

COUNTY of MARIPOSA



Dana S. Hertfelder
Director

4639 Ben Hur Road
Mariposa, CA 95338
Phone: (209) 966-5356
Fax: (209) 966-2828

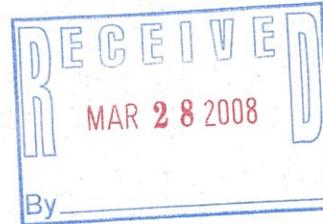
DEPARTMENT OF PUBLIC WORKS

Divisions of:

Administration
Cemeteries
Design & Construction
Facilities
Roads
Transportation

Airport
County Surveyor
Engineering
Parks & Rec.
Solid Waste
Fleet Maintenance

March 24, 2008



The Honorable F. Dana Walton
Assistant Presiding Judge of Mariposa Superior Court
5088 Bullion Street
Mariposa, CA 95338

Re: 2007-2008 Grand Jury Report

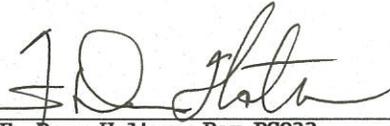
Dear Honorable Judge Walton:

Following is the Public Works Department's response to the 2007-2008 Mariposa County Grand Jury report.

Mixed Waste Processing/Composting Project

Findings

- 1) The Department of Public Works agrees that the public has a misconception of the operation of the compost facility and its intended purpose.
- 2) The Department of Public Works does not agree that the County waited until the last minute to initiate this project to help meet the California State 50 percent reduction mandate. Work on complying with the mandated 50 percent reduction was initiated in the early 1990's by the County.
- 3) The Department of Public Works agrees that County officials traveled to Canada to visit the Herhof compost facility prior to entering into a contract for the construction of the facility.
- 4) The Department of Public Works agrees that as of December 15, 2007, Mariposa County had not met the California State Mandate of 50% reduction of solid waste.
- 5) The Department of Public Works agrees that the information provided to the County by a consultant regarding mixture levels of debris, garbage, plastics, metals, greens, etc was proven to be inaccurate.
- 6) The Department of Public Works does not agree that consultant fees of 14.02 percent far exceed the normal rate of a project the size and of the compost facility. The consultant fees covered not only the cost of engineering design and construction management, but also cost for project planning, review and selection of available technologies to help meet the state mandated diversion rate, and environmental review and development of the plans and specification.

Reviewed: 
Honorable F. Dana Walton, Per PC933

- 7) The Department of Public Works partially disagrees that the layout of the receiving/scales station, recycling area and solid waste entrance could have been engineered more effectively. The layout design was engineered within the existing physical constraints of the space available at the landfill. Specifically, these improvements could not be placed on top of buried waste in the landfill.
- 8) The Department of Public Works does not agree that there are territorial issues between the Mariposa County Road Division and the Solid Waste Division. Both divisions are part of the Department of Public Works and report to the Director. These two divisions do have different responsibilities and priorities.
- 9) Public Works agrees that the compost facility was touted to extend the life of the landfill 20-30 years from the year 2000. Currently, the remaining life of the landfill is projected at approximately 15 years.
- 10) The Delaware North Corporation contract with the County of Mariposa fixed their disposal fee at \$64.00 through September 30, 2003. The contract then allowed for annual increases based on the Consumer Price Index (CPI) through September 30, 2008. Public Works believes that all contracts should include a clause that allows the County to pass on any fee increases to contracts with other agencies and organizations.
- 11) The Department of Public Works disagrees that the Compost project was poorly managed from its inception in 2006. The Compost Facility was a very complicated project that required years of planning and engineering. While it is easy to second guess past decisions, Public Works believes that this project was developed and implemented in a professional manner consistent with County policies and procedures. However, current Public Works' goal is to operate the Compost Facility as efficiently as possible as part of the County's overall solid waste program.

Recommendations

The Department of Public Works has hired a part-time Office Technician to assist in improving and expanding recycling opportunities and programs within the County of Mariposa. This position is responsible for preparing articles for local newspapers, flyers and handouts explaining the benefits of recycling and encouraging individuals to recycle. This position is also responsible for working with local schools to encourage educational programs espousing the benefits and need for recycling. The Department of Public Works will continue to work with local schools to provide opportunities for field trips and tours of the Mariposa Solid Waste and Composting Facility.

The County gate attendants are trained to calculate disposal quantities on a consistent basis. In addition, a new scale was installed in 2006 allowing for all loads to be accurately weighed.

The County of Mariposa does hold consultants responsible for the accuracy of their work. The consultant who prepared the waste characterization study followed the appropriate protocols and procedures when conducting the study. The issue with the waste characterization is not its inaccuracy, but that the municipal solid waste stream into landfill has change substantially since the waste characterization was completed.

The Department of Public Works would like to see the \$3,000 purchased order limit increase to at least \$5,000 to account cost increases since the limit was originally established by the Board.

The Mariposa County Department of Public Works Road Division and Solid Waste Division do work as a team. While these divisions have different responsibilities and priorities, they both are managed by the director of Public Works who's responsible for ensuring that all divisions of the Public Works Department work as a team to complete the objectives and goals of the Department. The Department of

Public Works also works closely with Cal Fire and the California Department of Corrections crews who regularly assist the Department in brush, tree and weed removal at County facilities.

The Compost Facility was designed to produce material for use as alternative daily cover for the landfill. The Department of Public Works believes that it would be prudent to resolve some of the issues regarding the efficient processing of waste material through the facility before making costly modifications to produce a saleable compost material. In addition, a thorough evaluation of benefits and liabilities of producing saleable compost material should be completed prior to developing plans to modify the facility.

The Department of Public Works is constantly striving to answer all citizen requests as promptly as possible.

The Department of Public Works will recommend that all contracts have a clause allowing the County pass-thru any cost increases to the hauler.

The Local Task Force will be reviewing various programs to encourage recycling including the possibility of some form of mandatory recycling.

Chapter 8.36, *Solid Waste Disposal* establishes regulations governing the disposal of solid waste. This section of the County Code states "It shall be unlawful for any person to dispose of garbage or refuse except in (1) an authorized solid waste container; (2) appropriate and serviced storage containers; or (3) in other areas designated for disposal of solid waste." Occupants of large tracks of land such as ranches are allowed to dispose of waste generated on their property in a manner approved by the health department.

The Department of Public Works is evaluating a number of recycling options including a commingle recycling program. This department believes that acceptance of commingle recyclables may encourage more residents of Mariposa County to recycle.

The Department of Public Works has developed short and long range plans for waste disposal in Mariposa County. The department has retained a consultant to assist with the state mandated five year permit review process.

The Department of Public Works will consider the feasibility of changing the landfill site sign to "Waste and Recycling Center".

The Department of Public Works appreciates the opportunity to respond to the 2007-2008 Grand Jury report. The department agrees with the findings and recommendations of the Grand Jury that pertain to Public Works. If any additional information or clarification is requires, please do not hesitate to contact me.

