

DRAFT-TO BE ADDED TO BOARD LETTERHEAD UPON APPROVAL

September 01, 2026

Presiding Judge of Superior Court
Honorable Laura L. Krieg
c/o Court Executive Office
Tuolumne County Superior Court
12855 Justice Center Drive
Sonora, CA 95370
Via email to Shalom Rosenfelder, CEO srosenfelder@tuolumne.courts.ca.gov

Re: Response to 2025 – 2026 Grand Jury Report – **Behind the Devastation: Tuolumne County Community Development Department Report dated June 26, 2026**

The following is submitted in response to the 2025-26 Grand Jury Report titled “Behind the Devastation: Tuolumne County Community Development Department”. 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 County submits these responses under Penal Code section 933.05. As to each finding, the County states whether it agrees, partially disagrees, or wholly disagrees and provides the reasons for any disagreement. As to each recommendation, the County states whether the recommendation has been implemented, will be implemented, or will not be implemented because it is not warranted or not reasonable.

Findings & Recommendations

Staffing

Finding 1.

Budget cuts have led to concerns about future job loss, causing CDD employees to resign or retire prior to being let go. The perception of a poor employee pay structure, newly degraded work culture, and a lack of support from the Board of Supervisors has resulted in difficulty filling vacancies within CDD. Current staffing levels within CDD are not sufficient for maintaining minimum service levels without utilizing more costly third-party contracts.

Response to Finding 1.

The County of Tuolumne PARTIALLY AGREES AND PARTIALLY DISAGREES with Finding 1.

The County of Tuolumne AGREES that budget cuts have affected jobs within the Community Development Department. The County of Tuolumne acknowledges that budget reductions have resulted in workforce adjustments that have impacted staffing levels and may have contributed to employee departures.

The County of Tuolumne DISAGREES with the remaining aspects of Finding 1. Specifically, the County of Tuolumne disagrees with the characterization that budget cuts have caused employees to resign or retire "prior to being let go," as this implies anticipated involuntary separations that have not been planned/were not communicated to staff in that manner. The County of Tuolumne also

disagrees with the assertion that there is a "perception of a poor employee pay structure, newly degraded work culture, and a lack of support from the Board of Supervisors," as this characterization does not accurately reflect the County of Tuolumne's compensation practices, workplace culture initiatives, or the Board's support for departmental operations. The County of Tuolumne further disagrees that current staffing levels are insufficient for maintaining minimum service levels without utilizing more costly third-party contracts, as the Department has maintained core services which have been sustained through operational adjustments and prioritization.

Recommendation 1-1.

Update and maintain the publicly available organization charts for CDD to align with current budgeted positions and vacancy status by August 31, 2026.

Response to Recommendation 1-1

The recommendation HAS BEEN IMPLEMENTED.

The County of Tuolumne will update the publicly available organization charts for the Community Development Department to align with current budgeted positions and vacancy status. The updated charts will be posted on the County website and will be maintained to ensure accuracy.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Recommendation 1-2.

Review the literature from ILG related to the Bridge Initiative, or other similar local government apprenticeship programs, and report back on the feasibility of implementing something similar or expanding the existing internship programs, by September 30, 2026.

Response to Recommendation 1-2.

The recommendation WILL NOT BE IMPLEMENTED.

The County of Tuolumne has determined that implementing a formal apprenticeship program modeled on the Bridge Initiative has been determined to not be aligned with current departmental priorities. The County of Tuolumne will continue to utilize existing internship programs.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Recommendation 1-3.

To identify opportunities to increase morale and improve the overall work culture within the County, perform an anonymous, county-wide employee survey by December 31, 2026.

Response to Recommendation 1-3.

The recommendation WILL NOT BE IMPLEMENTED.

The County of Tuolumne has determined that a county-wide employee survey is not necessary at this time because it would duplicate existing efforts conducted for each employee by personal evaluation and is not the most effective means of assessing employee morale given these existing feedback mechanisms. The County of Tuolumne will continue to monitor employee morale through the annual evaluation processes and address workplace culture concerns through such existing processes.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Finding 2.

Supervisor Holland's presentation "Maybe Time for a New Approach" created a misleading comparison between the Tuolumne County and Amador County Community Development Departments by relying on staffing, budget, and permit processing comparisons between departments with materially different structures, responsibilities, and workloads.

Response to Finding 2.

