

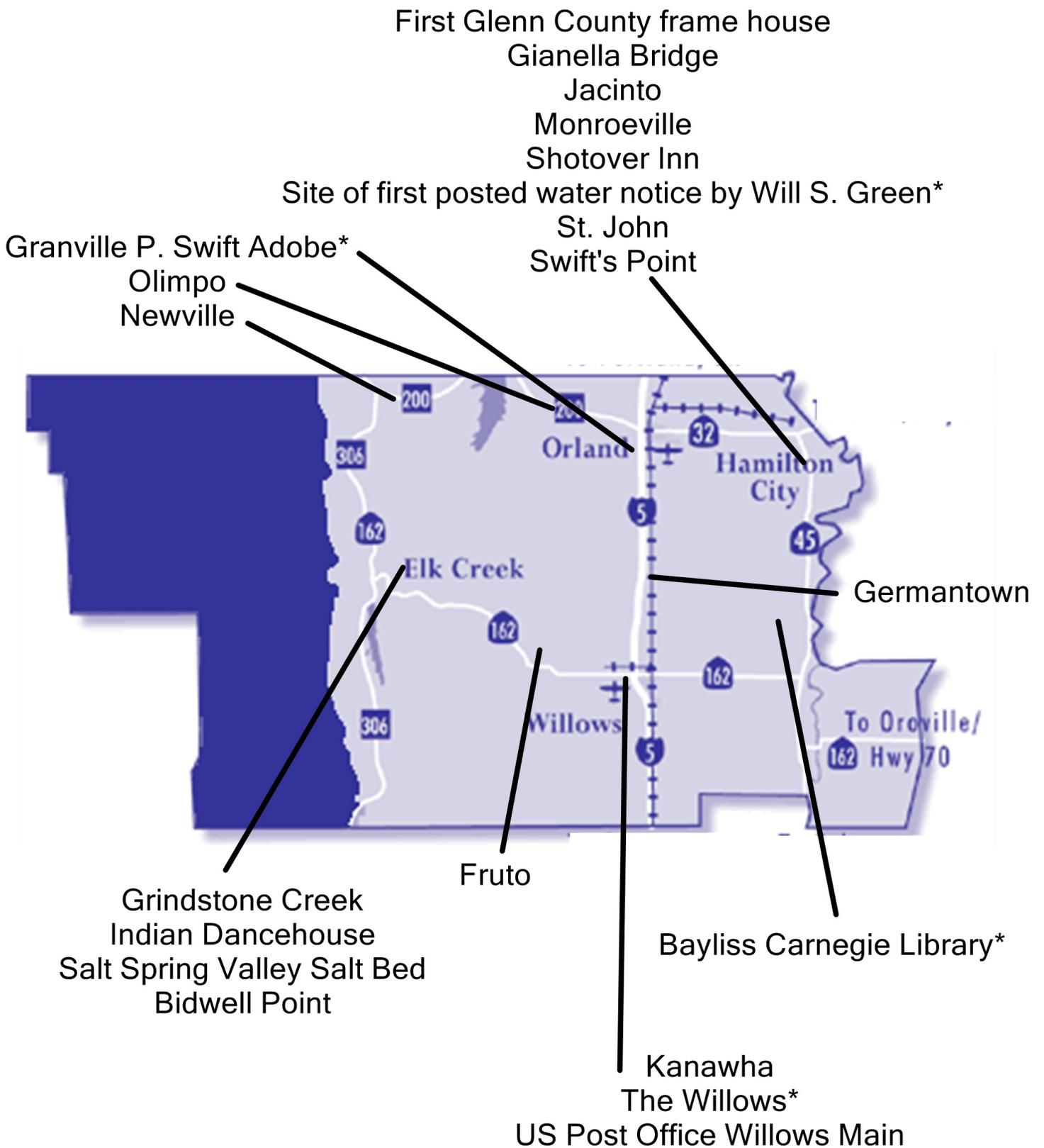
COUNTY OF GLENN

2009 - 2010

GRAND JURY FINAL REPORT



Points of Historical Interest



Indicated above are historical points of interest in Glenn County. Those marked with an asterisk * are on the front cover.

2009—2010

GLENN COUNTY GRAND JURY

FINAL REPORT

OF

FINDINGS AND RECOMMENDATIONS

JUNE 30, 2010

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Glenn County Grand Jury

June 7, 2010

The Honorable Donald Cole Byrd
Superior Court, County of Glenn
526 West Sycamore Street
Willows, California 95988

Dear Judge Byrd,

In compliance with the California penal code, section 933, the 2009-2010 Glenn County Grand Jury respectfully submits its final report to the court.

The Grand Jury wishes to express their appreciation for the cooperation and assistance, during the course of business, from all county officials and employees who assisted with interviews and investigations. Everyone we came in contact with throughout our year of service respectfully treated us.

I would like to personally thank all nineteen Grand Jury members and alternates for their cooperation and dedication to the civic responsibility of serving on the 2009-2010 Glenn County Grand Jury.

Sincerely,

A handwritten signature in cursive script that reads "Wm Casey Lawler".

Wm. Casey Lawler, Foreman
2009-2010 Glenn County Grand Jury

P.O. Box 1023 · Willows, California 95988 · Telephone (530) 934-6703

**2009-2010
Glenn County Grand Jury Members**

Wm. Casey Lawler - Foreman

Vicki Freehill - Secretary

Paul Randall - Foreman Pro Tem

Janice Cooper

Debbie DeMarco

Mary Gallentine

Russel Pierce

Maricela Rosas

Brenda Watts

Sandra Magnum

Robert Wirth

Ann Lambert

John Joyce

Emma Pace

Patricia Defries

Virginia Freeman

Angel Urrutia

Lynn MacLean

Glenn Morrill

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.

In California Grand Juries are impaneled annually and are officers of the Court, but work independently. Nineteen residents of Glenn County are selected after interviewing 30 to 40 applicants. Most of the work is done by committees, which include Public Safety, Schools, Public Works, Health Services, City/County Government and Finance. Other committee may be appointed as needed.

The Grand Jury and committees meet several times a month. The Grand 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 Grand 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 to 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 in written reports. Each report must be approved by at least 12 members of the Grand Jury. At the end of the term (June 30) 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 ninety 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 or heads of 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 reporting entity or person must report action 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 frame 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 a county department headed by an elected officer, both the elected officer and the Board of Supervisors shall respond if the Grand Jury so requests.

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

Mail or deliver all responses to:

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

To request a response copy from responding elected officials or agency heads:

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

GLENN COUNTY GRAND JURY
PO Box 1023
Willows, CA 95988
Complaint Form

NAME OF COMPLAINANT: _____

DATE OF LETTER: _____

SUBJECT: _____

DATE LETTER RECEIVED BY GRAND JURY: _____

DATE LETTER GIVEN TO COMPLAINANT REVIEW COMMITTEE: _____

DATE ACKNOWLEDGMENT LETTER SENT: _____

COMMITTEE ASSIGNED TO RESOLVE COMPLAINT: _____

DATE OF ACTION: _____

SUMMARY OF ACTION TAKEN: _____

DATE OF RESPONSE TO COMPLAINT: _____

2009-2010 Glenn County Grand Jury Final Report

Glenn County Human Resource Agency

I. PURPOSE:

Follow up on the investigation and recommendations done by the 2008-2009 Grand Jury.

II. BACKGROUND:

The Grand Jury committee met with the new Director of H.R.A. who assumed the job as of November 2009, and is the continuing Director of Health Service Agency and also with Chief Deputy Director of Social Services, to go over recommendations of last year's Grand Jury Report.

III. FINDINGS:

The new Director seems to have addressed the issues of "hostile work environment".

The Director along with the input of his Chief Deputy Directors have developed programs such as Strength Finder 2.0 and Myth Busters along with surveys and teamwork training to open lines of communication with all of the employees of H.R.A. regardless of the level of seniority whether it be management or staff.

The Director also provides an open door policy. This is for all members of the H.R.A. and seems to have had a positive impact on the relationship and communications among employees.

The issues on the hiring process of new employees as well as promotion of all have been investigated by the new Director and changes have been made to make sure the H.R.A.'s Policy and Procedure manual as well as the employee's handbook will be strictly followed.

It was found that some employees were hired or promoted against the protocol as stated in the employee handbook, and are no longer employed by the county.

The Position of Deputy in question on the 2008-2009 report has been evaluated and eliminated. There is an ongoing restructuring of employees in the organization as a whole, due to having a single Director over both H.S.A. and H.R.A.

The Chief Deputy Director has stated that audits have been and are done on an ongoing basis. These audits are performed by H.R.A. internally as well as outside Agencies. This committee has not seen any of the audits.

IV. CONCLUSIONS:

The Director along with his Chief Deputy Directors seem to be working hard to bring the employees together for a healthier and open work environment for all employees and should be commended.

They are also working on combining the Health Service Agency under the same umbrella with the Human Resource Agency. To accomplish this, they will restructure some of the staff for both agencies, and continue to have one Director.

V. RECOMMENDATIONS:

Continue with the employee programs on communications that have been put in place this last year.

Keep the open door policy available.

Make sure all practices are followed as stated in the employee's handbook as well as the H.R.A. Policy and Procedure Manual.

Audits should be made available for viewing upon request.

VI. RESPONSES REQUIRED:

Glenn County Human Resource Agency
Glenn County Board of Supervisors

2009-2010 Glenn County Grand Jury Final Report

Glenn County Land Fill

I. PURPOSE:

To investigate the financial impacts of purchasing the Glenn County landfill site; closing the existing footprint of solid waste, and developing a new disposal area compliant with California regulations. Determine how these costs will be recovered, and will they be affordable to the users of the landfill.

II. BACKGROUND:

The committee interviewed the Public Works Director and the Deputy Director to determine the status of the solid waste disposal site purchase, the cost associated with the purchase, closure costs, expansion costs and rates. Various alternatives were discussed for disposal of solid waste generated within the County. Site map attached.

A copy of the Landfill Strategic Plan for Glenn County, California, prepared by Shaw Environmental, Inc., dated August 15, 2006 was provided to the committee for reference.

Members of the committee visited the landfill site to observe the operation and to obtain information relative to its operation.

III. FINDINGS:

A. Glenn County adopted the Landfill Strategic Plan prepared by Shaw Environmental, Inc.

1. Options:

- a. Expansion of the Glen County Landfill.
- b. Construction of a Solid Waste Transfer Station.
- c. Waste to Energy/Conservation Technologies.
*Need approx. 500 tons per day to be feasible.
- d. No project.

