and the third continues as outstanding.

● The Judge Elizabeth Johnson Loan. On 3/2/16, the balance of this loan was $154,170.54. As of 11/1/17, the balance was $105,167.27, with a balloon of $70,454.92 due on 12/31/18. Following Judge Johnson's retirement this spring, this loan was repaid in full.

Report: 2016-17 Trinity County Grand Jury Report
Keeping the Public's Business Public:
Review and Analysis of the BOS responses -

Finding #1: "The BOS scheduled on its posted agenda, as a 'closed session' pursuant to Government Code section 54954.5(e), an employee evaluation of the CC at 11 regular meetings of the BOS for the Calendar Year 2016 (January 1, 2016 thru December 31, 2016)."

Response: Disagree wholly. Deputy clerk says this is inaccurate.

Review of this Response: The number of times the agenda reflected the employee evaluation of the County Counsel was in fact not 11, as the previous grand jury had stated. In fact it was 13 times, 12 more than the contracted annual evaluation.

The dates and agenda item numbers for the 13 are as follows. Additionally, these items were compared with both the BOS' published agendas and the minutes published following the meetings:

1. Agenda 2016-01-05 under Closed Session, item 7.01 01 Government Code Section 54954.5(e) – Public Employee Evaluation: County Counsel (Minutes reflect "Evaluation Held")
2. Agenda 2016-01-20 under Closed Session, item 6.01 Government Code Section 54954.5(e) – Public Employee Evaluation: County Counsel (Minutes reflect "Evaluation Held")
3. Agenda 2016-02-17 under Closed Session, item 6.01 Government Code Section 54954.5(e) – Public Employee Evaluation: County Counsel (Minutes reflect "Direction Given to Staff")
4. Agenda 2016-03-01 under Closed Session, item 6.01 Government Code Section 54954.5(e) – Public Employee Evaluation: County Counsel (Minutes reflect "Direction Given to Staff")
5. Agenda 2016-03-15 under Closed Session, item 6.01 Government Code Section 54954.5(e) – Public Employee Evaluation: County Counsel (Minutes reflect "Evaluation Held")
6. Agenda 2016-04-05 under Closed Session, item 6.01 Government Code Section 54954.5(e) – Public Employee Evaluation: County Counsel (Minutes reflect "Evaluation Held")
7. Agenda 2016-04-19 under Closed Session, item 6.02 Government Code Section 54954.5(e) – Public Employee Evaluation: County Counsel (Minutes reflect "Evaluation Held")
8. Agenda 2016-05-03 under Closed Session, item 7.02 Government Code Section 54954.5(e) – Public Employee Evaluation: County Counsel (Minutes reflect "Evaluation Held")
9. Agenda 2016-05-17 under Closed Session, item 7.01 Government Code Section 54954.5(e) – Public Employee Evaluation: County Counsel (Minutes reflect "Evaluation Held")
10. Agenda 2016-06-07 under Closed Session, item 7.01 Government Code Section 54954.5(e) – Public Employee Evaluation: County Counsel (Minutes reflect "Evaluation Held")
11. Agenda 2016-06-21 under Closed Session, item 7.01 Government Code Section 54954.5(e) – Public Employee Evaluation: County Counsel (Minutes reflect "Evaluation Held")
12. Agenda 2016-09-06 under Closed Session, item 6.01 Government Code Section 54954.5(e) – Public Employee Evaluation: County Counsel (Minutes reflect "Evaluation Held")
13. Agenda 2016-10-04 under Closed Session, item 6.02 Government Code Section 54954.5(e) – Public Employee Evaluation: County Counsel (Minutes reflect the wrong item description and then the words "Evaluation Held")

As a side note, the November 1, 2016, BOS agenda has under 'closed session,' the evaluation of the Clerk of the Board, who is Margaret Long (County Counsel, then Interim CAO and Clerk of the Board).

The conclusion to this finding, and its response, is that, based on research and cross checking, the respondent was inaccurate in its answer.

Finding #4: "BOS minutes, for each meeting held during the calendar year 2016 where an evaluation of the CC was scheduled, indicate 'Evaluation was held,' except the meeting on March 1, 2016, where the minutes report, 'Direction was given to staff.'"

Response: Disagree wholly. Administration staff found this not to be accurate.

Review of this Response: The Grand Jury finding was inaccurate as there were 13 (not 11) such meetings. Additionally, "Direction to staff" was reported in the minutes for two meetings 2/17/2016 and 3/01/2017, not one as Finding #4 states.

Finding #6: "The contract between the BOS and the CC called for creation of criteria and standards for evaluating the CC's performance. Under the contract, performance reviews are to be conducted annually."

Response: Agree.

Review of this Response: The response of "Agree" supports the contract between the BOS and the CC which states performance reviews are to be conducted annually. There were, however, 13 performance reviews, 12 more than the contracted amount.

Transparency & Election Codes:

The most important goal the current grand jury pursued was allowing members of the Grand Jury to observe the election process pursuant to Election Code 15104(d) (see appendix C). In particular, the Grand Jury sought to observe the process of counting mail-in-ballots as mandated by the election code. As part of this effort, we requested information from the prior election as to the number of mail-in ballots that were returned as 'Returned Undeliverable' by the post office. Of the ballots mailed out, 333 of more than 3,600 mailed were returned by the USPS.

We are pleased that the Elections Office has agreed to have the grand jury participate in the upcoming June election as observers of the election process. We hope that this will give our citizens a further sense of security in the election results with this additional level of transparency.

Follow-up Interviews:

In order to complete the review of earlier Grand Jury reports, the current Grand Jury members met with a member of the BOS and with the CAO to determine the status of six responses of 'needs further analysis' and/or 'has been implemented.' The respondents stated that all but one was confirmed as implemented. Clarification is needed on this final one.

FINDINGS and RECOMMENDATIONS for the 2017-2018
GRAND JURY CONTINUITY REPORT

Findings:

Finding #1: The Policy for responding to Grand Jury reports does not match the Penal Code.

Finding #2: Not all Department Heads and Elected Officials understand the role of the Grand Jury and how it fulfills its duties.

Recommendations:

Recommendation #1: Update Policy Statement #3-90(p) for responding to Grand Jury reports so that it matches the Penal Code.

Recommendation #2: Give all Department Heads and Elected Officials a briefing on the Grand Jury, its roles and duties within the county. The Grand Jury would be happy to meet with all the department heads and elected officials at the start of their terms. Alternatively, we suggest that County Council or the CAO advise its staff.

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

Required Responses:

From the following governing body: Board of Supervisors: R1 & R2