



The County of El Dorado

Chief Administrative Office

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Terri Daly
Chief Administrative Officer

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May 13, 2014

RE: Agenda Item #39

Dear Members of the Board of Supervisors:

As Chief Administrative Officer, I view my job as doing everything I can to create the most efficient, effective organization possible. My job is not political. I do not aspire to an elected position. I am motivated by getting results, by turning a wayward ship around, by the challenge of taking on sensitive issues while effecting positive and long-lasting change.

When the Board of Supervisors voted unanimously to conduct a cultural assessment, it was my job to ensure it was done correctly to gain valuable, actionable information. What we found from the survey is that we have a lot of great employees who are trying their best to do their jobs and feel they are making a difference in our community.

We also found, mainly through frequent comments added to the survey, that there are many employees who come to work in fear each day—fear of bullying, fear of retaliation, fear of losing their jobs. This isn't right. Every person deserves a safe work environment. That's why we have laws that protect whistle blowers, victims of discrimination, and employees who have medical issues. That's also why the County has a Code of Ethics and Respectful Workplace language in our Personnel Rules.

Employees working in fear don't do their best work. It's a costly way to operate. Beyond basic human compassion, my motivation for improving our work environment is fiscal. I estimate that our operating costs could be cut as much as 10%, especially in the financial and administrative areas, if people had the training they needed, open and honest communication channels, and a workplace that encouraged collaboration and sharing of ideas instead of cowering and hiding. Did I ask Mike Applegarth, an employee from my office, to speak at the Board meeting on April 28th? Of course not! He spoke to the Board as a private citizen, exercising his freedom of speech. Do I know how frustrated he has become at the unhealthy work environment impacting him personally? Yes. Mike's frustration and the frustration of many other employees is no secret. Since Mike spoke at the Board meeting, several employees, including some who report directly to the Board of Supervisors, have confirmed their frustration to me, but have also conveyed their fear of retaliation if they speak up.

Now that we have objective, outside opinion telling us that we need to change this “bullying” culture, I feel it’s my job to lead the effort, along with you, the Board of Supervisors, the Department Heads and all the Elected Department Heads. My goal is not to “take anybody down” or even to affect the upcoming election. I doubt enough voters to make a difference are even aware of this cultural assessment survey. My goal is to improve our work culture – and our bottom line.

I failed Mike—and many other employees—in the past by not protecting him from inappropriate behavior from some in County leadership. I failed them with my silence, with my acquiescence, with my optimistic belief that I could change things collaboratively, and, frankly, with my fear of being terminated myself.

Our employees deserve a safe, productive work environment. Our citizens deserve a productive, efficient County operation. I encourage the Board members to listen and absorb the information provided by independent consultants considered leaders in their field, and then decide next steps so we can prevent bad behavior from continuing. I encourage the Board to adopt the recommendations of the consultants. I pledge to protect from retaliation anyone who comes forward to the “Special Master” with reports of bullying or other egregious disrespectful behavior. I hope the Board would pledge the same.

Changing our culture of fear to a culture of public service for the common good is hard and takes commitment, but I believe it is the responsible course of action.

My goal is to improve our work culture – and our bottom line. By transforming into an organization that embraces new ideas, we encourage innovation and isn’t that a place where most companies will want to do business? Isn’t that a place that will retain and recruit the best talent for our workforce?

Let’s keep the big picture in mind and mature County government so we ca all feel proud.

Thank you for the opportunity you have given me to make such dramatic improvements to our workplace.

Sincerely,



Terri Daly
Chief Administrative Officer

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RECEIVED
BOARD OF SUPERVISORS
EL DORADO COUNTY

May 12, 2014

2014 MAY 13 AM 8:04

El Dorado County
Board of Supervisors
330 Fair Lane
Placerville, CA 95667

LATE DISTRIBUTION
DATE 5-13-14

Reference: May 13, 2014 Agenda Item # 39.

We watched recent Board of Supervisors videos and read through the public comment and other documents on the topic of a Respectful Workplace and we decided to add our perspective. We also feel compelled this is the right time to provide the Board with some alternatives to the *primitive* approach to governance in place over the last several *decades* courtesy of Tax Collector Cherie Raffety and Auditor-Controller Joe Harn. We have some other concerns to put onto paper, but we will get to that later.