Sincerely,



Dana S. Hertfelder, PE
Public Works Director

cc: Rick Benson, CAO
Board of Supervisors
Tom Guarino, County Counsel



Office of the Sheriff - Coroner Public Administrator

Brian E. Muller
Sheriff-Coroner-Public Administrator

Doug Binnewies
Undersheriff

January 28, 2008

Mariposa County Superior Court
Honorable F. Dana Walton
Assistant Presiding Judge of the Superior Court
P.O. Box 28
Mariposa, CA 95338

Re: Response to Mariposa County 2007-2008 Grand Jury Final Report #1

I am in receipt of the 2007-2008 Mariposa County Grand Jury Final Report #1. Pursuant to Penal Code 933.05(b) this shall serve as a response to the Grand Jury's recommendations regarding the Adult Detention Facility and the Animal Control Facility.

Having reviewed the findings, recommendations and conclusions of the 2007-2008 Final Report #1, I wish to express my concurrence with the Grand Jury's findings and recommendations.

The escalating cost of providing medical services to inmates is an industry wide concern. Alternatives are being explored at both the local and State level, however the state mandates placed upon correctional facilities greatly limits the number of viable options that are available to local detention facilities. Facility staff and medical personnel will continue to make every effort to reduce costs wherever possible, while still meeting the standards of care required under Title 15.

The facilities and equipment utilized by the Sheriff's Office are in use twenty-four hours a day, seven days a week. Because of this continual usage, the usable life span of the facilities and equipment is shorter than what would normally be expected. A great deal of time and effort are expended by sheriff's office staff to ensure that existing equipment is well cared for and properly maintained. Despite our best efforts to extend the usability of equipment and facilities, we acknowledge the need for replacement

and/or repair of several items, especially within the correctional facility. The cost for replacement and/or repair of these items will be substantial but necessary. I join the members of the Grand Jury in urging the Board of Supervisors to provide funding for the replacement of equipment that is essential for the safe operation of the correctional facility.

I would like to thank the Grand Jury members for their recognition of the needs within the Animal Control Division. With the Animal Control staff handling over 2,170 calls for service in 2007, the demand for services often exceeds the ability of staff to meet those needs. Although the current State and local budgetary outlook is bleak, I will be asking the county for a Kennel Technician position in next years budget. The addition of one full time Kennel Technician would greatly enhance the ability of the Animal Control Division to keep pace with current call loads and would allow the Animal Control Officers to remain on patrol full time.

Finally, I wish to express my appreciation to the Grand Jury members for their willingness to serve our community in such a vital advisory role. Their sacrifice of time and self is recognized and valued by all of us.

Respectfully Submitted,



Brian E. Muller, Sheriff/Coroner/Public Administrator

Reviewed: 
Honorable F. Dana Walton, Per PC933



University of California Cooperative Extension
in Mariposa County

5009 Fairgrounds Rd.
Mariposa, CA 95338
(209) 966-2417
4-H YDP (209) 966-4829
FAX (209) 966-5321
cemariposa@ucdavis.edu

February 7, 2008

The Honorable F. Dana Walton
Assistant Presiding Judge of the Superior Court
5088 Bullion Street
Post Office Box 28
Mariposa, CA 95338

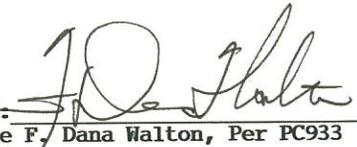
Sir:

I agree with the findings of the 2007-2008 Grand Jury Final Report #1 regarding the Master Gardener Program for Mariposa County.

Sincerely,

Karen L. Robb, Ph.D.
County Director/Farm Advisor

C: Mariposa County Board of Supervisors
Lyle Turpin, Chair, District 2
Brad Aborn, District 1
Janet Bibby, District 3
Dianne Fritz, District 4
Bob Pickard, District 5

Reviewed: 
Honorable F. Dana Walton, Per PC933

MARIPOSA COUNTY AUDITOR
POST OFFICE BOX 729
4982 10TH STREET
MARIPOSA, CALIFORNIA 95338

Christopher A. Ebie, County Auditor
Debbie Isaacs, Asst. Auditor



Office 209-966-7606
Fax 209-966-7810

cebie@mariposacounty.org
disaacs@mariposacounty.org

July 10, 2008

The Honorable F. Dana Walton, Presiding Judge
Mariposa Superior Court
5088 Bullion Street, P.O. Box 28
Mariposa, CA 95338



Dear Mr. Walton:

Following are my responses to the findings and recommendations of the Mariposa County Audit and Finance Report located on page thirteen of the Grand Jury Report for 2007-08.

Findings

I agree with each of the findings listed.

Recommendations

Item 1: The recommendation has not yet been implemented. This recommendation is not completely within my control. This is a decision to be made by the Board of Supervisors. The Auditor could give an opinion on the affordability of a project but one must keep in mind that the Auditor does not have the authority to commit current or future resources of the county. The affordability of a project is associated with the other services the county provides that compete for the limited funds the county has available each year. The feasibility of a project could possibly be outside the scope of the Auditor's expertise. For example, a project may involve technical specifications that an engineer would need to analyze to determine if the project was workable or not.

Item 2: The recommendation has not yet been implemented. Quite a few years ago the county did contract with an independent audit firm to audit certain establishments for transient occupancy tax (TOT). There were audits in 1986 and also for the years 1999, 2000 and 2001. In addition, the Tax Collector is active in monitoring and performing less formal audits of establishments paying this tax. During my meeting with the Grand Jury I indicated that the Auditor's Office has not performed audits of the TOT to my knowledge which may have provided the impetus for the recommendation. With our present staff, this office has difficulty preparing for the annual audit each year. Our work cycle is full. Mariposa County does not have an internal audit department common to many larger counties.

Reviewed: 
Honorable F. Dana Walton Per PC933

Honorable F. Dana Walton

July 10, 2008

Page 2

Sincerely,

A handwritten signature in blue ink that reads "Christopher Ebie". The signature is written in a cursive style with a large initial "C" and "E".

Christopher Ebie

Mariposa County Auditor-Controller

Cc: Mariposa County Board of Supervisors

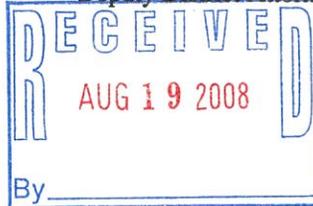


OFFICE OF THE DISTRICT ATTORNEY COUNTY OF MARIPOSA

ROBERT H. BROWN, District Attorney

Kimberly A. Fletcher
Deputy District Attorney

Robert T. Iwama
Deputy District Attorney



August 18, 2008

Honorable F. Dana Walton
Mariposa County Superior Court
5088 Bullion Street
Post Office Box 28
Mariposa, California 95338

Re: 2007-2008 Grand Jury Final Report

Dear Judge Walton:

Pursuant to Penal Code Section 933.05, the following response to the findings and recommendations of the 2007-2008 Mariposa County Grand Jury that pertain to the Office of the Mariposa County District Attorney is submitted.

I appreciate the findings and recommendations of the Grand Jury as they pertain to my Department. I would thank them for the thoroughness and candor they exhibited when they examined the operations of the District Attorney's Office.

I agree with the findings of the Grand Jury. I also agree with and support the recommendations, all of which require action by the Board of Supervisors.

Specifically:

- The grand jury recommends that Mariposa County meet the needs of the staffing of the District Attorney's Office and be more competitive with a salary grade table based on job responsibilities.

