

**2006-2007  
Glenn County  
Grand Jury  
FINAL REPORT**



**2006/2007**

**GLENN COUNTY GRAND JURY**

**FINAL REPORT**

**OF**

**FINDINGS AND RECOMMENDATIONS**

**JUNE 30, 2007**

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2006/2007 GLENN COUNTY GRAND JURY  
P.O. Box 1023  
Willows, Ca. 95988

June 16, 2007

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

Dear Judge Byrd;

In compliance with California Penal Code, Section 933, the 2005-2006 Glenn County Grand Jury respectfully submits its Final Report to the Court.

The report consists of the work of six committees: City/County Government, Finance, Public Health, Schools, Public Safety, and Public Works.

The nineteen-member Jury made inquiries and performed investigations and served as a Civil Jury considering a variety of complaints.

The Jury expresses its appreciation for the cooperation and assistance received from county officials and employees during its interview and investigation process.

The members of the 2006-2007 Glenn County Grand Jury are honored to have had the opportunity to be of service to Glenn County. We sincerely hope our efforts are received as a positive contribution.

Sincerely,



Claire Arano, Foreperson  
Glenn County Grand Jury, 2006/2007

2006-2007  
GLENN COUNTY GRAND JURY

MEMBERS

CLAIRE ARANO	FOREPERSON
MARILYN BAKER	
STEPHEN BARNES	CITY/COUNTY GOVERNMENT
CHARLES CRANDALL	SERGEANT AT ARMS
RODNEY ELSE	
FLOYD FILLMORE	
PAMELA HARRIS	SECRETARY
ROSE HARRIS	
VICTOR MEDEN	
FLOYD MORRILL	
KATHLEEN MORRISON	
DELBERT OLIVER	
NORA PAIVA	
MARJORIE PALMER	FINANCE
BRUCE ROUNDY	SCHOOLS
JUDITH SCHMIDT	HEALTH SERVICES
DONNA SETTLE	PUBLIC SAFETY
RICHARD WELSH	PUBLIC WORKS
VICTORIA YELLAND	

## THE ROLE OF THE GRAND JURY

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

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

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

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

Complaints must be in writing, signed, and addressed to:  
Glenn County Grand Jury Foreperson  
P.O. Box 1023  
Willows, CA 95988

The Grand Jury chooses which complaints to investigate. The Grand Jury cannot investigate disputes between private parties.

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

**GLENN COUNTY GRAND JURY**  
**P.O. BOX 1023**  
**WILLOWS, CA 95988**  
*Complaint Form*

NAME OF COMPLAINANT: \_\_\_\_\_

DATE OF LETTER: \_\_\_\_\_

SUBJECT: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE LETTER RECEIVED BY GRAND JURY: \_\_\_\_\_

DATE LETTER GIVEN TO COMPLAINANT REVIEW COMMITTEE: \_\_\_\_\_

DATE ACKNOWLEDGMENT LETTER SENT: \_\_\_\_\_

COMMITTEE ASSIGNED TO RESOLVE COMPLAINT: \_\_\_\_\_

DATE OF ACTION: \_\_\_\_\_

SUMMARY OF ACTION TAKEN: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE OF RESPONSE TO COMPLAINT: \_\_\_\_\_

## RESPONSE REQUIREMENTS & INSTRUCTIONS

Two working days prior to the release of the Final Report, the Grand Jury will provide a copy of the portion of the report to all affected agencies or persons.

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

All affected agencies or persons shall respond to their specific portion(s) of the Final Report. **Responses are to be in writing and submitted in a timely manner.**

Section 933(c) of the Penal Code provides two different response times:

- (1) **Public Agency:** The governing body of any public agency must respond within 90 days. The response must be addressed to the Presiding Judge of the Superior Court.
- (2) **Elective Officer or Agency Head:** All elected officers or heads of agencies who are required to respond must do so within 60 days to the Presiding Judge of the Superior Court, with an informational copy provided to the Board of Supervisors.

The legal requirements for responding to individual reports in the Grand Jury Final Report, as contained in the California Penal Code, Section 933.05, are summarized as follows:

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

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

### **Recommendations by the Grand Jury require action.**

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

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

If either a finding or a recommendation deals with budgetary or personnel matters of a County department headed by an elected officer, both the elected officer and the Board of Supervisors shall respond if the Grand Jury so requests.



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

The addresses to which responses are sent:

all responses;

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

a copy from responding elected officials or agency heads;

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

**2006-2007 Glenn County Grand Jury  
Final Report**

**CITY/COUNTY TAX SPLIT**

**I. PURPOSE:**

To clarify the AB8 Tax Split issue between the cities of Willows and Orland and the County of Glenn.

**II. BACKGROUND:**

Assembly Bill Eight (AB8) was implemented in 1979 and established a method of allocating property tax revenue between local government agencies, ie. cities and counties.

The State of California completed an audit in 2003 and found that up until this time the tax split of 54% for cities and 46% for the county was fair. In 2004, the percentages were changed to 50/50.

In 2005, a moratorium on changing the current 50/50 split was imposed. The moratorium was lifted early in 2007; however, there have been no recent serious discussions regarding what each perceive as a more equitable equation. The tax split remains at 50/50.

**III. FINDINGS:**

Both Willows and Orland feel that not enough attention has been paid to this issue.

The tax split is an ongoing situation that is frustrating to both the county and the cities of Willows and Orland. It cannot be resolved until two things occur:

- a. The cities and the county agree on a contract as to how the split will be decided, and it is signed.
- b. The General Plan is approved by the state.

**IV. CONCLUSIONS:**

It is in the best interest of both the cities and the county to come to an agreement as to the way the tax monies will be divided, so when the General Plan is approved it will be in place.

**V. RECOMMENDATIONS:**

The county administrator and the two city managers should meet on a regular basis to resolve this ongoing dispute.

**VI. RESPONSES REQUIRED:**

**Glenn County Administrator  
Orland City Manager  
Willows City Manager  
Glenn County Board of Supervisors**

**2006-2007 GLENN COUNTY GRAND JURY  
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**GLENN COUNTY REQUEST FOR BIDS PROCESS**

**I. PURPOSE:**

To understand the process and procedures involved in the awarding of contracts for county projects.

**II. BACKGROUND:**

The Glenn County Department of Planning and Public Works oversees the following departments that were consolidated into one department:

- A. County Facilities
- B. County Surveyor/Engineer
- C. Flood Control
- D. Water Resources
- E. Stream Cleaning
- F. Building Inspector
- G. Planning
- H. Road Maintenance
- I. Road Construction
- J. Solid Waste Landfill
- K. Airports
- L. Fleet Services
- M. Public Transportation
- N. Special Districts Operation

There are seven outside locations, including three road maintenance yards, a County Fleet Center, two local airports, and a solid waste landfill site.

The Grand Jury determined that Glenn County purchases by agencies are spelled out in Sections 04.004.010 and 04.050A of the Glenn County Code. The codes deal with the Board of Supervisors' control over the awarding of bids over the amount of \$30,000.

Section 04.004.050 states ... "All bids shall be submitted sealed to the clerk of the Board (of Supervisors). The administering department of the Board may reject any or all bids for any or all supplies and equipment. A tabulation of all bids received, whether accepted or rejected, shall be open for public inspection for a period of not less than thirty days after the bid opening."

Except as provided in Section 4.04.80, this is still in effect. After meeting with the Planning Director, it appears that this ordinance is not being used. Neither is the requirement that a list of contractors to be notified when bids are going to be solicited for county work projects.

Section 4.04.80 states ... "If, after the first invitation for bids, all bids are rejected, the board may, after re-evaluation of its cost estimates of the project, pass a resolution by a four-fifths vote declaring that the project can be performed more economically by county personnel, or that, in its opinion, a contract to perform the project can be negotiated at a lower price than that of any of the bids, or the materials or supplies furnished at a lower price in the open market. Upon adoption of the resolution, the board may have the project done in the manner stated without further compliance with public bidding (Ord. 774 ss2 (part) 1982.) Requirements." Therefore, there is no local list from which to draw when sending invitations to bid.

Section 4.04.080 Preference to Local Vendors: "It shall be the policy of this county that in determining the best and lowest price, county officers shall give local vendors or contractors a 5 percent advantage over vendors or contractors whose place of business is located outside this county." This may be hard to accomplish since the county has no business license which would indicate contractor's business address.

Section 4.04.110 states: "All bidders on public projects which exceed \$10,000.00 in cost shall be afforded the opportunity to examine the plans, specifications, and working details for the project." The Grand Jury could find no code that would contravene this ordinance, and it appeared it was not being followed.

Purchasing Policies Appendix A, Title 4, County of Glenn: Policy: It is the policy of the Board of Supervisors of the County of Glenn that selection by county agencies for professional services of architectural, engineering, construction project management, land surveying, environmental firms and other consultant services shall be on the basis of demonstrated competence and professional qualifications, rather than on competitive bidding."

Nowhere in the California Contract Code is there such a broad allowance for the letting of county contracts. It appears that this policy is being used to supersede all other bid requirements. It allows various county sub-departments to sign contracts for unspecified amounts of money via the amendments for additional funding to costs of contracts that frequently appear before the Board of Supervisors. It masks the true amount of the contracts' funding amounts. It provide for the by-passing of businesses in our county and shuts out many smaller local companies.

### **III.FINDINGS:**

Grand Jury members met with the Director of the Planning Commission to gather information, and attended most of the meetings of the Board of Supervisors and the Glenn County Planning Commission for the period between November 2006 and April 2007, as well as conducted interviews with members of the public. The Planning and Public Works Department accounts for a majority of the funds allocated by the Board of Supervisors. The idea that one department controls so many of the agencies that deal with the public was a concern to the Grand Jury.

### **IV.CONCLUSIONS:**

The Glenn County Planning and Public Works Department has no restriction on who they solicit for work to be done for the county. There are no restrictions by monetary levels as to how they enter into contracts, or as to whether the entity contracted to do the work is located within the borders of Glenn County.

This lack of oversight by the Board of Supervisors could have the appearance of favoritism toward certain out of county businesses or companies who are repeatedly awarded contracts.

### **V.RECOMMENDATIONS:**

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

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

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

**VI. RESPONSE REQUIRED:**  
**Glenn County Board of Supervisors**  
**Glenn County Planning and Public Works Department**  
**Glenn County Agricultural Department**  
**Glenn County Health Services**  
**Glenn County Sheriff's Department**  
**Glenn County Mental Health Department**  
**Glenn County Public Health Department**

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**2007 GLENN COUNTY GENERAL PLAN UPDATE**

**I. PURPOSE:**

The Grand Jury decided to monitor the progress by which the 2007 General Plan is being updated.

**II. BACKGROUND:**

California Code Section 65300 requires every city and county to complete a survey of the citizens of either the city or county and adopt a comprehensive long-term general plan for the physical development of the city/county.

