



Office of the Sheriff-Coroner Public Administrator

Jeremy R. Briese
Sheriff-Coroner-Public Administrator

Kevin M. Packard
Undersheriff

RECEIVED

July 16, 2024

JUL 24 2024

The Honorable Michael A. Fagalde
Presiding Judge
Mariposa County Superior Court
P.O. Box 28
Mariposa, CA 95338

**MARIPOSA SUPERIOR COURT
ADMINISTRATION**

Re: Response to Mariposa County 2023-2024 Grand Jury Final Report

Dear Judge Fagalde:

I am in receipt of the 2023-2024 Mariposa County Grand Jury Final Report. Pursuant to Penal Code Section 933(c), this shall serve as a response to the Grand Jury's findings and recommendations regarding the Mariposa County Sheriff's Office Adult Detention Facility inspection tour.

I appreciate the Grand Jury's interest in touring the Mariposa County Sheriff's Office Adult Detention Facility and the interest in learning more about the mission and many functions of the Adult Detention Facility.

The Adult Detention Facility operates twenty-four hours a day, three hundred sixty-five days a year. The Adult Detention Facility is a fifty-eight bed maximum security, correctional facility. Correctional staff monitor and work with all incarcerated persons from court appearances, medical appointments to rehabilitation practices. Correctional staff work daily to maintain a safe and professional environment in the custody setting.

Regarding the Grand Jury's Findings and the Grand Jury's Recommendations, Yes, I agree with the Grand Jury's findings and recommendations. The Sheriff's Office is thankful for the professional and thorough report. The Sheriff's Office has been actively making changes and proactively working to identify solutions, internally and externally working with the CAO and Board of Supervisors for the larger identified projects. Below are the individual responses to each inquiry from the Grand Jury report.

R1/F1- The Sheriff's Office accepts the findings and recommendations to replace failed HVAC system servicing all housing units. For the last year, we've been working with Mariposa County Public Works and the KPA Group to engineer plans for HVAC replacement. As of July 5, 2024, we have completed engineering plans for a new HVAC system which also includes an electrical system upgrade. The next step is submitting the plans for permit review and bid advertisement.



Office of the Sheriff-Coroner Public Administrator

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R2/F2- The Sheriff's Office accept the findings and recommendations to pursue ways to maximize office space within the existing building footprint. Additional storage containers have been purchased to free up and convert the existing internal storage room to office space for staff. Additionally, in conjunction with Mariposa County Public Works, HHSA and the KPA Group, we are developing a design and plans to construct additional office space extending the building on to the north lawn. Funding for the project is yet to be identified.

I would like to take this opportunity to publicly recognize the many fine members of the Mariposa County Sheriff's Office Adult Detention Facility for their continued dedication and professionalism displayed in their work.

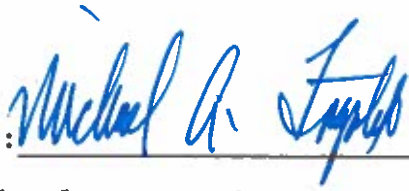
I also wish to thank the members of the 2023-2024 Grand Jury for their willingness to serve and I appreciate their sincere interest, comments and support.

Respectfully submitted,

Jeremy R. Briese

Sheriff-Coroner-Public Administrator-Director of Emergency Services Mariposa County

CC: Mariposa County Board of Supervisors

Reviewed: 

Honorable Michael A. Fagalde, Per PC933

P.O. BOX 276

Mariposa, CA 95338

209/966-3615

FAX 209/742-5090

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AUG 01 2024

MARIPOSA SUPERIOR COURT
ADMINISTRATION

Mariposa County Assessor-Recorder

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



July 25, 2024

Honorable Michael A. Fagalde, Presiding Judge
Mariposa County Superior Court
5092 Jones Street
Post Office Box 316
Mariposa, CA 95338

Dear Judge Fagalde,

The following are my comments on the Mariposa County Civil Grand Jury 2023-2024 Final Report that was forwarded to me for review.

- It is my opinion that the portions of the Report that address the workings of the Assessor's office are correct for the most part. However, there appear to be misunderstandings regarding some aspects of the operation of this office. My apologies to the Grand Jury for not doing a better job of explaining the role of the Assessor-Recorder during the interview.

On page 12 of 44 it states:

There is a need for greater internal collaboration and communication between County departments, especially for processes that transcend department lines, such as the determination and collection of property taxes. Although a unified system exists through the Megabyte software, staff between departments have restricted access to information. Similarly, while each department is responsible for

The Report correctly describes the "trifurcated" roles of the County Assessor, Auditor and Tax Collector with respect to the appraisal, assessment and collection of property taxes. However, the comment quoted above appears to be an attempt to steer the Grand Jury into suggesting actions that would cause the County Assessor to illegally violate taxpayer confidentiality. Due to State rules regarding this same taxpayer confidentiality, there never has been, is not now, nor will be ever "*internal collaboration...for processes that transcend departmental lines such as the determination and collection of property taxes*" in Mariposa County or any other county in the State of California. Similarly, restricted access within the Megabyte Property Tax Management System is required to maintain taxpayer confidentiality. Departments that use Megabyte are fully aware that they have access to all non-confidential information that is permissible.

