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## BOARD OF SUPERVISORS COUNTY OF MONO

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*Lynda Roberts, Clerk of the Board*

October 15, 2013

Honorable Judge Stanley Eller  
Presiding Judge of the Superior Court  
100 Thompsons Way  
P.O. Box 1037  
Mammoth Lakes, California 93546

Re: Response to the Mono County 2012 - 2013 Grand Jury Report

Dear Judge Eller:

Please consider this letter and Attachment A as Mono County's responses to the 2012-2013 Mono County Grand Jury Report and place this document on file as the Mono County Board of Supervisors' response to the Grand Jury Report. Attachment A has specific responses to the items identified in the 2012-2013 Report. As an elected department head, the Sheriff has responded separately to the findings and recommendations affecting his department, and the grand jury has not requested any additional response from the Board of Supervisors. The Board appreciates the Sheriff's response.

The Board and entire County staff appreciate the critical role the Grand Jury provides to the community and the County organization in ensuring the best use of scarce resources. Openness, transparency and accountability are crucial to our democracy. We thank the members of the Grand Jury for their public service and encourage the Court to ensure the broadest representation from across all communities of Mono County.

Sincerely,

Byng Hunt, Chair  
Mono County Board of Supervisors

Enclosure:    Attachment A: 2012-2013 Mono County Grand Jury Responses



## **Public Health**

### **Final Report Regarding Pre Hospital Training Case #1213.01**

#### **Findings and Recommendations:**

The Grand Jury issues the following findings and recommendations as a result of this investigation.

1. ***Finding:*** a contract for Pre-Hospital Training did exist that covered the period of the allegations. The contractor was qualified to deliver the service and the matter of whether or not the Fire and Rescue Chief and the Contractor were friends is immaterial. The contract is legal and binding and the terms and conditions of that contract were fulfilled. The Jury further finds that the county has no obligation to enter into a competitive bidding process for this kind of professional service contract.

• ***Recommendations: none***

**County Response:** the County agrees with the finding.

2. ***Finding:*** on the question of an inappropriate exemption, the County did not issue an exemption to the contractor. The contractor was directed to stop licensing himself with Cal-EMSA as a county affiliate to avoid any appearance of favoritism.

• ***Recommendations: none***

**County Response:** the County agrees with the finding.

3. ***Finding:*** as far as the scope of services not meeting the needs of the 11 Fire Districts and not meeting their expectations with regard to cost, it is a subjective matter of opinion which has been mitigated fully by the county by placing control of the program into the hands of the 11 Fire Chiefs.

• ***Recommendations: none***

**County Response:** the County agrees with the finding.

4. ***Finding:*** on the matter of using county equipment for contracted training, there is no prohibition of this practice.

• ***Recommendations: none***

**County Response:** the County agrees with the finding.

5. ***Finding:*** on the question of on-the-clock versus off-the-clock training and compensation, the jury recognizes that a potential for inappropriate compensation does exist.

• ***Recommendation: the Jury recommends that the county audit time keeping practices to ensure that appropriate controls have been implemented.***

**County Response:** the County agrees with the finding and has implemented the recommendation. Time cards are reviewed by the Medic Captain in charge of verifying that time reported as worked matches the



schedule of assignments, thus ensuring that if training is done “on the clock” it is paid as an employee, not as a contractor.

6. **Finding:** with regard to Liability Insurance, the contractor had the required coverage.

• **Recommendations:** none

**County Response:** the County agrees with the finding.

The Mono County Grand Jury closed the investigation of this matter on December 18, 2012.

### **Public Health**

#### **Mono County Grand Jury 2013**

#### **Final Report Regarding:**

#### **Misappropriation of Mono County Health Department Facilities and Misuse of a Public Vehicle**

Case #1213.03

The Grand Jury makes the following findings and recommendations as a result of this investigation:

1. **Finding:** Health Department facilities were used to print programs for a high school athletic program. This use of Health Department facilities was an approved expense of the Tobacco Avoidance Program. This use was approved by the Director of the Tobacco Avoidance Program. All benefits of these actions accrued to the benefit of other public agencies: the Tobacco Avoidance Program which paid the cost and the high school sports program, and not to any individual.

