

**Board of Supervisors  
Tuolumne County**



**COPY**

**2 South Green Street  
Sonora, California**

**SEP 21 1999**

Excerpt from the official minutes of \_\_\_\_\_

**Grand Jury Final Report/  
Response**

Mr. Pedro presented the response to the FY 1998-99 Grand Jury Final Report to the Board.

The Board commended Mr. Wallace on the comments that he made in his August 31 memo in response to the Jamestown Mine and Visitors Bureau.

It was moved by Supervisor Ratzlaff, seconded by Supervisor Pland, and carried by unanimous vote, to approve the recommended response to the FY 1998-99 Grand Jury Final Report.

**CERTIFICATION OF EXCERPT ONLY**  
The foregoing instrument is a correct copy  
of the original on file in this office

ATTEST: \_\_\_\_\_  
Clerk of the Board of Supervisors  
of the County of Tuolumne



**County Administrator's Office**

**C. Brent Wallace**  
County Administrator

**Tuolumne County Administration Center**  
2 South Green Street  
Sonora, CA 95370  
Phone (209) 533-5511  
FAX (209) 533-5510

September 13, 1999

**TO:** Board of Supervisors  
**FROM:** C. Brent Wallace, County Administrator (CBW)  
**SUBJECT:** Recommended Response to the FY 1998-99 Grand Jury Final Report

Attached is the recommended response to the FY 1998-99 Grand Jury Final Report for your approval. Also included is the response from the Sheriff and the Tuolumne County Visitor's Bureau for your information.

Recommendation

It is recommended that the Board approve this recommended response so it may be transmitted to the presiding judge of the superior court.

CBW:ele  
Encs.

## **Response to FY 1998-99 Grand Jury Report**

### **Animal Control (Page 9)**

#### **Recommendation**

Recommend the addition of at least one staff member to the department.

#### **Response**

An Animal Control Officer position was added to the Department as part of the FY 1999/00 Budget. Recruitment to fill this position is in process. Additional shelter staff will be added in FY 2000/01 in conjunction with a planned expansion of the shelter. The shelter expansion is being required in response to recent legislation which extended the holding periods of animals brought into the shelter. The new holding periods take effect on July 1, 2000.

#### **Recommendation**

Recommend the use of the Community Service Unit (CSU) to help in the needs of the department. Calls can be made to Animal Control with the help of CSU to aid in controlling animal population.

#### **Response**

The Assistant CAO has already had one meeting with the head of the CSU to discuss potential assistance to the Department. The Assistant CAO and Animal Control Manager will work with CSU representatives to develop and implement a specific plan of action for CSU assistance before the end of the fiscal year.

#### **Recommendation**

Recommend a Push/Pull sticker be placed on the front doors to assist in entering and exiting the building.

#### **Response**

The recommended stickers have been installed

### **Department of Public Works (Page 15)**

See attached from Public Works Director

**Jamestown Mine Property (Page 23)**

See attached from County Administrator

**Mental Health/Alcohol/Drug Services (Page 29)**

See attached from Mental Health

**Tuolumne County Sheriff's Office and Jail (Page 58)**

See attached from Sheriff

**Tuolumne County Y2K Preparedness (Page 63)**

**Recommendation**

Sufficient staffing to handle increased demands in the ISS office should be a priority. The County has already invested a great deal in upgrading computer systems, establishing communications between systems, and reducing redundancy within them. It seems a logical and necessary step to provide for the maintenance and upkeep of these systems through an increase in personnel.

**Response**

The Board of Supervisors has been very responsive to the need to increase and change the composition of the staff in the ISS Division. During FY 1998/99, the Board approved: 1) a new classification system for ISS Technicians and Analyst/Programmers; 2) addition of a new Hospital Information System (HIS) Technician position; and 3) addition of a Help Desk Analyst position. In the FY 1999/00 Budget, the Board also: 1) created a Network Administrator position via reclassification; 2) created a DataBase Administrator position via reclassification; 3) converted one relief Systems Analyst/Programmer to a permanent position; 4) added a new Systems Analyst/Programmer position; and 5) converted an ISS Technician II position to a Senior ISS Technician position.

These changes have added to the depth of the staff, recognized the radical changes in the types of technology utilized by the County and enhanced the ability of the County to retain a very talented team of individuals. With this said, there is still a daunting list of new projects confronting the ISS Division in FY 1999/00 in addition to the demands of simply maintaining existing systems. While the Division would always appreciate additional staffing to meet all of the needs and expectations of its customers (i.e. County Departments), it is also committed to making the best use of the resources provided by the Board and to being judicious in making any additional requests for staffing. In fact, Division staff would seek Board and Department support for a much needed break in FY 2000/01 from new system implementations to allow time to

reassess County-wide technology capabilities and needs and to refine, enhance and thoroughly train on the variety of new technology recently implemented.

