

# Riches still in running to operate Fallen Leaf Lake



John Rich, right, at Sunday's Fallen Leaf Lake board meeting.

Photo/Susan Wood

By Susan Wood

FALLEN LEAF LAKE — Resolving the Fallen Leaf Lake marina operator issue has turned out to be more difficult than negotiating the area's narrow, windy road on a warm summer day.

Facing an unfavorable voter referendum, the small town's Community Services District board wrapped up another oppositional, but more civil, meeting Sunday at the firehouse by repealing its earlier decisions to take over the marina and general store if a contract could not be met with John and Ruth Rich. The couple has run the village center for 14 years under the auspices of Fallen Leaf Landing.

But the latest in the ongoing saga that has included threats, shouting matches, accusations and now an impasse in this quiet

mountain haven at the base of the Desolation Wilderness, doesn't necessarily mean the Rich family will manage the dual operation when the road is plowed in the spring.

When asked if the door has been left open, John Rich replied as the two-dozen people disbursed: "Well, it's not shut."

"We're more hopeful with the new board," Ruth Rich added.

The Riches and the CSD board have fought over terms of a contract since April, when on the 25th the board expressed interest in taking over the revenue-generating enterprise. Board members want more accountability, changes in practices and rent "at least \$23,000 more than the \$90,000 it receives from the operator. The Rich family wants to keep the job.

Some heavy-handed support from the community is behind the Riches.

Fallen Leaf Lake citizen Betsy Wheeler stood Sunday wielding a certified petition of 419 names prepared to nullify the board's actions of its April 25 and Sept. 5 meetings and offer support of the Rich family maintaining control at the ballot box. No election date has been set.

"We will defend before a judge the validity of this referendum. What else can we do but move forward with the democratic process?" Wheeler asked.

But not everyone sees the issue the same way.

Fallen Leaf resident Steve Tallman stood up and said he felt like "the board is being bullied" and criticized how the marina has been run.

Board President Dana Clark launched the agenda item by saying Fallen Leaf Lake's attorney found the referendum

“inappropriate.” But later in the meeting he discounted the attorney’s opinion and said there is an advantage to pulling back from a full-scale assault for the district to run the operation to keep it out of a legal battle.

The board’s decision to repeal its earlier votes essentially takes the referendum off the table.

Time may be on everyone’s side in the long run. A new board will be elected Dec. 4.

“What I can’t understand is why do you expect perfection from your side of the contract?” Jennifer Thornton, who’s running for a board seat, asked the board.

Plus, the winter may give the board a chance to reevaluate and revise an earlier contract with Rich that he signed but board member Eric Thaden calls “unacceptable” and “irresponsible for the board to adopt.”

To be continued.

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## **Sacramento area Indian casinos stopping flow to Tahoe-Reno**

**By Peter Hecht, Sacramento Bee**

It’s a good time to be a casino regular.

With tribal resorts in the Sacramento region challenged by a

flattened economy for gambling, casino patrons are feeling the love of a marketing push to keep them playing their favorite slot machines and table games.

Casinos are renewing courtships with repeat customers and wooing gamblers to sign up for special rewards club programs. They're showering favored guests " from small but steady bettors to high rollers " with toaster ovens, buffet visits, Elvis commemoratives, limousine service, and special admission to drawings for cars, trucks and cash.

**Read the whole story**

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## **Gaines: California budget deficit at \$10 billion**



Assemblyman  
Ted Gaines and  
Red Hut owner  
Nancy Gardner.  
Photo/Kathryn  
Reed

**By Kathryn Reed**

When lawmakers begin the next budget cycle in January,

Assemblyman Ted Gaines, R-Roseville, expects a \$10 billion deficit will have to be dealt with.

"The revenue is just not there," Gaines said.

He delivered this news to a roomful of constituents at the Red Hut Soda Fountain in South Lake Tahoe on Oct. 14.

After the meeting he told *Lake Tahoe News* he expects government workers will be laid off, private-public partnerships will be developed, and that drilling oil will become a serious discussion.

"We need to look at the extraction of oil in a safe way," Gaines said. "There is billions of revenue in that."

The area being looked at is the Tranquillon Ridge in Santa Barbara County. The Board of Supervisors there approved drilling at T-Ridge last year.

Gaines also supports additional drilling by using existing oil platforms.

Gaines' opening remarks also touched on how water is such a contentious topic in the state.

"I want to make sure our needs are addressed in the north," he said.

After those in attendance talked about the Kindertown day care issue, others probed the assemblyman on his stance to give more control to local entities, while taking it away from the state.