Mariposa County Hall of Records, 4982 10th Street, PO Box 35, Mariposa, CA 95338

This matter has been "hammered home" with specific departments numerous times and it is regrettable that irresponsible comments and personal opinion led the Grand Jury astray in this regard.

- On page 13 it states "*...there is a general lack of training for advancing staff professional skills.*" As a point of clarification: it is a basic requirement for employment that every appraiser in every County Assessor's office in California, including elected Assessors, successfully pass a State Board of Equalization examination to work as a Certified Property Tax Appraiser. Additionally, each year appraisers in Assessor's offices throughout the State must maintain sufficient continuing professional education credits to remain employed. Every appraiser in the Mariposa County Assessor's Office is State Certified and up to date with continuing education.
- Finally, on page 17 when referring to the term of office for the Assessor, Auditor and Tax Collector it states, "*...each of these positions are elected for four-year terms in Mariposa County.*" And "*...all elected on the same four year cycle...*" It is important to note that the four year term of office and election cycle for these elected offices are the same throughout the State of California. This situation is neither unique to nor a deficiency of Mariposa County government, as may be interpreted by this statement in the report.

Thank you for giving me the opportunity to comment on this report. Let me know if you would like clarification of my statements.

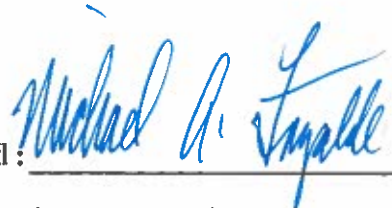
Sincerely,



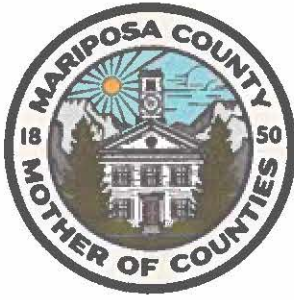
Vincent P. Kehoe
Assessor-Recorder

cc: Mariposa County Grand Jury Foreperson
Post Office Box 789
Mariposa, CA, 95338

Reviewed: _____



Honorable Michael A. Fagalde, Per PC933



Courtney Progner Morrow
Treasurer – Tax Collector and
County Clerk

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AUG 14 2024

MARIPOSA SUPERIOR COURT
ADMINISTRATION

Treasurer (209) 966-2830 - Tax Collector (209) 966-2621 - County Clerk / Registrar of Voters (209) 966-2007 - Fax (209) 966-6496

August 8, 2024

Presiding Judge, Michael A. Fagalde
Mariposa Grand Jury
PO Box 316
Mariposa, CA 95338

RE: 2024 Grand Jury Report Response

To the Honorable Judge Fagalde;

The narrative in the 2024 Grand Juror Report pertaining to the role of the Mariposa County Tax Collector is accurate with two minor corrections. As stated, the Mariposa County Tax Collector is combined with the Mariposa County Clerk. The County Clerk's Department administers the processing of Fictitious Business Name Statements, but does not administer the collection of fees for business licenses. Business licenses are not issued or required by the County of Mariposa at this time. In addition, my role as Mariposa County Tax Collector does not include the collection of permit fees revenue.

Many thanks to the Mariposa County Grand Jury volunteers for their service.

Sincerely,

Courtney Progner Morrow
Treasurer, Tax Collector & County Clerk
County of Mariposa

Reviewed: 

Honorable Michael A. Fagalde, Per PC933

County Hall of Records 4982 10th Street, PO Box 247, Mariposa CA, 95338

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SEP 06 2024

**MARIPOSA SUPERIOR COURT
ADMINISTRATION**

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

Luis Mercado, County Auditor



Office: 209-966-7606

Fax: 209-966-7810

Email:

lmercado@mariposacounty.org

September 6, 2024

Responses from the Auditor to Mariposa County Civil Grand Jury Final Report – 2023/2024

FINDINGS		RESPONSE
F1	The annual financial audit for FY 2021-22 has not been completed for Mariposa County leading to incorrect fiscal year budget projections for FY 2023-24.	I agree with this finding.
F4	Daily activities not completed and left incomplete over a long time put the County at risk, as shown with the lack of a completed audit for FY 2021-22.	I agree with this finding.
F5	Working relationships between the Auditor's Office and County Administration were negatively affected by the combination of miscalculated budget for FY 23-24 projections and lack of completed FY 21-22 audit.	I agree with this finding.

RECOMMENDATIONS		RESPONSE
R1	The Auditor should establish written procedures for how audits for the fiscal year shall be completed on a timely basis within the next three (3) months.	I will implement this recommendation.
R2	The Auditor must complete two (2) management/leadership trainings totaling a minimum of 16 hours within 12 months. Successful completion of this activity shall be documented with the 2024-25 Civil Grand Jury within 30 days of completion.	I will implement this recommendation.
R4	Within six (6) months, the Auditor and Assistant CAO/Finance should participate in a facilitated debrief of activity and decisions reached between their offices over the last two (2) years.	I will implement this recommendation.

R5	After completion of R4, the Auditor and Assistant CAO/Finance will develop a plan to continue a strong working relationship.	I will implement this recommendation.
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FINDINGS		RESPONSE
F1	Incomplete implementation of Oracle and continued use of multiple software systems has necessitated double entry of data, which has led to increased rates of error and time dedicated to data entry in County services.	I agree with this finding.

