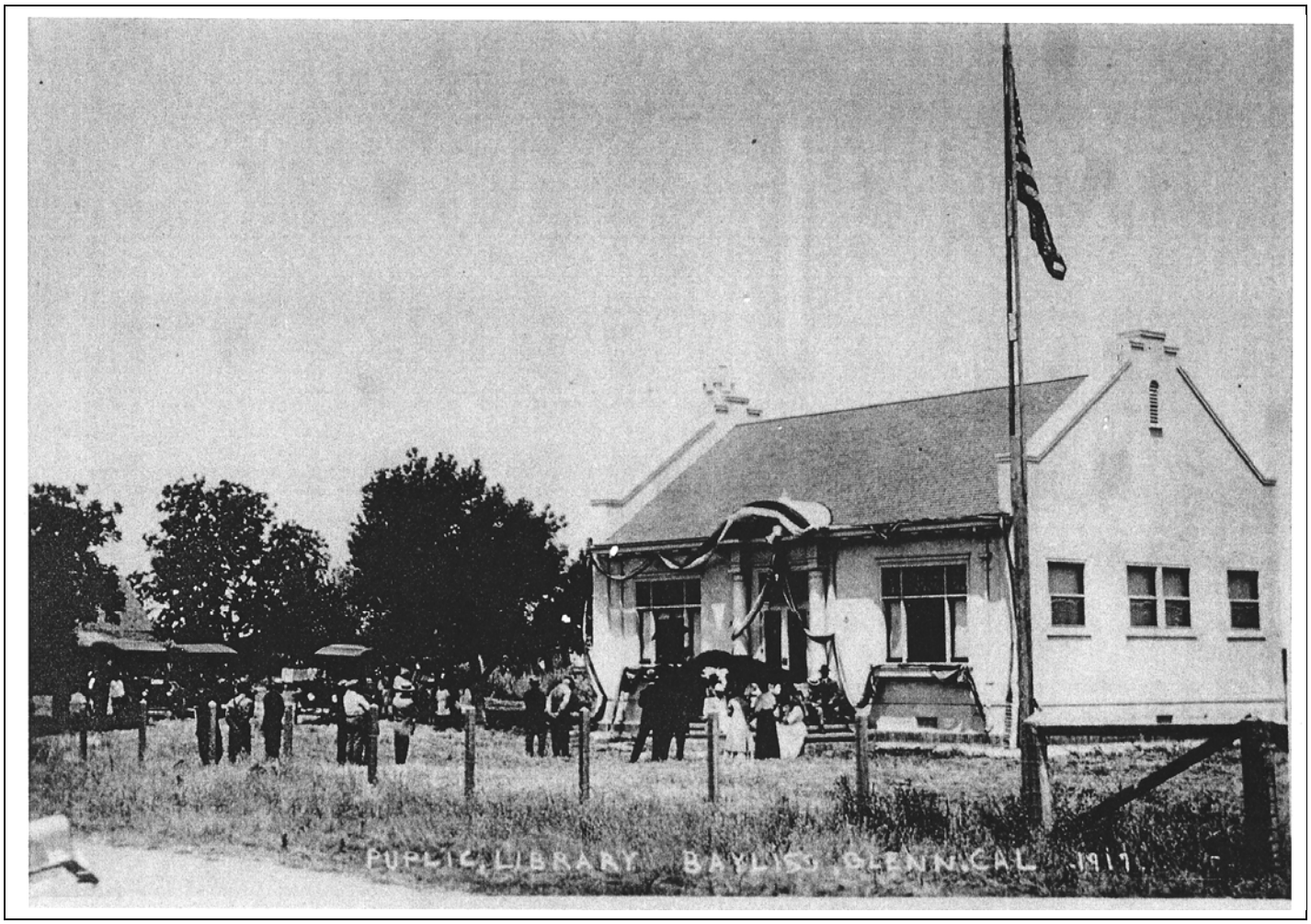
BAYLISS CARNEGIE LIBRARY – 1917



In 1914, Bayliss benefited from the new state policy of establishing small library "stations" in rural areas and, in 1917, Bayliss residents, with the support of Glenn County, sought and received a $4,000 Carnegie Library Foundation grant.

2007-2008

GLENN COUNTY GRAND JURY

FINAL REPORT

OF

FINDINGS AND RECOMMENDATIONS

JUNE 30, 2008

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2007-2008 Glenn County Grand Jury
P.O. Box 1023
Willows, CA 95988

June 9, 2008

The Honorable Angus Saint-Evens
Superior Court, County of Glenn
526 West Sycamore Street
Willows, CA 95988

Dear Judge Saint-Evens;

In compliance with the California Penal Code, Section 933, the 2007-2008 Glenn County Grand Jury respectfully submits its final report to the court.

The report consists of the work of many committees who cooperated to provide the information in these pages. The jury made inquiries, performed investigations, and served as a civil jury considering a variety of issues.

The jury members wish to express their appreciation for the cooperation and assistance from county officials, employees and school personnel during interviews and investigations. We were well treated by everyone we came in contact with throughout the year's service.

Members of the jury realize that some people and organizations have been counting on us to solve or better illuminate some of their problems and deliver in depth information on all the data we have been provided during the year; however time and resources are limited to do such investigations and reports. We apologize for this.

It has been and will continue to be a memorable experience to have served on the 2007-2008 Glenn County Grand Jury. We hope our efforts are received as a positive contribution to the operations of the government and the schools of our county.

Sincerely,

Marilyn F. Baker

Marilyn F. Baker, foreperson
2007-2008 Glenn County Grand Jury

2007-2008
Glenn County Grand Jury
Members

Marilyn Baker	**Foreperson**
Walter Steve Ansel	
Jacquelyn Billings	
Merri Caywood	
Carol Dummett	
Ronald Estes	
Arne Gustafson	
John Horning	
Mary Kennedy	**Secretary**
Erik Korling	
Russell Livingston	**Sergeant – At –Arms**
Arthur McGee	
John Minnear	
Floyd Morrill	
Michael Osborn	
Lourdes Ruiz	

The Role of the Grand Jury

The grand jury is primarily an investigative body created by the United States Constitution's Fifth Amendment and the California Constitution.

Nineteen residents of Glenn County are selected to serve after interviewing a number of applicants. Grand juries are impaneled annually and are officers of the court, but work independently. Most of the work is done by committees, which may include city and county government, finance, health services, public safety, planning and public works, and schools. Other committees may be appointed as needed.

The grand jury and committees meet several times a month. The jury meets with county and city officials, visits local government facilities, and conducts research on matters of interest and concern. The proceedings of the grand jury are kept confidential. Jurors may not discuss the business of the jury with other individuals.

The grand jury receives letters from citizens expressing concern over a particular matter of local government. Anyone may file a complaint with the grand jury. All complaints filed with the grand jury are confidential.

Complaints must be in writing, signed and addressed to:

Glenn County Grand Jury Foreperson
P.O. Box 1023
Willows, CA 95988

The grand jury chooses which complaints to investigate. The grand jury cannot investigate disputes between private parties.

All grand jury findings and recommendations are issued as written reports. Each report must be approved by at least 12 members of the grand jury. At the end of the term (June 30th) the jury issues its final report. Copies of the report are distributed to public officials, libraries, news media, and any entity that is the subject of a report. Within 90 days following the issuance of the report, officials responsible for matters addressed are required to respond in writing.

Response Requirements and Instructions

Two working days prior to the release of the final report, the grand jury will provide a copy of the portion of the report to all affected agencies or persons.

No officer, agency, department, or governing body of a public agency shall disclose the contents of the report prior to its public release.

All affected agencies or persons shall respond to their specific portions of the final report. **Responses are to be in writing, or on computer disk to assist with duplication, and are to be submitted in a timely manner.**

Section 933(c) of the penal code provides two different response times:

1. Public agency: the governing body of any public agency must respond within 90 days. The response must be addressed to the presiding judge of the superior court.
2. Elective officer or agency head: All elected officers of heads agencies who are required to respond must do so within 60 days to the presiding judge of the superior court, with an informational copy provided to the board of supervisors.

The legal requirements for responding to individual reports in the grand jury final report, as contained in the California Penal Code, Section 933.05, are summarized as follows:

The responding entity or person must respond in one of two ways:

1. That you agree with the finding.
2. That you disagree wholly or partially with the findings. The response shall specify the part of the findings that are disputed and shall include an explanation of the reasons for the disagreement.

Recommendations by the grand jury require action.

The responding entity or person must report actions on all recommendations in one of four ways:

1. The recommendation has been implemented with a summary of the implemented action.
2. The recommendation has not been implemented but will be implemented in the near future with a time from for implementation.
3. The recommendation requires further analysis. If an entity or person reports in this manner, the law requires a detailed explanation of the analysis or study and time frame not to exceed 6 months. In this event, the analysis or study must be submitted to the director of the agency being investigated.
4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation of the situation.

If either a finding or a recommendation deals with budgetary or personnel matters of county department headed by and elected officer, both the elected officer and the board of supervisors shall respond if the grand jury so requests.

The board of supervisor's response may be limited, while the response by the department head must address all aspects of the findings or recommendations.

The addresses to where all responses are sent is:

Presiding Judge
Superior Court, County of Glenn
526 West Sycamore Street
Willows, CA 95988

For a copy from responding elected officials or agency heads:

Glenn County Board of Supervisors
526 West Sycamore Street
Willows, CA 95988

2007-2008 Glenn County Grand Jury
Final Report

Glenn County Board of Supervisors

I. PURPOSE:

An investigation was undertaken to gain a better understanding of the economic and political climate of Glenn County.

II. BACKGROUND:

Interviews were held with all five supervisors and the twice monthly meetings have been attended by members of the Grand Jury for more than a year.

The state budget deficit is creating a severe impact on all counties. Unfunded state mandates add to budget problems in normal years, however, the fiscal situation is much more troublesome this year.

III. FINDINGS:

County department heads have worked on plans to minimize the cutbacks and reductions in force to accommodate the shortfall. County payroll for 534 employees amounts to $800,000 every two weeks which seems out of proportion to the population of the county (28,000 to 30,000 residents).

The landfill is in a crisis situation because they have limitations regarding the daily tonnage to be accepted. A contract is held with the waste management haulers to accept their loads making the facility unable to accept loads from private parties and contractors without going over the limitations agreed to many years ago. The waste management board has a requirement that the landfill be open to the public as advertised. Negotiations have been renewed to purchase the property through the eminent domain process.

There has been some progress dealing with the much too common condition of neighborhood blight throughout the county.

Frustrations have been expressed on the part of supervisors having to deal with lawsuits caused by the failure of county employees to disclose information the public has a right to have.

IV: CONCLUSIONS:

Reduction of expenditures and controlling the payroll should be a constant issue among the board members and the county departments.

County Counsel and the board must be aggressive in pursuing a long-term affordable solution to the landfill crisis.

County residents should be made aware of the restrictions regarding dumping on private property due to fire and safety hazards created by neglected refuse and vehicles.

The prevention of costly and time consuming lawsuits should be benefited by training of county personnel as soon as possible.

V. RECOMMENDATIONS:

Consideration should be given to continue to seek reductions of expenditures whether the state fiscal crisis continues to deepen or conversely improves.

Continue to take whatever action as promptly as possible to comply with all rules and regulations and to facilitate access to the landfill by the citizens of Glenn County.

Provide support via law enforcement to the code enforcement officer in his efforts to reduce neighborhood blight and remove unsightly abandoned vehicles.

Provide and require all frontline employees of the county to attend training in handling requests for public information.

VI. RESPONSE REQUIRED:

Board of Supervisors

2007-2008 Glenn County Grand Jury
Final Report

Elections Office

I. PURPOSE:

To review and assess the organization of the elections office, its elections procedures and its readiness to conduct elections in light of the State's recent decision to decertify electronic voting machines.

II. BACKGROUND:

Members of the Grand Jury interviewed representatives of the elections department to obtain an understanding of the elections process, some of the challenges the office faces and to ascertain if it is prepared to conduct upcoming elections in light of the de-certification of electronic voting machines. A follow-up interview was conducted to see whether any unusual problems were experienced in the February primary election.

III. FINDINGS:

The elections department conducts elections on behalf of cities, school districts and special districts that are located in the county. The county has a separate elections budget (approximately $480,000 for fiscal 2007/08) that covers the fixed costs of election personnel, departmental operations and the variable costs for each election.

In 2000, federal law prohibited the use of punch card ballots in response to problems experienced in Florida during the General Election. In 2002, the Help America Vote Act was passed to provide, among other functions, funds for states to replace punch card systems.

Federal and state governments supported a movement to electronic voting machines and provided approximately $500,000 to Glenn County to purchase electronic voting equipment. The purchased equipment was certified for use by both the state and federal governments and was used successfully in subsequent elections.

In 2004, a new Secretary of State for California was elected (the secretary of state is responsible for supervising elections). The secretary became concerned about the security of electronic voting equipment and conducted a review of electronic voting equipment and systems. Based on the review, the secretary of state determined the voting machines were not secure and the certification of electronic machines used by Glenn County was revoked. While it might be possible to go back to electronic voting, it is unlikely to happen in the near term.

In response to the decertification of the electronic voting machines the Glenn County elections office has put a paper ballot system back into place. The paper ballots will

be used for both precinct and for absentee voting. The county owns optical readers that will be used to tally the paper ballots. While it will likely take longer and require additional labor to certify the vote, use of the paper ballot system will not affect the integrity of the voting process. An emphasis will be placed on increasing vote by mail participation. Mail ballots are more efficient to process and, often, more convenient for county residents.

The electronic voting machines were supposed to simplify the voting process and were expected to reduce costs. Increased costs for the next several elections are unknown but they are expected to increase and it is uncertain whether there are adequate funds in the budget. The initial cost of the electronic voting machines was paid from state and federal funds and the county will experience no future costs in connection with owning the machines.

The secretary of state supervises the county voting processes and Glenn County has a direct computer link to the California State Elections Office. The state supervises the compilation and maintenance of the voter role, an important component of which is provided by the California Department of Motor Vehicles.

A special primary election was mandated by the state and the Governor promised to reimburse the counties for the cost of conducting this election (estimated at $40,000). The election process generally went as planned and no unusual events were encountered. At the time that the follow-up interview was held, an invoice was being prepared for the costs incurred in the special election and elections personnel have been told that the county may be reimbursed for its costs in the current fiscal year.

The Glenn County Elections Office conducts elections on behalf of cities, school districts and special districts. The county tracks what positions are up for election and publishes the information in the newspaper. Depending upon the filing requirements, a notice is either published in a local newspaper or a press release is issued. The elections office also contacts the entity that has the open position asks that it publicize the fact that positions are up for election.

IV. CONCLUSIONS:

The grand jury concluded that the elections process is well managed and that the policies and procedures in place are adequate to deal with changes in the elections process.

The elections office is subject to state mandates and does not have any influence over when, or if, it is reimbursed for extra costs incurred. A significant portion of the elections office budget is fixed and cannot be reduced to reflect extraordinary costs imposed by state mandates. Mandates can place additional burdens on an already strained county budget.

While there are procedures in place to publish open elected positions, the procedures may not be sufficient to attract qualified candidates for these positions. Notices to publish open positions are placed in the publications that submit the lowest bid.

V. RECOMMENDATIONS:

The elections office should improve procedures to publicize election openings. The goal should be to put notices in media that are the most likely to attract the attention of qualified county residents. If the cost of purchasing space in a newspaper is a concern posting openings on the county website or on community bulletin boards should be considered in addition to the legally mandated postings.

VI. RESPONSES REQUIRED:

Glenn County Elections Office

2007-2008 Glenn Grand Jury
Final Report

Drug Court Diversion Programs

I. PURPOSE:

To investigate the impact of drug court diversion programs in Glenn County.

II. BACKGROUND:

Drug Court (DC) began in Glenn County in 1999 as an alternative to imprisonment for drug offenses. DC began with a team of partners who were representatives from the court, probation, the district attorney's office, health services treatment and mental health staff, and child protective services who attended trainings throughout the United States. These trainings were initially funded by a federal DC implementation grant. The program was supported by the board of supervisors and by the leadership of the Mental Health / Drug & Alcohol Commission, both of which remain strong advocates of the program. Local law enforcement including the Glenn County Sheriff, the Willows and Orland Police Chiefs and the Glenn County Chief Probation Officer are just a few of the many who have provided support for the program.

What is known locally as the "Prop. 36" treatment court began after the November 2000 election when the California voters approved Proposition 36, the Substance Abuse and Crime Prevention Act of 2000 (SACPA). Under SACPA, first or second-time nonviolent adult drug offenders who use, possess, or transport illegal drugs for personal use will receive drug treatment rather than incarceration.

SACPA was designed to do the following: preserve jail and prison cells for serious and violent offenders; enhance public safety by reducing drug-related crime; and to improve public health by reducing drug abuse.

The Offender Treatment Program (OTP) was established in fiscal year 2006-07 to enhance outcomes and accountability. The OTP statute authorized additional funds to counties that demonstrate a commitment of county matching funds.

OTP funds can be used for the following purposes: enhancing treatment services for offenders who enter, remain in, and complete treatment through activities and approaches such as co-location of services; enhanced supervision of offenders; enhanced services determined necessary through the use of existing drug test results and reducing delays in the availability of appropriate treatment services.

"Prop. 36" uses the drug court model, including dedicated court calendars with regularly scheduled reviews of treatment progress, and strong collaboration among health department drug and alcohol treatment staff, probation employees, the courts, and local law enforcement. Counselors at Glenn County Health Services provide

referrals for ancillary services as needs determine based on services available in the community, while other county agencies play important roles in meeting the needs of both the drug court and "Prop. 36" treatment court clients.

An support group of alumni from both treatment programs called Unity in Recovery provides additional support for people in recovery.