There has been partial implantation of this recommendation when the Board authorized two additional positions at the 2008 mid-year budget review. These two positions, a Deputy District Attorney and a Legal Secretary, have been filled. Two additional positions, a DA Investigator and a Victim Advocate were also requested and denied. These positions are still needed and I have asked for them to be authorized in the 2008-2009 budget.

Through the bargaining process most of the staff received equity increases in salary and are now more competitive but this process needs to continue.

Honorable F. Dana Walton
August 18, 2008
Page Two

The one management position, other than the DA, that did not receive an equity increase is that of the Office Manager and I have requested a reclassification of that position, to correct this inequity, in the 2008-2009 budget.

- Mariposa County to purchase two vehicles for the District Attorney's Office.

I have requested on additional vehicle in the 2008-2009 budget.

- The grand jury recommends that Mariposa County provide adequate office space for the District Attorney's Office staff and all their records, (i.e. Consider implementation of an automated computerized filing system, in an effort to save space.).

I have proposed leasing the property at 4975 9th Street, which is currently available, below market value, for \$400.00 per month. This would provide this office with growth potential and free-up the building that presently houses the Victim/Witness office to be used as a witness waiting area in lieu of the DA's room in the Courthouse.

I intend to ensure that the next copier, leased by the county, has a scanning capability as a step towards having "scanned files" instead of "paper files".

There are indications that there will be budget cuts in the 2008-2009 County Budget. Such cuts would place all of these recommendations in jeopardy and would have an adverse effect on this office's ability to carry out our public safety responsibilities.

If the anticipated budget cuts become reality, I intend to ask the Board of Supervisors to set a high priority on public safety in order for this office, along with the other law enforcement organizations, to maintain the high standards of protecting the public that we have set.

Sincerely,



ROBERT H. BROWN
District Attorney

Reviewed: 
Honorable F. Dana Walton, Per PC933

RHB:b

cc: Board of Supervisors
Mary Hodson, Deputy CAO



Assessor-Recorder

July 9, 2008

Assessor (209) 966-2332
Recorder (209) 966-5719

Mariposa County Superior Court
Honorable F. Dana Walton, Presiding Judge
P.O. Box 28
Mariposa, CA 95338

Re: Mariposa County Grand Jury Report 2007-2008, Response

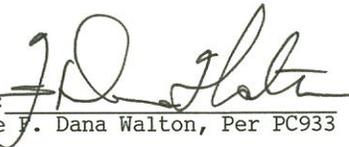
I am in receipt of the 2007-08 Mariposa Grand Jury Report. Pursuant to Penal Code 933.05 (b) (4) (f), This shall serve as a response to the Grand Jury's findings regarding January 28, 2008 complaint.

I would like to thank the Grand Jury Members for their dedication and diligence in serving our community. I am proud of the professionalism and level of service to the public my Office has exhibited and is substantiated by this report.

Respectfully submitted,

Becky Crafts, Assessor-Recorder

Cc: Mariposa County Board of Supervisors

Reviewed: 
Honorable F. Dana Walton, Per PC933



MARIPOSA PLANNING

COUNTY OF MARIPOSA

5100 BULLION STREET • POST OFFICE BOX 2039
MARIPOSA, CALIFORNIA 95338-2039
209 . 966 . 5151 • FAX 209 . 742 . 5024



July 24, 2008

Honorable F. Dana Walton
Assistant Presiding Judge, Superior Court
County of Mariposa County
Post Office Box 28
Mariposa, CA 95338

Dear Judge Walton:

The purpose of this letter is to respond to the Final Report of the Mariposa County Grand Jury, 2007-2008. The Grand Jury Report, on page 12, states:

Mariposa Planning Department

On November 13, 2007 the Grand Jury received a complaint directed at the Mariposa Planning Department. Due to the complainant not giving their name, address, telephone number, and not signing their complaint form as is required, we had no option but deem that no action be taken.

On page 16 of the Final Report, it further states:

Planning Department Complaint

On 12/03/07, the grand jury received a complaint regarding the Mariposa County Planning Department. We found this complaint to be unfounded, giving us no cause to investigate.

As the Planning Director for Mariposa County, I agree with and support the findings of the Grand Jury. Mariposa Planning is pleased that the Grand Jury has exercised its statutory responsibilities to evaluate complaints involving this department and that the Grand Jury has been able to investigate and resolve these matters on an objective basis.

I appreciate the effort and research that member's of the Grand Jury have invested in this year's report.

Sincerely,


Kris Schenk
Planning Director

Reviewed: 
Honorable F. Dana Walton, Per PC933

Cc: Board of Supervisors
Rick Benson, County Administrative Officer
Sarah Williams, Deputy Planning Director
Thomas Guarino, County Counsel

COUNTY of MARIPOSA



Dana S. Hertfelder
Director

4639 Ben Hur Road
Mariposa, CA 95338
Phone: (209) 966-5356
Fax: (209) 966-2828

September 8, 2008

DEPARTMENT OF PUBLIC WORKS

Divisions of:

Administration	Airport
Cemeteries	County Surveyor
Design & Construction	Engineering
Facilities	Parks & Rec.
Roads	Solid Waste
Transportation	Fleet Maintenance

The Honorable F. Dana Walton
Assistant Presiding Judge
Mariposa Superior Court
5088 Bullion Street
Mariposa, CA 95338

Re: 2007-2008 Grand Jury Report

Dear Honorable Judge Walton:

Following is the Public Works Department's response to the 2007-2008 Mariposa County Grand Jury North County Report.

Coulterville

Findings

The Department of Public Works agrees that there was a well pump failure that caused the amount of water in the storage tank to drop below three feet. The Department of Public Works did use contingency funds to offset increases in operation cost and that water rates were increased 100% in three (3) increments over two years.

Well House, Water Pump and Water Storage Tank: There is only one well that supplies water to the Coulterville system. The water is pumped to the storage tank and then supplied to the community using gravity flow.

Solid Waste and Recycling Center: The Coulterville Solid Waste Transfer Station is used by the residents of Coulterville and Greeley Hill. The current per bag fee is \$3.00 and the County does not pay for recyclable products. All recyclables collected at the transfer station are transported by Total Waste Systems to their Material Recovery Facility in Santa Rosa, California. All municipal Solid Waste is transported by Total Waste Systems to the County Solid Waste Facility for processing and disposal.

Recommendation

The Department of Public Works agrees that a backup well with pump and a new water storage tank should be added to the Coulterville community water system. The Department is reviewing

possible grants for this work because the district does not have sufficient funds to cover the cost of these improvements.

Lake Don Pedro

Findings

Maintenance Yard/Recycling Center: The Don Pedro Transfer Station is designed similar to the Coulterville Transfer Station with the exception that it accepts used motor oil.

Sewer/Wastewater Treatment: The new wastewater treatment facility has been constructed and is in operation. The County has opened discussions with the Don Pedro Community Services District (CSD) regarding the possibility of the CSD managing and operating the facility.

Greeley Hill

Findings

Red Cloud Library Site: Construction of the Red Cloud Library should be completed by November 2008.

Recommendation None

Findings:

Park: The Department of Public Works, Facilities Division has done an outstanding job of maintaining the Red Cloud Park.