The County disagrees wholly with Finding 2. The report asserts that Supervisor Holland's presentation created a misleading comparison between the Tuolumne County and Amador County Community Development Departments because the departments allegedly have materially different structures, responsibilities, and workloads. The County rejects that characterization. Public comparison of governmental departments, budgets, staffing, and performance is a legitimate governance function and is not rendered "misleading" merely because the compared agencies are not identical. The finding substitutes the Grand Jury's subjective disagreement with the presentation's framing for any actual evidence that the presentation was outside the Board's governance role.

Finding 3.

The lack of definitive metrics/guidelines for permit approval time inhibits the ability to identify opportunities for improvement in the permit approval process and contributes to the poor public perception of the CDD.

Response to Finding 3.

The County partially agrees and partially disagrees with Finding 3.

The County agrees only that meaningful metrics can assist process management and may help identify opportunities for improvement in the permit-approval process.

The County otherwise disagrees with the finding's assertion that the absence of definitive metrics "contributes to the poor public perception" of CDD. That assertion is conclusory and improperly treats public perception as if it were established fact attributable to a single operational cause.

Recommendation 2/3-1.

Once a CDD Director has been hired, develop goals for permit approval times by category groups and utilize data from OpenGov to track progress against those goals, by March 31, 2027.

Response to Recommendation 2/3-1.

This recommendation WILL BE IMPLEMENTED. After a CDD Director is hired, the County will develop permit-approval goals by category groups and use available OpenGov data or successor-system data to track progress. Implementation does not constitute agreement with Finding 2 or 3.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Recommendation 2/3-2.

Once a CDD Director has been hired, develop target approval times by category groups and make

this available to the public, by March 31, 2027.

Response to Recommendation 2/3-2.

This recommendation WILL BE IMPLEMENTED. After a CDD Director is hired, the County will develop target approval times by category groups and make appropriate target information available to the public. Implementation does not constitute agreement with Finding 2 or 3.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Recommendation 2/3-3.

Develop and implement a plan to publicly reinforce the value of the CDD and the permit process via Public Service Announcements, Townhall Meetings, Board of Supervisors presentations, or similar, by December 31, 2026

Response to Recommendation 2/3-3.

This recommendation WILL BE IMPLEMENTED. The County will develop a plan to communicate the value of the CDD and the permit process through appropriate public communications. Implementation does not constitute agreement with the Grand Jury's criticism of any individual Board member or prior presentation. Implementation does not constitute agreement with Finding 2 or 3.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Finding 4.

The Board of Supervisors' use of the Board Reports agenda section to deliver an extensive presentation criticizing the CDD immediately prior to the closed-session evaluation of the CDD Director created the perception of improper public discussion of personnel matters, undermined public confidence in Brown Act compliance and fair governance practices, and addressed matters not properly agendized while denying the public and the department a meaningful opportunity to comment or respond.

Response to Finding 4.

The County DISAGREES wholly with Finding 4. The report alleges that use of the Board Reports agenda section for a presentation concerning CDD created perceptions of improper public discussion of personnel matters, undermined public confidence, addressed matters not properly agendized, and denied a meaningful opportunity to respond. The County rejects the finding. A claimed "perception" is not a substitute for a violation, and the finding does not establish that the Board unlawfully evaluated a specific employee in open session or took action outside the agenda. The Grand Jury's disagreement with the tone, length, or timing of public remarks does not transform those remarks into improper personnel action.

Finding 5.

The timing and manner of the presentation, immediately preceding the CDD Director's performance evaluation, contributed to the perception of intimidation, unfair treatment of county staff, and inconsistency in the personnel evaluation process.

Response to Finding 5.

The County DISAGREES wholly with Finding 5. The report asserts that the timing and manner of the

presentation contributed to perceptions of intimidation, unfair treatment, and inconsistency in the personnel evaluation process. The County rejects the finding because it is built on speculation about perception and motive rather than established misconduct. The County further rejects any implication that criticism of department-level operations is inherently intimidation or unfair treatment of staff.

Recommendation 5-1.

By October 1, 2026, the Board of Supervisors should adopt standards of conduct promoting professional and respectful treatment of County staff to reduce the perception of intimidation, retaliation, or politically motivated targeting of department leadership.

Response to Recommendation 5-1.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted as framed. The recommendation asks the Board to adopt standards of conduct in response to alleged perceptions of intimidation, retaliation, or politically motivated targeting. The County does not accept the premise that such conduct occurred. The Board may continue to observe and refine professional norms, but it will not adopt a policy premised on unsupported accusations.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Recommendation 5-2.