Recommendation

Approve the budget request for a generator that is housed in the County Administration building. This seems like the most basic of requirements necessary to the functioning of Emergency Operations Center housed there.

Response

Concur and the County Administrator's Office is in process of obtaining a generator with the ability to power up the entire building and all the ancillary equipment.

Recommendation

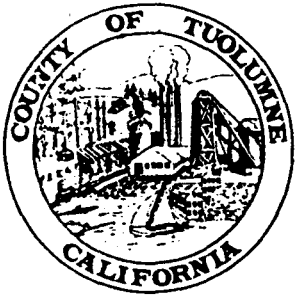
Increase public education in the arena of disaster preparedness. This is really at the crux of the entire Y2K issue, let alone other emergencies, including fire, flood, or earthquake. It should be the responsibility of each and every resident to have an emergency plan in place, should basic necessities such as electricity, water, phone and disaster response be interrupted. It is the responsibility of the community in which they live, i.e. Columbia, Jamestown, Groveland, Twain Harte, etc. to teach the need for disaster preparedness within their geographical area, and make available the town's contingency plans during a disaster. At the same time they should encourage self-sufficiency should emergency services be compromised.

Response (By Emergency Coordinator Maureen Frank)

As the Emergency Coordinator for Tuolumne County, I concur with the finding of the Grand Jury regarding Y2K Preparedness. No matter the type of emergency it is vital that everyone, from governmental agencies to citizens, be prepared. As outlined in the report, several county departments have been working vigorously over the past two year to mitigate potential problems that might arise out of Y2K. During the next 6 months we will continue this efforts and take steps to prepare for any potential problems that Y2K might throw at us.

The mission of Tuolumne County Emergency Services is to assist residents before, during, and after a disaster. This is a task that we take very seriously. In preparation for an emergency, Tuolumne County has an Emergency Operations Plan which enables various emergency responders to work under a common set of procedures and guidelines. Just as the County has an Emergency Plan so too residents should have a Family Emergency Plan. This plan should include the following: emergency contact numbers, evacuation plans including family meeting locations, emergency supplies list, utility shut off instructions, and family emergency procedures. Information on creating a family emergency plan and supplies for disaster kits can be obtained at the County Administrator's Office.

In regards to Public Education, Kary Hubbard, Fire Prevention Officer, and myself have conducted over 12 disaster preparedness presentations to local community groups this past year. Kary and I also work with the local media (Newspaper and Radio Stations) to get out specific information on emergency services and family preparedness. Periodically, we participate in public service announcements and radio shows regarding emergency preparedness. Public information and education will continue with especial emphases this year on Y2K issues



# County of Tuolumne Department of Public Works

Peter Rei, R.C.E., P.L.S.  
Director of Public Works

A. N. Francisco Building  
48 West Yaney Avenue  
Mailing: 2 South Green Street  
Sonora, California 95370  
MEMO

Engineering and Road Operations Divisions  
(209) 533-5601  
Transportation Division  
(209) 533-5603  
County Surveyor Division  
(209) 533-5626  
Solid Waste Division  
(209) 533-5588  
Fax (209) 533-5698

September 2, 1999

To: Betsy Eisenhauer  
County Administrative Office

From: Peter Rei **PETE**  
Director

RE: Grand Jury Report Response

Enclosed is my response to the 1998/99 Grand Jury report:

The Grand Jury has requested an "Operations Manual, that would outline what processes are involved in road maintenance." They go on to state that "This would allow the public to better understand how the Public Works Department operates."

Public Works staff concur that it difficult to understand how the decision-making process works concerning which roads receive road maintenance and new construction. The process of decision-making is driven by a complex combination of factors, the most notable of which are:

- 1) Federal, State and Local regulatory requirements and standards
  - Streets and Highways Code
  - California Vehicle Code
  - State Contract Act
  - Prevailing Wage Law
  - Caltrans Standard Plans and Specifications
  - American Association of State Highway and Transportation Officials Manual
- 2) Liability/Safety Concerns
  - Repair of substandard roadways to avoid expensive lawsuits
  - Safety improvements to prevent future accidents
- 3) Funding Availability
  - Federal Funding Rules and Programs
  - State Funding Rules and Programs
  - Local Transportation Commission Allocations to Tuolumne County
  - County General Fund Contributions to Public Works
  - Sales Tax Revenues(if approved by voters)
- 4) Environmental Laws
  - Corps of Engineers Permit Requirements
  - California Fish and Game Requirements
  - Various other Federal, State and Local environmental constraints

