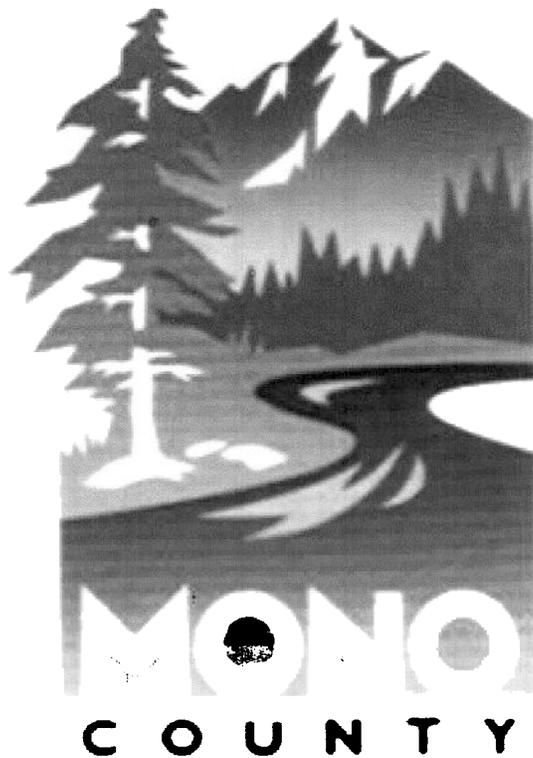


# MONO COUNTY GRAND JURY

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Final Report  
2006-2007

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### LOGO

Laura Patterson Design

### COVER

Haven Kiers

### LAYOUT

Barbara Smith

### PRODUCTION

Wendy Runley & Barbara Smith

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF MONO

IN RE:

2006-2007 Grand Jury

GENERAL ORDER

I certify that the 2006-2007 Mono County Grand Jury Final Report complies with Title Four of the California Penal Code and direct the County Clerk to accept and file the final report as a public document.

Dated this 16<sup>th</sup> day of August 2007.

  
EDWARD FORSTENZER  
Presiding Judge of the Superior Court

MONO COUNTY GRAND JURY  
STATE OF CALIFORNIA

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June 30, 2007

The Honorable Judge Stan Eller  
The Honorable Judge Edward Forstenzer  
Mono County Superior Court  
P.O. Box 1037  
Mammoth Lakes, CA 93546

Dear Judge Eller and Judge Forstenzer,

It has been my privilege to serve as Foreman of the Mono County Grand Jury this past few months, and it is with a great deal of pride and satisfaction that I present to you the product of our many hours of hard work on behalf of the citizens of Mono County.

This was not an ordinary year for the Grand Jury. Our Foreman Beverly Cheeseboro accepted a job transfer in April. As Foreman Pro Tempore I was asked to finish out the remainder of our term as Foreman. I would like to thank Beverly for her exceptional organizational skills and efforts. Our members dedicated a remarkable amount of time and energy to their investigations of citizens' concerns about their local government, and were especially resourceful, skilled and committed to the task they undertook when they volunteered to serve. We investigated six complaints, initiated one complaint / interview, interviewed a number of people, toured the jail facility in Bridgeport and devoted a tremendous amount of time to analyze the information we gathered.

All Mono County Government officials and employees are being called upon by the residents of Mono County to affirm their duty to conduct the business of the people with integrity and honesty by embracing codes of ethical standards. This Grand Jury concluded from a number of its investigations that many local government officials and employees are to be **commended** for their work on behalf of the citizens of Mono County, and we are pleased for the opportunity to acknowledge those accomplishments.

Perhaps the most important message that this Grand Jury wishes to convey to the citizens of Mono County is this: The government serves and is accountable to its citizens, who must hold their elected and appointed officials to high standards and ensure that they perform their duties efficiently, effectively and ethically. The Grand Jury plays an important role in this effort, but the ultimate responsibility rests with the citizens themselves.