When asked how to change government and bring it back to the local level, Gaines said it's necessary for people to get involved. He also said to pay attention to what the gubernatorial candidates are saying.

Some of these changes could come through a Constitutional

Convention that is gaining momentum. He said the California Constitution is about 10 times longer than the U.S. document. But Gaines wants to make sure it is real reform.

“There are a lot of outdated regulations. We need the capacity to get rid of regulations,” Gaines said. “We are one of the most taxed states in the nation. They assume every business is a Fortune 500. They are killing small businesses.”

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## ZCES enrollment surges



By Kathryn Reed

ZEPHYR COVE – Enrollment in Douglas County School District continues to decline, though Zephyr Cove Elementary School is dramatically defying that trend.

With 25 more students than last year, Zephyr Cove’s numbers are up 13 percent. This is not a trend experienced at other elementary schools in the district. Principal Nancy Cauley is not sure what to attribute the increase to.

The school has 217 students in grades K-6. Even though the school is small, the class sizes are not. Class sizes range from 21 students in third-grade to 42 in fourth.

The two high schools keep losing students. At the lake, Whittell High has 34 fewer students than a year ago, for a total enrollment of 229 students for the 7-12 school. This is

a 12.9 percent drop.

Douglas High in the valley lost 90 students, or 6.1 percent of its student population. There are 1,380 students at Douglas.

District-wide, enrollment is down 1.5 percent or 95 students. Enrollment for 2009-10 is 6,212. With only two schools at Lake Tahoe, the majority of the students are in the Carson Valley.

Nevada has said declining enrollment will not affect districts' 2009-10 budget, but that's not the case for the next fiscal year. DCSD projects a loss of about \$575,000 for 2010-11 based on enrollment projections.

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## Health issues force Martin from STPUD race



Jimmy Martin has pulled out of the Nov. 3 race to be on the South Tahoe Public Utility District board.

On Thursday he said, "I have some health issues and some personal issues."

He was seeking Seat 1. Remaining in the race are incumbent Ernie Claudio, and challengers John Adamski and Chris Cefalu.

"I am supporting John Adamski because he use to work (at STPUD) when I did," Martin said. "I believe he can do us a nice job."

Ballots are printed and mailed, so it's too late to remove Martin's name.

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## **Reno's latest conventions commit for multiple years**

**Reno Gazette-Journal**

Tourism officials have landed three new conventions for veterans, hunters and volleyball players that will bring more than 100,000 visitors to Reno from 2012 to 2017.

The Veterans of Foreign Wars will come to Reno in July 2012, said Ellen Oppenheim, president of the Reno-Sparks Convention & Visitors Authority.

The Wild Sheep Foundation has committed to three consecutive Februaries, from 2013 to 2015, and the Northern California Volleyball Association committed to six Aprils from 2012 to 2017.

**Read the whole story**

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## **Cloud seeding to resume in Tahoe area**

**By Henry Brean, Las Vegas Review-Journal**

The Southern Nevada Water Authority hopes to squeeze a little



extra water from the sky by reviving a cloud-seeding program doomed by state budget cuts.

For decades, the state's Desert Research Institute operated snow generators in northeastern Nevada and around Lake Tahoe, but the program was due to be mothballed this winter amid deep cuts to the state's higher education system.

In a unanimous vote Thursday, water authority board members approved funding that will allow cloud seeding to continue in northeastern Nevada.

**Read the whole story**

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## **Garrido lawyer requests witness backgrounds**

**By Sam Stanton, Sacramento Bee**

Phillip Garrido's attorney has filed a broad request for information on what type of evidence has been gathered against her client, who is charged with abducting Jaycee Lee Dugard in 1991, when she was 11.

Public defender Susan Gellman filed her six-page request in El Dorado Superior Court asking for an array of information, including a list of prosecution witnesses to be called at trial and whether any have convictions for felonies or moral turpitude.

She also is requesting witness statements, photos, police officer notes and records of samples of hair, blood, urine or tissue taken during the investigation.

Read the whole story

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# Motorcyclist's 100mph chase ends at backend of truck

By Kathryn Reed

Before crashing into a delivery van on Emerald Bay Road, a motorcyclist was clocked at more than 100mph and seen doing a wheelie on Tahoe Keys Boulevard at a speed of 80mph.

Mark Habel of the Carson Valley was booked into the El Dorado County jail in South Lake Tahoe on Thursday afternoon after being treated at Barton Memorial Hospital for leg pain.

“He was on the shoulder, splitting lanes, going down the center turn lane, running stop signs,” South Lake Tahoe police Officer Tony Broadfoot said. “He obviously had no regard for his safety, the construction workers, pedestrians or others.”

Douglas County sheriff's deputies first witnessed Habel allegedly driving more than twice the speed limit on Highway 50 near Zephyr Cove. They called their California colleagues at 2:11pm to be on the alert for the Honda sport bike.

South Lake Tahoe police officers located the suspect near Ski Run Boulevard. With traffic getting congested and lane closures near the Y, the suspect zipped in and out of traffic, while the police cars weren't able to maneuver as easily.

Broadfoot said it would not have mattered if a motorcycle officer had been on duty Thursday.

“We are not going to endanger anyone further by duplicating his actions,” Broadfoot said. “A big car with lights and sirens can warn the public that he is coming.”

The motorcyclist turned onto Tahoe Keys Boulevard. Apparently he was unaware he could get out another way because he turned around.

South Lake officers spotted him again near Venice Boulevard.

He turned onto Highway 50 toward the Y, and then headed toward Camp Richardson on Highway 89 (Emerald Bay Road).

El Dorado County sheriff’s deputies joined the pursuit then.

The chase ended when Habel plowed into the delivery van just beyond Brothers bar.

A driver not involved in the collision, but who slammed on her brakes to avoid hitting the suspect, was taken to Barton complaining of neck pain.

Habel was arrested on suspicion of reckless evasion, evasion causing injury, driving without a license and reckless driving.

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## **Kindertown’s doors open for now**

By Kathryn Reed



“I attended the hearing (Thursday) because I was there the day it opened and I wanted to be supportive of its continued existence,” Dave Kurtzman said.

He and a couple dozen parents filled the courtroom of El Dorado County Superior Court Judge Steven Bailey Thursday at 4pm, about two hours after the hearing was scheduled. After less than an hour of testimony from both sides, Kindertown owner Maria Barrows-Crist was granted a 20-day stay.

The decision brought a resounding round of applause – not something often heard in a courtroom.

It was a state of elation at Kindertown as the news spread and parents picked up their kids.

“We’re so happy,” Stephanie Yuzbick said as she loaded her 3-year-old and 18-month-old into the car. Yuzbick was at Thursday’s hearing, where tears of joy flowed.

The stay means Barrows-Crist’s attorney, who she had hired the day before, has until Nov. 4 to review all the documentation that led to the state Department of Social Services to want to close the 36-year-old day care-preschool.

It will also be his job to prove the state’s punishment was not in line with the charges. Those charges include drug use by Barrows-Crist’s daughter, who no longer works at the center; taking kids off the hill without permission during the 2007 Angora Fire; allowing a well-known dance studio owner to teach a class without being fingerprinted.

South Lake Tahoe City Attorney Patrick Enright wrote a letter on behalf of the City Council in support of keeping Kindertown open. Assemblyman Ted Gaines and state Sen. Dave Cox's office have also been involved.

At the El Dorado County level, Barrows-Crist said Supervisor Norma Santiago never returned calls and that she spoke to her assistant once.

"As far as Norma returning calls, I talked to Maria on all calls she made; in great, great detail. Each time, Norma was in session and asked me to handle the calls," Judi Harkins, Santiago's assistant, wrote in an email. "I worked very hard behind the scenes to follow all leads to help Maria."

Regardless, Barrows-Crist knew one thing she had to do was change legal counsel. Not believing the attorney she had was doing enough to keep the doors open, Barrows-Crist on Wednesday hired Mike McLaughlin with Feldman Shaw LLP in Zephyr Cove to represent her.

The state argued via telephone that keeping Kindertown open would hurt the community. McLaughlin argued that displacing families is more of a threat.

"She tried to make me look like the monster from hell," Barrows-Crist said of the state's attorney after the hearing was over.

The threat of closure already meant more than half of the 130 kids Kindertown cared for went elsewhere and half of the 20 employees had to be laid off.

"One thing that interested me is the representative of the state said parents seemed to have no problem placing their kids elsewhere as the state had not received any letters stating otherwise," Kurtzman said. "I found this curious as the state person seemed to think parents just 'park' their kids while, in fact, parents make deliberate decisions

regarding the education and care of their children and moving them can be difficult and sometimes traumatic. The state representative seemed somewhat insensitive to the desires and needs of the parents. The arguments seemed very clinical to me.”

Kurtzman credits his former wife, Judy, not himself, for starting Kindertown on July 1, 1973, with about 10 students. The Kurtzmans had moved to South Lake Tahoe seven months earlier; opening Aspen Realty the same year.

Barrows-Crist is the third owner of the center.

Kurtzman said, “(Kindertown) has become a Tahoe institution, with, per Crist, 6,000 past and present students.”

It’s well documented multiple generations have been cared for at Kindertown.