Auditor's Office would be charged to review MOUs for legality of payroll agreements to ensure that they are in line with Federal and State payroll laws.

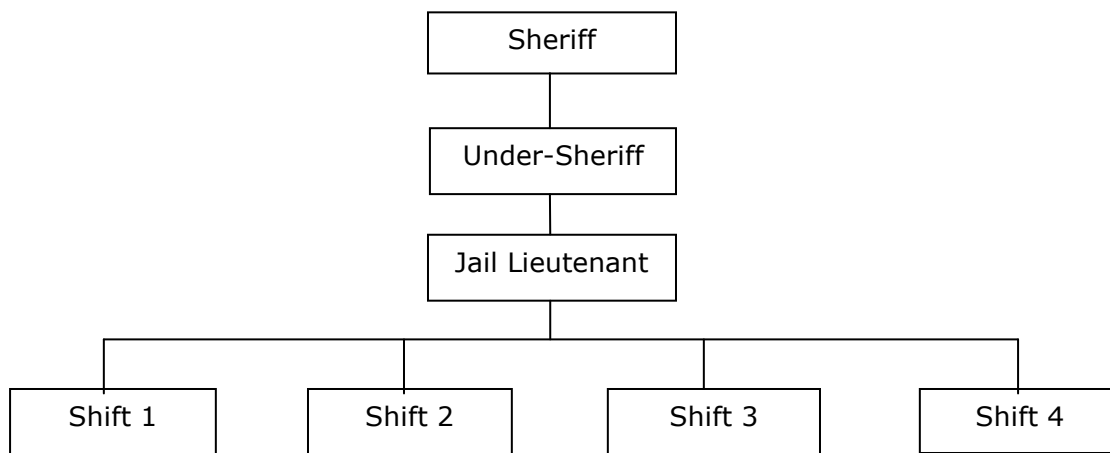
Adult Detention Facility Oversight Report

The Grand Jury visited the Mariposa County Adult Detention Facility on September 22, 2010, at 9:00 a.m. Persons present from the Detention Facility were the Sheriff, Under-Sheriff, the Detention Facility Lieutenant, and a sergeant.

Introduction

The adult detention facility exists to house prisoners and detainees of the Mariposa County Sheriff's Office. Grand Jury inspection of the facility is required annually by California law, Title 15 of the California Administrative Code, section 919B and 6030A of the Penal Code.

Organization



Each shift is staffed by four department personnel (one Sergeant and three Corrections Officers).

The detention facility is overseen by a Lieutenant assigned from the Sheriff's Office and the staff consists of three Sergeants and thirteen Corrections Officers. The operating budget of the facility is contained within the budget of the Sheriff's Office. At the time of our visit, one Correctional Officer position was not filled, but it has subsequently been filled. The Corrections Officers are assigned to four rotating shifts, with three officers assigned to each shift.

The facility has a capacity of 58 prisoners, including both male and female. The six dormitories can be configured around the need for housing either male or female inmates, but never together. If the maximum is reached, the local Superior Court judge is consulted as to the possibility of releasing prisoners in order for the facility to remain at a maximum of 58 inmates.

A guided tour of the facility was provided.

Findings

F-1 The facility is in excellent condition and appears to be well run.

F-2 The average cost to house a prisoner at this facility is \$90-94 per day.

F-3 The meals are prepared and served by a contractor company and appear to be healthy and plentiful.

F-4 There is a contract nurse for medical attention and she is in residence three days per week. Medications are provided by a pharmacy in Planada. If prisoners require the attention of a physician, they are transported to John C Fremont Hospital under guard.

F-5 The facility has its own computer system, which is specially designed for a detention facility.

F-6 There is a concern over the staffing at the detention facility. With only three or four officers on a shift, vacations, training and illness can seriously reduce the number of officers available at any one time. The deputies also share this staffing concern. This is an ongoing problem and has been noted by two previous Grand Juries.

F-7 There is also a concern, voiced by the Sheriff's Office that the building maintenance is not sufficient for the long term. A contract maintenance worker is available part time and inmate labor is used on occasion. The result is that the detention facility has a considerable list of maintenance items which, if not corrected, will be of considerable concern.

F-8 The overall budget for the Detention Facility is \$2,133,491.

F-9 The Detention Facility had the following inspections in 2010: all were passed satisfactorily:

- Correction Standard Authority
- MS Fire Protection
- Diamond Communications
- That Fire Guy
- Health Department
- County Fire
- M&M Backflow

Conclusions

C-1 The Detention Facility is a well-run facility that meets or exceeds all of the requirements of state and national codes.

C-2 The facility is understaffed.

Recommendations

R-1 The Detention Facility needs the attention of the Board of Supervisors to correct the staffing and safety of officers' issues. This has been recommended in the past by 2006 Grand Jury without result. The Grand Jury believes that certain situations could be dangerous for the deputies on duty.

Lake Don Pedro Community Services District Oversight Report

Due to newspaper accounts of chaotic and disrespectful behavior by the Board of Directors and the public at its monthly board meetings, the Grand Jury selected the Lake Don Pedro Community Services District as a department for an oversight inquiry. The 2009-2010 Jury had admonished the LDPCSD Board of Directors to be more attentive to rules of order and to avoid violation of the Brown Act. The Board had reported that the issues noted had been addressed; this year's Grand Jury decided to see if this was the case.

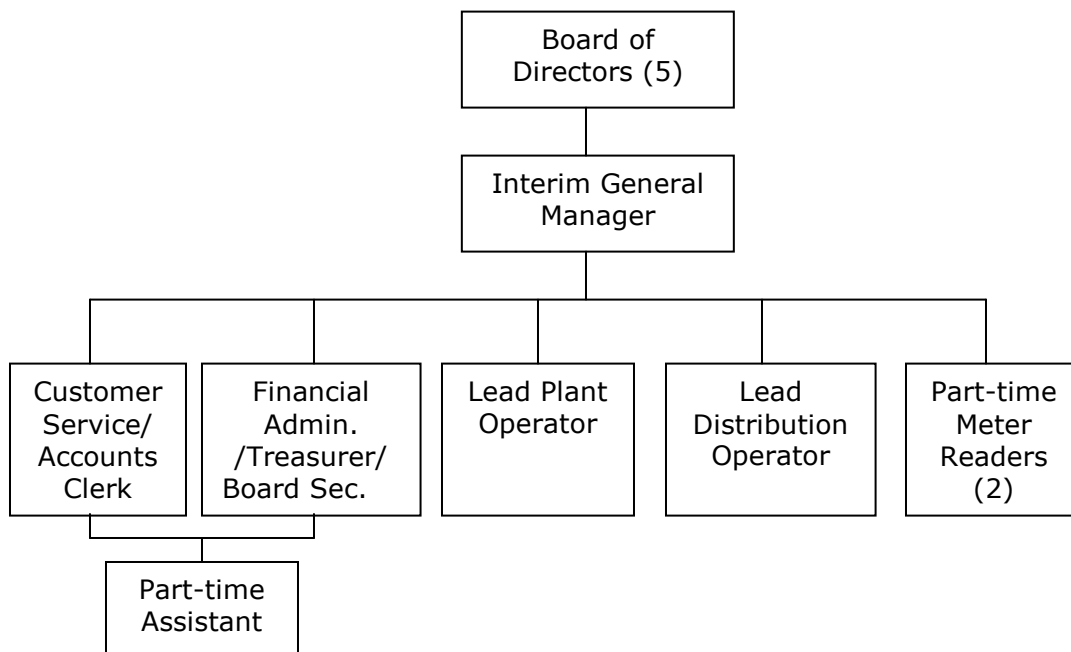
The Grand Jury requested and received information about the LDPCSD from the General Manager. Provided on a CD were copies of Board agendas and minutes for fiscal year 2008 (July 2008 through July 2009), Policies and Procedures, Water quality test results as required by the State of California, and the Auditor's report for fiscal years 2007 and 2008. In May 2011, the Auditor's report for fiscal years 2009 and 2010 was also provided.

The Grand Jury visited LDPCSD on March 24, 2011 and talked with the Interim General Manager, the Financial Officer, and the Accounts staff. An employee survey was conducted. We were also provided with a copy of a current Board of Directors meeting packet and a tape recording of the March 2011 Board meeting. No tour of the premises was conducted because of time constraints. The Board of Directors was subsequently interviewed on May 5, 2010 in the Grand Jury Chambers.

Authorization for Oversight

Penal codes 925, 925(A), and 933.5 give authority to the Grand Jury to investigate the business and records of Lake Don Pedro Community Services District.

Organization



LDPCSD is a Special District created under the Community Services District Law as defined by California Government Code Division 3, Section 61621. It was incorporated in 1980 to provide water to district residents in both Mariposa and Tuolumne Counties. Customers are billed on a monthly basis for both the amount of water used and a fee to cover the assets (water system infrastructure) of the District.

LDPCSD is required to file a Financial Transaction Report annually with the State of California Controller's Office, and to have its financial statement audited by outside auditors. Audits are done for two years at a time. The District is completely responsible for its own revenues and expenses independent of the Mariposa County government.

The District reports its finances on a fiscal year basis, starting on July 1 and ending on June 30 in the following calendar year. According to its annual financial report for fiscal year 2010, revenues from its operations (selling water services) totaled \$1,167,277, and expenses of operation were \$1,469,679, for a net operating loss of \$302,402. Cash and investments at 2010 year-end were \$352,573 in contrast to \$809,773 at the end of 2009.

LDPCSD is governed by a five-member Board of Directors; each Director is elected for four- or two-year term. Directors are paid \$100 for each board meeting attended, up to a maximum of \$600 per month.

The District has 8 employees including an Interim General Manager, office personnel, and field crews. The Interim General Manager, who reports to the Board, is required by District Policy to have certification as a Water Treatment Operator and in Water Distribution. Utility operators must also be certified.

Findings

F-1 Employees feeling uncertain and fearful.

The Grand Jury found that management and office staff were very concerned about the direction the District was heading. Concerns included interference by the Board of Directors in day-to-day operations, infighting among Board members, the District's finances, and fear and anxiety of losing their employment due to these issues. All staff had heard of Directors who had requested their termination.

F-2 General Manager's position is defined as interim, and without performance standards.

The existing General Manager is in an interim position with a review due in May 2011; he was promoted to GM in November 2010. He does not have a description of the Board's expectations of performance. He does not know the expectations under which he will be evaluated. The Board is not in agreement about whether a GM is needed. One Director went as far as to say employees should be rotated through the GM position every six months, which indicates ignorance about the GM's job description as described in the District's Policies. Until the Interim GM was promoted to the position, there had not been a GM for several years.

F-3 Falsified meter readings resulted in sudden increases in service charges to customers.

The sole employee who was responsible for reading meters apparently did not perform this duty for two months and instead falsified the readings. When this was discovered, and real meter reading were taken in the field, the real meter readings were significantly higher and resulted in the customers' bills being much higher than previous. The sudden increase caused much customer concern and anger. According to office personnel, when the problem was discovered, a Director told the GM to fire the Accounts Clerk, which is in violation of the policy of Directors not interfering with operations. The employee that falsified the readings was ultimately fired.

F-4 Lack of customer feedback documentation and measurement

There is no system for recording or tracking concerns and customer satisfaction.

F- 5 Large expenditures for meter reading system that didn't work.

According to the 2010 audit, starting in 2005, the District arranged for financing for a lease/purchase of an Automatic Metering System that was to automatically read the meters via a network. The project required replacement of old meters with meters having automatic reading capability. The meters originally cost \$500,000. This system was non-functional when delivered because it uses cell phone technology and there is poor cell service in the District area. By fiscal 2010 year-end, the Board had approved discontinuation of the project, but there are two more payments due in 2011 and 2012 of approximately \$75,000 each. The District is trying to switch to a drive-by method of reading the meters, and is the process of exchanging more than 1000 meters in inventory for different meters.

F-6 Expenditures for growth that has not appeared.

In 2006, the District arranged for \$1,500,000 in financing to make improvements in the water treatment plant, including adding a large raw water tank sized in anticipation of large future growth. Annual loan payments, including interest, are approximately \$119,000 a year.

F-7 Lack of career path for employees.

Because of the small size of the district, there is no career path for employees and no training funds are available to enhance their performance and improve the quality of service and employee retention. The employees do take advantage of some training through low cost and/or free programs that they find available.

F-8 Board of Directors not addressing policy review and revision in the timely manner.

According to the series 4000 policies of the District, the most important task of the Board of Directors is to create, review, and revise policy and procedures. In an October 2010 letter to the Board, the auditors noted that the policies and procedures "still have not been updated". As of May 2011, procedures and policies have not been reviewed or updated.

F-9 Board of Directors lack knowledge of policies and procedures.

The Board was called to testify to the Grand Jury in response to citizen complaints and as a result of the Grand Jury's concern with what it heard during its oversight visit on site. During testimony, the Board showed a lack of knowledge of the District's existing policies and procedures, including the District's Mission Statement, Ethics Policy, and the status of the District's finances.