2. Selected Option – Expansion of the Glenn County Landfill.

- a. Most economical.
- b. Provides long-term disposal life.
- c. Importing additional waste from outside the county could lower operating costs, but decrease landfill life.

B. Purchase Status of Landfill:

1. County purchasing existing site, plus expansion area, plus required buffer area.

- a. Appraised at \$1,450 per acre.
 - b. Total purchase area is approximately 446 acres.
 - c. Owner at N.W. corner agreed to sell 3.9 acres for buffer.
 - d. Trial date is scheduled for 3rd week in October, 2010 for remainder of acreage.
 - e. Total purchase costs will not be known until after a negotiated settlement or completion of the trial.
- C. Landfill Life:
1. Landfill life is projected to be 80 to 100 years based on projected tonnage originating within Glenn County, and assuming present regulations.
 2. Importing waste will reduce life expectancy proportionally.
- D. Landfill Closure:
1. Existing disposal area to be closed.
 - a. Estimated closure in approximately 5 years.
 - b. Estimated cost to close is \$12 million.
 - c. Approximately \$3 million available for closure.
 - d. Contributions to closure fund in prior years were insufficient.
 - e. County has retained Lawrence & Associates from Redding, California to develop a closure plan, coordinate permitting and design expansion cells.
- E. Existing Operations:
1. The landfill experiences days when the permitted daily rate exceeds 100 tons.
 2. County has hired private consultants to provide professional services for closure and expansion of the landfill.
 3. Members of the Committee were not aware of the many items that can be dropped off at no cost for recycling including, but not limited to:
 - a. Aluminum, glass, plastic, cardboard
 - b. Antifreeze, batteries, oil, oil filters, paint
 - c. Clean scrap metal
 - d. Computers, televisions, monitors
- F. Rates:
1. Disposal rates were increased July 1, 2009 approximately 100% to provide for:
 - a. Closure of existing footprint of the landfill.
 - b. Purchase cost of the landfill.
 2. It is unknown at this time if these increased rates will be adequate to defray the total purchase cost of the landfill, expansion, closure, and operation and maintenance of the landfill.
- G. Compliance with existing State Permit:
1. Permitted limit of 100 tons per day is sometimes reached. Requires early closure on days it is reached, potentially increasing roadside disposal by individual haulers.

2. Landfill gas is not being collected (gases resulting from decomposing wastes).
3. Garbage Truck unloading has priority over individual haulers because garbage trucks must be emptied daily.

IV. CONCLUSIONS:

Glenn County's landfill disposal rates have not provided sufficient funds for closure of the existing landfill footprint; purchase of the landfill site and required buffer area; increased costs to comply with standards for expansion, costs to comply with leachate (fluids) and gas collection and costs for planning and engineering for future disposal phases. Disposal rates were increased approximately 100% on July 1, 2009 to help defray closure costs of the existing footprint and purchase costs. Negotiated or court approved purchase cost may be higher than the appraisal to purchase the site.

Glenn County's disposal rates are currently comparable with rates paid in adjacent counties. It is unknown if current rates are sufficient to cover all the increase costs of operating a landfill in compliance with State requirements. The small number of customers (less than 10,000) in Glenn County will be expected to bear the total cost of operating the landfill for disposal of waste generated within the County.

The landfill Strategic Plan has projected lower operating rates if the County imports waste for disposal. It is unknown if the County has pursued the option of importing additional waste for disposal.

In light of all the unknowns, such as final purchased price, closure costs, expansion and compliance costs, it is possible that disposal rates for Glenn County waste disposers may require significant increases from the current rates to cover these costs. If the rates become unacceptable to the county customers, there may be a reduction in customers, resulting in even higher unit costs and more illegal dumping of waste.

V. RECOMMENDATIONS:

The County actively pursues the concept of importing waste to lower the costs for County customers.

The Director of Public Works evaluates the feasibility and costs of providing in-house professional services in lieu of hiring these services on a continuing basis.

The Director of Public Works update the disposal rate when the final purchase price of the landfill is known, and include all estimated costs for closure, expansion, and operation and maintenance.

The County makes a greater effort to inform the public of the items that can be dropped off at no cost for recycling.

VI. RESPONSES REQUIRED:

Director of Public Works

2009-2010 Glenn County Grand Jury Final Report

Glenn County Jail

I. PURPOSE:

To review, audit, and assess the facilities of the Glenn County Jail.

II. BACKGROUND:

In November 2009, members of the Glenn County Grand Jury visited the Glenn County Jail. The members met with Sheriff Larry Jones and members of the jail staff to conduct an annual inspection as required by California Penal Code 919(a) and (b). Prior to the walk through of the facility, committee members reviewed with Sheriff Jones and staff the layout of the facility along with current operations, staffing and changes since the last inspection.

III. FINDINGS:

The inspection indicated a well run, clean, jail facility. Sheriff Jones and staff showed a high degree of professionalism and openness with the Grand Jury members in discussing jail operations. Eighty-five prisoners were being housed on the day of the inspection.

Policies, procedures and inspection forms were posted in appropriate locations in the facility.

The Jail has entered into a new contract, to provide medical services for inmates, with California Forensic Medical Group (CFMG). This contract provides services with a fixed rate cost structure in an effort to control medical expenses for the inmates. CFMG provides an all inclusive medical service.

The kitchen appeared to be well run and sanitary. The menu is dietitian approved and special diet needs are accommodated. The meal provided on the day of the inspection was nutritional and tasty.

The Sheriff expressed the following areas of concern:

1. Staffing:

Staffing continues to be an issue for the jail. Minimum staffing consists of one lieutenant, one sergeant, four corporals and eighteen correctional officers. On the day of the inspection there were five officers on disability leave. The main tower control unit requires two staff officers for maximum safety and efficiency however funding exists for just one. The lack of funding for staff interferes with the efficient operation and safety of the facility.

2. Air Conditioning units:
As noted in previous Grand Jury Reports the air conditioning units are out-dated and in need of replacement.
3. Safety cell:
Currently there is only one safety cell available in the facility limiting the ability of the staff to effectively handle multiple inmates needing such a cell at one time.

IV. CONCLUSIONS:

During these times of tight fiscal constraints the Grand Jury wishes to commend Sheriff Jones and his staff on their continuing efforts to control costs and provide outstanding service for the residents of Glenn County.

V. RECOMMENDATIONS:

Keep staffing levels compliant with California State Detention Facility Standards.

Update the air conditioning unit.

VI. RESPONSES REQUIRED:

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

2009-2010 Glenn County Grand Juries

Final Report

Jane Hahn Juvenile Hall

I. PURPOSE:

The Jane Hahn Juvenile Hall was reviewed to assess the adequacy of the facility, and the efficiency and effectiveness of the management.

II. BACKGROUND:

Members of the Glenn County Grand Jury visited the facility on November 5, 2009, interviewing the facility manager. The team also toured the education classroom with faculty representatives of Willowglenn School.

III. FINDINGS:

The review of the Juvenile Hall was very informative, interesting and professional. The facility is a one story building with a central computerized control room. The control room constantly monitors all rooms in the facility as well as the resident's movements. Individual cells house up to 22 juveniles. Males and females are housed within the same unit in separate cells. Glenn County has a contract with Colusa County to accommodate 4 juveniles, bringing in added revenue for Glenn County.

On the day of the Grand Jury's visit there were 16 juveniles. It was noted that families are charged on a daily basis for their juvenile being detained.

The entire juvenile facility is well organized and extremely clean. The staff is very involved and seems to work hard at providing a positive impact on the lives of juvenile residents. All meals are cooked on-site.

The booking room was clean and uncluttered, as was the day room

At the time of booking, juveniles are given a rulebook to learn before they are allowed to join the main group. Strict adherence to the facility's regulations is required. This system allows the juveniles extra freedom and privileges when they obey all the rules. All minors housed in this facility can earn extra points for good behavior. If a minor fails to follow the rules, reward points are taken away, and, in some cases, juveniles are restricted to their room.

The education classroom, Willowglenn School is located adjacent to the living space. The education staff consists of an administrator, one teacher and an instructional aide.

All students attend class daily, Monday through Friday. After reviewing their transcripts, an individual learning program is written that is tailored to their needs. Transcripts are updated as the students complete their programs. Students are required to take all mandatory tests required by the California Department of Education, including the High School Exit Exam.

There is an outside fenced recreation area. The recreation area is used daily, weather permitting.

In light of the H1N1 flu virus, all efforts are being made to keep the juveniles healthy. If one becomes sick, that juvenile will be isolated until the time they are deemed ready to return to the group.

Additional programs are scheduled, including The Change Program, a set of life-skills classes. This program is an asset to the educational program for all students.

IV. CONCLUSIONS:

The administration and staff are to be commended for their professionalism and care for the juveniles in their charge.

V. RECOMMENDATIONS:

The Board of Supervisors must continue to adequately fund this facility allowing for California State standards to be maintained for staffing, building maintenance and quality education.

VI. RESPONSES REQUIRED:

Glenn County Probation Department
Glenn County Board of Supervisors

2009-2010 Glenn County Grand Jury Final Report

Glenn County Sheriff's Office

I. PURPOSE:

The purpose of this investigation was in response to a citizen's letter asking for the assistance of the Grand Jury in the return of two of his firearms confiscated by the Glenn County Sheriff's Office.

II. BACKGROUND:

In September and October 2009, members of the Grand Jury interviewed the Sheriff and the Lieutenant in charge of confiscated property.

III. FINDINGS:

The committee presented to the Sheriff a letter written by the citizen to the Sheriff's Office, California Department of Justice Firearms Division, and the Grand Jury. The citizen stated that two handguns had been confiscated by the Sheriff's Office in approximately 2002 and have never been returned to the citizen. The citizen stated he had made phone calls to the Sheriff's Office and had received no response from the Sheriff's Office either to the calls or to his letter.

The Sheriff checked the Department's records and found some references to the individual. Due to the length of time that has passed some records may be missing as the Sheriff's Office purges records over time and there has also been the installation of a new computer system.

One handgun was determined to having been turned into the Sheriff's Office because it was found in an unincorporated area of the county. The other handgun had been taken for safe keeping from the citizen. Another citizen had asked for a deputy sheriff to check on the citizen in question's welfare as he was very intoxicated. During the incident the handgun was taken for the citizen's safety.

