



**ALPINE COUNTY
CIVIL GRAND JURY
2008-2009
FINAL REPORT**



Alpine County Grand Jury

P. O. Box 102

Markleeville, CA 96120

Web: www.alpine.courts.ca.gov

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Alpine County Grand Jury
State Of California



PO Box 102
Markleeville, CA 96120
www.alpinecountyca.com

June 30, 2009

The Honorable Richard Specchio
Presiding Judge
Alpine County Superior Court
P.O. Box 518
Markleeville, CA 96120

Dear Judge Specchio:

The 2008/2009 Alpine County Civil Grand Jury is pleased to present their Final Report. It has been an honor and a privilege for us to represent the interests of Alpine County's concerned citizens. This year's Grand Jury was comprised of an excellent geographic and gender balance. Selecting a few meaningful issues for investigation and analysis would present significant challenges for a blue-ribbon panel, let alone a "kaleidoscope" of volunteers whose varied ages, backgrounds, interests and abilities must fit together for the occasion – but this Grand Jury managed very well.

The orientation and training sessions for member jurors that took place early last August and December, as well as, their specific areas of investigation and analysis throughout the year, made the report possible. I wish to thank them sincerely for their accomplishments. This Final Report provides a compilation of the jurors' individual investigative reports, including Findings and Recommendations for specific corrective actions.

In exercising our mandate to select a specific governmental entity (in this case, the Department of Public Works) and conduct a civil investigation of its activities, we have, throughout the Report, attempted to set forth our findings in an objective and constructive manner. It is our hope that the Department of Public Works and the County uses our Report for improvement of their operations, and that the Alpine County Board of Supervisors exercise the leadership necessary to ensure such improvements.

This Grand Jury wishes to acknowledge the cooperation and forthright responses received from County employees involved in the numerous interviews. Their knowledge of job content and willingness to share this information was critical for the jurors' understanding, monitoring, and investigating County policies and procedures. Of particular note is Lisa Coburn's extraordinary support of this Jury as the Court Executive Officer/Jury Commissioner. She was also the catalyst for our Recommendations to improve communication between the Court and citizens of Alpine County.

In closing, I would like to thank you for the privilege of serving as Foreperson during the 2008/2009 term. It was a rewarding and challenging experience, and I appreciate your confidence and support.

Respectfully,

A handwritten signature in black ink, appearing to read "B. Bates", written in a cursive style.

Brian E. Bates, Foreman
2008/2009 Alpine County Grand Jury

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2008-2009 ALPINE COUNTY CIVIL GRAND JURY

Legal Staff & Board of Supervisors



Alpine County Legal Staff

Presiding Superior Court Judge: Richard K. Specchio
Legal Advisor: Martin Fine
District Attorney: Will Richmond

Alpine County Board of Supervisors

Donald M. Jardine – District 1
Henry “Skip” Veatch – District 2
Phillip D. Bennett (Chair) – District 3
Terry Woodrow (Vice Chair) – District 4
Tom Sweeney – District 5

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2008-2009 ALPINE COUNTY CIVIL GRAND JURY

Jury Officers & Roster



Alpine County Grand Jury Officers

Foreman: Brian E. Bates
Foreman Pro-Tem: James L. Holdridge, Jr.
Secretary: Carolyn Vaughn
Secretary Pro-Tem: Jeanette McPoil
Sergeant-at-Arms: Ryan Jay Bryan

Alpine County Civil Grand Jury Roster

Leslie D. Allert
Phyllis A. Anderson
Dolores Clark
Jim Clark
Derek Dornbrook
Ernestine Fogarty
Beverly K. Johnston

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OVERVIEW OF THE ALPINE COUNTY CIVIL GRAND JURY

ALPINE COUNTY CIVIL GRAND JURY DEFINED

The 2008/2009 Alpine County Civil Grand Jury, hereinafter referred to as GJ, is authorized by, and their oversight functions, responsibilities, operations, and processes are provided for by the California Penal Code, Sections 888 to 939. The usual term of volunteer service to Alpine County, hereinafter referred to as County is July 1st through June 30th of each year. Under special circumstances, the supervising judge may extend the term of selected Jurors as “holdovers” in order to provide continuity and orientation of the succeeding GJ.

The California Grand Jury system has its historical roots in the Old English Grand Jury system, the purpose of which was to protect citizens from arbitrary power of the Crown. The California system continues to retain the goal of protecting citizens from abuse by local government. It further provides a unique confidential forum in which the citizens of integrity are able to inquire about, observe, learn, and report the operations and issues facing the County.

The California Constitution, Article I, Section 23, provides that “One or more grand juries shall be drawn and summoned at least once a year in each county.” The law governing GJ formation, authority, powers, and proceedings, is found in Part 2, Title 4 of the California Penal Code, Sections 888 - 945.

The GJ was an independent and confidential body and may not, except for legal cause, be prevented from acting within its jurisdiction. The GJ functioned as one body, with all proceedings held in strict confidence. Witnesses and jurors were admonished not to disclose any proceedings of the GJ. It is a misdemeanor to violate this secrecy.

The GJ was comprised of twelve qualified citizens of the County who volunteered or were selected at random, and who were subsequently nominated by Alpine County Superior Court Judge Richard K. Specchio, Presiding Judge. The GJ was sworn to investigate or inquire into “County matters of civil concern.” Its civil authority extended to reviews of the functions and operations of the County and other local government agencies subject to Section 914.1.

The California Penal Code Section 925 specifically directed the GJ to select for an overall review of the operations of a specific County office, County department, joint powers authority, special district, school district, County officer, or any other legislative body that was within the jurisdiction of the County. In addition, the GJ, as part of its civil function, received written and signed citizen complaints alleging one or more of the following: mistreatment and/or suspicion of misconduct by elected officials and government employees, governmental inefficiencies, and/or any issues with services of publicly funded nonprofit organizations.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person, or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Civil Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.

ORGANIZATION / OPERATION OF THE 2008/2009 CIVIL GRAND JURY

The Presiding Judge of the Alpine County Superior Court designated a Foreperson over all proceedings of the GJ, oversaw the activities of the GJ, and approved this Final Report before its issuance. County Counsel was assigned as the legal advisor to assist the GJ concerning legal questions and issues.

The GJ was divided into several committees one of which according to Statute 925, elected to review the Alpine County Department of Public Works, hereinafter referred to as DPW. In addition, the GJ addressed three (3) formal complaints, one of which was about the DPW. During these investigations, the GJ had the option to utilize independent auditors to examine financial records and operations as necessary. Members of the GJ visited various County facilities, met with County officials and developed Findings and Recommendations for improvement.

It is important to emphasize that every member of this GJ was directly involved in the formulation of all reports. Every report is considered to be a product of the entity as a whole, and not the work of any individual juror or committee, with one exception. During the term of the GJ, one juror was an Alpine County employee. Consequently, to avoid the perception of conflict of interest on the part this member, the juror/employee was excluded from all parts of the investigation of the DPW report. The GJ is satisfied that the reports contained in this volume are fully qualified for publication.

The GJ's term has concluded with the publishing of this Final Report. This Final Report has been sent to the affected government agencies, the Presiding Judge of the Superior Court and the County Board of Supervisors. Written copies of the Final Report are also distributed to other public agencies and released to the news media. Responses to the Findings and Recommendations are required in accordance with Penal Code 933.05 (See Appendix A, page 61).

REQUIREMENTS TO BECOME A GRAND JUROR

In order to be selected to the Alpine County Grand Jury, an individual:

1. Must be a United States citizen.
2. Must be 18 years of age or older.
3. Must be a resident of the County for at least one year immediately prior to selection.
4. Must not be serving as a trial juror in any California court.
5. Must not have been discharged as a Grand Juror in any California court within one year of the beginning of service.
6. Must not have been convicted of malfeasance in office or any felony or other high crime.
7. Must not be serving as an elected public official.
8. Must be in possession of his or her natural faculties and of ordinary intelligence, provided that physical disabilities don't impede the ability to communicate or interfere with the person's mobility.
9. Possess sufficient knowledge of the English language.

Service as an Alpine County Civil Grand Juror is for an entire year (July 1 through June 30) and with each jury determining its work load. Each Grand Juror may be required to complete a financial disclosure form in compliance with the California Government Code. A Grand Juror is paid for their time worked (currently \$15.00 per day) and mileage is reimbursed for travel between the juror's residence and the GJ meetings, and for travel on GJ business (currently at \$0.50 per mile).

APPOINTMENT TO THE GRAND JURY

Alpine County citizens who wish to be considered for nomination to the GJ for any subsequent fiscal year (July 1 through June 30) are directed to our website www.alpine.courts.ca.gov . You may also write a letter with contact information directly to the following address:

Alpine County Grand Jury
Attention: Jury Commissioner
P. O. Box 518
Markleeville CA, 96120

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INVESTIGATIVE REPORT

C-08/09-1 Department of Public Works (DPW)



Department of Public Works & Community Development Department

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SUMMARY/BACKGROUND

The 2008/2009 GJ unanimously decided to review the operations and management of the Alpine County Department of Public Works, hereinafter referred to as DPW. The GJ made this decision for three reasons: (1) requirements in California Penal Code 925, (2) the DPW had not been reviewed by the GJ for more than 18-years, and (3) the GJ received a citizen complaint concerning the DPW with particular emphasis on the Director/Department Head of the DPW. The GJ acknowledged the complainant's allegations and proceeded to investigate their validity as part of its overall review of the DPW.

During the general review of the DPW, the GJ identified several organizational issues requiring further management attention by the County. Additionally, the investigation into specific issues expressed in the citizen complaint, not only reinforced many organizational concerns noted in the general review but it also revealed a number of questionable management decisions by its Director.

During this review and related investigation, there were many significant events which occurred that had an impact on the Alpine County government and influenced the GJ. These included a dramatic change in the national and local economy, the implementation of a County Workforce Reduction Plan resulting in the elimination of 14 employees, including three (3) Directors/Department Heads (Librarian, Building Official, and Health & Human Services Director), resignation of three (3) employees, and the May 15, 2008 appointment of the first Chief Administrative Officer, hereinafter referred to as CAO, for Alpine County¹.

APPROACH

During the review of the DPW and related to the investigation of the complaint, the GJ used numerous sources of information. Twenty (20) witnesses were interviewed taking more than 50 interview hours. Site visits included various DPW construction projects and the DPW facilities.

A significant quantity of documents were either requested or provided to the GJ for review, including, but not limited to: memos, letters, Alpine County Board of Supervisor, hereinafter referred to as BOS, Meeting Minutes, County department quarterly reports,

¹ As verified by the Alpine County Clerk's Office. In July 1975 the Board of Supervisors adopted Ordinance 352-75 creating the office of County Administrative Officer (CAO). A Deputy CAO served until September 1975, when contract CAO services were terminated with San Joaquin County. Ordinance 352-75 was rescinded by the BOS in October 1975, followed by a Referendum Election held on January 15, 1976 when County voters voted against having a CAO position. In February 1976, a Consultant to the BOS was hired on a part-time contract basis until eventually the "Assistant to the Board" position was created and filled in the 1980's. The Assistant to the Board position remained filled until 2008.

published newspaper/ journal articles and emails. Additionally, a brief mail survey² to eight (8) other California counties with similar snow removal responsibilities was used to assess and compare their operations with that of Alpine County.

DISCUSSION

As a result of the California Penal Code 925 authority to review the Alpine County DPW, and the coincidental submission of a citizen complaint about the DPW and its Director, the 2008/2009 GJ through its review, research, and investigation revealed several issues and concerns.

Due to the number of issues the GJ became aware of during its review, each of the issues will be discussed and directly followed by the required GJ Report format of “Findings” and “Recommendations.” The significant issues are:

1. General Overview and Observations of the DPW
2. DPW – Construction Project Management
3. Americans with Disabilities Act, hereinafter referred to as ADA
4. County Facilities Maintenance & Construction Project Oversight
5. County Road Crew
6. DPW Office Staffing & Training Issues
7. County Fleet Operations & Mechanical Services
8. “Radon” Gas Element – Sheriff and DPW Office
9. Recruitment & Selection of the Director–DPW
10. Assistant to the Board, hereinafter referred to as AB
11. Current & Future Organization of the DPW
12. Grand Jury Interviews with the Alpine County Board of Supervisors

² CALIFORNIA “SNOW” COUNTY SURVEY - The Grand Jury identified and surveyed eight (8) northern California counties with similar snow-removal responsibilities. Information requested included: budget, department head requirements, Road Unit/Maintenance, staffing and road mileage maintained. These counties included: Inyo, Lassen, Modoc, Mono, Nevada, Plumas, Sierra, and Siskiyou. See Appendix C, page 64.

1. GENERAL OVERVIEW AND OBSERVATIONS OF THE DPW

The GJ had the opportunity from interviews with current and former County employees, site visits and a review of an extensive collection of documents to observe the functionality, personality, and operations of the DPW. The DPW has undergone major changes, during the term of this GJ.

One of the major changes that the GJ was able to assess was the third year of employment of the Director-DPW hired from outside Alpine County in November 2005. His predecessor was employed by the County for 35-years.

Unexpectedly, and near the end of completing interviews and document review, the Director-DPW announced his resignation effective May 2009. At the time of this Report the GJ believes that the County (CAO & BOS) is evaluating whether to fill the Director vacancy.

With organizational change, particularly that of a department head, there are often assessments, opinions and perspectives, reluctance, anxiety, differences in management style, and sometimes personality conflicts. With the elimination of employees due to the Workforce Reduction Plan of 2008, there were many emotions expressed by departing and remaining employees. Despite losing some apparently competent and caring employees, and with all the changes, the GJ was very impressed with the generally good spirits, work ethic, and the cooperation of the County employees interviewed.

The GJ learned from interviews and documents that there was a common understanding and knowledge among DPW employees of daily operations, processes and, "...how to get things done." It was consistent throughout the interviews, that staff knew how to complete business such as a verifiable process for handling cash transactions for Turtle Rock Park Campground and County permit fees. Compliance with DPW training criteria and required County training appeared to have been met on a regular basis. The appropriate emphasis on safety was routinely stated by employees.

There appears to be the appropriate amount and types of documentation, reports, daily briefings, weekly staff meetings, and communication among the Administrative Staff of the DPW. The Road Crew has daily briefings before the start of field operations, with a particular emphasis on required safety messages.

Staffing – The relocation from the Turtle Rock Park Offices of the Building and Planning Departments combined for the newly formed "Community Development Department", hereinafter referred to as CDD, at the DPW office at 50 Diamond Valley Road involved the consolidation and sharing of administrative staffs. Prior to relocation and consolidation, the DPW staff included 22-positions. This included the Director, the County Engineer, all administrative office, road maintenance, building & grounds, and mechanic positions including the single fulltime DPW employee assigned to Bear

Valley. The DPW historically has relied heavily on extra-help/temporary employees to subsidize staffing levels.

Post-relocation and consolidation, the total DPW staff was reduced to 16-positions. The resulting staff reduction has the DPW and new CDD sharing the following positions: Office Manager, Fiscal & Technical Specialist, and two (2) Administrative Assistants. This resulted in an overall reduction of 6-positions.

Facilities – The County is to be complimented on its efforts to mirror many other municipalities and counties by combining building, planning and permit services as a “one-stop-shop” to one location. The down side is the 50 Diamond Valley Road building in its current use and configuration does not provide ADA access to the building entrance, public counter, or restroom(s) service.

The main DPW office is approximately 50-60 years old and the office space is cramped. Employees attempt to adjust daily and make the best of the space situation. Over time, the County has added both modern office equipment and many more employees. The original space plan was not designed for, nor contemplated these additions.

In fact, there is not enough room in this building if all of the assigned employees of the DPW, CDD, and contract employees (Building Official, Fire Inspector, and Engineer) are all present on the same day. There is not the necessary space to have several sets of building plans to be unrolled and reviewed, with or without visiting land owners, developers, architects, engineers, et.al.

Because of the very sub-divided and compartmentalized floor plan, it is necessary to have the forced-air heating system “on” for winter and the air-conditioning in summer (fixed and window units) to properly ventilate the building. This often overloads the outdated electrical system causing employees to power-off office equipment to balance the electrical loads, as well as having to reset electrical breakers outside of the building.