F-10 Board of Directors violating Ethics policies.

During testimony in front of the Grand Jury, the Board displayed open disagreement with each other, interrupting each other, and not looking at one another. During questioning, several of the Board members accused others of being dishonest about responses. Board members showed no ability or willingness to work with one another. The Board has been conducting itself in violation of its own Code of Ethics Policies, series 4010. This series directs the members to avoid hidden agendas, gossip, backbiting, and negative interactions. Further, the members are to be responsive and attentive in listening to each other. When asked whether the Board was following its own ethics policy, every Board member said no. Board members have angered each other and customers who have come to the monthly meetings by posting blogs with their personal opinions about board meetings, each other, and members of the public who have attended the meetings.

F-11 General Manager position left unfilled for several years.

The previous GM was terminated in 2008, and the new Interim GM was promoted into the position in November 2010. The Grand Jury asked how the District operations were managed when there was no General Manager. Board members were vague, some citing when they went in to the District office to help, others didn't appear to know how the District had been managed.

F-12 Board Meeting minutes unapproved and unpublished for months.

Minutes of the Board meetings have not been published on the public web site for the March and April 2011 regular meetings because the Board refuses to approve them. A review of the January and February 2011 minutes shows increasing infighting of the board. Minutes have been turning into transcripts rather than meeting minutes.

F-13 LDPCSD forced to increase rates and reduce expenses after 2010 audit.

The auditors warned the Board that as of the end of fiscal 2010, cash reserves were too low to sustain the District's operations through fiscal 2011. By the time of the audit publication in October 2010, the Board budgeted rate increases and expense reductions.

Employee Surveys

S-1 All eight employees were asked to fill in a general survey (please refer to the Appendix for the survey and questions.) The results of the survey for LDPCSD are included here. The survey items were rated on a 10-point scale where 1=Totally Disagree and 10=Totally Agree. "Q#" is the survey item number. The Grand Average is the average of all employees who took the survey during the Oversight Visit.

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12
LDPCSD Average	8.8	8.1	6.6	8.0	8.9	7.9	7.4	8.5	8.9	8.9	7.9	8.8
Grand Average	9.1	8.5	7.9	8.7	9.1	7.6	7.8	7.9	9.2	9.0	7.4	7.7

S-2 Verbatim employee comments when asked for one thing the department does well:

- "When there is a big thing we all come together and get the job done."
- "Provides safe and pleasant drinking water."
- "The office is run very efficiently. We cross check each other's work. "
- "Maintains a safe drinking water for the community. "
- "Treat water"
- "Excellent customer service."

S-3 Verbatim comments when asked for one thing the department needs to do better:

- "Just keep going and doing our jobs and cracking down [unreadable] everything else."
- "Coordinate expenses at the plant with the approved budget. Our biggest issue is with the Board of Directors. Staff is undermined by certain members, harassed, embarrassed, blackmailed and it doesn't appear some are following existing policies."
- "Organization."
- "The Board."
- "Conflict between Board members and staff makes it unenjoyable. We shouldn't be intimidated by the Board."

Conclusions

C-1 The Grand Jury found employees very dissatisfied with the day-to-day operations.

C-2 There is a rift between the Board and District employees and District customers. The disagreements can cause a breakdown in service for customers.

C-3 Board members feel the District is in financial trouble but are unclear about the details of why that is the case.

C-4 The Board is not a functional team.

C-5 The Board has not decided on the job description of the General Manager and because of this inaction, the District cannot successfully advertise for the GM position.

C-6 The "Interim" General Manager has improved services, located large water leaks, and improved morale and working conditions despite the lack of support and additional unnecessary work generated by the Board

C-7 Blogs and email published by Directors outside of the Board meetings expressing personal opinions about the meetings and Board actions undermines the teamwork needed for a functioning government entity.

C-8 A portion of the findings, not included in this report, was turned over to the District Attorney.

Recommendations

R-1 The Board has demonstrated an inability to work as an effective government body. We strongly suggest the Board find and work with a mediator to work out the issues preventing them from governing.

R-2 Board members should educate themselves about existing policies and procedures. The Board needs to review and revise the documentation in a timely manner. If policies are not followed by any Director or the Board as a whole, then it is the community's responsibility to decide whether to recall or re-elect that Board or Director.

R-3 The President of the Board should resign as President as he has voluntarily missed several meetings because of personal issues with other board members according to his own testimony. Additionally, he is unwilling to follow policies and procedures regarding his responsibilities to the board. (The Grand Jury has subsequently learned that this Board President has resigned.)

R-4 The Board needs to hire a permanent GM as soon as possible.

R-5 Board members should stop publishing documents that do not promote or represent the Districts interest as a whole.

R-6 Board members should seek clarification of the financial statements and accounting from the District's Financial Officer until they understand the District's financial health.

Recognition

The Grand Jury would like to recognize the efforts of Interim GM Dan Tynan, Financial Officer Charise Reeves, and Accounts Clerk Syndie Marchesiello for diligently and conscientiously continuing to improve operations of the District under adverse working conditions. We thank them for the generous time they gave gathering information and educating the Grand Jury about District background and operations.

Response required.

Public Works Fleet Maintenance Oversight Report

The Grand Jury performed an oversight review of the Fleet Maintenance Division of the Public Works Department of Mariposa County on March 23, 2011.

The Grand Jury inquired into Fleet Maintenance's functions and goals of operating a productive fleet that is both economically and environmentally friendly.

The Grand Jury oversight review included interviews with both the Director of Public Works and the Fleet Superintendent. The Grand Jury also conducted a self-guided tour of the maintenance facility. Information provided to the Grand Jury by the Fleet Superintendent included a current list of County vehicles, a list of vendors and sub-contractors used by this division, and a copy of an Employment Performance Review Form (including an Employee Self Review) that has recently been added to their procedures.

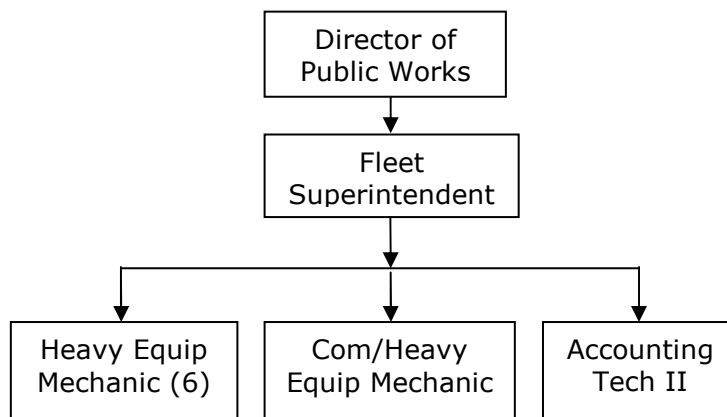
The Grand Jury also gathered pertinent background information from the internet including 2010-2011 budget, job descriptions, Title 14 policy on Maintenance, and the latest Union contract which expired Oct 31, 2010. The Director also provided a computer disc containing the County Safety Program that is in place for all employees.

The Grand Jury also interviewed the Personnel Director and a Human Resources employee to better understand the roles of the various Unions within the County and their relationship to the employees.

A short employee survey was also conducted during the visit.

Organization

The Fleet Maintenance Division is part of the Public Works Department and reports directly to the director of Public Works. The Fleet Maintenance Division is responsible



for the purchase, maintenance and repairs of Mariposa County's vehicular fleet including heavy equipment, fire apparatus, Sheriff's Department vehicles, Road Division vehicles & county pool vehicles. The Division currently maintains a fleet of

374 vehicles. This division is also responsible for the purchase of new/replacement vehicles. The average life of a fleet vehicle is eight years.

The Fleet Maintenance Division consists of nine employees. They include a Fleet Supervisor, an Accounting Tech II, six Equipment Mechanics/Heavy Equipment and one Commercial Truck Driver/Equipment Mechanic.

This Division has a current yearly budget of \$1,590,000. While the majority of their money comes directly from the County, their budget does include \$45,000 from the Federal Congestion Mitigation & Air Quality Improvement Program (CMAQ) for the retrofit of two (2) diesel dump trucks.

Findings

F-1 The Fleet Maintenance facility is located in Mariposa. The facilities consist of eight repair bays, offices, storage room, lifts and tools. The facility is large enough to handle the workload. The facility is well-equipped and kept in a clean and orderly condition.

F-2 The Fleet Maintenance facility lacks adequate space for parking. There are not enough places to park and/or to secure county vehicles that are left for service.

F-3 Gasoline is dispensed at the Mariposa and Coulterville service yards. The division has a two-card system in place to have access to the pumps. The division gets a report once a month on each vehicles gas use.

F-4 The departments that use the Fleet Maintenance Division the most frequently are the Sheriff's Department and the Public Works Road Division.

F-5 All vehicles (with the exception of the new fire apparatus) are purchased, not leased. The division has tried leasing in the past but because of mileage overages, the costs were too high. To keep costs down, the vehicles are purchased through the state bid list. Fire apparatus is on a lease/purchase plan.

F-6 The County purchased 11 new fire engines and 4 new water tenders in 2009 on a 15-year lease/purchase plan. The warranties on these engines and tenders have expired and all work on them must be sent to outside vendors to be done.

F-7 When a vehicle is "retired", it is stripped of county signage, light bars, etc. and sent to auction. Funds received from the auction are used to support that vehicles replacement.

F-8 Most maintenance of county vehicles is performed by the mechanics employed by the county.

F-9 Vehicles scheduled for service maintenance are routinely checked for any other repairs needed. These repairs are done at that time.

F-10 The Fleet Maintenance Division bills each department for the vehicles they have in use (per fleet policy Title 14). These charges include cost of vehicle, repairs and maintenance.

F-11 Fleet maintenance has a personal computer with a fleet-specific software program to track the fleet and maintenance. This is backed up every day. The backup is kept on premises. The computer also hooks up with Technical Services via Ethernet Transport Service (ETS) to the AS400 runs a backup once a week. This backup is kept off site.

F-12 Fleet Maintenance has good vendor sources that eliminate the need to carry replacement parts in stock. A 2-3 day supply of often used items such as oil, oil & air filters and spark plugs are kept in their storage facility.

F-13 Fleet Maintenance Division keeps abreast of local labor rates and practices to make sure the division costs are kept in line.

F-14 The Fleet Maintenance Division has tried "environmentally friendly" vehicles. They have had some electric carts and a Toyota Prius. The division does not believe these vehicles perform at a high enough level for the county's demands. The idea of "alternative fueled" vehicles was ruled out for lack of access to those fuels.

F-15 The Director of Public Works has been on the job for less than a year. Previously, the position of Director of Public Works had not had a performance review by the Board of Supervisors. The current Director has been informed that a performance review will take place in 2011 year.

F-16 Performance appraisals for the Fleet Superintendent are conducted on an annual informal basis.

F-17 There are no automotive/heavy equipment mechanic certifications required for the county's mechanic positions. There are no criteria in place to determine the level of knowledge of the employees. Salary increases are based on Union contracts. The Union has provided a Performance Review Form that has been implemented this year. It is unclear what impact it will have on the employee's performance.

F-18 The employees are all at the top of the 5 Year Step Program provided by their Union.

F-19 Personnel believes that the new employee evaluation forms will enable the Superintendent to point employees in a direction that will enhance their performance and thereby give the employee a "leg up" on any future promotions.

F-20 Some vehicles require specialized training in digital and computerized technologies. The mechanics employed by the county have not had the opportunity to train and have not had access to the specialized tools needed for the support of these vehicles. As a result, those vehicles are sent to outside vendors for service and repair.

F-21 There is no set career path for the employees. Each position has a ceiling, beyond which there is no information. There are no incentives in place for mechanics to improve their work knowledge through training.

F-22 There is currently no one trained as a back up to the Fleet Superintendent. This creates a problem if the Superintendent is off site or takes time off.

Mariposa County Grand Jury Final Report

F-23 There is a lack of communication between the Director & the Superintendent. Therefore, the Director sometimes lacks adequate information to present pertinent data to the Board of Supervisors.

F-24 The Director of Public Works believes that this Division is one of his best run divisions.

F-25 The division has a comprehensive safety program in place that has been provided by the County to all departments to be included in their procedural manuals. This program outlines all of the necessary measures that are required to be in place, including required safety meetings and hazardous material protocols.

Employee Survey Information

S-1 All fleet employees were asked to fill in an Employee Survey (the survey questions can be found in the Appendix). The results of the survey for Fleet employees is included here. The Grand Average includes all of the departments of the County that the Grand Jury visited during its tenure. "Q#" is the survey item number and all items were rated on a 1 to 10 basis.

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12
Fleet Average	8.6	7.2	7.1	8.3	8.8	5.4	5.9	6.2	9.0	8.2	4.7	3.4
Grand Average	9.1	8.5	7.9	8.7	9.1	7.6	7.8	7.9	9.2	9.0	7.4	7.7

S-2 Verbatim employee comments when asked for one thing the department does well.

