Legality of Fallen Leaf Lake board members still murky

By Jessie Marchesseau

Even though no votes were actually cast, Tom Barber, Wanda Kownacki, David Stumbos and Stephanie Neidig will be sworn into their seats on the Fallen Leaf Lake Community Services District board of directors next month.

But there is still a question as to whether any of them can legitimately hold the positions.

The candidates did not appear on any ballots because all four ran unopposed. Barber, Kownacki and Stumbos will maintain their positions as directors, while Neidig is stepping into the vacant seat.



Fallen Leaf Lake CSD directors Tom Bacchetti and Wanda Kownacki will continue to sit on the board. Photo/Jessie Marchesseau

The question of legitimacy, however, has nothing to do with

the election. Rather, it stems from the voter fraud issues Fallen Leaf Lake residents have been plagued with for more than a year.

> Some area homeowners are doubtful whether any of these candidates can actually legally register to vote within the district. If not, they could be ineligible to hold office. Article II, Section A of the Fallen Leaf Lake CSD bylaws states: “The District shall be governed by a Board of Directors of five (5) members. Each Director shall be registered to vote within the district.”

Fallen Leaf Lake CSD director and president, Tom Bacchetti, said he and all of the other directors are currently registered to vote within the district. However, El Dorado County Assistant District Attorney Hans Uthe expressed that simply being registered does not necessarily make it legal.

“Someone can register, and that makes them eligible until the court tells them they’re not,” Uthe told *Lake Tahoe News*.

So even though they may be currently registered to vote within the district, the question remains as to whether or not that registration is legal.

While some community members have expressed their concern over the issue to the El Dorado County Elections Department and District Attorney’s Office, both entities state that it is not their place to determine eligibility of candidates or to remove them from office.

Uthe said he has made it clear to everyone who has contacted him regarding this issue that they have two remedies to the solution. They can seek a civil remedy by bringing the issue before a civil court, or they can file a complaint with the California Secretary of State.

For now, the District Attorney’s Office has completed its investigation and is offering no further insight about the

issue. However, a complaint to the Secretary of State could trigger another investigation and possible criminal charges.

Meanwhile, there still seems to be some misinformation circulating within the Fallen Leaf Lake community.

At the board of directors' meeting Nov. 5, Bacchetti announced the District Attorney's Office would accept letters from residents declaring Fallen Leaf Lake their domicile in order to rectify any question regarding legal voter registration within the district.

Uthe, on the other hand, said that his office has not solicited any such letters or made any such agreement. A letter, he said, cannot determine the issue of legal domicile.

"That someone would claim to be abiding by the law doesn't necessarily mean they are," Uthe said.

The idea of domicile can be somewhat complicated, he said, but what it basically comes down to is where a person actually lives.

With so many second homeowners in Fallen Leaf Lake, that still leaves them with the issue of residents being able to vote on key issue within the district.

"The only way that this is going to get solved is legislation," Bill Schultz, El Dorado County registrar of voters said. "Fallen Leaf Lake is not the only CSD with this problem."

So a group of Fallen Leaf Lake homeowners is taking it upon themselves to get just such a bill passed. Mike Cathcart is one of these homeowners. He said the group has agreed on language for their proposal and met with individuals in Sacramento to take the necessary steps to get the proposal introduced and hopefully passed by the Legislature.

Cathcart and the rest of the group have focused their proposal

specifically toward voters in Fallen Leaf Lake. However, Schultz believes statewide legislation would be the key to clearing up similar voting issues in CSDs across the state.

But for now, Fallen Leaf Lake residents are left to make their own determinations as to whether or not they are legally able to register to vote within the district and trust their board of directors to do the same.

Stateline gaming results bring down entire state

Gamblers did better than the casinos in September compared to a year ago.

Throughout Nevada the winnings were 5.9 percent below 2010 figures.



The Nevada Gaming Control Board on Nov. 9 said casinos took in $864 million from gamblers, $53.8 million less than the previous September.

One of the worst regions was Stateline, which saw a decline of 14.3 percent year over year. The Carson Valley-Carson City area fared better, but still fell 2.5 percent. Reno, though, came through with 2.6 percent increase.

– Lake Tahoe News staff report

Unintended consequences come with outsourcing government jobs, services

By Motoko Rich, New York Times

GRAND RAPIDS, Mich. – Like many states and local governments struggling to cut costs, Michigan hopes to replace some government employees with contract workers who will do the same job for less.

Ginny Townsend, 41, took a job in January as a nursing assistant in the state-run home for veterans here. Technically, she works for a private company that supplies some employees to the veterans home under a state contract. She makes $10 an hour, about half the wage of the public employees working at the facility.

“I love my job, and I appreciate the opportunity to be here,” Ms. Townsend, a former home health care aide, said on a recent afternoon as she cheerfully delivered fruit and a newspaper to an 85-year-old resident in a sun-drenched solarium.

With the national unemployment rate at roughly 9 percent, Ms. Townsend says she feels lucky just to have a job. But on her low wages, she is barely scraping by. She said she was raising four grandchildren under 11 with her unemployed sister and could not support them without the $300 in food stamps she collects every month.

Now, the state wants to dismiss 170 nursing assistants on the public payroll at the veterans home and replace them with more contract workers like Ms. Townsend, prompting a legal dispute

and much personal anguish.

The legal battle highlights the potential pitfalls in such decisions. Outsourcing, usually intended to ease strained public budgets, tends to most directly affect people like Ms. Townsend and her co-workers. But there can be other drawbacks. The quality of services provided by contract workers, for example, may not be as consistent as that of experienced government employees. And taxpayers can end up paying for the cuts in more indirect ways.