- 5) Availability of Right-of-Way
  - Willingness of private landowners to allow County purchase of needed property
- 6) Volume and type of Traffic
  - Daily, Yearly amount of vehicles using particular roadway
  - Amount of heavy truck traffic using particular roadway
- 7) History, location and makeup of any particular roadway
  - Many roadways were never engineered, but simply evolved from old wagon roads
  - Depth and thickness of previous paving and subgrade
  - Effects of snow, rain and drainage control on a particular roadway

All of these factors, and many more, contribute to the decision-making process on a daily, weekly, monthly and yearly basis. We are asked to balance all of these competing needs and requirements to manage over 600 miles of roadways in Tuolumne County. These roadways vary from very low volume roadways serving as little as one resident in very rural parts of the County to very high speed traffic with a large volume of trucks on Parrott's Ferry, O'Byrnes Ferry and La Grange Roads. The needs of these various roadways are very different. With limited resources available to the department, the decision-making process involves an on-going series of trade-offs. Some needs are met, some are "band-aided" and others are delayed until an uncertain future date.

Overall, we win some battles but are losing the war. The average condition of the roadways is deteriorating and the average age of the roadways is continuing to increase. Many roadways are beyond their original intended design life and will require extensive and expensive reconstruction in order to allow the public to use the roadways in the manner they have become accustomed to. The funding simply is not there to meet this need. Thus, the department makes every effort to spread out our available funding as far as we possibly can and provide some maintenance to as many roadways as we can. This has the effect of slowing down, but not preventing, the deterioration of the roadways. Often, we are only financially able to deal with the symptom, and not the cause of, many of the problems on the roadways.

In conclusion, this business is often more art than science. Unless significant increases in funding occur, Public Works will continue to slowly lose the battle of keeping our roadways in a good state of repair. We simply do not have sufficient funding, equipment or manpower to keep up with the needs. What we do have is the knowledge of what the needs are. Without the needed resources this knowledge does little to help the problem.





## County Administrator's Office

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County Administrator

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August 31, 1999

TO: Board of Supervisors

FROM: C. Brent Wallace, County Administrator *C. Brent Wallace*

SUBJECT: Response to 1998-99 Grand Jury Report - Jamestown Mine Property

The 1998-99 Grand Jury is to be complimented for taking the time to review files and other documents relating to the acquisition of the Jamestown Mine by the County. The multitude of issues relating to the site is complex and is not contained within a single document. The required research by the Grand Jury was considerable. In their research the Grand Jury made a few statements in their Findings and Conclusions that are not accurate. Prior to responding to the Recommendations contained in the Final Report, several comments are required to correct information contained in the Findings section of the report.

### FINDINGS

- On page 22, the second full paragraph it is stated, "In March of 1999, the Board of Supervisors approved consideration of a pledge of revenue of \$2,200,000 to the State to show good intent and determination to effect completion of the reclamation process." This statement contains the essence of the County's action, but does not accurately reflect the Board of Supervisor's action.

The Board of Supervisors has not pledged a specific amount of money for the reclamation process, but pledged a source of revenue, the County General Fund, to complete closure of the Tailings Management Facility (tailings pond). The total cost to reclaim the site is unknown since the State views the entire site without regard to ownership. Thus, the County is not only unable to pledge a specific amount of revenue for the reclamation process, but would not pledge revenue to complete reclamation of property that it does not own. Additionally, the County has pledged revenue to perform that work necessary to provide closure of the tailings pond only, not reclaim the entire site. This is a subtle, but critical distinction for cost and responsibility purposes.

- With regard to the proposed Juvenile Detention Facility to be constructed at the Jamestown Mine site, on page 22, the third full paragraph it is stated, "Even though the three counties will pay their fair share of the construction costs, Tuolumne County will absorb the majority of the costs due to the facility being located in Tuolumne County."

The construction cost for the Regional Juvenile Detention Facility will be constructed using a grant of \$5 million from the State. The three participating have a 10% hard dollar matching requirement. The County of Tuolumne agreed to construct the infrastructure to the site, which includes an upgrade of High School Road and the installation of required utilities. The only costs that the County will absorb that are greater than Calaveras and Amador Counties are those costs that will benefit Tuolumne County for the development of the Jamestown Mine site, regardless of the type of development.

## **Conclusions**

- On page 23, with regard to the Juvenile Facility, in the second full paragraph it is stated, "Monies were originally allocated for the development of the infrastructure to be completed but has not occurred."