RECOMMENDATIONS		RESPONSE
R1	Within six months, the Auditor, CAO, and Assistant CAO/finance should complete a plan for elimination of AS400 from 90% of County activities by the end of FY 2025-26.	I will implement this recommendation.
R2	The County should examine methods of eliminating double entry in County functions within six (6) months.	I will implement this recommendation.
R4	The County should fully implement the Oracle Accounts Receivable module within one (1) year, in addition to any other areas of incomplete implementation.	I will implement this recommendation.

If there are any questions or if any further information is needed, please do not hesitate to contact me.

Sincerely,



Luis Mercado
County Auditor

Reviewed: _____



Honorable Michael A Fagalde, Per PC933

Mariposa County Board of Supervisors

District 1 ... ROSEMARIE SMALLCOMBE
District 2 SHANNON POE
District 3 DANETTE TOSO
District 4 WAYNE FORSYTHE
District 5 MILES MENETREY



JOE LYNCH
County Administrative Officer

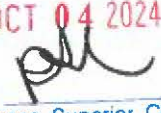
DANIELLE BONDSHU
Clerk of the Board

P. O. Box 784
Mariposa, CA 95338
(209) 966-3222
(800) 736-1252
www.mariposacounty.org/board

September 17, 2024

The Honorable Anita Starchman Bryant
Assistant Presiding Judge
Mariposa County Superior Court
5088 Bullion Street
Post Office Box 28
Mariposa, CA 95338

RECEIVED

OCT 04 2024
by: 
Mariposa Superior Court

RECEIVED

OCT 04 2024

**MARIPOSA SUPERIOR COURT
ADMINISTRATION**

Re: Response to the Mariposa County 2023-2024 Grand Jury Report

Dear Judge Bryant:

This response is submitted with respect to the findings and recommendations of the Grand Jury. Please relay our gratitude to the volunteers who dedicated their time to the advancement of government accountability and building up the public trust in Mariposa County.

The Board of Supervisors directly oversees all County departments and advisory boards not represented by another elected official, making individual responses from these individuals redundant and unnecessary. Accordingly, this response is made on behalf of the County Administrative Officer, County Counsel, Health and Human Services Agency Interim Director, Building Interim Director, Planning Director, Director of Public Works and Transportation, and the Board itself as follows:

Workplace Culture, Training, and Organization

F1.

The Board partially agrees with F1. Written policies and procedures are beneficial and help ease the transition period when new staff are being trained. The County does have extensive written policies, procedures, and Board-approved job descriptions for each role. As an example, Health and Human Services currently has 258 written policies. The County believes better access to these policies would assist our employees with their tasks and help new department managers to lead more effectively.

F2.

The Board partially agrees with F2. Mariposa County has utilized a consulting firm, Guidehouse, to assess inter-agency performance, organizational structure, and relationships. The County intends to reorganize the County Administrative Office and several departments to improve the

continuity and transparency of County departments. This should be done in the 2024-2025 fiscal year.

Finally, the Board reassures the public and staff that they can come to Board members with any questions or concerns and have always been encouraged to do so.

F3.

The Board agrees with finding F3. Overall loss of institutional knowledge has sometimes created gaps in County operations and efficiency. However, these gaps are often temporary as new employees adapt and grow in their roles. As successors become more familiar with their responsibilities, they not only acquire institutional knowledge, but may also introduce improvements to outdated or inefficient processes.

F4.

The Board partially agrees with finding F4. While we acknowledge that there may be gaps in online training opportunities, such as a comprehensive Learning Management System (LMS) available across multiple Mariposa County departments, it is not accurate to say there is a lack of training opportunities overall. Mariposa County offers a range of hands-on training opportunities for employees at all levels, and efforts are continuously made to support professional growth.

Mariposa County has offered a variety of hands-on training programs for both employees and supervisors. Notably, 27 County employees recently completed the California State Association of Counties (CSAC) Executive Credential program, which involved over 50 hours of leadership and policy instruction. These courses are designed to enhance decision-making, communication, and leadership capabilities. The program has been highly valued, with participants highlighting its relevance to their daily roles and its contribution to both professional and personal growth.

Moreover, in January 2024, we introduced supervisor and manager-specific training, such as the FRISK training (Facts, Rules, Impact, Suggestions, and Knowledge). This training was specifically designed to enhance our management team's skills, enabling them to better support and develop their employees. Such training programs are part of our ongoing efforts to equip our leaders with the tools they need to promote a more productive and supportive work environment.

R1.

The Board partially agrees with R1. This is planned to be completed in 12 months, not six months as noted in the report.

R2.

The Board agrees with R2. This will be the responsibility of each department and the County Administrative Officer.

R3.

The Board agrees with R3.

R4.

The Board partially agrees with finding R4. The County has started to implement the existing hiring guidelines for Mariposa County. These guidelines allow for “overhiring” essential positions to allow the incoming employee to work side by side with the outgoing employee. Facilitating this transition period where outgoing staff overlap with their successors can indeed help new employees understand established practices and procedures, while also providing an opportunity for fresh perspectives that may enhance or improve processes. In some cases, this overlap of jobs is planned for 90 days or more. The ability for the new employee to continue the work of the outgoing employee will lessen the gaps in productivity that we have seen in the past. The Board is committed to having high levels of continuity in all Departments. However, this approach presents practical challenges in many situations.