DC is funded only for those who commit felonies while "Prop 36" drug court is a state funded, mandated program for those who commit both felonies and misdemeanors. All participants must meet a set criteria before they can be included in the programs.

III. FINDINGS:

As of the end of April, 2008, Glenn County DC has had 236 participants with 86 of those having graduated. Eighteen of those 86 graduates have re-offended and 35 are currently receiving outpatient services. None of the participants are in residential treatment. Ten babies who have not had drugs in their systems at birth (tox-free) have been born to these participants – researchers have estimated that a baby born of a drug addicted mother will cost the medical and social system between $750,000 to $1.5 million per baby.

Also at the end of April, 2008, "Prop. 36" in Glenn County had 363 referrals. Of those participants 101 had graduated treatment. Probation was terminated and charges were dismissed for 37 of those participants. Thirteen tox-free babies were born to this group. A report on parolees shows 83 referred, five currently active, and eight as having completed treatment.

Approximately 30 minors have benefited from being enrolled in Glenn County Juvenile Drug Court. There usually are five to ten youngsters in the program at any given time. Participants must have committed a crime and be on probation and been adjudged wards of the court. If it is found that a minor can benefit they are referred to juvenile drug court. Probation makes the recommendation and the judge refers the participant.

The Glenn County Health Services Drug and Alcohol department does the assessment to ensure which minors are a good fit for the program. Probation recommends and the judge refers the participant to the program If juveniles do well they receive incentives such as gift certificates for food, haircuts, or other desired items. Participants have a list of requirements which include such things as attending school, testing clean, and listening to their parents. Parents must attend parenting classes. If the participants do not cooperate during the program there are sanctions such as weekends in juvenile hall or even as much as 30 days of incarceration. According to a probation sources, punishments are meted out more rapidly than if the participants were not in the program which makes the failure to follow the rules and the punishment more connected to the violation and more meaningful for participants.

A grant was originally sought for the juvenile court but was denied. Therefore funding is extremely limited for this program with the various departments doing what they can with whatever resources they can find to keep the program going.

The Glenn County Chief Probation Officer reported that drug courts are good programs for people who are serious about changing their lives. He said it is an outstanding program for the people who work with the system. The drug courts pay for about a half-time probation officer who really does full-time work.

In California a study conducted between January 2000 and September 2001 found that during that period the state's drug courts saved approximately $43 million in incarceration costs alone and collected almost $1 million in fees and fines from drug court participants.

In Glenn County clients of both drug treatment plans are required to obtain employment, attend school or participate in job training. Clients are required to pay fines or fees which may include restitution. A portion of the fees may be converted into community service hours. If at the time of graduation the client has failed to pay or to complete community service hours, the court orders allow the client to complete the treatment portion of the program and remain on probation until such time as they meet all requirements. They are encouraged to meet all other financial obligations, child support, reinstatement of their driver's license and so forth.

IV. CONCLUSIONS:

Treatment courts are one of the better services provided. Keeping people who commit drug crimes out of prison (which was frequently referred to by a former Glenn County Superior Court Judge as a training ground for more advanced criminals) cannot help but be positive. Many of the drug court participants are young, inexperienced people who need to go to work to support themselves legally and in some cases support their children. Some of the participants are obviously supported enthusiastically by their parents and friends when a large group attends each milestone in the offender's court appointments to watch their progress through the various steps.

V. RECOMMENDATIONS:

The participants and staff of the various agencies who make drug court work are to be commended. It is hoped that funding in these dire times of government finance allows this program to continue.

Keeping young and sometimes foolish people who make mistakes from being sent to prison where they would learn to be more sophisticated criminals before being returned to Glenn County and perhaps a life of more serious crimes is clearly a very important service.

VI. RESPONSES REQUIRED:

Glenn County Health Services Director
Glenn County Chief Probation Officer

2007- 2008 Glenn County Grand Jury
Final Report

Glenn Medical Center

I. PURPOSE:

To investigate medical services provided by Glenn Medical Center (GMC).

II. BACKGROUND:

A number of reports of patients attempting to use the hospital emergency room with very poor results led to an interview with the hospital administrator.

Two hospital patients had reported that their broken bones were not diagnosed accurately at Glenn Medical Center, with their true conditions discovered at another hospital they later visited on their own volition. Another patient was held for nearly five hours and was prepared to take a test before being told she would be sent to another facility because GMC could not read the test results once the test was done. When another patient went to the GMC emergency room in pain, she was told the doctor was there, but, after being kept waiting for a considerable period of time, she was told the doctor was sleeping. Frustrated that no attempt was made to wake the doctor, she left the hospital untreated.

Members of the grand jury also questioned whether hospital billing was being processed in a timely manner. A number of county residents reportedly refuse to use GMC as billing for services has been so untimely in the past that insurance companies have refused to make payment for services. Patients have been forced to pay the bills in full themselves or risk being turned over to a collection agency.

A good health treatment facility is of vital importance to the people of Glenn county, neighboring counties, and those having medical needs along the I-5 corridor, since GMC is the only facility between Woodland and Red Bluff. In addition to the obvious interest to public health, a viable medical center is also vital to the future economic development of Glenn County in general.

III. FINDINGS:

As of December 2007, according to hospital executives, the business is operating in the black. GMC administrators are commended for that accomplishment.
Questions of the ability of GMC to handle emergency room cases was partially answered by the GMC administrator reporting that there are 4 to 5 doctors from a group in Oakland who mostly stay 24 hours. Volume has reportedly increased from an average of 470 cases to 527 cases per month.

The GMC administrator advised us that most small hospitals do not have a radiologist on staff to read tests. As of mid-February of 2008, Glenn Medical Center has a new

program paid for with a $187,000 grant that will provide online and phone connections 24 hours-a-day to a radiologist off-site who would be available to read test results.

Regarding the billing being current so customers can be assured insurance companies will be obligated to pay, the GMC administrator said they had a lot of complaints for a couple of years prior to when the most recent management group first took over the hospital, indicating that the situation has improved. The GMC administrator redirected the topic to the collecting of bad debt, of accepting charity cases, and of the fact that Medicare pays 34% and MediCal pays an even lower 9 %.

Additional information that the GMC administrator wanted added to the report is that GMC is licensed for 47 beds. It operates 15 beds with the others in suspension. The daily census is 2.6 patients. Nursing can only handle 5 patients. If they accept another patient they have to bring in another nurse.

The GMC administrator said that the hospital has one of the best employee and medical staffs he had ever worked with. As he sees it, the main role of the facility is stabilize heart and stroke patients, to stay within GMC's capabilities, while also providing diversion of critical cases to other more capable hospitals.

GMC also provides the following services: A) a family care clinic with two doctors, a physician's assistant, and a registered dietician; B) Glenn Family Medical Group with a doctor and a physician's assistant; C) Glenn Medical Children's Center with a pediatrician on duty 5 days a week.

Specific medical services provided by GMC include the following:

- Diagnostic imaging
- Physical therapy
- Respiratory therapy
- Laboratory services
- 24 Hour emergency care
- An inpatient nursing station
- A medical records office

The following specialty clinics are also available at GMC:

- Podiatry (2nd and 4th Mondays)
- Gastroenterology/Surgery (Wednesday afternoons)
- Chiropractic care (Tuesdays and Thursdays)
- Orthopedics (Friday afternoons)
- Neurology (Tuesday and Thursday)
- Counseling by a Licensed Clinical Social Worker (Monday and Thursday)
- Nurse midwives/Maternity care (Tuesdays) Deliveries are handled at the hospital in Colusa.
- Negotiations with a cardiologist are reported to be continuing.

IV. CONCLUSIONS:

Due to the importance of Glenn Medical Center to the immediate and outlying areas, an open working relationship with all facets of the public should be maintained. The hospital should be operated in a manner that encourages confidence in their treatment and awareness of its capabilities.

V. RECOMMENDATIONS:

If the hospital emergency room is unable to treat their conditions, the patients should be told immediately and efforts should be made to send patients on to another area hospital as soon as possible.

Local doctors should discourage people in the area from going to the local emergency room if the doctor suspects that specialized treatment, which is not readily available at Glenn Medical Center, is necessary.

More effort should be made to publicize the other services provided at the facility.

VI. RESPONSES:

Glenn Medical Center Administrator

2007-2008 Glenn County Grand Jury
Final Report

Rabies Testing and Control

I. PURPOSE:

To conduct a follow-up and determine the status of the Rabies Testing and Control Program as recommended by the 2002-2003 Glenn County Grand Jury Report.

II. BACKGROUND:

Following a death from rabies in Glenn County, the Grand Jury Report made recommendations regarding policies, procedures, training, record-tracking and handling of specimens in regards to the Rabies Testing and Control Program.

III. FINDINGS:

In order to establish our findings the response to the 2002-2003 Grand Jury Report and the current policies and procedures were reviewed, and the health department director, the public health nurse, the sheriff and the assistant animal control officer were interviewed.

The health department director, the public health nurse, and the sheriff were cooperative and forthcoming and provided satisfactory detailed information on procedures, training, record-tracking and handling of specimens. We found that each of the recommendations made by the 2002-2003 Grand Jury were addressed.

IV. CONCLUSION:

While the health department has less direct contact with the assistant animal control officer all necessary obligations are being met.

Glenn County will need a facility for impounding and quarantining animals when the current facilities are no longer available.

The consolidation of Animal Control and the Sheriff's Department has led to the cross-training of additional officers, resulting in better coverage and availability of services in all parts of Glenn County.

Rabies and Animal Control is of utmost concern to the health and welfare of the citizens of Glenn County.

V. RECOMMENDATIONS:

The recommendations of the 2002-2003 Glenn County Grand Jury have been met and no follow-up monitoring is recommended.

The Health Department and the Sheriff's Office are to be commended for their dedication and service to Glenn County.

VI. RESPONSES REQUIRED:

None

2007-2008 Glenn County Grand Jury
Final Report

Internal Audit

I. PURPOSE:

To review the internal audit function for Glenn County and identify concerns about the resources allocated to this function or the services that the office provides.

II. BACKGROUND:

The office of the internal auditor has a single staff person. According to the Glenn County Administrative Manual: "The overall objective of the Internal Auditor is to assist all members of county management to effectively discharge their responsibilities by furnishing them with objective analyses, appraisals, recommendations, counsel and information concerning the activities reviewed. The audit objective includes promoting effective control at a reasonable cost."

There is an audit committee composed of the Glenn County Finance Director, members of the Glenn County Board of Supervisors, the Glenn County Chief Administrative Officer, the Glenn County Clerk/Recorder/Assessor and a citizen representative which meets quarterly to review audit issues and make policy and procedural decisions.

The internal auditor prepares financial audits for many of the special districts that provide services to the citizens of Glenn County. This audit is the only financial oversight that many of these entities receive. The internal auditor also prepares the county financial statements (which are examined by the outside auditor) and conducts special investigations or reviews as may be requested by the county audit committee, board of supervisors or department heads.

Members of the grand jury interviewed the internal auditor on January 30, 2008 and conducted a follow-up interview on April 1, 2008. Meetings of the county's audit committee were also attended.

III. FINDINGS:

There are approximately 25 special districts that are audited by the internal auditor. Audits are scheduled to be conducted either annually, every two years, or every five years, according to defined criteria. The internal audit function has insufficient staff to complete audits for all of the special districts within the specified timeframes. As a result, the audit committee prioritizes the audits that are to be completed, establishes the audit schedule and approves delays in auditing certain special districts.

The staff of another county's audit division conducts a peer review of the internal audit function periodically. Among other things, the peer review is intended to identify areas of weakness in financial control procedures and the internal audit function. A peer review was recently completed and found that the Glenn County Internal Audit Division is in full compliance with California State Government Auditing Standards. The review did make recommendations for changes to certain department policies and procedures, which the auditor accepted and is implementing. A previous peer review, conducted in 2005, found that the county's activities generally conform to established standards with two exceptions noted. First, due to the internal auditor having responsibility for preparing county financial statements they have limited time available to conduct audits of special districts. Second, the auditor reports to the finance director rather than to the audit committee. The internal auditor responded that the county lacks funds to add personnel to the audit function and that the structure of the finance department dictates the reporting relationship.

In addition to conducting audits of special districts and preparing the financial statements for Glenn County, the administrative manual states that the overall objective of the internal auditor is to provide support to the management of special districts and county departments. However, the time required to perform other duties limits the auditor's ability to accomplish this and diminishes the capabilities of the position.

IV. CONCLUSIONS:

Changing reporting relationships and adding additional staff could improve the services provided by the internal audit department. However, due both to budget constraints and the structure of Glenn County government, it may not be practical to make these changes at this time. The current structure, which relies on active audit committee oversight, with periodic outside peer reviews appears to provide adequate safeguards and controls over the financial affairs of Glenn County.

The current Glenn County Internal Auditor is to be commended for her professionalism and diligence in doing an important job with limited resources.

V. RECOMMENDATIONS:

As the budget situation improves in future years, providing funds for additional personnel in the internal audit function should be considered as a priority.

VI. RESPONSES REQUIRED:

Glenn County Department of Finance

2007-2008 Glenn County Grand Jury
Final Report

Public Guardian

I. PURPOSE:

To review the duties and responsibilities of the Glenn County Public Guardian (guardian) and to identify concerns about its resources or the services that the office provides.

II. BACKGROUND:

The Grand Jury interviewed the Glenn County Public Guardian on November 14, 2007.

III. FINDINGS:

The guardian is appointed by and reports to the Glenn County Board of Supervisors. The guardian has the following three primary responsibilities: A) the guardian acts as a court appointed guardian for individuals who are not competent to represent themselves. These are normally children or they are mentally or physically disabled. B) the guardian acts as public administer who investigates and may administrator estates of persons who die with no will or without an appropriate person willing or able to act as administrator. C) the guardian acts as a representative payee, who manages the finances of individuals who do not have the mental capacity to do so.

Two individuals staff the office of the Glenn County Public Guardian and they currently serve approximately 50 clients.

IV. CONCLUSIONS:

The Glenn County Public Guardian and staff are to be commended for their professionalism and for their dedication in serving residents of Glenn County who lack the mental or physical capacity to represent themselves.

V. RECOMMENDATIONS:

None

VI. RESPONSES REQUIRED:

None

2007-2008 Glenn County Grand Jury
Final Report

Glenn County Jail

I. PURPOSE:

To review, inspect, and assess any needs or concerns at the Glenn County Jail.

II. BACKGROUND:

October 30, 2007, members of the Glenn County Grand Jury Public Safety Committee met with Sheriff Larry Jones and several members of the jail staff during the required annual jail inspection. Committee members reviewed and discussed the current operations, maintenance, and future plans for the facility. Previous grand jury findings such as medical and mental health issues, boiler replacement, sally port dimensions, power pole placement and removal, transfer of inmates to and from court, as well as other pressing issues were discussed.

III. FINDINGS:

Overall the jail is clean and operating in a safe and secure manner. The malfunctioning boiler has been replaced and is working to standard specifications. Medical and mental health issues are handled more expeditiously due in part to a full-time on-site nurse. More complex medical, dental, and mental health needs are met through Glenn Medical Center and the Indian Health Center. As mentioned in previous grand jury reports, the power pole found at the north end of the jail complex has yet to be removed. The sally port (facility entrance portal) needs to be remodeled and updated to accommodate larger transportation vehicles. Metal detectors and updated finger-printing machines have been approved for purchase and are on line for installation. Food service is to standards with a well maintained kitchen and dining facility. Meals are adequate with special considerations made for religious, medical, or other dietary needs. Jail staffing needs to be closely monitored to ensure compliance with all state jail staffing mandates. The Glenn County Jail is the only north state detention facility to conduct a mandated fire drill.

IV. CONCLUSIONS:

Major concerns: the sally port needs to be enlarged for greater accessibility by larger prisoner transport vehicles; the utility pole located at the north end of the jail must be removed or safety barriers installed; jail staffing must be in line with California State mandates; and the jail facility must keep up to date on the latest detention innovations as well as planning for future expansion. The Glenn County Sheriff and his staff are to be commended for their professionalism and work ethic in a tight fiscal climate.

V. RECOMMENDATIONS:

The sally port facility needs to be enlarged, the north utility pole must be removed, future jail expansion should be planned, and the transport of prisoners to and from the jail to court must be addressed. Staffing must be brought up to California State detention facility standards.

VI. RESPONSES REQUIRED:

Glenn County Board of Supervisors
Glenn County Sheriff
Glenn County Planning and Public Works – Facilities

2007-2008 Glenn County Grand Jury
Final Report

Jane Hahn Juvenile Hall

I. PURPOSE:

To review, inspect, and assess current conditions and staffing within the Jane Hahn Juvenile Hall facility.

II. BACKGROUND:

Grand Jury members visited the facility March 17, 2008, interviewing the Glenn County Chief Probation Officer and the facility interim manager.

III. FINDINGS:

At this time, the facility has a capacity to house 22 juvenile residents. Currently the complex has a staff of ten full time counselors, a cook, and an on-call nurse. In addition, the facility contains a Glenn County Office of Education supported school with a full time administrator, teacher, and teacher's aide, as well as an on-call school physiologist. At this time, the facility is under-staffed by one counselor. The general appearance of the staff and facility are up to mandated standards. Building maintenance and cleanliness are adequate. Medical needs of the residents appear to be met in a timely manner with intake physicals being given within the required state mandated time frame of 96 hours. The recreation area is clean, secured, and monitored during recreation times. Updated video surveillance was recently installed to better monitor residents, staff, and visitors. The sally port (facility entrance portal) is inadequate for the safe transfer of residents to and from the dentition facility.

IV. CONCLUSIONS:

The administration and staff of the Jane Hahn Juvenile Hall must be commended for their professionalism and concern shown toward the juvenile residents under their care.