The required elements of a general plan include:

- A. Land Use Element - Designates the general location and intensity of housing, business, industry, open space, public buildings and grounds, waste disposal facilities.
- B. Circulation Element - Identifies the general location and extent of existing and proposed major roads, transportation routes, terminals, public utilities, and facilities. It must correlate with the land use element.
- C. Housing Element - Assesses current and projected housing needs for all economic segments of the community and region. It identifies local housing policies and the programs that implement these policies.
- D. Conservation Element - Addresses the conservation, development, and use of natural resources, including water, forests, soils, rivers, and mineral deposits.
- E. Open Space Element - Details plans and measures for preserving open space for natural resources, the managed production of resources, outdoor recreation, public health and safety and the identification of agricultural lands.
- F. Noise Element - Identifies and appraises noise problems within the community and forms the basis for distributing land uses.
- G. Safety Element - Establish policies to protect the community from seismic, geologic, flood and wildfire hazards.

Public participation plays an important role in formulating a general plan and opportunities for and evidence of public participation should be reflected in the plan.

**III. FINDINGS:**

**Website**

The County General Plan website was lacking in the following areas as of March 2007:

- A. Progress Updates
- B. Contact information of committee members.
- C. Calendar is not updated.
- D. Website is hard to locate and to navigate.

**Development Plan**

The Glenn County General Plan was lacking in the following areas as of March 2007:

- A. The emphasis is on zoning rather than on land use.
- B. A CEQA (California Environmental Quality Act) report has not been completed. The CEQA report must be done concurrently with work on the general plan.
- C. Environmental Impact Report(s) have not been completed.

- D. Citizen surveys of the county residents have not been done, therefore input is limited.
- E. The foundation of the plan is based on outdated plans (1987 Glenn County General Plan; 1991 Ahwahnee Plan, an urban-suburban model).
- F. Glenn County Planning Commissioners did not attend meetings.
- G. A majority of the members of the Advisory Committee were often absent.
- H. Input from the public was not solicited; rather, information was given to members.

**IV. CONCLUSIONS:**

The General Plan, whether in draft or final form, is due in Sacramento by June 2007. It will not be completed in time to meet that deadline.

**V. RECOMMENDATIONS:**

The Grand Jury recommends:

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

**VI. RESPONSES REQUIRED:**

**Planning and Public Works Department  
Glenn County Board of Supervisors  
Glenn County Planning Commission  
Chairman, General Plan Advisory Committee**

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**HISTORIC RECORDS COMMISSION**

**I. PURPOSE:**

To follow up on the recommendations of the 2001-2002 Grand Jury regarding the storage of historic records in Glenn County.

**II. BACKGROUND:**

In 2002, the Glenn County Grand Jury reported that the historic records and maps of Glenn County were in jeopardy, due to inappropriate storage. They found that historic records beginning in 1891 were not given the special attention they require. They recommended that space be included in the remodel of the Veterans Memorial Hall for such storage. It was further recommended that safe and sufficient storage space be found for all non-current county records.

**III. FINDINGS:**

When the Grand Jury reviewed the agendas and minutes of the meetings of the commission, it found that:

- a. The Commission was reformed in 2002, with the only required member being the County Recorder. In 2002, the County Recorder was joined by three other members who worked in Glenn County government. There were two members of the general public appointed to the Commission. There is a requirement that a majority of the commission members be representatives of the public.
- b. At this time, the same two public members remain on the commission along with the Clerk/Recorder and three members from County government.
- c. In 2002, the Clerk/Recorder emphasized the need to remove all of the old records from the basement, inventory them, and remove them to climate-controlled storage as soon as possible. Currently, a majority of the old records remain in either the basement of the County Courthouse or in the Veterans Memorial Hall. They need to be sorted, then destroyed or archived.
- d. An inventory was done of the records available, and the oldest of these records and maps were moved to climate-controlled storage in 2007.
- e. There has been little or no effort made to include the public in the work of the commission.
- f. The members of this Commission have expressed their frustration over their inability to make sufficient progress.
- g. There is an absence of knowledge of current archival and preservation techniques on the part of all commission members.
- h. There is an unwillingness to go outside the immediate group for help and/or information.
- i. There is no provision in the county budget for funding to facilitate the work of this commission.
- j. The State of California Secretary of States' office and the U.S. National Archives and Records Administration can provide badly needed assistance, both monetary and technical, in the form of grants, workshops, and training.
- k. The minutes reflect that often up to 6 months elapses between meetings.



**IV. CONCLUSIONS:**

The Board of Supervisors should lend its fiscal support to, and find a way to fund, The Historic Records Commission.

The commission should take advantage of resources and advisory help that is available from other governmental agencies.

There needs to be a conclusion to this project of archiving the historic records. It began in 1986 and was dormant from 1992 until 2002. The first recommendation to move the records to climate-controlled storage was given in 2002. They were moved in 2007.

**V. RECOMMENDATIONS:**

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

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

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

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

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

**VI. RESPONSES REQUIRED:**

**Board of Supervisors**

**Clerk of the Board of Supervisors**

**Office of County Recorder**

**Chairman, Glenn County Historic Records Commission**

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**ORLAND SAND AND GRAVEL**

**I. PURPOSE**

Investigate the complaint of February 8, 2006 by Orland Sand and Gravel Company of Orland, California against the Glenn County Planning and Public Works Department, Glenn County Board of Supervisors and Glenn County Counsel. State and Federal agencies were also named in the complaint, however, the Grand Jury limited its' investigation to the departments of Glenn County. The Grand Jury is not authorized to investigate state and federal agencies, or matters under litigation.

The Grand Jury investigated:

1. The meaning of a company being "grandfathered in".
2. The guidelines for the setting of financial assurance requirements by Glenn County Planning and Public Works Department to assure the reclamation of mined lands under the California Surface Mining and Reclamation Act.
3. The guidelines for setting penalties for non-compliance with the California Surface and Mine Reclamation Act (SMARA).
4. The presence of a written complaint procedure at the Glenn County Planning and Public Works Department.

**II. BACKGROUND**

The Glenn County Planning and Public Works Department is responsible for enforcing the California Surface and Mine Reclamation Act (SMARA). Orland Sand & Gravel Company has been an industrial corporation since the mid 1920's, producing concrete aggregate products. The business was purchased by D.R. Bogart in August, 2002.

After receiving an anonymous complaint on November 4, 2004, the Glenn County Planning Department launched an investigation. The complainant alleged that Orland Sand & Gravel took gravel from Stony Creek outside permitted boundaries of the site located just east of the railroad trestle north of Orland. While doing the research for the investigation, the Planning Department became aware that Orland Sand & Gravel was out of compliance with its financial assurances for SMARA.

Under the regulations of SMARA, the Planning Department is required to do a yearly update of the financial assurances of each operational site. The financial assurance is a monetary guarantee that the site will be returned as close as possible to its condition as it was before rock extraction was done. The amount of the assurance is based on the current estimated cost of the reclamation required.

When Mr. Bogart purchased Orland Sand and Gravel, a reclamation plan was in place. Orland Sand and Gravel purchased a bond for the existing financial assurance in the amount of \$5,000.00.

The Planning Department contended that the purchase of Orland Sand and Gravel required a new reclamation plan. Mr. Bogart contended that his purchase of Orland Sand and Gravel as a corporation gave the business a "grandfathered" status and a new reclamation plan would not be required.

Mr. Bogart contended that Orland Sand & Gravel was not properly notified by the Glenn County Planning Commission of meetings scheduled between his business and the Glenn County Planning Commission. The Grand Jury learned from the Assistant Planner that notices and agendas are sent out via regular mail.

Between November 4, 2004 and April 19, 2006, financial assurances were increased from \$5,000.00 to \$188,514.00.

At the April 19, 2006 meeting of the Glenn County Planning Commission, a fine in the amount of \$250,000.00 was levied against Orland Sand & Gravel for failure to submit a revised reclamation plan and for not meeting the increased financial assurance requirement, as required by SMARA.

### **III. FINDINGS**

The Grand Jury found that estimates of financial assurances varied widely, and in information obtained from the assistant planner, found there are no specific guidelines in place to accurately assess financial assurances. At times, the Planning Department uses Caltrans estimates, but those estimates are usually higher than what is customary in Glenn County. It appeared the costs and methods of estimating were arbitrary, and varied from site to site, and time to time.

It was reported to the Grand Jury by the Planning Department that a complaint had been received by a neighbor; however, no complaint was ever produced. The Planning Department later admitted there was no documented complaint, but that the November 4, 2006 complaint was received by phone, but not documented on a complaint form. This made it difficult for the Grand Jury to ascertain from whom the complaint was received and the details of the complaint.

### **IV. CONCLUSIONS**

From information obtained from the Glenn County Planning Department, the Grand Jury was unable to make a determination regarding the alleged "grandfathered" status of the Orland Sand & Gravel operation.

There are no specific guidelines for determining the amount of financial assurances.

The assessment of penalties for non-compliance with SMARA appeared to be arbitrary.

There is no formal procedure by which a complaint is documented.

#### **V. RECOMMENDATIONS**

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

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

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

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

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

#### **VI. RESPONSE REQUIRED**

**Glenn County Planning Department  
Glenn County Planning Commission  
Glenn County Board of Supervisors**

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**DEPARTMENT OF FINANCE**

**I. PURPOSE:**

To ascertain through interviews with the Glenn County Director of Finance how the County Budget is formulated, how expenditures are paid and what the existing controls are.

**II. BACKGROUND:**

The Grand Jury interviewed the Director of Finance to ascertain how the County budget is formulated, how expenses are paid, and what controls the Department of Finance has in place to ensure the proper processes are in place.

**III. FINDINGS:**

Budget:

There are codes that regulate when a budget is submitted. The State requires that the County allocate all funds in the general fund to categories in the budget. There can be no surplus. Revenues are estimated, based upon the previous years activity. Any revenues received above those expected for the year must be placed in the following year's general fund. The amounts allowed for each department are calculated by the Finance Department, and final approval is done by the Board of Supervisors.

Department heads have discretion over how much of their allocated funding is spent on items included in their department budgets. Whether it is travel or supplies, the total must stay within the approved amount.

The Finance Department will not allow a bill to be paid if it goes over the amount allowed. The Finance Department can also use policy to decide if an item is not reasonable. The Board of Supervisors has final authority and can approve changes in budgeted amounts.

Credit Cards:

Credit cards are used for travel expenses instead of calculating a cash advance for each trip.

The Board of Supervisors has approved certain individuals to use credit cards for approved purchases, with the same guidelines for payment as other bills. Approximately 250-300 cards have been issued. No cards have been lost. There have only been three identity theft/fraud events, and all within the same month.