Recommendation

The park and park facilities will continue to be maintained at the high standard that they were found in by the Grand Jury and will remain open and accessible to the public.

Findings

Roads: The Department of Public Works agrees that many of the County-maintained roads are in dire need of repairs and resurfacing.

Recommendation

The Department of Public Works agrees that all County roads should be brought up to current County standards. However, due to the high cost, lack of right-of-way and terrain, the Department of Public Works does not believe that this is practical. This opinion is shared by the American Association of State Highway and Transportation Officials 2004 Policy on Geometric Design of Highways and Streets. The Department of Public Works has contracted with a pavement management firm to evaluate and rank the condition of paved County-maintained roads. This information will be used along with safety data and traffic counts to establish a road maintenance priority list.

Findings

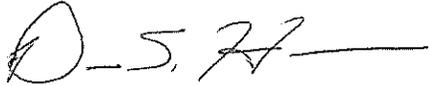
Transfer Station: The Coulterville Transfer Station is open three (3) days a week; Friday, Saturday and Sunday.

Recommendation

The Department of Public Works disagrees with the Grand Jury's finding that the Coulterville Transfer Station should be open more frequently. Based on a review of the transfer station operations the Department believes that the County should reduce the number of hours that the facility is open.

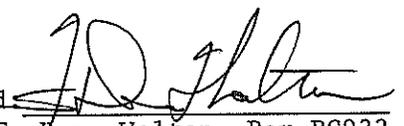
The Department of Public Works appreciates the opportunity to respond to the 2007-2008 Grand Jury North County report. The Department agrees with most of the findings and recommendations of the Grand Jury that pertain to Public Works. If any additional information or clarification is requires, please do not hesitate to contact me.

Sincerely,



Dana S. Hertfelder, PE
Public Works Director

cc: Rick Benson, CAO
Board of Supervisors
Tom Guarino, County Counsel

Reviewed 
Honorable F. Dana Walton, Per PC933



MARIPOSA COUNTY LIBRARY
HONOR THE PAST—CREATE THE FUTURE

June 26, 2008

The Honorable F. Dana Walton, Presiding Judge
Mariposa Superior Court
P. O. Box 28
Mariposa, CA 95338

Re: Mariposa County 2007-2008 Grand Jury Final Report

Dear Judge Walton:

The following is my response to the Mariposa County 2007-2008 Grand Jury Final Report: I agree with the findings of the Grand Jury. No recommendations have been made (with which to comply) at this time.

Sincerely,

A handwritten signature in blue ink that reads "Janet Chase-Williams".

Janet Chase-Williams
Interim County Librarian

cc: Mariposa County Board of
Supervisors

A handwritten signature in black ink that reads "F. Dana Walton".

Reviewed: _____
Honorable F. Dana Walton, Per PC933

Mariposa County Library
4978 10th Street
P. O. Box 106
Mariposa, CA 95338

Janet Chase-Williams
Interim County Librarian
jchase-williams@sjvls.org
209-966-2140



MID MERCED IRRIGATION DISTRICT

July 10, 2008

Honorable F. Dana Walton
Assistant Presiding Judge
of Mariposa Superior Court
P. O. Box 28
Mariposa, CA 95338

Re: Mariposa County 2007-2008 Grand Jury Report -
Response of Merced Irrigation District

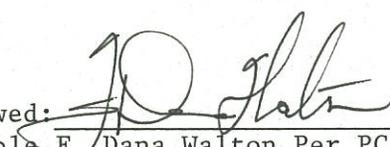
Dear Judge Walton:

On behalf of the Merced Irrigation District and its Board of Directors I would like to thank you for the opportunity to comment on the above referenced report. The District believes the report is fair and accurate and has no other response than to express its appreciation.

Respectfully,



Dan W. Pope
General Manager

Reviewed: 
Honorable F. Dana Walton Per PC933

cc: Mariposa County Board of Supervisors
Ted Selb, Deputy General Manager
Ken Robbins, General Counsel





MARIPOSA COUNTY UNIFIED SCHOOL DISTRICT

P. O. Box 8 Mariposa, CA 95338 * Phone (209) 742-0250 Fax (209) 966-4549



July 30, 2008

Honorable F. Dana Walton
Superior Court of the State of California
County of Mariposa
5088 Bullion Street
P.O. Box 28
Mariposa, CA 95338

Re: Mariposa County Unified School District & Mariposa County Office of Education response to the Grand Jury Report 2007-2008.

Below you will find the Mariposa County U.S.D. official response to the Mariposa County Grand Jury Report 2007 – 2008. In the Lake Don Pedro area we received a “Finding,” and in the Greeley Hill area we received a “Finding,” and “Recommendation.” I hope that the response below sheds light on the two areas brought up in the report. If anyone has further questions they are encouraged to contact my office directly.

From the Mariposa County Grand Jury Report, 2007-2008, pp18, Findings:

- “School – There is one (1) Elementary School (Lake Don Pedro Elementary). Upon graduation, children may attend Mariposa County High School or Tuolumne County High School.”

Response: Lake Don Pedro Elementary School sits in the far North corner of Mariposa County. Parents of students who attend Lake Don Pedro Elementary School are in close proximity to high schools in three counties (Mariposa, Stanislaus and Tuolumne) and often take their students with them to the communities where they work. There are numerous comprehensive high schools within commute distance. There are high school options in the Lake Don Pedro/Coulterville community with Don Pedro High School approximately 3 miles up highway 132 east towards Coulterville, as well as a Small Necessary High School in Coulterville.

From the Mariposa County Grand Jury Report, 2007-2008, pp. 19, Findings:

- “Schools – Greeley Hill has kindergarten through eighth (8) grade elementary school, the children then go to high school in Coulterville, Sonora or Mariposa.”
- “Recommendation: Mariposa County at some time in the not too distant future should definitely take under consideration building a high school, as this is a growing and viable community.”

MARIPOSA COUNTY BOARD OF EDUCATION AND TRUSTEES

Janette Gamble, President
District 1

Eldon Henderson,
District 2

Debbie Peters, Vice President
District 3

Carol Dewey
District 4

Carly Hutchings
District 5

Response: Currently the Mariposa County Unified School District operates a Necessary Small School in the Coulterville community. This school can accommodate significant growth and as enrollment grows the program offered will be expanded. In addition the Groveland Big Oak Flat U.S.D. operates Don Pedro H.S. in the Don Pedro community serving grades 9-12.

In the fall of the 2007-08 school year I established contact with the new Groveland Big Oak Flat U.S.D. Superintendent, Mari Barbben. We held a series of meetings and/or phone contacts in an effort to reestablish an ongoing dialogue on a range of issues, including meeting the needs of the K-12 population on the "North Side." I had previously written a letter to the Interim Superintendent, Ms. Marianne Quinn, inviting the Groveland Big Oak Flat U.S.D Board to hold a combined Board workshop to begin a dialogue at the Board level to determine a focus of our collaboration together.

In October 2007 I met with Superintendent Brabben and the Groveland Big Oak Flat U.S.D Architect who also represents Mr. Porter, who is proposing major development in the North County extending into Tuolumne County. He has offered to donate a parcel of land to the Groveland Big Oak Flat U.S.D to develop a comprehensive High School located in the Don Pedro community. This parcel of land sits on the border of Mariposa and Tuolumne Counties.

