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Heather Ryan
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**BOARD OF SUPERVISORS
COUNTY OF TUOLUMNE**

Michael Holland, *First District*
Stephen A. Grier, *Fourth District*

Ryan Campbell, *Second District*

Daniel Anaiah Kirk, *Third District*
Jaron E. Brandon, *Fifth District*

July 11, 2025

Presiding Judge of Superior Court
Honorable Kevin M. Seibert
c/o Court Executive Office
Tuolumne County Superior Court
12855 Justice Center Drive
Sonora, CA 95370

Re: Response to Grand Jury Report – **Board of Supervisors Actions and Obligations dated May 23, 2025**

The following is submitted in response to the 2024-25 Grand Jury Report as it pertains to the Board of Supervisors Actions and Obligations. The Tuolumne County Board of Supervisors wish to extend their gratitude to the Grand Jury members for their time in preparing the final Grand Jury reports. Please accept this as our response to your carefully prepared report.

The Grand Jury raised several concerns regarding potential Brown Act violations by the Board of Supervisors, which the Board has reviewed in detail. While the report does not provide sufficient evidence to confirm violations, the Board recognizes the importance of transparency and public trust in its proceedings. In each instance cited, from resolution procedures and Vice Chair appointments to closed session discussions the Board followed protocols that align with the Brown Act or demonstrate substantial compliance. If Brown Act violations occur, they are immediately corrected. The County also appropriately protected confidential information during subpoena challenges, as upheld by the Court. Moving forward, the Board remains committed to improving communication and reinforcing its adherence to both the letter and spirit of the Brown Act.

Findings

Finding 1 The Board of Supervisors failed to provide sufficient transparency, nor honest and effective communication to staff and the community regarding board decisions, goals, and financial liabilities. This lack of transparency eroded public trust in the Board of Supervisors.

F-1 Response: The Board of Supervisors partially agrees with this finding. However, they have taken steps over the last several years to address communication and transparency, including using the OpenGov budget software so the public can easily access the budget detail online, they have used ClearPoint to create Board priorities, and Board meetings are available to livestream. The

Board of Supervisors agrees that the County needs to improve communications and transparency with the citizens of this county.

Finding 2 The Board of Supervisors failed to comply with the provisions and intent of the Brown Act, further contributing to mistrust of the Board by both the public and county staff.

F-2 Response: The Board of Supervisors disagrees with this finding, as there is insufficient evidence that a Brown Act violation occurred.

Finding 3 The Board of Supervisors failed to exercise adequate direction and oversight over the CAO and non-elected Department Heads to ensure proper personnel policies and procedures were followed. This failure fostered a widespread perception among county employees and the public, that favoritism influenced hiring and promotions, and that policies and procedures were implemented inequitably.

F-3 Response: The Board of Supervisors partially agrees with this finding. The County has used a protocol to address this in the past. The County also implemented a formal process for recruitment in 2024, which includes increased oversight by HR and a broader Nepotism policy in the updated personnel policies that more explicitly outlines conflicts of interest. In a small county, there will be family members and friends who may be employed/applicants across the organization.

Recommendations

Recommendation 1 The Board of Supervisors should develop and implement a comprehensive public information program by January 1, 2026, utilizing both digital and traditional media platforms to proactively communicate the Board's priorities and objectives, with particular emphasis on public safety initiatives and fiscal accountability measures.

R-1 Response: The recommendation has not yet been implemented, but will be implemented in the future as the Board of Supervisors agrees that the County needs to improve communications and transparency on items.

Recommendation 2 The Board of Supervisors should develop and implement formal procedures-no later than January 1, 2026-authorizing a Public Information Officer or other designated representative to serve as the Board's official spokesperson under clearly defined circumstances.

R-2 Response: The recommendation requires further analysis, because the Board would like to study whether or not a Public Information Officer is necessary and examine the cost of such a position. This is anticipated to be reviewed within the fiscal year.

Recommendation 3 The Board of Supervisors should strictly and immediately comply with the Brown Act, upholding its provisions with the utmost diligence and adhering to County Counsel's guidance on compliance.

R-3 Response: The recommendation has been implemented, and if an inadvertent error occurs, the Board of Supervisors takes efforts to correct violations.

Recommendation 4 The Board of Supervisors should immediately and consistently evaluate its

Brown Act actions through the lens of public perception, recognizing that even the appearance of impropriety can be as damaging as actual misconduct.

R-4 Response: The recommendation has been implemented.

Recommendation 5 The Board of Supervisors should establish and implement a formal annual performance evaluation process for all non-elected Department Heads and the CAO by January 1, 2026. This process must ensure full compliance with all applicable county personnel policies and procedures.

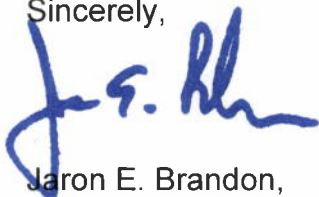
R-5 Response: This recommendation has been implemented. The Board has begun thorough annual evaluations of its Board-appointed department heads and will continue with these evaluations throughout this calendar year.

Recommendation 6 The Board of Supervisors should modify the existing reporting structure to require the Director of Human Resources and Risk Management to report directly to the Board of Supervisors rather than through the CAO, with this change implemented no later than January 1, 2026.

R-6 Response: The recommendation has not yet been implemented, but will be implemented in the future given the Board has directed that the position of Human Resources Director/Risk Manager become a Board-appointed position. This should be implemented by 2026.

We appreciate the opportunity to respond to the above findings and recommendations.

Sincerely,



Jaron E. Brandon,
Chair, County of Tuolumne Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

HEATHER D. RYAN
Board Clerk

By: _____