This statement is not technically correct. The Board of Supervisors pledged a maximum amount of funds to be used for infrastructure improvements, but did not appropriate funds to complete those improvements. Funds will not be recommended for expenditure until final engineering plans are completed.

## **Recommendations**

1. The Grand Jury has recommended that the County aggressively pursue grant monies to help with the cost of reclaiming and developing the mine site.

Staff concurs with this recommendation.

2. The Grand Jury has recommended that the County contract out for experts in the field of commercial site development and to assist with the development of a Master Plan for use of the property.

The County currently provides funding for the Economic Development Company (EDC). It is staff's recommendation that the Board of Supervisors request EDC support for the commercial development of the site, if the Board determines that commercial development will occur at the site.

It is doubtful that the site could be developed commercially without required infrastructure improvements. The scope of the planning with the engineering of the infrastructure improvements is to size those improvements to maximum capacity to allow for development.

The site currently has a Master Plan for zoning purposes. Staff will complete an internal Master Plan for the site to be presented to the Board prior to the end of the calendar year. The Board could use both plans as the basis for further work by a consultant to develop a Master Plan that met other Board interests if, in fact, there are other interests to address.

Staff has not moved forward on the completion of a Master Plan, which was stated to the Grand Jury due to the uncertainty of the requirements of the State Regional Water Quality Control Board. It would not appear to be prudent to complete a Master Plan with unknown potential costs for closure of the facility.

3. The Grand Jury recommends that the County should encourage economic development by others and not undertake such projects itself. The Grand Jury states that government bureaucracies are not well structured or suited to single-minded direction or creative thinking and that there are not financial resources for successful land development.

Recommendation number three in the Grand Jury report is a curious statement. It is not really a recommendation as much as it is a statement about perceived capabilities of Tuolumne County government specifically and government in general to complete economic development work. The facts would tend to indicate otherwise. Local government in California is responsible for a substantial amount of the economic development that occurs in the state through Redevelopment and Enterprise Zone Development, as well as, a multitude of local government operated Economic Development offices. Local government has financial resources and an entire section of the law that is not available to the private sector. In fact, it is not uncommon for public-private partnerships to be formed for development purposes. The statement that the County does not have sufficient creativity or cannot think in development terms is inaccurate. It may be true that Tuolumne County should place more emphasis in this area, but it is inaccurate to state that the County does not have the ability to do this type of work.

4. The Grand Jury recommends that the County should clarify the rights and options to the 1500-acre feet of water that was counted as an asset in the acquisition of the mine property and start making plans to sell that water.

Staff concurs with the portion of the recommendation regarding clarify the rights and options to the 1500 acre feet of water. Any potential sale of the water should be based upon a study of all potential uses for that water, assuming that the water can be delivered in an uninterrupted supply.

**TO: C. BRENT WALLACE, CAO**  
**THRU: JOE MITCHELL, MENTAL HEALTH DIRECTOR**  
**FROM: BEA READEL, KINGS VIEW**  
**SUBJECT: 1998-99 GRAND JURY REPORT**  
**DATE: 08/18/99**

1. "The Grand Jury recommends that the staff of Kings View and the County continue working to insure greater coordination for fiscal fluidity, inpatient and outpatient services and continued collaboration with Social Services and Probation."

*Kings View is committed to continuing the partnership with Tuolumne County to provide progressive quality programs in mental health and alcohol and drug services.*

2. "It is also recommended that a permanent home for the County Mental Health Services be found. It is felt that a great deal of County money could be saved if a permanent site was built, rather than renting space for Mental Health Services."

*The suggestion of a permanent site supports the efforts of Kings View and County staff to reduce the stigma attached to mental health, alcohol and drugs services. However, the funding structure does not support such an action. Money for space rental does not come from County General Fund; this cost is a pass through for state funding. When a facility is built or an existing building purchased by a county to house it's mental health, alcohol and drug services, the State refuses to allow that cost as part of the cost of doing business in determining rates. The county can not get state/federal reimbursement for that cost, it is then all county funds. As this is clearly not a fiscal possibility, it may also be useful to the program to be able to change sites as the program growth dictates the needs for space.*

3. "The Grand Jury recommends that a study be made and a program implemented for a Juvenile Treatment Center with a detox unit, and that a crisis center be found for the tri-county out of control kids and/or kids removed from homes (Welfare and Institutions Code 601/300) through Child Welfare Services. One option is including these facilities with the Tri-county Juvenile Hall that is to be built at the mine site."