- "Safety & maintenance of vehicles and equipment is our #1 concern. Every piece of equipment that comes through here is thoroughly inspected so that it is safe & dependable."
- "When a vehicle comes in that has not been scheduled we do very well a making time to repair it in a timely manner. We pride ourselves on keeping the county fleet in a very safe operating condition."
- "All of our mechanics work hard to take care of problems when they are allowed to."
- "Repair equipment"
- "Repair equipment"

S-3 Verbatim employee comments when asked for one thing the department needs to do better.

- "Spend less money."
- "Far too often vehicles are sent out for repairs that should be done in house. Vehicles are put out to auction that should be kept a while, and vehicles that

are junk seem to stay around forever. Taxpayer funds have been wasted on vehicles far more expensive than their duty warrants."

- "A lot of money & equipment is wasted in this shop. Too much money is spent farming out work that could be done here. A lot of equipment sold at auction could be used for spare parts first, then sold for scrap."
- "Save money and get a working foreman."

Conclusions

C-1 As the technology of automotive repair advances, the more automotive maintenance will have to be contracted to outside vendors with the knowledge and skills to work on said vehicles. The county will either have to provide adequate training to the county mechanics, or outsource the majority of the repair work.

C-2 Communications are lacking between the department and division heads.

C-3 There is also a communication problem between management and employees. This gives employees the perception that their input in shop procedures is not wanted or needed.

C-4 The Fleet Superintendent is reluctant to train any employees as a backup for his position.

C-5 Parking is at a premium. The lot that surrounds Fleet Maintenance is also used by the other divisions of Public Works. There are not any specific areas that have been striped; therefore, parking is done haphazardly, wherever you might find a little open space.

Recommendations

R-1 All mechanics should have the opportunity to expand their knowledge through training. That training should include such automotive industry maintenance standards that may exist, especially in the area of computerized technology. One or two mechanics could be given specific training. In effect, this would "train the trainer". These trained individuals would then spread their knowledge to the rest of the crew and thereby expand all of their expertise and keep costs in check. If certified training is deemed to be necessary for a specific scope of work, that training could be taken by individuals on a rotating basis.

R-2 The Director of Public Works and the Fleet Maintenance Superintendent should meet weekly to open the lines of communication. It is important that both parties understand each of their intentions and goals for the division. They can then work together in a united way to improve the division.

R-3 Steps should be taken to train someone to back up the Fleet Superintendent. The Superintendent should create guidelines that he would like followed while he is out of the shop, out of the area, or off for the day and/or vacation. Once these guidelines are in place, he can then cross-train someone to follow these procedures. All employees deserve their time off without worry of what's going on at work.

R-4 Improve lines of communications between management and employees. Have bi-weekly staff meetings (maybe in conjunction with existing safety meetings). This will enable the employees to make comments and have input into the way shop procedures are followed. These meetings should be done in a way that employees can make comments without fear of repercussions. In addition, something as simple as having a suggestion box available might be sufficient to create topics of dialogue at those meetings.

R-5 Mark, stripe or cordon off specific areas to park for each division. At least, have the heads of each division discuss how to improve the situation of everyone that is affected.

Response Required

Mariposa County Senior Services Oversight Report

The Mariposa County Grand Jury visited the Department of Community Services on April 28, 2011, and interviewed the Director, Office Assistant, and the Kitchen Supervisor

A tour of the facilities was provided and an employee survey was conducted during the visit.

The department rents its building, the Mariposa County Senior Center, located at 5246 Spriggs Lane, Mariposa, during the day. The land is owned by the John C. Fremont Hospital, the building was built and is owned by a senior group, the Golden Agers (a non-profit organization), and is staffed by county employees and volunteers during the day.

Introduction

Mariposa Community Services provides the following services:

- Senior services information and referrals
- Activities and programs
- Outreach to seniors
- Education seminars
- Furnishes meetings and lunches
- Senior nutrition congregate meals
- Home delivered meals
- Restaurant meals program
- Public transportation with designated routes through a dial-a-ride system
- Medical transportation for seniors going to medical appointments

Some limited senior services are provided in the Coulterville/Greeley Hill area.

Definition of a senior is anyone over the age of 60.

Organization

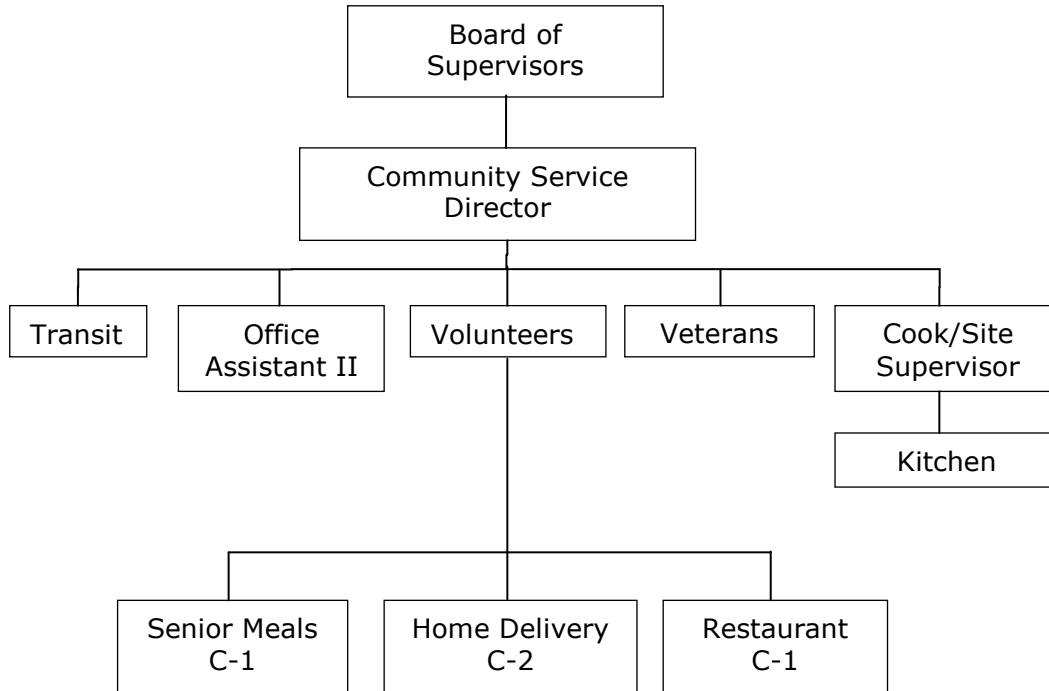
The department is required to comply with all federal, state and local laws and ordinances.

The total number of employees is six, with a volunteer pool of 21.

The Director position is not a union one.

County employees are union represented: (MOU) Service Employees International Union CtW, CLC—Local 2703—AFL/CIO

Inter agency relationships are with Alpine, Amador, Calaveras, and Tuolumne Counties through the Area 12 Agency.



Area 12 Agency On Aging: A12AA receives federal (Older Americans Act [OAA]), State and local funds to develop, support and maintain a comprehensive and coordinated service delivery system for persons 60 years of age and older.

Supportive Services: Title III-B of the OAA was created to fund services that address a wide range of home and community-based care needs of older persons.

Congregate Nutrition: Title III C-1 Congregate Nutrition was created through the OAA to address both the nutritional and socialization needs of older persons.

Home Delivered Meals: Title III C-2 Home Delivered Meals addresses the nutritional needs of older person who are physically or mentally unable to participate in the congregate nutrition program.

Disease Prevention and Health Promotion Program: Title III-D of the OAA was developed for the purpose of funding services that screen older persons for health problems and/or provide them with information on how to live a healthy lifestyle.

Medication Management Services: Also established under Title III D, this is to assist older adults in establishing and maintaining compliance with medication frequencies and dosages as prescribed by physicians.

Family Caregiver Support Program (FCSP): Title III E is the most recent program established under the OAA and provides a continuum of caregiver services to family and other caregivers supporting older individuals.

Mariposa County Grand Jury Final Report

Health Insurance Counseling and Advocacy Program (HICAP): This community based services program provides free and unbiased counseling and advocacy to Medicare recipients and to those who will soon be receiving Medicare by certified counselors.

Ombudsman Supplement: Title VIIa provides additional funding for the Ombudsman services done within the Title IIIb service category to ensure the rights and entitlements of older persons in long-term care facilities by investigating and resolving complaints and initiating corrective action where necessary.

Elder Abuse Prevention: Title VIIb provides funding to improve the protection of older persons who are in danger of abuse, neglect or exploitation by providing public education, outreach, inter agency coordination and abuse investigation.

Kitchen Facilities: Employees must possess a Safe Food Handling certificate and be in compliance with all federal, state and local food service regulations.

California Retail Food Code (Excerpt from California Health and Safety Code)

Certificates: All employees are required to have current CPR/First Aid certificates.

Budget - Senior Services activities has multiple funding sources (federal, state, county and grants) as well as multiple reporting requirements. For all Senior Public Assistance Services operations, revenues match expenses for a zero net cost. Veterans Services is partially subsidized by Veterans' Affairs. Federal and State monies as well as transit charges cover almost half of the Transit operating costs. The expense breakdown for services provided in the adopted 2010-11 County Budget is as follows:

- Senior Nutrition C-1- Public Assistance: \$130,561
- Senior Nutrition C-2 – Public Assistance: \$67,967
- Senior Nutrition Restaurant – Public Assistance: \$36,265
- Senior Services – Public Assistance: \$85,205
- Veterans Services – Public Assistance: \$47,130
- Transit – Transport Systems: \$546,730

Various customer surveys are conducted, i.e. transportation and Area 12 Meals On Wheels. These surveys were well received.

Findings

F-1 The department Director has been in this position for only nine months, but in that time certain changes have been made that have increased productivity as well as giving employees the opportunity to work at the highest levels of their skills. The atmosphere of the work place has improved, with employees reflecting the enjoyment of their jobs. The educational background of the Director is a tremendous asset for the programs. The Director reports directly to the Board of Supervisors.

F-2 The goals for the coming year are to continue building community outreach programs utilizing key people within the county government, individuals and organizations (Rotary/Lions) within the community. The director is well aware of the needs of seniors in a mountain community and the problems faced by a rural and

isolated population. This includes the pressures of individuals in a small community to maintain dignity and confidentiality. In-house surveys have been conducted by the transportation section. This department also has a link on the county web site that furnishes valuable information to the public.

F-3 The building and furnishings are more than twenty years old and as such, equipment is being replaced as needed. One expensive item that is in the process of replacement is the large walk-in refrigerator located in the kitchen. This item is original to the building and has reached the extent of its life. Another system that needs replacing is the telephone system. At the present, this system is not efficient for use by the staff and requires employees to shift between two different systems in order have contact between the kitchen and office staff. Also, the building does not have an alarm system and is located in an area that is semi-isolated.

F-4 This department is connected to the county's computer system and uses the AS400 reporting software. If the county system should be off-line, for whatever length of time, this office would be able to continue serving the public by re-instituting paper procedures. Backups for documents are kept on site as well as backed up each day by the IT office.

F-5 A tracking system has been implemented for the remittance of cash receipts as well as procedures for the safety of employees handling monies.

F-6 Inspections of the facility are conducted by CALFIRE (for compliance with fire regulations) and by the Mariposa County Health Department. The Health Department conducts two unannounced inspections each year. A registered dietician is also available to assist the kitchen staff.

F-7 Employee Performance Review This standard form is for all county employees. There are no formal incentive programs in place to reward above-standard employees. Because of the way the jobs are classified, only the kitchen assistant could work towards the cook position. Training for employees is conducted as needed because of certificates required for various positions. Some training is conducted in-house.

Employee Survey Information

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12
SS Average	10.0	10.0	9.5	9.8	9.8	10.0	9.8	10.0	9.5	9.0	9.0	9.8
Grand Average	9.1	8.5	7.9	8.7	9.1	7.6	7.8	7.9	9.2	9.0	7.4	7.7

S-1 One thing your department does very well

- "Customer care and service is done very well in all areas. As a team, you strive to accommodate the needs of seniors and the general public and their families."
- "Always keeping an open ear to help people."
- "You are very good at preparing very nutritious meals for the seniors and guests and keep a very clean environment for doing this."
- "Helping the people you service."

S-2 One thing that your department needs to do better

- "Continuing to develop ways to change the idea that "it is the Senior Bus" and to expand this service to include all people who need transportation in Mariposa County."

S-3 The staff at the Senior Center have high job satisfaction ratings. They enjoy working together and feel they have the training and resources to do their jobs. They are committed to excellence and providing the quality service to their customers.

You need to continue to reach out and let more seniors and guests know about what you offer at the center.

Continuing to promote your department to the public

Conclusions

C-1 The oversight committee was extremely impressed with the operation of this facility and the dedication of its staff.

C-2 The Director was able to manage this year's departmental funds thus insuring no reduction in force. The budget for this department was reduced as was all other county department budgets.

C-3 The county computer system needs to be addressed as it is very antiquated.

C-4 This facility's telephone system should be updated for efficiency.

C-5 Continued outreach is the only way for the community to be made aware of the services of this department.

