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Sharon DiMauro, Publisher

Katherine Lee, Editor

MaryEllyn Fuller, Office Manager

Antonio Garcia, Circulation Manager

450 N. Franklin St., Fort Bragg, CA 95437

(707) 964-5642 • Fax: (707) 964-0424

Email: advocateneWS@mcn.org

EDITORIAL

A new day dawning for the senior center

By all accounts thus far, Redwood Coast Senior Center is poised for change and shaping a new future. While in the midst of a grand jury investigation, Executive Director Joe Curren resigned and Charles Bush was named interim director. The investigation is now completed, the report released and the community awaits formal responses from the near-invisible senior center board, Interim Director Bush, Mendocino County Area Agency on Aging Director Susan Era and the pending financial audit.

The grand jury report is a classic story of what happens when an organization — public, private, or non-profit — is allowed to run its business cloaked in secrecy. Without accountability to anyone, funds are misused, programs are diminished, services are cut, employee turnover goes unchecked, volunteers abandon the organization and public confidence plummets. When the heat is turned on, individuals at the core go into hiding or leave town. In the end, it's always the same; everyone loses.

Seniors, the population the center is supposed to serve, and employees, sought redress but were stonewalled by Curren and the board. In frustration, they filled the room when AAA held two public meetings in Fort Bragg last fall. They finally had a platform from which to voice concerns and complaints and be heard; later the grand jury interviewed many of them and quoted from their grievance letters.

The grand jury concluded, "The Center's capacity has been undermined by an ill-advised board executive committee," and, "The board executive committee, with the executive director, failed to involve the full board in key decisions, thereby weakening the board members' ability to provide needed oversight."

The role of the grand jury cannot be overstated. It can, as an arm in the judicial system, delve into just about anything that warrants an independent review, including following up on citizen complaints such as those from the senior center. They are volunteers who work tirelessly to shine light in dark corners. Their expenses are covered with tax dollars, which the Board of Supervisors wants to curb with other across-the-board budget cuts.

That would be a grave mistake. Citizens need the grand jury's valuable public service unshackled by governmental restrictions. It's our right and it needs to be protected against pencil erasures on budget sheets.

ANDERSON VALLEY ADVERTISER, BOONVILLE CA 95415

Letters to the Editor

HOLD CURREN ACCOUNTABLE

Dear Editor,

WE THE PEOPLE? I have just read the Grand Jury's findings on the Redwood Coast Senior Center in Fort Bragg's Director and members of its Board who took a non profit charitable organization for Seniors, and made it their own funding institution for personal gain. Those who lost were the seniors and our community who work to provide healthy food, outreach and many other programs for our families and friends who use and count on the programs.

I want to be a voice of one and speak out, and to take direct action. I am a 68 year old activist and woman, living on the edge of poverty, and if I can speak out, we all can. I believe that Mr. Curren and the Board who conspired and participated in this fraud should be indicted by the District Attorney based upon the information in the Grand Jury's report. A public record of the crimes against seniors by the personnel involved is what I ask for.

I have decided to continue what has been started, by forwarding the information from the Grand Jury's report to the IRS Fraud Division (oversees non profits), California Secretary of State (oversees charitable organizations), California Attorney General and several other agencies, to get a proper investigation of senior center use of funds, restitution and prosecution of any of those found guilty in a court of law, or by the standards of enforcement agencies, State and Federal.

Mr. Curren and those who contributed to this illegal operation, need to be held accountable in a public forum, with a public record made. I am but one person, with one voice and I want to believe in our system to provide a legal forum for correction, restitution and making whole the harmed parties and programs.

Linda Leahy
Mendocino

Seniors call for board resignations

By **CONNIE KORBEL**
Staff Writer

The Redwood Coast Senior Center Board of Directors was presented a petition with 102 signatures calling for the resignation of the executive committee at last Friday's board meeting.

The petition was initiated only two days before, when organizers learned of the scheduled board meeting.

Objections to the current executive committee are in response to the recently released grand jury report, "Nobody Was Listening."

The executive committee is comprised of President Don Sheffel, M.D., Vice President Barbara Durigan and Treasurer Brandt Stickel. The officers during the period of time preceding the grand jury investigation included Sheffel and Durigan.

The petition reads, "In view of their past record of management of senior center business, the undersigned have no confidence in the executive board of the center and call upon Dr. Don Sheffel [president] and Barbara Durigan [vice president] to resign immediately."

When asked to comment on the petition, Area Agency on Aging Senior Program Manager Lori Sweeney wrote in an email on Tuesday, "This is new information for us."

Sweeney continued, "AAA continues its oversight role in terms of our

contractual relationship with the center. We are very pleased to be working with the center's new director and find that Charles [Bush] is responsive and positive both with his staff and the community as well as with AAA requirements.