The Sheriff delegated the Lieutenant to research the firearms in question and to inform the committee as to their status. The Sheriff also gave the committee copies of the Sheriff's Office Confiscated Firearm's Policy which is in keeping with statutes of California Law.

The Lieutenant informed the committee the Sheriff's office was in possession of both weapons as of December 5, 2001. One handgun was recorded in the Sheriff's Log Book as having been returned to the citizen. However, no hard copy of the signed receipt by the citizen showing he had received the handgun could be located. The other handgun

was still being shown in the Log Book as in the Sheriff's Property possession, awaiting a destruction order from the Superior Court. However, the Lieutenant was unable to locate this weapon, nor the destruction order.

IV. CONCLUSIONS:

It was determined there was no evidence to show either firearm had been returned to the citizen, had been destroyed per law, or was still in the possession of the Sheriff's Office.

V. RECOMMENDATIONS:

It is recommended the Sheriff's Office contact the citizen and so state the facts of the case and inform the citizen he may file a claim with the County of Glenn for compensation of his missing firearms.

The Sheriff's Office in the future should follow their Firearm's Policy to ensure the return or destruction of citizen's firearms in the statutorily required timely and legal manner.

VI. RESPONSES REQUIRED:

Glenn County Sheriff

2009-2010 Glenn County Grand Jury Final Report

Glenn County Code Enforcement

I. PURPOSE:

The committee wanted to investigate the enforcement of the code related to issues of multiple camp trailers on single dwelling properties, dangerous abandoned buildings and abandoned vehicles.

II. BACKGROUND:

Members of the Grand Jury interviewed the Glenn County Code Enforcement Officer.

III. FINDINGS:

The Glenn County Code Enforcement office consists of only one employee. The employee must keep track of all complaints and oversee all steps taken for compliance of code enforcement issues related to multiple camp trailers on single dwelling properties and dangerous abandoned buildings. Currently, there are approximately 150 cases open; 200 cases have been successfully closed. All complaints must be in writing, though not signed. Approximately 40 hours per week is allotted for the investigation into county code violations, including any follow up actions of complaints. Approximately 12 of those hours, per week, are spent doing paperwork. The employee also works in Public Works, Zoning, and the Glenn County Building Department. He has approximately 4.5 years of code enforcement and building inspector duties. Currently, Code Enforcement office does not oversee abandoned vehicles, but the Glenn County Supervisors are considering adding this issue on to the office's growing list of duties. The code enforcement for abandoned vehicles is a Glenn County Sheriff's department responsibility.

IV. CONCLUSIONS:

The Code Enforcement Officer is doing what he can and should be commended for the work associated with code enforcement. The issues of multiple camp trailers illegally finding their way onto single dwelling properties, is going to become a greater issue in the times we are facing. This also includes other on-going issues of dangerous abandoned buildings and abandoned vehicles.

V. RECOMMENDATIONS:

The Grand Jury feels that the Glenn County Board of Supervisors need to come up with a set of specific rules for Code Enforcement, and to give Code Enforcement Officer authority to be able to efficiently do his job. When the county finds more funds, the supervisors need to seriously consider hiring additional help in code enforcement.

VI. RESPONSES REQUIRED:

Glenn County Board of Supervisors
Director Planning and Public Works

2009-2010 Glenn County Grand Jury Final Report

Public Work Department - Roads

I. PURPOSE:

To investigate the procedures of the Public Works Department on how they prioritize road projects for funding and repairs.

II. BACKGROUND:

The committee interviewed the Public Works Director and the Deputy Director to determine the policy leading to the selection of which roads receive repair or upgrading. Revenue sources and expenditures were reviewed.

Funding for road repair and upgrade solely is derived from non-county intergovernmental sources. These include Prop 1B, a one time funding source, and annual State gas tax revenue. The State gas tax, consisting of 18 cents per gallon, is divided among the California Counties based on the number of registered vehicles and miles of road to maintain. This formula favors the higher populated areas in the State.

Road repair is determined by current condition, usage and cost to restore. This can consist of a complete reconstruction, chip seal or revert back to gravel. Most commonly a double chip seal is performed. A goal of Public Works is to resurface a road every twenty-five years. Road repair can also be initiated by a citizen request. Filling out a service request form does this. An assessment and resolution is attempted to be performed within ten days. If requested the citizen is contacted upon completion of this process.

The implementation of Assembly Bill 32 (AB32) Global Warming Solutions Act could negatively affect the operation of Public Works due to the cost of equipment upgrade for older but functioning equipment.

III. FINDINGS:

The majority of County road repair has been for those areas most heavily impacted by commercial and non-commercial traffic.

IV. CONCLUSIONS:

The Public Works Department has a specific protocol for road repairs within the county and limited funds available.

V. RECOMMENDATIONS:

The Department should strive to provide complete road repair to those areas not as heavily traveled.

The Department should work with the Board of Supervisors to identify funding sources for AB 32 compliance costs.

VI. RESPONSES REQUIRED:

Public Works Director
Glenn County Board of Supervisors

2009-2010 Glenn Grand Jury Final Report

Department of Finance

I. PURPOSE:

To ascertain through interviewing of Glenn County's Director of Finance an understanding of Glenn County's A-87 budgeting process as it pertains to departmental allocations within the county.

II. BACKGROUND:

The Glenn County Grand Jury examined County of Glenn's Countywide Cost Allocation Plan Exhibit A, approved by the California State Controller's office on May 7, 2009, for the fiscal year 2009-10.

Members of the Glenn County Grand Jury met with Glenn County's Director of Finance to inquire about the county's A-87 cost allocation plan.

Glenn County's Director of Finance is a Certified Public Accountant, his county position and state certification requires continuing education. The Department of Finance has been reduced from 15 to 10 employees; supervisory positions oversee and work in conjunction with other divisions.

The Director of Finance provided a copy of "REPORT TO THE GLENN COUNTY BOARD OF SUPERVISORS – THE A-87 PLAN" to the Grand Jury committee, attached.

The State of California periodically audits Glenn County for compliance with Federal Office of Management and Budget (OMB) Circular A-87.

III. FINDINGS:

Glenn County's A-87 Countywide Cost Allocation Plan for 2009-2010 was derived using actual costs for the 2007-08 fiscal year plus roll forward (the difference between actual and estimated).

After acceptance of Glenn County's A-87 Countywide Cost Allocation Plan by the California State Controller's there can be no adjustments to the budget.

Glenn County's central use and service departments cost are consistently allocated to all operating departments. If a department head has questions regarding any allocation costs,

they are encouraged to contact the Director of Finance to review figures and discuss possible cost reduction ideas.

The Director of Finance is considering a new accounting system which will become a beneficial upgrade.

IV. CONCLUSIONS:

The Director of Finance was supportive in helping members of the Grand Jury understand the A-87 cost allocation plan.

V. RECOMMENDATIONS:

None

VI. RESPONSES REQUIRED:

None

**REPORT TO THE GLENN COUNTY BOARD OF SUPERVISORS
THE A-87 PLAN**

What is A-87?

Back in the 1960s, as federal funding began to flow to state and local governments, the Federal Government found that they needed to standardize the method of reimbursing state and local agencies for all costs, not just the incremental costs, of federal programs operated by state and local governments. To meet this need, the Federal Office of Management and Budget (OMB) produced OMB Circular A-87; *Cost principals for State, Local, and Indian Tribal Governments*, which establishes principals and procedures for determining costs incurred by Federal programs.

The State of California also adopted the principles of OMB A-87 for all of its cost reimbursements.

OMB A-87 requires that a "Cost Allocation Plan" be prepared by the Chief Financial Officer of the county and approved by the State Controller. The State of California recognizes the Glenn County Director of Finance as the Chief Financial Officer. Glenn County's plan is approved by the state on an annual basis.

What does the Plan accomplish?

The plan captures allowable central use and service department costs and allocates those costs to the operating departments. Glenn County's central uses and service departments are:

Central Use

Building Use
Equipment Use
County Audit

Central Service Departments

Department of Finance
County Counsel
Personnel
Employee Benefits
Buildings and Grounds
Maintenance and Janitorial
Property Taxes – Data Processing
General Insurance
Data Processing

The allowable costs of the service departments are reallocated to the operating departments.

For example:

1. The payroll division operates within the Department of Finance:
2. The Public Works Department provides direct services to the citizens of Glenn County:

The cost of producing a payroll ACH (direct deposit) for a Road Department employee is borne by the Department of Finance. The A-87 plan allocates the cost of producing that check to the Road Department.

How are the different services allocated?

There are a number of allocation methodologies used in the plan. They include number of employees, number of checks prepared, number of journal entries used, amount of square footage occupied, relative budget size, and the results of time studies.

How do we use A-87?

The approved A-87 plan is used to allocate the service department costs to all departments. This not only results in each department's budget reflecting the actual cost of operations, but an approved A-87 plan is the only methodology allowed for charging the service department costs to all state and Federal programs.

Why is there a 2 year lag in the plan?

Specific language in the current plan approved by the State Controller that describes this lag is "The... costs listed...are formally approved as actual costs for the 2004-05 fiscal year and as estimated costs for the 2006-07 fiscal year..." The reason for this lag is simply timing:

- 1) Since the actual costs for the entire year cannot be determined until the end of the year, and
- 2) the actual costs cannot be applied to the next year because that budget process is completed before the plan is approved,
- 3) the plan can only be applied in the next following or 3rd year.

The plan recognizes that the difference between the estimated amount and the actual amount is not determined until after the estimated amounts are charged to the departments. The plan allows this difference to be accounted for using a "roll forward."

What are roll forwards?

Roll forwards are the difference between the estimated amount charged during the year and the actual costs for that year. Note that the language from the State Controller indicates "estimated costs for the 2006-07 fiscal year." During the 2007-08 fiscal year the Department of Finance will calculate the actual 2006-07 costs and compare them to the amounts charged. Any differences, increases or decreases, will be reflected in the 2008-09 fiscal year.

2009-2010 Glenn Grand Jury Final Report

Glenn County Personnel Department

I. PURPOSE:

The purpose of this investigation was to determine if the Glenn County Personnel Department ensures that a new hire for a classification with specific certifications either at the time of hiring or within legal time frames following hire, have those certifications.

II. BACKGROUND:

Members of the Grand Jury interviewed the Glenn County Personnel Director in November 2009.