The employee “kitchenette” space does not include a sink forcing employees to wash dishes in the adjacent Men’s restroom. Employees walk around the computer server and telephone equipment to access kitchen appliances. There is no dedicated space for an employee break room. If available, a small conference room table (not large enough for an entire staff meeting) may be used by employees. The only other interior option is to take their allocated breaks and lunch at their desks. Weather-permitting, employees may use the outside picnic tables if the pine trees are not dripping and the ants and flies are not out. The final option is to take breaks or lunch in their private vehicles, or go off-site.

It was not the intent of the GJ to obtain any detail or specifics of building or fire code violations, or any possible California Occupational Safety & Health Administration, hereinafter referred to as Cal-OSHA, workspace/plan violations. If necessary, that information can be determined at the appropriate time. However, simple observation

affirms that there are too many employees assigned to this aged building along with the insufficient space needs for archival and active files, plans storage, office equipment, the needed public areas, employee break room, and restrooms.

FINDINGS

- F1. There is no evidence of any formalized written policy and procedures manual or similar type of document for use in training or reference for DPW/CDD employees. Specific job knowledge and position training for County operations is currently most often transferred verbally. Alpine is a small County operation with limited staff. Job information is not provided in a consistent written document. This impairs the ability for employees to temporarily cover another job, provide refresher training, and/or train for promotion.
- F2. The DPW office building at 50 Diamond Valley Road is at least 50-years old and currently has more assigned employees and contract employees than can comfortably and effectively use the building. This includes, but is not limited to, the lack of adequate space for building plan review, ADA compliance, and public restrooms, outdated and often overloaded electrical system, dedicated break room, and other employee comfort areas found in most modern office spaces.
- F3. The previous use of office space for the former Building and Planning Departments at Turtle Rock Park were not keeping the terms of the Patent (“lease”) of that property with the Bureau of Land Management, hereinafter referred to as BLM. The Turtle Rock Park-BLM Patent #04-70-0212, Document Serial #S1776 would need to be amended and approved by the BLM if the Turtle Rock Park Offices were ever reoccupied.
- F4. The County currently has a facilities plan (*Alpine County Strategic Plan – Facilities, 2002*) approved by the BOS on August 20, 2002. It set 5 and 10-year facilities goals for the County and each department based upon the evaluation of future needs.

RECOMMENDATIONS

- R1. The GJ recommends the County develop and adopt a standardized format of written policy and procedures and system of updates for each of its departments. These documents would contain specific job position knowledge and County operations for new employee training, refresher training, and training for promotion. [F1]
- R2. The GJ recommends the County review and update the *Alpine County Strategic Plan – Facilities, 2002*, and develop a capital projects funding mechanism. This would include the DPW/CDD office facilities at 50 Diamond Road. The GJ further recommends two short-term alternatives to provide the appropriate modern office space, employee break rooms, restrooms, plan check space, ADA compliance, and public access.

- a. Lease/purchase option modular office space for the current location (GJ preference),
- b. Amend the existing BLM patent (lease) to utilize Turtle Rock offices and relocate the Diamond Valley Road “one-stop-shop” services to Turtle Rock. [F2, F3, F4]

2. DPW - Construction Project Management

The GJ as part of the overall reviews of DPW and Director-DPW investigated several construction projects. Most of the projects were begun after the arrival of the current Director-DPW hired in November 2005.

The GJ fully understands it is the nature of construction that there are events, problems, issues of timing, and even weather, despite the best efforts and qualified experience of those responsible, cannot always be planned for. However, it appeared to the GJ that there were many problems, project delays, budget overruns, disputes within County operations and Departments regarding County construction projects. Additionally, there was false reporting of projects being completed to the BOS and compliance issues. It appeared the Director–DPW failed in his project management responsibilities.

The GJ was initially unconcerned with the minor maintenance and repair issues of County buildings and facilities. However, looking at governmental operations, including the use of taxpayers’ money, was of more interest to the GJ, in addition to what was “the usual” and normal way construction projects were managed by the DPW. The DPW is the County department charged with following Federal and State laws, along with County policies and practices in regards to construction work.

Following are summaries of the projects the Grand Jury reviewed:

- **Markleeville Library Park Upgrade (Pre-2005 – Present): This project has been reported as complete by the Director-DPW to the BOS; it is not complete.**

The project was a carry-over from the previous Director-DPW and was assumed by the new Director when he was hired in November 2005. During most of 2006, this project involved a total upgrade to the grass area adjacent to the Markleeville

Library. The major aspects of this work included steps to access Laramie Street, the construction of a “ramada” -bandstand/gazebo type structure with electrical service, paver walkway, a child/adult dual height drinking fountain with a pet watering station on the lowest level, topiary and other landscaping upgrade work, upper slope steps with handrails for walking access into the park and a large multiple-station children’s playground with the required safety ground covering.

The park upgrade used \$175,465 of “Per Capita Grant Program” funding from the State of California – Department of Parks and Recreation. This included a State approved increase from the original grant amount of \$121,000 due to added costs for ADA compliance and landscaping.

The final anticipated completion of this long-awaited project was visually a tremendous improvement from its previous appearance. It would provide a professionally landscaped park setting that has been enjoyed by many adults, children, and pets including musical and picnic events using the new ramada structure. It also better defined the separation between the Park and the Alpine County District Attorney’s Office.

Although this project was largely paid for by State taxpayers’ it was taxpayers’ money none the less. The special use drinking fountain was purchased for approximately \$3,500. Due to an improper initial installation, a major repair had to be done within a year. The estimated cost the GJ determined are approximately \$4,000-\$5,000 for the repair of the water fountain installation which was paid for by the DPW and the County. This repair was completely avoidable if the DPW obtained the appropriate permit, inspections to ensure the installation was done according to the manufacturer’s instructions. These are all responsibilities that come under the category of “project management.”

The project requires completion of ADA compliance (parking signs, ramp access, and proper handrail placement in several locations), stairway treads, and a correction to the undersized electrical service and outlet to the ramada. It appears that a higher priority was given to funding over \$30,000 of playground equipment, instead of providing ADA accessibility compliance and completing the project.

- **Alpine County Museum – Carriage House/Blacksmith Shop Display (2007-present): This project has been reported as complete by the Director-DPW to the BOS; it is not complete.**

This project has a deadline with the funding by a State – “Per Capita Grant” which requires completion and inspection by March 30, 2008. As of August and September 2007, the Director-DPW submitted plans that went through two (2) plan reviews by a third-party plan checking firm. The plans were returned as “incomplete” with code required information missing such as “scope of work,” architect/engineer wet-stamps and signatures, title block information, and required ADA compliance measures.

As requested by the DPW, the Alpine County Building Department provided a “second opinion” in September 2007 concerning the consultants plan check comments. The Building Department concurred with the consultants’ references to missing and incomplete information.

Due to the compressed timelines and the failure to obtain an approved set of plans, the original scope of this Museum project was modified. This was not the only example the GJ found in the style of the Director-DPW to “always be rushing,” always fighting a deadline” and in general a lack of planning.

Completion of the ADA compliant measures and assorted other issues are required, prior to a final inspection by the Building Department. It is now over two (2) years since this project was begun.

- **Perry Walther Community Services Building –Bear Valley (2005-Present)**
This project has been reported as complete by the Director-DPW to the BOS; it is not complete.

This project was initially identified to update the building (similar in purpose to the Turtle Rock Park Community Services Building); upgrade to the mechanical systems, kitchen, restrooms, and ADA compliance. There was a lack of active project management of DPW employees and/or private contractors by the Director-DPW, or his designee. The original permit was obtained in March 2005, and it remains to have the final inspections by the Building Department.

Outstanding issues are finalizing the kitchen alterations, ADA compliance, and fire sprinkler completion and testing. A non-related issue to the DPW review regarding this building is the part-time use as some kind of daytime childcare center. The GJ was unable to determine clearly if this is a privately-owned business, or a County sponsored child care operation. There are concerns that this service and building are not currently licensed or permitted for this use, and there may be an unauthorized use of County facilities. If so, this could become a liability for the County.

- **Gansberg Ranch – Hydrant Installation: This project has been reported as complete by the Director-DPW to the BOS; it is not complete.**

This project began in 2006 with the need to establish a firefighting water source in the Mesa Vista-River Ranch area of the County. The irrigation line and hydrant installation project on the Gansberg Ranch property occurred during the Spring/Early Summer of 2007. The site selection was based on a series of public workshops/meetings including local residents, representatives of the Alpine Fire Safe Council, representatives of the Alpine County Department of Public Works, and the Woodfords Volunteer Fire Department, hereinafter referred to as WVFD.

The GJ appreciates the cooperation and community good will of the property owner to donate access to his property and the water supply from a gravity-feed pond. What came to the attention of the GJ was the eventual payment of \$9,210.17 by the County to the property owner for reimbursement of the work performed by a contractor including the installation of the wrong hydrant.

A permit was not obtained through the Building Department nor, any inspections performed, including a final flow test of the hydrant and inspection of the inlet piping at the pond. The failure to obtain a building permit is a violation of State and County codes. The contractor hired by the property owner was an out-of-state contractor from Minden, Nevada and was not licensed to operate in the State of California until 14 months after the hydrant installation was completed. The Director-DPW failed to comply with California State License Board requirements of properly licensed contractors working in the State of California.

The presumption by trained firefighting personnel is that any hydrants installed either on public or private land is required to be inspected and flow tested according to the applicable codes and approved plans. The purpose of permits and inspections is to minimize the potential damage to firefighting apparatus and to reduce the chances of injury, serious or otherwise to firefighting personnel.

Due to the current status of the hydrant installation as being not permitted, inspected or tested, the Woodfords Volunteer Fire Department has not approved the use of this hydrant, does not recognize this hydrant on its maps, and has a strict "DO NOT USE" operational policy. The potential use of the hydrant by other fire agencies responding to this area to assist with firefighting will not know the history of this hydrant installation and will presume it is safe to use. This creates a liability for the County in the installation's current status.

The arrangement between the property owner and Alpine County was documented in a Memorandum of Understanding, hereinafter referred to as MOU, approved by the Board of Supervisors on June 19, 2007. This MOU had the peculiar feature of being written, reviewed by County Counsel and acted upon by the BOS, after the actual construction was completed. Typically, any easement, contracts, MOU's, etc. are completed and approved before any work is begun, especially in this case of private property.

In resolving the hydrant use and installation issue, both the property owner (a former elected member of the BOS) and the private contractor were contacted by the GJ. Both parties requested a "letter of immunity" from the Alpine County District Attorney before they would offer any cooperation. The GJ did not pursue their requests.

The hydrant installation and payment to the property owner from the County for 100% reimbursement of the contractor's invoice has the appearance of a gift of public funds, for the sole use and benefit of the property owner and probable premium reduction or credit to the property owner's homeowners insurance.

In March 2009, the GJ proposed a "win-win" agreement between the property owner, the Alpine County Building Department, DPW, and the WVFD. The proposal included the property owner to submit the original plans, specifications and the "as-built" plans to the Building Department for review, and the DPW would provide the resources to dig up the hydrant installation site for inspection purposes. The Director-CDD and currently the interim Director-DPW as of April

21, 2009, is working with the Building Official, engineering consultant, and property owner to mitigate the hydrant situation.

Woodfords Water Tank: (2006 – Present)

This project involved the identification of a firefighting water supply in the Woodfords area. The site selected is on County land adjacent to the WVFD Station. The original project was to have two-phases: 1) a 50,000 gallon tank designated as a static firefighting (*a non-potable/non-drinking water quality*) water supply source that would provide water to an adjacent gravity fed pressure hydrant, 2) the installation of a pump to provide a pressurized water supply to an existing underground piping system to an already installed overhead fill-pipe system in the fire station. The project was to be funded by Federal grant money and work complete by the DPW. The fill source for the water tank would be an existing County well in the adjacent DPW compound.

The project was originally funded by a \$52,124 grant from the Alpine County Resource Advisory Committee. This requested grant amount was based on an informal written bid to the WVFD for the estimate of \$34,753. The informal bid did *not* include any provision for a pump system.

The project was given a conditional approval and permit based on the National Standard for Fire Protection of Water Tanks and NFPA 22, 2003 Edition. The conditional approval and subsequent final is outlined in the June 14, 2007 memo by the Senior Fire Prevention Inspector. Instead of going to competitive bid for this project, the Director-DPW made the decision to go “sole source” to a previously used contractor.

Although not necessarily illegal, there are specific provisions in the California Public Contract Codes for the use of “sole service” product or services contractors, and when projects have to go to “informal bid” and “formal competitive bid” processes.

In addition, the best the GJ can determine, the Director-DPW unilaterally decided to change the non-potable status of this tank into a domestic-quality water tank. This dramatic change in the tank design and components was without any discussion with the WVFD, Building Department, or authorization of the BOS and immediately increased the costs of this project.

In 2008, the Director-DPW was released of the assignment. The Woodfords Water Tank is being managed by the Undersheriff - Alpine County Sheriff Department.

Phase I of this project (tank to gravity-fed hydrant) at its conclusion will have expended a total of \$155,274. This project has not received a final inspection. The additional \$103,120 to complete Phase I has come from other County funding sources.

Phase II (electric pump/generator/shed to pressurize system to the fire station) was approved by the BOS in July 2008, for an amount not to exceed \$128,990, which is being funded by the County. As of June 2009, Phase II is under way.

The Director's management was not routinely coordinating County construction projects with the County Building Department regarding permits, plan reviews, and inspections, or adhering to State and County Codes. In May 2007, the Building Department requested "direction on County projects" from the BOS due to a conflict created by the Director-DPW concerning the continuing lack of permits, plan review, and inspection oversight of County construction projects.

The failure of the Director-DPW to follow the same building practices which the County is obligated to follow and enforce for private builders, developers, and County residents presents the attitude of, "do as I say, not as I do." In July 2007, County Counsel developed an operating policy for the Director-DPW in cooperation with the Building Department. The Planning Department Director acting as mediator, between the Director-DPW and the Building Official conducted a series of meetings to resolve the ongoing conflicts between the DPW and Building Department.

The Director-DPW lacks the experience of governmental building projects and an understanding of the process and flow of permits, plan review, plan approval, and inspections (active and final). Although the GJ does acknowledge that there may have been some personality conflicts involved, the Director-DPW has been at times indifferent, unqualified, inexperienced, and/or unknowledgeable in his approach to performing his job. The Director-DPW did not seem to care, or have any interest in modifying his performance of his responsibilities.

FINDINGS

- F5. There is a consistent lack of designated qualified DPW personnel, or contract project managers to oversee County employees and private contractors performing work for the County. The Director-DPW is responsible.
- F6. The Director-DPW demonstrates a trend of not regularly obtaining the legally required permit, plan review, and inspection process mandated by the County and State law. This indifference to the "checks and balance" aspect of project management, construction, and inspection does not benefit the County and its taxpayers.
- F7. The Director-DPW seems to always be in a "rush." The lack of planning most often causes him to have to seek out "sole source" contractors for goods and services in order to avoid the time required to complete the "formal competitive bid" requirements of the California Public Contract Law, and County Ordinance No. 637-01 (October 2001) Purchasing Ordinance, which specifically addresses the requirements for formal bids and contracts for public works contracts.

- F8. The Director-DPW failed to oversee and complete the Gansberg Hydrant Project in a manner which would satisfy judicial and public scrutiny. The project has created a liability for the County and the Director-DPW has made no efforts to resolve the issue.
- F9. The GJ proposed a resolution for the Gansberg Hydrant Project after discussion and documentation between the DPW, Building Department, and the WVFD to the property for review.
- F10. County Counsel and BOS gave direction for a MOU document to be developed, reviewed, and subsequently approved after the construction of the Gansberg Hydrant Project, using County funds on private property. The MOU did not contain any details as to who was responsible for the permit, inspections, project management, overall completion, maintenance, and compliance with applicable codes.
- F11. There may be a childcare program being conducted at the Perry Walther Community Services Building in Bear Valley. This would require a permit and/or license from the County and/or State to authorize use of County facilities according to County policy.