**IV. CONCLUSIONS:**

The existing method of formulating the county budget follows State guidelines and is adequate.

Selecting conferences closer to home, and hotels or meals within mid-range would possibly allow some funds to be allocated to programs that benefit the public.

The Director of Finance is satisfied with the current method of limiting the use of credit cards.

The Finance Director and Board of Supervisors should work closely during the budget process.

**V. RECOMMENDATIONS:**

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

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

**VI. RESPONSE REQUIRED:**

**Glenn County Board of Supervisors  
Glenn County Director of Finance**

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**MENTAL HEALTH DEPARTMENT  
EMERGENCY PSYCHIATRIC EVALUATIONS**

**I. PURPOSE:**

Review Mental Health Department protocol and procedures in place to respond to calls for assistance from the Sheriffs department.

**II. BACKGROUND:**

When a call is received in the Mental Health department from the Sheriffs department, there is a procedure in place by which Mental Health provides assistance to the jail.

The sheriffs department has had several mentally troubled inmates at the jail. They requested the mental health professional on duty come to the jail. Due to mis-communication between the two departments, mental health care was not administered to the inmate.

When taken to the hospital, the staff released a prisoner back to the jail after triage treatment for injuries. There were no psychiatric/mental health evaluations done by the hospital staff.

**III. FINDINGS:**

In one case, the Mental Health department refused to provide services, claiming they had no contract with the jail.

In another case, the hospital did not provide the services to be provided as stated in the MOU (Memorandum of Understanding) between the hospital and the Mental Health Department.

There appeared to be little communication between the Sheriff, the Director of Mental Health, and the Administrator and staff of the hospital. When interviewed, each said they were not familiar with the procedures the other departments were following in regard to those who had been arrested and were exhibiting psychiatric tendencies.

**IV. CONCLUSIONS:**

The lack of interaction between the Mental Health Department, the Sheriffs department and the Glenn County Medical Center contributed to the problems the county has encountered this year.

**V. RECOMMENDATIONS:**

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

All departments and staff having interaction with persons who could be mentally unstable should also be familiar with, and adhere to, the procedures in section 5150 of the Welfare and Institution Codes.

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

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

**VI. RESPONSE REQUIRED:**  
**Glenn County Mental Health Director**  
**Glenn County Sheriff**  
**Glenn Medical Center Administrator**  
**Glenn County Chief Administrative Officer**



**2006-2007 Glenn County Grand Jury  
Final Report**

**MOSQUITO ABATEMENT PROGRAM**

**I. PURPOSE:**

To review the progress of the Glenn County Health Department Mosquito Abatement Program.

**II. BACKGROUND:**

The county of Glenn has had the highest per capita number of human cases of West Nile Virus in California for the last 2 years.

There has been a mosquito spraying program in Willows for many years. Hamilton City has been sprayed on a regular basis through a program administrated by Butte County. The city of Orland and the rest of the county have been sprayed on an "as needed" emergency basis, with no regularly scheduled spraying being done.

**III. FINDINGS:**

The Glenn County Health Department Director is in the process of setting up a Mosquito Abatement program. In March 2006, the Glenn County Board of Supervisors authorized the Health Services Agency to take the lead in the formation of a countywide vector control district. After surveying the county property owners, a district was set up to include those who requested to be included in the program at a cost of \$21.00 per year, per residence. The district will encompass the cities of Orland, Hamilton City, and some Willows areas not now covered. Also covered will be most of the unincorporated areas of the county that are east of the Tehama-Colusa Canal and County Road D.

At their May 1, 2007 meeting, the Glenn County Board of Supervisors approved the 2nd step in the process, which is to initiate the mailing of ballots and provide for public hearings. They adopted Proposition 218 Assessment Ballot Proceedings Procedures. Under the current projected timeline, 15,000 county residents could expect to receive their ballots during the first week of June, 2007, with the first public hearing being held July 17, 2007. If this timeline is met, county residents will be assessed, beginning January 2008. Spraying would begin in the spring/summer of 2008.

The Glenn County Mosquito Vector Control District of Willows made a presentation at the May 1, 2007 Board of Supervisors meeting, asking to be allowed to be considered for the job. As the County Health Services Agency was designated by the Supervisors in March 2006 as the lead agency on this issue, and their planning has been contingent on the Glenn County Mosquito Vector Control District of Willows remaining the vector control agency for Willows, it would seem that they should perhaps have come forward earlier in the process.

**IV. CONCLUSIONS:**

The Glenn County Health Department is doing a good job in developing a mosquito control and abatement process for the county. It is tailored to the recommendations of the citizens of Glenn County, and fees for this program were established early in the process.

**V. RECOMMENDATIONS:**

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

**VI. RESPONSE REQUIRED:  
Board of Supervisors  
Hamilton City Community Service District  
City of Orland  
City of Willows**

**2006-2007 Glenn County Grand Jury  
Final Report  
ABANDONED VEHICLES**

**I. PURPOSE:**

The Glenn County Board of Supervisors has declared that abandoned vehicles constitute a blight on the county. The Grand Jury wanted to know why an estimated 6,000 abandoned vehicles are allowed to remain on properties within the county.

**II. BACKGROUND:**

The Glenn County Grand Jury began an investigation into how and why abandoned cars are allowed to remain unattended and in the County. Research was done to determine the appropriate state and county codes dealing with abandoned and derelict vehicles.

**III. FINDINGS:**

Glenn County Chapter 11, Sections 20-200 is the codified procedure on how to handle the abatement of abandoned cars. In Chapter 11, Section 020, subsection 010, and with the authority of the state under California Section 22660 of the Vehicle Code, the county is allowed to remove abandoned, wrecked, dismantled or inoperative vehicles or parts thereof as public nuisances.

There is prescribed manner in which cars are to handled. The Sheriff is the chief contact person for this procedure. According to the Glenn County Code Enforcement Officer, they do not use Chapter 20 regulations in removing abandoned vehicles. The regulations have not been enforced recently, and the Sheriff is not contacted at any time during the complaint process.

The Code Enforcement Officer spends about 40% of his time on code enforcement. He is also the Building Inspector and Code Enforcement Officer for derelict buildings and property. He was unable to estimate how much time is actually spent on enforcement of codes relating to abandoned vehicles.

The Planning Department is in charge of Code Enforcement of abandoned and wrecked vehicles. The department uses Title 15 codes of the Unified Development Code for the County of Glenn. Title 15 Codes regulate junkyards.

**IV. CONCLUSIONS:**

Regulations related to abandoned and derelict cars used exclusively by the county are those that regulate junkyards and automobile wrecking yards. There is a section of the county code that covers abandoned and wrecked cars exclusively. However, Glenn County does not take advantage of it to divest the county of derelict cars.

**V. RECOMMENDATIONS:**

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

**VI. RESPONSE REQUIRED:**

Glenn County Board of Supervisors  
Glenn County Sheriff  
Planning and Public Works Department

**2006-2007 Glenn County Grand Jury  
Final Report  
ANIMAL CONTROL SERVICES**

**I. PURPOSE:**

To review Animal Control Services, the transition of Animal Control, as a separate entity, to being under the auspices of the Glenn County Sheriff's Department, the condition of the impound facility and views of local veterinarians relating to dealing with Animal Control.

**II. BACKGROUND:**

Animal Control responds to reports of loose animals, handles dog licensing in the county, rabies cases, picks up injured animals, and investigates complaints of barking dogs.

The staff does not catch feral cats, but does provide traps to residents who want to trap them. Their supply had been depleted by the failure of those who checked them out to return them.

Animal Control services are county-wide and they are contracted with the cities of Orland and Willows to provide service.

The Grand Jury interviewed the sheriff and three veterinarians in Orland. Members toured the impound facility located at a veterinarians clinic.

**III. FINDINGS:**

The three Orland veterinarians said they have been asked to provide emergency services. One veterinarian is called more frequently than the others, possibly because he has a large pen area to keep animals overnight.

A veterinarian reported he had requested information from Animal Control to submit a bid for contract services and impounds, but did not receive it. Another said he would do emergency services under contract, but does not have the facilities to provide impound services. One veterinarian has no contract with the county for services, but continues to bill for emergency services, when provided.

According to the veterinarians interviewed, Animal Control is usually available when their services are required, although some of them have had trouble with the processing time required for rabies testing. Once, when the rabies testing was too slow, a client was reported to have been given the series of rabies shots as a precaution.

All veterinarians interviewed agreed that all Animal Control trucks should be equipped with scanners to help identify the animals. The Sheriff has indicated that the trucks will be updated with new equipment and clerical duties will be absorbed by his staff when the transition is complete. The sheriff plans to institute a training policy for Community Service Officers and some of his sworn officers so they will be able to respond to emergency animal control calls on the weekends and after hours. During their visit to the impound facility, the Grand Jury members noticed there was no food or water available for 2 of the animals and there were no records of inspection by the Animal Control staff.

**IV. CONCLUSIONS:**

Animal Control will become a division of the Sheriff's Department. Records of inspection were not available to show that inspections had occurred. It appeared that kennels were not being inspected at prescribed times.

**V. RECOMMENDATIONS:**

It is recommended that Animal Control Services consider the purchase of chip scanners for trucks to facilitate locating owners of stray dogs.  
Insist that rabies testing be done in a timely manner.  
Do unannounced inspections of impound facilities.

**VI. RESPONSE REQUIRED**

**Glenn County Sheriff/Animal Control  
Glenn County Board of Supervisors**

**2006/2007 GLENN COUNTY GRAND JURY  
Final Reports**

**FIRE DISTRICTS**

**I. PURPOSE:**

To review how fire districts in Glenn County are trained and what their needs are.

**II. BACKGROUND:**

Members of the Grand Jury attended a joint meeting of the fire districts in December 2006. The meetings are held each month to discuss mutual services, hear presentations, and discuss any problems or issues.

The 13 fire districts in Glenn County operate independently and receive limited funding from the county.

Hamilton City has one full-time paid position (the Chief) and one part-time paid position (Assistant Chief). The Willows Fire Department has five paid positions. None of the other eleven districts has paid positions.

**III. FINDINGS:**

The State of California has mandated training for all firefighters, both paid and volunteer. All the districts need upgraded equipment and gear.

Mutual aid is often needed in emergency situations. The districts support one another with mutual aid and respond quickly to assist each other.

The Grand Jury inquired of Colusa, Lassen, Plumas, Tehama and Del Norte Counties if they contribute funds to their fire districts.

**IV. CONCLUSIONS:**

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

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

Each district has fundraisers to raise funds for equipment, including fire hoses, fire suits, and search and rescue equipment.

**V. RECOMMENDATIONS:**

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

**VI. RESPONSE REQUIRED:**

**Glenn County Board of Supervisors  
Fire Chief's Association**

**2006 - 2007 Glenn County Grand Jury  
Final Report**

**GLENN COUNTY JAIL**

**I. PURPOSE:**

To report on the required annual inspection of the Glenn County Jail and to assess any needs or concerns at the facility.