R5.

The Board partially agrees with finding R5. Part of the organizational changes for Mariposa County will be the creation of an Internal Services Department, which will be comprised of Finance, Technology Services, and Human Resources. The Board recognizes the need to provide consistent services to all employees for their roles. One of the aspects that will be improved is the training opportunities for all employees. This review and standardized training will take 12-18 months and not six months as noted in the report.

The development of standardized training opportunities across all departments is a complex task that requires thorough analysis. The diversity of roles and responsibilities across the County necessitates a two-pronged approach. First, we would focus on establishing a foundational LMS that offers core training applicable to all employees, such as compliance training, county-wide policies, and general professional development. Second, we will work collaboratively with each department to identify and develop specialized training specific to their roles and operational needs.

Analysis of Fiscal Year 2023-2024

F1.

The Board agrees with F1.

F2.

The Board partially agrees with F2. The Fiscal Year 2023-2024 (FY24) mid-year budget review did not occur, and the FY24 balancing adjustments were delayed until February 20, 2024 because the Auditor’s office was unable to provide the beginning fund balances until January 2024. Typically, these adjustments are conducted in October of the fiscal year. While this posed challenges, it is important to note that a budget is an estimate of fiscal activity and is rarely completely accurate.

F3.

The Board disagrees with F3. The reserve contributions were made in accordance with the budget. The accounting for the reserve contributions in FY22 and FY23 is relevant because, by using balance sheet accounts, the significantly lower-than-estimated beginning fund balance for the general fund in FY24 was unexpected.

F4.

The Board agrees with F4.

F5.

The Board partially agrees with F5. Working relationships between the Auditor's office and County Administration were affected by the challenges associated with the Oracle implementation and the strain of missing budgeting and audit deadlines.

R3.

The Board agrees with R3 and is in the process of establishing procedures for regular financial reviews, or "check-ins," in order to ensure that the fiscal year audit is completed in a timely fashion.

R4.

The Board agrees with R4.

R5.

The Board agrees with R5 and believes that a good working relationship between these two departments is essential.

Continued Technology and Software Lessons

F1.

The Board partially agrees with F1. The County has work to do to identify and address ongoing double entry of accounting data. However, much progress has been made already to reduce double entry in many areas.

F2.

The Board disagrees with F2. While it's impossible to foresee unexpected issues, the project schedule has been carefully developed over time, with various aspects of the transition taken into consideration. To ensure a smooth transition, we have formed a dedicated team to guide the staff and the public through the process in a step-by-step approach. The staff has also taken lessons from other platform implementations and applied those to better prepare in training, communication, and public engagement.

F3.

The Board partially agrees with F3. While there has been resistance, frustration, and slow user adoption in certain areas, this has not been the case universally. Additionally, the County has offered a range of training and support opportunities, including online training guidelines and videos, daily, weekly, and monthly help sessions, a dedicated support email with a 24-hour response time, managed services support from our implementation partners, and weekly in-person support sessions specifically for Public Works and Probation departments.

F4.

The Board partially agrees with F4. Mariposa County has an Information Security Policy from 2012 which addresses the approval process and usage of personal equipment. The Technical Services team will do a review of all personal equipment usage in the next six months to ascertain which devices have been approved and ensure all users have the appropriate security measures in place.

R1.

The Board agrees with R1.

R2.

The Board agrees with R2.

R3.

The Board agrees with R3. Implementing the Tyler Enterprise Permitting System requires a phased transition plan to assist employees and the public. Transitioning from a decades-old paper-based system to a digital platform is significant and full implementation, including the complete transition from paper to digital, is expected to take up to three years based on the current schedule and similar jurisdictions' experiences.

R4.

The Board agrees with R4. We have begun meetings, and we will implement Accounts Receivable by June 2025.

R5.

The Board agrees with R5. As noted in F4, a review of all private cell phones will be completed in six months.

Complaints and Code Compliance

F1.

The Board partially agrees with F1. The code compliance function would benefit from clearly written procedures and standards for the management and enforcement of code compliance cases. However, there are numerous factors outside the absence of these standards that have contributed to the caseload backlog, including staffing capacities and staff turnover.

F2.

The Board agrees with F2. In the next six months, the County Administrative Officer will prepare a reorganization for the Board of Supervisors to review. This reorganization is designed to address workload, workflow, complaints, and expected time of delivery of services.

R1.

The Board agrees with R1. The County is already working on creating code enforcement standards and clearly written procedures for case management. The Code Compliance Advisory Committee (CCAC) and staff made Code Compliance Program recommendations to the Board in May of 2024. The Board acted to direct staff to work with the CCAC to advance the recommended Code Compliance Program.

It is a four-part program that includes community engagement and education; code updates and revisions; policies, standards, and procedures; and an amnesty program. Staff is working with the CCAC on the details of the program implementation, which will occur in FY24/25.

The recommended code compliance program also includes the Tyler Project (Online Permitting) and its online access code compliance function. As a part of the Tyler Project, workflows, policies, and procedures are being prepared to achieve multiple benefits including standards and operating procedures for staff and the public, as well as transparency and consistency in procedural functions.

