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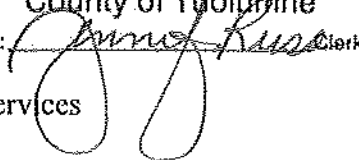
August 21, 2012

FILED

SEP 04 2012

The Honorable Eric L. DuTemple
Presiding Judge of the Superior Court
41 W. Yaney Street
Sonora, CA 95370

Superior Court of California
County of Tuolumne

By:  Clerk

Re: Response to Grand Jury Report - Road & Fleet Services

Dear Judge DuTemple:

The following is offered in response to the 2011-12 Grand Jury Report as it pertains to the County's Road and Fleet Services.

Grand Jury Findings

F1 The grounds and shops at Columbia, Jamestown, and Tuolumne City are very clean and well kept. The Big Oak Flat facility is old, but is organized. All facilities are surrounded by fencing and secured with locked gates.

Response: Agree.

F2 Fleet Services has the ability to handle more of the county's vehicles from other departments. A flyer has been distributed to county department heads to make them aware of the services offered, in an effort to generate more business and optimize utilization and efficiency of the Fleet Services Department.

Response: Agree.

F3 All maintenance services and repairs are logged for each vehicle, and all equipment, for warranty coverage of parts and hourly usage of all vehicles within the fleet.

Response: Agree.

F4 Equipment deemed non-essential or too costly to repair or maintain are put up for auction, with all proceeds going back to the department budget.

Response: Agree.

F5 Staff safety meetings are held each week. No serious injury or incidents have been recorded for the current fiscal year to date.

Response: Agree.

F6 Heavy equipment operators are class A drivers. They are drug tested as outlined by the Department of Transportation guidelines. Snow equipment operators run heavy equipment during non-snow removal days.

Response: Agree.

F7 All Fleet Services and Road Department employees are drug tested at hiring. Further testing may be done in case of incident, or upon request of Department Supervisor.

Response: Agree.

F8 First aid kits were present and mounted on the walls at all worksites and in all vehicles.

Response: Agree.

F9 A written hazard communication plan is available for all employees review.

Response: Agree.

F10 All employees are familiar with lockout/tag out procedures, as required by OSHA.

Response: Agree.

F11 All employees are provided Personal Protective Equipment (PPE) including Safety glasses, gloves, chainsaw chaps, etc.

Response: Agree.

- F12** Employees in the Road Department and the Fleet Services Department have not had first aid or CPR training in the past 3 years.

Response: Agree.

- F13** In the Columbia and the Big Oak Flat facilities, equipment was blocking access to the electric panels.

Response: Agree.

- F14** Fire extinguishers in all facilities had not been inspected monthly.

Response: Agree with respect to Road shops. Disagree with regard to Fleet Services where the Fleet Supervisor has been inspecting the fire extinguishers and initialing their tags every month for the past several years.

- F15** Fire extinguishers were found on the floor at both the Big Oak Flat and Jamestown facilities.

Response: Agree.

- F16** There were no "EXIT" signs posted over doorways leading out of buildings at any facilities.

Response: Agree with respect to Road shops. Disagree with respect to the ANF Building and Fleet Services facility where "EXIT" signs are clearly marked.

- F17** Doors which did not lead to exits were not properly posted as such at any facility.

Response: Agree, however, it is not a requirement to post doors that are not exits.

- F18** The Columbia, Tuolumne City and Jamestown facilities hold weekly safety meetings on topics related to their job. At the Big Oak Flat facility safety meetings are not held on a weekly or bi-weekly basis.

Response: Agree.

- F19** Employees in the Big Oak Flat facility were not aware of the location of the MSDS's. In all other facilities the employees had access and understood the importance of MSDS's.

Response: Agree.

- F20** Columbia has a functioning eyewash station. The Jamestown eyewash is not functional.

Response: Agree.

- F21** Fuel tanks (gasoline and diesel) are identified with a green rectangular label on The ends of each tank. Some tanks have additional labels indicating Combustible or Flammable liquid.

Response: Agree.