"The AAA supports ongoing board training at all of the local senior centers and remains an advocate for quality senior services — on the coast and throughout Mendocino and Lake counties."

Reports are that about 20 citizens attended last Friday's meeting; most spoke and then left abruptly when the board failed to respond to their questions and Sheffel announced they would take the petition up in closed session.

Questions were raised later about whether the board could treat board-related matters the same as personnel issues, which are only discussed in closed session.

According to County Counsel Jeanine Nadel, who recently held Brown Act and ethics training in Fort Bragg for governmental entities, "They [as a nonprofit] would only be obligated to conduct meetings pursuant to the Brown Act if their bylaws required it or if they have a public official as a member of their board, which I don't think is the case."

In Nadel's opinion, if the Brown

Act applied, resignation of board members is not a permissible closed session discussion.

The current bylaws, which do not have an effective date, make no mention of holding meetings according to California's Brown Act.

Other board members at the senior center are Ann Caponio, Wilma Gromer and Lin Barrett. Charles Bush was named interim executive director following the resignation of Joe Curren in March.

By law, formal responses to grand jury reports are due 90 days from release of the report except for individual elected officials who must respond within 60 days.

According to Interim Executive Director Charles Bush, a contract was signed on Monday for an independent audit to be conducted at the close of the fiscal year, June 30. It will be late summer or early fall before the report is completed.

For the record

John Whatley, who presented the petition on behalf of the signers, agreed to go on record with the newspaper.

"I realize the board couldn't answer any of our questions last week, but this has been the procedure they have used at most of their meetings. The question

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we want answered is, if they were the executive committee, why didn't they supervise the director [Curren] to assure that his duties were performed properly?

"Barbara Durigan has been either president or vice president for the last 10 or 11 years. This has been a closed 'club' for too long and we need fresh blood for our center.

"The senior center people I interviewed told me they felt they should have some say as to who is on the board that represents them," Whatley said.

Bylaws

Disputes between former executive director Joe Curren, the present board and the senior center community, included making the bylaws available. They are now posted at the senior center for all to read.

The bylaws confirm a narrow scope was established that allows the board complete autonomy and authority. Although terms are for three years, members may be reelected for an unlimited number of additional terms; vacancies are filled internally by a majority approval.

The bylaws state, "Board members will terminate on death, resignation, end of term of office or removal by vote of the board.

"Service on the board is at will. The board member, or the board, by a majority vote, may terminate the relationship at any time with or without cause."

Check-signing requires two signatures, depending on who's available, the bylaws state. The president and treasurer "shall sign all checks over \$5,000" with some exceptions based on availability. In the event that either or both are unavailable, they may individually designate an alternate signatory from a list of approved signatories.

"Any check over \$5,000 not bearing the signature of both the president and treasurer shall bear the signature of the executive director as one of the two," the bylaws state.

Bylaws changes "may be made at any regular business meeting."

Among others, the board has these "specific" powers:

- To select and remove officers (and the executive director)
- To "fix" their compensation
- To borrow money and incur indebtedness

Editor: The article "Nobody Was Listening," published on May 21, highlighted the grand jury final report which is available on the county website at <http://www.co.mendocino.ca.us/grandjury/>.

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Senior Center *

EDITOR — Eleven weeks ago I accepted responsibility for stewardship of the Senior Center as interim director. While the grand jury was completing its report on the past several years of governance, my wonderful staff and I have been diligently working to assure that the center's mission to serve North Coast elders is being well-tended, and that trust is restored. Here is some of what we have accomplished.

The Day Care Program's enrollment has increased, and full-time bus service is being restored. We served and delivered a record 280 lunches the last Friday in May. Our three major funding organizations have helped us conduct successful program monitoring visits. The new Members' Advisory Council has met twice, and its recommendations are being implemented. All current financial reports, bylaws, board agendas and minutes are posted, and older documents are available for public review by anyone upon request. The staff and I are available and will answer any questions simply, directly and honestly.

I believe that you will find that the members of our senior community here at the center are happy and thoroughly approving of the changes we have made. I invite you to come and have lunch, talk to folks, and check it out for yourselves. You'll find me in the dining room every day. I especially thank all the former staff and board members who have offered their support and advice these past weeks.

Our Senior Center is one of the treasures of our community. It was created by and thrives on the generosity of taxpayers, supporting organizations, volunteers and individual donors. We need your faith and support now more than ever. My staff and I pledge to use your gifts of time, money, good will and advice

Need answers

EDITOR — I received a letter from Charles Bush, the Senior Center interim director, asking me to give the center a "generous contribution." I will not do so until I know just what will happen to Mr. Joe Curren and the Board members who mis-spent the Center's money on Mr. Curren's "Education Fund."