By October 1, 2026, the Board of Supervisors should adopt clear guidance reinforcing that discussions tied to the performance of a specific employee belong in closed session under Government Code §§ 54953 and 54957. If a department-level discussion could reasonably be attributed to a department head, it should either stay strictly policy-level in open session or be moved to closed session. The Board should also ensure evaluation practices are applied consistently, and that employees are given a fair opportunity to respond, to avoid both Brown Act concerns and potential HR-related issues.

Response to Recommendation 5-2.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted as framed. The recommendation incorrectly treats department-level operational discussion as presumptively tied to a specific employee whenever it “could reasonably be attributed” to a department head. The County rejects that overbroad standard. It would chill legitimate public discussion of departmental performance and policy issues.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Recommendation 5-3.

By October 1, 2026, the Board of Supervisors should adopt a formal policy defining the permissible scope and limitations of Board Reports, including reasonable time limits and restrictions on using the section for extensive presentations, policy advocacy, or criticism of specific departments or employees without proper agendization.

Response to Recommendation 5-3.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted or reasonable as framed. The recommendation would impose formal limitations on Board Reports based on the Grand Jury’s disagreement with a particular presentation. The County will not adopt a restrictive rule that undermines the Board’s ability to report on matters of public concern.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Recommendation 5-4.

County Counsel should provide annual Brown Act and governance training to all Board members regarding proper agendization requirements, the distinction between public policy discussions and personnel evaluations, appropriate use of Board Reports, and due process and fairness considerations involving department heads and county staff.

Response to Recommendation 5-4.

This recommendation HAS BEEN IMPLEMENTED.

County Counsel provides Brown Act and governance training to Board members on biennial basis or through an equivalent recurring training process, including agenda practices and the distinction between public policy discussion and personnel evaluation.

Implementation does not constitute agreement with Findings 4 or 5.

Recommendation 5-5.

By October 1, 2026, the Board of Supervisors should require that substantive presentations involving criticism, evaluation, or comparison of county departments be placed on a properly noticed agenda item to allow adequate public notice, staff preparation, and opportunity for response.

Response to Recommendation 5-5.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted as framed. The County will continue to comply with applicable agenda requirements, but it rejects the recommendation's implication that substantive criticism of county departments must be separately agendized whenever it occurs within a Board report.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Community Development Department (CDD)

Finding 6.

CDD maintained a practice of applying unwritten "Tuolumne County" requirements in addition to formally adopted State codes and regulations, despite those local requirements not being formally codified or publicly adopted through the required legislative process. This practice contributed to project delays, increased costs, and frustration among applicants and contractors, and created a perception of inconsistency and inefficiency within the permitting process.

Response to Finding 6.

The County PARTIALLY AGREES and PARTIALLY DISAGREES with Finding 6.

The County PARTIALLY AGREES that certain past CDD practices were unsatisfactory and created frustration for applicants.

The County OTHERWISE DISAGREES because the finding describes past practices as though they remain current practice and fails to account for changed procedures. The report alleges that CDD

applied unwritten “Tuolumne County” requirements beyond formally adopted codes, causing delays, costs, and public frustration. Current County practice is to base plan review and permitting decisions on applicable adopted requirements and to move away from informal or unwritten review expectations.

Recommendation 6-1.

The Board of Supervisors and CDD should ensure that all plan review and permitting decisions are based solely on formally adopted State and local codes; any additional local requirements should be clearly documented, formally adopted, and publicly accessible by September 1, 2026.

Response to Recommendation 6-1.

This recommendation HAS BEEN IMPLEMENTED.

The County and CDD have changed practices so that permitting and plan-review decisions are based on formally adopted State and local codes, with any additional local requirements to be documented, adopted, and made publicly accessible as appropriate. Implementation does not constitute complete agreement with Finding 6.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Finding 7.

CDD routinely fails to rely on the expertise of engineer’s preparing plan documents and does not always accept plans when there is the presence of an engineer’s professional stamp on submitted plans.

Response to Finding 7.

The County DISAGREES wholly with Finding 7.

The report asserts that CDD routinely fails to rely on engineers’ expertise and does not always accept plans because they bear a professional engineer’s stamp. The County rejects the premise that a professional stamp eliminates the County’s obligation to conduct code review. A stamped plan may be entitled to professional respect, but it is not a command that CDD approve the submission without review. The finding improperly equates appropriate plan review with disregard for engineering expertise.

Recommendation 7.

The Board of Supervisors and CDD should establish and adhere to clear guidelines for plan review involving professionally prepared and stamped engineering documents. Such guidelines should define the respective roles and responsibilities of design professionals and plan reviewers, while ensuring compliance with adopted codes by September 1, 2026.