RECOMMENDATIONS

- R3. The GJ recommends the County evaluate and implement a specific policy, procedure, and job position (County employee and/or contract manager) for qualified and experienced construction project management for County buildings and facilities. The GJ has a recommended position “facilities superintendent” in a reorganization plan to accomplish this. [F5] (See Appendix B, page 63)
- R4. The GJ recommends the County develop a policy and procedure to ensure County departments coordinate permits, plan reviews/approvals, inspections, and “final acceptance” for County construction projects per existing State and County codes and ordinances. [F6]
- R5. The GJ recommends the County review and revise as necessary its existing County ordinances and codes regarding “purchasing” and the County’s compliance with the California public contract law. [F7]
- R6. The GJ recommends the County resolve the Gansberg Ranch, and Alpine County hydrant project issue to the satisfaction of all parties involved. If there is no resolution or cooperation from the property owner in a timely manner, the County should immediately terminate the existing Memorandum of Understanding, order the hydrant “abandoned” (removed as illegal and unsafe construction) and demand repayment from the property owner to the County of the full \$9,210.17 paid to the property owner in 2007 by the County. [F8, F9]

- R7. The GJ recommends the County review its policy and procedures regarding creating and approving legal agreements (MOU's, easements, contracts, etc.). [F10]
- R8. The GJ recommends the County review and investigate the appearance of a child-care business/operation being conducted at the Perry Walther Community Services Building – Bear Valley to ensure that it is in full compliance with all County and State codes and ordinances including all appropriate permits and licenses. [F11]

3. American with Disabilities Act (ADA)

In 1990, President George H. Bush signed the Americans with Disabilities Act. This Federal legislation and succeeding individual State versions created a new mandate and requirements for providing a wide-ranging access to public buildings and structures, commercial/business buildings, public accommodations, transportation, and telecommunications.

Although compliance on a national level has made tremendous progress, there continues to be civil court challenges regarding those public entities and private owners that have been slow or incomplete with the required compliance for ADA access.

The County faced a challenge in 2007 with a civil lawsuit regarding the ADA accessibility of the County Courthouse. Despite this lawsuit and the good fortune, to date, of no other ADA related lawsuits, County requires on-going corrective actions regarding ADA compliance of its buildings and structures. The 2001 GJ also recommended corrective action. ADA compliance of County buildings and facilities is the responsibility of DPW and the AB as the designated “ADA Coordinator.”

The Building Department is the legally constituted and State-mandated agency responsible for enforcing the State Building Codes as well as Federal, State, and local laws and regulations relating to construction within the County.

The Director-DPW clearly lacks the knowledge, and often fails to follow established rules and procedures for compliance of the California Building Code. This has resulted in ADA non-compliance of County buildings and facilities/structures. The 2001 California Building Code 101.17.11 and Government Code Section 4450 states, “Publicly funded buildings, structures, sidewalks, curbs, and related facilities shall be accessible to and useable by persons with disabilities.”

The Director-DPW is responsible for several projects requiring some type of improvement work and/or inspection for ADA compliance that includes, but is not limited to: the Markleeville Library Park Upgrade, Alpine County Museum, Bear Valley Public Safety Building, Perry Walther Community Services Building (Bear Valley), Woodfords Volunteer Fire Department Station, and Turtle Rock Park Campground Bathroom Conversion.

The GJ was not able to determine whether the Directors' actions were based on his own opinion and perspective of ADA compliance, or if direction was given by the AB and/or the Board of Supervisors to disregard ADA compliance.

FINDINGS

- F12. While responsible for the ADA compliance of County building and structures, the Director-DPW failed to cooperate with the Building Department to complete the required improvements and final inspections on numerous County construction projects.
- F13. After already having a history regarding the lack of ADA compliance, the County is continuing to set itself up for future lawsuits due to a lack of compliance with existing Federal and State ADA regulations and codes.

RECOMMENDATIONS

- R9. The GJ recommends the County develop and implement a plan to complete all active construction projects with emphasis on ADA compliant measures and finalizing these projects. [F12, F13]

4. County Facility Maintenance and Construction Project Oversight

One of the responsibilities of the DPW is the maintenance of the various facilities owned by the County. This includes, but is not limited to, all County offices and buildings, Courthouse, Chamber of Commerce, Markleeville and Woodfords Fire Department Stations, the Turtle Rock Park Community Service Building and Campground, all County Bear Valley facilities, and two residential rental buildings.

Minor maintenance and limited remodels have traditionally been handled by the former DPW position of "Building & Grounds Supervisor." This position would typically determine the complexity and ability of the project for DPW to complete this work or to have outside "private" sector contractors complete the projects in whole or in part.

The Director-DPW re-titled this position as "Building & Grounds Senior Maintenance Worker." The Supervisor position at one time supervised one or more "Building Maintenance Worker(s)," part-time and temporary workers, community service workers and outside contractors.

During the Workforce Reduction Plan initiated in May/June 2008, several DPW vacancies were left unfilled. The only DPW worker still on staff and able to perform any building maintenance was the Building & Grounds Senior Maintenance Worker. On September 1, 2008, that employee resigned and the position has remained unfilled.

Any maintenance needs for the County since September 2008 have attempted to be met either with the use of a handyman service for only approximately 10-hours per

week through a temporary help agency located in South Lake Tahoe, or the janitorial service the County has hired.

FINDINGS

- F14. The County currently does not have any DPW personnel to complete any type of routine or emergency maintenance or repairs to County buildings and facilities. The GJ recognizes that in an emergency that Road Crew personnel may be possibly accessed; however that would be based on their availability and general building maintenance knowledge of the particular employees.
- F15. The County is currently deferring maintenance to buildings and facilities. Additionally, there remain numerous incomplete projects, large and small throughout the County as a result of decreased staffing and lack of facilities oversight by the DPW.
- F16. The practice of preventative and regular maintenance and inspections in regular intervals is a proven “best management practices” to maintain buildings and systems. This practice most often prevents the need for emergency repairs and catastrophic failure thereby reducing the availability of facilities.
- F17. The currently vacant “Building & Grounds Senior Maintenance Worker” position had been most often the only DPW person to oversee and perform project management of work by private contractors. The current job description is too vague in addressing the qualifications regarding credible building contractor and/or field project management.
- F18. The County does not have any designated or specified method to have field project management at any level of complexity to be completed. This failure does not provide prudent use of taxpayer dollars for maintenance, remodel, refurbishment, and major construction work to ensure quality of materials and labor.
- F19. The County is not utilizing the common practice of governmental units such as cities, counties, special districts, etc. to have “agreement vendors” or “master agreement contracts.” This practice allows for private vendors and contractors to provide goods and services at a cost savings.

RECOMMENDATIONS

- R10. The GJ recommends the County review and assesses the current practice regarding the maintenance and emergency repair of County buildings and facilities, to develop and implement a corrective plan and/or County employee and act accordingly. [F14, F15, F16]
- R11. The GJ suggests the County evaluate the current staffing and configuration of the DPW, including the need for the Director/Department Head position. In this evaluation, the County should consider the proposal to combine the existing DPW and the Community Development Department to the renamed, "Community Development and Services Department." In addition, the GJ recommends a new "Facilities Superintendant" position and an entry level "Front Desk Clerk" Position. [F17, F18] (See Appendix B, page 63)
- R12. The County needs to assess and develop a plan as appropriate to utilize a commonly used governmental goods and services procurement practice of "agreement vendors" or "master agreements" contracts process to obtain value for taxpayers. [F19]

5. County Road Crew

The Road Crew functions under the Director-DPW. It is currently staffed with a Road Superintendent, one (1) Lead Maintenance Worker and Road Maintenance Workers. At the closure of the Fiscal Year, June 30, 2009, there will be a total of four (4) Road Maintenance Workers (Grades I, II, & III) assigned to the East Slope, in addition to a fulltime DPW employee located in Bear Valley as the "Bear Valley Maintenance Coordinator". This is a total Road Crew staffing level of only seven (7). In 1977, 32-years ago the Road Crew had a staffing level of 14-employees with many less miles than the current 80-miles of paved, maintained and "accepted" private roads for County maintenance and snow-removal.

This severe staffing shortage and excessively aged heavy-duty equipment, three (3) heavy snowplow/sander units, presents problems of balancing safety with the division of workload assignments. This affects both the winter snow-removal months and the warm-weather "summer" months of road maintenance. Snowplow operations are considered a very dangerous part of the Road Crew duties and it is not uncommon to get a snowplow stuck causing another snowplow unit and personnel to come to assist.

During snow-removal operations the staffing for the Markleeville, Mesa Vista, and Woodfords areas has to be such that, if necessary, plowing can be done at all hours of the day. Even with extended hours of plowing, enough personnel have to be available in case of a vehicle emergency with one of the County snowplows.

The large snowplow/sander trucks require a California Class “A” Drivers License and specialized training provided by the Road Crew. Although temporary workers can be brought in with a Class “C” Drivers License to drive pick-up trucks and other small equipment, it is almost impossible to hire temporary workers with Class “A” License and snowplow experience.

During the summer road maintenance schedule, safety requires that the often seen “flagger,” signs, and traffic controls are in place. Staffing does not even consider the absence of any employee due to time off for vacations, sick time or any workers’ compensation illness/injuries. With an Eastern Slope Road Crew staffing of only 6-employees including the Superintendent, there are severe limits to the amount of road maintenance that can be completed.

The total available road maintenance employees’ ratio per paved road miles for Alpine County is very poor. The previously mentioned “ California (8) County Survey”³ revealed that for only 80-miles of paved roadway, Alpine County has one of the lowest ratios. Though Mono and Sierra Counties have lower ratios than Alpine County, they have minimum staff levels for a given project.

COUNTY	MODOC	LASSEN	INYO	NEVADA	SISKIYOU	PLUMAS	ALPINE	MONO	SIERRA
Paved Miles	988	879	550	413	870	469	80	182	104
Workers	22	24	23.5	26	55	38	7	18	13.5
(Ratio) (Large to Small)	(44.9)	(36.7)	(23.4)	(15.9)	(15.8)	(12.3)	(11.4)	(10.1)	(7.7)

The funding for the Alpine County Road Crew is only from Federal and State revenues. None of the funding comes from the County General Fund. In comparison, of the eight counties surveyed, only one county (Siskiyou) used any General Fund monies for their road budget. For their Approved Budget 2008-09, they transferred \$530,000 to Roads for only 8.8% of the total Roads Budget.

The State of California revenues come from gasoline taxes, road taxes, and grants. Some Federal funding comes from one-time grants and monies such as the recent Tax Extender Financial Stimulus Package approved by Congress and signed by the

³ CALIFORNIA “SNOW” COUNTY SURVEY - The Grand Jury identified and surveyed eight (8) northern California counties with snow-removal responsibilities. Information requested included: budget, department head requirements, Road Unit/Maintenance, staffing and road mileage maintained. These counties included: Inyo, Lassen, Modoc, Mono, Nevada, Plumas, Sierra, and Siskiyou. See Appendix C, page 64.

President in October 2008. The major Federal funding is from the “Secure Rural Schools and Communities Act, hereinafter referred to as SRSCA. The SRSCA was formally known as the Forest Reserves Receipts Act.

Originally based on the Forest Reserve Act Proclamation in 1891 by President Benjamin Harrison, this funding source has had many changes over the years. Most recently this payment program to certain “rural” counties throughout the United States that had at one time or currently have timber cutting is in the extension of the 2000 SRSCA law. SRSCA-2008 is based on a series of formulas of payment, and the current legislation states that revenues will be reduced approximately 10% each year. The Act is set to expire in the Federal Fiscal Year 2011, unless it is reauthorized or replaced by entirely new legislation. At this time there is no assurance or guarantee there will be this Federal funding source past 2011.

The SRSCA current formula for affected California counties provides that 15% is allotted to the SRSCA – Resources Advisory Committee for funding of local resource related projects, the remaining 85% of the County’s allotment is split 50/50 between the County (Roads Crew Budget) and the Alpine County School District. The 2008 allotment to the County for the Road Crew Budget is \$382,716. This SRSCA funding is now approximately 20% of the Roads Budget.

An issue raised in the complaint concerns a possible inappropriate use of Road Funds. California counties are permitted to move certain funds through their accounts as a convenience in consideration of their cash flow needs. This means certain predetermined expenditures can be made before the actual revenues are received. This allowance is to be backed up with the procedures of the California State Controller County Budget Act – 1985.

FINDINGS

- F20. For staffing, safety, and various Road Crew assignments, the County Road Crew as part of the DPW is severely understaffed. There are only a total of 7-Road Crew Personnel including the Road Superintendent until the end of the current fiscal year, June 30, 2009. This includes the need for the Road Crew to maintain the combination of properly licensed, trained, and experienced personnel. This is a very low staffing level when compared with small populated counties in other California with snow-removal responsibilities.
- F21. The Road Crew is only funded by State and Federal revenues. At this time no General Fund monies are used for the Road Crew Budget.
- F22. The former Forest Reserve Receipts Act, now the SRSCA, has been providing decreasing funding since its inception. This Federal funding act is only authorized to 2011 and is formulated to decrease at a 10% per year. The Federal Fiscal Year 2008 amount to the Alpine County – Road Crew Budget is \$382,716, now approximately 20% of the Road Crew Budget.

F23. Although a forensic accounting study was not completed, the GJ finds no inappropriate use of the Road Crew Budget specific to the complaint. The cash flow and accounting seems consistent with the established practices of the County Auditor, the State Controller County Budget Act, and the required outside audits of the County fiscal procedures. Additionally, all expenditures and transfers between accounts are ultimately approved by the BOS.

RECOMMENDATIONS

R13. Immediately review the staffing of the DPW road crew and develop a plan to retain the total 7-personnel (including Bear Valley). The GJ suggests an increase of at least two (2) more personnel for a total of (9) nine staff. This increase will provide for safety and a higher level of work productivity. [F20]

R14. The GJ proposes the County review the State and Federal revenue sources that are used to fund 100% of the Road Crew Budget (Public Works – Fund #220) to ensure that all possible funding is being accessed from these sources. The Federal SRSCA is scheduled to be reduced by 10% over the next 3-years and expire in 2011. [F21, F22, F23]

6. County Fleet Operations & Mechanical Services

Most of the entire motorized fleet of vehicles, tractors, fire apparatus, motorcycles, trailers, and assorted other power equipment owned by the County is maintained by the current single employee, the County Equipment Mechanic/Shop Coordinator. The only exceptions are the all-terrain vehicles and snowmobiles that are serviced by the Search-And-Rescue hereinafter referred to as SAR personnel.

The County fleet⁴ includes over 52 vehicles (sedans, SUV's, pick-up trucks, EMS ambulances, Library Bookmobile), 18 tractors and large trucks (backhoes, road graders, dump trucks, large snowplow/sanders), over 16 types of fire apparatus and over 66 assorted specialized motorized equipment (brush chipper, generators, snowmobiles, quads, SnowCat).

Most all of the preventive maintenance and emergency repairs are completed at the Fleet Shop located behind the fenced-in DPW road yard. The Equipment Mechanic does have the ability to affect some field repairs with one of two mobile units if necessary. The Fleet Shop is fairly well equipped and kept in a clean and orderly condition by the County Equipment Mechanic/Shop Coordinator. On a few occasions, when more than one-person is needed, the Equipment Mechanic requests the physical assistance of DPW/CDD office staff to “help” him with vehicle repairs and maintenance in the Shop.

⁴ Per Alpine County – DPW “Vehicle and Equipment Listing” – Fiscal Year 2009.

The Equipment Mechanic is available to provide technical information and recommendations for replacement of fleet vehicles. The current practice is for each County Department to determine what vehicles (sedans, Sport Utility Vehicles hereinafter referred to as SUV, pick-up trucks) and type to replace. The County more recently has adopted a replacement mileage limit of these vehicles to approximately 150,000, the Sheriff Department to a mileage of 130,000. The assessment by the GJ is that the general vehicle fleet used by the County (all departments) is in a general “good” condition with regards to mileage and age.

The various fire apparatus of the County (Woodfords, Markleeville, Kirkwood, Bear Valley) including fire engines, water tenders, and small response apparatus such as the Heavy Rescue, brush engines, and command vehicles are in general, in “fair” to “very good” condition in regards to years and mileage. The County should be complimented on its efforts in recent years to provide new replacement fire engines to the Woodfords and Markleeville Stations.