V. RECOMMENDATIONS:

The sally port must be enlarged in order to accommodate the safe transfer of juvenile residents to and from the detention facility. Staffing must be in accordance with California State mandated juvenile detention standards and regulations. The Glenn County Board of Supervisors must adequately fund the Jane Hahn Juvenile Hall facility and ensure the continued operation of this most important county asset.

VI. RESPONSES REQUIRED:

Glenn County Probation Department
Glenn County Sheriff
Glenn County Board of Supervisors

2007-2008 Glenn County Grand Jury
Final Report

Probation Department

I. PURPOSE:

To review the Probation Department in order to understand how it operates and to identify needs or concerns of department personnel.

II. BACKGROUND:

Members of the Grand Jury interviewed the Chief Probation Officer on March 17, 2008.

III. FINDINGS:

The Probation office has a staff of fifteen officers who are responsible for monitoring approximately 1,500 parolees. In addition to their monitoring of activities, probation officers are required to prepare reports that are used by the courts in the sentencing process. Probation officers are also responsible for transporting juvenile hall residents to and from court.

Probation positions are paid either through grants or by the County General Fund. Due to the tenuous nature of grant funding approximately half of the positions may be at risk of being terminated. Revenue shortfalls may result in pressure to cut additional positions in order to balance the Glenn County budget.

IV. CONCLUSIONS:

One of the functions of the probation services is to help criminal offenders re-enter society as productive citizens. Even at its current staffing level the probation department lacks the resources to proactively monitor parolees and probationers and provide them with the intended support services. If additional probation positions are eliminated the department will likely have time for little other than preparing written probation reports, transporting juveniles to their court appearances and responding to flagrant probation violations.

V. RECOMMENDATIONS:

The Grand Jury understands the budgetary pressures faced by the County Board of Supervisors and the need to make difficult decisions regarding the programs and positions to fund. That said, the probation department makes a significant contribution to public safety as well as giving individuals who have served time in the criminal justice system services to help them to re-enter society as productive citizens. If money from the general fund is not available, then every effort should be

made to renew grant funding to, at a minimum, maintain probation department service levels.

VI. RESPONSES REQUIRED:

Glenn County Board of Supervisors
Glenn County Chief Probation Officer
Glenn County Sheriff

2007-2008 Glenn County Grand Jury
Final Report

Orland City Council Dismissal of Planning Commission and Assumption of Duties

I. PURPOSE:

To investigate whether the City Council acted appropriately in dismissing the Planning Commission and assuming their duties.

II. BACKGROUND:

Prior to the Planning Commission meeting of May 2, 2007, the president of the commission requested that four items be placed on the agenda. When they were not on the agenda, he adjourned the meeting without holding the scheduled public hearings. At the next regular Orland City Council meeting, May 7, 2007, the dismissal of the planning commission was discussed. A joint meeting of the two bodies was held June 4, 2007. Following this at the regular Orland City Council meeting of June 4, 2007, the Orland City Council dismissed the members of the planning commission and assumed their duties.

III. FINDINGS:

Orland Municipal Code 2.32.050 states, "The city council reserves the right to remove any commissioner from office at any time for any reason." California State Code 65101 states, "The legislative body may create one or more planning commissions . . . In the absence of an assignment, the legislative body shall carry out all the functions of the planning agency."

IV. CONCLUSIONS:

It is the conclusion of this grand jury that the city council acted within the parameters of the Orland Municipal Code and the California State Code.

V. RECOMMENDATIONS:

None.

VI. RESPONSES REQUIRED:

None.

2007-2008 Glenn Grand Jury
Final Report

Orland City Council Procedures

I. PURPOSE:

To review the Orland City Council actions following the dismissal of the Planning Commissioners.

II. BACKGROUND:

Following the recall attempt, discrepancies regarding the adherence of the Orland City Municipal Code came to light. Grand jury members conducted several interviews, attended city council meetings, reviewed Orland City Municipal Code, city council minutes, and the Procedure for Recalling State and Local Officials manual from the Office of the California Secretary of State.

III. FINDINGS:

The Orland City Council currently acts as the planning commission. The Orland City Council meetings begin at varying times in violation of the Orland City Municipal Code, which states "the regular meetings of the Orland city council shall be held at seven-thirty p.m." As the city council addresses planning issues during the second monthly meeting, council meeting start-times have been changed to 6:30 p.m. in violation of the current city code. New training has been planned but not implemented. A special meeting of the Orland City Council was held July 11, 2007 with the single agenda item "PRESS RELEASE - Responses from Council members to recall petitions."

IV. CONCLUSIONS:

The Orland City Council is not in compliance with the Orland City Municipal Code. Orland City Council members being recalled acted outside of the parameters of the Orland City Municipal Code by holding a meeting to deal with the personal business of the recall of four members of the council at a public meeting with the inappropriate use of city management and city staff.

V. RECOMMENDATIONS:

The Orland City Council regular meetings must adhere to the Orland Municipal Code or the code must be amended to reflect the meeting times currently in use.

Planning commissioners should be appointed to better serve the people within the city of Orland as soon as possible. Mandatory training should be developed for new commissioners as they are appointed to fill the vacant city planning commission.

Special meetings of the Orland City Council should only be called to address permissible Orland city business.

VI. RESPONSES REQUIRED:

Orland City Manager
Orland City Council

2007-2008 Glenn County Grand Jury
Final Report

Willows City Library Funds

I. PURPOSE:

The Glenn County Grand Jury investigated the reasoning behind the return of approximately $63,755 from the 2006-07 library budget to the general fund rather than being used to fund other library uses and needs.

II. BACKGROUND:

The City of Willows allocated a library budget of $288,331 for the 2006-07 fiscal year. Expenditures totaled approximately $224,576, leaving approximately $63,755 unspent. This amount was returned to the general fund. On April 10, 2008, a grand jury team met with the Willows City Manager to inquire into this matter.

III. FINDINGS:

According to the information conveyed to the grand jury by the Willows City Manager, the City of Willows General Fund did receive the unspent monies from the library budget – he stated that this is standard operating procedure.

When asked if the amount $63,755 was approximately correct, the City Manager stated that that amount sounded too low, that the money budgeted for a library director was between $70,000 and $80,000 and so $70,000 to $75,000 was probably more accurate. The salary range for the position was $47,000 to $57,000 with ancillary benefits added to it.

When asked about the difficulty of finding a library director, the city manager gave us a detailed summary of the advertising, recruiting, and interviewing process that the City of Willows had gone through to find a qualified library director. The city manager noted that the City of Willows lacked the "attractiveness that candidates were looking for," that is, the money being offered and the duties to be fulfilled were not competitive with other areas around the state. At one point, there were only four applications. The city manager took the recommendations of two committees for the person finally selected – the committees were unanimous in their selection of this person.

When asked about the proper procedure or procedures for utilizing unspent money budgeted for the library, the city manager responded that there was explicit direction for this in the city regulations. He offered to give us the exact citation and added that as far as he was aware (and there was agreement among the Grand Jury team that he was perhaps more aware than anyone else), no needs for the library went unaddressed. In addition to the city council having final say on all aspects of the

budget, he added that the interim library director knew of the unspent monies and how to submit a request for library materials.

IV. CONCLUSIONS:

Department heads in all administrative entities are in general encouraged to come in under budget and add back unspent monies to the overall general revenue reserve. The Willows City Library Board of Trustees, in an advisory status, and the interim library director could each have requested by way of the Willows City Council all or part of the unspent budgeted monies for the library. According to the Willows City Manager, no need for the library went unaddressed.

V. RECOMMENDATIONS:

If a similar situation comes up again, the City of Willows should inquire into the feasibility of coordinating with the City of Orland for Library Directorship services.

VI. RESPONSES REQUIRED:

Willows City Council
Willows City Library Board
Willows City Library Director

2007-2008 Glenn County Grand Jury
Final Report

Medical Volunteer Transport Program

I. PURPOSE:

To review the volunteer medical transit program.

II. BACKGROUND:

The volunteer medical transit program was established by the Glenn County Board of Supervisors in July 1998.

The service provides transportation primarily for elderly persons who cannot get to Orland, Chico, Colusa, Red Bluff, Sacramento, and other places for medical services not provided in Glenn County.

Dialysis treatments are the major medical need.

III. FINDINGS:

Volunteer drivers use their own vehicles to provide transportation, and are provided a gas allowance and a small stipend.

Drivers must have car insurance and they are checked for compliance annually by California Department of Motor Vehicles.

Most drivers are retired and the majority live in the Orland area.

IV. CONCLUSIONS:

The program provides a much needed service and is operated efficiently.

The drivers are the backbone of this program and the grand jury highly commends them for their dedicated service.

V. RECOMMENDATIONS:

The grand jury recommends that the need for additional volunteer drivers should be more widely publicized, due to the fact that this information is not known by many of the citizens of Glenn County.

The Glenn County Board of Supervisors should be commended for their support of this program.

VI. RESPONSES REQUIRED:

Glenn County Planning and Public Works Agency
Glenn County Regional Transit Committee
Glenn County Board of Supervisors

2007-2008 Glenn County Grand Jury
Final Report

Glenn County Subsidized Taxi Service

I. PURPOSE:

To investigate the question of whether the Glenn County Regional Transit Committee (RTC) fairly awarded the bid to the present operator of the subsidized taxi service in Glenn County. Some residents of the county have questioned whether there were irregularities in the bid process.

The grand jury investigated the minutes of the RTC meetings from January 25, 2006 to February 15, 2007, the three bid proposals submitted to provide the subsidized taxi service for Glenn County and a profit and loss statement from the previous subsidized cab service provider for the period of December 1, 2005 through December 6, 2006.

II. BACKGROUND:

The Glenn County RTC is responsible for overseeing the transportation needs of the citizens of Glenn County. Included in this system is the fixed route system (Glenn Ride Bus), the subsidized taxi (including HRA ride to work) and the medical transport system.

The previous subsidized taxi service provider had been under contract with Glenn Transit Service (GTS) for the subsidized taxi service in Willows and Orland for approximately 10 years. Their contract was due to expire at the end of May 2006. However, they agreed to extend their contract at the request of GTS while the request for proposal (RFP) process could be completed. An RFP for the management and operation of the subsidized taxi service was circulated in May of 2006 indicating a deadline date of June 8, 2006. One of the bidders submitted a proposal for consolidation of the transit services and the subsidized taxi service. The long time provider of the subsidized taxi service submitted a proposal for the taxi service only. A review panel reviewed the bid proposals in July 2006. The panel recommended that the bid proposal by the former subsidized taxi service be found non-responsive because the bid bond was not included, all the required information was not submitted, and the required numbers of copies of the bid were not submitted. At the August 17, 2006 RTC meeting, the committee found the bid request non-responsive under the guidelines of Appendix "A" Title 9 Standard Contract Form of the Glenn County Administrative Manual and did not meet the requirements of the Transportation contract. RTC awarded the contract to a new provider. At the September 2006 RTC meeting, the new provider requested more time to review some procedural issues prior to transition to the subsidized taxi program. The former subsidized taxi service provider agreed to extend their contract to January 8, 2007 to accommodate the transition.

After the October 17, 2006 RTC meeting, a second RFP was circulated for the taxi program because of service hour changes. Three bid proposals were received. On December 13, 2006 the bids were reviewed once again by the review panel. The panel found that the former subsidized taxi provider had omitted an audit / review by a certified public accountant and a profit and loss statement without review. The RTC awarded the bid to the present provider because of their submittal of the lowest bid.

III. FINDINGS:

The grand jury finds that the profit and loss statement submitted by the former subsidized taxi provider had mathematical errors in calculating profits. Had the math been correct, the bid proposal would have been the lowest bid and the contract would have been awarded had all the other supporting documentation been included with the bid. It is noted by the grand jury that the former subsidized taxi provider's vehicle insurance was much higher than the amounts listed for that charge on the other two bids. Furthermore, it appears that the former subsidized taxi provider failed to use the fuel cost "pass through" option that was discussed at the pre-bid meeting on May 1, 2006 and included on an RTC letter to all bidders.

The grand jury reviewed the ridership information report from Glenn Transit Service for the subsidized taxi program. The information report shows ridership for three years from July 2005 to February 2008. The contract began with current taxi service provider in February 2007 and apparently due to the transition, the ridership in the city of Willows declined by approximately 52% from February 2006. Since then, ridership has increased and for the last six months, from September 2007 to February 2008, the numbers have surpassed the previous year's total. At the current rate, the yearly total should near or surpass the previous year. The Orland City totals show a decrease in ridership of about 1,300 riders from February 2006 to February 2007. It is unknown why this trend is occurring.

IV. CONCLUSIONS:

It is the opinion of the Grand Jury that no further investigation is necessary in view of the fact that the previous subsidized taxi provider bid had not met the requirements of the bid contract.

V. RECOMMENDATIONS:

The grand jury recommends that bids to the County of Glenn continue to be administered to the letter of the requirements set forth in the County Administrative Manual for Title 9 Contracts.

VI. RESPONSES REQUIRED:

No response required.

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Final Report

Glenn County Office of Education Board Elections

I. PURPOSE:

Review the protocols and procedures for the election of individuals for open seats on the Glenn County Office of Education Board (GCOEB).

II. BACKGROUND:

The GCOEB provides oversight for the Glenn County Office of Education (GCOE). Under the California State Education Code, the GCOEB has defined roles and responsibilities.

Five individuals, representing high school districts within Glenn County, are elected to four-year terms. If no one files as a candidate, an existing board member can be re-appointed to another term or, if that board member does not want to serve another term, an alternate individual can be appointed to fill that seat. The board is the body that is responsible for making appointments.

The Glenn County Elections Department is responsible for conducting elections for the GCOEB. At stated times the elections department publicizes open school board positions in order to solicit candidates. The elections department also contacts the GCOE and suggests that they publicize open board positions as well.

For the last 12 years, members of the GCOEB have been appointed in lieu of running for election and this has also been a common practice in years past. Appointments were made because people were satisfied with the job being done by the incumbent or because other qualified community members failed to file for election, were unaware of election deadlines, or were not familiar with the procedures necessary to apply for an elected position on the GCOEB.

At present, there are no term limits for Board of Education positions.

III. FINDINGS:

There has been relatively little turnover in the membership on the GCOEB. Of the five board members, one has served for twenty-three years and two have served for seventeen years. In recent years, incumbent board members have either been unopposed for election or, in certain cases, no one has filed to run for an open seat. As a result, appointments have been made to fill the open seats.

There are three forms of compensation for members fo the board. The budgeted amo9unt for health benefits for the board is $37,260, however, it is expected that only $30,000 of that amount will be spent this year. They also receive a stipend of $10 per

meeting. The budget for the stipends is $850 per year. The amount budgeted for mileage to attend meetings and functions is $1,800 annually.

IV. CONCLUSIONS:

The GCOEB is an important body and county residents would benefit from having a larger number of candidates from which to select board members. Arguably, new board members would bring new ideas and perspectives to the GCOE.

V. RECOMMENDATIONS:

Procedures should be put into place to improve the publication of open GCOEB positions. The goal should be to put notices in media that are the most likely to attract the attention of county residents. This might include newspaper advertisements, posting on web pages (Glenn County Elections Department and GCOE), or postings on community bulletin boards. It should be clearly stated which districts have seats that are up for election. Local district superintendents could identify, or even recruit, qualified individuals for GCOEB vacancies.

Candidate qualifications and remuneration/benefits that come with the GCOEB positions should be part of the publication materials.

Consideration should be given to putting a limit on the number of times a board member may be reappointed (in contrast to running for election). Under Section 1006 (a) of the California Education Code, the board may adopt, or the residents of the county may propose by initiative, a proposal to limit the number of terms a board member can serve.

The GCOEB should explore the possibility of allowing board positions to be elected from the county-at-large if a sufficient number of candidates cannot be attracted to certain seats.

The GCOEB should provide a current copy of the board policies (adopted March 19, 1997) to the Glenn County Elections Department (at the time this investigation began, the most current copy the elections office had was dated 1963).

VI. RESPONSES REQUIRED:

Glenn County Office of Education Board
Glenn County Elections Department

2007-2008 Glenn County Grand Jury
Final Report

Glenn County Office of Education

I. PURPOSE:

To review the governance procedures and the working relationship between the Glenn County Office of Education (GCOE) and the school districts it supports.

II. BACKGROUND:

The GCOE supports the individual school districts that educate the students of Glenn County. An elected superintendent, who is responsible for managing operations and who reports to a five-member board of trustees, heads the GCOE. The board has responsibilities that are defined under the California Education Code, inclusive of the review and approval of individual district annual budgets.

In recent years, one of the primary responsibilities of GCOE has been to provide special education services to the individual school districts through the Special Education Local Plan (SELPA). State money provides much of the funding base for special education programs, with the districts being responsible for costs that are in excess of state funds.

III. FINDINGS:

The twelve years of operation under the previous administration was a period of apparent cooperation and collegiality. The Glenn County Office of Education Board (GCOEB) supported the policies, procedures and programs put forth by elected officers and employees of the county office. The superintendents in the individual districts had a close working relationship with the GCOE superintendent and the support staff in the county office.

In 2006, issues unfolded when the former superintendent retired leaving a legacy of questionable activities. The circumstances surrounding the exit of the former superintendent, and strong feelings by certain members of the community have resulted in an air of contention between the county office and the Glenn County Office of Education Board (GCOEB).

The Glenn County Office of Education Board consists of five members, several of whom have served for an extended period of time. In past practice, the former superintendent took a lead role on board issues with the board supporting and seldom questioning the policies and practices proposed by the county office administration.