• **Recommendation:** no change in policies or regulations.

**County Response:** the County agrees with the finding.

2. **Finding:** The use of the vehicle in question was consistent with the vehicle policies of the Bridgeport Fire District.

• **Recommendations:** no change in policies or regulations.

**County Response:** the County agrees with the finding.



**County Administrator/Human Resources:**

**Mono County Grand Jury 2013  
Final Report Regarding Mono County Employee - Complaints 1 - 5  
Case #1213.04**

The Grand Jury issues the following findings and recommendations as a result of this investigation:

1. ***Finding:*** the original complainant did not file a written harassment/discrimination complaint, nor is there any record of a report of a complaint.

• ***Recommendation: none***

**County Response:** the County agrees with the finding.

2. ***Finding:*** Mono County has written personnel and PC policies on the internet which have been in effect and available for many years; although some of the posted documents have been superseded.

• ***Recommendation: The County should review the policies posted on the County web site and make sure that they are the most current versions. All older versions should be removed.***

**County Response:** the County agrees with the finding and has implemented the recommendation. Documents on the County website are undergoing review to ensure they are the current version.

3. ***Finding:*** In 2011, Mono County reviewed and updated its personnel policies (“Mono County Personnel System” and “Mono County Policy Regarding Benefits of Management-Level Officers and Employees). These packets are given to employees, and an acknowledgement form is signed and filed in the employee’s personnel folder. It is not clear that every employee receives this packet, as only permanent employee training files contain the acknowledgement form, and one was missing from the six permanent employees which were randomly selected.

• ***Recommendation: none***

**County Response:** the County agrees with the finding.

4. ***Finding:*** the IT Department’s Computer Use policy is complete and has been updated, and each employee authorized for computer use is given a copy of this policy. The employee signs an acknowledgement form to be filed in the employee’s personnel folder. The random check of those files showed that this is the most consistently filed document in those files, with fourteen of eighteen having this in their personnel records. Some long-term employees had two on file.

• ***Recommendation: none***

**County Response:** the County agrees with the finding.

5. ***Finding:*** the IT Department’s log on screen acknowledgement notifies the employee of computer use policy each time that the employee logs on to the network; a most effective policy reminder.

• ***Recommendation: none***

**County Response:** the County agrees with the finding.



6. **Finding:** the IT Department has a system in place to effectively monitor network use on a large scale, and is also able to monitor individual use as required or requested by management.

• **Recommendation:** none

**County Response:** the County agrees with the finding.

7. **Finding:** the orientation training binder is complete and detailed, including harassment, ethics, expected conduct, and other important County policies. A power point presentation incorporates the information found in the binder, and the Personnel Technician is very knowledgeable about and involved with the contents and training procedures.

• **Recommendation:** none

**County Response:** the County agrees with the finding.

8. **Finding:** documentation of orientation training attendance is informal and appears incomplete. Of the eighteen employees randomly chosen, only three were on the orientation training list. Two of the three did not have a notation that they had attended orientation training, and the third had a question mark (?) in that column.

• **Recommendation:** *as a minimum, have each employee sign an acknowledgement form that they have reviewed the orientation book, and file this in the personnel file. An alternative might be to have the training sign-in sheet submitted to the Office Manager for entry into the electronic data base.*

**County Response:** the County agrees with the finding and will implement the recommendation alternative which is most effective, as soon as reasonably practicable.

9. **Finding:** of the eighteen employees randomly chosen, the employee personnel file spreadsheet showed that the most effective record of training was the IT acknowledgement form (fourteen out of eighteen employees); some long-term employees had two of these forms. Next most consistent was the “Disaster Services” acknowledgement for a majority of employees. All but one permanent employee file held the acknowledgement form for the “Personnel Rules” packet, and the MOU packet for employees covered by a union contract.

• **Recommendation:** *continue and expand use of acknowledgement forms.*

**County Response:** the County agrees with the finding and will implement the recommendation as soon as reasonably practicable.

10. **Finding:** of the eighteen employees randomly chosen, the electronic training database showed that six employees had no training noted. Two of these were new-hires of less than one year, but others were longer term employees. The majority were not permanent employees, and the database went back to 2007 or earlier, incorporating earlier training records.