III. FINDINGS:

The Personnel Director gave the committee the Glenn County regulations, attached, delineating the requirement to hire only employees who have the required certifications. The Director also gave the committee the attached flow chart of the recruitment and hiring process to ensure all requirements are met.

IV. CONCLUSIONS:

It is the conclusion of the Grand Jury that the Glenn County Personnel Department follows county and state law and policies to ensure that new hires have the proper certifications required by the classification when they are hired.

V. RECOMMENDATIONS:

None

VI. RESPONSES REQUIRED:

None

**CHAPTER 10.08
RECRUITMENT AND APPOINTMENT**

<i>10.08.02</i>	<i>Recruitment</i>
<i>10.08.03</i>	<i>Personnel Director Coordination</i>
<i>10.08.04</i>	<i>Examinations</i>
<i>10.08.06</i>	<i>Post-Offer/Pre-Employment Medical Examinations</i>
<i>10.08.08</i>	<i>Fingerprints</i>
<i>10.08.10</i>	<i>Appointment</i>
<i>10.08.11</i>	<i>Limited Term</i>
<i>10.08.14</i>	<i>Probation</i>

10.08.02 Recruitment

A. Purpose. The purpose of this Chapter is to attract and select qualified applicants without regard to race, creed, marital status, veteran or non veteran status, color, national origin, religion, sex, age (over 40), citizenship or physical handicap unless such physical handicap would prevent the applicant from performing the required functions of the position.

B. Request for Recruitment. A department head shall notify the Personnel Director in writing of his or her intent to fill a vacant regular position.

C. Application Form. All applicants shall complete an approved County application form.

D. State Merit System. The Welfare Department and the Office of Emergency Services shall utilize the recruitment and selection procedures prescribed by the State Merit System.

10.08.03 Personnel Director Coordination

A. The recruitment and selection of persons for regular full-time and regular part-time positions are to be coordinated with the Personnel Department. Such coordination shall include, but not be limited to, the following:

1. Verification of a vacant allocated position (regular full-time and regular part-time);
2. Determination of the skills, knowledge and abilities needed to perform the duties of the position;
3. Method of recruitment;
4. Methods of selection of the most qualified persons to be interviewed for the position; and
5. The final selection procedure.

B. No payroll documents shall be approved by the Personnel Department if such coordination has not been accomplished.

10.08.04 Examinations

A. Competitive Examinations. All open and promotional examinations for regular positions in County service shall be competitive for all persons who have filed applications, meet the requirements as stated in the job announcement, and who have not been disqualified. Examinations shall be of such nature as to test fairly the ability of each applicant to fulfill the requirements of the position. Examinations may include evaluations of training, education and experience as evidenced by their application, written, performance, or physical agility tests, oral interviews, or other appropriate methods.

B. Types of Examinations. The Personnel Director shall determine the type of examination to be used in order to establish eligibility lists, and shall consider the wishes of the affected departments, number of potential candidates, and the goals of the County's Affirmative Action Plan. The examination types are:

1. Open Examinations. Any applicant who possesses the minimum qualifications for the class may compete in an open examination.
2. Promotional Examinations. Promotional examinations are limited to those persons working for the County that meet the minimum qualifications. Eligible employees are those appointed on a competitive basis to a County position, including those on probationary status.

C. Disqualifications. The Personnel Department may reject an application or subsequently refuse to certify an applicant who:

1. Does not possess the minimum qualifications established for the position;
2. Is physically or psychologically unfit for the satisfactory and safe performance of the duties of the position including addiction to narcotics or drugs or habitually using intoxicating liquors;
3. Has been dismissed for good cause from public service;
4. Has used or attempted to use any personal or political influence to further eligibility or appointment;
5. Is engaged in and would refuse to discontinue employment, activity, or enterprise which, if continued while a County employee, would be incompatible and conflicting with County duties;
6. Has practiced or attempted to practice any deception, fraud or omission of a material fact in the application or examination, or in securing eligibility for appointment;
7. Has been convicted of a criminal offense involving moral turpitude. The word "convicted" shall be construed to mean a conviction by a verdict, by plea of guilty or nolo contendere or upon a judgment of the court, a jury having been waived, without regard to subsequent disposition of the case by suspension of sentence, probation or otherwise. The word "moral turpitude" shall be construed to mean any act of baseness, vileness, or depravity, or any act done contrary to justice, honesty, modesty, or good morals, or any act done with deception or through corrupt motives;
8. Has been convicted of a crime other than a parking violation or an infraction with a penalty of less than \$50.00.

D. Duration of Eligible Lists. County may establish lists of eligible candidates for County positions. Such lists shall remain active for six months unless depleted sooner. A list may be considered depleted when there are less than five viable names on the list. A candidate may be considered as nonviable for purposes of determining whether a list has been depleted if one or more of the following situations exists:

1. Candidate has declined to interview or failed to appear for interview for the position in question;
2. Candidate has been interviewed by the Department head previously, and has been determined to be an inappropriate choice for that department;

Notwithstanding the above, the Personnel Director may declare a list as exhausted if three or more persons on the list have been selected for County employment. The Personnel Director may extend an eligible list on a month to month basis, for an additional six month period.

10.08.06 Post-Offer/Pre-Employment Medical Examinations

A. A medical examination may be required of all new regular employees. The Personnel Director shall maintain a list of those classifications for which a medical examination shall be required of all newly hired employees. This list may be modified by resolution of the Board of Supervisors as necessary.

B. The standards of such medical examination, which shall include a chest x-ray or tuberculin skin test, shall be prescribed and determined by the physician appointed by or contracted with the County to conduct such examinations. The prospective employee may have the health examination by such physician without charge.

C. The results of the medical examination must be received by the Personnel Department before employment begins.

D. In all cases the physician shall determine whether the employee meets prescribed county medical standards.

10.08.08 Fingerprints

The department head may require the taking of fingerprints of new employees as a condition of employment.

10.08.10 Appointment

A. Minimum Qualifications. Department heads shall only appoint persons to regular county positions who meets the minimum employment standards stated in the class specifications.

B. Examinations. When an examination has been given, department heads shall only appoint persons who have successfully passed the examination.

C. Under filling A Position. In cases of recruiting difficulty an appointment may be made at a lower level classification than that allocated.

D. Appointment Form. Appointment shall be made in writing on approved County Appointment forms.

E. Processing Forms. All completed forms shall be sent by the department head to the Personnel Director for verification and approval no later than the first day of appointment. A copy of the appointment form shall be forwarded to the Director of Finance by the Personnel Department.

F. Employment of Relatives. A person may not be employed by the County in any department when such person is a parent, spouse, child, brother, sister, grandparent, grandchild or in-law of the department head. No person shall supervise a person in such a relationship.

10.08.11 Limited Term

A. A Limited Term Employee shall have all the rights, benefits, and responsibilities of, and shall be subject to the same rules, ordinances, and policies as a Regular Employee, except as follows:

1. A Limited Term Employee who is not a current member of P.E.R.S. and whose term is established at less than six months shall not be eligible for P.E.R.S. retirement or for any County provided insurance until the employee has worked 1,000 hours (Government Code § 20336).
2. A Limited Term Employee shall not earn seniority.
3. A Limited Term Employee shall be automatically terminated, with no rights under the layoff provisions of Section 10.10.04, when the allocation for the limited term position ends.

B. Should the Limited Term Position be converted to a Regular Full Time or Regular Part Time Position the incumbent must compete for the Regular Position with other qualified applicants as provided for in Chapter 10.8, this Manual.

10.08.14 Probation

A. Probationary Period. Employees entering county service by appointment to a regular position shall be required to serve a probationary period of 1040 working hours (pro-rated for regular part-time employees) of employment. Employees who are employed as peace officers, as defined in Section 830.1 of the Penal Code, in the District Attorney's, Marshal's and Sheriff's office shall be required to serve a probationary period of 2080 working hours (pro-rated for regular part-time employees), commencing on the effective date of employment. Employees in the classifications of Sheriff's Jailer, Jail Corporal, Correctional Sergeant, Emergency Dispatcher, Juvenile Hall Counselor I & II, Deputy Probation Officer, Senior Deputy Probation Officer, and Sheriff's Support Services Supervisor shall also serve a probationary period of 2080 working hours (pro-rated for regular part-time employees). A department head may extend the probationary period of an employee for reasons of performance for an additional period not to exceed 1040 hours (pro-rated for regular part-time employees), by notifying the employee in writing with a copy of the notice to the Personnel Director prior to the expiration of the probationary period. Under no circumstances shall an employee serve a probationary period greater than 2080 working hours (pro-rated for regular part-time employees).

B. No Right to Appeal. A probationary employee may be separated from county service at any time during the probationary period without the right of appeal.

C. Absence. Any absence from work shall cause the employee's probationary period to be extended by the number of hours of such absence. Such absences shall be cumulative during the probationary period. The extension of the probationary period shall be based on the number of hours of such absence. Absences because of holidays and because of authorized sick leave up to 96 hours shall be excluded from this subdivision.

D. Promotions. All employees serving in a regular position who are promoted to a position in a classification with a higher salary range shall serve a probationary period of 1040 working hours (pro-rated for regular part-time employees) from the date of promotion.

E. Return to Previous Position. If an employee is not recommended for regular status because of inability to perform the duties of the position, he or she shall be entitled to return to the previous position if vacant or held by another probationary employee. If he or she is not recommended for regular status for any other reason he or she shall not be entitled to be restored to the previous position.

