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County with a relative. In addition there are two court cases that are at home in Mono County, eleven open voluntary cases and independent living plans open for six children who were Mono County foster children at the age of 16 years and are now between the ages of 18 and 21.

After review of DSS fiscal documents including the State of California Health and Human Services Agency Net Allocation 09/10-11 and its attachments I-V, addressed to Mono County, the Grand Jury finds the department to show sound and solvent fiscal management. By comparison with the vast majority of California counties, Mono County has had greater per capita access to resources for its programs, and that less than 10% of the funding has come from County sources.

DISCUSSION:

Mono County follows an intake process and once this has begun, Social Workers must assess and evaluate so the results and findings are documented. Each case and plan goal is based on an individual case-by-case scenario and relevant information to the case. Each Social Worker typically follows the case from the beginning when possible to ensure continuity between client and Social Worker. Each Social Worker continually strives to meet the department goals for making an accurate assessment in order to keep the child safe, in an appropriate intervention and make placement if required. The assessment documentation directs and assists with meeting the needs of each child. Evaluation must include present and apparent problems, possible causes, and effects if intervention with the family is required. Families are included as a support in problem resolutions.

If a plan includes permanent placement services, the Social Workers have several options to evaluate and include in the placement plan. These include short or long term foster care, adoption or guardianship, group homes or other childcare institution. Returning the child to his or her home is the ultimate goal of the department.

The Grand Jury found special attributes in each of the supervisory and working staff members. These included an intense commitment to the rights and needs of children, and a willingness to engage with the children and their families to work out the best solutions when abuse and/or neglect is reported and found. The Grand Jury also found a warm esprit-de-corps among the staff resulting from the strong and warm leadership of the Director and staff supervisors.

The Grand Jury finds capable people, who are professionals in their field of expertise, are administering Mono County Child Welfare Services. They have hired operational staffs that have the required skills, and that initial and continuing training is excellent. Each Social Worker has the duty and responsibility of performing within the department with a high caseload.

However, their respective caseloads and management of each is labor intensive, with many of their working hours spent on extensive travel due to many out of county placements.

RECOMMENDATIONS:

The Grand Jury addresses two recommendations to the Director of the Department of Social Services (in which the Department of Child Welfare Services is housed). According to State Regulations, the department shall acknowledge and respond to these recommendations within 90 days of the publication date of this report.

Recommendation 1: The CWS should keep as a high priority their search to add a fourth Social Worker to its staff to better balance the workload, and to adjust for the added time spent in travel to placement sites outside of County.

Recommendation 2: The CWS should keep as a high priority their search to find and certify new foster homes in Mono County.

Action: Director

Duration: 3 months

MONO COUNTY GRAND JURY FOR THE YEAR 2010-2011
COMPLAINT 10-06
EASTERN SIERRA UNIFIED SCHOOL DISTRICT
FINAL REPORT BY GRAND JURY INVESTIGATION COMMITTEE
(COMBINED WITH 10-03)

SUMMARY:

Complaint: The letter requested investigation of the ESUSD regarding the contract with the Superintendent and subsequent budgetary processes and decisions.

Methods: Two investigations have been made of both topics in the complaint. Examination of both investigations revealed that the complaint overlapped the other two investigations. A report was issued July 2010 that included an ESUSD Superintendent Contract report. Another investigation of the ESUSD budgeting Process is complete and will be made public in mid-2011.

Findings: There is no need for an additional investigation.

Recommendation: A letter of acknowledgment is recommended and was sent to the complainant.

MONO COUNTY GRAND JURY FOR THE YEAR 2010-2011
COMPLAINT 10-07
MONO COUNTY RIGHT-OF-WAY CODES
FINAL REPORT BY GRAND JURY INVESTIGATION COMMITTEE

SUMMARY:

Statement: The Grand Jury received a citizen complaint dated October 18, 2010, regarding Mono County's ambiguous Code, inconsistent enforcement of Mono County Codes by County staff and the use of unwritten guidelines.