Will the money be returned? Or will the center be disbanded with the past phone bill? It is our wish to have forward-looking answers to these questions before I resume my donations to the Senior Center.

Louise Mariani
Mendocino

Grand jury says, 'Nobody was listening'

By **CONNIE KORBEL**
Staff Writer

Last week, the Mendocino County Grand Jury released its report, "Nobody Was Listening," following a September through March investigation of the Redwood Coast Senior Center in Fort Bragg.

The opening paragraph reads, "Over a six-month period, jurors documented a striking absence of the active, viable leadership and board oversight that are critical to the success of direct service non-profit organizations. As the investigation was reaching its conclusion, the executive director unexpectedly submitted his resignation."

The grand jury made 16 recommendations that address personnel and financial policies, the board of directors, the website and facilities, based on the 13-page investigation report.

They wrote, "The center's capacity has been undermined by an ill-advised board executive committee decision to permit the executive director to attend in-law law school three days a week, while being compensated as a full-time employee with an extensive benefits package, including tuition subsidy.

"The executive director's compensation has been financially costly to the center. His absence created a serious void in leadership. The board executive committee, with the executive director, failed to involve the full

Complaints about senior center management are validated by grand jury investigation

board in key decisions thereby weakening the board members' ability to provide needed oversight."

According to Interim Executive Director Charles Bush, the current executive committee is comprised of President Don Sheffel, M.D., Vice President Barbara Durigan and Treasurer Brandt Stieckel. The officers during the period of time preceding the investigation included Sheffel and Durigan.

Grand jury members attended the December 2008 meeting when the senior center board voted to conduct an evaluation of former executive director Joe Curren and to order an audit of the center's finances.

Curren resigned on March 13, four days after jurors were informed the center was in the process of soliciting bids for audit services. The last formal audit of the center was in 2002.

The investigation, initiated in response to numerous citizen complaints, raised "serious" concerns, including those voiced publicly at two Area Agency on Aging meetings held in Fort Bragg last fall. Written complaints used phrases such as unfair treatment, fearful, nervous,

intimidated, retaliation, unethical practices, harassment and unprofessional conduct.

"If anyone voiced their opinion or questioned his authority, they were fired without notice," said one complaint. Another said, "Disagreeing with [the executive director] was cause for dismissal."

In response, Curren told jurors, "... a concerted effort has been made by a small group of people to damage [my] reputation."

Written complaints also expressed concerns about the governance of the center, the termination of long-term employees and dissatisfaction with Curren's paid absences to attend law school.

Jurors conducted 15 interviews and examined available documentation (several board minutes were missing) and the website (the most current information was dated 2002). They toured the site — including visits to comparable centers in Mendocino and Sonoma counties — ate lunch with seniors, attended board meetings and talked to the individuals responsible for providing program funding.

Jurors learned that Curren, who was employed for 12 years, was paid \$71,000 annually (comparable position at Ukiah Senior Center pays \$50,000), was paid thousands in bonuses, accrued 12 weeks vacation every year and for the past two years was compensated an additional

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\$3,000 each semester for law school tuition (on which he did not pay taxes), was allowed to work about half-time and still receive his full salary. At one point, Curren "cashed in" \$5,000 in vacation hours to purchase a car, the report says.

The grand jury found no before-the-fact documentation that supported Curren's statement the board had approved tuition payments.

In a March 2009 retroactive letter, the jury was told the executive committee (Durigan and Sheffel) had approved tuition support, and permission to telecommute to work two days a week beginning in 2006. Also in March, Curren provided belated August 2008 board minutes that he had executive committee approval since 2007.

However, President Sheffel and Treasurer Stickel told jurors, "they had no knowledge that tuition was being paid."

The tuition checks only required Curren's signature.

Questionable board governance

The self-selecting six-member board (they nominate and approve members) self-described their responsibilities for policy, financial oversight and supervision of the executive director. Some members have served more than a decade.

According to the bylaws provided jurors in October, there is no cap on the number of three-year terms members may serve and no record of when the bylaws were adopted. Previous bylaws stated a seven-year term limit.

There are meeting minutes that state the bylaws were amended in September 2008 to permit two members of the executive committee (president, vice president and treasurer) to transact business with full authority. No documentation of their actions was available and the committee did not discuss all of its decisions with the rest of the board.

"In several cases, minutes for one month were identical to those prepared for the previous meeting," states the report.

Only Curren was allowed "official" contact with board members.

Even though the employee handbook, dated 2003, placed a 200-hour cap on vacation accrual unless approved by Curren, he told jurors he knew nothing about a cap and had cashed in vacation time for money.