Staff is working with the CCAC on the details of the program implementation, scheduled to occur in FY24/25.

R2.

The Board agrees with R2.

Development Services: Environmental Health Division, Building Department, and Planning Department

F1.

The Board partially agrees with F1. Inconsistencies in the permitting process have led to confusion and complaints within the community. However, there have been additional contributing factors such as transitions from retirements and general staff turnover. The Tyler Project underway is designed to remedy inconsistencies through processes that include public/applicant access to the system, thereby increasing consistency and transparency for both the applicant and staff involved.

F2.

The Board somewhat agrees with F2. There are currently six FTE positions, two extra help positions, and one 0.8 FTE position allocated to Environmental Health. Of these nine allocations, two are vacant (as of 7/11/24). This is the most staff ever allocated to the Environmental Health unit since consolidation in 2018 (at that time, there were five allocations to Environmental Health). We recognized the overwhelming workload and have increased allocations in the Environmental Health unit as much as possible given the budget deficit; therefore, the untimely responses seem to also be a time management concern. Much of the funding for positions in Environmental Health comes from the County's general fund and our health realignment fund. The team works diligently to seek grant funding for the environmental health team; however, funding is not as abundant in this area as it is for other programs.

F3.

The Board agrees with F3 with a slight clarification. The current status of the department's Planning function, including vacancies and whether we have a Deputy or Senior Planner, has an impact on the production and processing of applications, especially those applications that require a higher-level, more experienced skill set. Generally, lack of mid-level or Senior Planners for the current Planning function of the department, in conjunction with entry-level position vacancies, creates a capacity constraint which impacts timely processing and communication.

F4.

The Board partially agrees with F4. When reviewing the Building Department's budget for the past ten years (2014-2024), it was challenging to clearly define detail in revenue and expenses. The lack of detail makes it difficult to identify economic fluctuations affecting the enterprise fund. Part of the issue may be attributed to the transition from AS400 to Oracle and how accounts were transferred. Building accounts should have more detail to ensure transparency.

F5.

The Board agrees with F5. The team believes that close collaboration and a unified set of policies for Development Services will enhance efficiency, streamline processes, and establish consistency.

This finding was also highlighted in the Guidehouse organizational study conducted in early 2024, with the recommendation to consolidate the Building, Planning & Environmental Health functions to one Development Services Department. This would aid in the creation of a consistent set of procedures and policies to create a streamlined approach to service delivery. If this reorganization does not occur, the team can still ensure a set of unified policies and procedures.

F6.

The Board agrees with F6 and recognizes that a lack of formal written policies and procedures has created challenges in some areas.

R1.

The Board agrees with R1. The County Administrative Officer has been tasked with an education series for the community around services, new legislation, and procedures to assist the public in navigating government services.

R2.

The Board agrees with R2.

R3.

The Board agrees with R3. Planning is implementing a strategy to address the unmet staffing needs to build a team that supports the work of the department. Planning is also soliciting for a contract planning firm to be available to assist in processing planning entitlement applications during times of any staffing gaps that may occur in the future. The organizational study implementation underway will evaluate the determination of additional needs for deputy-level positions for Planning.

R4.

The Board partially agrees with R4. The County Administrative Officer will complete the budget review as part of the organizational review. This will be concluded in the next six months.

R5.

The Board agrees with R5. Policies and procedures are being created for Development Services. A single set of policies and procedures for Building, Planning, and Environmental Health will help remove duplications and public confusion and create continuity between the departments. The implementation of the Tyler Enterprise Permitting Software will further facilitate consistency. Policies will be routinely updated and reviewed.

R6.

The Board agrees with R6. The departments' written policies and procedures should be reviewed on an annual basis to ensure that the policies and procedures remain viable based on any changes required due to state law changes or efficiencies garnered through the implementation of the Tyler permitting system.

Evaluation of Department Directors

F1.

The Board agrees with F1. Department director evaluations will be formalized in the next 12 months.

R1.

The Board partially agrees. We acknowledge the benefit of clear, written procedures for the evaluation of department directors. The recent organizational study, which recommended that

department heads report to the County Administrative Officer (CAO) instead of the Board of Supervisors, provides a timely opportunity to implement structured evaluations. This shift in reporting creates a streamlined approach for oversight and accountability, allowing for consistent performance evaluations aligned with County priorities. As the Board of Supervisors moves forward with implementing these changes, evaluation procedures can be evaluated and developed to support this new structure effectively.

Understanding Conflict of Interest and Employee Abstention

F1.

The County disagrees with F1. Title 2, division 6, Section 18730 of the California Code of Regulations provides that incorporation by reference of the terms of the regulation along with the designation of employees and the formulation of disclosure categories constitute the adoption and promulgation of a conflict-of-interest code within the meaning of Section 87300. The Board of Supervisors incorporates by reference the provisions of the code along with the designation of employees and disclosure categories on a biennial basis. The Board reviewed and updated the designations and categories most recently on February 6, 2024. The incorporated provisions of Section 18370(b)(9) contain the framework for analysis for when employee disqualification is required. In addition, on a biennial basis, members of local legislative bodies who receive compensation undertake ethics training pursuant to AB 1234. All members of the Board of Supervisors and Planning Commission participate in these trainings.