Response to Recommendation 7.

This recommendation HAS BEEN IMPLEMENTED.

The County and CDD has long-standing and established guidelines for plan review involving professionally prepared and stamped engineering documents. To say that this recommendation has been Implemented does not constitute agreement that CDD has failed to respect engineers or has improperly rejected stamped plans.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the

discretionary decision-making of the legislative branch.

Finding 8.

CDD frequently provided applicants with incremental or successive correction notices during the plan review and permitting process whereby additional corrections or new requirements were often issued that had not been identified during prior reviews even after applicants had corrected identified deficiencies and resubmitted revised materials. This practice contributed to project delays, increased costs, and frustration among applicants and contractors, and created a perception of inconsistency and inefficiency within the permitting process.

Response to Finding 8.

The County PARTIALLY AGREES and PARTIALLY DISAGREES with Finding 8. The County PARTIALLY AGREES that certain past practices involving correction comments and review cycles were unsatisfactory. The County OTHERWISE DISAGREES because those practices have changed, and the finding fails to distinguish between past conditions and current procedures. The report alleges that CDD frequently issued incremental or successive correction notices, contributing to delays, costs, and frustration. The County has moved toward more complete, consistent, and transparent review practices.

Recommendation 8.

By October 1, 2026, the CDD should evaluate and improve its plan review and permitting procedures to promote greater consistency, completeness, and accuracy in applicant feedback. The CDD should make reasonable efforts to identify and communicate all known deficiencies and required corrections during the initial review stages in order to minimize repeated correction cycles, reduce unnecessary delays, and improve transparency and customer service throughout the permitting process.

Response to Recommendation 8.

This recommendation HAS BEEN IMPLEMENTED.

CDD has evaluated and improved plan-review and permitting procedures to promote greater consistency, completeness, and accuracy in applicant feedback. CDD will continue making reasonable efforts to identify known deficiencies during initial review stages, but implementation does not mean every issue can or should be identified in a single review cycle.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Finding 9.

CDD has demonstrated inconsistent enforcement of ordinance code and their level of flexibility for remediation of issues.

Response to Finding 9.

The County DISAGREES wholly with Finding 9.

The report asserts that CDD has demonstrated inconsistent ordinance-code enforcement and inconsistent flexibility for remediation. The County rejects that broad accusation. Enforcement discretion is not the same as inconsistent enforcement. Different facts, different violation histories, different safety concerns, and different remediation efforts may justify different enforcement responses.

Recommendation 9-1.

The Grand Jury encourages CDD to maintain a cooperative, professional, and educational approach

when addressing unintentional failures by community members to comply with building codes and permitting requirements. At the same time, by October 1, 2026, CDD should review and, if necessary, strengthen enforcement policies related to Ordinance 1.10 governing unpermitted work and code compliance as they apply to repeat offenders, including contractors and property owners with documented patterns of noncompliance.

Response to Recommendation 9-1.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted as framed. The County supports cooperative and professional code-compliance practices, but it rejects the recommendation's premise that current enforcement policies must be strengthened in response to a demonstrated pattern of inconsistent treatment.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Recommendation 9-2.

By October 1, 2026, the County should implement consistent tracking, documentation, and reporting mechanisms to identify recurring violations and ensure that proportionate, progressive enforcement actions are applied fairly and uniformly. These measures would promote voluntary compliance, strengthen accountability, and improve public confidence in the integrity and consistency of the County's permitting and enforcement processes.

Response to Recommendation 9-2.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted as framed. The recommendation presumes a tracking and reporting deficiency that the County does not accept. The County may continue to improve documentation practices, but it will not adopt corrective measures premised on an unsupported finding of inconsistent enforcement.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Conflict-Of-Interest Policy

Finding 10.

The Board of Supervisors amended its Governance Manual on June 3, 2025, to include a Conflict-of-Interest provision establishing a mechanism for projects involving potential conflicts of interest to be reviewed by an outside agency when multiple conflict-resolution and review mechanisms already existed. The Grand Jury further found that Supervisor Holland participated in discussions and voting related to the adoption of the Conflict-of-Interest provisions while having an active project that was subsequently subject to the policy. These circumstances created concerns regarding transparency, impartiality, and public trust.

Response to Finding 10.

The County PARTIALLY AGREES and PARTIALLY DISAGREES with Finding 10.

The County AGREES that the Board amended its Governance Manual on June 3, 2025, to include a Conflict-of-Interest provision and further that Supervisor Holland participated in discussions and voting on the item.