Methods: Four interviews were conducted including the complainant, their architect, Mono County Code Enforcement and Mono County Public Works staff. A variety of documents were reviewed, including correspondence and emails to the complainant from County staff; emails between the architect and County staff; minutes from the November 9, 2010 Board of Supervisors meeting; Mono County website for Code information pertaining to the right-of-way, encroachments and abatement of nuisances, and the United States Postal Service's Residential Mailbox Standards.

Findings: The Grand Jury found inconsistencies between the language in the Code regarding the right-of-way and an informal policy employed by Mono County staff regarding mailbox installations in the County's right-of-way. Findings also indicate the United States Postal Services (USPS) mailbox standards differ from Mono County Code; however, staff has referred Mono County residents to the USPS standards for mailbox requirements.

Discussion: The County has a responsibility to provide accurate information to its residents. This information can be communicated in written form, via the County's website, and verbally. In this case, the complainant and their agent received vague and contradictory information verbally regarding the installation of a mailbox in the County right-of-way. Per County staff, informal policy permits "break-away" mailboxes in the right-of-way. According to the complainant, County staff stated that a mailbox did not require an encroachment permit, and that the USPS should be consulted for mailbox guidelines. In speaking with County staff, throughout the County there are various objects in the right-of-way areas, which do not have encroachment permits.

Recommendations: The Grand Jury recommends that the complainant's mailbox be allowed to remain, that County Code be more specific with regards to mailbox requirements and specifications and that enforcement of unauthorized objects in the right-of-way be consistent. The County Code should be provided in writing to citizens who request it.

BACKGROUND:

A citizen complaint was received by the Grand Jury, dated October 18, 2010, regarding the “unequal, capricious application of the law, intentional disregard for the Mono County Codes by the County, and attempts to enforce as law unwritten department policies”. These complaints stem from the installation of a residential mailbox structure, which the complainant’s architect designed to complement their home and prevent vandalism, which the complainant had experienced at their other home. Prior to designing the mailbox, the complainant’s architect contacted the Mono County Public Works Department to determine if there were mailbox design standards and if an encroachment permit was required. The verbal response was “no”, an encroachment permit was not required for a mailbox and to check with the United States Post Office (USPS) regarding design or placement specifications. The architect consulted with the USPS and a mailbox structure was constructed in April 2009. Large boulders flanked both sides of the mailbox along the complainant’s driveway and street curbing.

The mailbox was completed in April 2009 and did not appear to be problematic during the wet winter of 2009/10. The County repaved the street in spring 2010 and a snow pole was placed at the edge of the curb adjacent to the mailbox. Soon thereafter the complainant received notification from USPS that the snow stake prevented mail delivery. The complainant called the Public Works Department to request that the snow stake be moved. Subsequently, the Mono County Public Works Department mailed correspondence dated May 26, 2010 to the complainant citing Mono County Code violations pertaining to the mailbox being in the County’s right-of-way and stipulating that the mailbox and the adjacent boulders needed to be removed by July 1, 2010. The County’s concern regarding objects being in the right-of-way is the potential hazard to snow removal operations and the storage of snow removed from the roadway. This correspondence was addressed to the complainant but was mailed to the complainant’s husband’s business, not the mailing address on the Mono County Tax Roll, and was not sent via certified mail. The complainant claims to never receiving this correspondence via the mail.

Subsequent correspondence, via certified mail, was sent to the complainant by the Mono County Public Works Department (June 7, 2010) and the Mono County Community Development/Compliance Division (September 27, 2010), regarding violations of the County Code for a “Permit Required” (MC Code Section 13.04.020 A) and creating a “Public Nuisance” (MC Code Section 7.20.010 D.1). The June 7, 2010 letter from the Public Works Department indicates that the mailbox structure and boulders need to be removed and then proceeds to include an encroachment permit to initiate the encroachment permit process. When the complainant questioned the Public Works staff regarding applying for an encroachment permit for the mailbox structure, staff indicated that an encroachment permit for the existing mailbox would be denied and that the letter was a standard “form” letter.