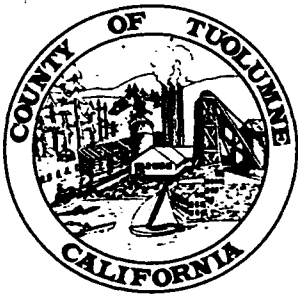
*Kings View has already committed to work with the Probation Department to develop the youth services at the proposed Juvenile Detention Center. Another group of community agencies and Kings View are meeting to develop a 24-hour drop-in-center for youth. Crisis homes, foster homes, and specialized foster homes are already in place through Tuolumne County Social Services.*

4. "It is also recommended that a local drug treatment program be put into affect as soon as possible, using the funds that have become available from the drug program fees and forfeiture program. Moneys are also available through grants on the State and Federal levels and we recommend that all grants be investigated."

*Kings View will continue to explore the expansion of the current drug treatment programs available to contracts or develop in and out of the county for youth and adults.*

5. "The final recommendations are for the TNT program. It is strongly felt by the Grand Jury that not enough funds are allocated from the Sheriff's budget to give adequate support to the TNT program..."

*This recommendation addresses TNT, which is a law enforcement project.*



# SHERIFF'S DEPARTMENT

Richard L. Rogers  
Sheriff-Coroner

Michael M. Costa  
Assistant Sheriff  
Lee Sanford  
Assistant Sheriff

August 13, 1999

TO: C. Brent Wallace, County Administrator  
FROM: Richard L. Rogers, Sheriff-Coroner *RWR*  
SUBJECT: Response to FY 1998-99 Grand Jury Final Report

## SHERIFF'S DEPARTMENT

### FINDINGS

The Tuolumne County Sheriff's Department appears well managed, and efficient for an organization that must live within its small County budget. Because this jury had received two employee complaints regarding working conditions, we have chosen to report on some serious space and maintenance problems that exist in the department. The dedicated officers and staff of this department need the tools and room to get the job done!

1. Offices have been created in the basement of the facility that have no heating or other ventilation. The February visit by a Grand Jury member found employees dressed for outdoors, and creating steam as they spoke. Jurors visiting in April were told that this office was closed, but later found employees working there.

#### Response

The problem is being addressed and funding is now available to refurbish the Smythe Building on Seco Street and locate a modular office building on the same property in order to move the staff out of the basement to healthier accommodations.

2. Department growth has forced desks into hallways, and important Coroner's files to be piled in halls as well.

#### Response

The Civil-Coroner and Records Divisions are extremely crowded as far as personnel working space and records areas are concerned. The Department is presently working towards converting to a computer digitized Records Management System as part of our Data 911 CAD/CLETS upgrade project which will be completed later this calendar year. Additionally, the Department would like to obtain an Optical-Disk Scanner so that records, that are not a part of our computerized Department Records Management System, can be scanned and stored on disk for later retrieval. This would cut down on our paper records storage which is space intensive. We are presently exploring the possibility of grant funding for the Optical-Disk Scanner.

The true space needs for the Sheriff's Department can only be met by the construction of a

new Sheriff's facility which is being presently addressed in the County's FY 1999-2000 budget with \$168,000 allocated for site selection and preliminary architectural planning.

3. A large, stationary emergency generator located in the basement area creates fumes and noise that makes the basement a poor choice for offices, particularly those without ventilation.

**Response**

The generator causes all sorts of health hazards and funding has been approved for its relocation outside the building. With the move of the basement office personnel to the Smythe property on Seco Street, the basement offices will be removed which will allow that portion of the basement to be returned to its original constructed use, parking.

4. Unsecured fuel drums and exit doors in the area of the generator seem to be a security and safety problem. "Trustees" were noted to be passing through this area without supervision.

**Response**

The diesel drums are not volatile and do not present any safety concerns according to the California Occupational Safety and Health Agency. Departmental security in the basement revolves around the doors and gates being closed and does not involve the present location of the diesel drums. The doors and gates are monitored electronically and by video to ensure security. "Trustees" do walk thru the Department unsupervised, that is why they are "trustees".

5. Basement areas such as the deputy's locker room, and the evidence room are subject to sewage leakage from jail areas above. A water leak was noted as we visited.

**Response**

Facilities Management is immediately notified to repair and clean-up any leakage from water or sewer pipes. Because of the health hazards created by leakage, this is one of the primary reasons why personnel are being relocated from the basement to the Smythe Property on Seco Street. The deputies' locker room and the evidence room are part of that relocation.

6. Evidence room needs a new freezer, not the one salvaged from another agency. We were concerned that Trustees could work without apparent supervision in this area.

**Response**

A new freezer for the evidence room was not identified in this year's budget request from the Evidence Technician, however since the need has now been identified, arrangements will be made. We will not jeopardize any case by not maintaining proper cold storage for evidence. Security for our evidence room is paramount and no unauthorized personnel have access in an unsupervised capacity, especially any trustees.