The results of this Grand Jury's team effort throughout the year speak for themselves. Thanks to the generosity of time by all our dedicated members and an extra big Thank

You to Wendy Runley for keeping us organized. All her hard work is greatly appreciated.

Very truly yours,

Jeff Mills, Foreman  
2006 – 2007 Mono County Grand Jury

## THE GRAND JURY SYSTEM

Shrouded in secrecy, the functions of a grand jury are not widely known. The following summary describes what a grand jury is and does:

The grand jury system dates back to 12<sup>th</sup> century England during the reign of Henry II. Twelve “good and lawful men” were assembled in each village to investigate anyone suspected of crimes. The jurors passed judgment based on what they themselves know about a defendant and the circumstances of the case. It was believed that neighbors and associates were the most competent to render a fair verdict. By the end of the 17<sup>th</sup> century, the principle that jurors must reach a verdict solely on the basis of evidence was established, and that practice continues today. Although California Supreme Court decisions have curtailed the historical criminal indictment function, the grand jury still serves as an inquisitorial and investigative body functioning as a “watchdog” over regional government.

The Mono County grand jury, as a civil grand jury, is not charged with the responsibility for criminal indictments except in the case of elected or appointed county officials. Its primary function is the examination of county and city government, including special legislative districts such as community service districts and fire protection districts. The grand jury seeks to ensure that government is not only honest, efficient and effective, but also conducted in the best interest of the citizenry. It reviews and evaluates procedures, methods and systems used by governmental agencies to determine compliance with their own objectives and to ensure that government lives up to its responsibilities, qualifications and the selection process of a grand jury are set forth in California Penal Code Section 888 et seq.

The grand jury responds to citizen complaints and investigates alleged deficiencies or improprieties in government. In addition, it investigates the county’s finances, facilities and programs. The grand jury can not investigate disputes between private citizens or matters under litigation. Jurors are sworn to secrecy, and all citizen complaints are treated in strict confidence.

The Mono County grand jury is a volunteer group of 11 citizens from all walks of life throughout the county. Grand jurors serve a year-long term beginning July 1, and the term limit is two consecutive years. Lawfully, the grand jury can act only as an entity. No individual grand juror, acting alone, has any power or authority. Meetings of the grand jury are not open to the public. By law, all matters discussed by the grand jury and votes taken are kept confidential until the end of term.

One of the major accomplishments of a grand jury is assembling and publishing its Final Report. This document is the product of concentrated group effort and contains recommendations for improving various aspects of governmental operations. When it is completed, the Final Report is submitted to the presiding judge of the Superior Court. After release by the court, it is directed first to county department heads for review, then to the communications media. The Final Report is a matter of public record, kept on file at the count clerk’s office. It is also available on line at: [www.monosuperiorcourt.ca.gov](http://www.monosuperiorcourt.ca.gov).

## GRAND JURORS AND ADVISORS

### GRAND JURORS

**Beverly Cheeseboro**  
*Chalfant Valley*

**Wes Fahy**  
*Mammoth Lakes*

**Heidi Hartman**  
*Mammoth Lakes*

**Mary E. McDowell**  
*Mammoth Lakes*

**Bartshe Miller**  
*Lee Vining*

**Jeff Mills**  
*Bridgeport*

**Wendy Runley**  
*Paradise*

**Lanie Somers**  
*Mammoth Lakes*

**Dawn Vereuck**  
*Mammoth Lakes*

**Nancy Walters**  
*Swall Meadows*

**Leslie Whitmore**  
*Mammoth Lakes*

### OFFICERS

**Beverly Cheeseboro**  
Foreman, September '06 – March '07

**Lanie Somers**  
Secretary, September '06 – December '06

**Jeff Mills**  
Foreman, April '07 – June '07

**Wendy Runley**  
Secretary, January '07 – June '07

### ADVISORS

**Stan Eller and Edward Forstenzer**  
Judges of the Superior Court

**George Booth**  
District Attorney

**Bob Dennis**  
Court Executive Officer

**Marshall Rudolph**  
County Counsel

**Mark Magit, Stacey Simon and Allen Berrey**  
Deputy County Counsels

## **GRAND JURY COMMITTEES**

### **ADMINISTRATION, HEALTH, WELFARE AND SOCIAL SERVICES**

*Heidi Hartman, Chair*

Leslie Whitmore

Beverly Cheeseboro

### **AUDIT AND FINANCE**

*Bartshe Miller, Chair*

Heidi Hartman

Jeff Mills

Wendy Runley

### **EDUCATION**

*Nancy Walters, Chair*

Wendy Runley

Leslie Whitmore

### **EXECUTIVE AND HANDBOOK**

*Leslie Whitmore, Chair*

Mary McDowell

Lanie Somers

### **PARKS, RECREATION AND PUBLIC WORKS/ BUILDING, PLANNING AND ENVIRONMENT**

*Dawn Vereuck, Chair*

Wes Fahy

Mary McDowell

Jeff Mills

### **PUBLIC SAFETY**

*Wendy Runley, Chair*

Heidi Hartman

Bartshe Miller

Jeff Mills

### **TOWN OF MAMMOTH LAKES**

*Mary McDowell, Chair*

Wes Fahy

Lanie Somers

Dawn Vereuck

Nancy Walters

## CITIZEN COMPLAINTS

A Grand Jury receives communications from citizens, civic groups and government employees regarding real or fancied grievances. Although the Penal Code does not assign the Grand Jury duties as ombudsmen, the Grand Jury can and frequently does look into complaints as part of its watchdog duties. Some complaints will be found to be without merit, and others will concern matters over which the Grand Jury has no jurisdiction. All complaints, except those originating with the District Attorney or the Court, should be submitted in writing and signed. If the complaint falls within the purview of the Grand Jury, an investigation will be initiated by one of its standing Committees. If the complaint is outside the Grand Jury's purview, it may be forwarded to County Counsel, a Superior Court Judge, or the District Attorney. Results of all Committee investigations are presented to the entire Grand Jury for concurrence.

Any citizen who would like to file a legitimate complaint for consideration by the Grand Jury should submit a dated and signed letter to: Mono County Grand Jury, P.O. Box 1037, Mammoth Lakes, CA 93546.

This year the Grand Jury considered seven complaints:

- #06-01      A letter of complaint dated July 22, 2006, regarding a tax dispute with the Mono County Assessors office on the assessment of interest and penalties on alleged timely filing of taxes.  
Referred to the Audit and Finance Committee.  
Closing date: June 27, 2007
  
- #06-02      A letter of complaint dated August 3, 2006, regarding the alleged misconduct of a public official with regards to an Administrative Citation from the Mono County Public Works/Code Compliance Division and in a second letter from the same individual dating February 9, 2007 alleging that the Mono County Board of Supervisors ignored a Final Disposition on a requested hearing.  
Referred to the Parks and Recreation, Public Works/Building, Planning and Environment Committee.  
Closing date: June 27, 2007
  
- #06-03      An anonymous letter of complaint, (undated), regarding alleged excessive overtime charges, preferential treatment, and various medical supply and hospital supervision issues relative to the operations of paramedics in Bridgeport. This complaint was carried over from the 2005-2006 Grand Jury.  
Referred to the Public Safety Committee.  
Closing date: June 27, 2007
  
- #06-04      The Grand Jury of 2005-2006 received a letter of complaint dated April 20, 2006, regarding the status of the potential change of control of the

Mammoth Mountain Ski Area and Intrawest, a Canadian Corporation.  
This was carried over to the current sitting Grand Jury.  
Referred to the Audit and Finance Committee.  
Closing date: June 27, 2007

#06-05 A letter of complaint dated 10/26/2006, regarding the lack of an election for the vacated seats on the Mammoth Unified School Board, and the appointment of individuals when there were alleged appropriately nominated write-in candidates.  
Recommended to the Education Committee.  
Closing date: June 27, 2007