As a small group comprised of current and former county employees and vendors who have contracts with the county, we have come together to express to the Board of Supervisors our shared interest in seeing the county succeed in changing the culture of fear and intimidation. Our healthy debate to include our names on this letter or not ended with one member being outvoted. We did agree that the Board and voting public probably are not going to do much about our concerns, so why bother taking the risk? After all, we have our own responsibilities to look after and we still have county or county related jobs, albeit working under the umbrella of fear and intimidation.

Joe Harn and the staff in the Auditor-Controller's Office

We're pretty sure Joe Harn has about 1,800 votes fewer than Mike Owen as of today. That's about how many employees are working for the county. The only current county employees who would vote for Joe are those who do not work with him or his office and those who believe he is actually an asset to the taxpayers. To those groups, we can only recommend that they open their eyes and *believe* county employees who do have to work with Joe and his office. The Auditor-Controller's office has cost the county millions over the years out of sheer inefficiency. Are you actually thinking that Joe is telling the whole truth and several hundred (at a minimum) current county employees are lying? We believe the cultural assessment was necessary *because* of Joe Harn and a handful of other managers at the county who cannot seem to tow the line. Think about why you support Joe Harn.

Let's talk about the survey results. Our consensus is that Joe Harn is a Bully and abuses his power. A power reinforced by Board members over the past two decades and left unchecked, until now. Under fear of retaliation, humiliation and intimidation, the employees in Joe's department filled out the survey to show how much they love their jobs and how Joe is a great manager. Why they don't come forward and file a complaint is easy to explain. Too few would believe them and they would be targeted and have to change careers, never to work for the County again! Joe has power over the local newspaper (cowards) and could use it to discredit whistleblowers. Joe knows how to pull strings with the DA, Sheriff and Joe's long list of cronies. In short, Joe manipulates other elected officials to get what he wants. No one even wants to try a formal complaint with such overwhelming odds against them.

Joe's employees, for the most part, appear to be hard working, dedicated and actually very nice to converse with, when they're allowed to do so. Their office is like a morgue, go check it out for yourself. Our consensus is that we pity them, they need jobs, but if they change jobs now, there will be hell to pay from Joe. We refer to them as Joe's employees because they are not allowed to be a part of the solution.

The county has a citizen group of volunteers making up the Regulatory Reform Committee to pick apart issues with the building/planning permit processes. Why not a group to investigate the massive inefficiency of the Auditor and Tax Collector offices? We know why, its because everyone turns away, even the Grand Jury, when fingers start pointing at Joe Harn or his office. Makes us wonder how Joe got to be so powerful. Maybe it's just by way of his extremely inflated salary that gives him his sense of power to intimidate people he doesn't even know. Remember, Joe Harn brings in more personal salary than State Controller John Chiang and Joe has the audacity to claim how he saves the county money? Why and how does the Auditor of a county with less than 200,000 residents make that kind of money?

Why do elected officials get Longevity pay? Why does the Auditor get a CPA differential when that's a requirement of the job in the first place?

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Joe Harn pollutes the workplace by screaming at people, belittling and intimidating them.

Because we are not leaving our names on this, we cannot ask ourselves, but someone should request these things from the Auditor under the Public Records Act and if that does not apply, ask Joe at one of the public forums for his reelection.

1. All email over the past 12 months sent to any county employee from Kathy Sergeant in the Auditor's office. Only one of us has been on the receiving end, thankfully.
2. Compare the phone activity of Auditor employees to that of ANY other county department. Our belief is they make fewer calls than even the smallest department. While you are at it, check the email outboxes too, they surely get a lot of emails asking for status of claims, journals etc, but the county grapevine says auditor staff rarely respond, if ever. Claims sit over there for months with no explanation.
3. The Auditor's Office documentation that describes how the department will process claims, journals, payroll etc. Take it a step further and ask the Auditor how that documentation has been delivered to county employees who have to work with the Auditor's office on a regular basis. Ask how often they provide training of any kind to department employees.
4. Ask for:
 - a. The average amount of time it takes to process a claim
 - b. How many claims are audited each month vs. how many are received? How many are rejected?
 - c. All claims older than 30 days and the reason for the delay in processing and what corrective action was taken to solve the issue. Most contracts have NET 30 terms and we do not get paid according to our contracts.
 - d. The amount of taxpayer money spent, on average, per claim.