In regards to Curren's attendance at Empire College in Santa Rosa, board minutes note a discussion that approved his telecommuting to classes but not a specific work schedule.

Curren's benefits and other "important" financial and personnel decisions had been approved by the executive committee "without timely review" or approval of the full board.

Curren stated to jurors that he did not do staff evaluations because he could terminate employees at will and "doing evaluations can lead to lawsuits."

Programs, finances

During Curren's tenure, the meal programs steadily increased, but there was a "marked decline" in the adult day care program — the only one of its kind serving the coast population — to the point where

the required minimum daily census for funding was at risk, the report states. Social, health and education programs were limited, the newsletter was defunct and the website not functional.

Day Care Center participation dropped from 2,257 census days in 2005/06 to 1,572 two years later. A daily census of 10 is required to receive Area Agency on Aging funding.

AAA provides partial funding for meal programs, community outreach and the day care center (\$268,942 in 2007/08, \$222,459 in 2008/09), Mendocino Transit Authority provided \$147,800 this year and a grant from United Way supports a suicide prevention program.

The remaining 49 percent of the budget is raised through transportation fees, meal contributions, donations, fund-raisers and the thrift store.

Relationships

According to the report, relationships were in a decline with participants and volunteers, accompanied by high turnover with staff. Eight of the remaining 16 employees had been employed less than two years; nine employees left in 2007 another 10 in 2008.

Connections with Fort Bragg Unified School District, the property owners, were nearly nonexistent as were relationships with community organizations.

Charles Bush

"I was invited to join the [senior center] board last October [2008], served for five months, then became director after Joe's [Curren] resignation, and [I] left the board at that time. I had been on the board for

about two months when I was interviewed by the grand jury," wrote Bush in an email received on Tuesday afternoon.

"In January [2009], the board asked me to conduct an assessment of Joe and of the operation of the center. This is work that I have done professionally for many years, and I agreed. I interviewed all key staff, spent 20 hours with Joe, and discussed the center with a dozen clients.

"I was about 75 percent completed when Joe resigned. I shared my assessment with the board, and they asked me to take the director's position with the understanding that I would complete a strategic plan, develop a strong staff team, and correct any problems that I had uncovered. We agreed to review progress in six months, and decide how to proceed.

"The work is going very well. We will have an annual budget and operating plan completed by the beginning of the new fiscal year on July 1."

Barbara Durigan

Barbara Durigan is the longest serving board member but she says she was never interviewed by the grand jury for this investigation.

"The grand jury never talked to me," said Durigan in a telephone interview. "It doesn't make sense."

Durigan confirmed the board did agree to pay Curren's tuition. She said the board had made tuition payments for other employees in the past.

She said they felt, "After nine to 10 years [employment], it would further his ability to serve [the senior center]."

"We [she and Sheffel]

Continued

met, [decided], and didn't write it down," Durigan said.

She also stated that 12 weeks of vacation "wasn't outlandish after 10 years [of employment]."

Durigan defended Curren, stating that when he started his position the senior center was in "such financial ruin it nearly closed," but now it has "reasonable" reserves.

"Joe pulled it out; that's what he did," she said.

According to Durigan, most of time there were only four active board members.

"We never turned any body down to be on the board; no one was begging to be on," she said. "We did not always do the best things we could."

Who's who?

The grand jury investigation requires responses from the senior center board, Interim Director Bush and Mendocino

County Area Agency on Aging Director Susan Era.

The AAA holds a limited oversight role; the agency transmits county and federal funds to the center for meal, community outreach and adult day care programs. It also inspects the financial and service records annually.

AAA is a five-member board that has recently changed members. There is also a 16-member advisory council that is the main working body. The council does not handle contract issues directly; that is the responsibility of Director Susan Era and county counsel.

Redwood Coast Seniors Inc. formed as a California 501(c)(3) non-profit corporation in 1973, and has a \$1 million budget. It is located at 490 Harold St., in a wing of the historic high school campus, which is now the middle school.

Letter

Senior Center

EDITOR — I want to thank the newspaper and this year's grand jury for their coverage of the recent problems at the Redwood Coast Senior Center. As a lifelong resident and as someone who served years ago on the center board, I've seen how the people in this town have always supported this center, making it the largest senior center in the county. People have left money for it in their wills, and the center has never had the financial problems that have troubled other centers.

Several years ago I tried to talk to one of the board leaders about the problems at the center and was told, "As long as Joe keeps us in the black I won't rock the boat." Even though the center is now coming out of a rough time, people should know it was caused by just three people — the director and the board president and vice president. The director has now left, and it is time for the board president and vice president to also resign. In my opinion, the center needs a clean break from those who caused the problems.

Lucille Prince
Fort Bragg