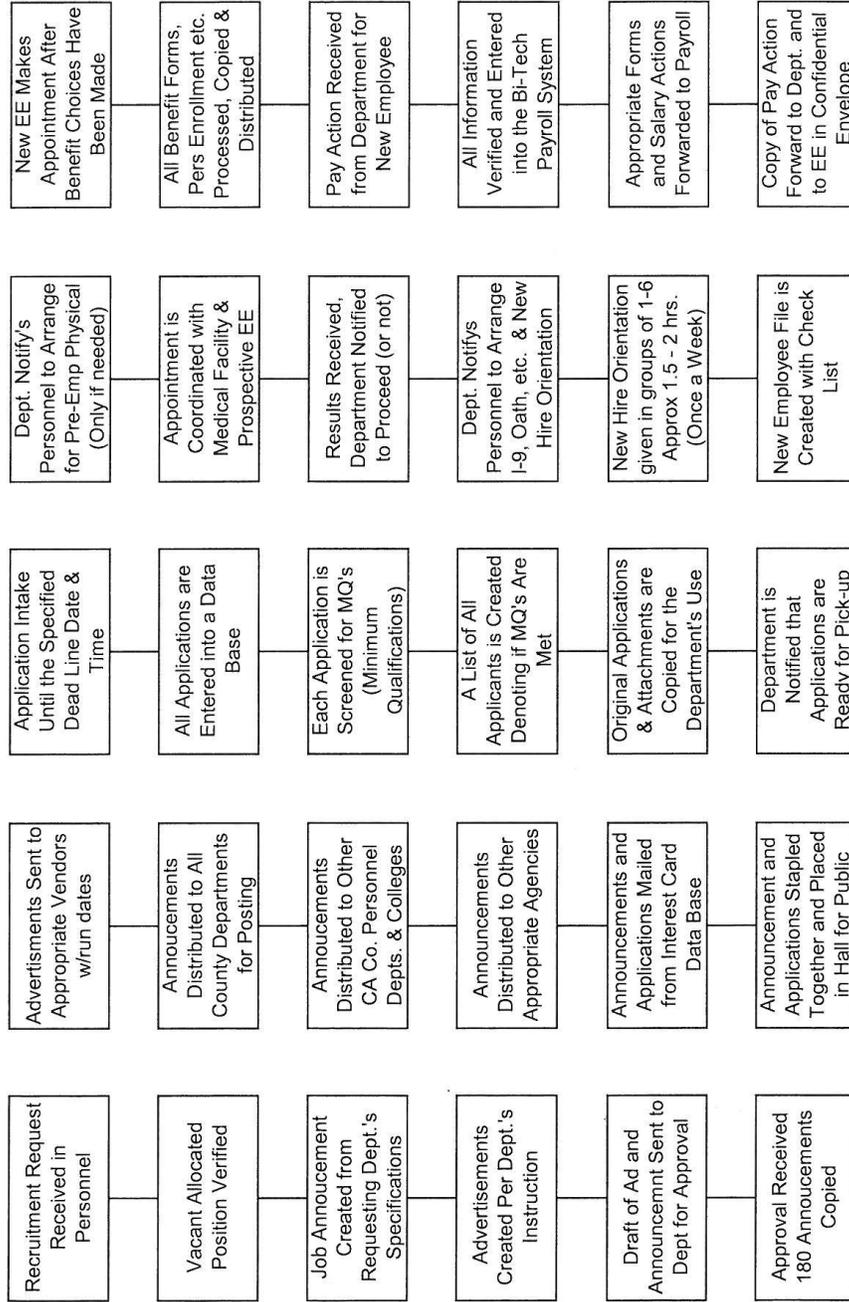
Exhibit A

Classifications Subject to Pre-employment Medical Examination

Job code	Classification	Bargaining Unit
5131705	BAILIFF	30
9720210	BUILDING/GROUNDS WORKER I	40
9730515	BUILDING/GROUNDS WORKER II	40
3721215	BUILDING INSPECTOR	40
6322221	CHILD CARE WORKER	40
4153810	CIVIL PROCESS TECHNICIAN	30
9720236	CUSTODIAN	40
5231240	DEPUTY ANIMAL CONTROL OFFICER	40
2123710	DEPUTY PROBATION OFFICER I	35
5133716	DEPUTY PROBATION OFFICER II	35
5132805	DEPUTY SHERIFF	20
8733001	ELECTRICIAN	40
8172310	FOOD MANAGER	40
5111001	DEPUTY SHERIFF TRAINEE	30
7111001	EMERGENCY DISPATCHER I	30
7121001	EMERGENCY DISPATCHER II	30
4132720	EVIDENCE TECHNICIAN	30
9720205	HOUSING REHABILITATION WKR I	40
9730520	HOUSING REHABILITATION WKR II	40
8741420	HOUSING REHABILITATION WKR III	40
4133810	INVESTIGATOR	20
5125726	JUVENILE HALL COUNSELOR I	30
5135727	JUVENILE HALL COUNSELOR II	30
5254001	JUVENILE HALL MANAGER	10
9740000	LEAD CUSTODIAN	40
3153000	MANAGER INVEST & FAM SUP SUP	13
8752000	PUBLIC WKS MAINT SUPERVISOR	12
9721000	PUBLIC WORKS MAINT WKR II	40
9731000	PUBLIC WORKS MAINT WKR III	40
9741000	PUBLIC WORKS MAINT WKR IV	40
8121001	SECURED FACILITIES COOK	40
8721001	SECURED FACILITY MAINT TECH	40
3731516	SENIOR BUILDING INSPECTOR	40
5153001	SHERIFF'S CORRECTIONAL CPL	30
5133001	SHERIFF'S CORRECTIONAL OFFICER	30
5163725	SHERIFF'S CORRECTIONAL SGT	30
4143820	SHERIFF'S DETECTIVE	20
3174934	SHERIFF'S LIEUTENANT	11
4154825	SHERIFF'S SERGEANT	20
8731002	SR SECURED FACILITY MAIN TECH	40
4133002	STATUTORY RAPE DA INVESTIGATOR	20
8741000	SUPER BUILDING GROUNDS WORKER	12
5264000	SUPERVISING JUV HALL COUNSELOR	12
2153000	SUPERVISING PROBATION OFFICER	10
2456000	SUPERVISING WELFARE INVESTIGTR	12
0184928	UNDERSHERIFF	11
9322601	VAN DRIVER	40
4424745	WELFARE INVESTIGATOR I	30
4434750	WELFARE INVESTIGATOR II	30

Exhibit A to Resolution 2001-152 adopted 12/18/01

RECRUITMENT FLOW CHART



2009 - 2010

Glenn County Grand Jury

Responses To

2008 - 2009

Grand Jury Final Report

June 30, 2010

**2009-2010 Glenn County Grand Jury
Evaluation of Responses To
2008-2009 Glenn County Grand Jury Report**

DEPARTMENT OR AGENCY:

Glenn County Human Resource Agency

REPORT PAGE NUMBER:

Page 10 – 11

RECOMMENDATIONS:

We recommend that someone from an outside agency be brought in to act as Interim Director as soon as possible to investigate, reorganize and restructure the upper management team.

The hostile work environment issues need to be thoroughly investigated and appropriate measures taken.

A financial audit needs to be performed by an independent accounting agency to investigate the deviation from standard accounting principles.

A random drug and alcohol testing program should be implemented for all employees at the HRA by an independent provider.

The hiring, firing, promotion and job creation practices should be reviewed to ensure that proper protocol is followed to conform to HRA Policies and Procedures Manual and Employee Handbook.

The Deputy Director of Administration position is still being held for his return, and this needs to be investigated to see if this position is being paid for twice at great cost to the county.

It is imperative that these issues be addressed immediately by the Director of HRA and the Glenn County Board of Supervisors to preserve the well-being of the staff and the reputation of HRA in the community.

RESPONSE:

Glenn County Board of Supervisors response letter dated September 15, 2009 together with Glenn County Human Resource Agency response letter dated August 28, 2009.

DOCUMENT I - Pages 42-44 and 45-47

2009 – 2010 GRAND JURY REVIEW OF RESPONSE:

Response accepted

**2009-2010 Glenn County Grand Jury
Evaluation of Responses To
2008-2009 Glenn County Grand Jury Report**

DEPARTMENT OR AGENCY:

Glenn County Valley Wide Mosquito Abatement District

REPORT PAGE NUMBER:

Page 12 – 13

RECOMMENDATIONS:

The Glenn County Board of Supervisors conducts public meetings with property owners in the affected area on the issue.

Re-petition Butte Local Agency Formation Commission for removal of Hamilton City Community Service District from Butte County Mosquito and Vector Control District after securing adequate support from property owners of the affected district.

In future district formations the utmost care should be shown in the prevention of overlapping districts that already provide the same proposed service.

RESPONSE:

Glenn County Board of Supervisors response letter dated September 15, 2009 together with Glenn County Health Services Agency response letter dated August 28, 2009.

DOCUMENT I - Pages 42-44 and 48-49

2009 – 2010 GRAND JURY REVIEW OF RESPONSE:

Response accepted

**2009-2010 Glenn County Grand Jury
Evaluation of Responses To
2008-2009 Glenn County Grand Jury Report**

DEPARTMENT OR AGENCY:

Glenn County Jail

REPORT PAGE NUMBER:

Page 14 – 15

RECOMMENDATIONS:

The sally port facility needs to be enlarged and the roof encased for the safety of the correctional officers and the community.

Staffing must be brought up to California State Detention Facility standards.

Update the air conditioning units and laundry facility.

RESPONSE:

Glenn County Board of Supervisors response letter dated September 15, 2009 together with Glenn County Sheriff's Office and Glenn County Planning and Public Works Agency response letters dated August 19, 2009 and August 17, 2009 respectively.

DOCUMENT I - Pages 42-44, 50-51, and 52

2009 – 2010 GRAND JURY REVIEW OF RESPONSE:

Response accepted

**2009-2010 Glenn County Grand Jury
Evaluation of Responses To
2008-2009 Glenn County Grand Jury Report**

DEPARTMENT OR AGENCY:

Jane Hahn Juvenile Hall

REPORT PAGE NUMBER:

Page 16 – 17

RECOMMENDATIONS:

The Board of Supervisors must adequately fund this facility allowing for California State standards to be maintained for staffing and building maintenance.

A time and date column needs to be added to the intake record sheets for medical evaluation along with a signature space for medical personal and the facility manager to fully ensure that the state mandated intake physicals have been performed within the required 96 hour time frame.

RESPONSE:

Glenn County Board of Supervisors response letter dated September 15, 2009 together with Glenn County Sheriff's Office and Glenn County Probation Department response letters dated August 19, 2009 and August 10, 2009 respectively.

DOCUMENT I - Pages 42-44, 50-51, and 53-54

2009 – 2010 GRAND JURY REVIEW OF RESPONSE:

Response accepted

**2009-2010 Glenn County Grand Jury
Evaluation of Responses To
2008-2009 Glenn County Grand Jury Report**

DEPARTMENT OR AGENCY:

Orland Police Department

REPORT PAGE NUMBER:

Page 18 – 20

RECOMMENDATIONS:

We feel it is crucial for the safety of the citizens of Orland as well as for the officers themselves that the staffing levels at the OPD be brought up closer to the national recommended standards. While we realize the serious fiscal restrictions limit the options, money must be found to augment the staffing levels at the OPD in order to insure the wellbeing of the community.

