

FILED

JUN 29 2009

SUPERIOR COURT OF CALIFORNIA
COUNTY OF TRINITY
BY: DONNA HANOVER, DEPUTY CLERK

DH

**TRINITY COUNTY GRAND JURY
2008-2009**

**SPECIAL DISTRICTS COMMITTEE
FINAL REPORT**

POST MOUNTAIN PUBLIC UTILITY DISTRICT

**This Report Was Approved
On June 8, 2009**

**2008-2009 TRINITY COUNTY GRAND JURY
SPECIAL DISTRICTS COMMITTEE
FINAL REPORT**

POST MOUNTAIN PUBLIC UTILITY DISTRICT

PURPOSE:

The Trinity County Grand Jury is charged each year with reviewing fiscal activities and operations of entities under its authorized purview to assure that residents are being well served. The Special Districts Committee chose to investigate the functions of the Post Mountain Public Utilities District (PMPUD).

BACKGROUND:

Based on information received from citizens, the Special Districts Committee started looking at the functioning of the PMPUD. We later received a written complaint and the 2007-2008 Trinity County Grand Jury Final Report that mentioned the dysfunction of the PMPUD board.

METHOD OF INVESTIGATION:

Interviews were held with members of the Post Mountain Board of Directors. Members of the committee attended the PMPUD Board of Directors meetings and reviewed the facility and the equipment. The committee interviewed a concerned citizen who had made a complaint, and reviewed written materials presented.

FINDING #1:

The Special Districts Committee found that the PMPUD Board meetings have often been out of control.

RECOMMENDATION #1:

The board should adopt a set of rules for meetings that should be posted on the wall. A suggested set of rules could be:

1. The chairman will post an agenda.
2. Discussion will be limited to the current agenda.
3. Raise a hand and ask the chair for permission to speak.
4. Keep message to 3 to 5 minutes.
5. No one will speak twice until everyone has had a chance to speak once.

6. Respect the person speaking by not talking with side conversations that will keep others from hearing.
7. No boisterous behavior, shouting or profanity shall be permitted at any board meeting.
8. The chair may eject any person or persons making personal, impertinent or slanderous remarks, or refusing to abide by a request from the chairman.
9. The chairman may order the room cleared and complete the meeting in private. If the room will not clear, the chair may adjourn the meeting. After clearing the room the chairman may permit re-entry of those not involved.
10. The chair may declare a short recess, as opposed to conducting the rest of the meeting in private.

FINDING # 2:

The Post Mountain PUD Board is not getting things done, such as equipment maintenance and repairs, snow removal, and road repairs. Problems are not being solved. A few years ago the board functioned efficiently.

RECOMMENDATION #2:

Go back to what did work. Find competent people or people who are willing to be trained. Have a town hall meeting to involve more of the community. Use a facilitator to handle the meeting, possibly from another volunteer fire department, community services district, or the Fire Chiefs' Association.

FINDING #3:

The organization of the Agenda might be leading to part of the lack of follow-through and disruption.

RECOMMENDATION #3:

Put the public comment at the end of the agenda. Add "action items", with responsible parties associated, to each meeting's agenda to follow up on previous meetings' items.

FINDING #4:

All the equipment, both for roads and fire, is in a state of disrepair. This should not be allowed, since it affects the safety of the people in the district. The water system in the firehouse has not worked for a couple of years. This could affect the health and safety of firefighters who may be exposed to hazardous materials. The district does not have drivers qualified to drive some of its vehicles.

RECOMMENDATION #4:

Take immediate steps to make sure all equipment is repaired and fully operational. Ensure that the district has qualified and licensed drivers for all the equipment.

FINDING #5:

Board meetings are frequently cancelled due to weather or lack of a quorum.

RECOMMENDATION #5:

The current state of affairs of the district cannot be ignored for two months. Reschedule the cancelled meetings to make sure there is a meeting every month. Hold special meetings more frequently to make sure that business is being taken care of. Hold a town hall meeting of citizens to rally support and get volunteers to fill the board.

FINDING #6:

The PMPUD Fire Department is too understaffed to be able to go off-district to work on CalFire or Forest Service jobs. This is a major loss of revenue to the district and the firefighters.

RECOMMENDATION #6:

Recruit and train enough volunteers to staff all fire trucks. Use a town hall meeting to generate support.

FINDING #7:

Most of the experienced people on the board and the fire department have resigned, leaving less than a full board and an understaffed fire department. The new board does not have a lot of experience and is getting very little help from the people who do have experience. There is a faction in the community that feels the board is not being run properly, but prefers to complain rather than step up and help. The group believes that the Grand Jury can solve all their problems, but this is not true. The Grand Jury does not have any power to dictate any resolution to their problems; it can only investigate and recommend a possible solution.

RECOMMENDATION #7:

The members of the community need to forgive each other and learn to work together. Everyone has to volunteer to help solve the problems if PMPUD is going to survive.

CONCLUSION:

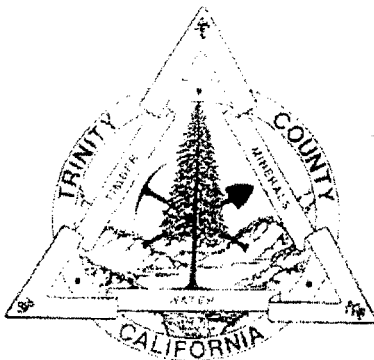
The Post Mountain community needs to start fresh, look to the future, and all work together for the common good of the community.

Post Mountain is a beautiful place to live. The community has a lot of equipment and facilities, which, if maintained and managed properly could provide the services needed.

The community has potential for a great future. Cooperation and united effort can make this happen. It is imperative that they start right away.