The more specialized power equipment of the County, specifically, the heavy-duty equipment of the fleet including tractors, backhoes, snowplows/sanders, and trucks has issues. The three (3) large snowplow/sanders are 21-years old (2-plows) and 29 years old, with respective mileages of 52,000; 55,000, and 57,000. The service life of these vehicles is normally divided into first-line service of 10-15 years plus a reserve service life. Other significant aged specialized equipment in the fleet includes a 1983 (26-yrs. old) water truck with 737,269 miles, a 1979 (30-yrs. old) loader/snow blower, and a 1979 (30-yrs. old) backhoe/loader.

FINDINGS

- F24. The County does not currently have sufficient reserve or contingency funds for fleet replacement commensurate with the variety and number of vehicles and specialized power equipment in the County Fleet. This also includes the accelerated fleet replacement needs due to the California Air Resources Board requirements to upgrade or replace certain diesel-powered road equipment and tractors.
- F25. The three (3) County large snowplow/sanders have exceeded the industry-standard of years in service as first-line equipment of usually 10-15 years. The years of service of the current County plows are two (2) at 21-years, and one (1) at 29-years. Each of these units new would be valued at approximately \$160,000 each to replace.
- F26. The County does not currently use the “lease/purchase option” funding mechanism to maintain its fleet, especially the need to have a regular fleet replacement program of its heavy equipment and off-road operations.
- F27. There are currently no “agreement vendors” or “master vendor” contracts of private sector mechanic services to provide back-up, preventive maintenance, or

major repair services to augment or replace the current single County Equipment Mechanic in the event of an unexpected events or activity.

- F28. The workload of the single County Equipment Mechanic at over 110-vehicles/tractors/heavy-duty specialized fleet is well above any industry-standards ratio for fleet maintenance operations. There is no plan currently to accommodate or provide for additional staffing for this single employee to perform the routine and scheduled maintenance of the fleet, while having to remain available, including after-hours for winter snowplow operations and/or fire apparatus needs during extended fire operations.
- F29. A dangerous situation of potential injury is recurring by the Equipment Mechanic utilizing DPW/CDD office staff for assistance with vehicle repairs in the Shop. This is not only a severe case of “out-of-class” work by administrative office personnel; it is a violation of CAL-OSHA regulations.
- F30. The County Mechanic Shop does not have the equipment to raise larger vehicles in the fleet such as fire engines and larger trucks to perform preventive or repair maintenance. The lack of this specialized equipment hampers the Equipment Mechanic in his ability to more easily and safely complete required maintenance.

RECOMMENDATIONS

- R15. The GJ suggests the County review and revise its existing funding process (Internal Service Fund [ISF]), and develop a fleet replacement plan for the entire County fleet. [F24]
- R16. The GJ suggests the County address the immediate need to replace the three (3) large snowplow/sander units. The minimum target the GJ is recommending is to replace one (1) within one-year, the other two (2) at a 3-year interval each for the result of three (3) new units within 7-years (by 2016). [F25]
- R17. The County reviews all possible fiscal options for fleet replacement including “lease/option to buy.” [F26]
- R18. The County review and develop a plan for using “agreement vendors/master vendor” contracts to provide back-up, preventative maintenance, and/or major repair services to augment or substitute for the unavailability of the single County Equipment Mechanic in case of unexpected events or activity. [F27]
- R19. The County consider and implement as possible a new position, “Mechanic Helper,” or similar position to augment the current single County Equipment Mechanic/Shop Coordinator” position. [F28, F29] (See Appendix B, page 63)
- R20. The County should immediately cease the practice of DPW/CDD office personnel assisting the Equipment Mechanic to affect repairs on vehicles. [F29]

R21. The County review and purchase a mobile/portable high-capacity lift system to enable the County Shop to better and more safely affect repairs to large trucks and fire apparatus based on the recommendation of the County Equipment Mechanic/Shop Coordinator. [F30]

7. DPW – Office Staffing & Training Issues

The general review of DPW concerned some management style and office workload assignments directed by the Director-DPW. There was evidence of some unprofessional and inappropriate comments and in some cases very unprofessional memos and correspondence by the Director-DPW. Although not excusable, these were most likely due to the Director-DPW not being experienced in a civil governmental setting.

There is an issue of workload assignment for DPW employees regarding the period of time and the type of work employees have been asked to perform. The issue raised is what is considered “too long” a period of time to be working out-of-class before additional compensation is required to be paid. The GJ was unable to determine if this was specific to the Director-DPW, or a common past practice of County. Although the matter of out-of-class work assignments and compensation is addressed in County Ordinance 533 sec. 8.03, 1991 – Article VII Chapter 2.88.710 – “Temporary Departmental Promotions,” there seems to be an inconsistency at least within the DPW of the proper assignments of employees.

During this review of the DPW, the County initiated and is in the process of completing a personnel study titled “Position Description Questionnaire”, hereinafter referred to as PDQ. The PDQ involves an employee completed questionnaire and an individual interview with the consultant. This study is to assess and provide a statistical and comparative analysis of daily duties and responsibilities of the DPW administrative staff. The results of the PDQ will determine if the post-relocation and consolidation of DPW and CDD staffs are meeting the workloads of employees at their current job titles. Possible results could change employee job titles and grades, reduce or eliminate employees working out-of-class, and/or possibly suggest other changes in staffing and the number of positions needed.

Another specific staff assignment issue was the decision by the Director-DPW to offer a specialized training program to a temporary help agency employee instead of the current fulltime permanent employee of the County. The specialized training was in the use of the computer software program, “Cost Accounting Management Systems”, hereinafter referred to as CAMS that is used by the DPW, and many other government agencies within the State of California.

The use of this program required training both on and off-site. The temporary employee expressed an interest in learning the program while an existing County employee was never offered the opportunity. The Director-DPW bypassed promoting a fulltime County

employee and disregarded the training opportunity for employee advancement. The Director-DPW expected the temporary worker to eventually be hired as a fulltime County employee; that did not occur.

FINDINGS

- F31. The County currently has County Ordinance 533 sec. 8.03, 1991 – Article VII Chapter 2.88.710 – “Temporary Departmental Promotions,” which addresses the use of employees for usually no more than 90-days, in a higher salary range position, with an increased amount of compensation beginning on the 21st working day for the duration of the temporary appointment. There seems to be an inconsistency at least within the DPW of the proper use of employees, their job duties or specific criteria as to the type of work and length of time employees are being asked to work in “out-of-class” work assignments.
- F32. The PDQ process is being completed by the County to better assess the work duties of DPW employees.
- F33. The County does not have a policy regarding extraordinary expenditure for training of temporary employees. The decision and practice appears to be department by department and ultimately that of the director/department head.

RECOMMENDATIONS

- R22. The County implements the results as appropriate of the PDQ process to address the workload division and “out-of-class” issues currently existing. [F31, F32]
- R23. The County review and develop as necessary a clarification to the County policy and practice to prevent extraordinary training expenses being paid out for County temporary workers. [F33]

8. Radon Gas Element Issue - Sheriff Department & Public Works Office

The GJ discovered issues with Radon gas of unacceptable levels within the offices of the Alpine County Sheriff Offices located in the lower level of the County Courthouse, and the DPW offices on Diamond Valley Road. Some type of Radon testing was completed approximately 15-years ago in the Sheriff Offices. The GJ was unable to determine what initiated this testing; however, the Radon level throughout the Sheriff Offices was apparently found to be at a measureable and significant level.

Radon gas is a colorless, odorless, naturally occurring gas formed from the decay of radium. It is one of the heaviest substances that remains a gas under normal conditions and is considered a health hazard. Radon gas from natural sources can accumulate in buildings, especially in confined areas such as the basement creating contaminated interior air quality. It is a heavier-than-air gas. According to the United States

Environmental Protection Agency (1999), Radon is reportedly the second most frequent cause of lung cancer, after cigarette smoking; and Radon-induced lung cancer is the 6th leading cause of cancer death overall.

Remedies include, but are not limited to, sealing building joints, surfaces, and ventilation of affected buildings. At some point after the initial testing, some efforts were made to improve ventilation of the offices. There has been a lack of direct information to the GJ to determine the specifics of the ventilation efforts or its affect. There was testing completed a second time in February 2001. The GJ was unable to obtain documentation of a third test that was completed.

The GJ had been referred to the AB for missing records and documents of this Radon issue. The AB has refused to provide information to the GJ.

FINDINGS

- F34. There is evidence of a Radon gas issue within the lower level offices of the County Courthouse where the Sheriff Department is located. There were at least three (3) tests completed in the last 15-years, reporting unacceptable levels. Testing at the DPW offices is also reported at unacceptable levels.
- F35. There is currently no Radon monitoring or actively managed mitigation program being done in the Sheriff Department Offices located in the lower level of the Alpine County Courthouse.

RECOMMENDATIONS

- R24. The GJ recommends the County review and take immediate action to assess and mitigate the Radon gas issue at the Sheriff Department Offices at the lower level of the County Courthouse and DPW Office. [F34, F35]
- R25. The GJ recommends the County review and update the *Alpine County Strategic Plan – Facilities, 2002*, to address facilities issues of the County. [F4, F34, F35]

9. Recruitment & Selection of the Director–DPW

The GJ concluded during the general department review of the DPW that there was some question regarding the actual job experience and qualifications of the Director-DPW. The GJ researched the recruitment and selection of the Director that was held by Alpine County.

The recruitment began in the late summer into the fall of 2005, with the final candidate interviews being held by the BOS on October 4, 2005. The Director-DPW position recruitment and selection in 2005 was managed by the then AB. The AB also had the responsibility as Alpine County Personnel Manager. The AB retired from Alpine County effective January 12, 2009. The AB has declined two (2) documented opportunities with the GJ to provide further information or to discuss this recruiting issue.

When Alpine County is recruiting personnel, they are required to advertise the new position for at least two weeks. The job announcement information is distributed to several locations within the County, other government agencies (counties and cities) and publication in the “Record Courier” and “Tahoe Tribune” newspapers.

The job announcement provides descriptions of Alpine County, the organization (in this case the Department of Public Works), necessary qualifications, salary/benefits and selection process. The minimum educational requirements and work experience for the position of Director-DPW were advertised as follows:

Educational:

1. A bachelor’s degree in civil engineering, public administration or a closely related field. (This minimum college degree requirement was similar to the college education requirements for a director/department head position of the eight (8) other California counties surveyed⁵.)
2. Be registered as a Licensed Land Surveyor or Civil engineer with an endorsement to practice land surveying issued by the California State Board of registration for Professional Engineers.

Work Experience:

1. Six years of progressively responsible professional experience in public works or land surveying,
2. Or supplemented by a minimum of three (3) years in a supervisory or administrative capacity”.

The recruitment in 2005 resulted in a total of four (4) applicants, including one County employee. Three (3) of the candidates had degrees in Civil Engineering; one of these was a Land Surveyor. The candidate eventually hired as the Director-DPW had a degree in Aerospace Engineering and a Master’s in Business Administration.

His construction experience also fell short of the position requirements. It was limited to development and syndication of commercial properties including apartment buildings

⁵ CALIFORNIA “SNOW” COUNTY SURVEY - For general review and comparison the Grand Jury identified eight (8) small populated counties in Northern California with at least some amount of snow-removal responsibilities to survey for Department of Public Works information that included: budget, department head requirements, Road Unit/Maintenance, staffing and road mileage maintained. These counties included: Inyo, Lassen, Modoc, Mono, Nevada, Plumas, Sierra and Siskiyou. See Appendix C, page 64.

(his construction experience is documented as a California State License Board – Class B General Building Contractor, January 1990-1998, September 2008-2010). His civil governmental job experience was thirty-five months as the Assistant Airport Manager for a small county in northern California. He supervised 1-2 part-time employees and did not manage any construction or capital projects. His other governmental service was his service as a reserve military officer.

The previously advertised minimum qualifications regarding applicable college degrees and public works job experience seemed to have been liberally interpreted by the AB and BOS. The minimum requirements to be a civil engineer or land surveyor were totally waived by the BOS and the decision was made to move forward with the selection process with only the four (4) original candidates. The GJ was not able to determine from the BOS why the County did not take the opportunity to re-advertise the Director position after the minimum qualifications had essentially been removed.

Interviews were held with the candidates and the BOS. The electronic database Lexis-Nexis was utilized for the background information verification. The AB was responsible to complete the reference checks as listed on the job application. The BOS voted at the October 18th meeting and the Director was hired effective November 16, 2005.

The Director clearly lacked the originally published minimum requirements for the position and this has hampered the expected performance of the Director. The liberal interpretation of his qualifications by the AB, as the acting Personnel Manager and BOS in 2005 compromised the effective and efficient operation of the DPW for the past three years.

FINDINGS

- F36. The AB had a previous knowledge and acquaintance with the candidate who was hired as the Director-DPW. This was through the activities of the Sierra Business Council including meetings, workshops and a 6-weekend training course. With or without the knowledge and/or cooperation of the 2005 Board of Supervisors, this previous knowledge of the AB of the hired Director-DPW had at least an influence, if not a direct outcome on the selection of the candidate.
- F37. There was a very liberal assessment of the qualifications for the college degrees and job work experience of the candidate that was eventually hired as the Director-DPW. This assessment had a measureable impact on favoring this candidate.
- F38. There was no evidence of any substantial or notable public works job experience of the selected candidate that could be substituted for the candidate's lack of a

civil engineering degree. The candidate was also not a civil engineer or land surveyor.

- F39. Although a California Licensed Contractor, the Director–DPW had no applicable or real “boots in the dirt” construction or project management experience. The extent of his contractor experience was predominantly administrative.
- F40. The BOS did not re-advertise or “re-fly” the job announcement of the “Public Works Director” after waiving the civil engineer and land surveyor requirements. This eliminated any opportunity to expand the applicant pool from the original four (4) applicants.
- F41. The County does not have layers of hierarchy of managers, supervisors, and line/field employees within its various departments. This means that the directors/department heads must possess the professional and technical knowledge of their field. They also need the skill-set necessary for success in effective decision-making, policy and planning development, and management for the good of the taxpayers and residents of the County.
- F42. The job application for a director/department head for the County is the same one used for ALL employees. As such, the reference check of the selected candidate by the AB was limited to the three (3) spaces on the “references” section of the job application.
- F43. The GJ was not present during the interviews of the candidates for the position, so what was stated by the candidates is unknown to the GJ. Not considering the interview, the candidate who was hired as the Director–DPW appears to not have committed any fraud with the information he provided during the recruitment and selection process.
- F44. The BOS were responsible for completing the due diligence process of recruiting and selecting the best qualified and experienced candidate for the position of Director. The BOS did not act in the best interests of the residents and taxpayers of Alpine County during this recruitment and selection.

RECOMMENDATIONS

- R26. Review and document County recruitment and selection policy and procedures for all future employees, particularly management positions to ensure that the County completes due diligence and makes every effort to find and hire the best qualified and capable candidate(s). [F36, F37, F38, F39, F40, F41, F42, F43, F44]

10. Current & Future Organization of the DPW

The DPW has undergone significant changes in its staffing levels and organization of administrative and shared services. These changes occurred due to many factors including the hiring of a replacement Director-DPW after the retirement of the previous Director of 35-years, budget restrictions, Workforce Reduction Plan of 2008, and the physical relocation and consolidation of administrative services with the Building and Planning Departments to form the new Community Development Department in 2008. Due to the downsizing of positions within DPW, existing vacancies and the questionable management of contract resources, the DPW is not accomplishing all of its workload within the County.

In 1995, the BOS initiated a restructuring plan for the County that created:

- The Building Department under a Director/Department Head, the “Building Official”.
- The Planning Department under the Director/Department Head, the “County Planner”.
- Retained the Department of Public Works under the Director/Department Head, the “Director of Transportation” (later renamed “Director – Public Works/Surveyor”). This Department retained its responsibilities of County Transportation, the Road Unit, Airport, Buildings and Grounds, and Bear Valley Services.