Recommendations

R-1 The Director should continue with her plans for marketing Senior Services as well as Transportation Services that are available to the citizens of Mariposa County.

R-2 As discussed during the oversight visit, various community groups have assisted the Senior Services department with everything from wood splitting and delivery to food donations. In addition, the department is serviced by a number of dedicated volunteers. It is clear there is a tremendous amount of goodwill in the community toward the county's seniors. So, in addition to marketing services available, finding appropriate forums to publicize needs may prove beneficial.

Recognition

The Grand Jury would like to recognize Service Director Terri Hayworth and all the employees and volunteers of the Senior Center for their dedication in serving the citizens of the county of Mariposa. This facility is a very important part of the community. We would also like to thank them for their time and courtesy during the oversight visit.

Technical Services Oversight Report

The Director of Technical Services (TS) was invited to talk to the Grand Jury about the county's Information Technology infrastructure on September 23, 2010. The Director described the TS organization and services but was unable to complete the presentation due to time constraints. Based upon the Grand Jury's concern about the county's aging primary financial system computer, the IBM AS400, and disaster preparation, we visited TS on 2/22/2011. An employee survey was also distributed to all the employees.

Introduction

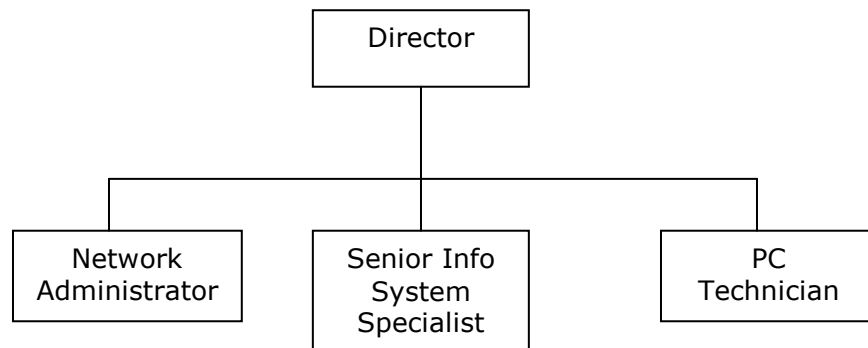
TS maintains an Information System of over 400 devices, including 24 servers, 300 personal computers (PCs), and other electronic devices county-wide. All of its customers are internal to county government. TS is the county's Webmaster and maintains the county's website. It administers the email and phone system, coordinates the GIS (Geographical Information System, a visual satellite-provided locator system), and maintains and supports the county's network for county departments.

One of the critical servers in TS is a custom-built IBM AS400 that uses 1980s technology (i.e. it is DOS-, not Windows-based). The AS400 is programmed to track, record, and issue financial data for at least eleven departments including the Sheriff, District Attorney, Probation, County Clerk, Treasurer/Tax Collector, Auditor, Assessor/Recorder, Administration, Personnel, Planning, and Building. Should the AS400 fail, it would require a minimum of six weeks for replacement.

One of TS's most critical tasks is to provide risk protection against viruses, worms, and hackers. Because of the ease with which such invasions can take place, TS limits and controls web access by users (filters access to prohibited web sites such as social networks and pornography) although it does not limit access to shopping. Use of flash drives to upload data into the county's system is one of the system's worst threat because of the lack of virus control by individuals in their home systems.

The adopted budget for the department in fiscal year 2010-2011 was a net cost of \$579,428, 75% of which is for salaries, wages, and benefits.

Organization



The TS department consists of four full-time people, the Director and three staff.

The Director is an At-Will employee who reports to the Board of Supervisors. The current Director has worked for the County for nine years, during which he has never had a performance appraisal (he commented that Mariposa County is one of the few counties that does not conduct performance appraisals). The Chief Administrative Officer has told him that starting in March 2011, the county will begin to conduct performance appraisals.

When he first arrived, the Director used a two-way system of performance appraisal for the department's staff: each employee would rate himself, the Director would write his own evaluation of the same employee, then the two would sit down and compare evaluations. Staffing has been stable with very little turnover.

The department has a small training budget. Early in the Director's career with the county, he attended statewide conferences of county TS directors, but he stopped attending because of expenses. He has not used any training funds to go to seminars. He has provided some training to employees, but he hesitates to provide training to get ready for major Information Technology changes. He thinks employees would expect a grade increase or pay raise for large increases in skill and knowledge and he cannot grant such.

Employees rotate every two weeks into the On-Call position, which responds to TS emergencies 24 hours a day, 7 days a week. Since TS needs to respond rapidly, the department provides DSL service to employees so they can respond from home. (If an employee needed to come into work to respond, the minimum overtime charged would be four hours.) The On-Call employee is responsible for the daily backup of data. Due to the On-Call rotation, all employees are cross-trained.

When asked about who could step in for the Director, he said that reviews can be done by the Deputy CAO; the Senior Info Systems Specialist can make sure the bills get paid, and Sierra Telephone can step in to support the email and network systems except for the AS400.

Findings

F-1 Server Room

TS is housed in a building that has cracked walls, the occasional leaking roof (one of the leaks was located over a bank of servers), and has been evaluated by a building inspector as one that would never be approved by today's standards. In addition, the server room is on an outside wall facing the parking lot and no crash barriers are in place to prevent vehicles from hitting the wall.

F-2 Customer Complaint Process

The TS Director has conducted his own surveys of the department heads to find out what the customers need, and to determine how well his department is operating. Because the county is relatively small, TS does not have a formal Help network (the Director commented that a larger county would require a formal Help system). When customers have problems, they are asked to call the department (this was confirmed by checking the county's web site for TS, which lists telephone numbers and contact information). No log is kept of how many customers call, although the department does know which departments have the most troubles. Early in the Director's career

with the county, TS tried to keep a log of calls, but the administrative requirements took more effort than it was worth, so tracking was stopped.

F-3 Training

One problem of providing training to employees is that they expect a grade increase or pay raise for increased skill and knowledge. Because the Director cannot grant such, he hesitates to commit to training for major changes.

F-4 Backup and Restore of County Data

County data is backed up from specified servers and not necessarily from all data sources. It is up to the users to identify which data is to be backed up. Backups are stored in a separate building. It is unknown what the security measures are at that facility.

No restore has ever been done and verified.

There is no backup/restore plan that covers all county data; some departments may or may not do their own backups.

F-5 Disaster Recovery

The most difficult aspect of preparing for disaster is that there is no way of knowing what kind of disaster might occur. A disaster example that came to mind, because it was happening at the time of the interview, was the complete power outage in the Greeley Hill area for days. If all power is out for days in TS, all systems will be down since the back-up generator in TS is good for only 40 minutes. Fires, floods, snow, and power outages are all real threats.

Given the unknown nature of a disaster, the TS budget has not included funding for a disaster recovery.

If the AS400 shuts down or becomes unusable, replacement of this custom system would take a minimum of six weeks. A redundant AS400 system (a backup) would cost \$60K plus all the licensing fees. The only system that can read the backup data for the county's AS 400 is an identically programmed AS400.

Recently, TS met with the department heads of three of the most frequent users of AS400 server to discuss how to continue functioning if the terminals at those departments are destroyed or employees cannot access county data. All three departments recognized the importance of preparing for a shut down.

F-6 County employees have limited skill and knowledge about computer use.

The Director feels that there is little knowledge about and training for employees about computer use. Lack of knowledge results in many calls for support and unintentional introduction of viruses and worms into the system due to attempted uploads via USB (flash memory) devices.

F-7 Proliferation of PCs

Information Technology in general currently is transitioning to centralized server systems, with one server providing computing power to multiple users via a network, rather than each user having a PC at the desk. The Director estimates that having a user connect to centralized computing power via a terminal is half as expensive as selecting, installing, maintaining, fixing, and backing up individual PCs. For

confidentiality reasons, directors and managers might need local personal computers.

F-8 Utility survey

The number of servers maintained both at TS and in the field has risen from one in 2002 to 24 in 2010. TS shares a building with another department with a sole electrical meter, so it has been difficult to determine how much power is being used to keep the increased amount of IT equipment running and cooled (the server room has to be air conditioned). A meter was being installed to determine how much energy TS uses and whether there might be some efficiency gained by modifying the number of servers.

Employee Survey Information

Results of the general employee survey for TS are presented below. "Q#" is the item number from the general survey which is included in the Appendix of this report.

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12
TS Average	9.5	8.5	8.5	9.0	9.5	8.0	8.3	8.8	9.5	9.3	9.3	9.8
Grand Average	9.1	8.5	7.9	8.7	9.1	7.6	7.8	7.9	9.2	9.0	7.4	7.7

S-1 In the comment section of the survey, employees feel that the task that the department does very well is to provide customer service with minimum downtime, and are committed to having someone to answer the phone for those seeking assistance at all times.

S-2 Employees felt that what the department needed to do better was to document information, and to update hardware.

Conclusions

C-1 Personnel

Technical Services does an admirable job considering that they appear to be understaffed.

C-2 Training would keep employees ready for new technology

As the AS400 system continues to age, the county's ability to attract or find employees with AS400 expertise decreases.

C-3 Customer complaint tracking

There are no hard data available about customer complaints that could be used to economically justify a change in staffing or training needs, or identify problematic trends.

C-4 Backup data is untested.

It is unknown whether backup data can be restored successfully from the backups made daily. Untrained employees in individual departments may not have the knowledge or time to select critical data for backup.

C-5 Disaster planning

The cost of recovering county data in the event of a disaster would most likely exceed the cost of a disaster plan. There is no overall disaster recovery plan either for departments or for Technical Services. A disaster would disrupt any service relying on data supplied by the county computer network.

C-6 Employees need computer training

County employees who are in data intensive departments need training to understand how to make the best use of and protect their equipment.

Recommendations

R-1 Preparation for a computer disaster/ **catastrophic data loss.**

A disaster recovery procedure needs to be in place and **verified**. This is of the utmost importance as taxpayers and county personnel need access to this data at all times. A disaster has the real possibility of losing critical operational data and access to that data. A true disaster will impact all departments and the county as a whole. This plan should define the immediate and long-term actions to be taken to recover county data and establish access to that data as soon as possible. The plan should include interactions with partners like STI, banks, and others.

R-2 Customer complaint tracking system needed

TS should adopt a problem tracking system that would allow them to keep a record of problem trends and results. This could be used to justify additional headcount that would bring them to a reasonable workload per person.

R-3 Protect the county's servers

The server room should be relocated to a safe place immediately to prevent a failure that may be caused by the structure in which it is currently housed. This should also offer security, safety, and electronic discharge protection. It should offer reliable long turn backup power and climate control.

R-4 Provide technical training to TS staff

Training of department staff should be a priority to keep personnel up to date on the rapidly changing technical conditions and technology opportunities. Trained personnel make fewer mistakes, adopt new technology that improves service, and have a better personal feeling of success. Regular performance reviews should be conducted to inform employees of their successes and the need for improvement.

R-5 Make the transition to a new financial system

The IBM AS400 should be replaced as soon as possible with input from all concerned parties. The lack of trained personnel and support for the AS400 platform will only become more critical as time goes by. Several alternatives have been forthcoming and a decision should be made soon. Transition to this new platform will require modification and additional training.

R-6 Automate the backup process

The backup and restore procedure for county data should be revamped to be fully automatic and verified. A full restore should also be conducted to prove the procedures soundness. Backup data should be verified as it is created and sent to a different geographical area.

Response Required

Treasurer/Tax Collector Department Oversight Report

The Grand Jury performed an oversight review of the Treasurer/Tax Collector Department of Mariposa County on April 19, 2011.

The Grand Jury inquired into the Treasurer/Tax Collector's responsibilities, operating procedures, and the challenges of collecting, balancing, and helping to invest all of Mariposa County's funds.

The Grand Jury oversight review included interviews with both the County Treasurer/Tax Collector and the County Assistant Treasurer/Tax Collector. Information provided to the Grand Jury by the Treasurer/Tax Collector included services provided, procedures followed, organizational chart, Departmental budget, and a copy of an Employment Performance Review Form (including an Employee Self Review) that has recently been added to their procedures.

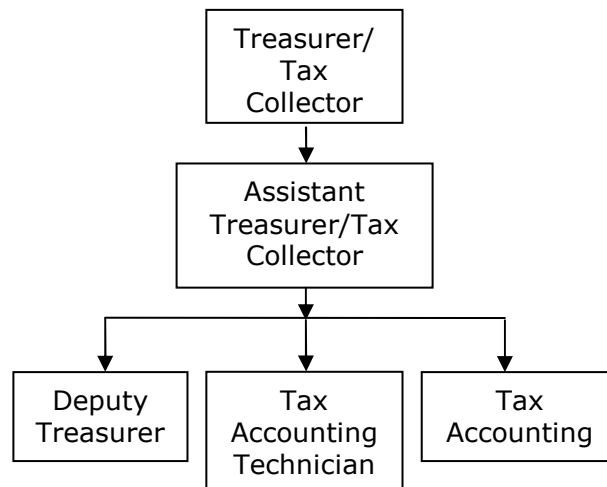
A short employee survey was also conducted during the visit.