R1.

The Board disagrees with R1. The recommendation will not be implemented because it is not warranted. As stated above, in response to F1., the County has a conflict-of-interest code that follows the requirements of Title 2, division 6, Section 18730 of the California Code of Regulations. It lists designated employees and disclosure categories for financial interests. The Board of Supervisors reviews the code biennially and is current with its responsibilities, having updated the code on February 6, 2024. The County will post the conflict-of-interest code more prominently on its website as a stand-alone document.

Parallels Between County Government and JCFHD

F1.

The Board disagrees with F1. A whistleblower form is available and posted in all County breakrooms. This policy is required by law to be posted and is verified by our Labor Unions.

F2.

The Board disagrees with F2. The County has a purchasing policy from 2022 that was amended in 2023. This policy sets forth all guidelines. In addition, contracts are reviewed for legal form by County Counsel and the County Administrative Office for procedures.

R1.

The Board agrees with R1. Training will be developed so that all employees understand how to utilize the existing procedures for grievances, whistleblowing, and reports of non-compliance.

R2.

The Board agrees with R2. The County Administrative Office has been tasked with a robust review of contracts in the County.

Custodial Facility Tours

F1.

The Board agrees with F1. The County is assessing all issues related to the HVAC system so that a formal bid process can begin to complete the work. This work should be completed in the next six months.

F2.

The Board agrees with finding F2. Both the Sheriff's Office and Health and Human Services applied for grants to increase the office space for the Custodial Staff and Jail mental health services. Site plans have been completed and work is ready to begin when the grants are released. The grants were delayed by the State during their budget issuance. Both the Sheriff's Office and HHSA have been pursuing additional grants to complete this work. This remains a top priority for the next 12 months.

R1.

The Board agrees with R1.

R2.

The Board agrees with R2. As noted in F2, additional grant funding is being explored.

Continuity Report

F1.

The Board partially agrees with F1. The Board agrees that there is no training for County staff on how to respond to requests and/or inquiries from the Civil Grand Jury in compliance with the California Penal Code but disagrees that the lack of training leads to inconsistencies from year to year in responses to Civil Grand Jury final reports. Responses to a final report are necessarily prepared after the final report has issued. Responses to inquiries are given during Civil Grand Jury interviews.

F2.

The Board of Supervisors disagrees with F2. As in previous years, the Board of Supervisors maintains that as the body that oversees all unelected County department staff and advisory boards, it is unnecessary and redundant to provide individual responses from those invited. Also as in previous years, the Board has sought and incorporated feedback from those invited into this response. The Board response is the culmination of all requested responses.

R1.

The Board agrees with R1. The recommendation has not yet been implemented but will be implemented in the future, within six months.

R2.

The Board disagrees with R2 and will continue to gather feedback from those invited and incorporate it into a single response letter.

This concludes the responses of the Mariposa County Board of Supervisors to the FY 2023-2024 Grand Jury Final Report. The Board of Supervisors is pleased with the progress that has been made in so many areas of our County, including several mentioned here. We are grateful to the Grand Jury for the opportunity to continue to address and improve the aspects of our operations discussed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Myles Menetrey", with a long horizontal flourish extending to the right.

Myles Menetrey, Chair
Mariposa County Board of Supervisors

Reviewed. 

Honorable Michael A. Fagalde, Per PC933



**JOHN C. FREMONT
Healthcare District**

October 16, 2024

RECEIVED

OCT 17 2024

The Honorable Michael A. Fagalde, Presiding Judge,
and Members of the Grand Jury
Mariposa County Superior Court
5088 Bullion Street
Mariposa, CA 95338

**MARIPOSA SUPERIOR COURT
ADMINISTRATION**

Re: Comments of the John C. Fremont Healthcare District's Board of Directors to the Presiding Judge of the Superior Court and Grand Jury in response to the 2023-2024 Mariposa County Civil Grand Jury Report Dated June 26, 2024

Dear Honorable Judge Michael A. Fagalde and Esteemed Members of the Grand Jury:

The John C. Fremont Healthcare District's Board of Directors ("JCFHD") is in receipt of the 2023-2024 Civil Grand Jury report titled "Mariposa County Civil Grand Jury Final Report 2023-2024". Per your request, and in compliance with section 933 of the California Penal Code, please find within this letter the response of the JCFHD Board. Overall, the JCFHD Board thanks the Grand Jury for its efforts at making the District a better healthcare district and it welcomes the efforts, findings, and recommendations of the Grand Jury and responds as set forth below.

FINDINGS UNDER THE SECTION TITLED:

JOHN C FREMONT HEALTH CARE DISTRICT INVESTIGATION

F1. Significant instability in Board leadership (3 board resignations, and 6 interim/new Chief Executive Officers since 2022) and Executive C-Suite management led to the public's diminished confidence in the John C. Fremont Healthcare District.