The September 27, 2010 letter from the Compliance Division cited the same Code violations as the June 7, 2010 letter – “Permit Required” and “Public Nuisance”. The complainant requested an extension of time from the Compliance Division and stated that an extension could not be approved without consulting with the Public Works

Department. In the meantime, the complainant called the appropriate Board of Supervisors office about the situation. The complainant was subsequently informed by the Compliance Division that an extension had been granted to November 15, 2010.

An on-site meeting was held involving the complainant, the respective Board of Supervisor for this geographical area within the County, Public Works and Compliance Division staff. As a result of this meeting, the complainant decided to request that this matter be reviewed and a decision rendered at an upcoming County Board of Supervisors meeting. This meeting took place on November 9, 2010 and the outcome was that County Counsel will develop an agreement between the complainant and the County releasing the County from liability due to damage or injury that may be caused by said mailbox. As of the writing of this report, the Grand Jury has learned that an agreement has been drafted and presented to the complainant for review. The Grand Jury has also learned that the adjacent boulders have been removed and the bottom of the mailbox structure has been saw-cut so that it would break-away upon impact.

METHODS:

This investigation included interviews with the parties involved in this matter. A total of four interviews were conducted. Correspondence between the various Mono County departments and the complainant reviewed, in addition to Mono County Code of Ordinances, and United States Postal Service information regarding mailboxes.

1. Interviews:

The investigating committee conducted four interviews in researching this matter. Those interviewed included the complainant, the complainant's architect, Mono County Public Works staff and Mono County Community Development/Compliance Division staff. All of the interviews were confidential.

2. Documents:

The committee also reviewed correspondence from the Mono County Public Works Department and the Mono County Community Development Department/Compliance Division to the complainant; reviewed photographs of the mailbox structure; reviewed minutes from the November 9, 2010 Board of Supervisors meeting when this matter was discussed; email communications between the complainant and the architect regarding this matter; an email communication between the architect and MC Public Works staff; email communications between the Interim Public Works Director and the complainant; the Mono County website for Code information; the United States Post Office website for Residential Mailbox Standards, and USPS mailbox information provided by Public Works staff.

FINDINGS:

1. Interviews:

- a. The interview with the complainant indicated that they are law-abiding citizens who would have proceeded in a different manner had they known that a mailbox structure could not be located within the County's right-of-way. They stated that they and their architect performed due diligence in determining if there was a need for an encroachment permit to install a mailbox in the County's right-of-way and consulted with the United States Postal Service for specifications when directed to that source by a Mono County Public Works staff member.

The complainant also experienced frustration and a sense of arrogance when interacting with a Public Works staff member. The complainant not receive either of the two communications sent by the Public Works Department (dated May 26, 2010 and June 7, 2010). The Compliance Division assumed the complainant to be unresponsive to the letters of violation. In addition, information in the June 7, 2010 letter was misleading in that an encroachment permit, which was enclosed in the letter, could not be submitted as it would be denied based upon the existing mailbox structure.

- b. The interview with the architect reiterated the process that occurred when trying to determine if an encroachment permit was required for a mailbox. When contacting the Mono County Public Works Department, the architect was told that a mailbox did not require an encroachment permit; however, the United States Postal Service should be consulted for mailbox guidelines. This agent has also noted that throughout the County there are objects in the right-of-way (i.e. boulders, fire hydrants, etc.) that do not appear to be in violation of Mono County Code as these objects have not been removed.

This individual indicated that Mono County Counsel is in the process of developing an agreement between the complainant and Mono County which will release the County from liability for damage/injury that may occur as a result of the mailbox structure from being in the right-of-way.

- c. The Compliance Officer was also interviewed and cited that placing anything in the Mono County right-of-way requires an encroachment permit; however, the Officer indicated that Public Works has an informal, unspoken policy allowing landscaping and breakaway mailboxes to be placed in the right-of-way. The Compliance Officer participated in the on-site meeting with Mono County staff and a Board of Supervisor to view the mailbox structure in question. This individual concluded that an agreement was being developed and that the concrete base of the mailbox structure would be saw-cut to enable it to breakaway if hit. As of

the writing of this report, the Grand Jury has learned that the concrete base of the mailbox structure has been saw-cut.