Surrounding cities of similar backgrounds have a lower population base and a higher officer ratio than Orland. We recommend these cities be contacted to see how they are able to maintain and fund adequate staffing levels for Public Safety.

The current cost recovery fees for fingerprints, vehicle release, traffic fines, and clearance letters, etc. could be increased from 25% to 50%. In addition it is suggested that an alarm fee should be instituted for alarm calls exceeding three per quarter. This increase could place as much as another \$15,000.00 or more back into the general fund.

RESPONSE:

City of Orland response letter dated September 21, 2009.

DOCUMENT II - Pages 55-58

2009 – 2010 GRAND JURY REVIEW OF RESPONSE:

Response accepted

**2009-2010 Glenn County Grand Jury
Evaluation of Responses To
2008-2009 Glenn County Grand Jury Report**

DEPARTMENT OR AGENCY:

Orland City Council

REPORT PAGE NUMBER:

Page 21 – 22

RECOMMENDATIONS:

We recommend the Orland City Council make a concerted effort to obtain input from the community on the issue of mandated garbage service prior to reaching a decision on this matter.

The safety of the citizens in Orland and city police officers are of concern. The Orland Police Department is seriously understaffed and we recommend that steps be taken immediately to restore adequate levels of protection. In addition, Orland should reevaluate the removal of one officer from the Glenn County Narcotics Task Force.

If the Orland City Council wishes to perform the tasks of the Planning Commission, the Orland Municipal Code needs to be modified accordingly and advertised. If an appointed Orland City Planning Commission is again established, applications must be solicited from the members of the public who would be interested in serving on the Planning Commission with appropriate training being required by all commission members.

RESPONSE:

City of Orland response letter dated September 21, 2009.

DOCUMENT II - Pages 55-58

2009 – 2010 GRAND JURY REVIEW OF RESPONSE:

Response accepted

DOCUMENT – I



**GLENN COUNTY
BOARD OF SUPERVISORS**

Courthouse, 2nd Floor
526 West Sycamore Street
P. O. Box 391, Willows, CA 95988

*John Viegas, District 1
Tracey Quarne, District 2
Steve Soeth, District 3
Mike Murray, District 4
Leigh McDaniel, District 5*

David Shoemaker, CAO

September 15, 2009

The Honorable Donald Cole Byrd
Presiding Judge of the Superior Court
526 West Sycamore Street
Willows, CA 95988

Dear Judge Byrd:

**SUBJECT: RESPONSE OF THE BOARD OF SUPERVISORS TO THE 2008/09 FINAL
GRAND JURY REPORT**

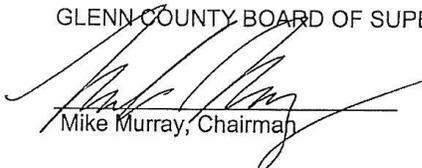
The Board of Supervisors would like to thank the Grand Jury for their time and effort in researching and coming up with thoughtful and meaningful recommendations in their 2008/09 Final Report.

Pursuant to Penal Code Section 933.05, the Board of Supervisors respectfully submits the attached responses to the recommendations set forth in the 2008/09 Final Grand Jury Report. In addition, the Board has reviewed responses received by County Departments and in general concurs with their comments and conclusions. More specific responses are on the attached pages by area of concern.

Please contact our office if you have any questions.

Sincerely,

GLENN COUNTY BOARD OF SUPERVISORS



Mike Murray, Chairman

cc: William C. Lawler, 2009/10 Grand Jury Foreperson
Clerk of the Board

**GLENN COUNTY BOARD OF SUPERVISORS
RESPONSE TO THE 2008/2009 GRAND JURY REPORT**

(Pages 8 & 9) GLENN COUNTY BOARD OF SUPERVISORS

Grand Jury Recommendation:

The Board should continue the work they are doing. County residents may want to attend Board meetings occasionally to better understand how their county operates.

*Note: No Response Required.

(Pages 10 – 11) GLENN COUNTY HUMAN RESOURCE AGENCY

Grand Jury Recommendation:

We recommend that someone from an outside agency be brought in to act as Interim Director as soon as possible to investigate, reorganize and restructure the upper management team.

The hostile work environment issues need to be thoroughly investigated and appropriate measures taken.

A financial audit needs to be performed by an independent accounting agency to investigate the deviation from standard accounting principles.

A random drug and alcohol testing program should be implemented for all employees at the HRA by an independent provider.

The hiring, firing, promotion and job creation practices should be reviewed to ensure that proper protocol is followed to conform to HRA Policies and Procedures Manual and Employee Handbook.

The Deputy Director of Administration position is still being held for his return, and this needs to be investigated to see if this position is being paid for twice at great cost to the county.

It is imperative that these issues be addressed immediately by the Director of HRA and the Glenn County Board of Supervisors to preserve the well-being of the staff and the reputation of HRA in the community.

Response of the Board of Supervisors:

The Board of Supervisors concurs with the response of the Interim Human Resource Agency Director.

*Note: See attachment A for the following response from the Glenn County Interim Human Resource Agency Director.

(Pages 12 – 13) GLENN COUNTY VALLEY WIDE MOSQUITO ABATEMENT DISTRICT

Grand Jury Recommendation:

The Glenn County Board of Supervisors conduct public meetings with property owners in the affected area on the issue.

Re-petition Butte Local Agency Formation Commission for removal of Hamilton City Community Service District from Butte County Mosquito and Vector Control District after securing adequate support from property owners of the affected district.

In future district formations the utmost care should be shown in the prevention of overlapping districts that already provide the same proposed service.

Response of the Board of Supervisors:

The Board of Supervisors concurs with the response of the Health Services Agency Director.

*Note: See attachment B for the following response from the Glenn County Health Services Agency Director.



**GLENN COUNTY
HUMAN RESOURCE AGENCY
HRA**



A

**SOCIAL SERVICES
DIVISION**
P.O. Box 611
420 East Laurel St.
Willows, CA 95988
(530) 934-6514

**KIM W. GAGHAGEN
DIRECTOR**
August 28, 2009

**COMMUNITY ACTION
DIVISION**
420 East Laurel St.
Willows, CA 95988
(530) 934-6510

Honorable Donald Cole Byrd
Presiding Judge, Glenn County Superior Court
526 West Sycamore Street
Willows, CA 95988

RE: 2009 Grand Jury Report for the Human Resource Agency

Dear Honorable Judge Byrd,

The Human Resource Agency appreciates the opportunity to respond to the 2009 Grand Jury Report. The report included several findings, conclusions, and recommendations. The Human Resource Agency welcomes the opportunity for the members of the Grand Jury to revisit the organization to validate the findings and to determine our progress responding to these concerns, especially in light of the fact that the allegations were not shared with the organization during the investigation. Therefore, the HRA did not know it was being investigated and would have provided additional information if the members of the Grand Jury were clear about the outcomes sought in this process.

Employees of the agency both agree and disagree with the findings and recommendations of the Grand Jury. Regardless of the validity of the findings, the mere fact that the Grand Jury was compelled to investigate the organization causes this organization pause. As a result, all employees have involved themselves in learning from the matter and taking action to make the organization a desirable place for all to work. As a result, the Grand Jury Report has had a positive outcome for the HRA.

First and foremost, the Board of Supervisors appointed an Interim HRA Director from outside the organization and the Grand Jury Report has been utilized as a platform to address concerns within the organization. As Interim Director, I bring intimate knowledge of the HRA from prior years of service there, balanced with being apart from the organization for three years, which adds to my objectivity in review of the organization.

To address the conclusion that discord exists among staff and management that distracts, creates an environment of distrust, or a hostile work place, a number of steps have been taken. First, all staff were invited to participate in a confidential survey that measured their satisfaction of the executive team, management team, fellow employees, and the organization. Next, the Interim Director met with staff individually and as a group to reinforce that negative behavior and gossip would not be tolerated, that the chain of command would be loosened to afford all staff an opportunity to seek care and attention within the organization, and that the communication culture within the organization would be changed. This was followed by five hours of training for all staff on communication and rules transformation in order to provide all staff with the tools to address areas of concern within the organization that led to Grand Jury involvement. HRA employees report that this approach has had a positive impact on the agency.

SOUTH COUNTY FACILITY LOCATION
420 East Laurel Street
Willows, CA 95988

TOLL FREE 1-800-287-8711

NORTH COUNTY FACILITY LOCATION
604 East Walker Street, Suite A
Orland, CA 95963

At the end of September, all staff will again participate in a follow up survey to determine our progress. Additionally, the Interim Director will meet with all staff to afford them the opportunity to provide feedback on the status of the organization, which the Interim Director will respond to on the spot. This information will then be rolled up into a report to the Board of Supervisors explaining the process that was undertaken and the outcome realized as a result of the Grand Jury Report.

While the Interim Director generally agrees that the findings of the Grand Jury could be perceived to be real, many safeguards are in place to address such concerns and were in place at the time the investigation was undertaken. In response to the findings and recommendations, the following information is provided:

1. The Interim Director has reviewed the financial arrangement between the two divisions within the organization and has decreased the amount of funding provided to the Community Action Division. Additionally, for clarification, the agency is audited by various funding sources throughout the year and by the "single audit" that is conducted by the Department of Finance. Both state and Federal control agencies audit the agency on a regular basis. While not all programs are audited annually, every program year is audited entirely at one time or another. Transfers between programs, budgets, allocations, and expenditures are monitored by the Department of Finance and the Board of Supervisors.
2. The personnel process within the HRA is heavily regulated and monitored in compliance with Federal regulations. These processes and employee protections are also mandated by employee bargaining unit agreements. The process is monitored by Merit Service Systems, which is a subunit of the state Personnel Board; the Glenn County Personnel Department; the County Counsel; and by representatives of the bargaining units. Currently, the Board of Supervisors must review and approve any recruitment and hiring of any employee, whether permanent or temporary. Therefore, all personnel actions are subject to outside scrutiny and approval. The Interim Director finds that it is highly unlikely that recruitment or hiring abuses have occurred. However, there is a clear dissatisfaction with the hiring of several recent management positions, which has caused previous and existing employees to complain to the Grand Jury, even though such hires were compliant and approved by the Board of Supervisors. The Interim Director continues to listen to the concerns and is identifying ways to address such concerns.