After the election the relationship between the new superintendent and the board turned adversarial. Board meetings deteriorated into contentious sessions making it difficult to conduct GCOE business. One of the issues that arose in these meetings

was a lack of training for new board members regarding their roles and responsibilities. While the superintendent and board members agreed to attend a training session, they have been unsuccessful in scheduling an appropriate date.

Several individual events added to the discord. Disagreements over the governance provisions of the William Finch Charter School and an unexpected increase in excess costs for special education (billed back to the individual school districts) created an environment of mistrust between the GCOEB, the GCOE and the individual districts.

This situation was exacerbated by declining enrollment and budgetary difficulties faced by the individual districts. While in most cases the GCOE is responsible for providing special education services, it is the individual districts that must actually pay for the services. The GCOE has few incentives to manage and minimize the costs for providing special education services.

In response to disagreement among the individual districts regarding the formula for reimbursing special education costs, the GCOE retained the Fiscal Crisis and Management Assistance Team to prepare a SELPA Review (FCMAT Report). One of the major recommendations of the FCMAT Report was to develop a more precise bill-back model for excess costs that will fairly and equitably distribute those costs throughout the members of the SELPA. Over-identification of special education students by the Orland Unified School District was cited in the FCMAT Report as being one of the reasons for the misallocation of special education costs.

IV. CONCLUSIONS:

The community and the students of Glenn County are not being well served by the Glenn County Office of Education or by the Glenn County Office of Education Board. Discord among the various parties distract them from performing their roles and creates an environment of mistrust. This adversarial environment threatens the GCOE's ability to provide cost effective special education programs and to support the individual districts.

V. RECOMMENDATIONS:

A training session should be mandatory for all board members. The board and the superintendent should define the topics to be covered. Some examples are:

Roles and responsibilities of board members,

Policies and procedures for the GCOEB, and

Educational programs and services that are provided by the state and federal governments.

The board and superintendent should cooperate and retain common counsel to review and resolve legal issues.

The board should follow established policies and procedures to set and adjust the salary for the Glenn County Superintendent of Schools. It is especially important to

establish a base salary that is published, prior to the filing period, for an upcoming election.

A spirit of cooperation in board meetings that recognizes that the county office exists to provide support services to the individual districts and that the school districts exist to serve students.

SELPA needs to serve all of the districts and develop strategies to make it more efficient to provide special education services.

VI. RESPONSES REQUIRED:

Glenn County Superintendent of Schools
Glenn County Board of Education
Special Education Local Plan Area Board

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Plaza School District

I. PURPOSE:

To conduct a health, safety, and welfare visitation as well as to emphasize the need for both Plaza School District and Glenn County Office of Education to formally respond to this and previous Glenn County Grand Jury reports.

II. BACKGROUND:

On November 7, 2007, members of the Glenn County Grand Jury visited Plaza School to determine the status of the school's safety procedures and to reinforce the need to respond to all Grand Jury visitations or inquires. Upon entering the school office, it was determined that the primary school staff, the district superintendent and school secretary, were not on campus. The site principal was contacted, as she was instructing class, to arrange for a safety inspection and fire drill.

III. FINDINGS:

On the day of the initial visit, the district superintendent and the school secretary were off campus. Prior to entering the school office, it was noted that there were no visitor pass requirements conspicuously posted requiring campus visitors to secure school identification. During the Grand Jury visit, several members of the visiting committee did not display any Grand Jury Identification and were never challenged by the school administration. After contacting the site principal, a fire drill was conducted to determine the actions associated with an unannounced school fire drill. After the fire drill, other various types of disaster drills and preparedness were discussed with the school principal.

During the fire drill and in subsequent conversations with the senior members of the school staff, it was noted that there are numerous safety issues that must be corrected. During the fire drill, several rooms were not locked, in accordance with the Plaza School District Safety Plan Disaster Procedures dated 2004. In addition, several teachers did not carry their school attendance book with them (a California State mandate) and lights were left on in several rooms in violation of the Plaza District's safety plan.

IV. CONCLUSIONS:

Plaza School District has the beginnings of a well developed safety plan and with additions and modifications it can be a most outstanding document. Even though there were some problems noted during the fire drill Plaza School the entire staff are to be commended for the outstanding manner in which the fire drill was conducted.

Additionally, Plaza School must also be commended for the way in which alternate fire alarms are activated to ensure proper response for each alarm. The school is not tied into an outside emergency system.

V. RECOMMENDATIONS:

Plaza School must update and expand its safety plan. As per California Penal Code 6722, all school visitors must receive a school issued visitor pass or badge. This pass notification must be clearly posted at all school entrances. In the event that all senior staff are off campus, the school office must be staffed by the site principal or secretary designee. This may require a substitute for the principal or secretary.

The Plaza School District School Safety Plan must be updated to include scenarios such as how and by whom are staff alerted to a problem on campus especially in the event of a power or communications (land-line or cell phone) failure. A designated position must be established to contact emergency services as a by-named individual may not be on campus during the event. Criteria must be established concerning how parents are notified during a major safety event. Once the notification goes out, the school must have a plan in place to control traffic in and around the school in the event safety officials are unable to respond quickly. Parking in front of the school is limited and must remain open for fire and safety personnel. Cell phone usage by students must be monitored to lessen the confusion caused during a major safety incident. All clear signals both bell and voice need to be established and included in the safety plan.

Procedures must be established, in the event of a major incident, just prior to the start or just after school ends with students still on campus this should also include after-school and nighttime school activities. Intruder-on-campus guidelines must be fully developed and implemented in a most judicious manner.

VI. RESPONSES REQUIRED:

Plaza School District Superintendent
Glenn County Superintendent of Schools

2007-2008 Glenn Grand Jury
Final Report

Willows Unified School District

I. PURPOSE:

To investigate the financial disposition of the Willows Unified School District (WUSD).

II. BACKGROUND:

The former WUSD business manager prepared a comprehensive budget report in the fiscal year 2004-2005 to warn the board about the need for prudent financial practices. A new superintendent came onboard in July of 2006.

In December of that year the former business manager resigned. WUSD employed a part-time interim business manager while trying to recruit a qualified replacement for the position.

The Special Education bill-back to WUSD escalated tremendously beginning in 2004. Expected retirements among the staff, which would have provided cost savings to the district, did not occur as expected, and WUSD average daily attendance (ADA) continued to decline. The state governor's 10% spending cut announced in January 2008 further impacted the financial situation.

III. FINDINGS:

The first interim report for 2007-2008 submitted to the Glenn County Office of Education (GCOE) indicated that current projections predicted a continual net loss in general fund; the special reserve fund was found to be extremely low; the district was projecting a continual decline in enrollment; and the multi-year projection report was reliant on MediCal Administrative Activities (MAA) revenues, retirements, and possible staff reductions.

The Willows Unified School District has a state mandated requirement known as Designated for Economic Uncertainties (DEU), which stipulates that the school district must maintain at least a three percent budget reserve. WUSD has traditionally maintained a DEU of six percent; however, in recent years due to budget pressures, the district has been forced to reduce its reserve to the state requirement. Several factors such as the cafeteria deficits, have led to budget shortfalls which have necessitated the reduction of the district's budget reserve.

The 2007-2008 Second Interim Review continued to warn the district about the findings listed above. Figures in this report indicated that WUSD might be able to

meet its financial obligations for this year (2007-2008), but without reductions and financial stabilization, it may not be able to in 2008-2009.

IV. CONCLUSIONS:

WUSD has served students very well for many years and has handled past financial difficulties with great skill. However, given the current circumstances, the board, administration, and staff need to be collectively responsive to the near-term situation and work together as a team to resolve the issues for the benefit of the community and students for the long-term.

V. RECOMMENDATIONS:

WUSD should urgently pursue the services of a business manger, it should undertake serious budget reduction measures, it should develop a fiscal plan to build back the DEU fund to the former practice of six percent if practicable. Additionally, WUSD personnel should work with the Special Education Local Plan Area Board (SELPA) to help streamline the delivery of Special Education services to help reduce bill-back costs. And finally, WUSD should work to improve relations with the administration and staff of the Glenn County Office of Education (GCOE).

VI. RESPONSES REQUIRED:

Willows Unified School District Board of Education
Willows Unified School District Administration

2007-2008

GLENN COUNTY GRAND JURY

RESPONSES TO

2006-2007

Grand Jury Final Report

JUNE 30, 2008

Responses to the 2006-2007 Glenn County Grand Jury Final Report

City/County Tax Split

RECOMMENDATION

The county administrator and the two city managers should meet on a regular basis to resolve the city/county tax split**.**

RESPONSE

County Administrative Officer (CAO) – The County and the two Cities have been working cooperatively over the last year to formulate such an agreement. The three organizations currently have a contract with an outside consultant to provide independent statistical analysis on cost of service for all three organizations. This analysis is a key factor needed to develop the ultimate agreement. We look forward to finalizing the agreement over the next year.

Board of Supervisors – The Board concurs with the response of the CAO.

City of Orland – City Council Response - Under existing law, allocation of property taxes is to be determined as part of the submission of an annexation request to LAFCO, with the allocation the subject of negotiation between the City and County on a case-by- case basis. This has been the arrangement for many years, with little opposition from either party as to the allocation, resulting in roughly equal division of the tax dollars. If the City of Orland and the County of Glenn so desire, a master tax sharing agreement may be devised, to be applied to all annexations. However, no such master agreement has been created at this time.

In the latter part of 2004, the County proposed an allocation of approximately 70/30 in favor of the County, based upon calculations that were challenged by the city. Meetings were conducted between representatives of both cities and the County and neutral outside experts were retained to provide a preliminary analysis of the issue. The result of the experts' review was a determination that the county's position was incorrect, and that an allocation of 70/30 in the City's favor would be more appropriate, particularly in the case of significant increased development within the City of Orland's sphere of influence.

In light of the findings of the neutral experts, the County declined to enter into a master tax sharing agreement, and the City has proceeded with annexations as before, with the tax allocation negotiated as to each property. All proposed annexations during 2006 and 2007 have been submitted to LAFCO with a 50/50 division between the City and the County, with certain accommodations made where commercial properties are involved.

There are quarterly meetings being conducted by legislative representatives of each agency, to discuss the potential future development of a tax sharing agreement.

City of Willows – City Manager Response – As noted in the 2005/06 response, the City of Willows, the City of Orland and the County of Glenn have entered into a consulting contract for

services associated with developing baseline information necessary for preparing possible structures for a master tax sharing agreement.

While this process has moved at a slower pace than desired, due primarily to City Manager turnover in Willows as well as personnel turnover with the consulting firm, it is hoped that this project will continue with all three parties involved in the review of possible master tax sharing structures.

While it is the goal of the City of Willows to come to a mutual agreement on a master tax sharing structure, we recognize that the complex nature of each annexation (type of development, project impacts, and potential for revenue generation) is such that a master tax sharing agreement may ultimately not be in the best interest of the agency/agencies affected by given annexation.

GRAND JURY REVIEW OF RESPONSES – Responses accepted.

Responses to the 2006-2007 Glenn County Grand Jury Final Report

Glenn County Request For Bids Process

RECOMMENDATIONS –

Too much control and regulatory power has been placed with one department. Therefore, the many activities they oversee are not being conducted in a timely and professional manner.

County code books and administrative manuals need to be edited and coordinated so policies do not contradict one another. The various county code manuals are not consistent and give conflicting directions for the same issues. The code books should be edited into a more cohesive set of policies and procedures. This is especially important in the Planning and Public Works Department, which plays a major role in the projects that require bids and contracts with the county.

The Grand Jury suggests the Board of Supervisors rescind the new ordinances approved on February 20, 2007, which consolidates the power to award contracts without the oversight of the Board.

RESPONSES –

Department of Agriculture – Agricultural Commissioner - I have reviewed the report under the above topic and I am unclear what response is requested in light of the report not identifying any processes used by the Agricultural Department that were in question.

I would respectfully request clarification from the Grand Jury concerning the Agricultural Department and the Grand Jury's concerns with its contract awards process for county projects. I will say that we endeavor to follow the requirements outlined in County Policy. There are several checks and balances in place to assure policy is followed.

Glenn County Health Services – Chief Deputy Director Administration – Glenn County Health Services consists of Glenn County Mental Health Department, Glenn County Public Health Department, Glenn County Alcohol and Drug Department and Glenn County Environmental Health Department. This response covers all departments listed above in regards to request for bid process.

Due to the highly specialized services that Glenn County Health Services provides we find that there are very few situations that require us to go out for bid, for example, our many contracts for inpatient hospitalizations. There specialized contracts do not require that a bidding process be followed because of the highly specialized services and the fact that we contract with all providers who qualify.

As an example of one of our most recent times it has been necessary to go out to bid was for the consultant to assist with the survey, voting and implementation of the new Mosquito District. All county policies and procedures were followed. Supplies that are purchased by the agency are purchased locally and the 5% advantage for local business is always considered, an example is our contract with a local vendor for office supplies.

Glenn County Health Services has also participated in a multi jurisdiction bidding process through the California Institute of Mental Health. This coalition of 32 California counties established a bidding and procurement process that met all local and state requirements for the competitive bidding of behavioral health software.

Due to the few times that Glenn County Health Services has found that it has had to go out to bid we believe all policies and procedures established by the Board of Supervisors have been followed.

Glenn County Planning and Public Works Agency – Director's response -

<u>Contracts and Bids Process (pages 2-4)</u>

There are several factual errors within the report. The correct name is the Planning & Public Works Agency. Under that Agency there are eight divisions. They are:

- Roads (responsible for maintenance of roads, bridges, certain flood control efforts such as flood fighting and 2 storm drainage maintenance districts)
- Fleet Service Center (maintenance and purchase of light vehicles used in pool service and when assigned to various departments and agencies and heavy equipment maintenance and purchase)
- Facilities (all county buildings and grounds including boat launching facilities, airports, parks, office buildings, and the memorial halls in Willows and Orland)
- Building Inspection (includes code enforcement program)
- Engineering/Surveying (design and management of construction projects, processing of surveying documents, and review of development proposals)
- Planning (processing of development proposals, Surface Mining and Reclamation Act)
- Solid Waste (operation of the land fill)
- Support Services (fiscal and clerical support for the above)

In addition, the Agency has contracts with several independent agencies to provide services. They include the Transportation Commission (which, through the Regional Transit Committee, administers the public transportation systems) and the Local Agency Formation Commission (LAFCo).
Water Resources is under the Agriculture Commissioner. The only special district operations that the Agency has responsibility for is Storm Drainage Maintenance District #3 and North Willows County Service Area. Other special districts handle their own operations. The report seems to confuse budget units with "departments." The budget units are established to account for multiple funding obligations but are often grouped in their administration into the eight divisions of the Agency. For example, budget units for Flood Control, Road Maintenance and Road Construction are all administered by the Road Division. However, there is neither a budget unit nor a department for "Stream Cleaning." That is a method of maintenance used under the administration of Flood Control and the drainage districts operation.

The description of "outside locations" is not correct, which I assume means facilities outside of the offices of the county courthouse core area even though the fleet service center and one of the road yards are located adjacent to the Colusa Street office of the Agency. The Agency has 24 facilities for which it has responsibilities and they are:

- Courthouse Complex -
  - Courthouse (Court operations and Recorders Office)
  - Courthouse Annex (Finance Department and Assessor/Elections)
  - District Attorney's Office
  - Sheriff's Administration Offices/Probation Offices
  - Jail
  - Child Support Services
  - Planning & Public Works Agency Murdock Offices (Building Inspection, Planning and Facilities Divisions)
  - Willows Civic Memorial Hall (Veterans' Organizations, Personnel, County Counsel and community auditorium)
  - Memorial Park
  - Old Jail (used for storage and maintenance staff offices and shop)
  - Blue House (Veteran's Officer and Court Conciliator)
- Villa Street Complex
  - Health Services Agency
  - Glenn Medical Center (maintained by contract with GMC)
  - Juvenile Hall
- North Willows Complex
  - Planning & Public Works Agency Colusa Street Offices (Support Services, Engineering/Surveying, and Roads)
  - South County Road Yard
  - Fleet Service Center
  - Agriculture Commissioner's Offices
  - Sheriff's Impound Yard
- Other county facilities in Willows for which PPWA has responsibilities –
  - Willows Airport
  - Animal Control Offices
  - North Willows County Service Area
  - Storm Drainage Maintenance District #3

- County Facilities in Orland Area
  - Orland Court and County Offices (court operations, Orland Substation, Cooperative Extension Service offices)
  - North County Road Yard
  - Orland Memorial Hall
  - Health Services Agency Offices
  - Orland Airport
  - Orland Airport Industrial Park
- County Facilities in Hamilton City
  - Community Center building
  - County Library (maintained by contract with HC CSD)
  - Park (maintained by contract with HC CSD)
- Other County Facilities
  - Bayliss Library

Ord Bend Boat Ramp and Park
Butte City Boat Ramp
Area 21 river access area
Elk Creek Road Yard
Sanitary Land Fill
County gravel pit

The purchasing process for Glenn County agencies and departments is governed by more than Chapter 4 of Title 4 of County code. Additional regulations are found in Chapter 30 (Public Bidding) of Title 4 and Chapter 8 (Uniform Cost Accounting for Certain Public Projects) of Title 2, both in the Glenn County Code. In the Glenn County Administrative Manual the following sections govern purchasing: Title 4 (Purchasing Policies); Chapter 10 (Property Accountability and Sale) in Title 5 (Fiscal Policies and Procedures); Title 9 (Contracts) and Title 14 (Fleet Management Policy). There are several State Laws that also govern the process of public purchases. They include: Government Code, Title 1, Division 5 (Public Works and Public Purchases), Sections 4000 through 4529.20; Title 3, Division 3, Section 25084; Title 3, Part 2, Chapter 5, Sections 25480 through 25509; and Title 5 (Local Agencies), Division 2 (Cities, Counties, And Other Agencies), Part 1 (Powers And Duties Common To Cities, Counties, And Other Agencies), Chapter 5 (Property), Article 7 (Purchases of Supplies and Equipment by Local Agencies), Sections 54201 through 54205, and; Public Contracts Code, Sections 1100 through 9203 and Sections 20100 through 22300. In addition, if the funding source is the federal government, there are additional federal regulations that must be followed.