Are you aware that Joe Harn's office performs a full audit of every claim? Is that really the best use of our county tax dollars?

In his editorial from last Friday, Mountain Democrat editor Michael Raffety made some disparaging comments about the CAO and other county employees. It is peculiar how he has such an informed perspective. Hey Raffety, how many county employees, past or present, have you or your top-notch minimum wage reporting team interviewed to learn if there is any truth to the claims made about Joe Harn? What are you afraid of? Joe got your tongue? Your editorial was tired. Chief Administrative Office staff seems to be pretty good at what they're doing, they've made some mistakes here and there, but they're only human and like most of us, they learn and move forward. None of them verbally abuse others or ignore requests from departments, quite the contrary; they are always helpful in providing answers, even if we disagree sometimes. Only a couple of us deal with the CAO staff regularly, but the others in our group say they believe us because we have nothing to gain by lying. Anyway Raffety, you sound like Joe Harn in your editorial: All about deflecting and redirecting the negative attention elsewhere instead of taking ownership for your (his) behavior. Cowards.

Words Joe Harn has never spoken;

“Hey department money manager, we’re trying to decrease our claims processing times and increase overall efficiency. Can you meet with us to brainstorm some ideas for improvement?”

“Hey all you money managers, will you come over and meet with Kathy Sergeant to talk through all these issues with the Cost Applied formulas?”

“FENIX project manager, please spend some time with me and my journal entry team to iron out that problem we spoke of at our last meeting.”

We could go on and on, but you get the idea. Joe doesn’t ask departments for feedback on how his office could work more efficiently for the county as a whole.

Oh, speaking of FENIX, Board members, please, pull the plug on Joe Harn as a member of the Executive Sponsor team. That was the worst thing you ever could have done for this project.

It might be a good idea to pull the plug on Joe’s office in general. Reassign all the staff to report to, oh, anyone else.

Mike Applegarth’s statements are a factual account of Joe’s true nature.

Cherie Raffety

Michael Raffety, stop reading this, you will not like it. Time warp Cherie is the second greatest obstacle (behind Joe Harn) to the county's ability to change the culture. The voting public should be interested in learning more about how Cherie's office operates in the dark ages as technology goes. Our contact there could not even put the caveman era office into words; you will have to ask Cherie yourself. Ask why Cherie has a half dozen or so of her staff working late every single day in order to balance the books. Do they count everything up by hand and track it in a written journal?

Ron Briggs will in no way shape or form be the best Treasurer Tax Collector, but he's at least a couple decades closer to understanding how things work in this century than Raffety.

Why do we have to make our Property Tax checks out to C.L. Raffety?

Board, please audit the Treasurer's office and figure out what really goes on in there!

A few words on Supervisor Ron Mikulaco because we are tired of the embarrassment he brings to our county.

Mikulaco leases an office in El Dorado Hills at a monthly cost of \$1,600 according to the information available on the Boards website. After hunting around the El Dorado Hills Town Center, one member of our group finally found that office (it is around the back, facing Highway 50) on a Monday morning, but the sign on the door said the office is only open on Thursdays and Fridays from 9:00 AM to 3:00 PM. Upon returning on a Thursday around 11:00, the door was locked, but our member noticed a woman inside, later confirmed to be Mikulaco's assistant Cindy Munt. Ms. Munt came to the door and spoke with our member, but didn't explain why the door was locked during business hours. What is the point of the El Dorado Hills office? How many residents in District 1 go there between 9 and 3 on Thursdays and Fridays? Perhaps there is a lot of senior citizen traffic? Everyone else is at work during those times.

That office is supposedly open for 12 hours per week. That's \$34 per open hour, \$19,200 per year and \$76,800 over four years. Is the county paying to heat/cool that office Monday's through Wednesdays? Why isn't Joe Harn having a fit about all those expenses? He is supposed to be "protecting" our tax dollars. What a crock. Talk about government waste! Who monitors when the office is actually staffed? We ask because a couple of us have seen

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Mikulaco's car in his parking spot at the County offices in Placerville on Thursdays and Fridays. (We have been watching for that out of curiosity since the lease was approved. Our county members like to walk during breaks and lunch, in case you are wondering.) Why bother having an office in his District when the "Supervisor" is not even there?