Response: The Board partially agrees with this finding. The three resignations referenced in this report; only one was during the current term and that was for personal reasons. However, some of the turnover in the Chief Executive Officer position was due, in part, to the regulatory requirement that general acute care hospitals must have, at all times, a named an administrator (i.e. Chief Executive Officer) pursuant to 22 CCR 70701. Due to this, when there was an unexpected departure of the Chief Executive Officer, the JCFHD Board was required to expeditiously name an interim administrator while the search for a permanent Chief Executive Officer was found. In general, recruiting for a Chief Executive Officer position in a rural area such as Mariposa has proven to be a challenge with either very few candidates responding, or those who do respond requiring a salary in excess of what the District can pay or being unqualified.

F2. The JCFHD Board of Directors withheld information between themselves leading to individual discontent and poor decision making.

Response: The JCFHD Board disagrees with this finding in that JCFHD Board members withheld information from each other only to the extent necessary in order to comply with the Brown Act. The JCFHD Board has been diligent in seeking out and obtaining training in the Brown Act and takes our responsibility to comply with the Brown Act very seriously.

F3. The JCFHD Board of Directors did not have an opportunity to vet interim CEO which led to a longer period until issues could be legally responded to and resolved.

Response: We agree with this finding. This Board inherited an Interim CEO, whose vetting process was done through the previous Board and this current Board was not privy to the process. The last permanent CEO this current Board hired was vetted through an outside agency.

F4. JCFHD Human Resources did not properly vet executive level positions leading to instability at C-suite level.

Response: We agree with this finding. The previous Human Resources Personnel did not share vetting with the Board.

F5. Multiple CEOs exceeded contractual spending limits without JCFHD Board notification eroding inherent checks and balances in organizational structure and straining the hospital financially.

Response: We agree with this finding. The current Board took swift action to remove these CEOs.

F6. The JCFHD found themselves behind in regular financial audits jeopardizing funding from governmental agencies.

Response: We agree with this finding. This current Board only had two accounting issues that were inherited. Our audits were not completed in a timely manner, by an administration that was replaced two years ago and the audits were completed last fall. Our second problem was having a few of our monthly financials not completed on time. This was rectified in a few months when a previous CEO left. The problems were never due to "difficulties navigating the Brown Act, a lack of cooperation and the accountability between Board members, or inaccessible information"

F7. Work and dialogue outside of regular, special, and emergency meetings between directors of the JCFHD puts the Board at risk of violating Brown Act practices.

Response: While the JCFHD Board agrees that such conduct risks a violation of the Brown Act, the JCFHD Board disagrees with a finding that it has engaged in such conduct in that it believes it has been diligent in minimizing any work or dialogue outside of noticed meetings. The JCFHD Board takes its responsibilities under the Brown Act seriously. The

JCFHD Board agrees to continue to monitor its conduct to ensure no inadvertent violation of the Brown Act occurs and to continue to receive such training on a regular basis.

RECOMMENDATIONS UNDER THE SECTION TITLED:

JOHN C FREMONT HEALTH CARE DISTRICT INVESTIGATION

R1. JCFHD Board should be more diligent in vetting CEO candidates.

Response: This recommendation will be implemented with a more robust process and greater support from the Human Resources Department.

R2. JCFHD Board should be more diligent in financial review of the Healthcare District.

Response: The board agrees and the treasurer was involved in vetting financial consulting firms to select Warbird Consulting Partners to verify bank accounts, payroll, financial statements, etc. The consulting firm will make regular reports to the board during its nine-month contract.

R3. JCFHD should review existing vetting procedures for hiring C-suite level management within 6 months.

Response: The JCFHD Board will task the Human Resources Department with review of all policies for hiring of C-suite personnel and will work with legal counsel, as needed, to implement best practices. The JCFHD Board will require that Human Resources report to the JCFHD Board its progress on this matter to ensure completion within the Grand Jury's 6 month time frame.

R4. JCFHD Board of Directors should ensure adherence to existing vetting procedures for hiring C-suite level management.

Response: While the JCFHD Board is only responsible for engaging the CEO of the District and no other C-suite level management, the JCFHD Board will endeavor to adhere to vetting procedure when they hire the CEO and require staff (Human Resources) to adhere to such vetting procedures when other C-site level management is hired.

R5. Immediately, JCFHD should make it a priority to work together and function cohesively as a team

Response: JCFHD Board agrees with this recommendation and will make this a priority.

R6. Immediately, JCFHD Board of Directors should ensure procedures for financial oversight of CEO are being followed at all times.

Response: JCFHD Board agrees with this recommendation and have made this a priority.

R7. JCFHD Board of Directors should review the organizational structure of the Healthcare District, specifically related to financial responsibilities of the CEO, COO and CFO with the intention of creating more financial oversight within their purview, within 9 months.

Response: JCFHD Board agrees with this recommendation and will ensure that this task is completed within the Grand Jury's 9 month time frame.

R8. Immediately, JCFHD Board of Directors should review and establish mechanisms to guarantee timely production of accurate audits.

Response: JCFHD Board agrees with this recommendation and have made this a priority.

R9. Immediately, the JCFHD Board of Directors should continue with the reimplementation of the JCFHD compliance hotline.

Response: JCFHD Board agrees with this recommendation and is currently working on this high priority item.

R10. JCFHD Board of Directors should practice due diligence with the Board Clerk to make certain all meeting minutes are recorded and kept as required by law.

Response: JCFHD Board agrees with this recommendation and has always made this a priority and will continue to so.