Previous to this reorganization in 1995, all the responsibilities were all under a single DPW; the County did not have a CAO. The BOS dealt directly with the County departments. The 1995 reorganization resolved many issues that had developed over the years including span of control issues of supervision and management. It also began the substantial increase of the County employee workforce.

The GJ conducted a survey⁶ of eight (8) Northern California counties for comparison and use in its review of the DPW. This included Sierra County with a 2000 Census population of 3,555. The 2000 Census population of Alpine County was 1,208. Sierra County is organized so there is not a stand-alone public works department or public works department head, and has operated that way since 1982.

⁶ CALIFORNIA “SNOW” COUNTY SURVEY - The Grand Jury identified and surveyed eight (8) northern California counties with snow-removal responsibilities. Information requested included: budget, department head requirements, Road Unit/Maintenance, staffing and road mileage maintained. These counties included: Inyo, Lassen, Modoc, Mono, Nevada, Plumas, Sierra and Siskiyou. See Appendix C, page 64.

FINDINGS

- F45. The current organization and staffing levels of the DPW is not fully meeting the needs of the County and there is no expectation that its current organization and staffing will meet future needs.
- F46. There is a strong financial motivation for the County government to evaluate the need for the current organization of, the need for the existence of the DPW, and the need for a Director-DPW position. This includes, but is not limited to, the elimination of the Director-DPW position and a reorganization/elimination of the DPW as it currently exists.

RECOMMENDATION

- R27. The County may consider the elimination of the Director-DPW and reorganize the DPW and Community Development Department into a new Community Development and Services Department. (See Proposed Reorganization in Appendix B, page 63 and County Survey Table in Appendix C, page 64) [F45, F46]

11. Assistant to the Board (AB)

It was not the original intent of the GJ to look into the conduct and job performance of the AB. This employee had already been a subject of two previous reviews by the GJ (2000/2001 & 2005/06) based on submitted complaints. However, during the GJ's General review of the DPW, too many issues, involving the AB, surfaced during interviews and documented review to ignore.

The 2005/06 GJ review resulted in replacing the AB with a qualified, educated and experienced CAO, who began employment effective May 15, 2008.

The CAO reassigned the AB to the DPW, reporting directly to the Director in the position of "Deputy, Purchasing and Support Services". The employee was relocated to the vacant offices at Turtle Rock Park. The AB was the only employee assigned to the Turtle Rock Park offices. The cause of this isolated workplace assignment was a result of an after-hours disruptive incident involving this employee in 2006 at the business of a family member of another County employee. The incident and ensuing investigation by the BOS resulted in a signed letter to the AB from its Chairman. The letter directed the AB to avoid the place of business and County employee's family. This was just one of several documented and anecdotal incidents of questionable behavior and judgment both during and after work hours by the AB.

The AB disclosed information to several County employees regarding her vacation with the Director-DPW and their spouses. The GJ appreciates that the personal time of a County employee would normally be considered private. However, management should

be more discreet in disclosing this type of information to employees of a small workforce. It leads to innuendo and rumor that can be very disruptive to the workforce.

Prior to the AB's relocation to Turtle Rock Park as the Deputy, the Planning and Building Departments had made several requests to renovate the employee break room and refurbish the offices. However, since the entire Turtle Rock facility was going to be abandoned with the Planning and Building Departments relocating to Diamond Road, it made no sense to spend County funds at this time on an empty facility. Unfortunately, after the relocation of the entire staff to Diamond Road, the Deputy managed with the assistance of the Director-DPW to obtain or circumvent the previous funding issues and initiated the work. This was completed shortly before the Director announced his resignation.

A recurring theme from interviews with current and former County employees was the usual manner in which the AB would interact with other County employees of all levels. It is a commonly held opinion of County employees that it was never clear regarding the authority of the AB. Was the AB acting directly on behalf of the BOS, was it only inferred authority by the BOS or just the vindictive nature and ongoing efforts to accomplish the AB's personal agenda. A single common word was used to describe the behind-the-scenes personality of the AB with employees, department heads, and even in public - the AB was a "bully".

The AB has been reported as the cause of several stress-related workers' compensation claims by County employees. The AB was named as a primary party in a civil lawsuit of a former employee against the County (later settled by arbitration and an out of court with a settlement payment by the County to the plaintiff). Currently, the former AB is named as a primary party in a civil lawsuit by another former County employee. The jury trial is scheduled in Alpine County beginning January 2010.

Alpine County BOS are part-time elected officials. Prior to the recent hiring of the CAO, the only fulltime employee that coordinated County business between the BOS and Department heads was the AB. In 2005/06 there was an arbitration ruling against the County in favor of the County Employee Representative Group. This arbitration hearing involved the AB in the dual role as County Personnel Director. The AB's actions in this matter were addressed in a two mass mailings (February and April 2006) to "Alpine County Citizens and Taxpayers and the BOS", from "Concerned Alpine County Employees, Citizens and Deputies". The April mailer was urging the BOS not to renew the upcoming contract of the AB due to the effects of the AB's actions on County employee morale, hostile behavior to employees, and the additional legal costs to the County.

There are other examples of the AB's unprofessional and unethical decision-making and behavior throughout the Final Report. Although the documentation was originally expected to be more detailed and lengthy, the former AB/Deputy retired from the County in January 2009. As a result, the GJ decided to present a less aggressive report regarding this person.

The National Association of Counties, hereinafter referred to as NACO, has established a Code of Ethics for County Officials (elected and non-elected) which can be found at www.naco.org. Some excerpts of this Ethics Code that the AB clearly violated include but are not limited to the following:

- To properly administer the affairs of the County.
- To promote decisions which benefit the public interest.
- To maintain a positive image to pass constant public scrutiny.
- To inject the prestige of the office into everyday dealings with the public employees and associates.
- To maintain a respectful attitude towards employees, other public officials, colleagues and associates.

The GJ also found that the AB did not possess the necessary qualifications, previous experience or formal education/certification to conduct County business resulting in unprofessional performance. It was equally disconcerting to find that the AB was a contract employee for approximately eighteen years with full employee benefits and inclusion in the CalPERS retirement system. The AB's lack of formal training and governmental experience in personnel practices caused several mistakes as to timing of decisions, process, and employee rights. These missteps had a financial cost to the County. Instead of learning from these situations, the AB became more personal and hostile towards County employees in the course of conducting County business. The AB's lack of any construction training or ADA Coordinator experience also cost the County and taxpayers above the expected cost estimates when functioning as a "project manager" for the County.

The GJ has heard many interview statements and reviewed extensive documentation that substantiates a definite pattern of poor decision-making and especially unethical behavior as a direct representative of Alpine County, the BOS, residents and taxpayers.

Because the AB retired in the middle of the GJ's general review of the DPW, the GJ decided it would not serve any purpose to have forensic accounting completed to determine, directly or indirectly, how much the former AB/County employee actually cost the County in "extraordinary" expenses. The dollars lost is considerable to be sure, but the GJ believes the more incalculable costs are to the lives of current and former employees of Alpine County.

FINDINGS

- F47. There is a substantial interview history and documentation of continual vindictive, demoralizing, and unethical behavior towards County work force by the AB.
- F48. Always an issue of confusion by County employees if the AB was working on specific direction and authority of the BOS, inferred authority by the BOS, and/or the AB's own personal agenda and style of intimidation (described by others as "bullying").

- F49. The majority of BOS during the past eighteen years failed to take actions by “ignoring” witnessed accounts, first hand observations, employee grievances, letters to the BOS, and other sources of reliable information which clearly established an unacceptable trend of the AB’s unethical and unprofessional behavior. Finally, the AB’s overall decision-making was not in the best interests of the Alpine County government, residents and taxpayers.
- F50. The AB caused inappropriate, unnecessary and excessive costs to the County.
- F51. The AB/County employee was provided two documented opportunities to provide information to the GJ in order to assist it in determining facts and the related Findings and Recommendations relevant to County business, the employee’s background and the employee’s perspective. The employee declined both opportunities and the GJ decided not to use its subpoena powers for a sworn-in, in-person testimony before the GJ.

RECOMMENDATIONS

- R28. In that the AB is no longer employed by the County, any recommendation for no-rehire, or the like is now moot. [F47, F48, F49, F50, F51]

12. Interview Issues with the Alpine County Board of Supervisors

The GJ elected to interview members of the BOS as part of its general review of the DPW. Four members were selected based on their official capacity as Supervisors prior to 2009.

The purpose of these interviews was to gather additional information for the GJ’s General review of the DPW and its Director, not an investigation of the BOS. However, the GJ was aware that, although very limited, there were certain topics that the BOS could not be expected to address. Examples of these topics include personnel matters involving personal health information and/or disciplinary issues and actions, and any pending litigation.

Once the initial interviews were scheduled, a series of events occurred that surprised the GJ and demonstrated a lack of cooperation with and respect for the GJ process by the BOS and County Counsel, hereinafter referred to as CC.

The four individual interviews were confirmed to take place at the close of a regularly scheduled BOS meeting. Prior to the first interview, CC unexpectedly entered the room identifying himself and saying he would be sitting in with each of the BOS member interviews.

He advised the GJ's Committee Chairperson that this was to "protect" the BOS members and the County against any violations of the "Ralph M. Brown (Meeting) Act"⁷, and to advise the BOS members what questions they could or could not answer.

The GJ Committee Chairperson responded that legal representation of an individual giving testimony before any civil, criminal and Federal GJ is not permitted. Further, this would be a breach of the basic operating tenants of the GJ process and function of secrecy and confidentiality. As a result, the Chairperson cancelled the interviews for that evening.

Prior to the individual interviews, one member of the BOS verbally confronted a member of the GJ in a public place of business in Alpine County. This Supervisor was rude, loud and threatening to the Juror in front of members of the public, because the Juror would not discuss the pending interviews or business of the GJ. With a unanimous vote the GJ decided that this behavior by any resident would be unacceptable, let alone by an elected official. A letter of admonishment was sent to the offending BOS member and copied to the Alpine County Superior Court Judges, County Chief Administrative Officer, CC and the Alpine County District Attorney, hereinafter referred to as DA.

The CC went to the defense of the BOS creating an immediate conflict of interest. The CC did not confer in private with the assigned Superior Court Judge prior to taking action on behalf of the BOS member interviews, nor did CC discuss the matter with the GJ. This action by the CC immediately created the following legal situation: (1) The CC was eliminated as one of the legal advisors to the GJ per California Penal Code, (2) Any future legal service by the CC to the GJ would have to be replaced and would require the Supervising Judge to hire a separate and independent legal advisor attorney at additional cost to the County.

The immediate posturing of the BOS members not to be interviewed and unacceptable behavior of one Supervisor, established a lack of cooperation by the BOS with the GJ. It also created the perception that there was an attempt by the BOS to conceal pertinent information from the GJ. Elected officials should never feel or have the opinion that they are above the law.

Ultimately, the GJ was able to interview the four BOS members individually and without County Counsel present. The interviews provided some basic information, but for the most part the Supervisors were reluctant, indifferent, and at times hostile in their responses.

⁷ Ralph M. Brown (Meeting) Act – California Government Code, Section 54950-54963. Legislation that provides for public commissions, boards, councils and other public agencies that meet to conduct the people's business is done in such a manner that their actions and deliberations be conducted openly. This Act sets forth criteria for advanced notice of meetings of public bodies including but not limited to a 72-hour notice, a written agenda, discussion and presentation of information, and actions (votes) to be taken in public.

FINDINGS

- F52. The California Penal Code that regulates the functions and operations of a GJ, identifies the CC, along with the DA and the supervising Superior Court Judge to serve as the legal representatives and resources for the GJ.
- F53. The four BOS members interviewed lacked knowledge of the section of the Brown Act which provides for interviews by the GJ. The cause of this hypersensitivity of violating the Brown Act was created by the failure of CC to provide accurate interpretations or BOS training. One of the legislative obligations of a California Grand Jury is to monitor the use of the “Ralph M. Brown Act” within its County of jurisdiction. Section 54953.1 of the Brown Act specifically and only addresses that an elected body of a local agency is NOT prohibited from giving testimony (interview) before a GJ either as an individual or as a body.
- F54. The four BOS members, as a group, postured to avoid interviews with the GJ. One member, through confrontation with a Juror in public, attempted to circumvent being interviewed by the GJ.
- F55. The County Counsel went to the defense of the BOS, thereby creating a conflict of interest that resulted in the GJ not being able to utilize the CC’s services.

If needed, the GJ would have to engage an outside independent legal representative. This would have resulted in additional taxpayer funds to be unnecessarily utilized. The CC was not acting in the best interests of the taxpayers of Alpine County.

RECOMMENDATION

- R29. Current and future BOS and CC receive at least the first day training session provided to Alpine County Grand Jurors by the California Grand Jurors Association. This presents an opportunity to understand the role and responsibilities of a GJ and provide orientation of the Ralph M. Brown Act related to the authority, operations, and functions of a California Grand Jury. [F52, F53, F54, F55]

RESPONSE REQUIREMENTS (See Appendix A, page 61)

Findings (All) -- Alpine County Board of Supervisors

Recommendation (All, except R28) -- Alpine County Board of Supervisors

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INVESTIGATIVE REPORT

C-08/09-2 USFS Guard Station Relocation



Current Markleville Guard Station

©2009LesAlert



New Markleville Guard Station

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DISCUSSION

REASON AND SUMMARY FOR REPORT

The 2008/2009 GJ received a complaint from a citizen who is concerned that Alpine County has not given appropriate attention to the time sensitive nature of issues in the subject Resolution and related Memorandum of Understanding, hereinafter referred to as MOU. These documents can be found as Appendix D, page 66 and E, page 68. Likewise, the GJ reviewed these documents and recommends that County Staff take immediate action to protect County interests.

BACKGROUND

This Resolution was jointly signed on March 15, 2005 by the Alpine County Board of Supervisors, hereinafter referred to as BOS. The BOS, Bureau of Land Management, hereinafter referred to as BLM and U.S. Forest Service, hereinafter referred to as USFS signed the related MOU on February 28, 2005. It approved the transfer of approximately 17.5-acres of County-owned property to the USFS at Turtle Rock Park for the new construction of a replacement USFS Guard Station. It also approved the related MOU by and between the above referenced parties memorializing the obligation and commitment of each for the efficient transfer of the County-owned property to the USFS as well as completing several related activities, particularly activities required to convey the existing 7-acre Markleeville USFS Guard Station site to the County.

METHODOLOGY

In addition to reading the subject Resolution and MOU, the GJ gathered information from other sources, including interviewing a member of the BOS and the Director-DPW, as well as reviewing other documents such as, but not limited to; Resolution No. R2005-28, letter dated July 1, 2005 from USFS to the BOS and an email from USFS to the Assistant to the BOS dated May 11, 2004.

RESULTS OF INVESTIGATION

The investigation disclosed that the documents conveying the County-owned property at Turtle Rock Park to the USFS were completed and signed July 11, 2006. Otherwise, very little, if anything has been done in meeting other obligations and commitments made in the MOU.

FINDINGS

- F1. County citizens expect the 7-acre Markleeville site, hereinafter referred to as Site, abandoned by the USFS Guard Station to be conveyed to the County by the USFS.
- F2. County citizens expect the County staff to utilize the buildable portion of this Site for expanding County administrative facilities. The remaining space is expected to be utilized for additional parking and a County park adjacent to the stream (a memorial park for veterans has been suggested).
- F3. The MOU will terminate March 1, 2010.
- F4. Most of the transactions necessary to convey the Site to the County take considerable time to finalize. None of these critical activities have been initiated. Consequently, the County is in jeopardy of losing an opportunity to own the Site as clearly intended by the MOU.
- F5. The USFS has built housing facilities at Turtle Rock Park but have not relocated their operations from the Site.
- F6. The County is paying for the USFS's water use at Turtle Rock Park.
- F7. Fair market value of the Site was not determined at the time of signing the Resolution.
- F8. There was no consideration given by the USFS to the County for its approximately 17.5 acres.