Organization

The Treasurer/Tax Collector is an elected County official, with a staff of four full time employees. The Treasurer's Office is the collection point for all funds received by the County and is charged with the safekeeping and investment of those funds. Responsibilities include: collection, balancing, and helping to make investment choices for all County funds, including some special districts and the unified schools. The County contracts with a consulting firm for advice in making investment decisions. The Treasurer is governed by the California Government Code.

The Tax Collector collects all taxes, current and delinquent, and deposits the collections daily in the treasury. The Tax Collector is governed by the Revenue and Taxation code.

The Treasurer/Tax Collector is also the county clerk and Registrar of Voters.



Findings

- F-1 The staff size has remained consistent since the last budget year.
- F-2 Annual Performance appraisals for employees have been established starting in March 2011.
- F-3 There is no performance-based award system for employees.
- F-4 Although there is some cross training within the department, there is currently no set career ladder for employees.
- F-5 Other than Ethics and Sexual Harassment Training, there are no other formal training classes offered, either for employees or managers. There is no part of the budget allocated for training.
- F-6 The County maintains an investment portfolio of between 25 to 27 million dollars. This portfolio consists of government securities, Treasury Bonds, Fanny Mae, etc, along with about 25 percent of the total portfolio that could be in commercial bonds and paper. The average interest rate of return is about 2.5 percent.
- F-7 Bonds for the county are currently purchased through an outside custodian, and that custodian currently is Union Bank.
- F-8 Though it rarely happens, if a business were to continue to be delinquent in reporting/paying their TOT/BID taxes, an audit would be conducted and a lien could be placed on the business.
- F-9 The AS400 is the primary software program. If the system goes down, most data could probably be reclaimed, however approximately one week's worth of entries would be missing since the files are only backed up weekly. Future reliability and cost effectiveness of maintaining this system could be an issue.

Employee Survey Information

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12
TC Average	8.5	7.5	6.5	8.0	8.0	8.0	8.0	7.5	9.0	9.0	6.5	7.5
Grand Average	9.1	8.5	7.9	8.7	9.1	7.6	7.8	7.9	9.2	9.0	7.4	7.7

- S-1 The surveys indicated that employees like their jobs, and are committed to doing an excellent job.
- S-2 The surveys indicated that providing positive customer service and satisfaction are a number one priority for the Department.
- S-3 The surveys showed that additional training would be beneficial to the department.

Conclusions

C-1 While this is a small department, with a large amount of responsibility and oversight, it appears to be well run and adequately staffed.

C-2 While the AS400 system is currently operational and functional its software is quite old and non-intuitive. It's recommended that this system be upgraded in the near future.

C-3 Due to budgetary considerations, employee and supervisor training are not being conducted.

C-4 No career ladders within the department have been established.

C-5 There is no performance award system in place.

Recommendations

R-1 Efforts need to be made to conduct more cross training within the department, along with the establishment of a career ladder or upward mobility type of environment.

R-2 Establish some incentives / awards for employees who are performing their jobs at an excellent or superior level.

R-3 Employee and supervisor development and training need to become a budgetary priority, if not now, then as soon as possible.

R-4 The Department needs to provide their input as what type of operating system is needed for them to cost effectively and efficiently perform their duties in the future.

Complaint Reports

Overview

The Grand Jury received 13 complaints during its tenure. Upon receipt, each complaint was read aloud to the jury members, after which a discussion was held. The jury then held a vote as to whether or not to pursue the complaint. If the jury decided not to follow-up on a complaint, a letter was sent to the complainant stating why we would not be investigating the issue. One complaint arrived late in our year and it was decided to hold it for the next Grand Jury. If the jury decided to pursue a complaint, the complaint was assigned to the appropriate committee for a background study to determine jurisdiction and the viability of the complaint. After its initial investigation, the committee made brief a report to the Grand Jury along with its recommendations. These recommendations could include:

- lack of Grand Jury jurisdiction/authority;
- the need for further background information prior to further inquiry;
- lack of documentation or witnesses to support an investigation; and
- a recommendation to investigate further.

The Grand Jury as a whole then made a determination as to which course to follow. The following pages are a summary of these activities.

Complaint 1

Date Received: August 12, 2010

Complaint: Public Works and the Building and Planning Departments. Three complaints were received from the same person regarding possible irregularities in road maintenance in the Lake Don Pedro Special District in 2006:

1. Earth work conducted by a private firm without a grading permit, resulted in erosion damage;
2. Failure of the Mariposa County Zoning Enforcement Office to conduct an investigation as required under Mariposa County Code;
3. A number of reconfigured roads were in non-compliance with the 1991 SRA Fire Safe Regulations.

Authority for Investigation: Penal Codes 925, 933.5

Assigned Committee: County Administration

Avenues of Investigation:

- Reviewed background documentation provided by the complainants;
- Phone interview with Public works Department Director;
- Site visit;
- Review of online public court documents.

Findings

F-1 Complaints 1 and 2 had been previously adjudicated in by the Mariposa County Superior Court . The Grand Jury has no authority to investigate matters previously adjudicated.

F-2 Regarding Complaint 3, a review of appropriate county records showed no current records to substantiate the claims one way or the other.

Conclusions

It may be that if a Grand Jury had been able to examine this complaint in a more timely manner, a more thorough investigation could have been conducted. However, due to a lack of records and documentation, this Grand Jury could not determine any findings to substantiate this claim.

Recommendations

None

Complaint 2

Date Received: August 12, 2010

Complaint: School District

The complainants felt they were told one thing during their first visit to inquire about building fees and school taxes, and then experienced the opposite when the time came to pull the permit for construction.

Assigned Committee: Commissions and Special Districts Committee

Authority for Investigation: Penal Code 925 and Education Codes 65995 – 65998, and 17620

Avenues of Investigation:

Contacts:

- Initial contact with school district: 08/26/2010
- Contact with school district attorney: 08/31/2010
- Initial phone call with complainants: 09/02/2010
- Visit with complainants: 9/10/10
- Phone call with Building Department, 9/23/10
- Phone call with Public Health Department: 9/23/10 Checked on background of Uninhabitable citation of complainant's rental property.
- Visit with Assessor's office: 10/7/10, checked on property and tax status of complainants' rental property.
- Visits with MCUSC: 10/7/10, initial general walk-in for developer fee information, and 10/13/10, interview with staff member about policies and complaint.

Documents:

- Three letters of response from School Superintendent to Complainants dated 4/26/10, 5/13/10, and 7/26/10, denying exemption from Developer Fees.
- Copy of business cards of county employees involved in the voluntary burning of the rental structure, and Health Department citation.
- "Frequently Asked Questions about Developer Fees – Residential", dated May 2010. A two-page document which clearly explains the background of the developer fee, fee rates, and how to apply for an exemption.
- "Mariposa County Unified School District Application for Exemption from Fees Levied Pursuant to Education Code Section 17620". A two-page document with a list of the Education Codes under which an exemption may be granted. Includes a Certification on page 2 which must be signed as exemption granted or denied by the Superintendent.

Findings

F-1 The complainants had a rental home which the County Health Department had marked as Uninhabitable, and which the complainants had donated to the Fire Department to burn as a training exercise. The complainants voluntarily allowed the building to be demolished by fire in March 2009 before they inquired at the MCUSD office in 2010 as to whether Developer Fees would be owed on the new building.

During a visit to the MCUSD office, the complainants claim they were told no fees would be owed because the rebuild is less than 500 square feet larger than the original building (the staff person may have been referring to Ed. Code 17620(a)(1)(c)). The complainants did not receive any verification in writing about the exemption, nor had they applied for an exemption at the time of the first visit. They have not been able to identify the staff member who offered the information, nor do they have the name of the staff person.

F-2 In 2010, when the building contractor went to the Building Department to apply for a building permit, he was told that a fee was owed and a permit would not be issued until the fee was paid at a rate of \$2.97/square foot for the entire rebuild (approximately \$3000).

F-3 Developer fees were started in 1986 and authorized under Education Codes 65995 – 65998. They apply to mobile homes as well as stick built homes, and the code is intended to apply to any new construction and remodels over 500 sq. ft. The exemptions can be complex. The application of the fees involves data and coordination between three key county government agencies: The Building Department, the Assessor's Office, and the MCUSD.

F-4 The Building Department issues the building permits and checks whether the Developer Fee is due and has been paid at the School District office. Once a homeowner has a certificate from the MCUSD indicating the fee has been paid, or the fee has been exempted, the Building Department can issue a permit. The Building department determines the nature of the construction (new construction, remodel, tear down).

F-5 The Assessor is consulted by the School District to determine the status of buildings on site, or the existence of mobile homes, and when such structures were built or sited. The Assessor's office can look up how much tax is being assessed on Land and on Improvements.

F-6 The School District applies a developer fee and determines whether an applied for exemption is to be granted. Only the School Superintendent can sign off on an exemption. The maximum rate of developer fee, currently \$2.97/ sq. ft. is set by the state, and each county determines up to what rate (not the exceed the maximum) is appropriate for the county. The School District collects the Developer fee. During discussion with the staff at the school district, it was discussed that exemptions can be a gray area about which the Superintendent has the best knowledge.

F-7 There had been a problem with a staff member who insisted upon providing information regarding fees about which she did not have clear knowledge, but that source of misinformation has been corrected.

F-8 The complainants met with the School Superintendent, and subsequently applied for an exemption from the developer fee first under Ed. Code 17620(a)(1)(c) ["other than new" residential construction with resulting increase of assessable space equal to or less than 500 square feet]: and then under Ed Code 17626 [i.e. reconstruction due to destruction by an unforeseen disaster such as a fire, earthquake, landslide, etc...]. The Superintendent presented the exemption request citing the rebuild as a remodel (17620) to the MCUSD Board of Trustees at the

Special Meeting; the Board unanimously agreed that the exemption was not warranted because there was no building on the site, so the rebuilding did not constitute as a "remodel". Because the Assessor verified a building did exist, they assigned a square footage of 0 (zero) to the previous structure. In addition, the Superintendent consulted with the school district's legal counsel who also agreed that an exemption was not warranted. Further, the Superintendent denied an exemption under 17626 because the code says the destruction needed to be due to a disaster and not a voluntary demolition even though the county fire department benefited from it.

Recommendations

R-1 Although each department is clear about its own role in the developer fee assessment, there is no common source of information for the developer fee process available to the public. There is no direction on where to start and the public is left to find out on their own as to how to plan their construction to keep the fees at a legally allowed minimum. It is unfortunate that a customer needs to be more knowledgeable about a convoluted process than any of the county agencies involved in that process. Recommend that those agencies coordinate a public information document describing the process in detail with a point of contact at each step. This document should be readily available from all involved agencies.

R-2 The exemptions available can be complex. The school district, to their credit, created a FAQ in May 2010, for residents who happen to go to the school district first. However, there remains the problem of having only one individual with the most reliable knowledge (the Superintendent). No process or procedure should be dependent on any one individual. Recommend that a readily available source document with examples of different exemptions be created for the public.

R-3 Regarding the specific complaint, we find that the complainants may have been able to avoid the developer fee if they had known clearly what constitutes a "remodel" rather than new construction, and had planned in advance to leave part of the original structure standing. A process needs to be put in place to ensure that each individual situation is clearly understood and acted upon accordingly.

R-4 This complainants' experience was a source of frustration for all parties involved, which could have been avoided if all three departments had a common FAQ available to the public. The May 2010 document created by the MCUSD should be reviewed and complimented by the other two departments and made available on the county web site.

Response Required

Complaint 3

Date Received: September 2, 2010

Complaint: Auditor

Due to the revelation that retirement funds for certain county employees had not been allocated properly, the complainant wanted an investigation into how the deferred compensation/Social Security miscalculation occurred, and requested a full accounting of all public funds.

Authority for Investigation: Penal Codes 925

Assigned Committee: Auditor

Avenues of Investigation

Interviews with the previous Auditor, current Auditor, Chairman of the Board of Supervisors, Chief Administrative Officer, and County Counsel.

Findings

F-1 The miscalculation occurred partially as a result of misunderstanding of the Tax Code by management years ago, probably before the tenure of the previous Auditor. This resulted in an improper determination of what monies required withholding and how that was to be accomplished. The fact that the changes to the employee benefits and the withholdings in question took place over a several year period, as opposed to all at once, also contributed to the problem, as did the fact that union MOU's agreeing to benefit changes were not routed through the Auditor's Office for review and approval.

F-2 An accounting of all public funds is conducted annually by an outside vendor contracted by the Board of Supervisors, and is published in the County of Mariposa Final Budget. Penal Code 925 prohibits the Grand Jury from duplicating any examination of financial statements which has been performed by or for the Board of Supervisors.

F-3 The Grand Jury was also concerned about the repetition of such an error. The new Auditor described to the Grand Jury several new policies that he had already put into place that he felt will greatly minimize the recurrence of such an error, and the jury concurred with his assessment. These policies included staff cross-training, an increase in depth of review by all staff, and an increase in procedural awareness via internal communication and management.

