



**BOARD OF SUPERVISORS  
COUNTY OF MADERA**

MADERA COUNTY GOVERNMENT CENTER  
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Agendas available: [www.MaderaCounty.com](http://www.MaderaCounty.com)

Members of the Board  
Brett Frazier, District 1  
David Rogers, District 2  
Robert L. Poythress, District 3  
Leticia Gonzalez, District 4  
Tom Wheeler, District 5

**AGENDA ITEM SUBMITTAL**

**March 16, 2021**

Chairman Robert L. Poythress

<b>DEPARTMENT</b> County Administration Department		<b>DEPARTMENT CONTACT</b> Yvette Gomez 559-675-7703		<b>AGENDA ITEM</b> 5.1 Consent Calendar									
<b>SUBJECT:</b> Response to Grand Jury Report		<b>REQUIRED VOTE:</b> 3/5 Votes Required	<b>DOC. ID NUMBER</b> 7149	<b>DATE REC'D</b> 11/20/2019									
<b>STRATEGIC FOCUS AREA(S):</b> Focus Area Not Defined (Explain)													
<u>For Clerk of the Board's Office Use Only</u>													
<b>BOARD'S ACTION:</b>													
<table border="0"> <tr> <td><b>RESULT:</b></td> <td><b>APPROVED BY CONSENT VOTE [UNANIMOUS]</b></td> </tr> <tr> <td><b>MOVER:</b></td> <td>Tom Wheeler, Chairman Pro Tem</td> </tr> <tr> <td><b>SECONDER:</b></td> <td>Brett Frazier, Supervisor - District No. 1</td> </tr> <tr> <td><b>AYES:</b></td> <td>Frazier, Rogers, Poythress, Gonzalez, Wheeler</td> </tr> </table>						<b>RESULT:</b>	<b>APPROVED BY CONSENT VOTE [UNANIMOUS]</b>	<b>MOVER:</b>	Tom Wheeler, Chairman Pro Tem	<b>SECONDER:</b>	Brett Frazier, Supervisor - District No. 1	<b>AYES:</b>	Frazier, Rogers, Poythress, Gonzalez, Wheeler
<b>RESULT:</b>	<b>APPROVED BY CONSENT VOTE [UNANIMOUS]</b>												
<b>MOVER:</b>	Tom Wheeler, Chairman Pro Tem												
<b>SECONDER:</b>	Brett Frazier, Supervisor - District No. 1												
<b>AYES:</b>	Frazier, Rogers, Poythress, Gonzalez, Wheeler												
Is this Item Budgeted? No			<b>DOCUMENT NO(S).</b>										
Will this Item require additional personnel? No													
Previous Relevant Board Actions:													
PowerPoint/Supporting Documents: Other/Misc.													

**RECOMMENDED ACTIONS:**

Consideration of approval of the response to the 2019-2020 Grand Jury Report entitled "Madera County Food Safety/Food Inspections".

**DISCUSSION / FISCAL IMPACT / STRATEGIC FOCUS:**

N/A

**ATTACHMENTS**

1. Grand Jury Response 2019-2020 - Madera County Safety and Food Inspections
2. Grand Jury Report - Madera County Food Safety Food Inspections 12-21-2020





MEMBERS OF THE BOARD

BRETT FRAZIER, District No. 1  
DAVID ROGERS, District No. 2  
ROBERT L. POYTHRESS, District No. 3  
LETICIA GONZALEZ, District No. 4  
TOM WHEELER, District No. 5

KAREN POGUE, Chief Clerk of the Board

March 21, 2021



The Honorable Michael Jurkovich  
Supervising Judge of the Grand Jury  
Madera County Superior Court  
200 S. G Street  
Madera, CA 93637

**Subject: Response to the 2019-20 Grand Jury Report entitled "Madera County Food Safety/Food Inspections"**

Honorable Judge Jurkovich:

Pursuant to the California Penal Code 933.05, the Madera County Board of Supervisors submits this response to the findings and recommendations in the 2019-20 Madera County Grand Jury report entitled "**Madera County Food Safety/Food Inspections**" See Attachment #1.

The following are the Grand Jury's findings and recommendations and the Board of Supervisors' responses:

**Finding 1:**

The MCGJ finds that current staffing levels, determined by permit fee income, leave inspection requirement goals unattainable.

**Response**

Respondent agrees with the finding per California Penal Code 933.05 (a) (1).

**Finding 2:**

The MCGJ finds that the lack of available vehicles hinders timely inspections.

**Response**

Respondent disagrees with the finding per California Penal Code 933.05 (a) (2). Under separate cover, the Deputy Director of Public Works, Environmental Health Division has responded to this finding and stated:

*"EHD staff works together to make sure county vehicles are available for staff that are scheduled for field inspections. EHD has been working with Madera County Central Garage and can access pool vehicles when needed."*

The response of the Deputy Director of Public Works, Environmental Health to the above finding is considered appropriate and is submitted as the Board of Supervisors' response.



**Finding 3:**

The MCGJ finds that the FSP does not assign "risk" categories for establishments with repeated infractions.

**Response**

Respondent agrees with the finding per California Penal Code 933.05 (a) (1).

**Finding 4:**

The MCGJ finds that the online food inspection program scheduled for January 2020 has not been implemented.

**Response**

Respondent agrees with the finding per California Penal Code 933.05 (a) (1).

**Recommendation 1:**

The MCGJ recommends that, beginning fiscal year 21-22, the EHD study the fee structure and elements of inspection (#Inspections\*Inspection and Travel time + fee = Budgetary Allotment). The calculation will provide the number of staff and time required to complete all inspections. Further, if funding is inadequate, request funding from the general fund or raise fees to complete all required FSP inspections on a timely basis.

**Response**

The recommendation requires further analysis. Under separate cover, the Deputy Director of Public Works, Environmental Health Division has responded to this recommendation and stated:

*"EHD will review its fee structure and fee schedule to make the necessary recommendations to our Board of Supervisors, if needed. Most EHD staff are Registered Environmental Health Specialist (REHS), even though staff are assigned to a specific EHD program, staff will be required to assist in other programs as needed to protect public health and safety."*

The response of the Deputy Director of Public Works, Environmental Health to the above recommendation is considered appropriate and is submitted as the Board of Supervisors' response.

**Recommendation 2:**

The MCGJ recommends that, beginning fiscal year 21-22, the EHD work within the department to set up a schedule for vehicle use assignments.

**Response**

The recommendation has been implemented.

**Recommendation 3:**

The MCGJ recommends that, beginning fiscal year 21-22, EHD assign risk categories to establishments with inspection failures and impose fines.

**Response**

The recommendation has not yet been implemented but will be implemented in fiscal year 2021-22.

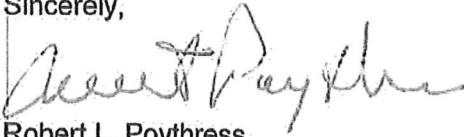
**Recommendation 4:**

The MCGJ recommends that, beginning fiscal year 21-22, EHD post online food inspection report results on the EHD website.

**Response**

The recommendation has not yet been implemented but will be implemented in fiscal year 2021-22. The Board acknowledges the Grand Jury's review and time involved in this matter and appreciates the opportunity to respond to the findings and recommendations.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert L. Poythress".

Robert L. Poythress  
Chairman of the Board of Supervisors