#06-06 A letter of complaint dated 11/10/2006, regarding alleged violations in the conduct of the Bircham Community Services District Board with regards to the posting of a bid for a drilling project, an extension of the time of the bid, change in license required in the bid and the lack of regard for the public and its recommendations.  
Recommended to the Parks, Recreation and Public Works/Building, Planning and Environment Committee.  
Closing date: June 27, 2007

#07-01 After the Mono County Jail Tour on December 12, 2006, the Grand Jury had concerns regarding Mono County's future vision regarding a new jail or the development of a holding facility for internees and the costs associated with transporting internees to Bridgeport from the far borders of the County.  
Recommended to the entire Grand Jury.  
Closing date: June 27, 2007

**ADMINISTRATION, HEALTH, WELFARE  
AND SOCIAL SERVICES COMMITTEE**

**STATEMENT**

The Administration, Health, Welfare and Social Services Committee received no letters of complaint during this term.

**FINDINGS**

No findings.

**RECOMMENDATIONS**

No recommendations.

## **AUDIT AND FINANCE COMMITTEE**

### **COMPLAINT #06-01 A, B, C**

#### **STATEMENT**

Two complaints were received during the summer 2006 and fall 2006 alleging unfair taxation and unresponsiveness on the part of Mono County Tax Collector's Office. The Complainant stated that mistakes were made on the part of the Tax Collector's Office and that taxes were unfairly assessed for late parcels. The Complainant also stated that the taxes were mailed by the due date, and despite attempts to resolve the issue through multiple official channels, there was no response from the several Mono County officials contacted.

#### **FINDINGS**

The Audit and Finance Committee interviewed the Interim Mono County Tax Collector.

The Tax Collector was very cooperative and came prepared with all the relevant paperwork regarding the complaints. The Committee ascertained the following:

1. Based on the postmark, in the opinion of the Tax Collector, the taxes paid by the Complainant were late. The Tax Collector can only determine when taxes were paid and mailed based on the official US Postal Service stamp. The Tax Collector has limited discretion to make exceptions to this when there are clear, extenuating circumstances, e.g. an automobile accident on the way to the post office, etc.
2. Based on late payment of parcel stubs, taxes were assessed accurately and appropriately—a 10% late fee for each parcel in addition to the \$10 charger per parcel. This is the customary procedure based on tax codes for late property taxes.
3. No additional charges or penalties were assessed.
4. The Complainant paid the remaining taxes and penalties in a timely manner.
5. Because of multiple protests from the Complainant that the taxes were paid on time, the individual was given an opportunity to sign a notarized statement that taxes were mailed on time.
6. The Tax Collector has the discretion to accept or reject the sworn statement and amend the Complainant's tax penalties accordingly.
7. At the time of the investigation the Complainant had returned the statement, but failed to follow the specific directions required for a letter to be considered by the Tax Collector.
8. Mono County officials were cooperative and demonstrated a high level of public service regarding the complaint.

#### **RECOMMENDATION**

The Committee concluded, and the Grand Jury concurred that taxes and penalties were assessed accurately and appropriately. No further investigation is necessary.

## **AUDIT AND FINANCE COMMITTEE**

### **COMPLAINT #06-04**

#### **STATEMENT**

Complaint #06-04 was initially investigated by the 2005-2006 Grand Jury. The 2005-2006 Grand Jury recommended that the complaint be carried over to the 2006-2007 Grand Jury. The complainant requested that the Grand Jury investigate whether Mammoth Mountain Ski Area (MMSA) had a change of ownership in November 1997 in regards to the reassessment of the property for tax purposes.