FINDINGS UNDER THE SECTION TITLED:

PARALLELS BETWEEN COUNTY GOVERNMENT AND JCFHD

F1. JCFHD and Mariposa County do not have their own clearly defined whistleblower policies making it difficult for staff to report issues of non-compliance.

Response: We agree to this finding. The JCFHD has a compliance officer who is currently working to establish compliance policies and procedures.

F2. JCFHD and Mariposa County do not have clear procedures for establishing, managing and reviewing contracts with external consultants which often leads to contract delays, deliverables that do not meet original objectives and excessive financial costs.

Response: We disagree with this finding. The JCFHD does have clear procedures for handling our contracts.

RECOMMENDATIONS UNDER THE SECTION TITLED:

PARALLELS BETWEEN COUNTY GOVERNMENT AND JCFHD

R1. JCFHD and Mariposa County Board of Supervisors should each create unique procedures of staff to report issues of non-compliance.

Response: The JCFHD's compliance officer is already creating these procedures.

R2. JCFHD and Mariposa County Board of Supervisors should establish procedures that create more strategic engagement practices with external consultants to include pre-contact negotiations, clear and timely project review mechanism and post contract review.

Response: The JCFHD does have procedures and practices that deal with pre-contract negotiations, clear and timely project review mechanism and post contract review.

In closing the JCFHD Board would like to thank the Grand Jury for their service and dedication in providing us with this detailed report.

If you have any questions, please contact District Counsel, Noel Caughman, at (925) 977-3334.

Sincerely,



Wendy Ryder-Priola

Board Chair, John C. Fremont Healthcare District Board of Directors

Reviewed:---



Honorable Michael A. Fagalde, Per PC933



**JOHN C. FREMONT
Healthcare District**

RECEIVED

SEP 02 2025

**MARIPOSA SUPERIOR COURT
ADMINISTRATION**

August 20, 2025

The Honorable Anita Starchman-Bryant, Presiding Judge, and Members of the Grand Jury
Mariposa County Superior Court
P.O. Box 28
Mariposa, CA 95338-0028

Re: Mariposa Civil Grand Jury Report 2024-2025

Dear Honorable Judge Anita Starchman-Bryant and the Esteemed Members of the Grand Jury:

The John C. Fremont Healthcare District's (JCFHD's) Board of Directors is in receipt of the 2024-2025 Civil Grand Jury report titled, "Mariposa County Civil Grand Jury Final Report 2024-2025." Per your request, and in compliance with section 933 of the California Penal Code, please find within this letter the response to your Continuity and Compliance report based on last year's findings. We thank you for taking the time to review the recommendations from the previous findings as we continue to work together as the JCFHD Board of Directors to improve our overall accountability to our community. We welcome the request for responses, which you can find set forth below.

RECOMMENDATIONS

F1. Significant instability in Board leadership (3 board resignations, and 6 interim/new Chief Executive Officers since 2022) and Executive C-Suite management led to the public's diminished confidence in the John C. Fremont Healthcare District

Response: The board partially agrees with this finding. The Board has held stable leadership since the November 2024 election and has continued to work together to promote community accountability. The Board welcomed two newly elected members in the Fall of 2024, allowing for growth and new insight into perspectives of the broader Mariposa community. Together the Board is actively working to stabilize Executive leadership through the selection of a new Chief Executive Officer (CEO) which is in the beginning processes. More details, including a timeline regarding this process will be forthcoming in the R1 report section.

F2. The JCFHD Board of Directors withheld information between themselves leading to individual discontent and poor decision making.

Response: The JCFHD Board of Directors disagrees with this finding. The JCFHD has renewed the annual commitment to both the training on the Brown Act as well as the JCFHD Board Code of Conduct. The Board acknowledges that Regular and Special Board meetings are the appropriate place for conversating as a quorum and making decisions. The Board further acknowledges that by respecting the public meeting space, we are working to strengthen our trust from the community and staff of the JCFHD.

R1. JCFHD Board should be more diligent in vetting the CEO candidates.

Response: The JCFHD Board of Directors agrees with this finding. The JCFHD Board has initiated a plan to work with a contracted recruiting firm in partnership with the JCFHD Human Resources team to begin the process of finalizing the job expectations in order to move forward

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JOHN C. FREMONT Healthcare District

with a permanent CEO search. The current appointed interim CEO has been vetted through the JCFHD Human Resources team. The expectation for the Board moving forward is to include the staff, providers, and community in the recruitment of a Chief Executive Officer to begin in the Fall/Winter of 2025-2026.

R2. JCFHD Board should be more diligent in financial review of the Healthcare District.

Response: The JCFHD Board agrees with this finding and is actively working to educate internally while developing long term financial oversight. The Board acknowledges that the financial fiduciary role is the primary responsibility of the JCFHD Board of Directors. The consulting firm that was contracted by the JCFHD is scheduled to report to the Board during the Summer of 2025.

In closing the Board would like to thank the Grand Jury for their time, and dedication to our community.

Sincerely,

Rose Fluharty

Vice-Chair

John C. Fremont Board of Directors

Jesse Bullis, Board Member

Suzette Prue, Board Secretary/Treasurer

Teresa Johnson, Board Member

Wendy Ryder-Priola, Board Chair

Reviewed: 

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