RESPONSES REQUIRED:

<u>Entity</u>	<u>Finding/Recommendation</u>	<u>Respond in</u>
Board of Supervisors	1,2,3,4,5,6,7	90 days
Post Mountain PUD	1,2,3,4,5,6,7	60 days



TRINITY COUNTY

Board of Supervisors

P.O. BOX 1613, WEAVERVILLE, CALIFORNIA 96093
PHONE (530) 623-1217 FAX (530) 623-8365

TO: The Honorable James Woodward,
Presiding Judge of the Superior Court

FROM: Trinity County Board of Supervisors *Wendy Reiss*

SUBJECT: Response to Recommendations of 2008-09
Grand Jury Special Districts Committee Post Mountain Public Utility District
Final Report

DATE: October 6, 2009

The Grand Jury Special Districts Committee has requested a written response to their final report on the Post Mountain Public Utility District. The Board of Supervisors' response is as follows:

Response to Findings 1 - 7: We agree with findings 1-7.

Response to Recommendations 1 - 7: Recommendations will require monitoring by future Grand Juries to assure compliance. We understand recent changes have improved the situation in the Post Mountain Community, but follow-up will be necessary to maintain progress.

JUDY PFLUEGER
DISTRICT 1

JUDY MORRIS
DISTRICT 2

ROGER JAEGEL
DISTRICT 3

HOWARD FREEMAN
DISTRICT 4

WENDY REISS
DISTRICT 5



POST MOUNTAIN PUBLIC UTILITY DISTRICT

Post Office Box 1026, Hayfork California 96041

November 5, 2009

RECEIVED

NOV 9 - 2009

TRINITY COUNTY
SUPERIOR COURT

Jim Woodard, Presiding Judge
Trinity Superior Court
PO Box 1258
Weaverville, CA 96093

Dear Judge Woodard,

This is our written response to the Grand Jury Special Districts committee Final Report on its investigation of the functions of Post Mountain Public Utility District.

Finding #1

The Special Districts Committee found that the PMPUD Board meetings have often been out of control.

Response to Recommendation #1

We will prepare and post a "Set of Rules for Meeting" per the committees recommended or suggested set of rules. It is noted that rules 1 through 4 have been stated on the monthly posted agenda under "Public Comment". However, "Public Comment" was the Number 1 item on the agenda, it is now the last item per the Grand Jury recommendation. The new posted "Set of Rules" will facilitate this recommendation.

Finding #2

The Post Mountain PUD is not getting things done. Such as, equipment maintenance and repairs, snow removal and road repairs. Problems are not being solved. A few years ago the Board functioned efficiently.

Response to Finding #2

We find #2 hard to respond to due to the small number of Board members and the responsibilities allotted to so few, with unwilling participants. So much of our snow removal and road maintenance is done mostly by donation and some grant money when obtained, our funds can be limited for work. The Board does not agree that the PUD always worked efficiently in past years, this information was received from a prior board member.

We did hold a "Town Hall Meeting" in August that did bring out new faces and needed volunteers for Board members and other offices and firemen.

Finding #3 –

The organization of the Agenda might be leading to part of the lack of follow through and disruption of meetings

Response to #3:

We have moved “Public Comment” to the last item on the agenda. We will need to add the “follow-up information of action items” to each agenda to be sure needed action is being taken in a timely manner. .

Finding #4 –

All the equipment both for road and fire is in a state of disrepair. This should not be allowed, since it effects the safety of the people in the district. The water system in the firehouse has not worked for a couple of years. This could effect the health and safety of firefighters who may be exposed to hazardous materials. The district does not have drivers qualified to drive some of its vehicles.

Response to #4 –

The building water system has been repaired by a contractor and is fully functional. The siren on the big fire truck us repaired and other items are being scheduled for repair. The equipment repair had been scheduled for repair by a certified mechanic until a concerned member got involved and discouraged the mechanic from doing the repairs, hopefully this has been resolved.

Finding #5 –

Board meetings are frequently canceled due to weather or lack of quorum.

Response to #5 –

We agree our meetings have been canceled or postponed due to snow or lack of quorum. However, we do reschedule as soon as possible, but we do have severe snow problems on occasion. We have been down to a three Board member for a while, but have now rectified that through the recent “Town Hall Meeting”

Finding #6 –

The PMPUD Fire Department is too understaffed to be able to go off-district to work on Cal Fire or Forest Service jobs. This is a major loss of revenue to the district and the firefighters.

Response to #6 -

We have a new Fire Chief and he has enlisted several new members to the fire dept., all as qualified drivers and is continuing to recruit new members.

Finding #7 -

Most of the people on the board and the fire department have resigned, leaving less than a full board and an understaffed fire department. The new board does not have a lot of experience and is getting very little help from the people who do have experience. There is a faction in the community that feels the board is not being run properly, but prefers to complain rather than step up and help. The group believes that the Grand Jury can solve all their problems, but this is not true. The Grand Jury does not have any power to dictate any resolution to their problems, it can only investigate and recommend a possible solution.

Response to #7 -

We agree there was a "select" group of disgruntled, unhappy residents that caused a lot of bad gossip about the PUD as well as the fire department and "people" were leaving because of it. However, as stated previously, we did hold a "Town Hall Meeting" that brought out new resident members and volunteers as Board members, firemen and other offices, such as a Treasurer and a Secretary..


We agree with the Grand Jury conclusion that the Post Mountain Community (Trinity Pines Sub-division) is a beautiful place to live.

We appreciate the Grand Jury Report and their attendance at several of our meetings and feel they received a fairly accurate overview of our problems, but feel we were already working on some of the problems prior to the release of their report.

Yours truly,

Post Mountain
Public Utility District
Board of Directors

cc: Trinity Journal


by Jackie Jackson,
Clerk of the Board

Tom Onwiler, President