RECOMMENDATIONS

- R1. The BOS place the Resolution & MOU as an action item on their August 2009 meeting agenda, if not before, to publicly reaffirm intent to secure the Site. [F1, F2]
- R2. The BOS direct the County Administrative Officer, hereinafter referred to as CAO, through staff and County Counsel, hereinafter referred to as CC, to contact the USFS and establish a timeline to complete the following activities **prior to March 1, 2010:**
 - a. Initiate contact with USFS and complete the public scoping strategy for the Site.
 - b. Apply for acquisition of the Site through the Townsite Act Authority if unsuccessful through legislative means. Initiate contact with the USFS for

- c. assistance regarding processing the Townsite Act application for conveying the Site to County.
- d. Request the USFS to generate easement documents for retaining Markleeville Campground waterline prior to conveying Site to County. Address any other easement/right-of-way issues as well.
- e. Request and assist the USFS in developing a reclamation plan to reclaim Markleeville Creek to a more natural condition.
- f. Contact the USFS to prepare environmental analysis and any other studies or reports necessary for abandonment and conveyance of the Site to County.
- g. Unless there is a compelling reason that the County is providing free water service to the USFS, the GJ suggests this practice be discontinued. If there is a reason for this free service, please explain in your response to this Report. [F3, F4, F5, F6]

R3. The CAO and CC investigate how the Site can be conveyed at **no cost** to the County. It appears that the Site can be conveyed to the County via the following options: Pilot Conveyance Authority, Township Act Authority, Special Use Permit or through other legislative means. The GJ would not recommend utilizing the Special Use Permit option as this would not be a sale of the property and may limit future County use. [F7, F8]

RESPONSE REQUIREMENTS (See Appendix A, page 61)

Findings [F1, F2] -- County Administrative Officer / Alpine County Board of Supervisors

Findings [F3, F4, F5, F6] -- Alpine County Board of Supervisors

Findings [F7, F8] -- County Administrative Officer

Recommendation [R1] -- County Administrative Officer /

Alpine County Board of Supervisors

Recommendation [R2] -- Alpine County Board of Supervisors

Recommendation [R3] -- County Administrative Officer and/or County Counsel

INVESTIGATIVE REPORT

C-08/09-3 Bear Valley Resort Employee Issue



DISCUSSION

REASON AND SUMMARY FOR REPORT

The 2008/2009 GJ received a citizen complaint alleging that Bear Valley Mountain Resort, hereinafter referred to as BVMR, and other agencies and organizations may have violated State/Federal laws related to Student (J-1 Visa) International Workers. The complaint also asserted that it was unacceptably difficult communicating with the County. Not only was the County internet website impossible to navigate for registering a citizen complaint with the GJ, the District Attorney's, hereinafter referred to as DA office was also non-responsive.

BACKGROUND

The original complaint was sent to the DA for consideration by the 2006/2007 GJ, which was not seated that term. Unfortunately, the DA never acknowledged receipt of the complaint or directed the Claimant to the Jury Commissioner. When the Claimant realized the complaint had not been addressed in a 2006/2007 Final Report, he resubmitted it to the DA in November 2007 via email. Not hearing from the DA's office for another ten (10) months, the Claimant took the initiative once again to pursue contact with the DA's office. Contact was finally made on September 15, 2008. The DA's office staff asked for another email copy of the complaint. The Claimant sent a copy the next day. The current GJ Foreman received an email copy of the complaint from the Jury Commissioner on September 25, 2008.

The Foreman read the complaint, acknowledged its receipt, and assured the Claimant that the DA would be contacted to discuss the matter. Further, that a response would be sent to the Claimant within a few weeks. The Foreman apologized to the Claimant about the DA's lack of a timely response.

The most recent complaint alleged several violations of the law:

- BVMR violated State and Federal J-1 worker program labor, taxes and visa laws in the 2005/06 and 2006/07 ski season and likely in previous seasons.
- That Camp Counselors USA, hereinafter referred to as CCUSA failed to investigate as the J-1 worker's US intermediary to assist and work with J-1 international student workers. The CCUSA's actions furthered the subversion of the complaints. That the CCUSA website has no grievance or other information that would allow J-1 worker's to report problems and feel that they were protected in doing so.

- That BVMR sent a threatening email to a former J-1 worker that wanted to be paid a bonus and file a complaint. The threat muzzled the student worker and was a violation of State and Federal law.
- That Dundee, LLP the parent company of BVMR failed to intervene.
- That BVMR entered into a contractual agreement under State/Federal law(s) with the State Department, CCUSA (an International Working Adventures Specialist), Intercambio de Comunidades (a cultural exchange program for Latin students) and J-1 international student workers in the 2006/2007 season knowing that BVMR never intended to comply with said contractual and State/Federal law stipulations. BVMR violated those conditions through employing at least two Chilean J-1 workers beyond their visa and failed to pay Federal taxes in the 2005/2006 ski season.
- BVMR failed to report Federal income tax withholdings in the 2005/2006 and 2006/2007 ski season, and likely all previous seasons.
- That the complaints were lawfully filed with the DA in November 2007 via email and per the County website that indicated the DA was a contact source for the GJ. The DA failed to forward the complaint to the GJ or the GJ failed to acknowledge the complaint if the DA acted upon it.
- A J-1 night shift worker told nightly stories of heavy drinking, marijuana, and meth use on the job while either operating or as a passenger on snow removal, snow making or snow mobile equipment. This is a violation of California Occupational Safety & Health Administration, hereinafter referred to as Cal-OSHA laws. It fails to protect or create a safe working environment for J-1 and other workers.
- A written response was sent to the Claimant on November 25, 2008 regarding issues in the complaint specific to BVMR. Essentially, the Claimant was told that the GJ has no apparent jurisdiction of the issues raised. Its responsibility to examine concerns regarding governmental agencies would not extend to a private business entity, such as BVMR. It was further noted that the GJ's function in criminal matters would be invoked only after report of a crime to the DA, as an alternative to preliminary court proceedings.

The DA provided the following information and suggested course of action wishing the Complainant well in exposing the grievances alluded to in the complaint.

“An individual legally employed in California, and sometimes even if not, is entitled to protection under California law. If the complaint concerns discrimination, it should be made to the Division of Fair Employment and Housing, hereinafter referred to as DFEH, and if that agency does not act it can be taken to the Equal Employment Opportunity Commission, hereinafter referred to as EEOC. If the

complaint involves wage and hour issues, it should be reported to the Division of Labor Standards Enforcement, hereinafter referred to as DLSE. Contact information can be obtained by "Googling" DFEH and DLSE. It is possible that your concerns touch on OSHA's area of responsibility as well, and again, contact information can be obtained on the web."

METHODOLOGY

The complaint was separated into two distinct parts: 1) alleged legal issues related to BVMR's treatment of J-1 international student workers and; 2) a citizens difficulty to communicate with Alpine County and specifically the GJ.

The complaint was presented to the GJ and reviewed in detail. It was decided to have the Foreman work directly with the DA to provide a joint response to those issues directed specifically at BVMR. The second part of the complaint was assigned to an ad-hoc committee which worked closely with the Jury Commissioner. Together, they developed several suggestions to improve the Superior Court internet website as it relates to the GJ and its activities.

Finally, the GJ had a brief interview with a member of the DA's staff to discuss what may have been done to avoid the lack of response to the Claimant.

RESULTS OF INVESTIGATION

The investigation disclosed that the issues in the complaint specific to BVMR were not within the GJ's jurisdiction. It also made clear that the DA's office was remiss in responding to the claimant. Fortunately, the Jury Commissioner recognized the significance of the delayed response and immediately contacted the Jury Foreman.

FINDINGS

- F1. The DA did not acknowledge receipt of the citizen complaint in 2006/2007.
- F2. Once the Claimant recognized that his complaint had not been addressed in the 2006/2007 Final Report, he again initiated contact with the DA in November of 2007, but to no avail.
- F3. The DA's e-mail activity is a significant quantity.
- F4. After several more attempts over the next ten months, the Claimant finally found a DA staff member to help him. The complaint was finally received by the Jury Commissioner on September 25, 2008.
- F5. The GJ has little recognition within the County. Few understand the GJ's role in the community, citizens and County employees alike. Generally any comments about the GJ are negative.

- F6. There has been no clear process or direction to register a citizen complaint. As a result, the GJ has received complaints too often on an informal basis.
- F7. Citizens are often unaware of the opportunity to express their concerns about County issues to the GJ.
- F8. In the past, U.S. Mail has been the only way to contact the GJ.
- F9. The existing County website has a blank GJ webpage that is also difficult to find.
- F10. The Jury Commissioner occasionally receives mail through the GJ P. O. Box.
- F11. Alpine County citizens have no opportunity to express their interest in volunteering for GJ service until/unless they receive a letter from the Jury Commissioner.
- F12. The current GJ letterhead includes the County web address instead of the Superior Court web address.

RECOMMENDATIONS

- R1. The DA's office establishes a practice assuring the timely acknowledgment of emails, particularly emails received from County citizens. The GJ suggests the use of two email addresses for DA activities. One would be for the personal and confidential use of the DA, while the second address would be advertised and used for all other matters. The second email address would be monitored by office staff on a daily basis. Staff would be given additional latitude to respond to these emails on the behalf of the DA and in a timely manner. Staff would seek advice from the DA where there is doubt as to the appropriate response. [F1, F2, F3]
- R2. The GJ recognizes that technical advances in communications provide a valuable opportunity to improve communications between the Grand Jury and the citizens it serves. Outlined below are several specific recommendations to pursue in order to provide better public access to the GJ, provide a better understanding of the GJ's role and reporting powers, encourage citizen participation, and adopt an awareness of local government oversight. [F4, F5, F6, F7, F8, F9, F10]
 - a. Retain the GJ Post Office Box. Check for mail on a regular basis by the Foreman or Foreman Pro-tem. In the event that a GJ Foreman has not been sworn, then the Jury Commissioner collects the mail. Since the Commissioner is not authorized to open mail intended for the GJ, he/she would securely store the mail until the Foreman is sworn. In the meantime,

- send a letter/note to the return addressee to acknowledge receipt of the mail but not opened. The Foreman would open the mail when sworn.
- b. Establish a telephone number with a secure voicemail box for the Superior Court. The voicemail message would refer the caller to the GJ website www.alpine.courts.ca.gov to register a complaint, to serve as a grand juror, or just learn more about the GJ. Otherwise, the caller would be directed to leave only a name and contact information to assist the GJ in reaching them. For example (See Appendix F, page 73).
 - c. When the GJ Foreman has not been sworn, the Jury Commissioner would also check the voicemail regularly and record/store any messages with the U.S. Mail until the Foreman is sworn.
 - d. Upgrade the Superior Court GJ website to include the following information:
 - Main Webpage – General information about the GJ, term of the GJ, links to three additional webpage's, etc. (See Appendix G-1, page 74)
 - Contact Webpage – P. O. Box, Telephone number, citizen complaint process, a link to the citizen complaint form and a link to return to the Main Webpage. (See Appendix G-2, page 75)
 - Report Webpage – links to current and future Final Reports, to Responses to Final Reports and to the Main Webpage. (See Appendix G-3, page 76)
 - Recruit Webpage – Information about becoming a juror (eligibility requirements and application), link to the Jury application and link to the Main Webpage. (See Appendix G-4, page 77)
 - e. Update the Alpine County website to make the GJ webpage easy to find and make it link to the main GJ webpage on the Alpine County Superior Court website.
- R3. Consider passing an annual Proclamation recognizing the month of May as GJ Awareness Month. (See Appendix H, page 78)
- R4. Consider “branding” the GJ -- develop its own logo, create a professional letterhead (with the Superior Court web address) and website. (See Appendix I, page 79) [F12]
- R5. Consider making a “Prospective County Grand Juror Questionnaire” available year round. (See Appendix K on page 83) [F11]

RESPONSE REQUIREMENTS (See Appendix A, page 61)

Findings [F1, F2, F3] -- District Attorney – no response required

Findings [F4, F5, F6, F7, F8, F9, F10, F11] -- Alpine County Superior Court

Recommendation [R1] -- District Attorney – no response required

Recommendation [R2, R4, R5] -- Alpine County Superior Court

Recommendation [R3] -- Alpine County Board of Supervisors

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CONTINUITY COMMITTEE REPORT



Lake Alpine

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INTRODUCTION

The Continuity Committee is a standing committee which serves as a bridge between all GJ's, prior, current, and future. It is responsible for informing the current GJ of investigations done by its predecessors and maintaining a record of those investigations as well as studies by other agencies, i.e. the County Auditor/Controller. **It reinforces the role of the GJ by ensuring that last year's recommendations made to government entities are responded to properly.**

The 2008/2009 Continuity Committee reviewed prior GJ reports, looked at areas of duplication, reviewed responses to recommendations, communicated with non-responders, and updated the Summary of Investigations (this can be found in the Grand Jury Reference Library).

The Continuity Committee also passes on to the next Foreperson topics of interest to the current GJ that were not investigated due to budget and/or time constraints. These will be placed in the GJ Reference Library for consideration by the 2009/2010 GJ.

It is essential that the Recommendations made by the GJ be clear, concise, and have actual merit. It is also necessary that responses made to Recommendations demonstrate an understanding of the content of the Recommendation and provide a clear blueprint for implementation, or a clear reason why it would not work. In some cases, responders will indicate that they agree with a Recommendation and would implement it on a particular date.

This GJ sent three (3) follow-up letters to the Alpine County CAO requesting additional information related to the 2007/2008 GJ Final Report. See Appendix J, page 80 for the follow-up letters and related responses. The 2009/2010 GJ will follow-up as necessary to assure these issues are finally resolved or given a satisfactory reason why not. They are:

- February 5, 2009 letter regarding Defensible Space Inspections.
- February 5, 2009 letter regarding the Kirkwood "Fair Share" issue (property tax revenues).
- February 5, 2009 letter regarding septic system issues at Sierra Pines Mobile Home Park.

APPENDICES



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A. Respondent Instructions

Pursuant to California Penal Code Section 933.05, the GJ requires responses to each of the Findings and Recommendations contained in this Report. Per this Section of the Penal Code, Subdivision (a), the following are the permissible responses to **Findings**.

The responding person or entity shall indicate one of the following:

1. The respondent agrees with the Finding.
2. The respondent disagrees wholly or partially with the Finding, in which case the response shall specify the portion of the Finding that is disputed and shall include an explanation of the reasons.

Pursuant to this Section of the Penal Code, Subdivision (b), the following are the permissible responses to **Recommendations**.

The responding person or entity shall report one of the following actions:

1. The Recommendation has been implemented, with a summary regarding the implemented action.
2. The Recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
3. The Recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Final Report.
4. The Recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation.

Pursuant to California Penal Code 933 (c), there are two (2) different response times and to who must respond, depending on the type of respondent.

1. Public Agency – the governing body of any public agency must respond within ninety (90) days. The response must be addressed to the specified Judge of the Superior Court.
2. Elective Office or Agency Head – All elected officers/officials or head of agencies that are required to respond must do so within sixty (60) days. The response must be addressed to the specified Judge of the Superior Court, with an information copy provided to the Board of Supervisors.

Respondents must provide two (2) originals of their responses, one to the specified Judge of the Alpine County Superior Court and one (1) to the Alpine County Grand Jury. Each response must include both an original hard copy and an electronic copy of response on a CD.