The Mariposa County Unified School District Board of Trustees is committed to program quality for all of our students.

Sincerely,



Randy Panietz, Superintendent

cc. Board of Supervisors
School Board members
file-Grand Jury

hd/desk/2008-09/letters/Grand Jury

Reviewed: 
Honorable F. Dana Walton, Per PC933



MARIPOSA COUNTY UNIFIED SCHOOL DISTRICT

P. O. Box 8 Mariposa, CA 95338 * Phone (209) 742-0250 Fax (209) 966-4549

Randy Panietz
District Superintendent

August 9, 2007

Ms. Marianne Quinn, Interim Superintendent
Big Oak Flat – Groveland Unified
P.O. Box 1397
Groveland, CA 95321

Dear Ms. Quinn,

RE: Invitation to hold a joint board meeting.

Soon after being appointed as Superintendent, I had a couple of phone conversations with Mr. Dan Oellrich, Board President. We discussed the possibility of developing a closer working relationship between our districts. The conversation started with his interest in investigating sharing resources around fuel, transportation and perhaps, food service.

As we talked, we both realized that we had a mutual interest in exploring the possibility of collaborating and/or sharing other district resources where mutual benefit exists. At their meeting of August 7, 2007, the Mariposa County Unified School District Board of Trustees took action to unanimously approve extending an invitation to your Board to hold a joint board meeting. The purpose of the meeting will be to explore and study potential areas for collaboration and sharing.

In addition, our two districts previously had an agreement that allowed students to attend the school of their choosing in the Lake Don Pedro area. This agreement fell apart and currently we are accepting children on a room available basis. I believe it would be a benefit to the Don Pedro residents for us to explore the possibility of developing a new agreement.

Prior to leaving my assignment as Principal of Lake Don Pedro Elementary School, Superintendent Phil Yoon and I sponsored two Don Pedro area community forums. The parents who participated were eager for our two districts to work together for the benefit of their children. The forums were very positive and many constructive suggestions were raised. A joint meeting of our two boards would send a very positive message to the families in the Lake Don Pedro area.

I look forward to hearing from you and working to develop a stronger relationship for the benefit of our communities.

Sincerely,

Randy Panietz
Superintendent

cc: Dan Oellrich, Board President

MARIPOSA COUNTY BOARD OF EDUCATION AND TRUSTEES

Janette Gamble, Vice President
District 1

Eldon Henderson
District 2

Debbie Peters
District 3

Carol Dewey
District 4

John Croll, President
District 5



JOHN C. FREMONT HEALTHCARE DISTRICT

June 25, 2008

The Honorable F. Dana Walton
Mariposa Superior Court
P.O. Box 28
Mariposa, CA 95338-0028

Re: Mariposa County 2007-2008 Grand Jury Final Report

Dear Judge Walton:

I concur with the findings of the Grand Jury, regarding our facility, with the following two exceptions. Please note that the proper legal name of our facility is "John C. Fremont Healthcare District" and the proper name of our clinic in Greeley Hill is "John C. Fremont Healthcare District Northside Clinic".

Sincerely,


Jimmy M. Knight,
Interim Administrator/CEO

JK/kb


Reviewed:
Honorable F. Dana Walton, Per PC933

Hospital • (209) 966-3631 Fax: (209) 742-6749
Rural Health Clinic • (209) 966-0850 Fax: (209) 966-0855
Home Health / Hospice • (209) 966-3800 / (209) 878-0800 Fax: (209) 966-3778



**MARIPOSA COUNTY
HUMAN SERVICES DEPARTMENT**

P.O. Box 99 • Mariposa, CA 95338 • (209) 966-2000 • Fax (209) 966-8251

□ Behavioral Health & Recovery □ Community Action □ Housing Authority □ Public Guardian/Conservator □ Social Services
JAMES A. RYDINGSWORD, DIRECTOR



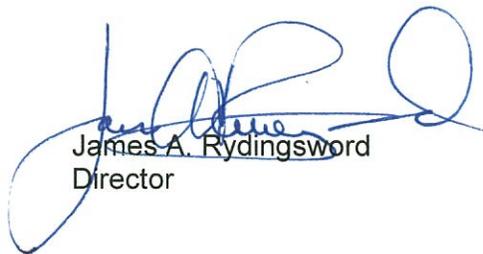
July 14, 2008

Honorable F. Dana Walton
Assistant Presiding Judge of the Superior Court
County of Mariposa
PO Box 28
Mariposa, CA 95338

Dear Judge Walton:

We have received and reviewed the references to the Human Services Department in the current Grand Jury report. A copy of our response is attached (Attachment I). An informational copy of this response has also been forwarded to the Mariposa County Board of Supervisors.

Sincerely,



James A. Rydingsword
Director

cc: Mariposa County Board of Supervisors

Enclosures: Attachments I, II

MARIPOSA COUNTY

Richard J. Benson
County Administrative Officer



5100 Bullion Street
P.O. Box 784
Mariposa, CA 95338
209-966-3222
1-800-736-1252
FAX 209-966-5147
rbenson@mariposacounty.org

August 4, 2008

Honorable F. Dana Walton
Assistant Presiding Judge
Mariposa County Superior Court
Post Office Box 28
Mariposa, California 95338

RE: Mariposa County 2007-2008 Grand Jury Final Report

Dear Judge Walton:

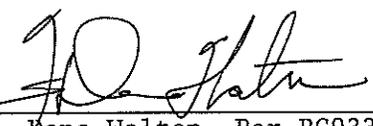
Enclosed is the Mariposa County Administration response to the Mariposa County 2007-2008 Grand Jury Final Report. I wish to thank the members of the 2007-2008 Mariposa County Grand Jury for their diligence and effort in fulfilling their responsibility. Please contact me if you have any questions or desire additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard J. Benson". The signature is written in a cursive, flowing style.

RICHARD J. BENSON
County Administrative Officer

mbh
Enclosure

Reviewed: 
Honorable F. Dana Walton, Per PC933

Mariposa County Administration
Response to 2007-2008 Mariposa County Grand Jury Final Report

Findings:

- The County Administrative is appreciative of the Grand Jury acknowledging that staff strives to provide courteous service and sufficient answers to questions concerning county government.
- The Personnel function is a division of County Administration, and staff follows applicable federal, state, and local employment and hiring practices.
- Salaries and titles of county positions are included in the county budget and are also available upon request. The pay scale of Department Heads not county employees is based upon a percentage of the County Administrative Officer's salary. County employee salaries are negotiated with the appropriate unions and included in the respective Memorandums of Understanding (MOU).
- The salaries of Department Heads are not comparable with surrounding counties due to different budgetary constraints and the cost of living in that particular area. Staff endeavors to maintain internal salary equity among Department Heads within the County based upon their responsibilities. Staff recognizes that at times there have been difficulties in attracting qualified applicants for certain management positions. In these instances adjustments to certain Department Head salaries have been recommended to the Board of Supervisors in order to attract applicants. It should be noted that salaries of Department Heads and management positions must also be balanced with meeting the financial costs of providing essential services to the constituents of Mariposa County.
- A reorganization of the Public Works Department became effective January 1, 2006, by reclassifying one of the Deputy Director positions to a Public Works Administrator position to assist with budgetary and personnel matters. An Administrative Analyst was also added effective January 1, 2006, to assist in management responsibilities. Administrative/Personnel staff will consult with the Public Works Director to determine if another reorganization is necessary.