The lack of a complete picture of the complex public purchasing regulations appears to lead to the incorrect statements made in the report. Section 04.004.050 of the County Code is being used as if it is the only governing regulation. For many public works projects the sections in the other Titles of County Code and State Law are used as public works projects have their own set of regulations. As for the comment that the list of vendors is not used, this is incorrect. I do not know what situations where the report believes that the list is not used as there is no information provided by the report nor were the inquiries by the Grand Jury ever specific to a particular situation to allow consideration or explanation.

The statement that section 04.004.080 somehow implies that “there is no local list from which to draw when sending invitation to bid” is incongruent as that section says nothing about a “list” but deals with what the Board may do if the regular bidding process is unsuccessful. In most public works projects, the codes require notification of “journals” that are regional organizations that act as a clearinghouse for the notification and depository of plans and specifications for public works projects. Individual contractors receive notice through that process. In addition individual contractors can request to be put on the county’s list, which is maintained by the Agency. Additionally requests for bids of public works projects are published in the local newspaper and on the County’s website. It is the responsibility of the contractor to respond; not the governmental agency to seek specific contractors.

The comment about preference to local vendors seems to imply that it is the County’s responsibility to find the vendor. This is incorrect. It is the vendors’ responsibility to respond to the requests for bids. This section of County Code only provides that, if all else is equal, local government is willing to pay up to five percent more than the low bidder toward a vendor that resides in the County. Since vendors are required to provide information as to their place of business and contact information it is easy to determine which vendors might qualify for the

local vendor preference. Again the responsibility lays with the vendor, not the County to respond to requests for bids. This keeps the purchasing process open and competitive.

The conclusion that somehow the County does not allow bidders to view the documents on publicly advertised bid requests is counter-intuitive as the bid request states where the documents can be viewed and it is in the best interest of the County to have informed bidders making bids. Again there is no specific information as to a specific incident to allow rational comments on the conclusions that "it appears it (section 4.04.110) is not being followed."

The comments about the procurement of certain professional services are specifically addressed in Section 4525 through 4529.20 of the Government Code and Section 6106 of the Public Contracts Code. State law specifically prohibits the competitive bidding process from being used in the procurement of such professional services. It should be noted that the process for procuring professional services only prohibits the use of competitive bidding and does not restrict the notification process. Services are typically solicited from firms on the list maintained by the Agency. If local professional service vendors wish to be on the list, and many are, they only need to provide a letter of interest and be qualified to provide the specific professional service to be considered. Many local professional service firms do not solicit work from the County because their code of ethics does not allow them to serve the public entity that regulates their private clients. For example, a local firm could not both provide plan check services to the county and have private clients that submit such plans to the county for checking.

The findings appear to represent a misunderstanding of the responsibilities of various departments and the process of procurement. It is unclear as to what is meant by the statement that PPWA "accounts for the majority of the funds allocated by the Board of Supervisors." PPWA does not have the "biggest" budget but it is responsible for providing services to other departments and for all public works projects. Those projects are expensive but all public works projects in all local governments are the responsibility of the public works agency. That is required by law so the statement that "the idea that one department (it is an "agency") controls so many of the agencies (they are divisions) that deal with the public is a concern to the Grand Jury" runs counter to the requirements of the law. Other than expressing a concern about one agency being responsible for large and expensive projects, even though such projects are done in compliance with the regulations and awarded in a public process by the Board of Supervisors, the report provides no specifics as to what the concern is.

The Conclusions are not correct. PPWA has restrictions on who (and how) it solicits work to be done for the County and they are referenced above. There are restrictions by monetary levels as to how it enters into contracts. They are referenced above. As to the statement that there are no restrictions "as to whether or not the entity contracted to do the work is located within the borders of Glenn County," the conclusion is correct as there cannot be a prohibition about using entities outside the county. There a preference given to local vendors but there is no way to restrict the procurement of services and products to only local vendors as it would violate the law to do so.

The conclusion that there is a lack of oversight by the Board of Supervisors is unfounded as the Board adopts the procurement process that must be followed by county agencies and, when required by those processes, makes the award of such purchases. To imply that this "could have the appearance of favoritism toward certain out of county businesses or companies who are repeatedly awarded contracts" is irresponsible. First, no "certain" businesses are identified to

even allow any response from the county. Second, it is improper to believe that the taxpayer should pay more than five percent over the lowest bid just because the vendor is local. This violates the law and common sense as well as being a gift of public funds, which is not allowed by the California Constitution. The purpose of the purchasing procedures is to get the best price for the taxpayer while assuring quality and an open and competitive process, with special preferences given to selected disadvantaged vendors.

"Too much control and regulatory power has been placed in one department. Therefore, the many activities they oversee are not being conducted in a timely and professional manner."

Since all the discussion in the report refers to the Planning & Public Works Agency, it is assumed that it is the "one department" to which the report is referring. However, no information is provided to back up the statement that "many activities …are not being conducted in a timely and professional manner" so this response will have little specificity as well. The Agency follows the procedures established by the Board of Supervisors, the State of California, and the federal government of the United States. The Agency is regularly audited and no findings of any activities not being conducted in a timely and professional manner have been reported.

"County code books and administrative manuals (sic) ***need to be edited and coordinated so policies do not contradict one another. The various county code manuals are not consistent and give conflicting directions for the same issues. This is especially important in the Planning and Public Works Department*** (sic)***, which plays a major role in the projects that require bids and contracts with the county."***

It is not a situation where the codes and policies contradict one another; it is a situation where different types of purchases are to be handled by different procedures. As referenced above, there are thresholds governing the process based on the amount, based on the type of project and based on the type of service being procured. While it may be useful to try to consolidate the procurement process into one set of rules, the state laws have not been able to accomplish that. The better approach is simply to be sure that the proper process is being used to procure products, projects and services for the County at the best price or level of quality with a five percent increase allowed for local vendors. This will save the taxpayer money while providing an open and competitive process for all vendors who are interested in providing products, projects and services to the County.

In order to clarify the relationships between the various regulations and the procurement process, the following table has been developed:

Action	**Supplies and Equipment**	**Professional Services**	**Public Works Projects (over $15,000)**	**Contracts Required**	**Authority to enter into Contract**	**Bidding Process**
Purchases over $2,000				Bridges only, Public Contracts Code section 20402		
Purchases over $2,500				Personal services only -	Department Head	

Action	Supplies and Equipment	Professional Services	Public Works Projects (over $15,000)	Contracts Required	Authority to enter into Contract	Bidding Process
per fiscal year				Admin Manual section 09.02.01		
Purchases under $6,500 per fiscal year		Title 4 Appendix "A", section V			Department Head	
Purchases between $6,500 and $20,000 per fiscal year		Title 4 Appendix "A", section IV			Department Head	
Purchases under $10,000			Public Contracts Code section 20403		Department Head	No bidding for bridges
Purchases over $10,000 per fiscal year	Co Code 04.030.110				Department Head	
Purchases over $15,000 per fiscal year			Gov Code section 4000		Department Head	
Purchases over $20,000 per fiscal year	Co Code 04.004.040	Title 4 Appendix "A", section III		Supplies – Admin Manual section 09.02.01	Board of Supervisors	
Purchases under $25,000			Public Contracts Code section 20394		Purchasing Agent or BOS	No bidding process required
Purchases under $50,000 per fiscal year adjusted by CPI					Purchasing Agent Gov Code section 25502.3	
Purchases over $125,000 per fiscal year					Board of Supervisors	

"The Grand Jury suggests that Board of Supervisors rescind the new ordinance approved on February 20, 2007, which consolidated the power to award contract without the oversight of the Board."

All the referenced ordinance did was adjust the local code requirements on the dollar amounts triggering selected procurement procedures to match the change in the state laws that govern such procurement. There was no consolidation of power and no changes to the oversight of the Board. Such a suggestion shows the lack of basic understanding of the process of procurement and the process by which the County establishes rules of operation.

Glenn County Sheriff's Office – Sheriff responding – The County policy governing the public bid process and purchasing in general has become very confusing to most of us. It is the consensus of both me and my staff that indeed we need a concise and easily understood purchasing policy.

It would be most beneficial to both County staffers who are responsible for purchasing and the vendors who serve the County to have a straight forward and easily understood set of rules to follow.

The department makes every effort to search for vendors both inside the County and outside our boundaries that can best serve our needs in the most cost efficient way. We make every effort to see that any bid opportunity as well as normal purchase information is made available to as many vendors as possible.

I feel that it is the responsibility of this department to well and wisely spend the people's monies. I look forward to working with the Department of Finance and any other departments in moving forward in this type of project.

Glenn County Board of Supervisors – The Board concurs with all the department responses.

GRAND JURY REVIEW OF RESPONSES – Responses accepted.

Responses to the 2006-2007 Glenn County Grand Jury Final Report

2007 Glenn County General Plan Update

RECOMMENDATIONS –

A. A professional survey company be hired to canvas the county and record the views of the entire population of property owners in Glenn County.
B. An effort be made to include more public input so the final result represents the entire county.
C. Committee members should be encouraged to attend all meetings. New members should be appointed to replace those members who are consistently absent.
D. The website should be updated frequently to present the most current versions of the General Plan.
E. Members of the County Planning Commission should make every effort to attend the General Plan meetings.
F. The Board of Supervisors should make every effort to have a representative attend the General Plan meetings.
G. The CEQA process should be started immediately.
H. The timetable for completion should be revised to more accurately reflect reality.

RESPONSES –

Glenn County Planning and Public Works Agency Director Responding - There are many factual errors in the report. Government Code section 65300 does not require a survey of the citizens and is repeated in it's entirety below:

65300. Each planning agency shall prepare and the legislative body of each county and city shall adopt a comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its boundaries which in the planning agency's judgment bears relation to its planning. Chartered cities shall adopt general plans which contain the mandatory elements specified in Section 65302.

As stated on the Governor's Office of Planning and Research: The OPR *General Plan Guidelines* provide advice on how to write a general plan that expresses a community's long-term vision, fulfills statutory requirements, and contributes to creating a great community. Within that publication there is good information on what needs to be in the general plan, how to create an effective plan and ideas for solutions to issues.

In response to the "Findings" the following comments are provided to update the Grand Jury on progress since March 2007:

The website is easily accessed from the County home page and opens in the "What's New" page where one can see what is going on and click on links to a variety of information. As progress is made and documents are available in draft form they are posted to the website. It is unclear what

"calendar" is being referred to in the findings as there is no calendar at the website. The site does list meeting dates and agendas. Staff has received comments on the interactive nature of the draft general plan and those comments have been positive, so it is unclear what is meant by the statement that the "Website is hard to locate and to navigate."

We provide two ways to view the general plan documents. First is the interactive document that contains the links to referencing materials and correlated sections. The second approach is a document library where sections can be viewed, printed or downloaded as .pdf (portable document format) files for which an Adobe Viewer is free to all.

There was no intention during the early stages of the process to promote direct contact for anyone to the committee members. If persons wish to comment on the efforts of the work group or to provide information there are several ways to accomplish this. One is to attend the open work group meetings. Another is to fill out the General Plan Change request form. Third is to be placed on the notification email list to receive the same notices and information the work group members receive. Fourth is to use the "Contact Us" page in the update website.

It is unclear what is meant by the statement "The emphasis is on zoning rather than on land use" as most of the discussion up to March 2007 was on goals and policies, not zoning or land use. Since then the work group has started developing the preferred land use designation alternative for the plan where the discussion is on land use. Zoning is one of the tools to implement the land use designation and the policies of the General Plan and sometimes used interchangeably with land use designation. Additionally, the CEQA (California Environmental Quality Act) process cannot begin until there are alternatives developed upon which the environmental assessment can be done. The work group is still working on those alternatives and once they are satisfied with their work, the environmental process will begin. An environmental impact report (EIR) is expected to be required for the plan; however, that determination is done as one of the first steps of the CEQA process, not before the Plan has even been developed. The purpose of the EIR is to determine which alternative is environmentally superior and to define how impacts are to be mitigated or if the impact should be overridden by other factors.

There is no requirement to do community surveys. Community surveys for General Plans are usually done to determine issues and values of the community, not what each property owner thinks would maximize their personal wealth. Such a survey would not be useful and would be a waste of the taxpayers' investment in the new General Plan. The process does require several formal notices before the Board of Supervisors takes final action on the Plan. Therefore, it is premature to state that "input is limited" as we are only at the committee stage of development of a draft plan.

The last comprehensive update to the General Plan was completed in 1993, not 1987. The statement that "the foundation of the plan is based on outdated plans" is irresponsible. The validity of the general plan is sound and has not been legally challenged.

Reference to the "1991 Ahwahnee Plan" is in error. First there is no "plan;" it is called the Ahwahnee Principles, named for the hotel at Yosemite where the principles were first developed. Second, these principles were developed separate from the Glenn County General Plan and thus not referred to in the current plan. The work group has been introduced to the Ahwahnee Principles as part of the discussion about different concepts in promoting "smart growth" and sustainable communities. This is because of the state planning principles (Section 65041.1 of the

Government Code) that necessitate their consideration. The Ahwahnee Principles are considered in the profession to be modern, appropriate and valuable in any effort to plan for a community. To label them as "outdated" shows a complete lack of understanding or a level of irresponsible research. As to the statement of "an urban-suburban model" this appears to be some made up phraseology as the term is not a common term in the development of General Plans.

It is not the intent of the operation of the work group to have members of the planning commission attend. This is a work group of a cross-section of the County with representatives from a variety of economic, environmental, social and geographic interests. The Commission has one designated slot on the work group. It has been unfortunate that the Commission members have not be able to attend because they all work during the day; however, they are aware of the work group's efforts as staff keeps them informed and the commission has a statutory role that will be carried out before the plan is recommended to the Board of Supervisors. While it is rare that all 24 members of the work group are in attendance, there is good communication with members and most have attended at least some meetings. Since participation by the groups' the members is voluntary, it is inappropriate to demand their attendance. The goal is to provide the opportunity for participation. The last statement of the Grand jury critique is odd as the work group operates as a facilitated discussion group where visitors are as welcome to participate as designated members. Such participation has resulted in many lively discussions that then lead the group to a consensus as to the proposed plan. Since there will be many future opportunities for participation in the process, such criticism is premature.

The "Conclusion" is not accurate. There is no requirement to submit the plan to the state by June 2007. The original statements about the timing to complete the plan were made by the Agency director to frame the process three years ago at the beginning of the process where it was the goal to complete the update process in three years. Since then there have been changes in the Agency, staffing and responsibilities of the Director. The General Plan Update Advisory Work Group will have the time they need to complete their development of an update to the County General Plan. While staff is hopeful to move the process along, it is more important that the Work Group have all the time they need to formulate the new plan and to support that plan.

"A professional survey company should be hired to canvass the county and record the views of the entire population of property owners in Glenn County."

As stated earlier, there is no requirement to do this as the hearing and notice process provides the opportunities for individual property owners to request changes. Formulating a general plan for the future of Glenn County is not a popularity poll solely based on private property owners' financial speculations. It must be a document that represents the public's interest in the growth and development of the county while addressing statutory and environmental regulations.

"An effort should be made to include more public input so the final result represents the entire county."

More opportunity will be provided for public input as the plan moves through the required process. It was mentioned early in the process that community and interest group presentations would be done once the draft plan is available. Unfortunately, it appears that there was never an inquiry as to the whole process on the part of the Grand Jury, but a conclusion based on observing only a fraction of the process in a few meetings and from that "snapshot" drawing the above recommendation. Many opportunities exist for public input and more will become

available. Formal notice and hearings are required before the Board of Supervisors can act on the updated general plan.

"Committee members should be encouraged to attend all meetings. New members should be appointed to replace those members who are consistently absent."
Members receive notice of all meetings. Alternates are selected by the groups the members represent and are included in the notification of all meetings. The level of participation is good and effective.

"The website should be updated frequently to present the most current versions of the General Plan."
The website is updated as new information and drafts are available. It is a misnomer to call any document "the most current versions of the General Plan" as there can only be one adopted General Plan. A more appropriate statement would be to have the most current version of the draft General Plan. That is what is posted. Additional effort will be put into updating the information and the format of the website to make the information more usable as the document is developed.

"Members of the Planning Commission should make every effort to attend the General Plan meetings."
All of the Planning Commission members can not attend the Work Group meetings without formally designating it as a meeting of the Planning Commission. This would be counterproductive to the efforts of the Work Group to develop the updated plan.
The current portion of the process involves the Work Group. The Planning Commission will have a formal role once the draft is complete. There will be formal public hearings. The Planning Commissioners are updated concerning the draft at their regular meetings by staff.

"The Board of Supervisors should make every effort to have a representative attend the General Plan meetings."
The Board of Supervisors does have representation at the meetings and usually one of those representatives attends. This is the portion of the process for the Work Group's involvement. The Board has a formal role they must complete in the process, which includes formal public hearings and action to adopt the final General Plan at the end of the process.

"The CEQA process should be started immediately."
This is contrary to the law and the CEQA guidelines. Once the "project" has been defined, in other words the draft plan has been developed; the necessary processes will be followed in meeting the requirements of CEQA.

"The timetable for completion should be revised to more accurately reflect reality."
Since the process relies heavily on the participation and effort of the General Plan Update Advisory Work Group and that Group will have all the time it needs to complete their task, such a revised timetable would be good only for a short time. The more important role of the timetable is the sequence of the process rather than obligating the volunteers to adhere to a specific and arbitrary deadline. Any updated timetable would be just as speculative as the original estimate made three years ago. The out of date timetable on the website will be removed.