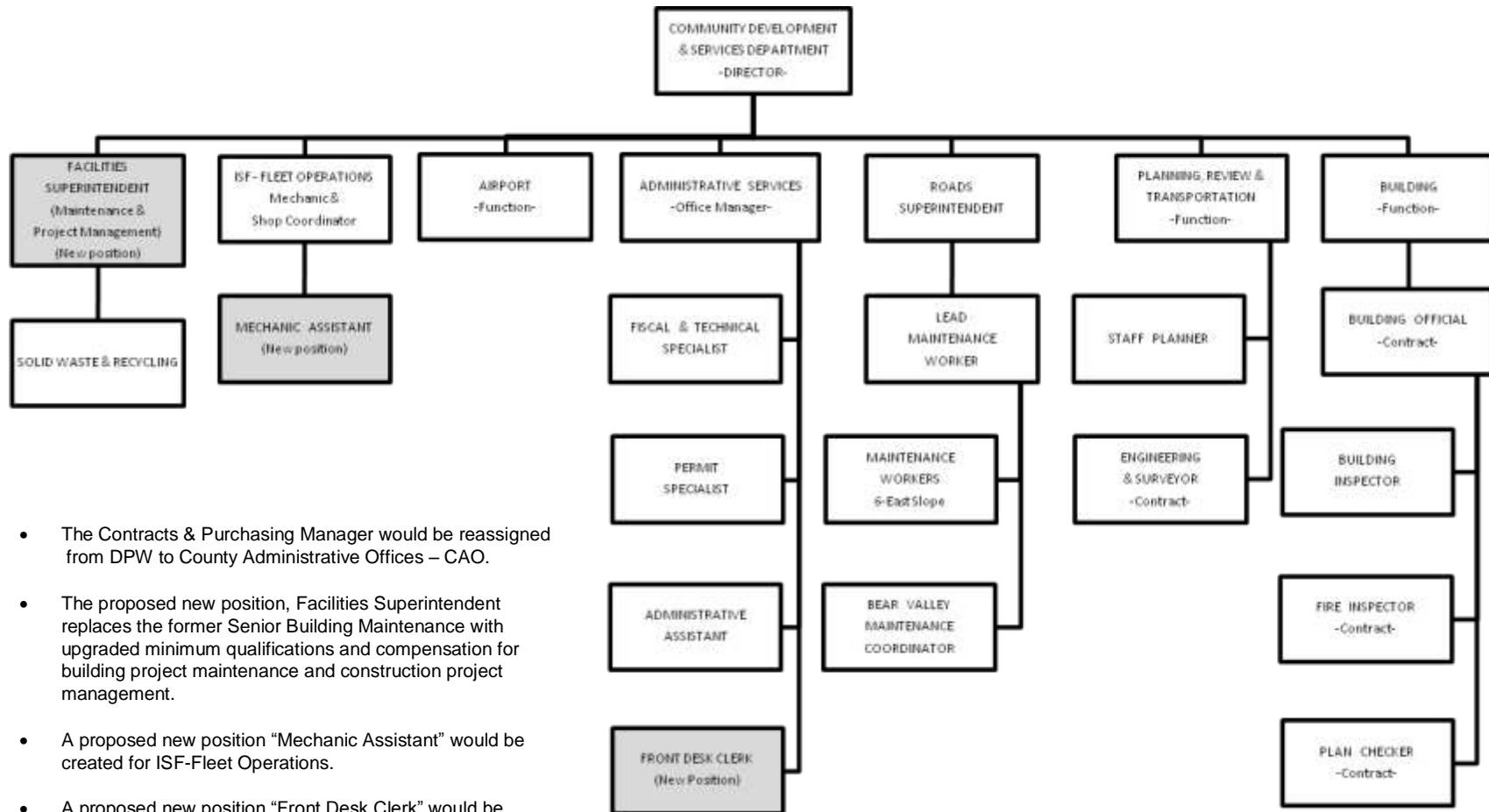
Please send the responses to:

The Honorable Richard Specchio
Alpine County Superior Court
P. O. Box 518
Markleeville, CA 96120

Alpine County Grand Jury
P. O. Box 102
Markleeville, CA 96120

B. Proposed DPW & Community Development Departments Reorganization

The Department of Public Works & Community Development Department would be combined and renamed “Community Development & Services Department” under the management of a single director position.



- The Contracts & Purchasing Manager would be reassigned from DPW to County Administrative Offices – CAO.
- The proposed new position, Facilities Superintendent replaces the former Senior Building Maintenance with upgraded minimum qualifications and compensation for building project maintenance and construction project management.
- A proposed new position “Mechanic Assistant” would be created for ISF-Fleet Operations.
- A proposed new position “Front Desk Clerk” would be created for Administrative Services as an Administrative Assistant I position.

C. California "Snow" County Survey – February 2009

COUNTY (Listed by population -largest to smallest)	POPULATION (2000 Census)	ANNUAL DPW BUDGET ROADS BUDGET % from General Fund	DPW DIRECTOR/ DEPT. HEAD -Minimum qualifications DEGREE	DPW DIRECTOR/ DEPT. HEAD -Minimum qualifications JOB EXP.	DPW DIRECTOR/ DEPT. HEAD -Minimum qualifications CERTIFICATION	NUMBER of ROAD MAINTENANCE WORKERS (Including Leads & Supervisors)	ROAD MILES MAINTAINED (Paved) (Ratio Workers to Miles)
NEVADA	92,033	\$10,084,924 / 20,591,019/ 0%	BA/BS in civil engineering or public admin. Or business & Master's desirable	5-yrs. public works-mgt./supv. or 6-yrs in private civil engineering or public works as supervisor	Valid CA registration as a Civil Engineer	26	413 (15.9)
SISKIYOU	44,301	-----/ \$12,000,000 0%	Any combination of training & experience; BA/BS in civil engineering highly desirable	Extensive exp. In engineering-planning/development/ construction & maintenance of public works; 3-yrs. minimum in management/supervision	Valid CA registration as a Civil Engineer	55	870 (15.8)
LASSEN	33,828	\$6,851,437/ \$15,961,987 / 0%	Any combination of training & experience; BA/BS in civil engineering or related field	6-yrs. of increasing exp. In PW inc. 2-yrs. admin. Management in large public agency	Valid CA registration as a Civil Engineer	24	879 (36.7)
PLUMAS	20,824	\$237,118/ 11,004,658/ 0%	BA/BS in civil engineering highly desirable	At least 3-yrs. in mgt/supervision in public works	Valid CA registration as a Civil Engineer, also desirable CA Land Surveyor Lic.	38	469 (12.3)
INYO	17,945	\$8,062,290/ 10,104,414/ 0%	BA/BS Civil Eng. Or related field	Min. 6-yrs in civil eng./public works	Valid CA registration as a Civil Engineer	23.5	550 (23.4)

COUNTY (Listed by population -largest to smallest)	POPULATION (2000 Census)	ANNUAL DPW BUDGET ROADS BUDGET % from General Fund	DPW DIRECTOR/ DEPT. HEAD -Minimum qualifications DEGREE	DPW DIRECTOR/ DEPT. HEAD -Minimum qualifications JOB EXP.	DPW DIRECTOR/ DEPT. HEAD -Minimum qualifications CERTIFICATION	NUMBER of ROAD MAINTENANCE WORKERS (Including Leads & Supervisors)	ROAD MILES MAINTAINED (Paved) (Ratio Workers to Miles)
MONO	12,853	\$3,670,957/ 6,079,995 8.8%	Advanced educational training in civil engineering	Any combination of training & experience; extensive engineering exp. In planning, development, construction, maintenance of roads, bridges other advanced facilities At least 3-yrs. mgt./supv.	Valid CA registration as a Civil Engineer & CA Land Surveyor	18	182 (10.1)
MODOC	9,500	\$897,080/ 9,425,437/ 0%	BA/BS Civil Eng., Bus. Admin. Or related field	Min. 6-yrs in public works admin. Inc. 2-yrs. of significant admin/mgt. Working in a large public agency or private organization	Valid CA registration as a Civil Engineer, DESIREABLE, not required	22	988 (44.9)
SIERRA	3,555	\$1,140,011/ \$4,103,679/ 0%	NO DPW HEAD BA/BS w/degree in related field	NO DPW HEAD 5-yrs. progressively professional exp. In admin.; preferred exp. w/roads, PW planning & construction	NO DPW HEAD As of 1982 Job Description, NO special registration or license is required	13.5	104 (7.7)
ALPINE	1,208	\$1,142,683 \$1,922,801/ 0%	<u>Previous to 2005:</u> BA/BS Civil Eng., Public Admin. Or closely related field	<u>Previous to 2005:</u> 6-yrs. progressively professional exp. In PW or land surveying, inc. a minimum 3-yrs in supv./admin. capacity	<u>Previous to 2005:</u> CA licensed Land Surveyor or a CA registered Civil Engineer w/Land Surveyor endorsement	6-East Slope <u>1-Bear Valley</u> 7	80 (11.4)

D. Resolution No. R2005-06

RESOLUTION OF THE BOARD OF SUPERVISORS, }
COUNTY OF ALPINE, STATE OF CALIFORNIA, }
APPROVING TRANSFER OF INTEREST IN REAL PROPERTY }
FOR CONSTRUCTION OF NEW USFS GUARD STATION and }
APPROVING MEMORANDUM OF UNDERSTANDING BY AND }
BETWEEN THE COUNTY OF ALPINE, THE U.S. FOREST }
SERVICE AND THE BUREAU OF LAND MANAGEMENT }

RESOLUTION NO. R2005-06

WHEREAS, the United States Forest Service, Humboldt-Toiyabe National Forest, Carson Ranger District, occupies approximately seven acres of property in the Markleeville town site for operation of an initial attack, fire suppression and resource management facility, described on the Alpine County Assessor's Map as Parcel Nos. USFS 2, USFS 3, and USFS 6; and

WHEREAS, the existing USFS site was originally constructed in the early 1930s by filling a high water channel within Markleeville Creek, which has been identified as an historic flood plain; and

WHEREAS, in 1997 the U.S, Forest Service, in cooperation with the County, identified an alternate location for construction of new guard station facility at Turtle Rock Park, county-owned property acquired by the County through a Bureau of Land Management land patent; and

WHEREAS, the County, the U.S. Forest Service and the BLM finds that conveyance of a portion of said county-owned property at Turtle Rock Park is appropriate for this mutually beneficial purpose.

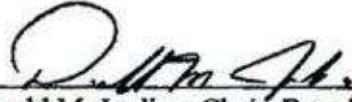
NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of County of Alpine, State of California, hereby approves the execution of a Memorandum of Understanding by and between the above referenced parties memorializing the obligation and commitment of each for the efficient transfer of said real property and related activities, attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Alpine, State of California, hereby authorizes the reconveyance of approximately 17.5 acres of County-owned property situated in T. 10N., R.20 E., Mount Diablo Meridian, Sec. 8, NW1/4NW1/4SE11/4 and SE1/4SW1/4NW1/4SE1/4 to the U.S. Forest Service for construction of a new guard station.; and

BE IT FURTHER RESOLVED that the Chair of the Board of Supervisors of the County of Alpine, State of California, is authorized to execute on behalf of the County any and all agreements related to the reconveyance of said property to the Forest Service.

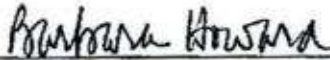
PASSED AND ADOPTED this 15th day of March, 2005, at Markleeville, California by the following vote:

AYES: Supervisors Jardine, Veatch, Bennett, Woodrow, Kaiser.
NOES: None.
VACANT: None.



Donald M. Jardine, Chair, Board of Supervisors, County of Alpine, State of California

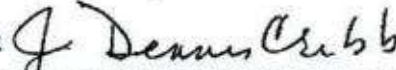
ATTEST:



Barbara K. Jones, County Clerk & ex officio Clerk to the Board of Supervisors

By: Barbara Howard, Assistant County Clerk

APPROVED AS TO FORM:



J. Dennis Crabb, County Counsel

E. Memorandum of Understanding 05-MU-11041701-034

Exhibit A to R2005-06
FS Agreement No. 05-MU-11041701-034
Cooperator's No. _____

MEMORANDUM OF UNDERSTANDING
05-MU-11041701-034
BY AND BETWEEN
USDA FOREST SERVICE, HUMBOLDT-TOIYABE NATIONAL FOREST
USDI BUREAU OF LAND MANAGEMENT, CARSON CITY FIELD OFFICE,
and
ALPINE COUNTY, CALIFORNIA

This **MEMORANDUM OF UNDERSTANDING** is hereby entered into by and between the USDA Forest Service, Carson Ranger District (hereinafter referred to as "the Forest Service"), the USDI Bureau of Land Management, Carson City Field Office, (hereinafter referred to as "the BLM"), and Alpine County California (hereinafter referred to as "the County").

- A. **PURPOSE:** The purpose of this Memorandum of Understanding is to provide a framework for cooperation between the three agencies for the purpose of relocating the existing Forest Service Administrative Site from its current location in Markleeville, to the Turtle Rock Park site. The Forest Service houses fire suppression equipment and personnel at the Markleeville Guard Station, which is located adjacent to county administration facilities. The County would acquire the Markleeville site upon the move to the new site at Turtle Rock. This cooperation serves the mutual interest of the parties and the public.
- B. **STATEMENT OF MUTUAL BENEFIT INTERESTS:** The Markleeville site, which is owned by the Forest Service, is located in a flood zone. In 1997 a relocation study was conducted considering several alternatives. The study recommends the Turtle Rock Park as the most desirable site for the relocation of the Forest Service Guard Station. The Forest Service has the desire to secure adequate facilities in a non-flood area for the Guard Station and convey out of the Markleeville site because it is subject to flooding. The Forest Service intends to rehabilitate and restore the Markleeville location prior to conveyance in coordination with Alpine County.

The BLM has the authority to direct the transfer of the patented Turtle Rock Park site from the County to the United States. The BLM also has the responsibility to process the administrative withdrawal through the Department of Interior in Washington, D.C.

The County has an interest in expanding their administrative facilities in Markleeville, California. The Markleeville Guard Station is the ideal location for County expansion. The County intends to provide additional parking and a county park adjacent to the stream.

The County has agreed to abandon a portion of the park so the Forest Service can use it for the Guard Station. The County has a patent to this land, via a recreation and public purpose patent from the BLM, they have the responsibility to initiate the land transfer for the Turtle Rock site. The County is interested in making their water and septic systems available for use by the Forest Service at Turtle Rock.

The cooperation of the parties is needed to make the relocation of the Guard Station to the Turtle Rock site and the abandonment of the Markleeville Guard Station successful. Alpine County will be able to achieve expansion of their administrative site as the Forest Service occupies the desired location at Turtle Rock.

C. The U.S. FOREST SERVICE shall:

1. Provide a legal description for the proposed administrative site at Turtle Rock.
2. Prepare petition/application for withdrawal and all reports needed for processing the withdrawal at Turtle Rock. Apply for a Right-of-Way reservation from BLM to permit construction of federal administrative facilities at Turtle Rock Park while the withdrawal is being processed.
3. Participate with Alpine County in the evaluation and analysis of the Turtle Rock well facility for use as a water supply for the desired administrative site including a joint use supply tank. The treatment of sewage will be addressed as well.
4. Construct access to the Turtle Rock site with a two-lane paved access road, from the existing County road, that meets County specifications.
5. Prepare environmental analysis and any other studies or reports as needed for reconveyance of lands at the Turtle Rock Site to the United States (BLM), and for processing a Right-of-Way reservation and/or administrative withdrawal for construction of the Guard Station at Turtle Rock, and for the abandonment and conveyance at the Markleeville Site.
6. Develop and coordinate the public scoping strategy for both Turtle Rock and Markleeville.
7. Provide assistance to Alpine County regarding processing the Townsite Act application for conveying the existing Forest Service site in Markleeville to Alpine County.

8. Develop a reclamation plan, in coordination with Alpine County, to reclaim Markleeville Creek through the administrative site to a more natural condition.
9. Prepare easement for retaining Markleeville Campground waterline prior to conveyance of the Markleeville site.
10. Will oversee construction of facilities at Turtle Rock.

D. The BLM shall:

1. Process the conveyance instrument from the County to the United States.
2. Prepare a Federal Register announcement of the required withdrawal action that is needed for the Forest Service to develop an administrative site at the desired location.
3. Coordinate project approval through appropriate briefings.
4. Participate in the public scoping strategy.

E. The COUNTY shall:

1. Adopt a County Resolution abandoning the location of the proposed USFS Administrative Site from the area within the Turtle Rock Park patented area.
2. Submit a quitclaim deed in accordance with BLM requirements returning the desired administrative site to the United States.
3. Coordinate testing and analysis of the Turtle Rock well facility for evaluation by the Forest Service for potential joint water system development, building on the existing facility, if appropriate.
4. Provide access to Turtle Rock Park Road from the new construction site.
5. Turtle Rock Park will be made available for emergency operations as necessary.
6. Participate in the public scoping strategy.
7. Apply for acquisition of the Forest Service Administrative Site in Markleeville through the Townsite Act Authority.