7. In the dispatch office, there is no room for an EMS dispatcher, but the Department must be commended for getting the LiveScan identity and background checking system on line this year.

**Response**

The dispatch center has three positions, one which handles ambulance dispatching but was designed for EMS (Emergency Medical System) dispatching. The reason that EMS dispatching has not been fully implemented is the lack of sufficient staffing, not the lack of the physical dispatch position on the consoles in the dispatch center. Four additional full-time dispatchers are needed according to the last outside consultant. EMS dispatching cannot be phased in on a part-

time basis. This item was particularly addressed with the County CAO and the Board of Supervisors during this year's budget process. Although it was not funded in the FY 1999-2000 budget, the County sincerely appears to be concerned about the issue and has requested further information which is being supplied by the Sheriff's Department.

LiveScan digitized fingerprint machines are now on-line and are operational at the Civil Division of the Sheriff's Department, in the Jail, at the Jamestown CSU Office and at Sonora Police Department.

## RECOMMENDATION

*The Grand Jury recommends the County continue with efforts to secure new facilities for the Sheriff's Department, and seek grant funds that might be available for such a purpose.*

### Response

Presently, the operational divisions of the Sheriff's Department are located in four separate locations in different areas of Tuolumne County. With the upcoming interim move of personnel to the Smythe property located on Seco Street, the Department will be divided even more to five different locations. The situation has become a management nightmare because separation has an adverse effect on operational efficiency and effectiveness. It is also extremely inconvenient for the public who sometimes has to go to different locations to avail themselves of Departmental services. A new facility is long overdue.

The County has budgeted \$168,000 in GIGER Funds in the FY 1999-2000 budget for site selection and preliminary architectural planning for a new Sheriff's Office and administration facility. This facility will be independent of the jail, but hopefully the new site will be large enough to accommodate construction of a future jail as well. The project will gain momentum and a search will be conducted for feasible construction funding when the new Sheriff's Staff Analyst gets on board. At this time, final site acquisition and final architectural planning is ideally projected for the FY 2000-2001 budget with construction commencing the following season.

## RECOMMENDATION

*The Grand Jury recommends that the Sheriff's Department work with other agencies or departments to identify and abate health and safety concerns that exist in the basement of its present facility. We hope that any expansion to new facilities will result in a closure of the substandard offices and storage in the basement.*

### Response

California Occupational Safety and Health Agency conducted a safety inspection of the Sheriff's Department facility and determined the air quality in the basement is sometimes not conducive to its being inhabited by personnel working in offices. This is being immediately abated by the prohibition of parking of vehicles in the basement area. Vehicle exhaust is the

primary cause of this situation.

Frequent leakage of sewer and water pipes in the basement from the jail areas above are consistently being cleaned up and repaired as soon as they occur.

County funding has been made available in the FY 1999-2000 budget to move the generator from its current location in the basement to a location outside the building. When the generator automatically turns on during a power outage, the exhaust finds its way into the basement offices.

As stated earlier, the County is funding the refurbishing of the Smythe Building on Seco Street to house the personnel currently housed in basement offices, which includes the Patrol Division and Property & Evidence. Additional funding has been secured for a 24 ft. x 60 ft. modular office building to be moved onto the Smythe property next to the permanent Smythe building to provide additional office space to facilitate the relocation of personnel from the basement. The move to these buildings is just an interim solution until the construction of the new Sheriff's Facility is completed.

The Sheriff's Department has always made every effort to ensure the safety and welfare of its employees and inmates. When discrepancies are discovered and brought to the attention of the Sheriff's Department, immediate solutions are sought. History indicates that funding is not usually available, especially mid fiscal year, therefore the least expensive method to abate the immediate problem is implemented, which is often a temporary solution.



## COUNTY JAIL

### **FINDINGS**

The Grand Jury was pleased to find the jail to be efficiently run and managed. This facility is operated at full capacity throughout the year and has no space for expanding its inmate population.

1. Because the jail is normally full, any special case or situation that requires isolation of an inmate means that other inmates must be released, or moved to accommodate the special need.

#### **Response**

The jail population is capped at 120 inmates in accordance with a Federal lawsuit. Given the lineal style of our current jail construction and a finite level of staffing, it was determined no more than 120 can be supervised effectively. For years during the budget process, the funding has not been available for additional Jail Deputy staffing to supervise inmates, therefore the maximum number of inmates in custody must remain at 120. If the Sheriff's Department were funded for an additional fourteen (14) Jail Deputies and one (1) Sergeant, it could increase the jail population to its design capacity of 148. Because of the "Law of Diminishing Returns", additional staffing to the present facility is not an economically feasible solution. The most long-term practical solution would be the construction of a new pod style jail which requires a much lower staff to inmate ratio for its operation than our present lineal style jail. Depending on the availability of construction funding, a Board of Corrections (BOC) Jail Construction Grant will be sought next year by the Sheriff's Department for construction of a new pod style jail facility with an approximate 250 inmate capacity. This construction grant funding is on a competitive basis and will require a twenty-five percent (25%) match by the County.