NOTE: There is no "Chairman, General Plan Advisory Committee." The General Plan Update Advisory Work Group is a facilitated meeting rather than a committee with a chair. However, at their August 22nd regular meeting the group discussed the report and the response from this Agency and concurred with the Agency's responses.

NOTE: The Planning Commission has not been able to place the response to the Grand Jury on its agenda since the report was releases due to the lack of a quorum. At the next regular meeting where they have a quorum, this will be placed on their agenda for discussion and response. That meeting is expected to occur on September 19th. Once the Planning Commission has developed a response, it will be forwarded to you.

Response of the Board of Supervisors – The Board concurs with Planning & Public Works Director's Response.

GRAND JURY REVIEW OF RESPONSES – Response accepted from the above agencies, departments and boards.

Responses to the 2006-2007 Glenn County Grand Jury Final Report

Historical Records Commission

RECOMMENDATIONS –

People who are appointed to the commission must have the time and desire to see projects through to completion.

Members of the general public should comprise the majority of the commission. Community involvement is needed.

If the county is unable to provide the support needed to administer the program, the Supervisors might consider designating an outside agency as administrator.

The Board of Supervisors should consider adding a fee of $1.00 per recorded document each year to provide a base amount allocated to archival support.

The Glenn County Historical Records Commission should take advantage of the assistance offered by both the state and federal governments. The state offers workshops and technical assistance free of charge. Knowledge and resources available from the general public should also be included in archival efforts.

RESPONSES –

County Administrative Office – CAO responding – The County does not have control over volunteer availability, however fully supports more public involvement in maintaining the historical records of the community. The County does have the ability to support the Historical Records Commission, and by designating an outside agency to do such work would put a fiscal bind on the commission. The Clerk agrees with Grand Jury on taking advantage of State/Federal agencies whenever feasible. Such agencies have been used in the past and the Commission will continue to seek information and assistance in the future. The County Clerk-Recorder receives $1.00 per recorded document for record archival and is currently being used for this purpose.

County Clerk Recorder and member of the Glenn County Historical Records Commission (HRC) Unfortunately, the Grand Jury's findings do not reflect or report on the difficult and overwhelming task which members of this commission have faced over the last five years. With no funding and only headstrong perseverance and persistence, the Commission members have accomplished many major steps forward in the preservation of this county's neglected historical documents. Rather than being admonished for what they didn't get done, I would have expected a compliment or two in the findings recognizing the work that has been accomplished.

One recommendation that I find surprisingly missing from the Grand Jury Report is that of storage and workplace. While touched on briefly in their findings, it is of the utmost importance

that a secured storage site be found for the documents that have been designated historical in nature. Also the inability of the HRC to acquire a dedicated worksite will continue to slow down any progress. The Grand Jury's recommendations are a fine start but without protection, the documents will continue to deteriorate and without a worksite the HRC cannot efficiently process the many documents yet to look at for historical significance.

I would agree in concept that people who are appointed to the commission must have the time and desire to see projects through to completion. I do believe that all who are presently members of the HRC certainly have the desire, but as with all people, have to take time away from other aspects of their lives to serve. No one who has witnessed the work that has been done in the past can doubt the members' determination and devotion to the cause of preservation. But in a commission made up of citizens who are volunteering their personal time and County employees who are being allowed to set aside some their normal duties to help, it is a bit naïve to not expect projects to go on for a long time and in most cases go well past the tenure of certain members.

I agree with the recommendation that members of the public should comprise the majority of the commission and community involvement is needed though I do take issue with the Grand Jury's findings that there is an unwillingness to go outside the immediate group for help or information. Nothing could be further from the truth.

Concerning the supervisors designating an outside agency as administrator the clerk recorder said, "I agree and support this recommendation. I would recommend that the County/City library system get involved. The Librarians' expertise would be a great asset to the HRC, allowing both cities, Orland and Willows, to be formally represented with the County HRC."

About the recommendation that the supervisors should consider adding a free of $1.00 per recorded document each year to provide a base amount allocated to archival support, the clerk recorder advised, "Unfortunately, their information regarding the availability of funding within the recording process is incorrect. Current statute authorizes the County Recorder to collect fees at the time documents are recorded. Government Code Section 27361.4 authorizes the collection of $1.00 for every recorded document to defray the cost of converting the county recorder's document storage system to micrographics. In addition, Government Code Section 27361(c) authorizes the collection of $1.00 for the first page and $1.00 for each additional page of recorded documents to support, maintain, improve and provide for the full operation for modernized creation, retention and retrieval of information. These funds are currently utilized to replace worn out equipment, upgrade software and preserve the Recorder's records.

It should be noted that these funds were also used to preserve the original Glenn County Map of 1891 that was discovered by the HRC.

I agree that Glenn County needs to find funding for this preservation effort. Even a small budget of several thousand dollars would allow for the travel and research that would be necessary to implement the Grand Jury's recommendation that the HRC take advantage of assistance offered by both state and federal governments. The HRC's efforts to this point were to wade through the mountain of documents that were in storage in various locations, catalog what was there, decide on historical relevance and store those documents which were decided to be historical in nature and dispose of the balance. With the amount of this work done, archival efforts are the next step thus the recommendation # 5 is especially pertinent and timely.

Historical Records Commission Chairman - Response to recommendation 1. Each one of the members is truly dedicated and has a strong desire to see that the project is completed. However, because of other obligations, it is sometimes difficult to work on the project full time. It is unfortunate that the many hours spent and the brainstorming efforts of Commission members have not been recognized, and/or appreciated. All Members are very committed, and make every effort to donate their time and efforts towards the safeguarding of county records, not only as their duty as a member, but as interested citizens as well.

Response to recommendation 2 - The Board of Supervisors appoints its members pursuant to Government Code Section 26490 and Resolution 85-71.

Response to recommendation 3 - The above statement is unclear. However, the commission is under the jurisdiction of the Board of Supervisors. Again, refer to
Government Code Section 26480.

Response to recommendation 4 – The County Clerk-Recorder currently collects the $1.00 fee according to Government Code Section 27361.4. The Board of Supervisors does not have the legal authority create and impose and additional $1.00 fee on the public.

Response to recommendation 5 – When offered, the commission welcomes any assistance, knowledge and resources from the general public.

Response of the Glenn County Board of Supervisors – The Board concurs with all responses.

GRAND JURY REVIEW OF RESPONSES – Responses accepted.

Responses to the 2006-2007 Glenn County Grand Jury Final Report

Orland Sand and Gravel

RECOMMENDATIONS:

The Grand Jury recommends the Glenn County Planning Department establish consistent guidelines to accurately assess financial assurances.

The Grand Jury recommends that a formula be established to determine the amount of penalties assessed for non-compliance with SMARA.

The Grand Jury recommends that any and all notices and agendas which require that the recipient respond or appear in person be sent via registered mail.

The Grand Jury recommends a formal complaint procedure be established to include written documentation of the complaining party, the party against whom the complaint is lodged, and the nature of the complaint.

The Grand Jury recommends the Glenn County Planning Department develop processes that allow the conduct of business in a fair and impartial manner.

RESPONSES:

The Glenn County Planning and Public Works Agency – Director responding -

Some corrections to the Background statements are necessary before any response can be made.

SMARA does not require the site "be returned as close as possible to its conditions as it was before rock extraction was done." Section 2733 of the Public Resources Code states:

2733. "Reclamation" means the combined process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and create no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization, or other measures.

The key phase in the definition is "…reclaimed to a usable condition…" not returned to its original condition.

While Orland Sand and Gravel currently has a $5,000 Certificate of Deposit, it has not been adjusted annually to account for increased costs for fuel, equipment, and supplies necessary to

reclaim the property. Additionally, the operation has changed and additional land has been disturbed, which has not been accounted for and covered under a financial assurance.

The County did not contend that a new reclamation plan was required because of a new owner. The issue was that the operation was changed in a manner inconsistent with the reclamation plan and the operator needed up amend the reclamation plan to reflect that change of operation. Additionally, the State Department of Conservation, Office of Mine Reclamation informed the County that the processing site of the operation was erroneously exempted from reclamation and that the situation should be corrected.

Notices of the hearings before the planning commission typically were sent both by certified mail and regular mail. Only the certified mailings were returned to the County as not accepted by the addressee. The law only requires notification of violations and penalties to be served either by personal service or certified mail service (§2774.1 of the Public Resources Code). The public hearing was noticed by mail to the operator and in a paper of general circulation as is required for a public hearing of any nature.

While the amount of the financial assurances was increased as stated, the reason for that increase was not provide by the report. Either the report is bias against the county or failed to provide a complete picture of the situation. The increase was based on the staff's attempt to update the estimate for the cost of reclaiming the site as modified by the change in operation by Orland Sand and Gravel. This process was extremely difficult given that the operator refused to update the reclamation plan that is the basis of calculating a financial assurance. In the end, Staff concluded that an adequate and reasonable amount would be impossible to calculate until other issues were resolved.

While there has been variations in how financial assurances have been calculated over the past 20 years or so, the current process has been consistent. Yes, the estimates "are usually higher than what is customary in Glenn County" because the financial assurance is to provide funds for the County to accomplish the reclamation plan if the owner fails to do so and the County must pay prevailing wages to the contractor, just like Caltrans has to do for public projects. The variance of costs from site to site has more to do with what the reclamation plan proposes than any other factor. Some reclamation plans propose more expensive solutions than others and some site require more expensive reclamation plans than others. Staff has been working with mine operators in the County to update their financial assurances. At present approximately one half of the mines in the County have submitted new estimates for financial assurances, have gone through the requisite review process by the State, and have or will have the financial assurance bond in place.

It is puzzling why the identity of the original complainant is so important to the Grand Jury. The key issue is that staff investigated the compliant and verified its validity. That is the process in all complaints as we often receive complaints about activities that are not about a violation of a county code but sometimes reflect a property dispute or a neighbor dispute.

There are specific guidelines for determining the amount of financial assurance. It is the reclamation plans stated method of reclamation that largely dictates the total cost of reclamation. The mine operator has the choice of getting an estimate on their own or using the Caltrans rates either of which has to be evaluated to assure that the taxpayer will not be on the hook for the costs of reclamation. Any value used by an operator or consultant to calculate a financial

assurance must be referenced. This means using an accepted cost index or receiving a quote for services, which meets State guidelines, from a third party.

The assessment of penalties for non-compliance with SMARA is not arbitrary as the staff report to the planning commission shows. There are criteria in the law that must be considered in levying a penalty for non-compliance.

The intent of the enforcement process is not to make it too formal or difficult for persons to make complaints. Any complaint is first investigated by staff to make sure it is a valid complaint before any action is taken toward enforcement.

"The Grand Jury recommends the Glenn County Planning Department establish consistent guidelines to accurately assess financial assurances."

Such guidelines exist and can be found in County Code section 15.810.160 B 5.

"The Grand Jury recommends that a formula be established to determine the amount of penalties assessed for non-compliance with SMARA."

SMARA already provides criteria for establishing penalties. The difficulty of establishing a "formula" for such penalties would be a useless waste of taxpayer monies as the County has only had to establish two such penalties in the 25 years of managing SMARA and both of those are to the subject of this complaint. The criteria in the law are adequate to protect the public interest and provide due process for potential violators.

"The Grand Jury recommends that any and all notices and agendas which require that a recipient respond or appear in person be sent via registered mail."

Since the issue is more the refusal to accept the notice by the person to whom the notice is addressed, sending it by the more expensive registered mail process will not assure acceptance by the person to whom the notice is addressed; it will just cost the taxpayer more. The current process of sending the letter by both regular mail and certified mail with return receipt is adequate for notices as required by law.

"The Grand Jury recommends a formal complaint procedure be established to include written documentation of the complaining party against whom the complaint is lodged, and the nature of the complaint."

This would make the likelihood of persons filing complaints diminish which would result in more frequent violation of county codes. The process having staff independently verify the violation is adequate to protect the public interest and provide due process to the alleged violator.

"The Grand Jury recommends the Glenn County Planning Department develop processes that allows (sic) ***the conduct of business in a fair and impartial manner."***

Such a process is already in place. It is addressed in SMARA, county code, and the U.S. Constitution.

Response of the Glenn County Board of Supervisors – The Board concurs with the Planning and Public Works Director's response and would add that all applicable laws have been an will

be adhered to during the process of getting the complainant to comply with the SMARA regulations.

GRAND JURY REVIEW OF RESPONSES – Responses accepted.

Responses to the 2006-2007 Glenn County Grand Jury Final Report

Department of Finance

RECOMMENDATIONS:

It is recommended by the 2006/2007 Grand Jury that the Glenn County Board of Supervisors and the Department of Finance work together to formulate reasonable, yet tighter limits on the amount of money spent on each request for payment of meals, hotels, and/or conferences, wherever possible.

It is recommended that the availability and use of credit cards be reduced, and restricted to expenses with prior approval on an individual basis where the standard purchase order system will not work.

RESPONSES:

Director of Finance responding – The current limits on travel expenditures comply with the Internal Revenue Service requirements for an "accountable plan" and are reasonable. Changes to the current situation would require increased workloads on the part of both the Department of Finance and other County departments that would cost more than any minor savings envisioned. Further, the number of instances of abuse noted since the current process was adopted is minimal and corrective action has always insured the County does not incur unnecessary expense.

We disagree (second recommendation). The County's credit card program has saved untold thousands of dollars in time and efficiency savings. Requiring prior approval of purchases would undermine each purchasing officer's Board-Approved authority and add another layer of bureaucracy to the process. Additionally, the County does not have a "standard purchase order system." Further, purchasing by credit card eliminates the need for individual claim preparation and the attendant delay in payment to our vendors. Finally, the County receives rebates, albeit minimal, for our participation in the Cal-Card credit card program.

Response of the Board of Supervisors – The Board concurs with the Director of Finance's response.

GRAND JURY REVIEW OF RESPONSES – Responses accepted.

Responses to the 2006-2007 Glenn County Grand Jury Final Report

Mental Health Department: Emergency Psychiatric Evaluations

RECOMMENDATIONS:

All departments and staff having interaction with persons who could possibly be mentally unstable should be familiar with the MOU between the hospital and Mental Health.

All departments and staff having interaction with persons who could be mentally unstable should also be familiar with, and adhere to, the procedures in section 55150 of the Welfare and Institutions Codes.

Back-up psychiatric coverage should be available when a contracted psychiatric physician is not available.

The 2007 -2008 Glenn County Grand Jury should monitor the progress made by these departments.

RESPONSES:

Glenn County Mental Health Director – As the Mental Health Director, please allow me to clarify that the Glenn County Jail has a contract with Glenn Medical Center to receive medical and mental health care. Glenn County Mental Health staff members have and will continue to respond to the jail staff to provide intervention during an inmate's extreme mental health crisis. The Mental Health Department does not have a contract with Glenn Medical Center to provide "back-up" services when Glenn Medical Center is unable to respond.

The Mental Health staff members have not refused to go to the jail. On one occasion, in January 2007, the After Hours Crisis worker was called by jail staff and the request was made for the Worker to stand-by and prepare to go to the jail, if needed. The Worker waited and then called jail staff back to clarify that the Worker was available to go to the jail. The Worker was told by the Jail staff that his service was not needed.

On rare occasion, an inmate with a serious criminal charge may require mental health care. In these cases, the inmate must be transported and accompanied to any evaluation or future treatment by an Officer. When the Officer transports an inmate to Glenn Medical Center, a Glenn County Mental Health worker provides a mental health assessment after the inmate receives medical clearance. Placement in a mental health facility requires medical clearance. The inmate is returned to the jail to await transportation to a facility. Waiting inside the jail provides safe-keeping for the inmate and reduces the number of patients at Glenn Medical Center. All placements frequently take a very long time (a period of hours, due to limited bed

availability). Placement of an inmate is often even more time-consuming. Few facilities will accept an inmate even though an officer must accompany them at the facility.

The Mental Health Director initiated monthly meetings in June 2005. Those present included representatives from Glenn County Mental Health, After-Hours Crisis Contractor, Willows Police, Orland Police, Sheriff's Department, Jail Staff, Highway Patrol and Glenn Medical Center. The purpose of the meetings was to examine the needs and concerns of all these community partners, while planning how we can best care for and provide services to persons with mental health needs.

With a great deal of time, effort and responsibility , these partners drafted a new MOU. The focus is to cooperate, for the best interests of the clients, while utilizing the most appropriate services of the partners. Every effort is made to assure that all partners actively perform their duties in a joint effort to avoid harm to persons with mental health needs in our communities. This MOU was signed on February 1, 2006. It remains active today. (See Attachment A)

On February 9, 2007, following an event at the jail which ended in an inmate's serious physical harm, the group convened. In response to an apparent increase in the number of inmates with serious mental health care needs, we agreed to review our protocols. Discussion included the various requirements of 5150 and 4011.6 Holds for psychiatric evaluation. We made a thorough review of Title 15, as it relates to Inmates and their care. We reviewed the contract between Glenn Medical Center and the Jail. The MOU was found to be clear and appropriate and continues to serve us well.

A doctor provides contracted psychiatric services to the two entities, Glenn Medical Center and the Glenn County Mental Health Department. In compliance with Title 15, the doctor and Glenn Medical Center Administrators prepared a clear protocol designed so that inmates in danger of harming themselves or others can receive medication. The purpose is to minimize the likelihood of an inmate being hurt or causing serious harm to another person. The protocol has been followed, and I have knowledge that the protocol has already averted one potentially dangerous situation.