#### **FINDINGS**

The Audit and Finance Committee reviewed documents, met with County Counsel, and the Assistant Mono County Tax Assessor. The Audit and Finance Committee was unable to meet with the Mono County Tax Assessor. In November 1997 Intrawest Corporation (I-Corp) obtained the majority of shares in MMSA. However I-Corp did not possess voting control of MMSA. The revenue and taxation code defining a change of corporate ownership appears confusing. Because I-Corp did not possess the controlling shares in MMSA there are differing legal interpretations as to whether a change of ownership had actually occurred. Due to the complexity of this issue and the associated legal research it has taken some time for the issue to move toward a resolution. Further, locating and retaining appropriate, expert appraisers of large ski resort properties appears to have been something of a hindrance in the past. Nonetheless, the current Mono County Tax Assessor has retained specialized assistance and is now conducting an expedient assessment of MMSA based on the position that a change of ownership did occur between MMSA and I-Corp in November 1997.

#### **RECOMMENDATION**

The Committee determined, and the Grand Jury concurred that as the current Mono County Tax Assessor holds the position that a change of ownership did occur between MMSA and I-Corp in 1997; a reassessment of the property is underway. This matter now appears to be moving toward resolution and no recommendation is necessary.

## **EDUCATION COMMITTEE**

### **COMPLAINT #06-05**

#### **STATEMENT**

Complaint #06-05 was a request that the Grand Jury investigate the nomination/election selection process of the 2006 Mammoth Unified School Board members. The complaint received by the Grand Jury, dated October 26, 2006, stated that because nomination papers were submitted by Complainant and others to the South Mono County offices for election to the Mammoth Unified School District as write-in candidates, that these persons should be seated on the Board prior to Board appointees, or, that if there were more nominees than seats, ballots should be checked for write-in candidates.

#### **FINDINGS**

The Education Committee met with the Superintendent of the Mammoth Unified School District, County Counsel and the Registrar of Voters. The following is a sequence of events pertaining to the complaint.

9/21/2006. Complainant requested from Registrar of Voters information concerning filing as a write-in candidate for the November election. Deadline for doing so was reportedly uncertain. Disclosure forms were made available in the South County offices.

9/26/2006. Registrar, after contacting the school district and learning only one incumbent filed for the three board vacancies, determined pursuant to Elections Code 10515 (a) & (b) that vacancies would be filled via appointment in lieu of election. Write-ins, therefore, would not be valid. In order to arrive at this conclusion, the Registrar of Voters queried the County Counsel for clarification of the Education Code.

10/17/2006. County Counsel, after extensive research, determined, pursuant to Ed Code Section 5326, that there would be no election to fill the vacant Mammoth School District Board seats and that the positions would be filled by appointment pursuant to Ed Code 5328. The County Counsel's Office researched and contacted the Mammoth Unified School District's legal counsel, and based upon the information gathered, they concluded that the time for filing a nomination or petition for election is eighty-three (83) days before the election. It was the County Counsel's opinion that Education Code 5326 applies to the offices for the school district and appointments to that office shall be made as set forth in Education Code Section 5328. The Complainant was given copies of the legal findings. A determination was made that sample and absentee ballots would not reference a School District election. Therefore, there was no place for any person to write in a candidate's name.

#### **RECOMMENDATION**

The Committee determined, and the Grand Jury concurred, that since there was no election for the Mammoth School Board vacancies, the complainants could not have qualified as write-in candidates for a nonexistent election and that the Mammoth Unified School District appropriately followed the procedures outlined by the Education Code in

appointing individuals to fill the remaining two vacancies. There is no recommendation made.



## **EXECUTIVE AND HANDBOOK COMMITTEE**

### **STATEMENT**

The Executive and Handbook Committee received no letters of complaint during this term.

### **FINDINGS**

No findings.

### **RECOMMENDATION**

No recommendations.



**PARKS, RECREATION AND PUBLIC WORKS /  
BUILDING, PLANNING AND ENVIRONMENT COMMITTEE**

**COMPLAINT # 06-02 and # 06-02A**

**STATEMENT**

The Parks, Recreation and Public Works / Building, Planning and Environment Committee received two complaints from the same individual. Complaint #06-02 and #06-02A allege possible misconduct of a public official.