**II. BACKGROUND:**

The jail facility is sixteen years old. There are six pods, which accommodate male and female inmates. The correctional staff number is eighteen jailers, four corporals, one sergeant, and one commander. There has never been an escape from this facility. In February 2007, the staff was down three positions. The jailers go through five weeks of training before they can begin work.

In September 2006, the entire Grand Jury was given a tour of the facility by the sheriff, the commander and the sergeant. In January 2007, the Public Safety Committee of the Grand Jury interviewed eight randomly selected inmates, some from each pod. A follow-up interview with the sheriff was conducted in February 2007.

**III. FINDINGS:**

The physical plan has some problem areas. The sally port door is not wide enough for the transportation van to allow prisoners to be unloaded in a safe manner. There is only one safety cell, and the sheriff estimates he could use four.

The boiler needs to be replaced and the kitchen needs a new air conditioning system. The condition of the power poles in back of the jail, which were addressed by the 2006-2006 Grand Jury, has not been dealt with.

The medical care at the jail is provided under a contract with Glenn Medical Center. Interviewed inmates said they turned in "sick slips" but were never seen by the nurse. A woman who had delivered a baby just prior to being incarcerated said she had not received a follow-up exam or care, nor had she received her medications.

The cost of meals is \$2.62 per inmate per day. Special diets are provided for medical or religious reasons. During the interviews, inmates said they were satisfied with the meals. Some of the Safety Committee of the Grand Jury ate at the jail and found the food to be plentiful and tasty.

All inmates interviewed said the water for showers was too cold. About half said the temperature inside the jail was too cold; however, jailers report that the thermostat is set at 68 degrees.

Finances are the most difficult problem at the jail. The per diem charges set by the judges may be higher for inmates that can afford them. The probation department collects the fees and they are deposited into the jail account. The amount collected from July 1, 2006 to March 2007 was approximately \$5,700.00.

Staff numbers are the same as they were when the jail opened and salaries are 23% under comparable counties.

#### **IV. CONCLUSIONS:**

The Sheriff reported the installation of a new sally port door is going out to bid, as is the replacement of the boiler. The cost estimate for the boiler is \$100,000.00. The estimate for the kitchen air conditioning system is \$80,000.00.

The 140 inmates at the facility have changed in nature. In the past, prisoners were housed for other jurisdictions for a daily charge, but due to an increased number of local inmates, there is no longer the capacity to do so.

The jail population has changed in make-up. Drug abusers and gang members have replaced petty thieves and alcohol abusers.

Expansion is a pressing need. The sheriff has considered a prison farm where low risk prisoners can raise food for the jail population. Other options include tearing down the old jail where a large amount of records are stored, and expand into that area.

Health services, both mental and physical, are inadequate. Prescribed medical procedures are not always followed.

The power poles at the rear of the facility have not been dealt with.

The amount of jail per diem charges collected is small.

Overall, the jail is clean and appears to be operating quite well.

#### **IV. RECOMMENDATIONS:**

1. Replace the boiler, sally port door, and kitchen air conditioning as soon as possible.
2. Plan for expansion.
3. Mental health providers should respond in a timely manner. The contract conditions with Glenn Medical Center need to be enforced.
4. Due to the outlawing of strip searches, a metal detector for the booking area should be purchased as soon as possible.
5. The power poles need to be moved, or a barricade built.
6. Efforts should be made to collect sufficient per diem charges.
7. Higher pay for all staff may help with the retention of trained staff.
8. A long-range plan for a public safety complex should be considered.

#### **V. RESPONSE REQUIRED:**

**Glenn County Board of Supervisors  
Glenn County Medical Center  
Glenn County Sheriff  
Glenn County Finance Dept.  
Glenn County Buildings and Grounds  
Glenn County Health Services**



**2006-2007 Glenn County Grand Jury  
Final Report**

**JANE HAHN JUVENILE HALL**

**I. PURPOSE:**

To do the annual inspection required at the Jane Hahn Juvenile Hall and to assess any needs or concerns at this facility.

**II. BACKGROUND**

Grand Jury members toured the facility on January 25, 2007, interviewing the Chief Probation Officer and the interim manager.

**II. FINDINGS:**

The facility has improved from last year, and seems to be in good condition. The one exception is the floor paint peeling in the day room, which is difficult to repair, as everyone would have to be temporarily removed from the facility. A full-time cook is now on staff. The security cameras are all working. Security appears to be adequate. When inmates are in the yard, there is always a guard with them, and security cameras survey the fence. Sound boards have been installed to reduce the noise level in the day room. A bid has been prepared to present to the board of supervisors for purchasing more sound boards to complete the job. New mattresses have been purchased and installed in all the beds. Currently, there is no overcrowding, with empty beds. There are usually no problems with gang affiliations with the inmates, but occasionally with the parents when they come to visit (who are removed if they create a problem).

Currently, staffing is down by two positions, one person being on medical leave. There are two teachers for student classes. Teachers have good consistency. There is an additional teacher for special education if needed. If a ward is on suicide watch, they are put in a special room in view of the counselors, and checked every five minutes. There is about one suicide watch a month.

One of the requirements is that new wards be given a physical within 96 hours. There has been a problem with the outside medical staff under contract completing this in time.

The medical files are in disarray. Staff disperses any medications prescribed to the wards from the locked medical room and drug cabinet.

The facility overall is in good shape and operating efficiently, but counselors have to work overtime to cover shifts. They could operate more efficiently with an additional job position added, to cover a counselor having to leave with a ward for an emergency, or to cover sick leave and vacations.

The medical files need to be organized, as it could be a major disaster in an emergency situation, trying to determine a ward's medical condition. The physical exams need to be done in a timely fashion.

**III. RECOMMENDATIONS:**

The floor painting needs to be completed when possible.

Glenn Medical Center should be required to comply with performing timely physical exams and putting the files in order. Adding an additional counselor position should be considered.

**VI. RESPONSE REQUIRED:**

**Probation Department  
Glenn County Board of Supervisors  
Glenn Medical Center**

2006-2007 Glenn County Grand Jury  
Final Report

GLENN COUNTY SHERIFF'S DEPARTMENT

**I. PURPOSE:**

To review the staffing condition, morale and facilities of the Glenn County Sheriff's Department.

**II. BACKGROUND:**

Grand Jury members interviewed the Glenn County Sheriff on February 19, 2007.

Like most law enforcement agencies in the county, the Sheriff's Department has a problem keeping staff. Larger counties can pay more in salaries.

The department is responsible for responses to emergencies and complaints in the county, outside the city limits of Orland and Willows. It provides backup to the cities' police departments. It is responsible for disaster emergency services in the county, and oversees jail operations and Animal Control Services.

The department provides dispatch services for the county areas, and assumes the services for the cities of Orland and Willows during off hours.

The Sheriff is the highest elected official in Glenn County.

**III. FINDINGS:**

The staffing was down three positions, with an additional two out on disability leave. Two deputies are slated to become detectives.

The Sheriff plans to request from the Board of Supervisors, a new position of civilian Emergency Service Technician, and possibly an undersheriff position. The Sheriff's Department has been audited by Homeland Security.

Incentives for keeping staff include:

- a. Paying the cost of sending candidates to Peace Officers Standards in Training (P.O.S.T.) to earn their certificate.
- b. Paying shift differentials.
- c. Applying sick leave to retirement.
- d. Higher pay for being bilingual.
- e. Promotion potential in a smaller department.

The department is down five patrol cars, and not all the patrol cars have laptop computers.

The computer servers in the department are now working as required.

The department is working to improve dispatch services in order to be able to handle all of the county's dispatch. The Sheriff is confident his department can handle all the dispatch in the event of an emergency.

Maintaining dispatch staff is a problem since the pay for dispatchers is less than some clerical staff in the county.

There is a concern about how to handle mentally ill people who create disturbances.

**IV. CONCLUSIONS**

Incentives are needed to keep staff. The Sheriff is considering a program for volunteer dispatchers.

The Sheriff believes in giving the staff a mission and a vision, and morale in the department is now at a high level.

The Sheriff believes in a county-wide policing policy to help solve people's problems.

The Sheriff is doing a great job and has improved the department.

**V. RECOMMENDATIONS**

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

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

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

**VI. RESPONSES REQUIRED:**

**Glenn County Sheriff**

**Glenn County Board of Supervisors**

**2006-2007 Glenn County Grand Jury  
Final Report  
WILLOWS POLICE DEPARTMENT**

**I. PURPOSE:**

To review staffing conditions, morale, and facilities of the Willows Police Department.

**II. BACKGROUND:**

Grand Jury members interviewed the new Willows Police Chief on March 1, 2007. Last year the department was understaffed and unable to provide full, 24 hours, 7 days a week, coverage. The City of Willows paid the Glenn County Sheriff's Office to provide patrol to cover the missing shifts. Some complaints received by past Grand Jury members said their reports to the Willows Police Department had never been investigated.

**III. FINDINGS:**

Two officers and one Community Services Officer have been hired. One cadet is attending the academy and will graduate in June 2007. By July 1, 2007, three additional positions will be filled and the department will have a full staff of 15 employees. Street training is expected to be completed in August 2007. The work schedules have been made more flexible, with some officers on a 4-day/10 hour schedule.

There are still some citizen complaints that go unanswered.

Department space is small, but has been partially remodeled with the addition of work stations. The Chief would like to enhance coverage by establishing a voluntary community service program and Explorer Scout program. The Chief is updating the training to meet the required standards.

**IV. CONCLUSIONS:**

Incentives are needed to keep the staff. The Chief feels the 4/10 work schedule is a good incentive, and more money is needed. Communications and relations with the public appear to have been strengthened.

**V. RECOMMENDATIONS:**

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

Establish a community volunteer program.

Continue working on a training program and facility.

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

Investigate all complaints.

**VI. RESPONSES REQUIRED**

**Willows City Council**

**Willows Chief of Police**

**2006-2007 Glenn County Grand Jury  
Final Report**

**FLEET SERVICE CENTER**

**I. PURPOSE:**

To review the fleet service center and how they operate, their funding, and how their needs are prioritized. The center has not been reviewed for several years

**II. BACKGROUND:**

The Grand Jury reviewed how the county vehicles are purchased, fueled and maintained.

**III. FINDINGS:**

Vehicle replacement occurs on a schedule based on mileage and age. The criteria was not provided to the reviewers. A program exists for the cost of vehicle replacement. The maintenance program for all vehicles (cars, trucks, and heavy equipment) is in place and is followed, so that the vehicles are well maintained. Fueling is done at a card lock, and is contracted through a bid process. A control system has been implemented to ensure no improper use of fuel occurs. The card lock fuel system is more economical for the county than having its own refueling center. A new refueling center would require double walled tanks for three different types of fuel and the installation costs would far outweigh any benefits realized.