Recommendations:

- The Mariposa County Directory is distributed annually to all county offices. The directory changes monthly with new hires and resignations/terminations/retirements. Staff updates the directory on a weekly basis and will assess the possibility of electronically mailing the updated directory to county departments on a monthly basis. If feasible, the monthly updates will be implemented in February 2009.
- Staff does not believe it is practical to post a County Directory and all of the organization charts of county departments in the main entrance of the

Administration Office. During normal business hours receptionists are available in County Administration to direct people to the appropriate department. Organization charts of each County Department will be included in the Final Budget and available upon request.

- Staff is unsure of what specific Policies and Procedures the report is referencing. There are a myriad of Federal, State, and local policies and procedures and several departments have internal policies/procedures that are specific to that department. Newly adopted county policies/procedures are distributed to each department by the Clerk of the Board. Ordinances that govern county procedures are copied to each department when updated and are also available on County Counsel's website. Each county Department Head is entrusted with the responsibility of managing their department within the guidelines set by applicable Federal, State, and local laws, policies, procedures, and guidelines. The County does not have a formal "county manual" as each department may be governed by specific Federal, State, or other local ordinances, policies, and procedures which will vary between departments. Conducting an annual audit does not seem a prudent use of time and therefore Administration does not agree with this recommendation.
- The Administrative department will investigate the possibility of developing a process to collect ideas and suggestions from county employees on ways to improve working conditions and improve productivity. If feasible, the process will be reviewed by the Board of Supervisors and if approved, implemented by June 2009.
- The County is currently recruiting for an Assistant Public Works Director – Operations.

Mariposa County Board of Supervisors



District 1BRAD ABORN
District 2 LYLE TURPIN
District 3 JANET BIBBY
District 4 DIANNE FRITZ
District 5 BOB PICKARD

May 19, 2008

RICHARD J. BENSON
County Administrative Officer

MARGIE WILLIAMS
Clerk of the Board

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MARIPOSA, CALIFORNIA 95338
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www.mariposacounty.org/board

Honorable F. Dana Walton
Assistant Presiding Judge of the Superior Court
County of Mariposa
P. O. Box 28
Mariposa, California 95338

Dear Judge Walton:

Enclosed is the Response and Comments of the Mariposa county Board of Supervisors to the 2007-2008 Mariposa County Grand Jury Final Report #1. The Clerk of the Board of Supervisors and County Clerk will keep copies of the report, and this response and comments on file.

In the "findings" discussion and in the recommendations concerning the mixed waste processing/composing project, the Grand Jury raises a question which demands a response. It is alleged that a portion of the tapes from the June 10, 2003, Board of Supervisors meeting were either erased or are missing. The Grand Jury further states "This is definitely an incident of Incomplete Records." Respectfully, the Mariposa County Board of Supervisors cannot let this statement stand without comment. The Board of Supervisors wishes to go on record that it has every confidence in Ms. Margie Williams the Clerk of the Board. Ms. Williams has served the citizens of Mariposa County for over 25 years, is known for her integrity and performs her duties with utmost care and competence. Any perceived discrepancy in the tapes was most likely the result of equipment malfunction, an incorrect date or other incorrect information being provided to the Grand Jury.

We at the County appreciate the hard work and efforts of the Grand Jury in investigating complaints and realize the many hours of work this report represents.

Please accept my apologies, initially this information was provided to Judge Parrish, it is our understanding that the information should have been addressed to your attention.

Sincerely,

RICHARD J. BENSON
County Administrative Officer

RB/mbh
Enclosure

cc: Affected Departments
Keith Williams, County Clerk
Margie Williams, Clerk of the Board



Reviewed:
Honorable F. Dana Walton, Per PC933



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

LYLE TURPIN, CHAIR
DIANNE A. FRITZ, VICE CHAIR
BRAD ABORN
JANET BIBBY
BOB PICKARD

DISTRICT II
DISTRICT IV
DISTRICT I
DISTRICT III
DISTRICT V



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: RICHARD J. BENSON, CAO

FROM: MARGIE WILLIAMS, Clerk of the Board *MW*

SUBJECT: Approve the Response and Comments of the Board of Supervisors to the 2007-2008 Mariposa County Grand Jury Final Report No. 1 and Authorize the County Administrative Officer to Sign the Cover Letter

RESOLUTION 08-160

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on April 22, 2008

ACTION AND VOTE:

Approve the Response and Comments of the Board of Supervisors to the 2007-2008 Mariposa County Grand Jury Final Report No. 1 and Authorize the County Administrative Officer to Sign the Cover Letter (County Administrative Officer/Personnel/Risk Manager)

BOARD ACTION: Rick Benson reviewed the draft response to the Report and cover letter; and he commended Mary Hodson for her assistance with preparing the response. Discussion was held. Supervisor Bibby asked for a language change in the cover letter to include the possibility of equipment failure in regard to the tapes; and she asked that language be added to the Master Gardener section that any Brown Act violations can be reported to the District Attorney's Office. She also initiated discussion relative to the findings for the mixed waste processing/composting project relative to travel and expenses and asked that it be clarified that the response is based on information provided by the Auditor to the County Administrative Officer. The Board concurred with the suggested language changes.

Input from the public was provided by the following:

Paul Chapman provided input on the draft response relative to the discrepancy in the tapes and he provided a copy of the minutes from the June 10, 2003 Board meeting; and he advised that the member of the public questioning and airing concerns regarding the compost project was Ruth Sellers and that she was concerned with Fred Solomon's qualifications.

Ruth Sellers stated she is the one that submitted the information to the Grand Jury relative to the compost facility issues – she feels that she submitted a good letter to the Board and County Counsel asking legitimate questions about the compost facility and she received no response until a year later, and the next week she feels that Fred Solomon humiliated her in front of a room full of people and she does not feel that the public should be treated that way at a Board meeting. She feels that Fred called her a "liar" and referred to her as "that woman" and that was not on the tape from the June 10, 2003, meeting and she questioned that.

Witt Hawkins (member of the Grand Jury) stated he is not at liberty to respond to the draft response; but they will provide an answer in writing in their Final Report. He asked who does the County

Counsel represent, and whether he represents the County? Chair Turpin responded that County Counsel works for the Board and represents the legal oversight of the Board. Supervisor Pickard referred to a letter dated February 2, 2008, attached to the draft response that was prepared by County Counsel that addresses these questions. Discussion was held, and Rick Benson provided input on the preparation of the response being done in accordance with the Brown Act.

Supervisor Bibby extended an apology to Ruth Sellers personally and to the public in general relative to the compost issues and as a whole and she noted that there are times when people get upset when providing input to the Board. Chair Turpin noted that this Board cannot change what happened, but is responsible for conducting business today in a formal, polite manner.

Witt Hawkins continued with questions concerning County Counsel's duties. Further discussion was held. Thomas P. Guarino, County Counsel, advised that the first letter he wrote is included in the response package and that he wrote a second letter in response to a subsequent letter that he received from the Grand Jury in which he set forth the statutory responsibilities as advisor to the Grand Jury. He advised that he is willing to answer questions on those issues at one of the Grand Jury meetings.