Conclusions

The miscalculation has been explained and corrected. Public funds are accounted for via an annual external audit.

Recommendations

None

Complaint 4

Date Received: September 24, 2010

Complaint: Building Department

This complaint was unclear, having to do with allegations of collusion between the Building Department and a contractor who had an expired license and had lost his bond.

Authority for Investigation: Penal Codes 925

Assigned Committee: None

Avenues of Investigation

Requested further information from the complainant.

Findings

The complainant provided a number of documents in a hodge-podge fashion, without writing a specific complaint to which the Grand Jury could respond.

Requested clarification was not forthcoming.

Conclusions

None. Complaint dismissed.

Recommendations

None

Complaint 5

Date Received: October 2, 2010

Complaint: Sheriff

The complainants felt they and others were mistreated by arresting deputies.

Authority for Investigation: Penal Codes 925

Assigned Committee: Law Enforcement

Avenues of Investigation

- Contact with the Sheriff's Office to inquire about a complaint regarding this incident. The inquiry was made without revealing the names of the complainants.
- Letter to the complainants requesting further information.

Findings

The complainants did not make a complaint to the Sheriff's Office regarding the incident.

Conclusions

Efforts that could be made on their own behalf by the complainants should not be made by the Grand Jury.

If the complainants had filed a complaint with the Sheriff's Office and the issue had not been resolved, the Grand Jury would have considered the complaint further. As no further information was forthcoming from these complainants, the jury dismissed the complaint.

Recommendations

None

Complaint 6

Date Received: October 16, 2010

Complaint: Probation: Revenue & Recovery

The complainant felt that fines resulting from DWI convictions were not being properly recovered.

Authority for Investigation: Penal Codes 925, 932

Assigned Committee: None

Avenues of Investigation: None

Findings

The complainant could provide no data to the Grand Jury to substantiate this claim.

Conclusions

None. Complaint dismissed.

Recommendations

None

Complaint 7

Date Received: October 21, 2010

Complaint: HUD Housing

The complainant may have felt she had been unfairly removed from subsidized housing.

Authority for Investigation: Penal Codes 925, 933.1

Assigned Committee: Health and Human Services

Avenues of Investigation

Examined submitted documents and reviewed applicable laws and statutes.

Findings

Because of the confusing nature of the complaint, complainant was requested to refine the complaint and to be specific in what she was requesting regarding assistance from the Grand Jury. Requested clarification was not forthcoming.

Conclusions

None. Complaint dismissed due to lack of information and direction.

Recommendations

None

Complaint 8

Date Received: October 23, 2010

Complaint: DA, Sheriff

The complainant felt he was a victim of a crime and not afforded his rights under the Victim's Bill of Rights Act of 2008. Additionally, the District Attorney's Office did not include him in any aspect of the case and did not return his phone calls.

Authority for Investigation: Penal Code 925

Assigned Committee: Law Enforcement

Avenues of Investigation

- Conversations with the Sheriff's Office and the DA.
- Review of correspondence from the DA to the complainant.

Findings

F-1 The DA's Office contacted the complainant via telephone to discuss the case and proceedings, to include court dates.

F-2 The perpetrator in this case was arrested, prosecuted and convicted of a misdemeanor violation of Penal Code 653m(b).

F-3 The DA's Office requested a full protective order on behalf of the complainant which was subsequently denied by the court.

F-4 California law gives the District Attorney discretionary powers to prosecute, or not, any given case.

Conclusions

The District Attorney's Office operated within the scope of the law.

Recommendations

None

Complaint 9

Date Received: December 8, 2010

Complaint: Sheriff's Office

Identical complaints were received from two complainants regarding unprofessional behavior on the part of two deputies during the course of an arrest.

Authority for Investigation: Penal Code 925

Assigned Committee: Law Enforcement

Avenues of Investigation

- Contact with the Sheriff's Office to inquire about a complaint received regarding this incident. The inquiry was made without revealing the names of the complainants.
- Letter to the complainants requesting further information.

Findings

The complainants did not make a complaint to the Sheriff's Office regarding the incident.

Conclusions

Efforts that could be made on their own behalf by complainants should not be made by the Grand Jury.

If the complainants had filed a complaint with the Sheriff's Office and received an improper or inadequate response, the Grand Jury would have considered the complaint further. As no further information was forthcoming from these complainants, the jury dismissed the complaint.

Recommendations

None

Complaint 10

Date Received: March 10, 2011

Complaint: Lake Don Pedro Community Services District
The complainant was concerned that one or more of the Directors of the LDPCSD Board of Directors is involved in unethical conduct.

Authority for Investigation: Penal Codes 925, 933.5

Assigned Committee: Commissions and Districts

Avenues of Investigation

- On-site interviews with LDPCS District employees;
- Review of meeting minutes;
- Oversight investigation;
- Testimony given under oath to the Grand Jury by the LDPCSD Board of Directors and General Manager.

This investigation was subsumed by a previously initiated oversight visit. Findings, Conclusions and Recommendations are to be found in the Oversight section of this report.

Complaint 11

Date Received: April 21, 2011

Complaint: Building Department

The complainant wanted to know the funding source for the new Human Resources building being constructed on Hwy 49, and what will happen to the buildings being vacated as a result.

Authority for Investigation: Penal Code 925

Assigned Committee: None.

Avenues of Investigation None.

Findings None.

Conclusions

As this information is public knowledge and can be obtained from the Human Resources Director and reviewing the minutes from the Board of Supervisors' Meetings, and failing any concerns regarding wrong-doing, the Grand Jury decided to take no action.

Recommendations None.

Complaint 12

Date Received: April 21, 2011

Complaint: Lake Don Pedro Community Services District
The complainant was concerned that one of the Directors of the LDPCSD Board of Directors is involved in unethical conduct and that it was being covered up by another Director.

Authority for Investigation: Penal Codes 925, 933.5

Assigned Committee: Commissions and Districts

Avenues of Investigation

- On-site interviews with LDPCS District employees;
- Review of meeting minutes;
- Oversight investigation;
- Testimony given under oath to the Grand Jury by the LDPCSD Board of Directors and General Manager.

This investigation was subsumed by a previously initiated oversight visit. Findings, Conclusions and Recommendations are to be found in the Oversight section of this report.

Complaint 13

Date Received: May 26, 2011

Complaint: Will be held over for the 2011/2012 Grand Jury.

Employee Survey Results

Employee Survey Results: All Respondents (N=36)

An employee survey was developed in order to get a quick, general picture of a department from an employee's perspective. The survey was design to cover the following topics:

- job satisfaction,
- working environment with co-workers,
- training and resources,
- customer satisfaction, and
- leadership.

The survey was conducted during the oversight visits and employees were guaranteed anonymity. The intent was to find areas of strength as well as identify areas that might need improvement from an employee's point of view. Each item was rated on a 10-point scale where 1 = Totally Disagree, and 10 = Totally Agree. The responses are summarized below:

Q#	Item	Grand Average
1	I like my job.	9.1
2	Everything considered, I am satisfied working for this department.	8.5
3	There is a strong feeling of team spirit and cooperation here.	7.9
4	The people I work with help each other when there are problems.	8.7
5	The people here are really committed to doing an excellent job.	9.1
6	I get the training I need to do my job.	7.6
7	I have the resources I need to do my job.	7.8
8	I have been cross-trained to do other jobs.	7.9
9	Customer satisfaction is a primary concern of all employees.	9.2
10	Customer complaints are resolved quickly and ethically.	9.0
11	It is clear how my supervisor will evaluate my performance.	7.4
12	My manager/supervisor backs me up when necessary.	7.7

Conclusions

C-1 Areas of strength identified in the survey include job satisfaction, the working environment with respect to co-workers, and concern for customer satisfaction.

C-2 Areas identified as needing improvement were training and leadership. While the ratings are not alarmingly low (7.4 to 7.9), there is room for growth. Both of these areas also had the greatest degree of variation in the ratings, ranging from 1 to 10, indicating considerable inconsistency across the departments surveyed.

C-3 Although the results for each department are listed below, the small number of respondents in these departments does not allow any meaningful analyses to be conducted, other than the conclusions above. However, all comments are also included and some are quite constructive.

Recommendations

R-1 Recommendations regarding training have been made in other sections of this report; the major managerial concern regarding training is funding in a time of dwindling budgets. However, cross-training is an "in-house" activity, and the only resource required is time. Cross-training is one of the most effective ways of insuring mission continuity as well as functional flexibility within an agency or department: it allows an agency to continue to respond in all areas and at all times to the public. No citizen should ever have to hear something like, "That person isn't here today. Can you come back tomorrow?" If cross-training procedures have not been established by every department, they need to be, and if procedures do exist they need to be implemented. The Board of Supervisors should consider making this part of each department head's annual performance review, and each department head should consider making this part of every supervising manager's performance review as well: "People do best what the boss checks".

R-2 Supervisory evaluation and support are of concern to the employees who took this survey. The introduction of performance appraisals by the Board of Supervisors last year is an important step in addressing the evaluation concern. Objective performance standards and an annual review of employee performance need to be established for every county employee if they haven't been already. Additionally, an informal quarterly review, especially for newer employees, will help in understanding a supervisor's expectations as well as improving job performance.

R-3 Quite often a supervisor/manager will have excellent administrative talents but fall a bit short in the leadership arena. Leadership skills can and should be taught but are often overlooked or underrated. To address this issue in light of funding limitations, the Board of Supervisors might consider establishing a Professional Leadership Development Program, conducted in-house. All branches of the Armed Services have such a program with training in one and two hour blocks, offered from once a week to once a month for all personnel in leadership positions. These programs have been so successful that they are required for advancement in leadership positions.

Response Required

Employee Survey Results: Fleet Service (N=9)

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12
Fleet Average	8.6	7.2	7.1	8.3	8.8	5.4	5.9	6.2	9.0	8.2	4.7	3.4
Grand Average	9.1	8.5	7.9	8.7	9.1	7.6	7.8	7.9	9.2	9.0	7.4	7.7

Note: All Fleet Service ratings are lower than the Grand Average.

Tell us just one thing your department does very well:

- "Safety & maintenance of vehicles and equipment is our #1 concern. Every piece of equipment that comes through here is thoroughly inspected so that it is safe & dependable."
- "When a vehicle comes in that has not been scheduled we do very well a making time to repair it in a timely manner. We pride ourselves on keeping the county fleet in a very safe operating condition."
- "All of our mechanics work hard to take care of problems when they are allowed to."
- "Repair equipment"

Tell us just one thing that your department needs to do better:

- "Spend less money."
- "Far too often vehicles are sent out for repairs that should be done in house. Vehicles are put out to auction that should be kept a while, and vehicles that are junk seem to stay around forever. Tax payer funds have been wasted on vehicles far more expensive than their duty warrants."
- "A lot of money & equipment is wasted in this shop. Too much money is spent farming out work that could be done here. A lot of equipment sold at auction could be used for spare parts first, then sold for scrap."
- "Save money and get a working foreman."

**Employee Survey Results: Lake Don Pedro Community Services District
(N=8)**

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12
LDP Average	8.8	8.1	6.6	8.0	8.9	7.9	7.4	8.5	8.9	8.9	7.9	8.8
Grand Average	9.1	8.5	7.9	8.7	9.1	7.6	7.8	7.9	9.2	9.0	7.4	7.7

Tell us just one thing your department does very well:

- "When there is a big thing we all come together and get the job done"
- "Provides safe and pleasant drinking water"
- "The office is run very efficiently. We cross check each other's work."
- "Maintains a safe drinking water for the community."
- "Treat Water"
- "Excellent customer service"

Tell us just one thing that your department needs to do better:

- "Just keep going and doing our jobs and cracking down on [illegible] and everything else"
- "Coordinate expenses at the plant with the approved budget. Our biggest issue is with the Board of Directors. Staff is undermined by certain members, harassed, embarrassed, blackmailed and it doesn't appear some are following existing policies."
- "Organization"
- "The board"
- "Conflict between board members & staff makes it unenjoyable. We shouldn't be intimidated by the Board."

Employee Survey Results: Technical Services (N=4)

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12
TS Average	9.5	8.5	8.5	9.0	9.5	8.0	8.3	8.8	9.5	9.3	9.3	9.8
Grand Average	9.1	8.5	7.9	8.7	9.1	7.6	7.8	7.9	9.2	9.0	7.4	7.7

Tell us just one thing your department does very well:

- "Services to user resources, such as file, database, internet and email access, with minimal downtime."
- "Customer service - we are committed to have someone here to answer the phone at all times."

Tell us just one thing that your department needs to do better:

- "Better documentation of information."
- "Buy & update hardware."