**IV. CONCLUSIONS:**

The fleet service center manager is operating the fleet in a very successful manner.

**V. RECOMMENDATIONS:**

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

**VI. RESPONSE REQUIRED:**

**Glenn County Planning and Public Works Department  
Glenn County Board of Supervisors**

**2006-2007 Glenn County Grand Jury  
Final Report**

**GLENN COUNTY OFFICE OF EDUCATION**

**I. PURPOSE:**

To investigate the processes, policies and procedures of the office of the Glenn County Superintendent of Schools.

**II. BACKGROUND:**

The Glenn County Superintendent of Schools is charged with oversight of the financial and overall welfare of the schools in Glenn County. Allegations of possible mis-use of county equipment and misappropriation of funds, as reported by local news media, prompted the Glenn County Grand Jury to launch an investigation.

The Grand Jury obtained records through the California Public Records Act (Government Code §§ 62506276.48). The records originally requested on August 22, 2006 had to be re-requested on August 25, 2006 through the Open Records Act because the Grand Jury was denied direct access to them by the Glenn County Office of Education. The records were delivered to the Grand Jury on September 1, 2006. The Grand Jury thoroughly reviewed the records, which had been redacted to eliminate sensitive information. It is possible the Grand Jury did not have access to all files relating to the investigation.

**III. FINDINGS:**

The Grand Jury conducted interviews with G.C.O.E. employees and found that County of Glenn computers, copiers and printers had been used by Glenn County Office of Education personnel for their personal use during business hours. This included, but was not limited to, e-mails, personal blogs, conduct of personal business and electioneering. The Grand Jury examined financial and credit card records of the Glenn County Office of Education and found that Glenn County was paying expenses related to personal and/or family matters, and for conduct of private self-promotion through credit card charges.

At some point in the tenure of the previous Superintendent, a car was issued by the County of Glenn to the Superintendent for business use. Instead, an agreement was approved between the Glenn County Superintendent of Schools and the Glenn County Board of Education that would allow the Superintendent to use her personal vehicle in lieu of a county-owned vehicle. For this, the Superintendent's personal vehicle was tuned up, a Global Positioning System and four new tires were installed. In addition, the Superintendent received a \$600.00 per month stipend for the use of her personal vehicle, plus gas and mileage payments. Upon review of travel expenditures of the Superintendent, the expenditures appear to be excessive and out of proportion to the duties of the office.

Each of the five members of the Glenn County Board of Education represents a district within Glenn County, and are elected by the voters of their districts. Each member serves a four-year term, and terms are staggered.

At meetings of the Board of Education attended by Grand Jury members, it appeared the Board exercised little or no oversight over the Glenn County Office of Education and the Superintendent. The Superintendent appeared to conduct the meetings, calling on staff members for reports. The Board members seldom asked questions.

#### **IV. CONCLUSIONS:**

The use of credit cards allowed departments to purchase items with no oversight, whether or not funds had been budgeted for the purchase. This caused the Business Office to shuffle funds between departments to cover expenditures.

The working relationship between the Superintendent of Schools, the Glenn County Office of Education and the Glenn County Board of Education lacks an effective system of checks and balances. Neither the Business Office nor the Glenn County Board of Education are sufficiently involved in protecting the financial status of the Glenn County school system.

#### **V. RECOMMENDATIONS:**

1. The person authorizing the expenditures of the Superintendent should be independent of the authority of the Superintendent.
  - a. The Board of Education should review expenditures monthly.
2. The Glenn County Office of Education Business Manager should take a more active role in monitoring the finances of the department. If necessary, an auditor should monitor daily expenses.
3. Restrict the use of credit cards.
  - a. Store credit cards in a secure location to be checked out as needed.
  - b. Establish the purchase order system as the preferred method of purchasing, with the credit cards as a backup.
  - c. All purchases to have prior approval before the use of a credit card can be authorized.
4. Monthly Budget Allocation:  
If a department's funds are expended at the beginning of the month, no further expenses will be approved for that month.
5. Recommend all requests for travel expenses follow a set procedure:
  - a. Shall have prior approval by the Business Office;  
The participant must show a need to attend meetings, and produce a written report that demonstrates how their attendance will benefit the schools.
  - b. Travel only when necessary to accomplish school business.
  - c. Participants in mandated conferences to stay in an approved room, or in an approved facility. GCOE will only pay a set amount equal to that of the discounted conference room rate.
  - d. GCOE will pay only the per diem amounts for meals, regardless of where the conference is held.
  - e. GCOE shall not pay for any expenses for travel prior to, or after, the approved conference.
  - f. Returning participants must submit proof of attendance and a written report to their supervisor about what was learned and how it will be put to use at GCOE.
6. County Vehicles:
  - a. Personal vehicles may not be substituted for county vehicles.
  - b. County vehicles will be used for business purposes only, to be checked in and out of the county yard as needed.
  - c. County vehicles may not be taken home unless the business for which they were intended requires travel beyond normal business hours.



7. Expenditures for business meals require documentation of individuals who attended said meals and the GCOE-related purpose for attendance.
8. Consider establishing term limits for Board of Education members to two terms. Advertise all open positions to the general public, advising them of the duties, as well as the benefits of the office.

**VI. RESPONSE REQUIRED:**  
**Glenn County Board of Education**  
**Glenn County Office of Education Business Office**  
**Glenn County Superintendent of Schools**

**2006 - 2007**

**GLENN COUNTY**

**GRAND JURY**

**EVALUATION OF RESPONSES**

**TO**

**2005 - 2006**

**GRAND JURY FINAL REPORT**

**June 30, 2007**

**Response to 2005-2006 Glenn County Grand Jury  
Final Report**

**GLENN COUNTY ADMINISTRATIVE MANUAL**

(Pages 5-6)

**I. RECOMMENDATIONS:**

A. The Glenn County Board of Supervisors review and update the Glenn County Administrative Manual, especially those Titles and Chapters cited herein.

1. Title 4, Purchasing Policies
2. Title 11, Chapter 4, Department Head Responsibility
3. Title 8, Conflict of Interest
4. Chapter 10, Personnel

B. Glenn County Counsel review and provide input into the update of the Glenn County Administrative Manual

C. The Glenn County Board of Supervisors and Glenn County Counsel review codes of counties of similar size for ideas that may be incorporated into the Glenn County Manual.

D. The updated manual be ready for completion and distribution in June of 2007.

**II. RESPONSES RECEIVED:**

**Deputy County Administrative Officer**

Please accept the enclosed copy of the Glenn County Administrative Manual for the 2006/07 Grand Jury's review and use.

**Clerk of the Board of Supervisors**

On August 23, 2006, the Clerk of the Board Office forwarded an updated Glenn County Administrative Manual for the 2006/07 Grand Jury's review and use. In addition, the Clerk advised them that the Manual is updated each time the Board of Supervisors adopts changes, and it was suspected that at one point in time, a past Grand Jury had requested the Manual and most likely it had not been updated. In order to resolve this problem in the future, the Clerk's office has added the Foreperson to the distribution list, and all future supplements will be forwarded to them as they are adopted by the Board of Supervisors, with instruction of those pages that are to be replaced.

Prior to the Grand Jury's recommendation to review the Administrative Manual, the County Administrative Officer had suggested that the County begin the process of reviewing all codes, policies and procedures with County Counsel and appropriated Department Heads. This process will begin before the end of 2006, and will continue until completed. The update of these documents is a formidable task and may take more than one year to complete. As updates are adopted by the Board of Supervisors, all supplements are distributed in order to keep the Manual up to date. As stated above, the current Grand Jury Foreperson will receive these updates as well.

Per the 2005.2006 Grand Jury Report, the Grand Jury mentions that the manual had not been updated since 2002. Please be advised that the Manual is updated each time the Board of Supervisors had requested the Manual and most likely was not updated. In order to resolve this problem in the future, the Clerk's office has added you, as Foreperson, to the distribution list.

**Glenn County Counsel**

I have reviewed the attached response to the Grand Jury from Sandy Soeth, Deputy County Administrative Officer, regarding the Glenn County Administrative Manual (pages 5-6 of the Grand Jury Report) and the response from Daniel A. Obermeyer, Director of Planning & Public Works Agency, regarding the Glenn County Bid Process (pages 9-10 of the Grand Jury Report).

Both responses to the Grand Jury Report appear to address the concerns raised by the Grand Jury and I have nothing more to add.

**Glenn County Board of Supervisors**

The Board concurs with the responses by the Clerk of the Board and County Counsel. The County has set into motion a process where all codes, policies and procedures are to be reviewed on an annual basis.

**III. GRAND JURY REVIEW OF RESPONSE:**

Response accepted. Copies of updates to the Manual have been received during this 2006/2007 Grand Jury term.

**Response to 2005-2006 Glenn County Grand Jury  
Final Report**

**GLENN COUNTY ANIMAL CONTROL**

(Pages 17-19)

**I. RECOMMENDATIONS:**

Considering that during the majority of the week the department has all 3 Animal Control Officers on duty, we suggest there be an area assignment. If there were an officer assigned to each area (Willows, Orland Na Hamilton City) there could be a rapport established between the department and citizens in those communities. If the officer was continuously patrolling one area, he/she might eventually gain knowledge of what animal belonged to whom which might help citizen obedience to laws such as getting their animals licensed, etc.

It is also suggested that the department look into contracting a veterinarian in Orland for emergency care.

An annual "unannounced" inspection process for the impound facility by the Department for Glenn County Animal Control is recommended. These inspections would insure that dogs impounded are not being mistreated and have food and water available.

Adopt a structured process for deciding which dogs should or should not be placed for adoption. This decision must not be based on someone's opinion of a specific breed, but be based on behavioral testing so that animals are placed in the appropriate atmosphere. For example, there might be a loving, well behaved animal that does not like children. While the animal is impounded, it may not show any bad behavioral patterns because it is being cared for by adults only.

There is concern with the communication between the Animal Control Department and the veterinarian where dogs are impounded. At the time the Grand Jury was inspecting the kennel, there was a dog that Animal Control had brought in prior to our arrival. The dog was in obvious need of medical care and the veterinarian's office stated they had not been informed of it by the officer that brought the animal to the facility. It was also disturbing that the employee giving us the tour did not immediately inform anyone the animal needed immediate medical attention. Situations like this would be avoided in the future if there were a form regarding each animal's condition completed by the Animal Control Officer upon arrival, which would be immediately given to the veterinarian or his office. A simple checklist might suffice. It is crucial that the Animal Control Department devise some way of informing the veterinarian when a dog has been injured or needs to be examined for medical issues. Whether it is a stray or a family pet that has gotten out of the yard, it should not be subjected to pain or suffering until somebody "happens" to take notice.