Ruth Sellers thanked Supervisor Bibby for her apology; and she noted that the other Supervisors that were present on June 10, 2003, did not speak up on her behalf. She advised that she has records for what she says; and she feels that she should be appreciated for her efforts. She feels that it was so determined that the compost project happen, and she feels that she was discredited because she was interested.

County Counsel responded to a question from the Board as to what is available to the Grand Jury for assistance with investigations. Supervisor Bibby suggested that if information is received about the tape discrepancy issue, that perhaps a review could be made between the tapes. Rick Benson advised that he is willing to meet with the Grand Jury and the Clerk of the Board relative to the tape issue. Supervisor Bibby assured the public that all complaints are reviewed.

(M)Pickard, (S)Bibby, Res. 08-160 was adopted approving the response and comments with the changes as discussed to the 2007-08 Grand Jury Final Report #1, along with the cover letter. Supervisor Aborn invited the Grand Jury to respond to the response. Ayes: Unanimous.

Cc: Mary Hodson, Deputy CAO
File

**Board of Supervisors Response and Comments on the
2007-2008 Mariposa County Grand Jury Findings and Recommendations
Pertaining to the Board of Supervisors in the Grand Jury Final Report #1**

Mixed Waste Processing/Composting Project

The grand jury made several findings and recommendations regarding the mixed waste processing/composting project. The Mariposa County Board of Supervisors has reviewed the response of Dana Hertfelder, Public Works Director dated March 24, 2008, and concurs with his response.

Those issues relating to the Board of Supervisors are addressed below.

Findings

1. We found that a member of the public questioning and airing their concerns to a member of the Board of Supervisors regarding this compost project was not answered until one year later.

Without more specific information, this Board cannot comment regarding questions from a member of the public.

2. A tape by the complainant of the Board of Supervisors meeting dated 6/10/2003. The tape supplied to the Grand Jury by Mariposa County from the same date doesn't have any portion of that conversation. This is definitely an incident of incomplete records.

The Board of Supervisors strongly disagrees with this finding. No follow up was conducted with county staff to determine if the tape was not completely copied, or if perhaps the incorrect date was given.

3. Eight Mariposa officials traveled to Canada in October 2000 but did not document a justification for the trip, destination, analysis or conclusions in any written report, as it related to the Compost Project.

The County Administrative Officer has provided this Board with information that Mariposa officials traveled to Canada for the purpose of investigating the potential for a compost facility and that no official written document was published as a result of this trip.

4. Discrepancies were found in the total dollar amounts for travel expenses, submitted by the eight individuals who visited Canada in October 2000.

The County Administrative Officer after consulting with the County Auditor has informed this Board that there are no discrepancies regarding the travel expenses for the October 2000 trip. Governmental accounting regulations allow for copies of invoices (receipts) to be destroyed after five years. Receipts are not kept indefinitely and the Auditor's office has already purged records from 2000. Differences in travel expenses do not necessarily mean there are discrepancies.

Recommendations

1. Recommendation that all Chairpersons of the Board of Supervisors take a course in ethics and how to use "point of order" to conduct meetings.
Assembly Bill 1234 requires that certain government officials (which includes members of the Board of Supervisors) complete training in ethics every two years commencing January 1, 2007. Mariposa has complied with this requirement and affected officials will again be completing this training in 2008. Newly elected officials to the Board of Supervisors are encouraged to attend the California State Association of Counties (CSAC) training on conducting public meetings. Since 1997, all new Board members have attended this training.
2. Raise the County's policy of only \$3,000 allowance for expenditures to \$7,000, without going through the process of securing approval from the Board of Supervisors.
According to current county policy, any single item over \$5,000 is considered a fixed asset and must be approved by the Board of Supervisors. This threshold was recently raised from \$3,000 to \$5,000 in 2006. The Board may consider raising this limit upon recommendation by the County Administrative Officer and/or the Auditor. Governmental accounting standards require that all fixed assets be approved by the governing body, but that each governing body determines their fixed asset threshold appropriate to their specific circumstances. Typically a government's threshold correlates to its size.
3. Update the compost unit through a few modifications/changes at a costly, but acceptable cost, to produce saleable compost; authorize a study of such.
Given the budget constraints of the existing Solid Waste/Recycling fund, this study is not fiscally prudent at this time. The Board may consider such a study at a later date upon the recommendation of the Public Works Director and/or the Solid Waste Committee. Any and all such improvements to the composting facility must be carefully considered since any increase in costs will be reflected in fees charged to the facility's users.
4. Pass an ordinance which states in effect that "Any county employee who travel out of state or country, to inspect, research or gather information relating to a capital expenditure, is required to submit a written report of their analysis, recommendations and conclusions."
An ordinance is a legal document and a policy may be more appropriate for this circumstance. The Board may direct county employees traveling out of state or country to conduct research, and to submit a written document detailing the outcome of the research at the time expenditures are approved by the Board for such travel.
5. The \$42,967.77 left in the Compost Project not be diverted to the General Fund. These moneys should be used to escalate the efficiency in removing plastics from the garbage or in some other way related to landfill operations.
With the completion of the Compost Project, all operating costs are now accounted in the Solid Waste/Recycling fund, which is an enterprise fund and

should be self-sufficient. Staff is researching the possibility that any General Fund dollars contributed to this project is to be considered a loan and should be repaid. Until this issue is resolved, Administration recommended that the unused money remain in the fund.

6. Pass an ordinance requiring a mandatory recycling program beginning July 1, 2008.

The Local Solid Waste Task Force is currently contemplating various recycling programs and the costs associated with implementing these programs. A mandatory recycling program will almost certainly require additional enforcement personnel and other associated costs. Additional studies are required to fully identify the implications of a mandatory recycling program.

7. Pass an ordinance prohibiting discarding garbage and waste on private property. Chapter 8.36 of the County code governs this issue.

8. All county departments owe it to the taxpayers to work as a team. The department heads, and ultimately the Board of Supervisors, should see that this does not happen again.

The Board of Supervisors is always striving to have county government operate as a team, and appreciates the efforts and dedication of the elected and appointed department heads in directing county staff in this endeavor.

9. The Board of Supervisors should consider the feasibility of changing the landfill site sign to READ "Waste and Recycling Facility."

Upon consulting with the Public Works Director, the Board may consider this recommendation.

10. There should be an annual mandatory recycling seminar for all county supervisors and department heads.

Literature is provided to each department regarding recycling. Currently individual departments already practice certain recycling – printer/fax cartridges, aluminum/plastic containers, paper, etc. Expanding these practices to all departments may be considered in the future.

Mariposa County Jail/Sheriff Department

The Mariposa County Board of Supervisors has reviewed the response of Brian Muller, County Sheriff dated January 28, 2008, and concurs with his response, noting that new funding requests will be reviewed within the constraints of funding availability.

Recommendations:

1. The Board of Supervisors definitely needs to look into other alternatives for covering inmates' medical costs. Outside contracts with drug companies and/or doctor services would be a good start. If it is legal, they may want to consider a cap on inmate medical expenses.

California law is very clear that medical care must be provided to inmates. The Board of Supervisors takes the recommendation of the elected County Sheriff on which medical providers to use for providing such services. Currently under California law no cap can be set upon medical expenses.