2. The County can work with Sierra Conservation Center to accommodate some of its overcrowding, when possible.

#### **Response**

While there is an informal agreement to house an occasional inmate at Sierra Conservation Center, it is usually for security or classification purposes (safe keeper). There is no provision to house inmates there on an ongoing basis. It would require a contract with the Department of Corrections and they are not predisposed to contract with counties to house inmates other than those remanded to them by the court. Sierra Conservation Center is operating at 161% of its design capacity.

3. The food service area appears to be clean and efficiently run. (Jurors did have some concern that leftover food was served without refrigeration in the employee break room area.)

#### **Response**

The food in the Jail Deputies' break room is only left there during eating periods. It is not left there long enough to spoil. Milk, mayonnaise and other perishables are in a tray filled with ice. The remainder of the food is not refrigerated, as it would be in a restaurant or in a home setting.

4. A new video arraignment computer system located in the inmate law library seems to be operating well. The system saves the County transportation, security, and court time.

**Response**

The video arraignment imaging system is effective and efficient when it is operational. There have been maintenance problems, which Facilities Management is sometimes slow in resolving because of staffing and funding issues. Currently, only one court/judge uses the video arraignment system. It would result in savings in inmate transportation costs and court time if other judges would also consent to use it.

## TUOLUMNE NARCOTICS TEAM

### **FINDINGS**

The TNT deals with the identification and investigation of drug labs, street dealers and drug cleanup in the County. They also deal with drug education in the schools and identifying minors who may be in danger from parents involved in drug and alcohol abuse and in drug raids. TNT does not deal with juvenile crimes. If juveniles are present during a drug raid, Child Welfare Services are called. Two probation officers in adult programs work with TNT. The Tuolumne Narcotics Team consist of one sergeant, one investigator, two deputies and one sheriff's clerk.

In 1997 to 1998, on a budget of \$424,053 (10% of the total Sheriff's budget, see graph), there has been 188 drug related arrests and 22 meth labs closed. There were 36 weapons confiscated. Each officer must come into the program with 5 years experience (4 years on the street and 1 in the office). They must attend 2 weeks of basic narcotics school, 2 weeks of lab investigation school and 1 week of lab safety school. They must receive updates every year. If training is not there when an officer goes for a court response, the case may be thrown out of court. Each officer must receive a medical exam every year. The deputies must be rotated out of the program every 3 years. Before going out on the street again, the officer must spend 1 year in an office. This is for mental as well as physical health.

### Response

In grant year 1998-99 on a budget of \$418,211, there were 163 cases worked, 175 drug related arrests and 22 meth labs closed. There were 135 weapons confiscated with 115 being firearms. The TNT program is one of the most successful law enforcement programs in the County.

A Deputy or Investigator may be selected for assignment to TNT upon completion of their probationary period, 1 year as a Deputy Sheriff or Investigator. Assignments are for a three year period and this includes the supervising Sergeant as well. The assignments of the personnel are staggered to keep experience and continuity within the unit. At the conclusion of the three year assignment, the employee returns to their previous assignment (Patrol or Investigations) and must remain in that assignment for one year becoming eligible for another special assignment. This rotational program is for career enhancement, prevention of job burnout, and the prevention of potential corruption associated with long periods of assignment to narcotics enforcement.

### **RECOMMENDATIONS**

*It is strongly felt by the Grand Jury that not enough funds are allocated from the Sheriff's budget to give adequate support to the TNT program. The Grand Jury questioned that money received from asset forfeiture is going into general funding and why this money is not going directly into drug programs or TNT equipment? At the present time there is a need for a training budget upgrade, night vision glasses, upgraded lab Tyvex suits and respirators. Th office needs a fax machine and a computer scanner.*

**Response**

The budget for TNT is separate from the Sheriff-Coroner budget. TNT funding is a combination of State grant funding from the Office of Criminal Justice Planning (OCJP), Federal contract funds from the United States Forest Service (USFS), Asset Forfeiture, and County General Funds.

Asset Forfeiture monies do not go into the General Fund. These monies are placed into a trust fund as required by OCJP and are returned to TNT for operating expenses, training and equipment. As Asset Forfeiture monies or outside funding dwindle, an increasing portion of General Fund monies are required to maintain the current program. The General Fund contribution to TNT in FY 1998-99 was \$180,192.