The trucks used by the department need to be better equipped to handle the growing communities. Larger containment capacity on the trucks should be considered a high priority. Presently, there is only one micro-chip scanner that is used by all of the officers. It would be beneficial for the department to have one micro-chip scanner available per truck. This would allow officers to use it while patrolling, thus eliminating unnecessary trips to the Willows office.

## **II. RESPONSE RECEIVED:**

### **Glenn County Department of Animal Control**

There are only three days in a seven day week that all three Officers are on duty at the same schedule time. These three days are excluding sick time, vacation time or CTO time to be taken off. The work schedule Monday through Friday are twelve hours of coverage per day. The officers do basically stay in assigned areas, during Monday through Friday, but on weekends they respond to all areas of the county. It is vital for an officer to know and see the entire county with ever-changing developments within the county.

All the veterinary facilities in the north end of the county are utilized for emergencies after normal working hours. The County would have to contract with all the veterinary facilities equally and we are very fortunate because the veterinarians have always responded when they were needed.

The animals that are impounded have never been mistreated and are always given adequate food and water daily, but even Dr. Burnham and his staff get busy with his primary business. It was discussed with Dr. Burnham and now when an animal is brought into the holding facility it will be given water by the impounding officer.

The dogs that are placed for adoption are based upon Dr. Burnham and myself extensive years of working with animals. Our process of looking for behavioral conduct, expectations and any misgiving are discussed by all parties who has had any contact with a prospective adopted dog. This process has proven adequate and/or satisfactory and serves the county well.

The dog in question should have had medical attention. The Officer who impounded the dog stated he did inform someone in the office of the dog's condition. This is the first time something like this has happened. The impoundment procedure for injured animals has been reviewed. Injured animals should be taken inside the veterinarians clinic for treatment when possible if the injuries meet the criterion.

The capacity problem is being currently looked at by County Fleet Manager. When a truck is replaced by the County Fleet Department, the plan is to purchase a new Animal Transport Unit also. Presently, there is a micro-chip scanner at the holding facility used by the officers when the dogs area impounded. The scanners in the trucks would not eliminate trips to Willows, but it would speed up the redemption process and possibly reunite the dog with its owner.

### **Glenn County Board of Supervisors**

The Board of Supervisors concurs with the response of the Animal Control Officer.

## **III. GRAND JURY REVIEW OF RESPONSE:**

Response accepted.

**Response to 2005-2006 Glenn County Grand Jury  
Final Report**

**BAYLISS PUBLIC LIBRARY**

(Pages 1-2)

**I. RECOMMENDATIONS:**

Restore this historic building as soon as State funds are received. The 2006-2007 Grand Jury should follow up to see that the restoration process is accomplished before further deterioration occurs.

**II. RESPONSES:**

**City of Willows Public Library, Willows Public Library Director**

Since the Bayliss Carnegie Library building belongs to Glenn County, and since the Bayliss Library Restoration Project is being funded through a grant directly to Glenn County and managed by the Glenn County Department of Buildings and Grounds, I am sending a copy of the Final Report along with a copy of this letter directly to the Department of Buildings and Grounds for a fuller reply.

**Glenn County Planning & Public Works Director**

The County has received State approval for the eligibility of the project to renovate the structure. Final construction documents are now able to be completed and, once State approval for the construction is received, work will begin. The State review process has been incredibly long and convoluted. Staff continues to work with the State to secure the necessary approvals so construction can start. Unfortunately, the State has not committed the staff resources to assure timely responses. It took over 9 months just to receive approval that the project was eligible. The Agency hopes that the 2006-2007 Grand Jury will be able to view the completed project.

**Glenn County Board of Supervisors**

The Board agrees with the response of the Planning & Public Works Director. The County will make every effort to expedite this project once state approval is received.

**III. GRAND JURY REVIEW OF RESPONSES:**

Response acceptable and the 2007-2008 Grand Jury should follow up to ensure the county pursues the restoration project through completion.

**Responses to 2005-2006 Glenn County Grand Jury  
Final Report**

**GLENN COUNTY BID PROCESS**

(Pages 9-10)

**I. RECOMMENDATIONS:**

Regardless of the type of RFB being issued, the minimum time between issuance and submission deadline should be established as no less than 30 days.

**II. RESPONSE RECEIVED:**

Director of Public Works

The report expressed concern about the notice of a bid request being too short or two weeks and recommended that the notices be no less than 30 days. However, the County procedures for bidding already require at least a 4 week notice. Without knowing the specifics of the bid referred to in the report, the Agency can only assume that the report refers to purchases under the threshold of the competitive bidding process.

The County Administrative Manual states under 04.02.03 Deadline for Submission of Bids:

- A. For purchases of supplies or equipment estimated to cost no more than \$20,000, the Clerk's notice to bidders shall provide for not less than a four-week response time, unless the Board otherwise directs. For purchases of equipment or supplies estimated to cost more than \$1,000,000, the Clerk's notice to bidders shall provide for not less than a six-week response time.
- B. For public works projects estimated to cost more than \$75,000, the Clerk's notice to bidders shall provide for not less than a four-week response time. For public works projects estimated to cost more than \$1,000,000, the Clerk's notice to bidders shall provide for not less than a six-week response time.

The Glenn County Planning & Public Works Agency complies with adopted County Code and provides at least 4 weeks notice according to that Code for bids that require public notice.

The funding for the recommended improvements has been requested but due to the fiscal limitations of the County, the County has not been able to fund any of them. The Agency will continue to request funding and seek alternative methods to address the Grand Jury's recommendations.

**Glenn County Board of Supervisors**

The Board concurs with the response of the Planning & Public Works Director. As a clarifying statement, not all bids or advertisements fall under state contract regulations, however, the County strives to give the longest response time possible to ensure fairness and to achieve the goal of providing service in a timely manner.

**Glenn County Counsel**

I have reviewed the attached response to the Grand Jury from Sandy Soeth, Deputy County Administrative Officer, regarding the Glenn County Administrative Manual (pages 5-6 of the Grand Jury report) and the responses from Daniel A. Obermeyer, Director of the Planning & Public Works Agency, regarding the Glenn County Bid Process (pages 9-10 of the Grand Jury Report).



Both responses to the Grand Jury report appear to address the concerns raised by the Grand Jury and I have nothing to add.

**III. GRAND JURY REVIEW OF RESPONSES:**  
Responses accepted.

**Response to 2005-2006 Glenn County Grand Jury  
Final Report**

**CITIES/COUNTY TAX SPLITS**

(Page 4)

**I. RECOMMENDATIONS:**

It is recommended the 2006-2007 Grand Jury follow up on the LAFCO report as growth is projected within the county and a conclusion to an equitable tax split must be determined in the best interest of both cities and the county.

**II. RESPONSES RECEIVED:**

**Glenn County Board of Supervisors**

The Board of Supervisors agrees that a master tax sharing agreement would greatly speed up the annexation process. The County has been working with both cities over the last two years to get such an agreement in place. The County and Cities have just retained an outside consultant to help formulate a long-term master tax sharing agreement that is acceptable to all parties. Until such time as an agreement is adopted, the County will continue to work cooperatively with both cities in accordance with Revenue & Taxation Code 99.

**City of Orland**

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

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

In light of the findings of the neutral experts, the County declined to enter into a master tax sharing agreement, and the City has proceeded with annexations as before, with the tax allocation negotiated as to each property. All proposed annexations during 2005 and 2006 have been submitted to LAFCO with a 50/50 division between the City and County.

As to the comments regarding a report to be prepared by the Executive Director of LAFCO, the City of Orland is unaware of any such report being contemplated or prepared.

**City of Willows**

As recommended by the Grand Jury, the City of Willows continues to participate in discussions with the County of Glenn and the City of Orland regarding an acceptable Master Property Tax split associated with potential annexations. In furtherance of these discussions, the City of Willows, in cooperation with the County and City of Orland, has initiated a consulting contract for services associated with developing baseline information necessary for structuring of a Master Property Tax Agreement.

In response to the Grand Jury's recommendation that "an equitable tax split must be determined," the above efforts do not necessarily reflect that an agreement will be achieved or determined by the City Council to be in the best interest of the City of Willows. Each annexation request is unique depending on the nature of the development, project impacts, and the project's potential for revenue generation. A Master Property Tax Agreement is not a statutory requirement. Approval of such an agreement is subject to the discretion of the affected legislative body.

**Glenn County Director of Planning and Public Works**

LAFCO does not have any authority to force the cities and the county into a master tax sharing agreement. All LAFCO is allowed to do is not approve annexations without a project-specific tax sharing agreement in place. The LAFCO Executive Officer is not preparing any report on the AB8 tax split and LAFCO has no authority over that issue. The Revenue and Taxation Code, section 99 through 99.2 specifically provides for the process of any tax sharing agreement and LAFCO is not party to that process.

**III. GRAND JURY REVIEW OF RESPONSES:**

Responses accepted.

**Response to 2005-2006 Glenn County Grand Jury  
Final Report**

**GLENN MEDICAL CENTER**

(Page 16)

**I. RECOMMENDATIONS:**

The 2006-2007 Glenn County Grand Jury should follow-up on the mammography services to see that this important service is made available to the public in a timely manner.

**II. RESPONSE RECEIVED:**

Glenn Medical Center has not responded in writing, but the mammogram machine is now in service.

**III. GRAND JURY REVIEW OF RESPONSES:**

Although the situation mentioned in the 2005-2006 Grand Jury Final Report was resolved, a written response is required. It was not available at time of publication of the 2006/2007 Grand Jury Final Report..

**Response to 2005-2006 Glenn County Grand Jury  
Final Report**

**GLENN COUNTY JAIL**

(Pages 20-22)

**I. RECOMMENDATIONS:**

1. The location of the transformers should be evaluated. They need to be moved to ground level and out of the center of the parking lot. If this is not possible, then, at the very least, there should be metal guards posted around the telephone poles to prevent any kind of direct impact.
2. The kitchen cooling system must be updated. The jail should request bids for replacement of the cooling system before summer arrives. This would not be as costly as waiting until the current unit breaks and then having to put in a new unit during the heat of the summer months.
3. A secured walkway for inmates being transported from the jail to the courthouse should be installed. We understand this is currently included in the planned for the refurbishing of the courthouse. However, the safety of the inmates and jailers is compromised every day the current situation exists. A more cost effective option would be holding court via satellite. If a monitor was set up at the jail with one at the courthouse, the inmates wouldn't have to leave the jail. This would allow jail staff time to remain on-site.
4. Develop an emergency evacuation plan for the front office staff. Install fire sprinklers in the front half of the building. Clean the records room which is over-flowing and prepare an avenue for emergency evacuation clear of clutter for all personnel. Place fire extinguishers within reach of all staff.