The Mental Health Director has and continues to attend numerous workshops, trainings and conferences focusing on the statewide problem of inmates in need of mental health care. This is not just a Glenn County problem, but a wide-spread concern throughout the state.

The Health Services Agency Director has agreed to assist members of the Glenn Medical Center and members of the jail administration in updating the contract between these two entities.

Memorandum of Understanding

Between the following:
California Highway Patrol
Glenn County Mental Health
Glenn Medical Center
Glenn County Sheriff's Department

Orland Police Department
Sierra Family Services
Willows Police Department

PURPOSE:

To establish coordinated interagency protocols for the assessment and treatment of persons with mental illness.

GENERAL PROVISIONS:

1. In affixing a signature to this memorandum of understanding, the parties agree to follow the protocols as described in Attachment "A". Each agency will be responsible for ensuring that its employees receive training regarding the protocols.
2. Each agency agrees to participate in periodic meetings to discuss any concerns or problem areas that may arise during the implementation of these protocols.
3. This agreement may be amended by written agreement of all parties to the memorandum. No alteration of the terms herein shall be valid unless made in writing and signed by the parties hereto, and no oral understanding or agreement not incorporated herein shall be binding on any party hereto. Changes to Attachment A will be in force when the affected parties agree to the changes in writing and the revised Attachment A is distributed to all parties to this agreement.
4. The effective date of this agreement shall be February 1, 2006.
5. Any of the parties may terminate this MOU on thirty (30) days written notification.
6. Each party to the MOU is responsible for own acts and will not indemnify the acts of the other parties.

IN WITNESS WHEREOF, this Memorandum of Understanding as of the date signed:
(Signatures are on file copy)

Glenn County Department of Health Services by name and title
Glenn Medical Center by name and title
Willows Police Department by name and title
Orland Police Department by name and title
Glenn County Sheriff's Department by name and title
California Highway Patrol by name and title
Glenn County Counsel by name and title

ATTACHMENT A

Interagency Memorandum of Understanding
Mental Health Assessment of 5150 Candidate

The following document is based upon these key principles:

* Compassionate concern for the welfare of persons with mental illness.
* Least restrictive environment for the consumer that is appropriate for the circumstances.
* Safety of staff involved in the assessment process.

* Efficient used of staff time so duplication of effort does not occur. Law enforcement personnel are released back to the street as soon as possible.
* Public safety is maintained.
* Medical issues are seen as a high priority for attention.
* Agencies acknowledge that cooperation with each other allows the detained individual to receive the most humane care.
* Quarterly meetings will be held to assess and problem-solve issues that may arise regarding these protocols. Planning for joint training will be addressed at these meetings.
* All standard practices in regard to confidentiality will be maintained.
* Title 22 (emergency rooms) (W&I 4080 – Psychiatric health facilities, page 233 of 2004 edition of CDMH Laws and Regulations) and law enforcement agencies are the only agencies legally allowed to restrain a citizen under a detention.

Need for medical clearance is defined as being when an individual:

- Is to be placed into any psychiatric health facility (PHF) as required by law.
- Has an obvious injury;
- Is suspected of ingesting a harmful substance;
- Is under the influence of a controlled or illegal substance or alcohol to the degree that the individual could be arrested for same (PC 647f);
- Appears to be experiencing a medical reaction. For example: shortness of breath, dizziness, fainting, seizure, bleeding, etc.
- Is displaying overt psychotic symptoms and is unable to communicate clearly:
- Is clearly uncooperative, combative or expressing explosive anger, and/or
- Is in need of a 5150 (PC 4011.6) assessment, if in custody.

A voluntary individual is a person not under arrest, however by law requires medical clearance prior to placement into any psychiatric health facility (PHF).
During mental health clinic working hours, the voluntary individual will receive evaluation and assistance from mental health staff. After hours, the individual will call the mental health clinic and be directed to call a toll-free phone number which will connect them with the after-hours response service. If it is determined that there is a need, the after hours on-duty worker will respond. In the event that the officer has the first contact with the individual, the officer may elect to transport to Glenn Medical Center (GMC) without writing a 5150 hold, and an after-hours worker will go to GMC.

Once the citizen is at the GMC and **the individual is determined by GMC staff not to be a safety risk, law enforcement is free to leave.** The on-duty mental health worker will evaluate, place the individual on 5150 if required, arrange a placement in the least restrictive setting, and arrange for transportation.

A non-voluntary individual is a person who is suspected of experiencing emotional distress and is not requesting mental health assistance. This individual will be taken directly to a Title 22 facility (emergency room) day or night.

When an individual is under arrest/in custody, the officer will initiate 4011.6.Only an officer can write this hold, however, assistance is available from a mental health worker.

Law enforcement will inform the emergency room en route, and may also call mental health staff en route. Law enforcement is responsible for completing the 5150 paperwork. Emergency room staff will call mental health staff if law enforcement has not already made the call. Mental health staff will return all calls for request of service within ten (10) minutes. **Once safety has been established law enforcement is free to leave.** Mental health staff will arrive at the emergency room with 45 minute of the telephone contact. GMC staff or the officer may elect to contact on-duty mental health staff and inform them to await medical clearance prior to assessing for 5150 status (due to medical or under-the-influence issues); this will be determined on a case-by-case basis. Mental health staff will obtain a placement and transportation for the individual. Mental health staff will remain with the individual until the individual leaves the emergency room for transport to the placement or diversion location.

When law enforcement brings and individual to a Title 22 facility (emergency room) custody remains with the law enforcement officer until the detention passes to the authority of the emergency room staff. The detained individual will be admitted to the emergency room for assessment and medical clearance, if necessary. In the event the individual has a serious medical issue and the detainee is admitted to a medical facility and not placed on a 5150, the individual is then a patient of the medical facility. Prior to discharge, if medical facility staff request a 5150 assessment, mental health staff will respond and provide the service at that time.

If an individual is on 5150 hold and is admitted to a medical facility, that 5150 will be reevaluated every 24-hours (minimally) by mental health staff until medical clearance is given.

Although the mental health department has the responsibility of locating a psychiatric hospital bed for the detainee, staff from local hospitals are welcome to participate with the mental health department in this process. Emergency room doctors generally will be required to speak to the admitting physician in order to facilitate transfer; often a “doctor-to-doctor” conversation can help to expedite transfer to the new facility. Mental health staff will work collaboratively with all parties to facilitate this process.

While in the emergency room, mental health workers will function collaboratively with the ER staff so that the 5150 process does not interfere with other events and routines that normally occur. The mental health worker will communicate with the supervisory staff about plans and needs so that arrangements can be made with a minimum of inconvenience and disruption to the medical facility.

Glenn County Sheriff response – We continue to work with Glenn Medical Center and Glenn County Mental Health in order to establish up to the minute protocols for treating inmates in need of both physical and mental health care. The agreement between Glenn Medical and Glenn County Mental Health has progressed very well. Our protocols within the jail itself are continually evolving in order to assure that every inmate needing any type of health care will receive all needed assistance. All complaints of failure to see inmates on sick call will be investigated.

Glenn Medical Center response – Hospital administrator responding – Glenn Medical Center initiated quarterly informal meetings with representatives of the hospital, jail, juvenile hall, and county health department. Issues pertinent to the jail contract and provisions of care to inmates are discussed at these meetings and change implemented as needed.

The psychiatrist providing services to the jail and juvenile hall is a contract physician providing 24 hour, 7 day per week services via on site and call service. When he is unavailable, the jail, juvenile hall and the hospital will all have prior notice and a physician scheduled to act in behalf of the contract psychiatrist.

Finally, the Glenn County Health Director and the Glenn Medical Center Administrator will convene discussions with the Glenn County Administrative Officer to discuss mental health services in greater detail.

Glenn County Administrative Officer response – The County and Glenn Medical Center do have quarterly Joint Management meetings to discuss medical services provided to the Jail and Juvenile hall. These meetings have expanded to include the Glenn County Human Resource Agency, so that all aspects of interaction could be discussed and all participants could better understand each others obligations and roles in providing medical services to both facilities.

Glenn County Board of Supervisors responding – The Board concurs with Department responses and would add that the current contract for the Jail and Juvenile hall medical services requires contractor to provide their own backup.

GRAND JURY REVIEW OF RESPONSES – Responses accepted

Responses to the 2006-2007 Glenn County Grand Jury Final Report

Mosquito Abatement Program

RECOMMENDATIONS:

The Board of Supervisors and the city councils/service districts of each city involved should work with the director of the Glenn County Health Department to implement this program as quickly as possible.

RESPONSES:

City of Orland – Mayor responding – The issue of providing mosquito abatement and control was addressed through a presentation to the Orland City Council by the Glenn County Health Department Director. A request was made that the City of Orland agree to be included in the Glenn County mosquito abatement program, which request was accepted by the Orland City Council. A resolution of the City Council of the City of Orland, requesting the inclusion of the City of Orland within the Glenn County Mosquito Abatement Program was passed, subject to a successful outcome from a property owner assessment ballot proceeding for a benefit assessment that would provide funding for
County of Glenn's mosquito and disease control services in the City. That balloting procedure is concluded, and the program has been approved. Accordingly, the City of Orland will participate with the County of Glenn Health Department in implementing this program.

City of Willows – Mayor responding – With regards to the Mosquito Abatement Program, the City agrees with the report and provides the following comments:

1. That funding of the program should be monitored closely and funding expanded by any opportunities provided.

2. The lead agency should work closely with all agencies in Glenn County and provide adequate publicity about the program, its goals and objectives. The goals and objectives should be published regularly to create public awareness of those goals and accomplishments.

3. The lead agency continue its good work to control the mosquito abatement program by attempting to provide more mosquito fish and direct the management to coordinate action with all agencies and combined effort, thus providing benefit to all citizens of Glenn County.

Glenn County Health Services Agency – Director responding – (response not required by 2006-2007 Grand Jury – provided anyway – written 8/20/2007) The Health Services Agency appreciates the conclusions of the Grand Jury as to the process that the Glenn County Health

Agency has adhered to in the development of the proposed Glenn County Valley-Wide Mosquito Abatement District. This district has been formed as a county program within the Health Services Agency to control mosquito-borne disease.

The property owners on the valley floor of Glenn County has approved assessing themselves the single family unit equivalent of $21 annually for a regular mosquito abatement program. The Board of Supervisors ordered the levy of the assessment on July 31, 2007, and this revenue will be realized for the 2008 mosquito season. In the meantime, the Health Services Agency provides abatement services using emergency funding from the state, county and City of Orland. Even with limited funding, fogging has been completed on a regular schedule, which includes fogging in Orland, Capay and around Hamilton City on each Tuesday, and Ord Bend, Butte City, Artois and Bayliss areas on each Wednesday or Friday.

The Glenn County Health Services Agency continues to work with the Board of Supervisors, the Orland City Council and the Hamilton City Community Services District in order to implement the new county program as efficiently and quickly as possible. Work is being done to develop a service plan for the 2008 season, equipment procurement is underway, a first ever survey of all breeding sources is underway, and work is being undertaken to locate mosquito fish services in both Orland and Hamilton City. Extensive work continues to transition Hamilton City from the Butte County Mosquito and Vector Control District to the new Glenn County Valley-Wide Mosquito Abatement District.

Glenn County Board of Supervisors – The Board concurs with the Health Services Agency Director's response.

GRAND JURY REVIEW OF RESPONSES – Responses accepted.

Responses to the 2006-2007 Glenn County Grand Jury Final Report

Abandoned Vehicles

RECOMMENDATIONS:

The Board of Supervisors should implement a program to deal with abandoned vehicles within Glenn County. The Abandoned Vehicle Abatement Program, a state program run by the California Highway Patrol, allows the county to add a $1.00 registration fee on all cars as they are registered in the county. The Abandoned Vehicle Abatement Program provides funds to county administrators for the removal of abandoned vehicles as public nuisances.

Glenn County Planning And Public Works Agency Director responding - Several corrections are needed to frame the following response. The California Highway Patrol does not run the local Abandoned Vehicle Abatement Program. That is run by the Abandoned Vehicle Authority as provide in state law (section 22710 of the California Vehicle Code.) That Authority has a Board of Directors, which are the Sheriff and the Chiefs of Police for both Cities. The Board of Supervisors, along with the Cities, established a joint powers agreement in July 2003 to deal with abandoned vehicles under the California Vehicle Code mentioned above. The $1.00 per registration fee has been in effect in Glenn County since February 2004.

The wrong reference is included in the report. It is "chapter" 15 of Title 1 of the County Code, not "Title" 15, which is used to enforce codes. Title 15 is the Uniform Development Code, which has little to do with abandoned vehicles. Chapter 15 of Title 1 is titled "Abatement of Violations and Nuisances" and can be used by all departments in the enforcement of County codes (see section 01.014.010). Chapter 20 of Title11 of the County Code covers "Abandoned and Inoperable Vehicles" and is enforced by the Sheriff (see section 11.020.050).

"The Board of Supervisors should implement a program to deal with abandoned vehicles within Glenn County. The Abandoned Vehicle Abatement Program, a state program run by the California Highway Patrol, allows the county to add a $1.00 registration fee on all cars as they are registered in the county. The Abandoned Vehicle Abatement Program provides funds to county administrators for the removal of abandoned vehicles as public nuisances."

Such a program was created in July of 2003 and the fee has been in effect since February 2004. The program is overseen by the Abandoned Vehicle Authority with the Chiefs of Police from each city and the Sheriff acting as the Authority's governing body. If the Board of Supervisors desires to change the current process and authorities for the abatement of abandoned vehicles, including providing the necessary funding, for the code enforcement program of the Planning & Public Works Agency, the Agency could be able to assist the Sheriff in the removal of abandoned vehicles from private property.

Glenn County Sheriff's response - The program referenced in the report citing a state program run by the California Highway Patrol and allowing a surcharge of $1.00 added to the vehicle registration fees is in place in Glenn County. A Joint Powers Agreement was ratified in 2003.

This program, while fairly small in size, has managed to do a great deal of cleanup throughout the County. The coordination and tracking of statistics for this program is carried out by the Planning and Public Works Agency.

The County Code regulating abandoned vehicles in the County is separate from this program. The surcharge on vehicle registration does not fund this program. While a good program in concept, I find it impossible to staff it. The Board of Supervisors, the Planning and Public Works Agency, and the Sheriff's Office need to meet and confer on this matter in order to create a long term program for code enforcement. Until we as a County have adequate staffing and funding this program will not be a complete success.

Glenn County Board of Supervisors' response – The Board concurs with all responses.

GRAND JURY REVIEW OF RESPONSES – Responses accepted. However the present grand jury feels the efforts of the enforcement officer should be encouraged and rewarded. Efforts to remove both urban and rural blight should be continued.

Responses to the 2006-2007 Glenn County Grand Jury Final Report

Animal Control Services

RECOMMENDATIONS:

It is recommended that Animal Control Services consider the purchase of chip scanners for trucks to facilitate locating owners of stray dogs.

Insist that rabies testing be done in a timely manner.

Do unannounced inspections of impound facilities.

RESPONSES:

Glenn County Sheriff/Animal Control – Sheriff reporting – I am pleased to report that the evolution of consolidating the Animal Control Department under the umbrella of the Sheriff's Office can be viewed as progressing successfully. With the cooperation of th Assistant Animal Control Officer we have steadily merged the two departments.

With addition of one additional staff member to "work the street" the new Animal Control Unit of the Sheriff's Department has been able to respond in a more timely manner to calls for service and with increased efficiency fulfill our contracts with both cities. All officers in the unit are currently (8/26/07) attending County Service Officer training and will return with a broader scope of knowledge to assist them in their duties. With this additional training our officers will have the ability to place added emphasis on animal abuse and more in-depth investigation of crimes surrounding animals.

I feel sure that in the future we will have the ability to work in closer conjunction with all veterinaries in the county as well as the Health Department in carrying out the rabies control requirements of the department. The testing of possible rabid animals has always been a top priority and will continue to be so. All suspected specimens are delivered for testing as soon as possible; however, outside laboratories are hard to control. Please be assured that this aspect of the department is considered to be essential to public safety.

We have purchased chip scanners for all of the animal control vehicles. This added service will, hopefully, be a valuable tool in reuniting lost pets with their owners. In addition we have provided our patrol staff with capture/control poles in order to safely and humanely handle animals in the field. With training provided by veteran animal control officers our patrol deputies are becoming comfortable in handling many after-hours animal calls.

While visual inspections are done each time an impounded facility is visited, we will institute a formal tracking system of inspections in order to have a permanent record of conditions existing at all impound facilities.

Glenn County Board of Supervisor's response – The Board concurs with the Sheriff/Animal Control Officers response.

GRAND JURY REVIEW OF RESPONSES – Responses accepted.

Responses to the 2006-2007 Glenn County Grand Jury Final Report

Fire Districts

REOMMENDATIONS:

The fire districts should be considered for funding when and if revenue becomes available.

RESPONSES:

Glenn County Fire Chief's Association President responding –In response to the report the following information is submitted.

Conclusions:

"Golden State Risk Management provides all 13 districts with the insurance and training that is required by the state. An ongoing training program has been developed to assist the district in meeting the state training requirement**."**

This statement is not entirely correct. Golden State Risk Management does provide online training for member districts. However, the bulk of the firefighter training is provided by the fire districts, and other training providers."

"Colusa County contributes $60,000 annually to its 6 districts. Del Norte County allocates from .182 to 1.715 percent of its property tax income to the districts. The other counties do not provide any funds."

It should be noted that the $60,000 provided by Colusa County to its fire districts is a portion of the annual revenue received from the sales tax increase made possible by the passage of a statewide proposition in the early 1990s. Glenn County Fire Districts have not similarly benefited from this funding source. That then poses the question, why not?

We concur with the recommendations of this report.