Additionally, all personnel are afforded an articulated process for grievances that provides employee protections should an employee feel intimidated or harassed or believes that the workplace is hostile. Although the Grand Jury has made a finding in this area, no grievances or complaints had been initiated within or outside the agency that afforded the organization an opportunity to investigate and respond. Nonetheless, the Interim Director has initiated a number of processes and additional processes have been initiated by the staff themselves to improve communication, behaviors, and to afford employees a "safe" environment in which to express their concerns. The HRA is on its way to a more "open" environment in which employees thrive and enjoy coming to work.

3. The HRA is bound by and has always complied with the County's specific administrative policies and ordinances regarding a drug and alcohol-free work place, including employee testing. Reports of policy violation are immediately investigated and appropriate action is taken. Individuals that are investigated are protected by privacy law and reporting parties would not know the outcome of the investigation, nor any disciplinary action that may have been imposed. Employees who suspect abuse of these policies in the work place must bring these instances to the attention of others in the agency. With the exception of the finding by the Grand Jury, the Interim Director has been unable to verify any violations or lapse of policy. It appears that some employees may have observed such behaviors in the past, but failed to report

them. It is expected that new processes that enhance a "safe" environment with the agency will afford opportunities for employees to identify abuses so that they can be addressed.

4. The Deputy Director of Administration position is currently vacant. The Board of Supervisors approved a recruitment, which is complete, but has not authorized the hiring of an applicant. This position is currently recommended to not be filled as a budget reduction strategy due to the current funding deficit within the agency. The Interim Director may recommend a reorganization of administrative positions that would allow this position to be eliminated.

The Interim Director and the Executive Team have identified a disconnect exists between management and line staff. Efforts are currently under way to address the schism that exists between the management team and front line staff. The recently conducted survey underscores a current of dissatisfaction between the two levels of staffing. The Interim Director has set up a special meeting with the management team to share the survey results with them and to challenge them to resolve the matter. Additionally, the Executive Team has recognized that supervisors do not advocate on behalf of employees and management, serving as a two way street to improve relations between both levels. This issue is being studied and ideas are being developed to resolve the matter and to enhance relationships across the organization. The Interim Director has reinforced to every HRA employee the importance of relationships and the valuing of staff according to their abilities rather than their title.

The HRA is inherently a good organization. Clearly, something occurred that caused individuals to go outside the organization to address their grievances. Whether right or wrong, the entire agency recognizes the need to understand why this occurred, what needs to be done to address it, and to create a work place where such actions will not be necessary in the future. The HRA has learned to not simply disagree or ignore the findings and recommendations of the Grand Jury, but instead, to discover the root cause of the actions and to remedy them.

As a past employee and Interim Director of the HRA, I am proud of the organization and the employees that bring it to life. The HRA is a large, rule bound organization and the provider of a vast array of services. It is highly likely that present and past employees will at one time or another become dissatisfied with something that happens within the work place. It is the finding and determination of the Interim Director that the HRA is well on its way to creating a work place with improved communication, a safe environment in which to question decisions and actions, and to provide an environment in which employees are happy to come to work.

While some employees agree with the Grand Jury and others do not, it is clear that the 2009 Grand Jury Report has become the impetus for a better organization. For that reason, I am grateful for both the work of the Grand Jury and for the opportunity to provide this response on behalf of the employees of the Glenn County Human Resource Agency. Thank you.



Scott Gruendl, Interim Director



B

Glenn County Health Services Agency

Director-Health Services Agency

Scott Gruendl

Deputy Director
Behavioral Health
Kathy Montero

Chief Deputy Director
Administration
Cecilia Hutsell

Deputy Director Public Health
Director of Nursing
Grinnell Norton

ADMINISTRATION

242 N. Villa Ave.
Willows, CA 95988
(530) 934-6582
FAX: (530) 934-6592

ENVIRONMENTAL HEALTH

257 N. Villa Ave.
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FAX: (530) 934-6103

FISCAL

247 N. Villa Ave.
Willows, CA 95988
(530) 934-6347
FAX: (530) 934-6369

MENTAL HEALTH

242 N. Villa Ave.
Willows, CA 95988
(530) 934-6582
FAX: (530) 934-6592

604 E. Walker St.
Orland, CA
(530) 865-6459
FAX: (530) 865-6483
Mailing Address
242 N. Villa Ave.
Willows, CA 95988

PUBLIC HEALTH

240 N. Villa Ave.
Willows, CA 95988
(530) 934-6588
FAX: (530) 934-6463

SUBSTANCE ABUSE

1187 E. South St.
Orland, CA 95963
(530) 865-1146
FAX: (530) 865-1150
Mailing Address
P.O. Box 1174 E South St
Orland, CA 95963

August 28, 2009

Honorable Donald Cole Byrd
Presiding Judge, Glenn County Superior Court
526 West Sycamore Street
Willows, CA 95988

RE: 2009 Grand Jury Report for the Health Services Agency

Dear Honorable Judge Byrd,

The Health Services Agency appreciates the work of the Grand Jury as it concerns the Glenn County Valley Wide Mosquito Abatement District. The findings, conclusions, and recommendations of the Grand Jury are both accurate and agreeable. This situation in Hamilton City concerning the district is unfortunate and the County has been working to rectify the matter.

The County appreciates the level of service provided by the Butte County Mosquito and Vector Control District and recognizes that the County of Glenn is prepared to accept such responsibilities on their own behalf. The Butte County Mosquito and Vector Control District has graciously provided protection for Hamilton City when the County of Glenn could not and has provided continuous and inexpensive services for over twenty years.

The voters of the county elected to assess themselves for mosquito abatement services. Data collected prior to the election demonstrated a desire by Hamilton City residents for expanded services, so the area was included within the proposed district. It was assumed that if district formation was successful, that Hamilton City would be willing to detach from the Butte County district. Unfortunately, the process turned out differently and now Hamilton City residents have two assessments.

The Health Services Agency has worked with both proponents and opponents of the new district in Hamilton City. Information has been freely provided to opponents to legally challenge the new district, which has survived any such challenges. Therefore, it has become necessary to forge a compromise in

2009 Grand Jury Report

Page 2

Hamilton City. To that end, the Health Services Agency is exploring ideas with Hamilton City that will meet the needs of the community while keeping the new district intact and satisfying the will of the voters.

The Grand Jury recommendation that public meetings be held with Hamilton City residents has been met and will continue to be held until the matter is resolved. It is the intent of the Health Services Agency to resolve the matter in such a way that it will be unnecessary to re-petition the Butte Local Agency Formation Commission for detachment, but instead, reach a resolution in which all parties agree to the detachment.

It was never the intent of the County of Glenn to have overlapping districts providing the same service. It was the intent that the Butte County Mosquito and Vector Control District would graciously bow out of Hamilton City since the County of Glenn has gained the capacity to provide such services. The outcome of this situation will most likely result in not only improved services in Hamilton City, but a financial commitment to other mosquito related programs that could not be provided by Butte County. For example, these could include maintenance of new storm drain infrastructure and detention ponds, as well as innovative approaches to service provision in Hamilton City that may benefit other services, such as law enforcement.

The Grand Jury is commended for reviewing this matter and recognizing the difficulty of the situation. The findings, conclusions, and recommendations are appreciated and the County of Glenn looks forward to a positive and healthy relationship with the citizens of Hamilton City moving into the future.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Gruendl', with a stylized flourish extending to the right.

Scott Gruendl
Director

C



LARRY JONES
Sheriff/Coroner
Director O.E.S.

GLENN COUNTY SHERIFF'S OFFICE

Sheriff, Coroner, Civil Process, Office of Emergency Services, Animal Control
"Commitment to Service Dedication to Community"

August 19, 2009

The Honorable Donald Cole Byrd
Presiding Judge, Superior Court, County of Glenn
526 West Sycamore Street
Willows, CA 95988

RE Response to the 2008-2009 Glenn County Grand Jury Report

Your Honor:

Following you will find my response to 2008-2009 Glenn County Grand Jury Report. It was my pleasure to work with the members who were the Public Safety component of this year's panel. They demonstrated a sincere and lively interest in the function and responsibilities of all departments under the umbrella of the Sheriff.

• **Glenn County Jail:**

The report addresses several concerns and problems faced by the facility. Of course funding remains the main stumbling block in correcting these issues. My response to the Grand Jury's recommendations are as follow:

- 1) The recommendation that the sally port door be enlarged - due to the financial shortfall faced by the County this project is not funded. As in past years the project will continue to be pursued and alternative funding sources are always being sought.
- 2) Staffing in the jail continues to be fluid. At the time of this response there is only one (1) vacancy, that of a Correctional Officer. When possible we maintain a viable list of job candidates to pull from in case of any vacancies. We are encouraged by the present staff and feel that we may have reached a stable level of correctional personnel.
- 3) Updating of the air conditioning units and the laundry facility - again the financial condition of the County prevents us from making any dramatic capital improvements or equipment purchases. As soon as the financial health of county government improves we will work with the Board to plan for these changes.

• **Jane Hahn Juvenile Hall:**

While this County agency does not fall under the "umbrella" of the Sheriff's Office, I would like to say that I am in full agreement with the Grand Jury when they state that this most important county asset must be fully funded and staffed. I would implore the Board to maintain a viable budget for the "Hall".

543 W. Oak Street • Willows, CA 95988
Administration (530) 934-6441 • Fax (530) 934-6473
24 hour (530) 934-6431 • (530) 865-1122 • Fax (530) 934-6429
Jail (530) 934-6428 • Fax (530) 934-6427

Grand Jury Response
2008/2009
Page 2

Glenn County's Probation Department (which includes the "Hall") has progressed dramatically over the past few years. They serve as an integral part of Law Enforcement in Glenn County. Not only has the definition of "being on probation" come to really be meaningful, but the Probation Officers themselves are active, viable and successful officers on the street. During the past three years they have assisted law enforcement through out the County in "sweeps" that have resulted in removing violators and gang members from the mainstream, thus improving the safety and well being of our citizens.

I would like to again express my gratitude to the members of the Grand Jury for their continued interest in our department. Their willingness to listen to our concerns and suggestions has been appreciated by myself and my staff. Their support and recommendations are welcomed. While we cannot act on all recommendations, they certainly need to be included in our future plans on both a departmental level and well as a countywide basis.