What governments save in salaries and benefits often “ends up on the government books through all sorts of programs,” said Paul C. Light, a professor at the Wagner School of Public Service at New York University, referring to unemployment insurance, Medicaid and other public assistance for workers earning low incomes.

Outsourcing becomes more popular during tough economic times as states and municipalities transfer the operations of facilities like prisons, school cafeterias and sanitation departments to private contractors. Governors or legislatures in Arizona, Louisiana, New Jersey and Pennsylvania have all proposed reviews of state agencies in search of opportunities to privatize operations.

Many local governments like Anaheim, Calif., and Luzerne County, Pa., have contracted out services including park maintenance, graffiti removal and tax claims. Mayor Rahm Emanuel of Chicago recently outsourced recycling collection in parts of the city.

Read the whole story

Santa Paws Benefit

The 25th annual Santa Paws Benefit is Dec. 3 from 11am-4pm.

The website has more info.

NLTRA doles out $46,000 to 17 entities

The North Lake Tahoe Resort Association in collaboration with the North Lake Tahoe Chamber of Commerce has awarded $46,250 in grants to 17 businesses and organizations based in the North Lake Tahoe region.

Those receiving funding are the Squaw Valley Institute, Luminaries on the Lake; Big Blue Adventure, Tahoe Trail Running series; Big Blue Adventure, Lake Tahoe Triathlon; Tahoe Youth Ballet, ChoreoLab 2012; Tahoe Forest Hospital, Gene Upshaw Golf Classic; Squaw Valley USA, Squaw Valley Criterium; American Endurance Ride, Royal Gorge Round-Up Ride; Northstar Resort, ProGRT Mountain Bike Race; Granite Chief Communications, Sideways Slalom; Tahoe Sierra Century; California State Parks, Snow Heritage; California State Parks, Living History Day; Auburn Ski Club, Squaw Valley Mountain Run; Rahlves Bonzai Tour; Tahoe Maritime Museum, Tahoe Boats of the 1920s; Tahoe Mountain Sports, Disc Golf; and Flow Artistry, Lake Tahoe Flow Arts Festival.

The Special Event Development Grant Program provides marketing and promotional support to special events or projects and programs that bring visitors to the region; generate local and regional business revenue; provide local and regional media

exposure; and opportunities for public relations. Grants cannot be used for capital investments, salaries, operational overhead, food and beverage, entertainment and supplies.

Funding for this grant program comes from Placer County transient occupancy tax.

Veterans Day event in Placerville

The Friends of the Veterans Monument will host the 7th annual Veterans Tribute in honor of the sacrifices and service of the men and women of the Armed Forces.

The Nov. 11 11am event is at the El Dorado County Veterans Monument, 360 Fair Lane, Placerville.

Leonids Meteor Shower hike, party

Once a year, the Lake Tahoe Basin’s night sky erupts with a flurry of shooting stars – the Leonids Meteor Shower.

Tahoe Rim Trail Association, Tahoe Institute for Natural Science and Space Science for Schools is having an event Nov. 17 from 7-9pm. It is a free, family friendly gazing party.

Bring your lawn chairs, warm blankets, winter jacket and hat,

snacks and hot chocolate. Minimal hiking involved. (Directions to the trailhead will be provided upon registration for this event).

You must register in advance online.

For more information, call (775) 298.0012 or email Tom at programs@tahoerimtrail.org.

This event is subject to cancellation due to a cloudy or snowy weather forecast. Registrants will be notified via email.

USFS to begin 2 prescribed burns today

U.S. Forest Service fuels management crews are scheduled to resume prescribed fire operations on Kingsbury Grade near South Shore and on the West Shore near the Tahoe Heights area today.

Both project areas are small, approximately 2 acres. Operations may continue through the week.

Residents and visitors can expect to see smoke from these prescribed fire project areas. Smoke may be visible on Kingsbury Grade and on Highway 89 on the West Shore. The Forest Service strives to minimize the impacts of smoke on local communities. Smoke-sensitive residents should consider staying indoors and keeping doors, windows and outside vents

closed.

To directly receive prescribed fire updates, send an email to pa_ltbmu@fs.fed.us.

South Tahoe woman wins 2 tickets to Soroptimist wine tasting

Paula Peterson of South Lake Tahoe and a guest are going to Friday night's annual wine tasting put on by Soroptimist International South Lake Tahoe.

Peterson is one of the many people who eloquently commented on why service clubs are important. Her words won her two tickets to the Nov. 11 event.



Thank you to everyone who participated in the *Lake Tahoe News* contest.

Tickets may be purchased for $65 each from a SISLT member or downloaded a fax order form for credit card orders.

You must be 21 to attend the event.

Ownership change at Timber Cove closes restaurants

By Kathryn Reed

Owners of the Timber Cove Pier did not renew the lease with Blue Water Bistro, forcing the restaurant to close.

The lease with Mama's Red Tomato also expired.

Both restaurant locations will be operated by the family trust that has taken over operation of the South Lake Tahoe pier as well as the Best Western Timber Cove Lodge. Bob Maloff, who had owned the property for years, died in June. His sons control the trust.



Blue Water Bistro is closed. Photo/LTN file

Peter Evenhuis, general manager at the lodge, said the location where the bistro was would be remodeled, with a new restaurant opening by spring.

"There is no way we can expand anything. That is too complicated," Evenhuis told *Lake Tahoe News*.

But no final plans have been devised for what type of restaurant it will be or what it will look like.

“This was an intimate, smallish, boutiquish restaurant that was probably perfect for that location. I’m sure we’ll not stray,” Evenhuis said.

Mama’s is no longer open to the public, with no immediate intent to change that status. For now a full breakfast is served to guests of the hotel in what is being called the cafe.

Evenhuis said the other businesses operating on the pier would remain.