2. Some of the department's equipment (vehicles, computers, radios, etc.) is outdated and replacement should be accelerated in a short-range budget. If this is not done it will develop into a very serious problem that will rapidly deteriorate and it needs the immediate attention from the Board of Supervisors.

The Board of Supervisors relies upon the recommendation of the elected County Sheriff to request additional funding for equipment replacement. Funding for the replacement of equipment was requested and included in the adopted Fiscal Year 2007-08 Budget.

3. With the Sheriff's budget currently being considerably in the red due to their employees' benefits and retirement funds, we strongly recommend that the Board of Supervisors immediately review this situation and take action in aiding a solution.

The Board of Supervisors is aware of the rising costs of employee benefits and retirement costs and County Administration staff is currently working on a funding solution. Issuing bonds as a funding mechanism as been postponed and staff is now working with CalPERS on another funding solution.

4. It is recommended that the Board of Supervisors investigate and develop a method for the Sheriff Department to collect impact fees for requested services from all outside vendors and especially those that make a profit.

It is unclear to the Board of Supervisors what vendors the recommendation pertains to. Generally speaking, "impact fees" are financial contributions (i.e., money, land, etc.) imposed by communities on developers or builders to pay for capital improvements within the community which are necessary to service/accommodate the new development. Again, the Board of Supervisors relies upon the recommendation of the elected County Sheriff on imposing fees for specific services.

Master Gardeners

The Mariposa County Board of Supervisors has reviewed the response of Thomas Guarino, County Counsel dated February 5, 2008, and the response of Karen Robb, Farm Advisor dated February 7, 2008, and concurs with their respective responses.

Those issues relating to the Board of Supervisors are addressed below.

1. Also, the complainant was concerned if the Master Gardeners were in violation of the Brown Act. While the Grand Jury could not find any violation of the Master Gardeners violating the law, the Board of Supervisors recommends that future complaints involving the Brown Act be forwarded to the District Attorney as provided by California law.

2. It is recommended that when a citizen questions the legality of anything connected to the County that County Counsel research the issue and notify the complainant in writing of their findings.

County Counsel serves as the legal adviser to the Board of Supervisors, County departments, agencies and commissions. It is not the duty of County Counsel, nor is it within the resources of the County, and the office of County Counsel in particular, to provide written legal opinions to constituents. This recommendation will not be implemented.

Mariposa County Board of Supervisors

District 1BRAD ABORN
District 2 LYLE TURPIN
District 3 JANET BIBBY
District 4DIANNE FRITZ
District 5BOB PICKARD



RICHARD J. BENSON
County Administrative Officer

MARGIE WILLIAMS
Clerk of the Board

P.O. Box 784
MARIPOSA, CALIFORNIA 95338
(209) 966-3222
1-800-736-1252

FAX (209) 966-5147
www.mariposacounty.org/board

December 16, 2008

Judge Dana Walton
Mariposa County Superior Court
P.O. Box 28
Mariposa, CA 95338



Dear Judge Walton:

The Board of Supervisors is in receipt of the letter from the Grand Jury dated November 24, 2008. In that letter the Grand Jury requested further response to the original report.

The two paragraphs on the top of page 21 of the Grand Jury Report were interpreted to be comments and not formal recommendations. Therefore, no formal response was made. Assuming that those paragraphs are intended as recommendations, the Board of Supervisors does not agree that it would be in the best interest of the citizens to contract with an independent consultant. The members of the Board of Supervisors are the people's elected representatives. As such, the Board is responsible for providing these services and for allocating the County's limited resources.

As addressed in our response to the Grand Jury, the Board is aware of the problems in the area and provided specific responses to each of the recommendations. While most of the concerns are already being addressed, others will require resources which are not available at this time. Since the Board is already aware of the needs, we believe that an outside consultant would be of little or no value.

It was also intended that our response to the report would suffice as the letter of intent requested in the report. We believe we have addressed each of the issues in the report and have described our response and any intended action. As explained above, the Board of Supervisors does not propose to hire an outside consultant.

Thank you for the opportunity to further clarify our response.

Sincerely,

LYLE TURPIN
Chairman, Mariposa County Board of Supervisors

cc: 2008/2009 Mariposa County Grand Jury

LT/RB/mj

Reviewed:
Honorable F. Dana Walton, Per PC933

Mariposa County Board of Supervisors

District 1BRAD ABORN
District 2 LYLE TURPIN
District 3 JANET BIBBY
District 4DIANNE FRITZ
District 5 BOB PICKARD



RICHARD J. BENSON
County Administrative Officer

MARGIE WILLIAMS
Clerk of the Board

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www.mariposacounty.org/board

October 8, 2008

Honorable F. Dana Walton
Judge of the Superior Court
County of Mariposa
Post Office Box 28
Mariposa, California 95338

Dear Judge Walton:

Enclosed is the response of the Mariposa County Board of Supervisors to the 2007-2008 Mariposa County Grand Jury Final Report. The Clerk of the Board of Supervisors and the County Clerk will keep copies of the report and this response on file. A file copy will also be submitted to the 2008-2009 Grand Jury.

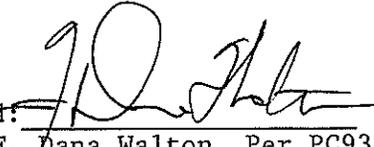
We at the County appreciate the quality of the 2007-2008 Final Report and the many hours of work that it represents.

Sincerely,

RICHARD J. BENSON
County Administrative Officer

RB/mbh

cc: Board of Supervisors
Affected Department Heads
Keith Williams, County Clerk
2008-2009 Grand Jury
Margie Williams, Clerk of the Board

Reviewed: 
Honorable F. Dana Walton, Per PC933

Mariposa County Board of Supervisors

District 1 BRAD ABORN
District 2 LYLE TURPIN
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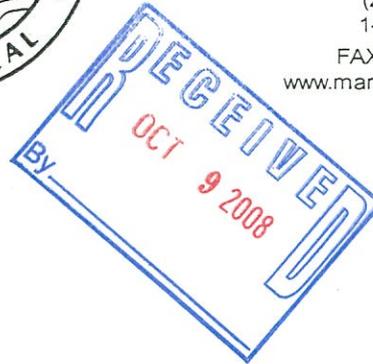


RICHARD J. BENSON
County Administrative Officer

MARGIE WILLIAMS
Clerk of the Board

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October 8, 2008



Honorable F. Dana Walton
Judge of the Superior Court
County of Mariposa
Post Office Box 28
Mariposa, California 95338

Dear Judge Walton:

Enclosed is the response of the Mariposa County Board of Supervisors to the 2007-2008 Mariposa County Grand Jury Final Report. The Clerk of the Board of Supervisors and the County Clerk will keep copies of the report and this response on file. A file copy will also be submitted to the 2008-2009 Grand Jury.

We at the County appreciate the quality of the 2007-2008 Final Report and the many hours of work that it represents.

Sincerely,

RICHARD J. BENSON
County Administrative Officer

RB/mbh

cc: Board of Supervisors
Affected Department Heads
Keith Williams, County Clerk
2008-2009 Grand Jury
Margie Williams, Clerk of the Board