**FINDINGS**

The Committee met with a Mono County Employee in the Building Department who has extensive knowledge regarding this matter which dates back to August of 1994. #06-02: The complainant received a notice of violation on 6/18/2002 and was required to demolish a non-permitted structure on the property. The complainant was also ordered to pay a fine of \$500 due to exceeding the time allotted to abate the property. Issue #1; The complainant alleges that the County did not hold a hearing where the complainant could plead complainant's case before the Board of Supervisors. County records indicate this allegation to be false. The Complainant was indeed awarded a hearing where the code violation order was upheld. Issue #2; The complainant alleged misconduct of one code compliance officer. There is no evidence of misconduct by the code compliance officer. In Case # 06-02A; The complainant is requesting reimbursement for the \$500 penalty paid and for the code compliance officer again to be held "accountable for his/her actions".

**RECOMMENDATION**

The Committee recommended, and the Grand Jury concurred, that based on all the information the allegations in the complaints were unfounded. There is no evidence of misconduct by any County Employee nor is there evidence indicating this complainant should receive reimbursement of funds. No further investigation is needed.

**PARKS, RECREATION AND PUBLIC WORKS /  
BUILDING, PLANNING AND ENVIRONMENT COMMITTEE**

**COMPLAINT # 06-06**

**STATEMENT**

The Parks, Recreation and Public Works/Building, Planning and Environment Committee investigated Complaint #06-06 which contends that the Birchim Community Services District was in violation of Proposition 218, questions the validity of a public hearing and posting of notice to bid, and subsequently extending the bid period. The complainant also questions the Birchim Community Services District's decision in choosing the engineering report they did and believes the Board acted recklessly by not notifying the U.S.D.A. of what the complainant believes to be deficiencies.

**FINDINGS**

This Complaint details five specific concerns the Complainant has with the Birchim Community Services District. Members of the Committee first met with the Complainant to gain an understanding of the details of the concerns. Following our initial meeting the Complainant, the Committee met with members of the Board of the Birchim Community Services District and their legal Counsel.

Concern #1, the Complainant questions the validity of the October 5, 2006 public hearing and believes the Birchim Community Services District is in violation of Proposition 218. Proposition 218 states when a rate increase is pending all those affected must be notified of the public hearing/protest hearing in writing with in 45 days of the hearing. The initial notice was mailed out with the 45 days, however, the post mark was not stamped in Bishop, therefore, when it arrived at the processing center in Southern California, the post mark was days later which in turn made the notice less than 45 days. The Birchim Board was aware of this and was overly cautious by scheduling an additional hearing on December 7, 2006 in order to comply with Proposition 218. Members of the Birchim Board also noted that there was a large turn out at the October 5, 2006 meeting and there was not one protest from those in attendance regarding raising the fees. The Board voted unanimously in favor of the fee increase.

Concern #2, The Complainant questioned the Board's method of posting the Notice to Bid, as well as the Board's decision to note the estimated costs of the project and the Complainant also questioned the importance of requiring an A-Engineering License as opposed to a C-57 (well drilling). Members of the Board and the Birchim Community Services District Legal Counsel supplied copies of the Notice to Bid which shows the notice was published for four consecutive weeks, 8/31, 09/07, 09/14, 09/21/06. The engineer estimated the project at \$322,000. The bid was awarded at \$326,025 / \$353,383. The price difference has to do with the type of piping material to be used. The Complainant forwarded a bid in the amount of \$126,000 from a local well drilling contractor who holds a C-57 license not the required A-Engineering. A C-57 License is only a well drilling license. The A-Engineering license encompasses the entire scope of

the job related to drilling a new well: Above ground structures, connecting piping, etc. Typically, there is an A-Engineer who sub-contracts with a C-57 licensee.