The County OTHERWISE DISAGREES with the finding. The report's remaining assertions—that the provision was unnecessary, that existing mechanisms made it redundant, and that the circumstances created concerns regarding transparency, impartiality, and public trust—are argumentative conclusions rather than findings of established misconduct.

Recommendation 10-1.

Within 60 days of this report, the Board of Supervisors should reconsider the June 3, 2025, approval of the Conflict-of-interest Policy due to concerns created by Supervisor Holland's participation in a vote on a policy that was subsequently applied to his own project.

Response to Recommendation 10-1.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted. The County will not reconsider the June 3, 2025 approval of the Conflict-of-Interest Policy merely because the Grand Jury disagrees with the policy or speculates about public concern.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Recommendation 10-2.

By September 1, 2026, the Board of Supervisors should review and reconsider the Conflict-of-interest provisions contained within the Governance Manual and evaluate whether existing conflict-resolution, appeal, and review mechanisms provide adequate safeguards before retaining, modifying, or rescinding the policy.

Response to Recommendation 10-2.

This recommendation will be NOT BE IMPLEMENTED.

The County will not reconsider the Conflict-of-Interest provisions in the Governance Manual merely because the Grand Jury disagrees with the policy or speculates about public concern

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Recommendation 10-3.

Utilize existing contracted consultants and escalation procedures to provide verification of impartiality in cases of actual or perceived impropriety where county services affect an official or county leader, within 60 days of this report.

Response to Recommendation 10-3.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted as a mandatory directive. The County retains discretion to use contracted consultants, escalation procedures, or other appropriate mechanisms when warranted, but it will not bind itself to the Grand Jury's preferred mechanism for every alleged or perceived concern.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Recommendation 10-4.

By September 1, 2026, the Board of Supervisors should require full disclosure of any actual, potential, or perceived conflicts of interest that may reasonably benefit from a proposed governance

policy before Board consideration and voting. Following such disclosure, the Board should reconsider and retake any vote involving the Conflict-of-interest provisions if advised by County Counsel that such action is appropriate. Any officials with a direct conflict-of-interest should recuse themselves from participation consistent with applicable laws and policies.

Response to Recommendation 10-4.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted as framed. The County will continue to address conflicts consistently with applicable law and policy, but the recommendation improperly assumes that a prior vote must be reconsidered based on the Grand Jury's speculative conflict theory.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Finding 11.

Policies and procedures governing the delegation of project review, permitting, and inspection responsibilities to an external agency under the Conflict-of-interest provisions are not clearly defined. The Grand Jury found limited guidance regarding scope of authority, roles and responsibilities, communication requirements, documentation standards, and oversight of projects transferred outside Tuolumne County. In the case of the work sent to Amador County, the Grand Jury found that the solution to the problem was even more dysfunctional than the problem itself.

Response to Finding 11.

The County DISAGREES wholly with Finding 11.

The report asserts that policies and procedures for external review under Conflict-of-Interest provisions are not clearly defined and characterizes the Amador County solution as “even more dysfunctional than the problem itself”. The County rejects the finding as conclusory, inflammatory, and unsupported by the response record.

The County further objects to the Grand Jury's attempt to convert policy preferences into directives. A civil grand jury may submit findings and recommendations concerning local government matters, but the statutory response framework confirms that findings and recommendations are not binding commands. Penal Code section 933.05 expressly allows a responding agency to state that a recommendation “will not be implemented because it is not warranted or is not reasonable.” The Board—not the Grand Jury—retains responsibility for deciding whether and how to adopt County policy.

Recommendation 11-1. By September 1, 2026, the Board of Supervisors should develop and implement formal procedures establishing minimum requirements for agreements with outside counties or agencies performing project review, permitting, inspection, or related functions under the Conflict-of-interest provisions.

Response to Recommendation 11.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted as framed. The County may evaluate outside-agency procedures where appropriate, but it will not adopt the Grand Jury's proposed policy mandate or accept the premise that existing arrangements were dysfunctional.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Finding 12.

The Grand Jury found limited transparency and project tracking when responsibility for review, permitting, or inspection is assigned to an external jurisdiction. This creates uncertainty regarding project status, decision-making authority, document retention, and accountability to the public.

Response to Finding 12.

The County DISAGREES wholly with Finding 12.

The report asserts limited transparency and project tracking when responsibility for review, permitting, or inspection is assigned to an external jurisdiction. The County rejects the finding because it overstates the issue and improperly assumes that outside-agency assistance necessarily creates uncertainty, lack of accountability, or deficient recordkeeping.