Sincerely,



Larry Jones
Sheriff-Coroner

Cc: Clerk of the Board
Board of Supervisors
Grand Jury Foreman



GLENN COUNTY
PLANNING & PUBLIC WORKS AGENCY

Willows, California 95988
David J. Shoemaker, Interim Director



D

August 17, 2009

Glenn County Grand Jury
c/o Glenn County Board of Supervisors
526 W. Sycamore St.
Willows, CA 95988

PUBLIC WORKS DIVISION
125 S. Murdock Av/P.O. Box 1070
Willows, CA 95988
Tel: (530) 934-6541
Fax: (530) 934-6713

Re: Agency Response to the 08/09 Report

Dear Respected Members of the Grand Jury:

I am writing in response to the request made on Page 15 of the 08/09 Grand Jury Report to address concerns noted about the cooling systems at the County Jail. Please be advised that the Facilities Division had previously identified several evaporative coolers for replacement. To date, all but one have been repaired or replaced with new units. The remaining unit, which services the kitchen area, is scheduled for replacement during the 09/10 fiscal year, contingent upon funding availability.

Please let me know if you have any other questions or concerns regarding this matter.

Sincerely,

David J. Shoemaker
Interim Director

Airports, Boat Launch Facilities, Building Inspection, Capital Projects, County Parks, County Surveyor, Engineering, Facilities Maintenance, Fleet Services, Flood Control, LAFCo, Memorial Halls, Planning, Public Transit, Transportation, Road & Bridge Maintenance, Solid Waste

E



GLENN COUNTY PROBATION DEPARTMENT
541 West Oak Street, Willows, California 95988
Office: 530.934.6416 Facsimile: 530.934.6468

August 10, 2009

Honorable Donald Cole Byrd
Presiding Judge
Glenn County Superior Court
525 West Sycamore St.
Willows, CA 95988

Dear Judge Byrd:

This letter is in response to the report prepared by members of the Grand Jury with regard to the inspection of the Jane Hahn Juvenile Hall earlier this year. This year has been very challenging due to vacancies not being filled, but our juvenile hall staff remains committed to providing the highest level of service in keeping children safe while at the same time operating within a minimal budget.

The following issues were noted in the report and the following information is submitted:

Record Keeping – 96 Hour Physicals

Pursuant to Title XV of the California Code of Regulations, every minor is required to undergo a comprehensive physical examination/health assessment by medical staff within 96 hours after admission into the facility. It was recommended that a time and date column be added to the intake sheet that is completed upon intake. This will provide verification that is readily accessible to ensure the examination is completed within the requisite timeframe.

On August 7, 2009, the juvenile hall intake sheet was revised to include this change and it is now being used by juvenile hall and medical staff.

Funding

The other recommendation noted by the Grand Jury is that Glenn County needs to adequately fund the facility in terms of staffing. It should be noted that in 2005 due to cuts to the Probation Budget, Chief Probation Officer Linda Shelton made the decision to eliminate one juvenile hall counselor position. Subsequent grant funding was made available during the same time period and the supervising group counselor position was funded entirely from this source. That being the case, the county is one counselor short from maintaining the required number of staff to operate the facility. At some point when the budget issues

improve, the county must fund another juvenile counselor position in order for us to be fully in compliance with Title XV requirements.

In summary, the department is appreciative of the Grand Jury's assessment relative to the operation of our facility. We look forward to providing the same quality service to some of the county's most at risk youth.

If you have any questions, please do not hesitate to contact me directly.

Sincerely,



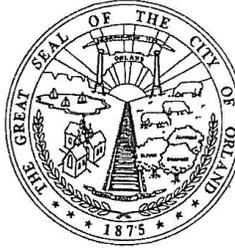
Brandon D. Thompson
Chief Probation Officer

cc: Glenn County Board of Supervisors ✓
Glenn County Clerk of the Board
Glenn County Grand Jury – Casey Lawler

DOCUMENT – II

CITY OF ORLAND

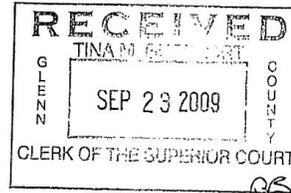
815 Fourth Street
ORLAND, CALIFORNIA 95963
Telephone (530) 865-1600
Fax (530) 865-1632



Incorporated 1909

September 21, 2009

Honorable Donald Cole Byrd
Presiding Judge
Glenn County Superior Court
526 W. Sycamore Street
Willows, CA 95988



RE: Response of Orland City Council to Grand Jury Final Report 2008-2009

Your Honor:

The City Council for the City of Orland has been asked to respond to the various issues contained in the 2008-2009 Grand Jury Final Report, particularly issues regarding (1) staffing levels of the Orland Police Department, (2) mandated garbage service, and (3) reactivation of the Orland Planning Commission. These matters were reviewed by department heads responsible for the various areas noted, particularly the City Manager and Chief of Police. This response, incorporating comments and suggestions from staff, was agendized and discussed in open session at the regular meeting of the Orland City Council on Monday, September 21, 2009. The draft presented for consideration at that meeting was discussed by members of the Council, after which time the City Attorney was directed to finalize this response and submit it to the Glenn County Superior Court. The following is a compilation of the comments of staff and the various Council members.

1. Recommendation (at page 19):

“We feel it is crucial for the safety of the citizens of Orland as well as for the officers themselves that the staffing levels at the OPD be brought up closer to the national recommended standards. While we realize the serious fiscal restrictions limit the options, money must be found to augment the staffing levels at the OPD in order to insure the wellbeing of the community.

Surrounding cities of similar backgrounds have a lower population base and a higher officer ratio than Orland. We recommend these cities be contacted to see how they are able to maintain and fund adequate staffing levels for Public Safety.

The current cost recovery fees for fingerprints, vehicle release, traffic fines, and clearance letters, etc. could be increased from 25% to 50%. In addition it is suggested that an alarm fee should be instituted for alarm calls exceeding three per quarter. This increase could place as much as another \$15,000.00 or more back into the general fund.”

City Council Response:

The “Findings” of the Grand Jury with regard to the effectiveness of the existing staff of the Orland Police Department are inaccurate and incorrect. In response to the manpower comparison with Willows, the Orland Police Department is at the same level as the Willows Police Department in sworn officers. Willows has laid off one officer bringing their total sworn officers to 10, which includes the Police Chief, the same as Orland.

As to the comparison with Corning, the City of Corning has substantially more General Fund Revenue than the City of Orland.

GENERAL FUND REVENUES

	CORNING	WILLOWS	ORLAND
2007-2008	\$4,990,381	\$3,282,358	\$3,230,083
2006-2007	\$4,863,109	\$3,181,087	\$3,143,627
2005-2006	\$4,119,391	\$3,048,694	\$2,734,617

Corning’s sales tax is considerably more due to a higher volume of business within the city, including three truck stops and a Ford dealership. Corning and Willows also generate more Transient Occupancy Tax (hotel tax), averaging over \$300,000 per year compared to \$70,000 generated in Orland. Willows also generates more sales tax based on the racetrack business. Therefore, the City of Orland does not have the financial ability to increase the manpower of the Orland Police Department at this time.

The City Manager is presently reviewing a proposal recently submitted by the Orland Police Department to initiate false alarm fees. The Police Department is also reviewing their other fees and will be making a recommendation for adjustments in the near future.

In reference to the crime rate increase, which is erroneously reported in the Grand Jury Report, Police Chief Robert Pasero provided statistical data to the City Council on June 15, 2009, confirming that the crime rate for Orland had actually been reduced for the previous two years.

2. Recommendation (at page 22):

“We recommend the Orland City Council make a concerted effort to obtain input from the community on the issue of mandated garbage service prior to reaching a decision on this matter.

The safety of the citizens in Orland and city police officers are of concern. The Orland Police Department is seriously understaffed and we recommend that steps be taken immediately to restore adequate levels of protection. In addition, Orland should reevaluate the removal of one officer from the Glenn County Narcotics Task Force.

If the Orland City Council wishes to perform the tasks of the Planning Commission, the Orland Municipal Code needs to be modified accordingly and advertised. If an appointed Orland City Planning Commission is again established, applications must be solicited from the members of the public who would be interested in serving on the Planning Commission with appropriate training being required by all commission members.”

City Council Response:

As to the issue of mandatory garbage service, the Grand jury made no findings pertaining to such a requirement. The discussion in the findings pertaining to the issue of landfill addressed an indication by Glenn County that county-wide mandatory service may be required “as a means of increasing revenue and recycling options for the future.” The City of Orland continues to address the issues of landfill costs, with discussions of this subject at Council meetings on a periodic basis. At the September 8, 2009 Council meeting the issue of garbage fees was raised as part of a request from the contractor, Waste Management, to increase fees due to the significant increase in “tipping” fees at the landfill, and there was public participation in the discussion of these issues.

With regard to the removal of an Orland Police Department officer from the Glenn County Narcotics Task Force, it should be noted that the City Manager made an administrative decision which was in keeping with the budgetary constraints noted in Response to Recommendation #1, above. This decision was not made in haste, and will be reconsidered when economic stability of the general fund is restored.

Finally, the issue of the composition, or even existence, of the planning commission is a matter exclusively within the province of the City Council. The appointment of the Planning Commissioners is entirely discretionary, as noted in Orland Municipal Code §2.32.050, and those Commissioners serve at the pleasure of the City Council. There is no specific legal requirement that the City Council appoint replacements for Planning Commissioners who have been removed from office within a specific period of time. Since the City Council responded to the 2008-2009 Grand Jury on this subject, further discussions have been held concerning the effectiveness of the present format. Given the decrease in development activity due to the economic downturn, there has been a diminished role for the City Council in making planning decisions, and there has been little interest in re-establishing the formal Planning Commission.

However, there also has been no interest in permanently dispensing with the Planning Commission. Should the City Council make such a decision, a recommendation has been made by the City

Attorney that Orland Municipal Code Chapter 2.32 be modified accordingly.

The City Council has expressed a desire to appoint new members of the Planning Commission, but only after an appropriate training program is determined and established. Once that occurs, applications will be solicited from members of the public, with appropriate screening to be conducted by the City Manager and City Council. Until such time as this process is completed, the City Council will continue to perform the planning function for the City of Orland.

It should be noted that, since the removal of the Planning Commission members from office and assumption of the planning function by the City Council, there have been a significant number of positive comments from developers as to the increased speed with which projects have been processed. The City Council intends to continue to serve the citizens of Orland in this positive manner, with or without the formation of a Planning Commission.

Thank you for the opportunity to respond to your report.

Very truly yours,

A handwritten signature in cursive script that reads "Bruce Roundy".

BRUCE ROUNDY
Mayor, City of Orland