Concern #3, the Complainant claims the bidding period was extended without posting and the Birchim Community Services District accepted only one bid which was noted as arriving late. Only one bid was received and that bid in fact was late. The bid was due by 3:00; however UPS/FedEx delivered it at 4:30. The Board immediately contacted the U.S.D.A. and other consultants and legal counsel to get recommendations on how to proceed. The experts advised the Board that it did not make sense to reject the bid. There were 13 potential bidders who were recommended to the Board. The Board did not wait for those contractors to solicit the bid packet but instead the Board sent an invitation to bid to each of the 13 contractors identified by the U.S.D.A. The Board President personally contacted the remaining 12 contractors to confirm whether they intended to bid and verbally extended the bid date in the hope to attain at least one more bid.

Concern #4, The Complainant believed the Board made a reckless decision in accepting the reports supplied by Sierra Geotechnical Services, Inc. The Birchim Community Services Board explained that they had consulted with numerous engineers and spent over \$50,000. The Board made a well educated and thoughtful decision.

Concern #5, The complainant contends that was "*total disregard to the public law and requirements by awarding the drilling bid and committing to the U.S.D.A. loan/grant from an invalid October 5, 2006 public hearing and not notifying the U.S.D.A. of these deficiencies.*" The Birchim Community Services Board and their legal Counsel proved these accusations to be unfounded. The Board provided copies to the Grand Jury of numerous correspondences via email between the Board and Legal Counsel to the Board with the U.S.D.A. The U.S.D.A. was fully aware of the actions taken by the Board and supported the actions taken by the Birchim Community Services Board.

#### **RECOMMENDATION**

The Committee recommended, and the Grand Jury concurred, that based on all the information, the five concerns brought forward by the Complainant are unfounded. No further investigation is needed.

## **PUBLIC SAFETY COMMITTEE**

### **COMPLAINT # 06-03**

#### **STATEMENT**

Complaint #06-03 was received by the 2005-06 Grand Jury near the end of their term so it was passed along to the 2006-07 Grand Jury to decide if they wanted to pursue it. The Complaint was made anonymously which alleged excessive overtime charges, preferential treatment, and various medical supply and hospital supervision issues relative to operations of paramedics in Bridgeport.

#### **FINDINGS**

The Public Safety Committee first consulted with the District Attorney and the Presiding Judge of the Superior Court to determine whether an anonymous complaint can be followed up upon. The Committee decided there were concerns substantial enough to warrant an investigation. The Committee then interviewed the Chief of Paramedic Services/Search and Rescue. It became apparent in the interview that the complaint had been lodged at the time of or just prior to the current Chief accepting his position. The position of Chief is relatively a new administrative position and the duties are evolving with time. The current Chief signed a three year contract in August 2006. The new Chief has been working at correcting previously identified problems, some of which were mentioned in the Complaint. When the position of Chief was created, the Board of Supervisors decided to hire someone knowledgeable about Mono County, the history of the department and how it has operated in the past. Currently, each firehouse is staffed with a relief crew and the Chief stated that a volunteer list is updated weekly. The station Captain in Bridgeport does all the scheduling for the four paramedic stations in the county and the on-call list is rotated after each call out.

Billing for the paramedic services is handled by an outside contractor, and that billing is based upon the run slips which are held at Mammoth Hospital. These slips are collected and submitted weekly to the biller by the Chief. Dry runs are not billed for, and it is at the discretion of the attending paramedics whether or not the call warrants transportation to the hospital. Each station is supplied with drugs as deemed necessary and appropriate by the Chief of Paramedic Services. The Chief maintains the inventory, updates it and is responsible for ordering medications as needed. The Chief informed the Committee that: 1.) an overage of medication cannot be kept at the stations because each medication is dated and may expire before use; 2.) disposing of unused medication is very costly; and 3.) the Center for Disease Control is responsible for providing needed medications to all areas in the case of countywide emergencies or disasters.

#### **RECOMMENDATION**

The Committee recommended, and the Grand Jury concurred, that based on all the information, the allegations in the complaint have been and/or are being addressed by the current Chief of Paramedic Services/Search and Rescue. No further investigation is necessary.

## **TOWN OF MAMMOTH LAKES COMMITTEE**

### **STATEMENT**

The Town of Mammoth Lakes Committee received no letters of complaint during this term.

### **FINDINGS**

No findings.

### **RECOMMENDATION**

No recommendations.

## **JAIL HOLDING FACILITY FOR MONO COUNTY**

### **COMPLAINT #07-01**

#### **STATEMENT**

Complaint #07-01 was an investigation initiated by the Mono County Grand Jury as a group after the Jail Tour was completed. There was a concern expressed by the Mono County Sheriff's Office that the current holding facility in the Bridgeport Jail is too small with the expanding population of Mono County and specifically the Town of Mammoth Lakes. There was uncertainty whether there are future plans being considered for an additional or new holding facility in the proposed Mammoth Lakes Civic Center plan. A majority of jail internees are from Mammoth Lakes, where currently there is no facility to house inmates for either short or long term stays. Often, transporting a prisoner to Bridgeport takes a Mono County Sheriff off of County patrol to transfer the prisoner to Bridgeport. Cost effectiveness, appropriate use of County personnel and safety County-wide are issues of concern.

#### **FINDINGS**

Multiple members of the Grand Jury met with and interviewed personnel from the Mono County Chief Administrators Office, a Mammoth Lakes City Council member, Visitors Bureau and the Sheriff's Office. The Grand Jury was informed that currently, the Town of Mammoth Lakes, Mono County and Mammoth Hospital are negotiating a land exchange with the Forest Service for 10.3 acres which boarder the Mammoth Unified School District, Mammoth Hospital and the Recreational Vehicle Park/Community Church. A land exchange does not allow for future planning for the development of the land parcel, therefore nothing specific has been planned for this plot of land. Preliminary discussions between the three entities involved how the designated land would be proportionally divided. Each entity has many more needs for land than this property can satisfy, but shared Town/County Government facilities, parking space and a helipad were some of the important items recognized as current needs.

The land exchange is scheduled to be completed by July 2007. If the process is successfully completed, there is a five to ten year window for a community needs assessment to be completed, planning by all involved entities, bond propositions for funding, architectural plan development and submission of those plans to the varying State entities for approval. Therefore it is expected that it will be 7 – 10 years before ground is broken on any project.

Members of the Town Council and the Visitors Bureau were of the opinion that if there is a shared Government Facility between Mono County and the Town of Mammoth Lakes to be built, a jail/holding facility will be included in the project. The stated concern from both the County and the Town is that funding for a project of the magnitude of a shared use facility is going to be difficult and time consuming to obtain.

Several other pieces of property have been discussed as locations for designing a holding facility closer to Mammoth Lakes. All entities interviewed expressed an interest in

developing a facility to hold local inmates closer to Mammoth Lakes. These entities share the same financial, spatial and safety concerns expressed in the statement portion of this report. Many options for a new and enlarged holding facility are in the discussion phase, but until the land exchange is completed, no further action will occur. At this point in time nothing has seriously been looked at or researched

### **RECOMMENDATIONS**

The Grand Jury determined and concurred, that there is awareness on both the Town of Mammoth Lakes and Mono County's part that the current Jail Facility in Bridgeport is potentially inadequate with the growing population of Mono County. Mammoth Lakes needs and wants to house inmates from their town closer to the Courts in Mammoth Lakes. Once the land exchange deadline is passed, and whether acquisition of the aforementioned parcel of land happens or not, interested parties will move forward in researching possibilities for a location for a new and/or additional Holding Facility in or around Mammoth Lakes. The recommendation from the 2006 - 2007 Grand Jury to future Grand Juries is to make certain that the concern over a new and/or holding facility is discussed and addressed in any and all future development plans by either the Town of Mammoth Lakes and/or Mono County.