Employee Survey Results: Auditor (N=9)

Auditor Average	9.4	9.5	9.3	9.5	9.5	8.1	8.7	8.9	9.3	9.5	9.2	9.4
Grand Average	9.1	8.5	7.9	8.7	9.1	7.6	7.8	7.9	9.2	9.0	7.4	7.7

Tell us just one thing your department does very well:

- "Function as a team."
- "Communicate well with each other, other departments, and the public."
- "Gets their job done & works as a team!"
- "Record keeping"
- "We work very well as a team"
- "We work very well solving problems"
- "Works well together, always willing to help each other out"
- "Customer Service - both county employees and the general public."

Tell us just one thing that your department needs to do better:

- "Provide more direction to other departments regarding proper accounting and cash control procedures."
- "In a perfect world we'd have the budget to be able to go to more classes and seminars and to have a facility where the public could discuss their assessment issues in private."
- "Communicate within department so everybody knows what is going on"
- "Speak kind and courteously to others"
- "We need to get better cooperation and information from admin."
- "Share information within the department."
- "Share information with department."
- "The management needs to keep the employees better informed regarding layoffs/furloughs, etc."

Employee Survey Results: Senior Services (N=4)

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12
Senior Average	10.0	10.0	9.5	9.8	9.8	10.0	9.8	10.0	9.5	9.0	9.0	9.8
Grand Average	9.1	8.5	7.9	8.7	9.1	7.6	7.8	7.9	9.2	9.0	7.4	7.7

Note: All ratings are higher than the Grand Average.

Tell us just one thing your department does very well:

- "Customer care and service is done very well in all areas. We, as a team, strive to accommodate the needs of seniors and general public and their families."
- "Always keeping an open ear to help people."
- "We are very good at preparing very nutritious meals for our seniors and guests, and we keep a very clean environment for doing this."
- "Help the people we serve."

Tell us just one thing that your department needs to do better:

- "We are developing ways to get the idea that "it's the Senior Bus" to expand to include all people who need transportation on Mari-Go."
- "Nothing"
- "We need to reach out and let more seniors and guests know about what we offer here at the center."
- "Promote our department to the public."

Employee Survey Results: Tax Collector (N=2)

	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12
TC Average	8.5	7.5	6.5	8.0	8.0	8.0	8.0	7.5	9.0	9.0	6.5	7.5
Grand Average	9.1	8.5	7.9	8.7	9.1	7.6	7.8	7.9	9.2	9.0	7.4	7.7

Tell us just one thing your department does very well:

- "Customer service. Tax payers are our first priority and it shows by the positive feedback received from customers."
- "The clerks work well together."

Tell us just one thing that your department needs to do better:

- "Cooperation between team members and management."
- "Improvements are determined by the Treasurer."

Appendix

Public Relations Outreach

The Grand Jury took it upon itself to provide public education regarding its history, function, necessity, and composition, and created a Public Relations Committee to provide this effort. This included a newspaper article that appeared in the Mariposa Gazette and a presentation made to four civics classes at the Mariposa County High School on May 18, 2011. One hundred and seven students were in attendance.

Mariposa Gazette Article –February 3, 2011

Quick now. How many governments are there in Mariposa County? One? Guess again. If you knew that the word "District" such as in "Hornitos Lighting District" constitutes a government, how many of them would you guess are in the County? For starters, there are at least seventeen Districts in the County, many outside the jurisdiction of the Board of Supervisors. So what organization is charged with the oversight of this myriad of governments? It's the Grand Jury.

Eleven citizens serve on a Grand Jury every year in Mariposa. The Grand Jury is the only jury for which citizens can volunteer, although potential jurors are also identified from DMV registration rolls, just as for criminal and civil court case juries. The odds are far greater that a citizen would succeed in being seated on a Grand Jury than on a court jury because jury members are selected by a judge seeking a representative sample of the county's population, quite unlike a typical jury carefully filtered by attorneys for a court. It is an advantage for a Grand Jury to have members with as much diverse education and experience as can be found, since cases may well involve topics as varied as water quality, accounting, building permits, roads, tax collection, and law enforcement, among many.

The Grand Jury in Mariposa researches only civil cases. The Jury's chief purpose is to ensure that the government is working according to statute and code. Serving on a Grand Jury is at minimum an accelerated class on government organization and operation, and at best an opportunity to contribute your talents, knowledge, and life experience to improving our democratic approach to governing.

A feature of the grand jury system is that every jury starts from scratch every year on July 1. Jurors and cases do not carry over from one fiscal year to the next, and jurors don't pass on information; specifics of cases such as names, interview notes, and specific jury data are destroyed before the next jury is seated. Each jury must discover the facts on their own. So after the personal introductions, two days of training, and with the realization that any organization that receives county funding is in scope, how does the Jury select an organization to investigate?

Citizen complaints about perceived mistreatment by a public official, a suspicion of fraud or misuse of funds, or concern about inefficiency can focus the Jury on a particular area. County residents are encouraged to submit a formal written complaint to the Jury, with inclusion of as much data about dates, names, numbers, and facts as possible being the ideal. In Mariposa

Mariposa County Grand Jury Final Report

County, the Grand Jury Complaint form can be found online under "Departments" and "Grand Jury" at www.mariposacounty.org. The Grand Jury reads and considers the merits of each complaint, and sometimes asks for further information before it decides whether to act on the complaint. The Jury must decide whether the complaint is within its jurisdiction (is the nature of the complaint controlled by county or state, is the complaint the basis of the case already headed to civil or criminal court), and if it is, how to proceed with its investigation.

Oversight reviews required by statute also determine the activity of the Grand Jury. A yearly review of county jails is, for example, required of the Grand Jury.

And lastly, the Grand Jury can select to review an organization as part of its responsibility to be the citizens' watchdog over their government. A service period of a year for a juror may seem like a long time until one realizes what has to happen in a mere twelve months. Jurors expect to spend 20 to 25 hours a month on Grand Jury activities and each jury has to learn from scratch how to be a grand jury. Each grand jury first tackles the task of learning about grand jury history, legal responsibilities, and must decide on the format and composition of its final report. Members must decide how to organize themselves to address the complaints and oversight investigations.

On average, a jury spends three months learning and organizing its committees for external investigations and internal functions (reports writing, editing), six months conducting investigations and reporting back to each other, and then three months preparing the final report that will be given to the presiding judge for review and distribution.

A Grand Jury's power is one of public recommendation because it has no indictment powers. It uses the strength of its data, and its right by law to obtain such data, to bring to light what is happening in our county government, right or wrong. The Jury's report is public knowledge, distributed to the departments it investigates for comment and response, and archived for posterity. Mariposa County's Grand Jury reports and the response to them are available on the County website right next to the Complaint form. Got an issue with your local agency? What are you waiting for?

Class Presentation Outline

The Grand Jury developed the following outline as a basis for the presentation:

1. Introductions
2. Background - Short History of the Grand Jury
 - a) Qualifications:
 - US Citizen
 - County resident for at least one year
 - 18 years of age
 - Possession of mental facilities (mentally alert)
 - Of ordinary intelligence
 - Sufficient knowledge of the English language
 - No felony convictions
 - b) How GJ is chosen:
 - Normally there is no carry over from previous year's GJ - All start from scratch
 - Number of Grand Jurors - regulated by population -11 in Mariposa County
 - Voter roles
 - Volunteers
 - Interview process with Judge
 - c) Once Chosen - then what?
 - Judge picks Foreman
 - Oath of Office
 - Training
 - Individuals become a whole entity
3. What have we taken away from our experience (each of us individually)
4. Questions to the students. Give correct info if they don't know they answer and/or expand the info if their answer is incomplete. These questions should generate other questions from the students.
 - What do you think the job of a GJ is?
 - Do you have any plans in the future to play a part in your community? In what respect? Volunteering? Public Service?
 - Do you believe the GJ has a valid role within your community?
 - How many of you would consider becoming part of a Grand Jury in the future?
 - The Grand Jury was very pleased by the student responses and their respectfulness toward the Grand Jury presenters. Eighteen percent of the students and the teacher attending these presentations would consider being on a Grand Jury in the future. One of the more poignant comments made was, "This presentation should be done every year...maybe with the addition of how the County government itself functions."
 - The Grand Jury enjoyed its time with the students of Mariposa County High School, and wishes to express our gratitude to Mr. Jay Fowler, Principal, and Mr. Mark Abney, Teacher, for allowing us the opportunity for these presentations. The Grand Jury looks forward to having some of these young minds take an active part in the community in which they live.

Mariposa County Grand Jury Final Report

Agency Oversight Matrix							
Legend: O = Oversight Visit C = Complaint Investigation P = Presentation by Dept.							
Year Last Reviewed							
Departments	2010/11	2009/10	2008/09	2007/08	2006/07	2005/06	2004/05
Sheriff	P	O		O			
Jail	O	O	C	O	O	O	O
Animal Control					O		
Board of Supervisors	P	C					
County Service Area 1M							
Mariposa Pines Sewer							
Don Pedro Sewer Zone							
Coulterville Water & Sewer							
Mariposa Parking District							
Wawona County Svs Area							
Hornitos Lighting District							
Mariposa Lighting District							
Coulterville Lighting District							
Fish & Game Commission							
Mariposa Air Pollution Dist							
Yosemite W. Maintenance							
Mariposa County Water							
Local Trans. Commission							
Housing Authority (County)							
Countywide Service Area							
MC In-Home Support Svs.							
MC Public Finance Corp.							
County Administration Off	P						C
Budget							
Personnel/ Risk Mgmt	P						
Auditor	P & O			O			
Assessor/Recorder	O					C	
Building Dept		C	C				
County Clerk							
County Transit Authority							
District Attorney	P			O	C		
Victim Witness							
Elections Department							
Farm Advisor							
Master Gardener							

Mariposa County Grand Jury Final Report

Departments	2010/11	2009/10	2008/09	2007/08	2006/07	2005/06	2004/05
Fire Department							
Midpines Co 21							
Mariposa Co 22							
Catheys Valley Co 23							
Don Pedro Co 24							
Mt Bullion/Airport Co 25							
Coulterville Co 26							
Mormon Bar Co 27							
Bridgeport Co 28							
Lushmeadows Co 29							
Greeley Hill Co 31							
Ponderosa Basin Co 32							
Fish Camp Co 33							
El Portal Co 34							
Hunters Valley Co 36							
Bootjack Co 37							
Volunteers							
Health							
Personal Health							
Environmental Health							
Air Pollution							
Garbage							
Septic Systems							
Water Wells			C		C	C	
Human Services							O
Social Services							
Foster Parents							
Adult Protective Services				C			
Child Welfare Services							
Behavioral Services							
Mental Health							
Alcohol & Drug Services	O						
Employment & Community							
Welfare to Work							
Independent Living Pgm							
County Medical Services							
Foster Care							
Adoptions							

Mariposa County Grand Jury Final Report

Departments	2010/11	2009/10	2008/09	2007/08	2006/07	2005/06	2004/05
Housing Authority-Section 8					O		O
Library							
Planning			C				
General Plan							
Advisory Committees							
Agricultural							
Williamson Act							
Planning Areas							
Catheys Valley							
Coulterville							
El Portal							
Fish Camp							
Greeley Hill							
Mariposa							
Midpines							
Wawona							
Yosemite West							
LAFCo							
Planning Commission							
Probation							
Adult Division							
Juvenile Division							
Juvenile Detention Facility		C			O	O	O
Public Works			O				P
Administration							
Engineering							
Facilities Maintenance							
Fleet Services	O						
Parks & Recreation							
Roads Division	C					C	C
Safety							
Solid Waste & Recycling							
Compost Facility		O		C			C
Transportation Planning							
Senior Services	O						
Tax Collector/Treasurer	O						
Technical Services	P & O						

Mariposa County Grand Jury Final Report

Departments	2010/11	2009/10	2008/09	2007/08	2006/07	2005/06	2004/05
SPECIAL DISTRICTS							
John C Fremont Hospital		C					
Mariposa County Unified School District	C		C			O	O
Economic Development Corp							
Mariposa County Arts Council	O						
Mariposa Chamber of Commerce Visitor Center							
Mariposa County Resource Conservation District							
Job Connection of the Mother Lode							
Mariposa Community Link							
Mariposa Safe Families							
Lake Don Pedro Community Services District	C & O	O		O			
Yosemite Alpine Village Community Services District							
Mariposa Public Utilities Dist							

Employee Survey

Purpose: This survey is being conducted by the Mariposa Grand Jury as part of its "oversight" requirement. It is designed to get a quick, general picture of a department from an employee's view point. The data we collect from this survey is just one piece of information that we are collecting from your department - it is NOT being conducted because there are problems that need to be investigated. This year we have selected six departments to be surveyed.

Results: Your responses will be completely anonymous. The results will be combined and summarized, and provided to the department's management, but will not identify any individuals.

We hope to find areas of strength as well as areas that might need improvement. A summary of the findings will appear in the Grand Jury's Final Report.

Instructions: There are 14 items on the survey and it should take no more than 10-15 minutes to complete. Please rate the items on a 10-point scale where 1 = Totally Disagree, and 10 = Totally Agree - just circle your rating number. If an item doesn't apply, or you cannot rate it, circle N/A. If you need extra space for the last two items, use the back side of this page.