8. Participate in supporting Markleeville Creek restoration plans.

F. IT IS MUTUALLY AGREED AND UNDERSTOOD BY ALL PARTIES THAT:

1. **FREEDOM OF INFORMATION ACT (FOIA).** Any information furnished to the Forest Service under this instrument is subject to the Freedom of Information Act (5 U.S.C. 552).
2. **PARTICIPATION IN SIMILAR ACTIVITIES.** This instrument in no way restricts the Forest Service or the Cooperator(s) from participating in similar activities with other public or private agencies, organizations, and individuals.
3. **COMMENCEMENT/EXPIRATION/TERMINATION.** This MOU takes effect upon the signature of the Forest Service, Bureau of Land Management and the County of Alpine and shall remain in effect for five years from the date of execution. This MOU may be extended or amended upon written request of either of the Forest Service, Bureau of Land Management, or the County of Alpine and the subsequent written concurrence of the other(s). The Forest Service, Bureau of Land Management or the County of Alpine may terminate this MOU with a 60-day written notice to the other(s).
4. **PRINCIPAL CONTACT.** The principal contacts for this instrument are:

Forest Service Project Contact	BLM Project Contact	County Project Contact
Ed DeCarlo	Jo Hufnagle	Leonard Turnbeaugh
Phone: 775-884-8118	Phone: 775-885-6144	Phone: 530-694-2140 Ext. 24
FAX: 775-884-8199	FAX: 775-885-6147	FAX: 530-694-2149
E-Mail: edecarlo@fs.fed.us	E-Mail: jhufnagl@nv.blm.gov	E-Mail: leonardturnbeaugh@alpinecountyca.com
Forest Service Administrative Contact	BLM Administrative Contact	County Administrative Contact
Gary Schiff	Donald T. Hicks	Judy Molnar
Phone: 775-882-2766	Phone: 775-885-6000	Phone: 530 694-2287
FAX: 775-884-8199	FAX: 775-885-6147	FAX: 530 694-2491
E-Mail: gschiff@fs.fed.us	E-Mail: dhicks@nv.blm.gov	E-Mail: imolnar@alpinecountyca.com

5. **NON-FUND OBLIGATING DOCUMENT:** Nothing in this MOU shall obligate the Forest Service, Bureau of Land Management or the County of Alpine to obligate or transfer any funds. Specific work projects or activities that involve the transfer of funds, services, or property among the various agencies and offices of the Forest Service, Bureau of Land Management and the County of Alpine will require execution of separate agreements and be contingent upon the availability of appropriated funds. Such activities must be independently authorized by appropriate statutory authority. This MOU does not provide such authority. Negotiation, execution, and administration of each such agreement must comply with all applicable statutes and regulations.
6. **ESTABLISHMENT OF RESPONSIBILITY.** This MOU is not intended to, and does not create, any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by a party against the United States, its agencies, its officers, or any person.
7. **AUTHORIZED REPRESENTATIVES.** By signature below, the cooperators certify that the individuals listed in this document as representatives of the cooperator are authorized to act in their respective areas for matters related to this agreement.

Executed this 1st day of March 2005, at Markleeville, California.

U.S. FOREST SERVICE

ALPINE COUNTY

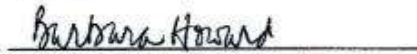

Robert L. Vaught, Forest Supervisor



Donald M. Jarding, Chair, Board of Supervisors, County of Alpine, State California

BLM:

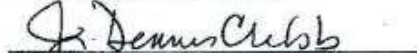

Donald T. Hicks

ATTEST:


Barbara K. Jones, County Clerk and ex-officio Clerk of the Board

THE AUTHORITY AND POWER OF THIS INSTRUMENT HAS BEEN REVIEWED AND APPROVED FOR SIGNATURE	
	2/25/05
AGREEMENTS COORDINATOR	DATE

APPROVED AS TO FORM:


J. Dennis Crabb, County Counsel

F. Example Grand Jury Telephone Message

The GJ recognizes that the telephone message must be compatible with the Courthouse telephone system. The GJ recommends the following message or a reasonable facsimile.

“Hello: You have reached the Alpine County Grand Jury. If you would like to register a citizen complaint, serve as a grand Juror or just learn more about the Grand Jury, please visit our website at www.alpine.courts.ca.gov. Otherwise, leave your name and contact information so we can return your call. Thank you.”

G. Example Grand Jury Website

G-1. Example Main Page

Alpine County Grand Jury

The Alpine County Civil Grand Jury is comprised of eleven (11) citizen volunteers. They are an investigative body created by the United States and the California Constitutions. The body is formed to help protect society and enforce its laws, working in the capacity of a “watchdog” agency. Each Jury is normally in session for twelve months, July 1st through June 30th.



The major function of the Alpine County Civil Grand Jury is to examine County government and special districts to ensure their duties are being lawfully carried out. The Grand Jury reviews and evaluates procedures, methods, and systems utilized by the agencies to determine if more efficient and economical programs may be used for the betterment of the County’s citizens. On a Finding of Probable Cause, they have the power to refer cases against agencies or individuals to the Superior Court.

Any citizen of Alpine County is welcome to contact the Grand Jury. Citizens often request the Jury to conduct an investigation for alleged mistreatment by officials, suspicions of misconduct, and government inefficiencies.

The Grand Jury is required by law to operate in complete secrecy. This allows interviews with witnesses to be totally open and honest, without fear of reprisals. Everything discussed by the Grand Jury and its committees is not shared with anyone outside of the jury. The results of the Grand Jury’s activities are presented to the public in a Final Report which may be released at the end of an investigation or combined into a complete Final Report at the end of session. The Final Report will discuss the facts and present findings and recommendations.

[Contact the Grand Jury](#)

[Grand Jury Reports and Responses](#)

[Become a Grand Juror](#)

G-2. EXAMPLE CONTACT PAGE

Contact the Grand Jury

Those citizens wishing to contact the Grand Jury with a complaint may do so by completing a complaint form and mailing it to:

Mailing Address: Alpine County Civil Grand Jury
Attention: Foreperson
P. O. Box 102
Markleeville, CA 96120



Citizens Complaint Form: [Form](#)

In order to maintain the confidentiality of complaints and investigations, the Alpine County Grand Jury only accepts complaints from citizens in writing. Complaints should include the name of the person or agency in question, listing specific dates, incidents or violations. The names of any persons or agencies contacted should be included along with any documentation or responses received. It is preferred that the complainant's name and address also be included should the Grand Jury wish to contact the complaining party for further information. The [complaint form](#) may be downloaded and printed to assist in documenting the complaint. Complaint forms are submitted to the Grand Jury by U.S. Mail at the address above.

All complaints submitted to the Grand Jury are required by California law to be treated with the strictest of confidence. The Grand Jury reviews all complaints received; but due to time, staffing or resources, not every complaint may be investigated. An acknowledgment letter is routinely sent after an initial review of the letter by the Grand Jury.

Complaint forms are also available at the following County locations:

- Alpine County Court House, Markleeville, CA
- Alpine County Library, Markleeville, CA
- Kirkwood Public Utility District, Kirkwood, CA
- Alpine County Sheriff's Substation, Bear Valley, CA
- Alpine County Clerk's Office, Administration Building, Markleeville, CA

In addition, the Grand Jury also has a voice mail box as follows:

Phone Number: (530) 694-_____

Please leave name, phone number, and date of message only.

[Return to Main Grand Jury Page](#)

G-3. EXAMPLE BECOME A JUROR PAGE

How to become a Grand Juror

Service as a Grand Juror is for an entire year (July 1st through June 30th), with each jury determining its work load. Each Grand Juror is required to complete a financial disclosure form in compliance with the California Government Code. A Juror is paid for their time worked (currently \$15.00 per day) and mileage is reimbursed.



In order to be eligible the following requirements apply:

1. Must be a United States citizen.
2. Must be 18 years of age or older.
3. Must be a resident of Alpine County for at least one year immediately prior to selection.
4. Must not be serving as a trial juror in any California court.
5. Must not have been discharged as a Grand Juror in any California court within one year of the beginning of service.
6. Must not have been convicted of malfeasance in office or any felony or other high crime.
7. Must not be serving as an elected public official.
8. Must be in possession of his or her natural faculties and of ordinary intelligence, provided that physical disabilities don't impede the ability to communicate or interfere with the person's mobility.
9. Possess sufficient knowledge of the English language.

Appointment to the Grand Jury

If you meet the qualifications listed above and are interested in being considered for nomination to the Alpine County Civil Grand Jury for the next session, contact the Jury Commissioner at

Telephone: (530) 694-2113 Ext: 325

Or

Mail an application to: Alpine County Superior Court
Attention: Jury Commissioner
P. O. Box 518
Markleeville, CA 96120

Grand Jury Application: Form

[Return to Main Grand Jury Page](#)

G-4. Example Reports Page

Grand Jury Reports and Responses

All reports are available at the Alpine County Library.



Reports

Responses

Final Report 2006

Responses for 2006

Superior Court Response Summary

Sheriff's Department

School Board

Board of Supervisors

Auditor

Final Report 2008

Responses for 2008

Board of Supervisors

[Return to Main Grand Jury Page](#)

H. Example Grand Jury Proclamation

**ALPINE COUNTY BOARD OF SUPERVISORS
PROCLAMATION**

**GRAND JURY AWARENESS
MONTH OF MAY**

WHEREAS, grand juries are crucial components of California’s judicial system, serving three important roles: (1) overseeing and reporting on the efficiency, honesty, and impartiality of local governments and elected officials; (2) determining whether criminal acts have been committed, and if there is enough evidence to charge a person with that crime; and (3) determining whether to accuse public officials of impropriety; and

WHEREAS, every county in California has a grand jury made up of citizens, appointed by that county’s Superior Court, who dedicate their time for a full year to grand jury service; and

WHEREAS, thanks to their commitment and hard work, grand jurors help to ensure that local governments, such as counties, special districts, and school districts, are operating legally and efficiently; and

WHEREAS, the Board of Supervisors, recognizing the contribution of the Alpine County Grand Jury, adopts this proclamation in order to encourage citizens to apply for grand jury service by contacting the Alpine Country Superior Court or accessing the Grand Jury’s website.

NOW THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Alpine hereby proclaims May as “Grand Jury Awareness Month” in Alpine County.

DULY PASSED AND ADOPTED this _____ day of May, 20___, by the Board of Supervisors of the County of Alpine by the following vote:

- Ayes:
- Noes:
- Absent:
- Abstain:
- Recuse:

, Chairman

Board of Supervisors

County of Alpine, State of California

Barbara Howard

Clerk of the Board of Supervisors

By _____

Deputy

I. Grand Jury Letterhead

Alpine County Grand Jury
State Of California



PO Box 102
Markleeville, CA 96120
www.alpinecountyca.com

J. CAO Response Letters (2007/2008 Final Report)

J-1. Defensible Space Inspections



COUNTY OF ALPINE
County Administrative Office

Pamela Knorr, County Administrative Officer

April 14, 2009

Alpine County Grand Jury
P.O. Box 518
Markleeville, CA 96120

RE: Grand Jury inquiry regarding Defensible Space Inspections

Dear Mr. Allert,

Thank you for your inquiry regarding the status of the Defensible Space Inspections in conjunction with the 2008-2009 Grand Jury Continuity Report.

Please be advised that the County received the Defensible Space Report from Lake Valley Fire and the summary report attached hereto.

In preparing for this year's defensible space inspections, the County conducted research regarding the authority to conduct defensible space inspections and enforce defensible space citations, it has been determined (and verified with Cal Fire) that CalFire is the agency solely responsible for conducting defensible space inspections and has the enforcement authority for defensible space citations.

In light of this development, no best practice report was developed. Cal Fire will be provided with the defensible space data and findings from 2008 and will assume the defensible space inspections for the 2009 fire season.

Please feel free to contact me if you have any questions regarding this matter.

Regards,

A handwritten signature in blue ink that reads "Pamela Knorr".

Pamela Knorr
Alpine County Administrative Officer

J-2. Kirkwood "Fair Share"



COUNTY OF ALPINE
County Administrative Office

Pamela Knorr, County Administrative Officer

April 14, 2009

Alpine County Grand Jury
P.O. Box 518
Markleeville, CA 96120

RE: Grand Jury inquiry regarding Kirkwood Fair Share

Dear Mr. Allert,

Thank you for your inquiry regarding the status of the Kirkwood Fair Share component of the 2008-2009 Grand Jury Continuity Report.

Your inquiry extends outside the scope of the 2008 Grand Jury Report, therefore my response will only address the steps that have been taken as outlined in the response to the 2008 Grand Jury.

Please be advised that in December 2008 the County obtained a quote to determine the cost of a study. The estimated cost of an independent study was estimated at \$37,000.00. Due to the current fiscal challenges, the County is still assessing revenue and expenses to determine if funds are available for the study.

Please feel free to contact me if you have any questions regarding this matter.

Regards,

A handwritten signature in blue ink that reads "Pamela Knorr".

Pamela Knorr
Alpine County Administrative Officer

J-3. Sierra Pines Mobile Home Park



COUNTY OF ALPINE
County Administrative Office

Pamela Knorr, County Administrative Officer

April 14, 2009

Alpine County Grand Jury
P.O. Box 518
Markleeville, CA 96120

RE: Grand Jury inquiry regarding Sierra Pines Mobile Home Park

Dear Mr. Allert,

Thank you for your inquiry regarding the status of the Sierra Pine Mobile Home Park in conjunction with the 2008-2009 Grand Jury Continuity Report.

Please be advised that the County has been informed that the Sierra Pines Mobile Home Park has recently been placed in receivership by the Alpine County Superior Court.

The Alpine County Environmental Health and Public Health departments have been continually monitoring the situation at Sierra Pines Mobile Home Park. The County has been informed that maintenance of the sewer and water systems are taking place and that significant strides have been made to rectify any health and safety concerns, including an inspection of the sewer system which was conducted on March 16, 2009.

At this time, both the Environmental and Public Health departments are encouraged with the improvements that have been made at Sierra Pines Mobile Home Park and will continue to monitor any health and safety issues at the park.

Regards,

A handwritten signature in blue ink that reads "Pamela Knorr".

Pamela Knorr
Alpine County Administrative Officer

K. Example Grand Juror Questionnaire

SUPERIOR COURT

County of Alpine, State of California

Prospective County Grand Juror Questionnaire

Name: (Title) _____
Last First Middle

Other names used: _____

Residence Address: _____

Are you retired? YES ___ NO ___ Are you currently working? YES ___ NO ___

Contact phone number: _____

Date of Birth: _____ Place of Birth: _____

County Supervisorial District #: _____ *California Drivers License #: _____

(*For purposes of background check)

QUALIFICATIONS

- Are you a citizen of the United States? YES ___ NO ___
- Are you eighteen years of older? YES ___ NO ___
- Are you going to be a continuous resident of Alpine County for the term this term of the Grand Jury (usually July 1st through June 30th)
YES ___ NO ___
- Do you possess sufficient knowledge of the English knowledge, (Do you speak, write and understand English?) YES ___ NO ___
- Have you been discharged as a grand Juror in any court of California within the last year? YES ___ NO ___
- Have you ever served as a Grand Juror in Alpine County?
If so, what year(s)? _____ YES ___ NO ___

- Have you applied for the Grand Jury in the past?
If so, what year(s)? _____ YES___ NO___
- Have you been convicted of malfeasance in office, a felony or any other offense (including driving under the influence, and/or reckless driving?)
YES___ NO___
- Are you currently serving as an elected official? YES___ NO___
- Are you capable and willing to conduct detailed investigations of County governmental issues and prepare reports on those issues?
YES___ NO___
- Are you related to any Alpine County Superior Court Judge or any other elected Alpine County elected official? If yes, please explain.
YES___ NO___

NOTE:

All applications for nomination as a member of the Alpine County Grand Jury will be subject to some degree of review and investigation by an appropriate law enforcement agency, or officer of the court, relative to the statutory qualifications for service and any other information that may bear on the prospective Grand Juror's ability and suitability for service.

This is to certify that the foregoing information is true and correct to the best of my knowledge and belief, and is submitted in support of my application for selection as a member of the Alpine County Grand Jury.

Executed under penalty of perjury this _____ day of _____,

20____, at _____, California.

SIGNED: _____

PRINTED NAME: _____