- F22** Only one Fleet Service employee is a certified welder.

Response: Agree.

- F23** The County Human Resources Manager is currently serving as the Risk Manager.

Response: Agree.

- F24** OSHA standards are not being followed regularly in daily operations.

Response: Disagree. This is an all-inclusive statement that suggests that no OSHA standards are being followed. This is not the case. It is agreed that some operations do need to be brought up to OSHA standards.

Grand Jury Recommendations

- R1** The Roads Department and Fleet Services is experiencing a severe lack of funds. The county should consider a reprioritization of spending plans to allocate additional funding for road maintenance and repairs, and equipment and vehicle replacement due to age and wear.

Response: Adequate funding for road maintenance is an ongoing process which will be very difficult to fully achieve or implement. However, in order to conform to the requested format of responses, the Board and staff would state the following: The recommendation has not yet been implemented, but is being worked on in conjunction with the Board's adopted 5 Year Plan, annual goals and annual budget process. Adequate funding for road maintenance is recognized by the Board and staff alike as critically important. Having said this, provision of adequate funding is something that goes beyond the full control of the County. State and Federal funding has been cut significantly in recent years and the traditional base funding source for road maintenance, gas tax (recently changed to a State excise tax on gas), is no longer keeping up with the cost of road maintenance activities. This leaves the Board and staff looking to secure as much State and Federal funding as possible, pursuing alternatives to gas tax through the National Association of Counties (NACO) and California State Association of Counties (CSAC) and moving as much of the County's discretionary General Fund revenues to the Road Fund as possible. For example, in addition to its regular operational transfer, the Board approved transferring \$500,000 of one-time General Fund dollars to the Road Fund at the end of FY 2011-12 and will be considering additional transfers of one-time dollars to the Road Fund as part of its FY 2012-13 Final Budget Hearing. The Board's 5 Year Plan and 2012 Goals call for: 1) the development a Budget Prioritization System favoring public safety and road maintenance; 2) CRA staff to complete an update of the County's Pavement Management System to better plan and manage maintenance of the County's road system on an ongoing basis; and 3) maintenance of a Legislative Platform that includes the pursuit of road funding along the lines noted above.

- R2 Vehicles from all county agencies should be considered for inclusion into Fleet Services Department's workload to achieve economies of scale.

Response: The recommendation has not yet been fully implemented, but is being worked on in conjunction with a prior initiative to create a centralized Fleet Services/Motor Pool. This is another component of the Board's 5 Year Plan. As noted in the Grand Jury report, several County departments are already fully utilizing this service. All County mechanics are being transferred into the single Fleet Services staff as part of the FY 2012-13 Budget. The single biggest inhibitor to allowing more department vehicles to utilize this service is the need for more shop space. The FY 2012-13 capital budget includes funding to construct this space. As noted in the 5 Year Plan, the goal is to have all County departments using the new Fleet Services unit by the end of 2014.

- R8 All first aid kits should be inspected monthly to ensure they are properly stocked with necessary supplies and replenished as needed.

Response: The recommendation has not yet been implemented, but will by the end of December 2012. This is an OSHA requirement and will be overseen by the department's safety officer.

- R11** Both Road and Fleet Services should be inspected semi-annually to ensure that safety regulations are followed and all safety apparel is used as intended.

Response: The recommendation has not yet been implemented, but will by the end of December 2012. This will be overseen by the department's safety officer. Monthly spot checks are also recommended to include observing proper use of safety apparel, fire extinguishers, eye wash stations, first aid kits, etc....

- R12** All Road and Fleet Services employees, including supervisors, should be required to take annual CPR and first aid classes as a condition of continued employment.

Response: The recommendation has not yet been implemented, but will by the end of December 2012 with regard to basic first aid training. This training will be secured with the assistance of the Health Department. This recommendation will not be implemented with respect to CPR. Committing to initial and ongoing refresher CPR training would be a significant commitment of time and resources. Such training would be nice to do but is not required by OSHA and does not seem warranted.