Recommendation 12.

By September 1, 2026, the Board of Supervisors should establish a policy requiring any outside jurisdiction performing work on behalf of Tuolumne County to provide regular written status updates and supporting documentation. Tuolumne County should maintain these records within its project tracking systems, including OpenGov or any successor platform, to ensure transparency, accountability, and continuity of oversight.

Response to Recommendation 12.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted as framed. The County will maintain appropriate records for County projects, but it will not adopt the Grand Jury's preferred tracking policy as a binding requirement for every matter involving outside-agency assistance.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Finding 13.

The Grand Jury was unable to identify an active Code Compliance Board within the County's current Code Compliance framework. Current County materials describe enforcement through the CDD and Chapter 1.10 of the Tuolumne County Ordinance Code but do not reference a functioning Code Compliance Board. The Grand Jury did not determine whether the Board was formally dissolved, whether its duties were reassigned, or when it last met.

Response to Finding 13.

The County DISAGREES wholly with Finding 13.

The report states that the Grand Jury was unable to identify an active Code Compliance Board and did not determine whether the Board was dissolved, reassigned, or when it last met. That admission defeats the finding. An inability to identify information is not proof of a governance deficiency. The County also rejects any suggestion that the Grand Jury may dictate whether an independent local review body should be re-established, activated, or replaced. That is exclusively a County policy decision.

Recommendation 13.

By September 1, 2026, the Board of Supervisors should review the status, authority, and purpose of the Code Compliance Board and determine whether an independent local review body should be re-established, activated, or otherwise replaced to provide an additional layer of public oversight and

accountability within the County's regulatory framework.

Response to Recommendation 13.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted as framed. The Board will determine the appropriate structure for code-compliance review through its own policy process, not through a Grand Jury directive to re-establish, activate, or replace a particular body.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

High School Road Project

Finding 14.

Amador County did not issue a permit for the actual work performed on the High School Road project, nor was it ever in their scope of work to issue permits for work performed in another County. Amador County officials stated that they assumed no responsibility for issuing permits for work done in Tuolumne County.

Response to Finding 14.

The County PARTIALLY AGREES and OTHERWISE DISAGREES with Finding 14.

The County AGREES that Amador County does not have permitting authority in Tuolumne County.

The County OTHERWISE DISAGREES with the finding's implication that the absence of Amador County permitting authority establishes that the High School Road project lacked lawful County review, approval, or oversight. The report states that Amador County did not issue a permit for work performed on the High School Road project and assumed no responsibility for issuing permits in Tuolumne County. That does not establish the broader conclusions the finding implies.

Recommendation 14-1.

By September 1, 2026, Tuolumne County should retain qualified and certified independent third-party professionals to conduct a comprehensive review of the High School Road project to determine compliance with all applicable permitting, inspection, and approval requirements, including, but not limited to, grading, building, occupancy, fire protection systems, and related public safety regulations. The review should include an evaluation of whether all required inspections were properly completed and documented, and whether corrective actions or enforcement measures are warranted based on the findings.

Response to Recommendation 14-1.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted as framed. The County will not retain a special third-party review team based on the Grand Jury's unsupported premise that the project requires extraordinary re-review. The County will continue to apply applicable County processes.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Recommendation 14-2.

Any deficiencies identified through the review referenced in Recommendation 8-1 should be corrected, at the expense of the property owner, prior to further project advancement.

Response to Recommendation 14-2.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted as framed. The County will require correction of any lawfully identified deficiencies through applicable procedures, but it will not adopt a recommendation tied to the rejected premise of Finding 14 and Recommendation 14-1.

Recommendation 14-3.

A Certificate of Occupancy for the High School Road project must not be issued until there has been verification by a qualified and certified Tuolumne County CDD employee that all applicable Tuolumne County requirements, including fire and life safety standards, have been fully satisfied.

Response to Recommendation 14-3.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted as framed. The County will issue a Certificate of Occupancy when all applicable County requirements that are legally required for issuance have been satisfied and verified through appropriate County procedures. The County will continue to apply applicable County processes.

Finding 15.

The hydrant at the High School Road project was installed without a permit. While the Assistant CAO gave approval of the concept, formal written approval, and the extent to which such approval addressed installation, permitting, and compliance requirements is unclear. Qualified and appropriately certified personnel did not perform, document, or verify all required inspections, testing, and compliance evaluations necessary to confirm that the fire hydrant installation met applicable fire safety standards. As a result, the extent of the project's compliance with applicable public safety and permitting requirements remains unclear.

Response to Finding 15.

The County PARTIALLY AGREES and PARTIALLY DISAGREES with Finding 15.

The County AGREES that the hydrant was installed without a permit, but only because it is a public hydrant and does not require the permit suggested by the finding.

The County OTHERWISE DISAGREES with the finding's assertions that formal approval was unclear, that qualified personnel did not perform or document necessary work, or that compliance remains unclear. The finding conflates permitting requirements for private improvements with the treatment of a public hydrant.

Recommendation 15-1.

By September 1, 2026, the appropriate agencies should conduct a comprehensive review of the fire hydrant installed at the High School Road project to determine whether all applicable permitting, inspection, engineering, fire protection, testing, and code-compliance requirements were properly satisfied. The review should also evaluate whether required approvals, inspections, and documentation were completed in accordance with applicable laws, regulations, and accepted professional standards, and whether corrective actions, additional approvals, or remedial measures are warranted.

Response to Recommendation 15-1.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted.

The County rejects the premise that the public hydrant requires the permitting and code-compliance review as described in the recommendation.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Recommendation 15-2.

Any costs associated with the review, inspections, testing, corrective work, or remedial repairs should be the responsibility of the property owner to the extent permitted by applicable laws, ordinances, and County policies.

Response to Recommendation 15-2.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted as framed. The County will not impose review, testing, correction, or repair costs on a property owner based on a rejected premise that the hydrant installation was a private hydrant and was improperly unpermitted.

Recommendation 15-3.

The “donation” of the hydrant alluded to by Supervisor Holland should not be accepted by the County until all permitting, inspections, corrections and payment of fees have been completed.

Response to Recommendation 15-3.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted as framed. The recommendation assumes unresolved permitting, inspection, correction, and fee obligations that the County does not accept.

Finding 16.

The Conflict-of-interest provisions contained within the Tuolumne County Governance Manual state, in part, that “A County Board member shall not make, participate in making, or in any way use or attempt to use his/her official position to influence a governmental decision in which he/she knows or has reason to know that he/she has a disqualifying conflict-of-interest.”

The Grand Jury also found that permitting, inspection, and enforcement activities conducted outside the normal jurisdictional structure reduced transparency, complicated oversight responsibilities, and contributed to confusion regarding authority, accountability, and applicable standards.

Response to Finding 16.

The County PARTIALLY AGREES and PARTIALLY DISAGREES with Finding 16.

The County AGREES that the Governance Manual contains the quoted conflict-of-interest language identified in the report.

The County OTHERWISE DISAGREES with the finding’s assertion that activities conducted outside the normal jurisdictional structure reduced transparency, complicated oversight, or caused confusion regarding authority, accountability, or standards. The finding again treats speculation and criticism of process as established misconduct.

Recommendation 16.

The Grand Jury recommends that Tuolumne County immediately rescind the agreement with Amador County related to permitting review, inspection, and regulatory services associated with the High

School Road project, and that all such responsibilities be returned to the jurisdiction of the Tuolumne County Community Development Department and other appropriate County agencies.

Response to Recommendation 16

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted.

The County will not immediately rescind the Amador County agreement based on the Grand Jury's unsupported conclusions about the High School Road project.

Note: The County responds herein to Recommendation 16 which should have been designated 16-1, but for accuracy the County responds as numbered in error in the Grand Jury report.

Recommendation 16-2.

In the event the Agreement with Amador County is not rescinded, the County should ensure that all future review, inspection, and enforcement activities related to the project are conducted in accordance with standard County procedures, established regulatory requirements, and normal jurisdictional authority to preserve transparency, consistency, accountability, and public confidence in the permitting process.

Response to Recommendation 16-2.

This recommendation HAS BEEN IMPLEMENTED. To the extent any outside-agency assistance remains in effect, the County will ensure that future review, inspection, and enforcement activities proceed through appropriate County procedures and established regulatory requirements. Implementation does not constitute agreement that prior activities were deficient.

Finding 17.

Supervisor Holland's actions while serving as a member of the Board of Supervisors, a position entrusted with maintaining the public trust, raises concerns regarding compliance with Tuolumne County governance policies and ethical standards. These actions undermine public confidence in Tuolumne County government.

Response to Finding 17.

The County DISAGREES wholly with Finding 17.

The report asserts that Supervisor Holland's actions raise concerns regarding governance policies and ethical standards and undermine public confidence. The County rejects the finding. "Concerns" are not findings of wrongdoing, and public-confidence rhetoric cannot substitute for facts establishing a policy or ethics violation. The County will not adopt a public response that treats insinuation as proof.

