



**EL DORADO COUNTY
GRAND JURY
FINAL REPORT
2008-2009**

EL DORADO COUNTY GRAND JURY 2008 – 2009



Mission Statement

*The Grand Jury acts as the citizen-over-sight for
El Dorado County*

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GRAND JURY
El Dorado County

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June, 2009

To: The citizens of El Dorado County,

Enclosed please find the 2008-2009 El Dorado County Grand Jury Final Report.

This report reflects a very diverse assortment of topics and issues...from a lengthy set of recommendations to our recently appointed Charter Review Commission...to a request of the District Attorney to recover public funds illegally spent by a local fire district...to several facilities inspections and County Department reviews. One area in particular deserves some specific comments:

This year's jury expanded the role of a committee called "Response Review" (R R). The typical function of the R R committee is to review the responses to prior Grand Jury reports to insure that the responses met the legal penal code requirements, as well as insure that any items that were committed to be done...were in fact being done. It creates good continuity from year to year, as each Grand Jury serves only 12 months. The expanded role of the R R committee this year involved *further* investigation into prior year reports' responses, and *subsequent new recommendations* when the re-investigation so warranted them. We would urge future grand juries to continue this expanded role for the R R committee.

This Grand Jury would like to recognize the input and support from many entities in our County. They include personnel within many County Departments and functions...including County Council, District Attorney, Chief Administrative Office, Auditor/Controller, as well as many others.

We also appreciate the support and guidance from Presiding Superior Court Judge Suzanne N. Kingsbury, Supervising Judge Daniel B. Proud, and Superior Court Administrative Clerk Holly Warren.

On behalf of all of the jurors, it has been our honor and privilege to serve the citizens of our fine county this 2008-2009 El Dorado County Grand Jury term.

Respectfully,

A handwritten signature in black ink, appearing to read "Chuck MacLean", written over a horizontal line.

Chuck MacLean
Foreman, 2008-2009
El Dorado County Grand Jury



NOTICE TO RESPONDENTS

California Penal Code Section 933.05 mandates specific requirements for responding to grand jury reports. This information is intended to help you in your responses to avoid unnecessary and time consuming repetitive actions. Those responses which do not fully comply with Penal Code requirements, including explanations and time frames where required, will not be accepted and will be returned to respondents for corrections

RESPONSE TO FINDINGS

The responding person or entity shall indicate one of the following:

- 1. The respondent agrees with the finding.*
- 2. The respondent disagrees wholly or in part with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reason therefore.*

RESPONSE TO RECOMMENDATIONS

The responding person or entity shall report one of the following actions:

- 1. The recommendation has been implemented, with a summary regarding the implemented action.*
- 2. The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.**
- 3. The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of an agency of department being investigated or reviewed. This timeframe shall not exceed six months from the date of publication of the grand jury report. ***
- 4. The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefore.*

* The time frame needs to be specific and reasonable.

** At the conclusion of this analysis, the recommendation must be responded to as required by items 1, 2, or 4.

RESPONSE: TIME, WHERE, AND TO WHOM

The Penal Code identifies two different response times, depending upon the classification of the respondent (see below), and includes where and to whom the response is directed. Day one begins with the date of the report.

1. Public Agency:

The governing body of any public agency (also refers to department) must respond within ninety (90) days. The response must be addressed to the Presiding Judge of the El Dorado County Superior Court.

Examples: Governing body of a public agency, Board of Supervisors, Directors of Districts.

2. Elective Officer or Agency Head:

All elected officers or heads of agencies/departments are required to respond within sixty (60) days to the Presiding Judge of the Superior Court, with a copy provided to the Board of Supervisors.

Examples: Sheriff, Auditor/Controller, Recorder, Surveyor, Tax/Treasurer.

FAILURE TO RESPOND:

Failure to respond to a grand jury report is in violation of California Penal Code 933.05 and is subject to further action.



El Dorado County Grand Jury 2008-2009
Pictured Left to Right

Seated: Barbara Bailey, William (Gary) Miles Ettlinger (Sergeant-at-Arms), Jan Greenwood (Secretary), Judy Cook, Delores Brumett

Standing Front Row: Thomas Fleming, Clyde Needham, Tom Piatanesi, Ken Harper, Joseph Salerno, Robert Coffey

Standing Back Row: Ray Van Asten, Steve Sedgwick (Parliamentarian), Kathy Walter (Pro-Tem), Jane Newman, Chuck MacLean (Foreman), Becky Evans, Lloyd Hathaway