- R13** It is highly recommended that any equipment be removed from the front of electrical panels. A black/yellow stripe tape should be placed 36 inches around panel boxes to distinguish areas to be kept clear.

Response: This recommendation has been implemented. All equipment has been moved and areas to be kept clear have been appropriately marked.

- R14** Supervisors should designate an employee to inspect fire extinguishers monthly and initial tags.

Response: This was already occurring at the Fleet Services facility. As for all other fire extinguishers, the recommendation has not yet been implemented, but will by the end of December 2012. This is an OSHA and Fire Safety Code requirement and will be the responsibility of the department's safety officer. It should be noted that the County already has a contractor that completes OSHA required annual service of all fire extinguishers.

- R15** All fire extinguishers should be mounted in marked, readily accessible locations, according to safety standards.

Response: This is already occurring in the ANF Building and Fleet Services facility. As for Road shops, the recommendation has not yet been implemented,

but will by the end of December 2012. This is an OSHA and Fire Safety Code requirement and will be the responsibility of the department's safety officer.

- R20** Eyewash stations should be installed, maintained, and inspected monthly in all facilities.

Response: Eye wash stations already exist at all facilities. With respect to ongoing maintenance and inspections, the recommendation has not yet been fully implemented, but will by the end of December 2012. This will be the responsibility of the department's safety officer.

- R23** The Jury recommends that a Risk Manager be rehired at the county level, such that one person can fully dedicate their attention to issues of workplace safety.

Response: This recommendation will not be implemented. First, the overall Risk Management function is a huge responsibility with significant financial and human resource consequences that should remain one of the key responsibilities of the HR/Risk Manager under the supervision of the CAO/Personnel Officer. Second, even when the County had a position dedicated to risk management functions, the position was entitled "Risk Management Analyst" under the supervision of the HR/Risk Manager. Third, the CAO and HR/Risk Manager question the need for a full-time position dedicated solely to Risk Management functions. If a third professional position were added back to the HR division, the needs of the organization would be better served with an HR Analyst who could perform a variety of duties (a generalist) with emphasis on risk management issues. The timing of adding a position back into the organization is also an issue. This would inject additional costs that would be passed on to departments through "mandated" workers compensation and liability insurance charges at a time budgets are extraordinarily tight. However, the current HR/Risk Manager, who has extensive workplace safety background, will be retiring before the end of FY 2012-13. For the reasons cited above, the CAO will consider adding an HR Analyst (a generalist) with emphasis on risk management issues back into the HR Division but not until FY 2013-14 or FY 2014-15. Until then, existing HR staff will continue to provide leadership of the County's Safety Committee and safety training programs in conjunction with a dedicated team of department safety officers. Over the past 10 years, this team has been able to help significantly reduce both the number of workers compensation incidents and incurred costs.

- R24** The Jury recommends that the Risk Manager review OSHA standards and address compliance issues within the Road & Fleet Services Departments.

Response: This recommendation has not yet been implemented, but will before the end of December 2012. It should be noted that the HR/Risk Manager did review the Grand Jury's findings relative to general safety issues with the County Safety Committee on July 19, 2012. The Roads & Fleet Services Divisions were not specifically targeted. Instead, the HR/Risk Manager took

the opportunity to review the responsibilities of each committee member relative to inspecting and ensuring safe working environments within their respective departments. This will need ongoing follow-up.

Thank you for the opportunity to respond to the above findings and recommendations. Please feel free to contact the County Administrator Craig Pedro should you have any questions regarding same.

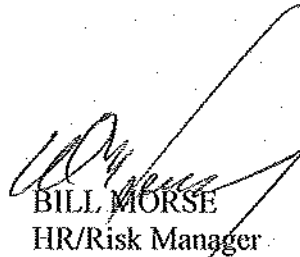
Yours truly,



RICHARD PLAND, Chair
Board of Supervisors



CRAIG L. PEDRO
County Administrator



BILL MORSE
HR/Risk Manager

Cc: Beverly Shane, CRA Director

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

ALICIA L. JAMAR
Clerk of the Board

By:

