

Kindertown still in business

By Kathryn Reed

Kindertown is open.

El Dorado County Superior Court Judge Steven Bailey issued a stay on Wednesday morning for the South Lake Tahoe day care-preschool. This means Kindertown can keep operating until a final decision is made.



Maria Barrows-Crist thanks her attorney Mike McLaughlin after Wednesday's hearing.

Photo/Kathryn Reed

Maria Barrows-Crist is eager to welcome back the parents who have left while uncertainty hung over the center. About 35 kids have stayed at the facility during the fight with the state.

The state Department of Social Services wants to shut the center down based on 15 citations.

As Bailey went through each of the accusations he said he

didn't think the state had a case.

For him to make a more concrete decision, Bailey has requested a transcript of the hearing before the administrative law judge and all supporting documents.

A status conference is scheduled for Dec. 9. When the final outcome may be reached is not known.

Mike McLaughlin with Feldman Shaw and McLaughlin LLP in Zephyr Cove is representing Barrows-Crist. He would like Bailey to return the case to the state for it to issue a "reasonable if any penalty" against Barrows-Crist.

Brenda Ray, deputy attorney general with the state Department of Justice, argued keeping Kindertown open is a dangerous situation. However, no one from the state has explained why it hasn't automatically shut down the facility if it is so horrible.

On Wednesday, Ray told the court, "Children could get seriously injured or killed. There is a substantial or likely outcome of that if you leave this facility open."

Gasps were heard in the courtroom at that statement.

McLaughlin countered with, "The bottom line is whether children are at-risk at Kindertown and clearly they are not. Parents wouldn't keep their kids there if there were."

The judge then went through the allegations outlined in the 28-page document the state sent to Barrows-Crist explaining why it is trying to close her down after operating for nearly 30 years.

Bailey questioned the lack of medical records which rendered one incident inconclusive, questioned due process, and where the supporting evidence was to prove Barrows-Crist's daughter was under the influence of drugs or alcohol while on the job.

After the hearing, Barrows-Crist was visibly relieved and emotional as parent after parent hugged her. About 50 people attended the hearing.

Roseanne Brant came from Fremont to hear what might happen to her grandson's day care.

"It's insulting to imply parents would allow their children to stay there when they could die," Brant said. She thought the state's argument was absurd and out of line.

Rich Williamson, whose 5-year-old daughter attends Kindertown, was glad to see locals could rally to effect change.

"It's not the state watching our kids. It's nice to hear a judge side with locals," Williamson said.

Agreement renders Mittelstadt powerless

By Kathryn Reed



A distinct hierarchy now exists in the South Lake Tahoe city attorneys office. Patrick Enright is Jacqueline Mittelstadt's boss.

On a 5-0 decision Tuesday, the City Council chose to stop the dismissal process against Mittelstadt and instead demoted her and elevated Enright. His contract will be before the council Nov. 17. Mittelstadt returns to work Thursday.

The original contracts for the two were identical except Enright had assistant in front of his name. They were to act as equals. Not anymore.

The seven-page settlement agreement says, "The City Attorney will prepare proposed written performance evaluations of Mittelstadt, which will be reviewed in person with Mittelstadt, the City Attorney and the Transition Subcommittee prior to being finalized."

She will be evaluated every three months. No other employee has been scrutinized like this before.

The transition team is Mayor Jerry Birdwell and Mayor Pro Tem Kathay Lovell. These are the same two who made up the transition team this summer when it was obvious no one had thought about how much different the city attorneys office would be by doubling the number of attorneys on staff, nor had anyone asked what the newcomers might need.

One might conclude their oversight was ineffective since on Sept. 8 the council on a 3-2 vote decided it had had enough of Mittelstadt. Birdwell and Councilman Bill Crawford wanted to keep her.

What led to the majority of the council – Lovell, Hal Cole and Bruce Grego – to decide less than two months later to keep her is a mystery.

The public won't know if it was cheaper to keep Mittelstadt than incur a lawsuit; the public won't know if losing the Johnny Poland case last week played a role in Tuesday's decision; the public won't know who to believe anymore because the truth is not being disclosed.

Public in the dark

One policy the city does seem to have in place is censorship.

The five elected officials seem to have forgotten who they

work for – the 25,000 or so residents of South Lake Tahoe.

They chose to tie their own hands in not being able to disclose the details behind the Mittelstadt ordeal.

“Mittelstadt and the City acknowledge that this is a confidential personnel matter and that neither party will discuss or disclose the terms of the Agreement unless required to do so by law or to operate the City’s government. The Parties therefore will not discuss with the public and/or press the terms of this agreement,” the document reads.

The document is public. But how it was reached and the reasons behind the words are still a mystery.

All the bravado of transparency and openness various councilmembers talked about in the weeks leading up to this point seem like a failed campaign promise – how ironic for that rhetoric to be quieted on Election Day.

Because neither the city nor Mittelstadt is talking to the media it’s unknown if it will ever be made public why the city has been behaving seemingly so recklessly with taxpayer dollars, staff time and people’s lives.

Without the facts, how is the public to know if the council is acting in the public’s best interest? Some on the council have said to trust the majority – it knows what it is doing.

History tells us that deferring to elected or self-anointed leaders without question is a fatal, costly error in judgment.

The city government has been working under a veil of secrecy that needs to be lifted.

This agreement is just another layer of muck that clouds the clarity of what is going on at city hall.

Now what?

Mittelstadt's new job duties render her little more than an underling to Enright. She is only supposed to do what she is told by Enright.

"Mittelstadt will not hire staff or outside legal counsel, will not make purchases on behalf of the city or direct other city employees except support staff employees in the City Attorney's office," the agreement says. "Mittelstadt will perform any and all assignments given to her by the City Attorney. Mittelstadt will not speak to the public and/or press regarding matters of City business unless authorized or directed by the City Attorney."

By taking away all of her authority, the council clearly questioned her leadership ability and capability to work well with others.

The agreement goes on to say, "Mittelstadt will participate in counseling and training designed to enhance her communication and interpersonal skills to the extent deemed necessary by the City."

Why just her? That's one of the many questions not being answered. City Manager Dave Jinkens and the former city attorney kept their titles when they were ordered to counseling.

Jinkens' role in this whole matter is still not completely evident. The council is not reprimanding him for his actions in regards to personnel issues like disseminating information to councilmembers about claims that have been filed.

Part of the agreement is Mittelstadt must drop all claims she has filed against any city staff member.

No one is saying where the claim Finance Director Christine Vuletich filed against both city attorneys is. Some speculate it will just disappear.

No one in the city has ever explained why Enright was not fighting for his job.

When Mittelstadt and Enright arrived, grumbling was heard in city hall about both attorneys wanting upgrades to the work environment – such as privacy and not sharing equipment with other staff when what they work on is confidential information.

Personality conflicts sprung up. Back biting comments seemed to be the norm.

In closed session on Tuesday the council talked about creating a formal grievance policy. It does not have one to date, which is part of the problem that the city found itself in.

Despite the demotion in title for Mittelstadt, it does not come with a reduction in salary. It does mean Mittelstadt won't have to attend City Council meetings. Her contract expires in May 2011.

Someone might want to update the city's website. Tuesday night it still said Mittelstadt is the city attorney.

Flu vaccine running out

By Kathryn Reed



Roll up your sleeve fast, El Dorado County is just about out of flu vaccine – the regular flu shot, not the H1N1 concoction.

"We're hoping we'll get more vaccine, but all counties are in the same boat. There was a larger turnout than last year," said Cathy Dunbar, immunization coordinator with El Dorado County Public Health.

Flu vaccination clinics are being canceled because the supplies are not available.

Dunbar said the county's allocation is based on last year's numbers. The problem is the demand is greater this year, not that the supply is less.

She believes the awareness of the swine flu is leading people to want to be vaccinated against the regular flu.

This may mean fewer sick people out and about because more people have been immunized. Only time will tell if people who didn't get a shot will storm clinics and emergency rooms this year fearing what they have is more serious than the basic flu.

Barton Memorial Hospital is also running out of vaccine for the seasonal flu – and it ordered more than it had a year ago. The number of doses Barton had at the start of the season or what's left was not available late Monday.

County officials did not have figures either.

Barton vaccinates all students in Lake Tahoe Unified School District who want it – which in the past has been 65 percent of the population. Barry Keil, director of pharmacy for the South Shore health care system, requested more vaccine this year in anticipation of more people wanting a shot.

Still, Barton, like the county, is canceling flu clinics because the supplies can't meet the demand.

"At our last flu clinic on Friday at Stateline there were over 60 people there. That's a very high number for this time of year. Usually it's more like 40," Barton spokeswoman Denise

Sloan said.

By this late in the fall, the number of people seeking out that needle usually tapers off.

Remaining seasonal flu clinics:

Barton will have one more seasonal flu clinic. It is Nov. 14 from 9am-1pm in the Barton Cafe at Barton Memorial Hospital, South Lake Tahoe. Cost is \$20, free with a Medicare card. Shots will be given until supplies run out.

El Dorado County Public Health has one more clinic in South Lake Tahoe. It is Nov. 10 from 9:30am-12:30pm at the Senior Center, 3050 Lake Tahoe Blvd.

How much swine flu vaccination will be coming to the county is not known. Dunbar said the first shipment arrived – the baby mist and that the county is waiting for the next shipment.

As of Monday, Barton had not received its first shipment of the H1N1 vaccine. It's expected to arrive any day. Schoolchildren and health care workers will be first in line for it because as they are the groups most at-risk.

Officials in El Dorado County are not as worried about the swine flu as their colleagues in Sacramento County. The Board of Supervisors there is expected today to discuss declaring a state of emergency because of the rapid increase in H1N1 cases.

For more information about seasonal flu clinics or the H1N1 flu, go to www.edcgov.us/publichealth.

A slice of variety in LTCC kitchen

By Susan Wood

Turkey at Thanksgiving may be considered the ultimate as a food for gatherings. But no other dish is more popular as a communal meal than pizza.



Dan Kramer
educates Lake
Tahoe
Community
College
students about
pizza.
Photo/Kathryn
Reed

That's why it made for an ideal culinary class at Lake Tahoe Community College this fall. It comes with a warning though. Go to class with an appetite.

My class of about a dozen students ended up making so many pizzas and calzones in the three four-hour sessions that we stayed late to finish cooking the first night. On the second evening, I was grateful for wearing loose pants. Then, I learned. After the last session, I took enough leftovers home to feed most of my coworkers the next day.

And if you're like me, you'll learn a few things. The first night was launched with a bit of fascinating history from instructor Dan Kramer, who runs the college kitchen with a penchant for making pies.

Pizza's evolutionary past remains as varied as its toppings and styles, according to New York author Ed Levine, who wrote "Pizza: A Slice of Heaven." Of Italian descent from a bastardized version of the Latin word picea, King Ferdinand IV built a pizza oven in the 1700s for his wife, Maria Carolina, the sister of Marie Antoinette. But royalty aside, its origins are rooted as an inexpensive peasant food.

Pizza hit American ovens first in a New York City grocery store in 1905, Levine explains. Seven years later, Joe's Tomato Pies specialized in the fun food, which quickly spread through the East. In 1943, Chicago got a hold of the idea. Then the chains popped up about a decade later, partly fueled by a demand from American soldiers returning home from Italy during World War II.

Now pizza is an easy phone call away. Americans eat 350 slices of pizza per second, according to about.com.

But as I soon learned, nothing compares to the nurturing of a yeast mixture and punching a well in a bowl of flour to make your own dough. There's a variety of dough including basic, whole wheat and cornmeal. The trick is timing – starting the dough before worrying about the sauce and toppings.

The first evening, I was in a foreign land, not only in an industrial kitchen, but also in making dough from scratch. My baking experience revolves around a Betty Crocker box and pizza dough that is premade. Focaccia dough for a Sicilian recipe was out of my vocabulary. However, what I lacked in experience I made up for in ambition – blind, as it may have seemed.

My confidence level rose with my dough in the second session.

Plus, I was teamed up with two experienced cooks – Kae and Hannah. Our mission: an eggplant calzone with four cheeses and a stuffed spinach pizza. None of us is crazy for eggplant, but we did enjoy the accomplishment of working on our recipes, along with tasting the variety of calzones and deep-dish pies that other chefs brought out of the ovens. Spinach and feta, zucchini-stuffed and Italian sausage – which the class churned out that night from the grinder – rounded out the list.

My favorite dish came from the team of Julie, her daughter, Sage, and Karen.

“This could be a picture on any Chicago deep-dish menu,” Kramer said, throwing out the ultimate compliment of the night as he carved individual pieces for the class.

Kramer was full of kudos on the last night, when the class took him up on the creativity challenge of making California-style pizza.

“This has been my most creative class,” Kramer said.

Students tackled the caramelized onion and Gorgonzola, barbecued chicken, spanakopizza, pesto, smoked salmon and Brie, and their own free-for-all version of pie. Our trio’s task involved dessert – a chocolate and strawberry pizza made with sweet dough smothered in chocolate sauce and my addition of crumbled vanilla wafers for texture. I never thought of pizza as a pastry until now, but the concoction won me over. And it’s quick.

The night included a hands-on lesson in grilling pizza dough. Let’s put it this way: one can’t walk away from the stove for this type of pizza making. Watching a blaze or two that others were managing on the grill triggered my memory of having something of my own in the oven.

“The pizza,” I said, turning to Hannah. We sprinted to a back oven where an overdone crust edge had me sighing relief that

the whole thing didn't go up in flames. Sweet dough cooks faster because of the sugar content.

The culinary department of the college includes a variety of classes that range from food and wine and cheese pairing to soups and Mexican dishes. I've nibbled at five of the offerings. A sushi class has been added, too.

For now, those wanting to venture out of their comfort zone with an unusual holiday dessert may want to try the following recipe:

Chocolate and Berry Pizza

Sweet dough recipe (see below)

Vegetable oil or cooking spray

About 3 cups ripe raspberries or strawberries

Sugar

Melted unsalted butter for brushing crust

1 lb. cream cheese cut into small pieces

About 1C chocolate sauce

Fresh mint sprigs for garnish

Sweet Dough

Add 1 cup sugar with the flour and reduce the salt to $\frac{1}{2}$ teaspoon in the yeast and water mixture. Substitute canola or other bland vegetable oil for the olive oil.

Make sweet dough and set aside to rise as directed. About 30 minutes before baking pizza prepare an oven and preheat to 500 degrees. Brush a pizza pan with oil or coat with spray and set aside. As the pizza must be removed from the oven before the crust is completely set, do not bake directly on a stone or

tiles.

In a bowl, lightly sprinkle the berries with sugar to taste and set aside, stirring occasionally, until needed.

On a lightly floured surface, roll out or stretch the dough and shape it as desired. Place the dough on the prepared screen or pan. Prick the dough all over with a fork and brush it with melted butter.

Transfer the pizza to the preheated oven and bake until the crust just begins to brown, about five minutes.

Remove the pizza to a work surface and top with the cheese, leaving a $\frac{1}{2}$ -inch border around the edges. Return the pie to the oven and continue baking until the crust is golden about five minutes longer.

Meanwhile, gently heat the chocolate sauce and drain the berries.

Remove the pizza to a wire rack and drizzle the warm chocolate sauce over the cheese. Arrange the berries over the cheese, then transfer to a cutting tray or board and lightly brush the edges of the crust with melted butter. Garnish with mint sprigs. Slice and serve immediately.

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USFS cabin fees on the rise

By Kathryn Reed

People who own cabins on U.S. Forest Service land are getting a notice in the mail telling them to pay the government more money.

The use fee is going up based on appraisals of the property, which is done every 10 years. The fee is 5 percent of the appraised value of the lot – the vacant lot, not including the structure, according to the Forest Service.



The cost of owning a USFS cabin is going up.

The fees are actually 10 years overdue because of ongoing discussions since 1999 between cabin owners, the Forest Service and Congress.

Some fees are increasing by more than 100 percent because appraisals were not done between 1979 and 1999.

The irony is that with appraisals happening every 10 years, 2009 represents another appraisal year “ so the increases are not likely to over for most people.

“For the most part, fee increases range from several hundred to several thousand, again depending on the value of the lot,” Cheva Heck, USFS spokeswoman based in South Lake

Tahoe, said of the increase now being doled out. “On the other hand, the value of some lots went down and their fees will decrease to reflect that.”

For the owners who are hit with a 100 percent increase or more, it will be phased in. Heck said about a half dozen cabin owners in Lake Tahoe will be see a substantial increase in fees.

Recreation residences have a value of \$150,000 to \$500,000. Those right on the shore of Echo and Fallen Leaf lakes are prime real estate.

“Fees go back to the U.S. Treasury and a quarter of the funding from these fees and other Forest Service fees comes back to the states through the Secure Rural Schools initiative, for road and school projects primarily,” Heck said.

The Lake Tahoe Basin Management Unit oversees 594 cabins, which were all just reissued 20-year permits. These cabins range in size from 200 to 1,400 square feet “some with more than an acre of land.

Spook-tacular



Halloween isn't just for little kids who like candy. Big kids like to dress up, too – and eat candy.

Businesses and houses throughout the South Shore of Lake Tahoe

are decorated for the holiday. Ghosts and witches are in abundance. Spiders and their webs are woven around doors.

Plenty of activities are planned throughout the day and evening – check the Events page on *Lake Tahoe News*.

Today is also Nevada Day – the day the Silver State was admitted to the Union. [Click here](#) to find out what is going on in Carson City.

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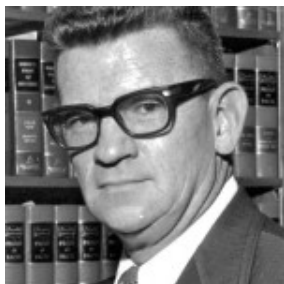
Melvin Beverly 1925-2009

By Kathryn Reed

South Lake Tahoe's first city attorney, Melvin Beverly, died Oct. 29. He was 84.

Flags are being flown at half-staff in his honor.

Mr. Beverly's roots on the South Shore run deep, as do his family's. His grandfather, John E. Dunlap, was a rancher in South Lake Tahoe. Some of the Dunlap clan still owns the property near the Tahoe Keys along the banks of the Upper Truckee River.



Melvin

Beverly, circa
1970
Photo/Laine
Photography

He was born Sept. 15, 1925.

Mr. Beverly earned his law degree in 1952 from Boalt Hall at UC Berkeley. He spent the first two years out of law school as a clerk for a U.S. Appeals Court judge. In 1954, he began practicing law in Placerville. He worked on the West Slope for seven years before moving to South Lake Tahoe with his wife, Evelyn.

The Beverlys had been married for 48 years.

Mrs. Beverly said during the last nine years the two spent a good deal of time traveling. Mr. Beverly also kept up with his golf game after retiring in 2000 as a commissioner with El Dorado County Superior Court.

"Mel certainly was an institution in the legal profession and basically was the founding father of law in South Lake Tahoe in particular," El Dorado County Superior Court Judge Suzanne Kingsbury said. "He was very much a mentor to me as I was making my way up the ranks as an attorney. He gave a lot to the community and to the legal profession. He was extraordinarily well respected by the Bar."

Bob Henderson knew Mr. Beverly for more than 30 years, having worked in his law office for a couple years in the early 1980s.

"He was a good man. We are going to miss him," Henderson said.

In March 1989, Mr. Beverly became a commissioner with the court and retired from private practice. Retired El Dorado County Superior Court Judge Terrence Finney, who is out of town, appointed Mr. Beverly to the position.

Kris Dehnen clerked for Mr. Beverly.

"As a human being you couldn't ask for better," Dehnen said through tears. "He was patient when he needed to be and firm when he needed to be."

She remembers beautiful jazz coming from his chambers on afternoons when a trial wasn't scheduled. Dehnen also recalls Mr. Beverly being diligent about his 2:30pm break to go outside to smoke a cigar.

"He was really the most delightful man. He had a heart of gold," Dehnen said.

Sylvia Smith knew Mr. Beverly as an attorney and court commissioner from her work as a court reporter.

"When he walked into the courtroom, as a court reporter I knew there would be no game playing," Smith said.

She said when Mr. Beverly became a commissioner he was there early, but rarely worked past 5pm so staff could get the paperwork done.

"He was very respectful of women," Smith said. "He was a gentle man."

She also remembers Mr. Beverly as being a good dresser, who never showed up at a function in anything less than a sport coat and tie.

Smith spent the better part of Thursday at the Beverly home. She read a scrapbook about Mr. Beverly that said originally his plan was to become an accountant, but then he went into the Army. He was in World War II on the front lines in a tank.

Smith remembers Mr. Beverly caring about families, and how hard the Child Protective Services cases were for him.

It's because of Mr. Beverly that Court Appointed Special

Advocates is in South Lake Tahoe.

Jim Duke, who was president of Rotary Club of South Lake Tahoe at the time, remembers Mr. Beverly, who was a member, talking about starting CASA and how it took a couple tries to get a grant for the program.

"He was a quiet supporter of things in the community," Duke said. "I was chairing a church committee and we needed some legal help. I told him what I needed and clearly was prepared to pay for it. But then he refused to accept any money for it."

Duke said that's how Mr. Beverly did things –behind the scenes, without wanting recognition.

Mr. Beverly is one of a handful of people who got the Tahoe Valley Pharmacy Building off the ground. It was there that he opened the law offices of Beverly, Riley & Petersen.

While he had his private practice, Mr. Beverly also was legal counsel for several agencies: South Tahoe Public Utility District from 1957-59, Lake Valley Fire Protection District from 1958-65, California Tahoe Regional Planning Agency from 1968-70, and South Lake Tahoe from 1965-72.

"Mel was a man of great integrity. He cared deeply about Tahoe and his family's heritage, and having been given the opportunity to guide the city through its very early years," said Del Laine, a family friend for years.

In June 2001, the city honored Mr. Beverly for his years of service to the city. The proclamation mentions how Mr. Beverly wrote South Tahoe's first sign ordinance.

Mr. Beverly was instrumental in helping the city get incorporated in 1965. That November he was appointed the first city attorney. As the job began to entail more work, Mr. Beverly successfully lobbied upon his departure in 1972 for

the city attorney to become a full-time position.

Mr. Beverly served as interim city attorney from August 1976 to November 1978.

Besides the legal arena, Mr. Beverly was president of the South Lake Tahoe Little League and South Lake Tahoe Chamber of Commerce, a board member at Barton Memorial Hospital, and a member of Rotary. At the time of his death, Mr. Beverly was on the Lukins Brothers Water Company board.

Survivors include his wife Evelyn Beverly of South Lake Tahoe; sons William Beverly of Placerville and Robert Chadwick of Ontario, Ore.; daughter Kathryn Fenton of Davis; and two grandchildren.

Mr. Beverly did not want a service. The family plans to scatter his ashes to honor his love for Lake Tahoe.

Alder Inn fiasco threatens LTCC students



By Kathryn Reed

Eleven Lake Tahoe Community College students may be evicted from the Alder Inn because the man who for several years represented himself as the owner of the Ski Run Boulevard property has allegedly absconded with their money and that of

the real owner's.

No one is sure where Joseph Balius is – or his wife, Kira, and their children.

When he was president of the Ski Run Business Improvement District he represented himself as owner of the Alder Inn.

The truth is June Stefani owns the hotel-apartment complex. Balius had a lease option to buy the property. That option expired Sept. 30.

Stefani, who lives out of the area most of the year, had allowed Balius to be delinquent in his lease payments for about a year, which amounted to an undisclosed five-figure amount. She didn't find out about issues with the students until this month.

Until this month people were still using the inn as a lodging facility. Students said it was packed during Labor Day weekend. They don't understand why Stefani has cut off this revenue source.

The rooms the students are living in look like a basic hotel room, not even like a normal studio apartment. A dorm size refrigerator, coffee maker and microwave are the kitchen. A bed, television, table and chairs are the room, with the bath in the back.

The converted rooms still look very much like a 1970s-era hotel room.

LTCC students react

Students should be studying, glued to computers. It is midterm week, after all.

But the Internet access that was supposed to be part of their rent was turned off this month when Stefani came to town.

Several students were gathered in one room Wednesday talking about their uncertain future, saying how the “for sale” sign went up on the complex that day, and that Stefani has threatened to give them a three-day eviction notice if they don’t pay \$200 to cover utilities for October and November.

The students and parents say they have contracts stating utilities are included in the fees they have already paid.

“We paid for an entire year, all through until June. We have the documentation, we have the receipts, we have the contract,” Donna Hall, a parent of one of the students told *Lake Tahoe News*. “I do object that we are supposed to walk away because (Stefani) is unhappy.”

Six students have paid through the fall quarter, two through the spring quarter in March, and three until the end of the school year in June.

Hall has paid about \$6,500 for her daughter to live at the Alder Inn.

Steve Addison, 21, is in the college’s EMT program. He described it as a “pretty messed up situation.” He added, “It’s not our issue.”

That’s what the students keep harping on – they shouldn’t be kicked out when they haven’t done anything wrong and especially because they’ve already paid to live at the Alder Inn.

“I’m sorry (Stefani’s) business practices are bad, but I shouldn’t get screwed,” said student Katy Manoff.

College’s role

Students and parents don’t believe the college is doing its part to help in the matter.

“We were under the impression they endorsed this place,”

Manoff said.

Until earlier this month, the Alder Inn was listed as student housing on LTCC's website. When the Alder Inn started allowing college students to live there in fall 2007, the college did a huge public relations push to promote the relationship. Officials were even bragging early this fall about the number of students at the Alder Inn.

The inn is mentioned in several of the board minutes during the last two years.

Minutes from the Aug. 31, 2007, board meeting state, "Susan Middleton informed the Board that we only have eight students in four rooms taking advantage of the off campus student housing offer at the Alder Inn."

The Aug. 5, 2008, minutes reflect college President Paul Killpatrick having taken a tour of the Alder Inn.

On Wednesday night www.tahoecollegehouse.com still listed the inn as LTCC housing. The site says, "Our goal here at the Alder Inn is to provide students with a secure and safe living environment while attending our beautiful campus at Lake Tahoe Community College." The number listed on the site is disconnected.

Killpatrick on Wednesday said the college's housing site "functioned as a bulletin board, as a listing."

"On advice from our legal counsel we have not gotten that involved," Killpatrick said. "We think the only bad guy in this is Joe, who ran off with the funds."

Finger pointing

But students want more. They don't feel like the college is helping them at all, and yet, it was through the college that they ended up at the Alder Inn.

"We can't get a straight answer out of anyone," Manoff said.

Stefani acknowledged to *LTN* that she has been the owner of Alder Inn for about 30 years and that Balius had the lease option for the last five years.

It was former South Lake Tahoe City Councilman Ted Long who had the original lease option.

"What it was is I had loaned him the money to do the deal so it was in my name," Long said. "I sold the option to him for a buck."

Long said he last heard from Balius, who he describes as a good friend, about a month ago via email saying he was leaving the Alder.

Stefani said Balius told her the property was in escrow, but it fell through. All she knew is that she would get paid and the property would no longer be hers.

"I had nothing to do with the property. Zero. I had not been on it for five years until Oct. 1," Stefani said. "He has run off with a lot of my money and lot of the students' money and students' money who are not even here yet. I've been getting calls from parents."

Stefani says she never received a penny of the money the students paid in rent.

Legal matters

Rick Martinez with the South Lake Tahoe Police Department is investigating the matter. He would not provide *LTN* with any information Wednesday.

Martinez and Assistant District Attorney Hans Uthe met Wednesday to discuss the case.

Uthe told *Lake Tahoe News* on Thursday that they are in the

information gathering phase and not looking for Balius at this point.

"It is going forward as an investigation. It's too early to tell where it is going to come out," Uthe said.

The students say Martinez told them they don't have a case, it's Stefani's fight – unless they are evicted.

Attorney Bob Henderson is representing Stefani.

"We have not decided what we are going to do. We have been in contact with the community college," Henderson said. "We are going to try to solve the problem, but I don't know what solution will be reached until we reach it. We can't let the property sit there and the utilities, and no money exchanging hands."

LTCC board President Kerry David would like to find a way for the students to stay and to have Internet access turned back on – which would probably cost less than \$2,000 for the rest of the fall quarter.

"We are concerned for them," David said of the students.

He said the college acted as a referral service, but received no monetary compensation from doing so.

"This guy should be in jail. He basically took money from students and has run," David said. "We are supportive of the students and sympathetic to the students, but their contract was with the Alder Inn, not the college."

At Tuesday's college board meeting, trustee Fritz Wenck commented how he and his wife are providing housing for a LTCC student who was homeless. Perhaps other doors could open to the 11 students at the Alder Inn if Stefani does not honor their contracts.

Poland to be reinstated as South Tahoe police officer

By Kathryn Reed

South Lake Tahoe Police Officer Johnny Poland is returning to the streets.

The judge issued his ruling late Wednesday afternoon in Poland's favor.

After Poland was fired in June 2007, the 10-year veteran fought the dismissal. A three-person arbitration panel ruled in his favor in January 2009. The city fought that ruling. Both sides went before El Dorado County Superior Court Judge Steve Bailey this fall.



Johnny Poland

The nine-page document agrees with what Poland and his attorney presented in court.

When reached about 3:30pm Wednesday, Poland told *Lake Tahoe News* he feels vindicated and is ready to go back to work. He expects he'll have to go to some classes to get ready for being on the streets because it has been nearly 2.5 years since he has been a sworn officer.

Poland, who was trying to hold back tears, said the last couple weeks have been the hardest of the whole ordeal. The waiting, the not knowing what the future would hold.

Police Chief Terry Daniels could not be reached for comment.

City Manager Dave Jinkens learned of the decision from *Lake Tahoe News*.

"The matter was decided in a place where it should be. We will make everything for the transition back be successful," Jinkens said.

The city has 60 days to accept the decision or appeal it to the state Supreme Court.

The trouble began in November 2006 when Poland was accused of mishandling a lockdown situation at South Tahoe High School.

Poland will remain on paid leave until the city makes its decision. It's unknown if the council will take this matter up at its next meeting on Nov. 3.

Councilman Bill Crawford said the decision is something to celebrate. He and Mayor Jerry Birdwell wanted to accept the arbitration panel's 3-0 vote to put Poland back to work.

"Based on everything in front of us it felt like it would be right for a judge to decide. It boiled down to whether a judge should decide," Mayor Pro Tem Kathay Lovell said of that vote. "We didn't decide his guilt or innocence. It was a decision if a judge should decide to uphold the arbitration."

Councilmembers Lovell, Hal Cole and Bruce Grego voted to discard the arbitrators' decision and take it to court.

Lovell is ready to move on.

"We follow the judge's decision – that's an easy call. That's how it works, how the system is supposed to work," Lovell said

Wednesday. "He comes back to work and that's how it is. He has to be accepted back and go to work."

Lukins water rates to jump 36%



By Kathryn Reed

For the first time in nine years, the 953 Lukins Brothers Water District customers are about to open bills that reflect a general rate hike.

Annual water bills for the small water company that serves customers near the Y along Emerald Bay Road in South Lake Tahoe will go from \$294.84 to \$395.52. This is an increase of 36.03 percent.

Jennifer Lukins said ratepayers knew the increase would be coming because the proposal has been before the state Public Utilities Commission for a year and public meetings have been conducted, as well as letters having been sent.

Smaller cost of living increases based on the Consumer Price Index occur about every two years. The last one was Sept. 1, 2008.

The previous general rate increase was 25.46 percent in 2000. Prior to that that it was in the early 1990s that Lukins had a

general rate increase.

South Tahoe Public Utility District, which encompasses most of the South Shore on the California side, has small annual rate increases. Single-family residences in that jurisdiction pay \$467.88 a year.

Lukins said the company that was started by her grandparents in the 1940s would like to have smaller, more consistent rate increases but the firm doesn't have the staff to deal with the work involved to make that happen.

The company has three full-time employees. The rate increase will allow the hiring of a part-time person to work in the field.

Lukins had wanted to increase prices by 66.7 percent, but the state PUC scaled that back.

The company plans to use the additional \$126,460 in annual revenue for operating expenses.

Lukins is still trying to obtain funding to upgrade its old and outdated infrastructure. A meeting with Lukins and city staff is expected soon so all are on the same page as to what is being done to secure state, federal and private money for that endeavor.