Glenn County Board of Supervisors responding – The Board fully understands the financial situations and will provide assistance when and where possible within the fiscal restriction of the county. The independent fire districts do have a mechanism to raise additional revenues for operations.

GRAND JURY REVIEW OF RESPONSES – Responses accepted.

Responses to the 2006-2007 Glenn County Grand Jury Final Report

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Glenn County Jail

RECOMMENDATIONS:

Replace the boiler, sally port door and kitchen air conditioning as soon as possible.

Plan for expansion.

Mental health providers should respond in a timely manner. The contract conditions with Glenn Medical Center need to be enforced.

Due to the outlawing of strip searches, a metal detector for the booking area should be purchased as soon as possible.

The power poles need to be moved or a barricade built.

Efforts should be made to collect sufficient per diem charges.

Higher pay for all staff may help with the retention of trained staff.

A long-range plan for a public safety complex should be considered.

RESPONSES:

Glenn County Sheriff responding – The report addresses many concerns and problems faced by the facility. The need for expansion is great and will not disappear in the future. Of course funding remains as the main stumbling block in this area. There is a need for a feasibility study to be completed and a master plan for a public safety complex to be set in place.

In regards to the recommendation that the boiler, sally port door, and the kitchen air conditioner all be addressed – all items were included in our 2007-2008 budget request made to the Board. Due to the financial shortfall faced by the County only the boiler replacement project was funded. If there is any type of failure to the others emergency funding will have to be found.

The recommendation for the purchase of a metal detector was also in the budget request and it as well could not be funded. Alternative revenue sources are being explored for the purchase of this item.

We continue to work with Glenn Medical Center and County Mental Health in order to establish up to the minute protocols for treating inmates in need of both physical and mental health care. The agreement between Glenn Medical Center and Glenn County Mental Health has progressed very well. Our protocols within the jail itself are continually evolving in order to assure that

every inmate needing any type of health care will receive all needed assistance. All complaints of failure to see inmates on sick call will be investigated.

The power pole located in the alleyway between the courthouse and the jail continues to be of concern. However, as noted in last year's report, this item remains in the overall plan in Court/County conversion of housing the Superior Court in the Court House and the County offices in Memorial Hall and is not under my control.

The collection of per diem fees is a complex issue and begins with a Court Order issued by the judge. The ordering of such payments can be done only after the Judge has made an inquiry into the financial ability of the inmate to pay – much in the same way as done when assigning a public defender. The fees are often collected by Probation. However, the collection of fees follows a strict disbursement plan dictated by law. Many times payment of County fees is at the bottom of this plan. The revenue source will be monitored in an effect to determine if a more aggressive collection plan can be instituted. However, this process may be impacted by staffing levels in the Probation Department.

As ever, salaries and benefits in Glenn County fall behind those of surrounding Counties. The Board of Supervisors and its bargaining committee address such issues on a regular basis when the various Memorandums of Understanding re-open for negotiations. While higher pay may result in a better retention rate for trained staff this issue is handled at the Board of Supervisors level.

Glenn County Planning and Public Works Agency (Buildings and Grounds) Director responding - The Glenn County Buildings and Grounds has not existed for several years. The correct name of the entity responsible for county facilities as presented in the findings and conclusions is the Facilities Division of the Planning & Public Works Agency. Last year's Grand Jury mentioned similar issues and the response was accepted by this Grand Jury.

This new response deals only with Recommendation #5 that seems to be an issue for which this Agency has responsibilities and authority.

"The power poles need to be moved, or a barricade built."

As mentioned in the response to the 2005-2006 Grand Jury, it was stated that "The Agency is working with the courts and the State along with the Sheriff to develop a solution to the issue (Glenn County Jail). It is hoped that agreement can be reached and solutions implemented in the next two to five years." It has been less than a year since that response was written and the effort to secure agreement from the State and the courts is nearing completion. Once that agreement is signed and funding is accessed, design work will begin with construction following the bidding process. It is likely to still be one more year to 4 more years before solutions can be implemented.

Glenn County Finance Department – Director responding – Per diem charges can only be collected when ordered by the court. We are seeing minimal cases where per diem charges are ordered, and then the order is usually for an amount that does not recover our costs.

I agree (that higher pay for all staff may help with the retention of trained staff) however budget constraints have not allowed this to occur.

Glenn County Mental Health Department of Glenn County Health Services – Mental Health Director responding – The Director of Mental Health recognizes the seriousness of these issues, however, is not in a position to comment or to promote change at the jail in regard to structure or expansion. As noted in comments above, Glenn County Mental Health has no contract to provide services to the jail. Medical and mental health services are provided in the jail by the staff of Glenn Medical Center. It should be noted, however, that when jail staff determine emergency or urgent concern regarding an inmate with possible mental health issues, Mental Health Staff have and will continue to make every effort to respond immediately to assist with appropriate intervention and assessment. When an inmate is taken to Glenn Medical Center for medical clearance and psychiatric assessment, Mental Health Staff persons will continue to respond as outlined in the MOU.

Glenn County Board of Supervisors – The Board agrees with the recommendation and concurs with the department responses. The County will strive to replace aging equipment as soon as fiscally prudent.

GRAND JURY REVIEW OF RESPONSES – Response accepted from those listed above. No response received from Glenn Medical Center.

Responses to the 2006-2007 Glenn County Grand Jury Final Report

Jane Hahn Juvenile Hall

RECOMMENDATIONS:

The floor painting needs to be completed when possible.

Glenn Medical Center should be required to comply with performing timely physical exams and putting the files in order.

Adding an additional counselor position should be considered.

RESPONSES:

Jane Hahn Juvenile Hall – Chief Probation Officer responding –

Floor painting: Several contacts were made to determine the best way to address this issue since it is cosmetic in nature rather than an issue that presents a problem relative to the safety and security of the institution. When the facility was re-constructed the oil based paint that was applied developed bubbles due to the fact the contract had not been given sufficient time to cure. The original contractor made several attempts over a year's time in an attempt to resolve the problem with little success.

In speaking with the acting juvenile hall manager, in order to paint the floor in the day room and common areas it would require the entire juvenile population to be relocated for at least two days while the floor is stripped of the old paint and painted with an oil based mixture. The fumes produced in doing this would preclude any of the minors being housed in the facility. At this point, the floors I the sleeping quarters are painted on as needed basis by staff. To relocate the minors for two days, outside of Glenn County, would be very costly as we would be billed per day per minor.

96 hour physicals/medical files – Per Title 15 requirements, each minor with 96 hours of being booked into a juvenile facility must have a physical examination. Over the last year, the department has been working with the administration from Glenn Medical Center, Inc. to improve the quality of care in two areas. The first relates to the 96 hour physical being done within the mandated timeframes. There have been instances where juveniles were not having them done until 21 days after admission into the facility. The situation has improved, but there is still further room for improvement and the fact that this is still an issue, albeit infrequently, is unsatisfactory. In speaking with the acting juvenile hall manager, it appears there have some problems wit physicals not being done over the weekend or when the primary nurse assigned to the hall is off duty. This is an issue that needs to be addressed by Glenn Medical Center administration. The department has been participating in quarterly planning meetings to ensure

that quality services are being delivered in a timely manner. The department will continue working with the contractor so physicals are done 100% of the time, every time.

Medical files in disarray - The second issue pertained to the medical files being in disarray. Again, this is a function of the contractor and in no way a reflection on the work performed by any of the juvenile hall counselors. Since this issue was addressed in prior quarterly planning meetings, the files are now in order.

Staffing levels: As indicated previously, staffing within the facility is an ongoing issue especially with other counties opening larger facilities with more competitive pay schedules. As of this date (8/27/07), the juvenile hall is fully staffed. There are the minimum numbers of staff to cover the shifts to remain in compliance with state standards. However, when a staff calls in sick, or needs to take time off, it presents a dilemma with regard to coverage. Typically, other staff has to remain on shift to cover, or the department utilizes extra help positions but with a limited budget to pay for those staff. Juvenile hall would benefit greatly if another full time equivalent (FTE) juvenile hall counselor were added to the position allocation list, but due to budget constraints within the county this does not appear to be a viable option at this time, however it will be requested for the next fiscal year, especially since staff are having to deal with minors who present some very unique needs with regard to their mental health needs.

Glenn County Board of Supervisors – The board concurs with the Glenn County Chief Probation Officer's response.

GRAND JURY REVIEW OF RESPONSES – Glenn Medical Center did not specifically make a response to this report. Above responses accepted.

Responses to the 2006-2007 Glenn County Grand Jury Final Report

Glenn County Sheriff's Department

RECOMMENDATIONS:

The Grand Jury recommends that enough funding be provided to recruit and retain officers, and develop more incentives.

The Grand Jury recommends that needed patrol cars and equipment be purchased as soon as possible.

The Grand Jury recommends the county develop procedures for handling mentally ill people other than having them arrested and incarcerated.

RESPONSES:

Glenn County Sheriff responding – As addressed above, salaries and benefits in Glenn County remain below surrounding agencies. As such our efforts to recruit and retain staff members on all levels are hampered. Salary negotiations are handled at the Board of Supervisors level and I trust that they bargain in good faith with all involved bargaining units.

Patrol vehicles are being replaced through Fleet Services as they are scheduled to be depreciated. Our need for additional units is there, however once again a revenue source must be found for the purchase of additional vehicles. The cooperation we have received from the Fleet Services manager has been most helpful and some of our problems have been solved. In the future, we will be forced to ask the Board for additional funding for adding new allotments to our fleet.

Glenn County Board of Supervisors responding – The Board concurs with the Sheriff's response and adds that recruitment and retention in a rural county, let alone the Jail is an ongoing problem. The County will continue to negotiate fair and equitable salary and benefit packages in the future and research new incentive programs where financially prudent.

GRAND JURY REVIEW OF RESPONSES – Responses accepted.

Responses to the 2006-2007 Glenn County Grand Jury Final Report

Willows Police Department

RECOMMENDATIONS:

Purchase tasers and other non-lethal weapons to protect the officers and the public.

Establish a community volunteer program.

Continue working on a training program and facility.

Work toward providing enough funds to keep officers and develop more incentives.

Investigate all complaints.

RESPONSES:

Willows Police Chief responding on 8-14-07 (correspondence co-signed by the Mayor of the City of Willows) –

Purchase tasers – The police department with support of the City Council made funds available for the purchase of additional tasers and shotguns.
The tasers and shotguns were ordered and have arrived. All officers have been trained in the use of tasers. Tasers have been issued to all personnel.
With the receipt of the two new shotguns, two older shotguns have been converted to beanbag guns. The officers have received training and weapons are not carried in the patrol cars.

Establish a community volunteer program –

The Willows Police Chief held a town meeting at city hall where he announced the creation of the Willows Volunteers in Policing Service (VIPS). A sign up campaign is in progress and hopefully we will begin the Citizen's Academy in September.

Continue working on training and facility –

The Department went to a new work schedule as of January 1st. With this new schedule all personnel with receive 60 hours of training per year (at no additional cost to the city) as part of their normal work schedule.
The chief appointed a new department Training Manager and he has developed a training plan for 07-08. Every officer will be attending at least one CPT (Continual Professional Training) course in 07/08.

Work toward enough funds to retain officers –

Working conditions at the police department have improved. Schedules, training and staffing levels have been addressed. The morale appears high and a team concept appears to be developing.
The City is committed in providing the highest level of police services possible. At the same time the city must be fiscally responsible. The city council has carefully reviewed current funding available and discussed the matter with the police chief. The chief will continue research into alternate funding sources and hopefully city general fund revenues will increase to further staff the needs of the city and police department.

Investigate all complaints –

The policy of the Willows Police Department has been and is that all complaints received are properly investigated in accordance to law and policy. This philosophy will continue.

GRAND JURY REVIEW OF RESPONSES – Responses accepted.

Responses to the 2006-2007 Glenn County Grand Jury Final Report

Fleet Service Center

RECOMMENDATIONS:

The fleet service center is understaffed. Additional and existing positions should be filled as finances allow.

RESPONSES:

Glenn County Planning and Public Works Director responding - The recommendation is accepted and will be integrated into the operation of the fleet service center.

Glenn County Board of Supervisors responding – TheBoard concurs with the Planning and Public Works Agency Director's response.

GRAND JURY REVIEW OF RESPONSES – Responses accepted.

Responses to the 2006-2007 Glenn County Grand Jury Final Report

Glenn County Office of Education

RECOMMENDATIONS:

1. The person authorizing the expenditures of the Superintendent should be independent of the authority of the Superintendent.
2. The Glenn County Office of Education Business Manager should take a more active role in monitoring the finances of the department. If necessary, an auditor should monitor daily expenses.
3. Restrict the use of credit cards.
    a. Store credit cards in secure location to be checked out as needed.
    b. Establish the purchase order system as the preferred method of purchasing, with the credit cards as backup.
    c. All purchases to have prior approval before the use of a credit card can be authorized.

4. Monthly budget allocation: If a department's funds are expended at the beginning of the month, no further expenses will be approved for that month.
5. Recommend all requests for travel expenses follow a set procedure:
    a. Shall have prior approval by the Business Office.
    The participant must show a need to attend meetings, and produce a written report that demonstrates how their attendance will benefit the schools.
    b. Travel only when necessary to accomplish school business.
    c. Participants in mandated conferences to stay in an approved room, or in an approved facility. GCOE will only pay a set amount equal to that of the discounted conference room rate.
    d. GCOE will pay only the per diem amounts for meals, regardless of where the conference is held.
    e. GCOE shall not pay for any expenses for travel prior to, or after, the approved conference.
    f. Returning participants must submit proof of attendance and a written report to their supervisor about what was learned and how it will be put to use at GCOE.

6. County Vehicles:
    a. Personal vehicles may not be substituted for county vehicles.
    b. County vehicles will be used for business purposes only, to be checked in and out of the county yard as needed.
    c. County vehicles may not be taken home unless the business for which they were intended requires travel beyond normal business hours.
7. Expenditures for business meals require documentation of individuals who attended said meals and the GCOE related purpose for attendance.

8. Consider establishing term limits for Board of Education members to two terms. Advertise all open positions to the general public, advising them of the duties as well as the benefits of the office.

RESPONSES:

Former President of the Glenn County Board of Education responding – Referring to background headings and finding headings the following was submitted – Per prior counsel, the Board cannot respond to paragraphs 1 and 2 as the matter is still (9/24/07) being investigate by the Department of Justice.

Under recommendations she gave the following responses –

Item 1a -The Board of Education has tried to review monthly expenditures but have been prevented in doing so.
Items 3, 5, 6 and 7 – the Board agrees with and should include the superintendent following the same procedures.
Item 8 – Term limits are set by state statute and the only way to change this is through legislation. Open positions are advertised through the Glenn County Office of Education Human Resources Department.

Glenn County Office of Education Superintendent and the Glenn County Office of Education Chief Business Officer responding jointly –

Recommendation – The Board of Education should review expenditures monthly. **Response** – The Superintendent is executive officer who has the authority to execute the expenditure of public funds in the course of his duty. The Board of Education has authority and responsibility to approve the County Schools Budget prior to submittal to the state for adoption. The California Education Code does not allow for day to day or monthly review and oversight of the County Office of Education expenditures by the Board of Education.

Recommendation – The Business Manager should take a more active role in monitoring the finances of the department.
Response – The Chief Business Officer has the day to day oversight responsibility and duty to question the practice and process involving expenditure of funds by the Superintendent and any other employee. Integrity is personal characteristic that unfortunately can't be learned or demanded of individuals working in this capacity. Fortunately, GCOE has in its employ a Chief Business Officer who has been an auditor with high ethical standards.

Recommendation – Restrict the use of credit cards:
Response – The GCOE did not have a credit card policy in place at the beginning of my term. Within months of taking office a policy governing credit card use was developed. In addition GCOE has moved away from a VISA type card to CalCard which is more restrictive in its use and easier to monitor and control. CalCard purchases are pre-approved within the category by the administration as part of the internal control mechanism that CalCard offers. GCOE employees have been directed to use the "purchase order" method over credit card purchases as the preferred method for purchases. In today's technological environment it

becomes increasingly necessary to utilize credit cards for online purchases or cost saving opportunities.

Recommendation – Monthly budget allocation:
Response – Budgets are developed and approved for the year. Modifications to the budget are possible when needed or justified.

Recommendation – All requests for travel expenses follow a set procedure:
Response – The GCOE has an established travel policy and procedures in place for employees to follow. Prior approval of travel is generally authorized by the directors or supervisors of programs. Employees must submit information that describes the type of educational training or conference that they will be attending. Employees attending conferences stay at approved conference facilities which provide reduced conference rates. Under my administration the GCOE has lowered the per diem rate for meals. Reimbursements for meal costs above the per diem level are only paid with meal receipts. Meals provided as part of the original conference costs are not reimbursable to employees. On occasion, traveling a day ahead is necessary depending on distance, start time and type of travel. Lingering after a conference for personal pleasure will not be reimbursed. Returning employees must submit proof of attendance upon their return.

Recommendation – County vehicles:
Response – Many employees use their own personal vehicles in lieu of a county vehicle. Employees maintain their mileage records and submit them on a monthly basis for reimbursement. County vehicles are to be used only for business purposes and are parked at the Willows or Orland administration parking lot. The County Superintendent's and the Coordinator of Facilities and Maintenance Operations work hours often require activities or events after regular business hours or on weekends.

Recommendation: Expenditure for business meals:
Response – Meals provided during business and training meetings are supported by back up documentation such as agendas and sign in sheets. Charging daily lunch meals by placing meals on credit cards has been eliminated as part of our credit card policy.

GRAND JURY REVIEW OF RESPONSES – Responses from board president not acceptable because there is no indication that they were approved by the entire board before submission. Responses from the superintendent and business manager are accepted.