The grapevine revealed that Mikulaco is on a power trip, doesn't understand what he is voting for or against half the time, uses fear and intimidation against staff, committee members and other Board members. We do not always trust the grapevine, but there is so much video evidence of Mikulaco acting like a Buffoon most Tuesday's, we cannot look the other way. We have tried to get someone to observe one of the other committee meetings he is assigned to, but we are busy. So we once again rely on the grapevine where it was confirmed, Mikulaco is a bully, but in a childish sort of way which makes us feel sorry for him.

Does anyone know why Mikulaco needs two assistants? How much money is the county spending on such perks when other Supervisors only have one assistant and no extra office in their district? Who is Michelle Elliston? We could not find one person who has ever communicated with her. Was that position approved by the Board?

Supervisor Ron Briggs wants to give county dollars to Marshall Hospital for a new building. Marshall just finished building a new Emergency Room costing how many millions? And now they want more, and from the county no less? Sounds like buying an endorsement to me. This smells of Joe Harn, if for no other reason than the whole thing really stinks up the place and it should make voters mad. Also sounds like one elected official doing another elected official a favor in return of some favors later. Yuck.

Supervisor Norma Santiago seems to travel a lot, but otherwise seems harmless and we mention her only so she would not feel left out.

We do not even know where to start with Ray Nutting.

So we are finished.

Please vote responsibly.

39

For the 10:00 May 13th Board Agenda Item regarding the report on work environment.

May 13, 2014

LATE DISTRIBUTION

DATE 5-13-14

To: El Dorado County Board of Supervisors

Curt Weidmer, MD

From: Curt Weidmer, MD
Former Member of Board of Directors, El Dorado County Fire
Protections District.
Former El Dorado County Health Officer

Dear Board Members,

Is Joe Harn credible?

Please see the attached five vignettes which pertain to this question.

Thanks for your consideration.

May 12, 2014

IS JOE HARN CREDIBLE?

When Joe Harn, Auditor Controller, learned that the El Dorado County Fire Protection District was having financial difficulties in the recent past, he sent an e-mail to a clerk of the fire district (who was handling the books) advising her of this problem. Joe Harn never communicated directly with the Fire Chief regarding the fire districts financial problems. Any responsible Auditor Controller would have spoken directly with the Fire Chief and would have followed the conversation up with a written communication to the chief. Joe Harn failed to act in a responsible manner in the case.

Had Joe Harn acted in a more responsible manner, working with the fire chief at the first hit of fiscal problems, he could have saved the fire district and the chief considerable difficulties.

It is not clear whether Mr. Harn sees his role as helping others succeed or as idly sitting by and watching them go up in flames.

Curt Weidmer, MD

Former Member Board of Directors, El Dorado County Fire Protection District

Former El Dorado County Health Officer

IS JOE HARN A GOOD OLE BOY?

Was Joe Harn courting votes from the paramedic firefighters when he told the Board of Supervisors to give the ambulance providers all the funds they were asking for? Joe Harn is an elected official, the County Auditor. Mr. Harn told the Board this in the face of a contrary recommendation by the county administration. The administration had fully analyzed the fiscal needs of the ambulance service and had concluded that the ambulance providers were requesting substantially more funds than were actually needed. Joe Harn's telling the Board to give the ambulance providers what they are asking for was both irresponsible and inappropriate. Perhaps he thought it would buy him votes in the next election.

The funding level of the ambulance service is a policy decision of Board of Supervisors, not Joe Harn. Joe Harn had no business of sticking his nose into this matter. Only if there were insufficient funds should he have involved himself.

It's time for Joe to go.

Curt Weidmer, Former Member of Board of Directors, EDC Fire Protection District

JOE HARN SHOULD STEP DOWN

In 2013 Joe Harn, the County Auditor, gave damaging financial information about EDC Fire Protection District to the news media. The Fire District was under a vicious unwarranted attack by the “corrupt” fire union at the time. Joe Harn inappropriately added fuel to the fire by failing to disclose the full picture on the matter.