• **Recommendation:** *incorporate orientation training records into this database, as the orientation training is a complete and detailed overview of County policies and procedures and is required for each County employee.*



**County Response:** the County agrees with the finding and will implement the recommendation as soon as reasonably practicable.

11. **Finding:** documentation of employee training is incomplete and fragmented. While appropriate training may be taking place, the current record keeping does not clearly demonstrate which employees have or have not completed required training on County policies and procedures.

• **Recommendation:** *the Grand Jury recommends that all employee training be documented in a single searchable electronic file. The file should be audited annually to assure that all required policy and procedure training has been offered and completed. This file should cover new and existing employees, "At-Will" and temporary employees, and elected and appointed officials and should include initial training and required updates to training.*

**County Response:** the County agrees with the finding and will implement the recommendation as soon as reasonably practicable.

The Mono County Grand Jury closed the investigation of this matter on May 20, 2013



**Sheriff:**

**Mono County Grand Jury  
Final Report Regarding Use of Unnecessary Force by Sheriff's Deputies  
Case # 1213.05**

Under "Findings and Recommendations," findings 1-7 are Sheriff and jail recommendations. As an elected department head, the Sheriff has responded separately to these items, and the grand jury has not requested any additional response from the Board of Supervisors.



**Probation:**

**Mono County Grand Jury 2013  
Jail and Probation Department Tours  
Case #1213.06**

8. **Finding:** The Grand Jury found that the CASA program is highly effective in Inyo County in working with juveniles, and that building upon this program in Mono County could be beneficial.

• **Recommendation:** *the Grand Jury recommends the establishment of a County-wide Juvenile Services Advisory Board. The Grand Jury also recommends funding and encouraging Encourage and fund the CASA program by offering training and volunteer recruitment.*

**County Response:** the County agrees with the finding and has implemented the recommendation. The Probation Department has reestablished the Juvenile Justice Coordinating Council. CASA is contracted to Wild Iris.

9. **Finding:** The Grand Jury found that there is no statewide database for probationers or juveniles, which means that there is no inter-county exchange of information. In fact, this prevents the Department from communicating with the Court itself.

• **Recommendation:** *none*

**County Response:** The County agrees with the Finding. This Recommendation requires further analysis. The state considering case management software (CMS) and the Chief Probation Officers of California (CPOC) reports it would be beneficial to the state; however, such a system is not being considered for several more years as many counties have invested in new CMS and are less likely to abandon the investment.

Communication between the court and clerks will be improved as Mono County's access to broadband improves through the completion of the Digital 395 project. Increased broadband will all the Mono County Probation Department to access court calendars.

10. **Finding:** The Grand Jury found that there are approximately 130 drug offenders on probation, yet there are no resources such as half-way houses available in Mono County. The Grand Jury found that the Probation Department was under-staffed which limits the amount of contact dedicated to each probationer.

• **Recommendation:** *the Grand Jury recommends hiring two to three additional Probation Officers as each Probation Officer currently has a large caseload (80-130 cases). Additional staff would insure that more home visitations occur.*

**County Response:** The County agrees with the finding and has implemented the recommendation. Two additional probation officers have been hired. This action took place in July 2013.

• **Recommendation:** *the Grand Jury recommends that the County seek funding for a half-way house, similar to the one once located in Mammoth Lakes.*

**County Response:** The recommendation requires further analysis. The CCP is currently evaluating the locations as potential transitional ("half-way") homes funded with AB109 funds as well as other alternatives through grant initiatives.





11. **Finding:** The Grand Jury found that the front door to the Juvenile Hall/Probation facility is not sufficiently secured. The Grand Jury also found that the facility lobby is open and there is no physical barrier to prevent irate individuals from accessing staff and/or the facility.

• **Recommendation:** *the Grand Jury recommends providing security in the existing Juvenile Hall/Probation building by constructing a counter/partition in the lobby area and strengthening the exterior door locking mechanism.*

**County Response:** The County agrees with the Finding. This Recommendation requires further analysis. The security update was made during the Current Space Review report recently submitted to the Board of Supervisors.