**II. RESPONSE RECEIVED:**

**Glenn County Sheriff**

I am please to advise the Grand Jury that the jail is currently at full staffing levels. This enables the department to address several safety issues, allows more opportunities for staff training needs, and improves conditions in the jail setting for both inmates and staff.

While we still have not made any tangible progress towards the creation of a "jail farm", the concept is still very viable. While we may start small, this project could, in time, produce big dividends for both inmates and the County. We would strive to provide training and rehabilitation scenarios for inmates as well as providing produce for the jail. In time it is hoped that certified educational courses through the ROP program could be provided to certain classifications of inmates.

The following paragraphs address the concerns of the Grand Jury as expressed in their final report:

1. We share the Grand Jury's concerns surrounding the electrical transformers in the parking lot between the Court and the Jail. The location of county utilities falls under the jurisdiction of Planning and Public Works. The Planning and Public Works Director is actually aware of the risks presented by these transformers and has included moving them in the general plan for the restructuring of the Courthouse and the relocation of County offices.

2. Funding requests for replacement of the HVAC unit in the jail kitchen were made in both the 05/06 and 06/07 fiscal years budgets. The funding was not available either year. In the event of failure of the unit we will be forced to request contingency funds to either replace the unit or to repair the present one.
3. The installation of electronic equipment to facilitate video arraignments is underway. When the project is completed, most arraignments will be conducted without inmates leaving the jail. This in itself will reduce staff time in transporting inmates for arraignments and reduce escape risks. We anticipate that video arraignments will begin within the next four months.
4. The Willows Fire Department is assisting the Department in creating an evacuation plan for the Administrative Section of the jail. Funding is not available to install a sprinkler system, however, additional fire extinguishers will be strategically placed in the building upon recommendation of the fire department. The records room has been cleaned and old records have been removed from the building.

**Glenn County Board of Supervisors**

The Board concurs with the Sheriff's response dated August 18, 2006.

**Glenn County Director of Planning and Public Works**

While many of the recommendations cover issues internal to the jail and its operation, the recommendation regarding the location of the transformers falls into the responsibility of the Facilities Division of the Planning & Public Works Agency. The Agency is aware of the situation and is evaluating possible options as part of the transfer of responsibility of the historic courthouse to the state court system. This is part of that process because security of in-custody persons is part of the State along with security. The Agency is working with the courts and the State along with the Sheriff to develop a solution to the issue. It is hoped that agreement can be reached and solutions implemented in the next two to five years.

**III. GRAND JURY REVIEW OF RESPONSES:**

Responses accepted.

Responses to 2005 - 2006 Glenn County Grand Jury  
Final Report

JANE HAHN JUVENILE HALL

(Pages 23-24)

I. **RECOMMENDATIONS:**

The noise level in the main day room might be cut considerably if the facility were to install sound boards on the 2 remaining walls or to hang flags from the center, much like they do in shopping malls and sports arenas.

If the flags are of consideration, they should consult the fire marshal regarding regulations. The facility should continue to seek applications to fill staff positions that are currently open. We recognize that filling the positions for staff that work directly with the youth are of the highest priority. The facility may benefit from hiring a cook as well. This would give supervision to those that work in the kitchen and assure that nutritional guidelines are met.

Considering that the minors that work in the kitchen, at times, have no staff present, care should be given to insure they have been trained on how and when to use the appropriate equipment. The fire extinguisher, for example, is something that the staff have had training on but not the minors that work in the kitchen.

II. **RESPONSE RECEIVED:**

**Chief Probation Officer**

**Noise Level in the day room:** At the last inspection, it was noted the noise level in the day room was excessive and that the facility would benefit by the addition of sound boards on the remaining walls. Since the inspection, staff from Buildings and Grounds had the venting around the existing sound boards completed. As of this response, a quote to have the remaining walls sound proofed has been requested. As with any County department, the funding for such an addition is always a consideration. Depending on how much this kind of an improvement will cost the department will either pay for it through savings in the budget, or possibly make a supplemental request to the Board of Supervisors in approximately December of this fiscal year.

**Staffing Levels:** Staffing within the facility is an ongoing issue, especially with other counties opening larger facilities with competitive pay schedules. As of today, we are down one counselor position with a recruitment that just closed. Testing for this position will begin on August 29, 2006, and we hope to attract as many qualified applicants as possible. Last week the department received word that we will be able to hire two positions. One will replace a vacancy that occurred in June of this year and the other will fill a position previously left vacant by a counselor that left the facility on a medical claim. Once these are filled it will make scheduling much easier and allow for more programming opportunities to take place with in custody minors.

**Full-time Cook:** For the proposed 20062007 budget I requested this position be added per the Grand Jury's and Juvenile Justice Commission's request earlier this year. I will receive final notification as to whether this position will be allocated at the final round of budget hearings on August 29, 2006. It is my hope the County will approve the addition of this position as this will allow us to remain in compliance with the State requirements for the food program.

**Minors in the kitchen unsupervised:** After receiving the Grand Jury's report I met with Acting Juvenile Hall Manager to discuss this issue. Since that time, no minors are allowed in the kitchen unless under the direct supervision of the existing part-time cook and/or juvenile hall staff. This is an area that should eliminate the possibility of minors being injured or the safety of the facility being compromised. If funded, the addition of a regular cooking staff will make this even easier to comply with in the future.

In closing I would like to thank each of the Grand Jury members who participated in the inspection of the Jane Hahn Juvenile Hall this year. The report pointed out several areas that will a long way to ensure the children and staff remain safe. As a point of interest, the facility recently passed inspection by the California Standards Authority.

**Glenn County Board of Supervisors**

The Board concurs with the response of the Chief Probation Officer.

- III. **GRAND JURY REVIEW OF RESPONSE:**  
Accepted



**Response to 2005-2006 Glenn County Grand Jury  
Final Report**

**GLENN COUNTY LANDFILL**

(Pages 27-29)

**I. RECOMMENDATIONS:**

The Glenn County Landfill property needs to be purchased, even if it take an eminent domain ruling before the State or Health Services Department start fining the operation. Obtain the necessary permits and equipment as soon as possible. Evaluate and implement more precautions against employee theft. Mandatory waste pickup for the rural county does not seem to be a viable option. All loads, as required by law, should be covered. Any noncompliance issues regarding these covers must be reported to law enforcement.

**II. RESPONSE:**

**Glenn County Planning & Public Works Director**

Purchase of the landfill property is already underway. The appraisal has been completed and property negotiations are beginning. The solid waste program manager is working with the licensing agencies to obtain the necessary approvals once the State defines what is acceptable. The Strategic Plan for the Landfill will held address some of these issues. The plan is scheduled to be presented to the Board of Supervisors on August 15 for acceptance, which will begin the Environmental Impact Report (EIR) phase of the project. Conclusion of the planning process is expected in early July 2007. New procedures for handling cash receipts are now in place as well as the safe has been moved to a more secure location. Uncovered loads are currently penalized by having to pay an additional charge at the gate. It may not be the best use of limited law enforcement agency resources to have them investigate and prosecute infractions of county code. Equipment is purchased as needed and as funding allows. The Division is currently in the process of seeking a new lease for a landfill compactor.

**III. GRAND JURY REVIEW OF RESPONSE:**

Response accepted.

**Response to 2005-2006 Glenn County Grand Jury  
Final Report**

**LEVEE DISTRICT 2**

(Pages 30-32)

**I. RECOMMENDATIONS:**

Levee District 2 needs to continue steps currently in progress to increase its assessments. These funds may be obtained by soliciting donation from the landowners. The County should help where possible.

**II. RESPONSES RECEIVED:**

**Levee District No. 2, President**

The board of trustees has been hard at work trying to get a special election scheduled for mid February of 2007. This special election would be held to vote on a special tax. This special tax would only affect the property owners within the boundaries of Levee District #2. The new tax, if passed, would greatly increase the revenue of the district, plus net a surplus to strengthen our reserve fund. Our reserve fund is almost depleted. The new tax would not only service the districts needs but, over time, increase our reserve fund to a point that the interest gained on the money in our reserve fund will help pay for the district maintenance. Our plan is to build our reserve fund with enough money in the hope that someday we will be able to lower the tax burden on our property owners.

**Glenn County Planning & Public Works Director**

It is unclear the role the Grand Jury expects Glenn County Planning & Public Works Agency to have regarding the levee districts as they are independent special districts with their own board and operation. The Agency is willing to provide technical expertise upon request by the district, but has no authority or mandate to operate such districts.

**Glenn County Board of Supervisors**

The Board concurs with the response from the planning & Public Works Director.

**III. GRAND JURY REVIEW OF RESPONSES:**

Responses accepted and Levee District #2 should continue pursuing collection of taxes.

**Responses to 2005-2006 Glenn County Grand Jury  
Final Report**

**MURDOCK ELEMENTARY SCHOOL**

**I. RECOMMENDATIONS:**

The Glenn County Grand Jury strongly recommends that Murdock School authorities recognize "strangers" on campus. In view of the intruders on campus tragedies of the not-so-distant past, all persons entering public school grounds should be immediately approached and required to check in with the office stating the nature of their business on campus. We further recommend the rubber door blocks be listed as MANDATORY ITEMS TO BE USED on all classrooms at all times and that teachers failing to comply be properly reprimanded.

As recommended by the school's principal, the 2005-2006 Grand Jury strongly recommends a fence be constructed around the school which will assist in intruder prevention.

**II. RESPONSE RECEIVED:**

**Murdock Elementary School**

Murdock Elementary and Willows Unified School District, like many other school districts, is under very tight budget constraints. However, Murdock administration in conjunction with the Superintendent, and the Business Department of Willows Unified School District is exploring options available and the costs that would be incurred when constructing a fence around the school. Additional rubber door blocks have been ordered and all teaching staff has been instructed that ALL classrooms will use the blocks at ALL times and that teachers failing to comply will be reprimanded.

The Murdock School authorities, as well as campus supervisors, have been instructed to recognize "strangers" on campus. All persons entering Murdock Elementary School grounds will be immediately approached and directed to check in with the school office and state the nature of their business. In addition, notices will be sent home to parents, through the monthly messenger, reminding them to check in with the office before visiting classrooms.

**III. GRAND JURY REVIEW OF RESPONSE:**

Accepted.

Responses to 2005-2006 Glenn County Grand Jury  
Final Report

**ORLAND POLICE DEPARTMENT**

(Pages 25-26)

**I. RECOMMENDATIONS:**

The Grand Jury recommends that the City of Orland consider the sale of the property it owns next to the railroad tracks and purchase an adequate property which would accommodate a larger facility with a secure parking area for patrol vehicles. With the majority of the growth developing on the east side of Orland, it is recommended the city look to that area for a suitable building site.