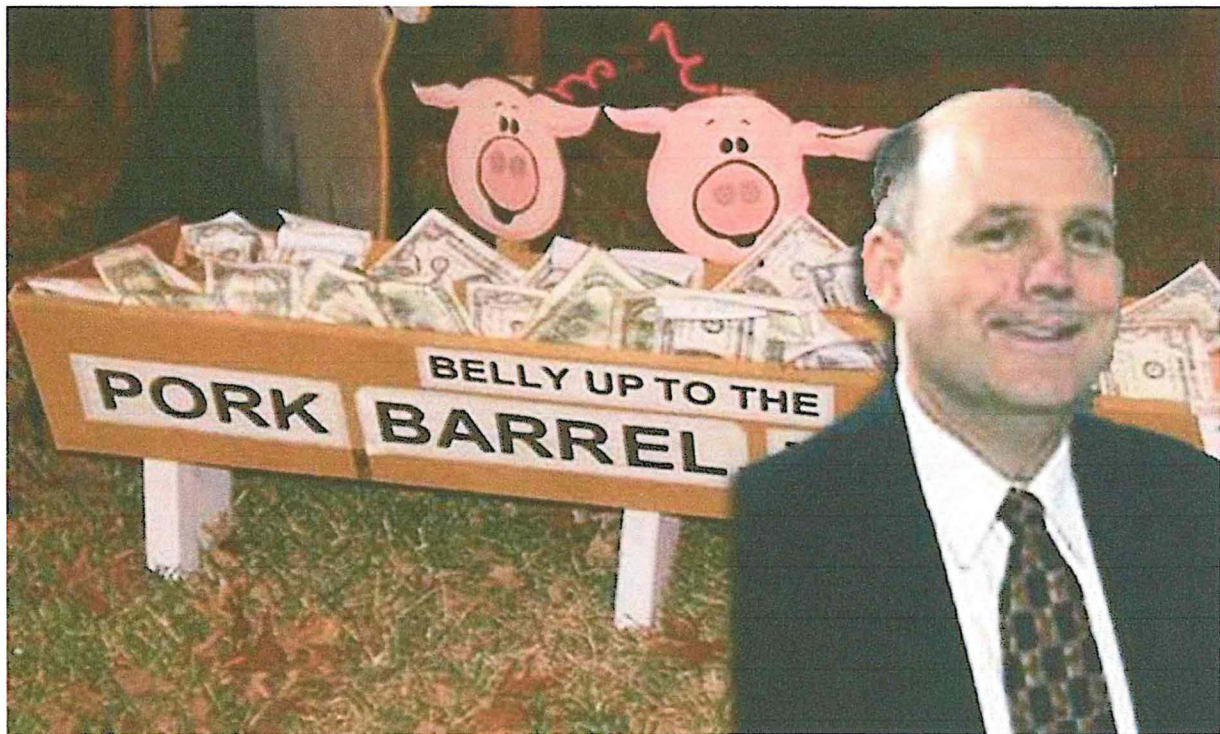
As a former member of the Fire Board, I asked Joe Harn to explain the basis for the damaging financial information he gave to the news media. I made this written request on May 29, 2013. Joe Harn failed to respond to my request.

On June 26, 2013, I again asked Joe Harn in writing to explain the damaging statements he made to the press. He failed to respond to this request.

I believe that Joe Harn was unresponsive to the needs of the public and irresponsible in failing to fulfill his duties as County Auditor.

This behavior displays an arrogance on his part. He apparently feels that he is above the mere citizens who he was elected to serve and that he does not need to respond to their requests for information.

Curt Weidmer, MD
Former Board Member, EDC Fire Protection District
Former County Health Officer, El Dorado County



WAS JOE HARN RIPPING OFF THE PUBLIC?

A vote for Michael Owen could save you money. Joe Harn was supposed to be the Auditor Controller but he failed to control his own salary and benefits. Mr. Harn was receiving \$247,742 per year until the BOS cut his salary by \$99,000. He was the third highest paid Auditor-Controller in the state. Outrageous? It's time for Joe to go!

Sources: Placerville Newswire with data compiled by The Publius Group | May 24 2013
Penne Usher, Telegraph Correspondent, Dec 25 2013