2. The Public Works Road Operations Supervisor, who has been in this position for approximately 2 years, was interviewed. This individual explained that the Mono County Code does not permit anything to be placed in the right-of-way without an encroachment permit, which requires County review. When questioned about the distances involved in the right-of-way, this individual indicated that the right-of-way is an average of 60 feet from the center of the road. According to this Supervisor, the Post Office requires mailboxes to be of a breakaway design; however the investigating committee found that the USPS indicates that breakaway supports are ideal but not a requirement.

The process involved in notifying the complainant regarding the Code violations was questioned. This individual indicated that two forms of correspondence were sent to the complainant citing the violations and a timeline for removing the mailbox structure. The communication indicated this matter would be turned over to the Code Compliance Officer for action if the mailbox was not removed from the right-of-way. If not removed, fines would be levied and ultimately the structure would be removed at County cost.

3. Documents:

The investigating committee reviewed a variety of documents, including correspondence, emails, Mono County Code and United States Postal Service standards for residential mailboxes.

- a. In reviewing United States Postal Service Residential Mailbox Standards, there are several requirements which conflict with Mono County Code.
 - Install the mailbox with the bottom of the box at a vertical height of between 41-45 inches from the road surface, unless there is a road or curb condition that prevents this.
 - Mailbox should be set back 6 – 8 inches from the front face of the curb or road edge to the mailbox door
 - For posts and supports, it's up to you to keep them neat and adequate in strength and size. Ideally, its assembly should bend or fall away when struck by a vehicle. The Postal Service doesn't regulate mailbox supports except for purposes of carrier safety and delivery efficiency.
 - Installation of curbside mailboxes must meet our specific construction standards, which you can find at your local Post Office or mail away for a copy of our standards.
- b. In conducting a "search" of the Mono County website for information regarding mailbox specifications and a definition of right-of-way, the information was not found. The website should be easier to navigate

rather than having to guess which section to explore. Specific information regarding mailboxes was not located. Although Code Section 13.04.020 regarding an encroachment permit being required is rather explicit, a reference to mailboxes, and any other object that the County now deems important, should be included and easy to find.

DISCUSSION:

1. Interviews:

The interviews verified that the County Code regarding encroachment permits is not being enforced strictly as written. County staff has an unwritten policy, which permits mailboxes to be installed in the right-of-way; however, it is staff's perception that these mailboxes consist of a store-bought metal mailbox positioned on a 4" x 4" wooden post. Questions regarding mailbox specifications were directed to the United States Postal Service, which has different criteria for mailboxes. Technically, Mono County states that objects in the right-of-way require an encroachment permit; however, mailboxes are permitted as an unwritten policy. Whereas, the USPS requires mailboxes to be set back 6 – 8 inches from the front face of the curb or road edge to the mailbox door. Consequently, there is a discrepancy between USPS and Mono County requirements.

2. Documents:

More explicit language in the Mono County Code, regarding mailboxes or any other object that has recently come to staff's attention, will prevent future mishaps or miscommunications. Consistent enforcement of Mono County Code will also help to prevent problems. Driving throughout the County and seeing violations of objects in the right-of-way (boulders, signs, boats, trailers, vehicles, etc.) gives one the perception that these objects are acceptable and can be replicated in the neighborhood without issue.

RECOMMENDATIONS:

Based upon the findings of the investigating committee, the Grand Jury recommends that the following items be considered for implementation.

1. Interviews:

- a. Allow the complainant's existing mailbox in question to remain in place. As of the writing of this report, the Grand Jury has learned that County Counsel has drafted an agreement, pursuant to direction from the Board of Supervisors, between the complainant and the County, which will release the County from liability for damage, and injury that may be