**II. RESPONSE REQUIRED:**

Orland Police Chief  
City of Orland

**III. RESPONSE RECEIVED:**

City of Orland

The issue of providing additional space through relocation of the Orland Police Department is under construction by the Orland City Council, as part of the overall prioritization of Capital Improvement Projects. A feasibility study concerning development of a new police facility has been completed, and confidential negotiations consistent with the findings of that study are underway to possibly acquire appropriate property for the purpose.

**IV. GRAND JURY REVIEW OF RESPONSES:**

The response of the City of Orland is accepted.

**Response to 2006-2007 Glenn County Grand Jury  
Final Report**

**PUBLIC BUILDINGS**

(Pages 33-34)

**I. RECOMMENDATIONS:**

The Grand Jury recommends there be a fire inspection as a Common Sense Safety Practice as soon as possible. It also recommends a Job Safety Analysis be written for those working in the Willow's Museum and the District Attorney's building and implemented to insure all county employees/volunteers are safe while performing their respective duties and that all county buildings are OSHA compliant.

**II. RESPONSES:**

**Glenn County Planning & Public Works Director**

The Willows Museum is under the jurisdiction of the City of Willows, not the County of Glenn. The County has an assessment of ADA (Americans with Disabilities Act) completed in 2000 for all County buildings by Gregory B. Bragg & Associates, Inc. a claim and risk management services consultant. The report stated:

*G-District Attorney/Family Support – 540 West Sycamore Street  
This is the first County jail and is a historical building. The building is totally non-accessible and would take approximately \$500,000 to repair and remodel with accessibility included. There are serious personnel safety issues with the current occupancy. Accessibility accommodation arrangement can be made at nearby accessible facilities. Signage about the alternative arrangement should be installed. Current plans are to move Family Support to a different facility. This will be a major improvement to both employee safety issues and accessibility.*

Since the report Family Support has been moved to a new accessible modular building at 120 South Marshall Avenue. Alternative meeting accommodations have been arranged and integrated into the operation of the District Attorney Office. Building improvements to the reception area have been accomplished to improve employee safety and security.

In addition, the former head of the Building and Facilities department provided an evaluation of all county buildings in 2004 prior to his retirement. At the time he was a certified building inspector and qualified to provide such an assessment. Therefore, a fire inspection is not necessary as he completed that as part of the assessment.

He recommended a second exit be provided along with ADA accessible restroom facilities for employees.

The funding for the recommended improvements has been requested but due to the fiscal limitations of the County, the County has not been able to fund any of them. The Agency will continue to request funding and seek alternative methods to address the Grand Jury's recommendations.

**Willows Museum Society**

The Willows Museum Society submitted to the 2006-2007 Grand Jury a copy of a Memorandum of Understanding between the City of Willows and the Museum Society of Willows, dated November 14, 2006 establishing the use, maintenance, and liability of the Andrew Carnegie Building in Willows, which houses the museum.

Further submitted were minutes of the February 8, 2007, February 11, 2007 and March 8, 2007 meetings of the Museum Society which outline the progress of the upgrades to the museum building.

**Glenn County Board of Supervisors**

The Board concurs with the response from the Planning & Public Works Director.

**III. GRAND JURY REVIEW OF RESPONSES:**

The county should conduct inspections of buildings to meet all applicable fire codes annually or as recommended by the Fire Marshall.

The county should ensure the restroom meeting ADA requirements under Lease No. 1802 for county building (dba Nancy's Airport Café) is completed by September 1, 2007 per contract terms.

**Response to 2005-2006 Glenn County Grand Jury  
Final Report**

**PUBLIC PENSIONS**

(Pages 11-13)

**I. RECOMMENDATIONS:**

None

**II. RESPONSE RECEIVED:**

**Personnel Director**

**Director of Finance**

Correction to Findings: The report stated "Employees receive 3% of their salary in the beginning and are fully vested at age 50".

Actually, only safety employees (law enforcement) are in what is known as a 3% at 50 plan, which allows each retiree 3% of their highest 3-year average salary for each year of service. A 20-year employee under this plan, upon reaching age 50, would earn 60% of the highest 3-year average salary at retirement.

**Glenn County Board of Supervisors**

Clarification of numbers included in report:

The Board of Supervisors concurs with the statement by the Director of Finance. In addition, the Board submits the following information for clarification purposes:

453 Total Employees

30 Covered under the 3% at 50 - Safety Retirement

423 Covered under the 2.5% at 55 - Miscellaneous Retirement

Approximately \$1,713,000 of the \$4,629,000 reported spent on retirement is paid for by the General Fund, with the remainder paid for by State and Federal programs.

**III. GRAND JURY REVIEW OF RESPONSES:**

Accepted.

**Responses to 2005-2006 Glenn County Grand Jury  
Final Report**

**GLENN COUNTY DEPARTMENT OF PERSONNEL**

(Pages 7-8)

**I. RECOMMENDATIONS:**

The Glenn County Board of Supervisors should establish a policy regarding thorough background checks of prospective Department Heads and Directors due to their level of responsibility.

**II. RESPONSE RECEIVED:**

Personnel Director

The Board's current policy is to utilize the services of Employee Relations, Inc. through a master contract for background investigative services through the County Personnel Administrator's Association of California (CPAAC) a nonprofit association that has as its members current and former County Personnel Directors. This firm was recently selected by the National Association of Counties (NACO) for a master agreement to provide Background Investigative Services for Counties nationwide.

In addition, the Personnel Director, County Administrative Officer, and a designated member of the Board of Supervisors will contact their peers at the current and former employers of the applicant to discuss the applicant's qualifications and management style.

The process has been successful for the County in helping to select qualified individuals to head the County Departments, and I do not believe that a change is necessary.

**Glenn County Board of Supervisors**

The Board concurs with the response of the Personnel Director.

**III. GRAND JURY REVIEW OF RESPONSES**

Response accepted.



**Responses to 2005-2006 Glenn County Grand Jury  
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**PLAZA SCHOOL**

(Page 37)

**I. RECOMMENDATIONS:**

The 2006-2007 Glenn County Grand Jury and presiding judge must issue a formal letter of warning or possible citations with regards to this total disregard of law by Plaza School Administrators according to Penal Code 933 and 933.05.

**II. RESPONSE RECEIVED:**

**Plaza School**

No response received

**Glenn County Superintendent of Schools**

No response received

**III. GRAND JURY REVIEW OF RESPONSES:**

The 2007-2008 Grand Jury and Presiding judge must remind Plaza School and the Glenn County Superintendent of Schools that a written response to the Grand Jury recommendations is mandatory per Penal Code 933 and 933.05, and issue a formal letter of warning and possible citations.

**Response to 2004-2005 and 2005-2006 Grand Jury  
Final Report**

**PRINCETON JOINT UNIFIED SCHOOL DISTRICT**

(Page 38 2005/2007 Report)

**RECOMMENDATION 1:**

The Grand Jury strongly recommends fine tuning and reviewing the written procedures for locating missing students during emergency drills, as one teacher seemed unsure of what to do in such a case.

**RESPONSE RECEIVED:**

The school Administrator has reviewed with staff the appropriate procedure that accounts for all students in their charge. Those procedures include:

- 1) Teachers are to take their roll sheet with them and assure that they and their students walk and not run to their pre-determined safe area.
- 2) Teachers are to take roll;
- 3) Administrator or his/her designee will visually verify with each teacher that their children are present;
- 4) If a student is missing, the teacher will inform the administrator or his/her designee where their student was last permitted to go.
- 5) Administrator or his/her designee will locate the missing child.
- 6) If, in an extraordinary circumstance, a teacher is compelled to leave her class during an emergency, he/she will deliver the class to the nearest certificated staff member, with the roll sheet.

**RECOMMENDATION 2:**

School Administrators should review drills procedures and insure that students are instructed not to run during drills. Everyone should go to his or her assigned areas quickly, quietly and orderly, but not running.

**RESPONSE RECEIVED:**

The school administrator has reviewed the procedures and has reminded teachers and other support staff to not allow students to run during a fire drill. All students are given verbal directions from staff that walking quickly without running is the appropriate procedure.

**RECOMMENDATION 3:**

Make sure that locks, now being installed, lock from the inside of the classroom permitting the teacher to lock the doors without having to step outside the classroom to accomplish this task, which may put them in harms way.

**RESPONSE RECEIVED:**

This project has been completed. All classrooms, offices and conference rooms have been changed so that doors may be locked from the inside thus avoiding the need for staff to step outside in order to lock the door.

Recommendations 1, 2 and 3 have been implemented and the District has complied with the recommendations outlined by the 2004-2005 Grand Jury.

**2005-2006 Final Report Finding:**

Princeton School is violation of Penal Code 933 and 933-05 for failing to comply with a response requested by the 2004-2005 Glenn County Grand Jury's Final Report.

**RESPONSE:**

The District agrees with this finding. The District is, with this response, complying with the request by the Grand Jury.

The District disagrees and objects to the use of "total disregard of law by Princeton Administrators" in item IV, conclusion, as unfair and absolutely false.

Please be assured that all future responses will be filed in a timely manner.

**GRAND JURY REVIEW OF RESPONSES:**

The Grand Jury accepts these responses.

**Responses to 2005-2006 Glenn County Grand Jury  
Final Report**

**PUBLIC EMPLOYEE SOCIAL SECURITY NUMBERS**

(Pages 14-15)

**I. RECOMMENDATIONS:**

The Grand Jury recommends that the Director of Finance follow the guidelines outlined by the Social Security Administration for safeguarding the social security numbers of its employees. It recommends that he review guidelines outlined by the Social Security Administration for safeguarding the social security numbers of its employees with staff. It further recommends that guidelines following the accidental release of this information to outside sources as outlined by the Social Security Administration be followed and that county employees receive notification that their social security numbers may have been compromised along with steps for procedures to safeguard their identity which includes auditing their credit reports on a regular basis.

**II. RESPONSE RECEIVED**

**Glenn County Director of Finance**

I concur.

**Glenn County Board of Supervisors**

The Board of Supervisors concurs with the response of the Director of Finance.

**III. GRAND JURY REVIEW OF RESPONSES:**

Responses accepted.

**Rebuttal by Glenn County Planning and Public Works Director  
2004-2005 Grand Jury Report**

Planning and Development conflicts between County and Cities (pages 52-53). It is unclear why the response was not accepted. The recommendation was for "a joint planning effort to structure a cooperative planning direction ... a written, Cooperative General Plan between the incorporated cities and the county. Both groups would also ensure that legal requirements are met for all methods of correspondence and notification in matters of planning. "The Agency committed to the cooperative planning concept and stated it would assure compliance with legal noticing requirements. While the Agency welcomes the further investigation, it is unclear as to what the issues are. Only the City of Orland seems unsatisfied with the current process and that revolves around the County not yet establishing impact fees.