Training and equipment are budgetary items and the Sheriff's Department agrees that additional training and equipment are needed. However, additional General Fund contributions would require cuts in other budgets which would diminish the operations of other Sheriff's Department functions such as patrol and investigations.

TNT personnel are assigned County owned vehicles and one spare vehicle is available for undercover operations. Vehicles are rotated within the Sheriff's Department on a periodic basis and TNT shares in that vehicle rotation. TNT does have the ability, within its budget, to rent a vehicle should the need arise.



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August 2, 1999

Mr. Mark Thornton, Chairman  
Tuolumne County Board of Supervisors  
2 South Green Street  
Sonora, CA 95370

Dear Mark:

As discussed with yourself and C. Brent Wallace, County Administrator, our Board of Directors have instructed me to issue an appeal to the Tuolumne County Grand Jury Report dated June 30, 1999. The reference number (code number) on this appeal is 933.05 per Mr. Wallace.

This request for review is based on incorrect information regarding the reporting procedures established for the Tuolumne County Visitors Bureau and instructions given us by a prior County Administrator when it was suggested that we no longer hold quarterly meetings of the Tuolumne County / City of Sonora Joint Tourism Committee. This committee consisted of the County Administrator, two members of the Board of Supervisors, the City Administrator and two members of the City Council. This arrangement was detailed in our original contract with the County and the City.

When for one full year the County representatives were unable to attend any of the four quarterly meetings (briefings) I initiated a call to the County Administrator with concern on how we should report. At that time I was told that the County members of the Joint Tourism committee were too busy to attend these sessions and that the following were required, on an annual basis:

- a. A copy of our annual budget.
- b. A copy of our year-end financial reports
- c. Our Annual Report
- d. Our Marketing Plan or any updates to that marketing plan.

The Visitors Bureau has done exactly that from 1992-1993 forward.

Fortunately, Supervisor Rotelli was one of the Joint Tourism Committee members when this took place and recalls why the sessions were discontinued. He reported at the July 13th Board meeting that these briefings were "a waste of time because the Visitors Bureau was doing what it was supposed to do with the money and the Board did not need quarterly reports or meetings". Greg Applegate, City Administrator, Ron Stearn and Jack Rucker, City Councilmen and past mayors, attended all or most of those quarterly meetings and noted the absence of any County representative.

According to the Grand Jury Report, no year-end financial statements from the Visitors Bureau were on file in the County Auditors office after 1993. Evidently someone from the Board of Supervisors or a previous County Administrator was forwarding our year-end financials to the Auditor / Controller, because we had never been instructed to do so. All of our reports and financial statements only went to the County Administrator and the Board of Supervisors.

This in no way reflects on the Grand Jury or on that member of the Grand Jury who looked for these documents in the Auditors office. Obviously, that is where he or she was told to look. However, the report would indicate that the Tuolumne County Visitors Bureau failed to report to the County from 1992-1993 forward and that is incorrect!

In the meeting with yourself, Mr. Wallace, three members of our Board of Directors and myself, we tried to determine where these documents (which were either mailed or hand delivered) had actually gone. You, Mark, had different years than Brent Wallace had on file, Supervisor Rotelli said he remembered getting them each year but had no reason to keep them and for that reason we have copied all annual reports of the Tuolumne County Visitors Bureau and the year-end financial statements from 1993 forward and hand delivered them to the County Administrators office, to yourself as Chairman of the Board and to Mr. Tim Johnson's office, the Auditor / Controller.

We understand this appeal can in no-way change what is already published in the Grand Jury Report for 1998-1999. However, we look to this appeal as a means of recording (in the public record) that the Tuolumne County Visitors Bureau has reported to the County exactly as the County requested. It should also be noted that in the future all such documents will be sent registered mail or require staff signatures upon delivery. As in the past these documents will be sent or hand delivered to the County Administrator and the Board of Supervisors. In addition, it will also go to the office of the Auditor / Controller.

We sincerely request that you consider this request for review and allow our organization the opportunity to remove itself from the dark cloud which surrounds us during this period of suspicions and misinformation.

Yours Sincerely,



Nanci Sikes  
Executive Director

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Enc. 2

cc: Board of Supervisors:  
Dick Pland, Supervisor -  
Don Ratzlaff, Supervisor  
Larry Rotelli, Supervisor  
Mark Thornton, Chairman  
Laurie Sylwester, Supervisor  
C. Brent Wallace, County Administrator  
Patrick Greenwell, County Council  
Tim Johnson, Auditor / Controller