When you are finished, fold the survey and put it into the provided envelope. A Grand Jury member will collect the envelopes. Do not write your name on the survey or the envelope. Thank you for your feedback - it is greatly appreciated.

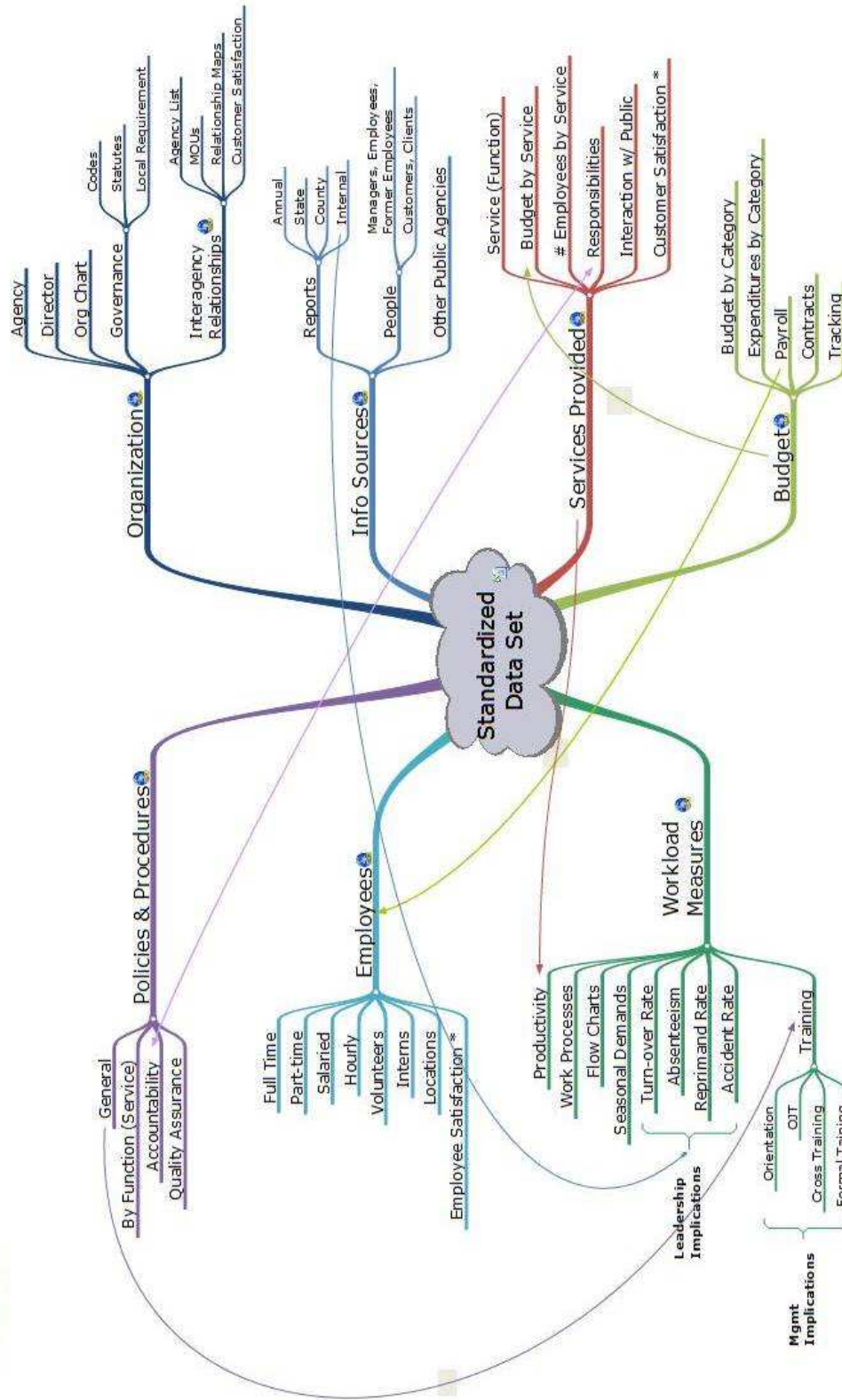
Point of Contact: If you have any questions or concerns regarding this survey, please email the Grand Jury: grandjury@mariposacounty.org.

		Totally Disagree										Totally Agree
		1	2	3	4	5	6	7	8	9	10	N/A
1	I like my job.	1	2	3	4	5	6	7	8	9	10	N/A
2	Everything considered, I am satisfied working for this department.	1	2	3	4	5	6	7	8	9	10	N/A
3	There is a strong feeling of team spirit and cooperation here.	1	2	3	4	5	6	7	8	9	10	N/A
4	The people I work with help each other when there are problems.	1	2	3	4	5	6	7	8	9	10	N/A
5	The people here are really committed to doing an excellent job.	1	2	3	4	5	6	7	8	9	10	N/A
6	I get the training I need to do my job.	1	2	3	4	5	6	7	8	9	10	N/A
7	I have the resources I need to do my job.	1	2	3	4	5	6	7	8	9	10	N/A
8	I have been cross-trained to do other jobs.	1	2	3	4	5	6	7	8	9	10	N/A
9	Customer satisfaction is a primary concern of all employees.	1	2	3	4	5	6	7	8	9	10	N/A
10	Customer complaints are resolved quickly and ethically.	1	2	3	4	5	6	7	8	9	10	N/A
11	It is clear how my supervisor will evaluate my performance.	1	2	3	4	5	6	7	8	9	10	N/A
12	My manager/supervisor backs me up when necessary.	1	2	3	4	5	6	7	8	9	10	N/A

13. Please tell us just one thing your department does very well.

14. Please tell us just one thing that your department needs to do better.

Standard Data Set Map



Mariposa Grand Jury
 Draft
 9/9/2010
 Revision 1.1

* Assessed via a short survey

Standard Data Request

1. Organization

- An Organizational Chart;
- Governance: A list of all state codes, statutes and/or local requirements that govern this agency;
- All published reports (e.g., state, county, and/or internal reports).
- Agency Budget;
- Interagency Relationships
 - A list of agencies with which you must cooperate/coordinate efforts;
 - Any MOUs regarding these efforts;
 - Any Relationship Maps indicating coordination, provision of services, products, etc.;
 - Any measures of customer satisfaction with these agencies.

2. Services Provided

- List of Services (Public & Interagency (County));
- Name of person responsible for each service;
- # of employees, total, and by service;
- Any measures of customer satisfaction.

3. Policies & Procedures

- A current copy of all policies & procedures in use;
- A list of quality assurance or quality control measures.

4. Employee Data

- # of employees broken down by
 - location (if more than one);
 - Full time, part-time;
 - Salaried, hourly;
 - Volunteers, Interns, Contractors;
- Any measures of employee satisfaction.

5. Workload Measures

- Measures of productivity;
- Descriptions of work processes, process flow charts, etc.;
- Seasonal Demand;
- Training
 - New employee orientation;
 - OJT;
 - Cross Training;
 - Formal Training;
- Measures of Turn-over, Absenteeism, Reprimands, and Accidents.

Citizen Complaint Form

Mariposa County Grand Jury
Post Office Box 789
Mariposa, CA. 95338

Your Name: _____ Date: _____
Mailing Address: _____
Telephone #: _____
2. Summary of Issues- Briefly state each separate issue for investigation, including specific dates, events, individuals involved (staff persons, officials, etc.) Attach additional sheets, if necessary. _____ _____ _____ _____ _____
3. Your Contacts to Date- List the agencies and individuals contacted, showing related entity and date of conflict. Also address and telephone number for each if possible. _____ _____ _____ _____
4. Your Expectations – What result(s) do you want from the Grand Jury investigation? _____ _____

5. Attachments- List and attach any correspondence and supporting documentation that you believe are pertinent to this complaint.

6. Potential Grand Jury Contacts – *Who do you think the Grand Jury should contact or interview about this complaint and Why?*

Among the many responsibilities and authorities of the Grand Jury is the investigation of Citizens Complaints. The Grand Jury serves as a “watchdog of citizens” to ensure that all branches of local government (i.e. County of Modoc, City of Alturas, their departments, officials, staff, as well as agencies or organizations with jurisdiction within Mariposa County) are being administered efficiently, honestly, and in the best interest of the public. All complaints submitted to the Grand Jury are handled in strictest of confidence as protected by State Law.

Signature and Date – Please sign and date your complaint below.

Signature

Summary of Grand Jury Activities 2010-2011

The Grand Jury's year began with impanelment proceedings on June 30, 2010 when we were sworn in by the Presiding Judge of the Mariposa Superior Court, the Honorable F. Dana Walton. Immediately handed keys, a Grand Jury Manual and given a tour of the Grand Jury office which was to be our working space for the year, we were official.

Our working year started with two eight-hour days of training by Dr. Bruce Olson, the author of *Grand Juries in California: A Study in Citizenship*, because we had yet to know what we were about. We received a copy of the 488-page book to read as backup to the classes.

Once we started meeting on our own, we started organizing ourselves. We had an office and a budget, so we needed an office manager and a treasurer. In order to answer complaints, we needed a Secretary to check our mail box, log in correspondence, and prepare responses. We also needed a member to record and publish meeting minutes.

To determine the extent of our office inheritance, jury volunteers reviewed, winnowed, and organized what had been left behind by previous Juries, uncovering years of Final Reports, Departmental documents from previous Jury requests, and mounds of old County Adopted Budgets. Our non-paper assets, for which we took responsibility, included a computer, printer, and copier.

To accomplish our true task, to be the stewards and watchdogs for the County, we needed to determine what constituted the government in Mariposa County, so we developed the Agency Oversight Matrix, which is presented in the Appendix. This array of governments was in great part determined by examining who gets the money in Mariposa County, i.e. by reviewing the most current County Budget.

With a clearer view of the territory for oversight, we organized into Committees by broad areas of topics: Audit and Finance, Health and Human Services, Commissions and Districts, County Administration, Law Enforcement and Probation, Public Works and Other, Infrastructure and Efficiency.

Department heads were invited to come tell us about their agencies. Among our guests were the Chairman of the Board of Supervisors, the Chief Administrative Officer, County Auditors both outgoing and incoming, Sheriffs both retiring and incoming, the Director of Technical Services (more commonly known as Information Technology or IT), the District Attorney, the County Counsel, and the Manager of Human Resources.

Every Grand Jury determines its own approach to the watchdog task. Two additional areas we chose to explore, which had not been recently (or perhaps ever) taken up, were employee satisfaction and an examination of the IT area.

To get quick snap shot of employee satisfaction, an Employee Survey was designed and developed, which is found in the Appendix. When an Oversight Visit was conducted, the Grand Jury members would hand out and collect as many surveys as

Mariposa County Grand Jury Final Report

there were employees present, and request surveys to be mailed in by the employees who were absent. All surveys were anonymous.

We wanted to approach Oversight reviews as consistently as possible, and to receive data as consistently as possible. To achieve this consistency, a Standard Data Set, provided in the Appendix, was developed. When a department was selected for Oversight, the department head was sent a standard letter with the Standard Data Request attached. The response from the departments was prompt and voluminous.

As complaints were received and addressed, it was noticed that most complainants needed to provide further information to clarify the nature of the problem, and which agency or department had previously been contacted. The Grand Jury Complaint Form was reviewed and revised and posted to the county website to enable complainants to more easily explain their initial concern to the Grand Jury.

The Grand Jury requested, and was granted, website space solely for its internal use. The space enabled the Jury to post minutes, reports, and communications so the Jury as a whole could more rapidly disseminate its information. A Jury member served as the site manager.

The Grand Jury Manual, which was available to this Jury only on paper, was reviewed and revised for posting to the Jury's website. Jury members accessed Manuals from the state and other counties as references during the editing of this Manual.

Various Grand Jury members volunteered for the Public Relations Committee whose charge was to make the general citizen aware of what the Grand Jury does. Members wrote and had published a newspaper article, and gave presentations at county schools.

Committees selected departments for review based on the Agency Oversight Matrix, requested and received documentation, and made Oversight Visits usually lasting from two to four hours, and handed out and collected employee surveys. Each Committee wrote up the Oversight Reports that appear in this document according to a rough outline decided by the Jury as a whole ahead of time.

In accomplishing its mission, the Grand Jury as a whole volunteered 1911 hours, drove 8260 miles, and interviewed 143 people during the course of its activities. We met as a whole a total of 24 times for which we were paid \$15 plus mileage for each meeting. Committees met separately between two and six times each to handle complaints and oversights, and chose when and where to go to conduct their duties. All committee meetings and related travel were not reimbursed.

The Final Report was compiled from documents provided electronically by the Committees and individual jurors who had worked on the projects. In an ideal world, all the operating systems would match and all versions of Word and Excel would format and paginate consistently, and everyone would use the same fonts and formats. Sent in the real world to and from PCs and Macs, from Word and Excel 2003 to 2007, in different fonts, sizes and spacing, our varying electronic versions created a challenge for us, but the end of the tunnel has been reach. Here it is: the Final Report.