Recommendation 17-1.

Considering the circumstances described above, by September 1, 2026, the County should evaluate whether appropriate administrative, legal, or corrective measures are warranted, consistent with applicable laws, policies, and procedures.

Response to Recommendation 17-1.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted. The County will not initiate administrative, legal, or corrective measures based on the Grand Jury's unsupported concerns regarding Supervisor Holland.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

Recommendation 17-2.

By September 1, 2026, the County should establish a plan to strengthen oversight, ethics training, conflict-of-interest safeguards, and documentation requirements for elected officials and County staff to promote transparency, accountability, and public trust in County operations.

Response to Recommendation 17-2.

This recommendation HAS BEEN IMPLEMENTED on an ongoing basis. The County will continue to strengthen ethics training, conflict-of-interest safeguards, documentation practices, and related oversight measures for elected officials and staff. This ongoing commitment of the County does not constitute agreement with Finding 17.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

County Administrative Officer

Finding 18.

The Grand Jury identified a clear and recurring lack of understanding by County leadership regarding the complexities of permitting, code compliance, and inspection requirements. A notable example involved the distinction between public and private fire hydrants, including the differing permitting requirements, inspection standards, jurisdictional authority, and installation procedures applicable to each. Such misunderstandings contributed to confusion regarding compliance obligations, oversight responsibilities, and enforcement actions. The absence of sufficient technical familiarity with applicable building, fire, and public works requirements created the potential for inconsistent decision-making and increased risk to both public safety and County liability exposure. Your Grand Jury appreciates that the CAO has been tasked with doing multiple jobs concurrently and is making his best effort to meet expectations. However, the Grand Jury finds that technical, regulatory, permitting, and code-compliance determinations should be made only by appropriately qualified and authorized personnel within the applicable departments or by certified subject-matter experts.

Response to Finding 18.

The County DISAGREES wholly with Finding 18.

The report asserts a “clear and recurring lack of understanding” by County leadership regarding permitting, code compliance, inspection requirements, and the distinction between public and private fire hydrants. The County rejects that finding. The assertion is overbroad, unfair, and unsupported by the limited example identified in the report. Disagreement over a technical or procedural issue does not establish a recurring lack of understanding by County leadership, nor does it justify the sweeping criticism directed at the CAO.

Recommendation 18.

The Grand Jury recommends that the CAO immediately discontinue making independent technical or code-compliance determinations and instead defer such matters to qualified County staff, licensed professionals, or other properly authorized experts.

Response to Recommendation 18.

This recommendation WILL NOT BE IMPLEMENTED because it is not warranted.

The County rejects the premise that the CAO has been making improper independent technical or code-compliance determinations. The CAO will continue to coordinate County operations and rely on qualified staff, licensed professionals, and authorized subject-matter experts where appropriate, but the County will not adopt a recommendation premised on an unfounded criticism of County leadership.

Finding 19.

The Grand Jury determined that the press release issued by the CAO on October 10, 2025, contained statements that were misleading, inaccurate, or unsupported by available documentation and witness testimony.

Response to Finding 19.

The County DISAGREES wholly with Finding 19.

The report asserts misleading and inaccurate statement in the October 10, 2025 press release. The County rejects that finding. The assertion is overbroad, unfair, and unsupported by the limited example identified in the report. Disagreement over a technical or procedural issue does not establish a recurring lack of understanding by County leadership, nor does it justify the surreptitious conclusions of the Grand Jury.

Recommendation 19.

The County Administrative Officer should, by August 1, 2026, issue a revised public statement or corrected press release containing accurate and verified information regarding the permitting status, hydrant classification, County involvement, and approval history associated with the High School Road project. Prior to release, the information should be reviewed for factual accuracy by the appropriate County departments and qualified personnel to ensure that future public communications are complete, accurate, and consistent with the documented record.

Response to Recommendation 19.

The County WILL NOT IMPLEMENT Recommendation 19.

The County rejects the premise that the press release asserts misleading and inaccurate statements. The assertion is overbroad, unfair, and unsupported. Disagreement over a technical or procedural issue does not establish inaccuracy in a public statement by County leadership, nor does it justify the surreptitious conclusions of the Grand Jury.

Note: The Grand Jury has no authority to order and mandate deadlines as that invades the discretionary decision-making of the legislative branch.

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

Respectfully,

Stephen A. Griefer,
Chair, County of Tuolumne Board of Supervisors