

Fired Zephyr Cove priest sues Reno diocese

By Martha Bellisle, Reno Gazette-Journal

A Catholic priest fired from his position at a Zephyr Cove church for seeking a protective order against a deacon after receiving a death threat has sued the Diocese of Reno and Bishop Randolph Calvo.

The Rev. Richard DeMolen, former pastor of Our Lady of Tahoe Church, said in the lawsuit that Calvo forced him to withdraw the protective order and failed to investigate the death threat. Calvo then fired DeMolen, the suit said, and sent a letter to parishioners that contained "false and defamatory statements."

Read the whole story

Hwy. 4 near Markleeville to be resurfaced

Alpine County will receive \$1.5 million from the federal stimulus package to resurface 14.6 lane miles of Highway 4 near Markleeville.

Gov. Arnold Schwarzenegger's California Recovery Task Force on Thursday announced that \$53 million in American Recovery and Reinvestment Act funding has been allocated by the California Transportation Commission to five additional transportation projects in California.

“My Administration is working hand in hand with President Obama’s team to pump Recovery funding into California quickly and responsibly to help drive our economy,” Schwarzenegger said in a statement. “Investing in California’s infrastructure helps put Californians back to work and supports long-term economic growth, while also reducing traffic congestion and improving our very quality of life.”

Other projects being funded are in San Luis Obispo, Santa Clara and Santa Barbara counties, and the Inland Empire.

For a comprehensive list of all projects that received allocations funding, visit: www.dot.ca.gov/docs/ctcprojectallocationsoct2009.pdf.

West Slope, Sac County steroid lab seized

A 10-month investigation culminated in the arrests of three people this week when an anabolic steroid manufacturing ring was busted in El Dorado and Sacramento counties.

“In terms of underground steroid labs, this was a huge seizure for this area,” Gordon Taylor, DEA assistant special agent in charge, said in a statement. “The illegal use of anabolic steroids can be a dangerous practice, especially for young people. This danger is only compounded when drug rings manufacture steroids in unsanitary, unsterilized underground labs like we found in this case.”

Agents seized a large anabolic steroid lab in Elverta, more than 500 vials and 1,850 capsules of anabolic steroid pills.

Arrested were Jason Glavin, 37, of El Dorado Hills, Erin Oâ€™Neil, 40, and his wife Amy Oâ€™Neil, 32, both of Fair Oaks.

The investigation was a team effort between the DEA Sacramento District Office and West El Dorado Narcotics Enforcement Team (WENET), with assistance from the California Highway Patrol. The El Dorado County District Attorneyâ€™s Office is prosecuting this case.

SLT city attorney requests public airing of grievance



Jacqueline
Mittelstadt

By Kathryn Reed

Transparency within South Lake Tahoe’s city government is about as clear as mud, which is appropriate since plenty of it is being slung. But what it’s sticking to is even less clear.

On Oct. 20 the City Council is expected to decide Jacqueline Mittelstadt’s future as city attorney. Mittelstadt told *Lake Tahoe News* she is going to request the dismissal hearing be in open session.

Also that day, the council is scheduled to discuss in closed session City Manager Dave Jinkens' actions related to personnel issues.

"I expect to be fired," Mittelstadt said Wednesday. "The community is being short-changed and money is not being spent with transparency and openness. (The community) needs to know what's going on. It's a bigger issue than me."

Mittelstadt and Patrick Enright started work June 1 as attorneys for the city. It was Councilman Bruce Grego who lobbied his colleagues to hire two instead one lawyer, as had always been the policy. This was so the city could reduce the number of outside attorneys it hires.

To curtail spending, council gave direction to the new attorneys to draft an ordinance what would prohibit the city manager from hiring outside counsel without authorization from the city attorneys or City Council.

The language and action got muddled when Mittelstadt missed a meeting during the summer, and Enright and Jinkens tweaked the language to make it weaker.

It had appeared the council unanimously supported keeping legal matters in the city's legal department.

However, in a 180-degree twist, Grego got consensus from the council to have on next Tuesday's agenda an item that would return the hiring of outside legal counsel to the city manager.

Grego was unavailable for comment Wednesday night.

Cost of doing business

Another initial directive from the council to Enright and Mittelstadt was to find out how much money was being spent on outside counsel.

Mayor Jerry Birdwell said before the attorneys came on board he repeatedly asked for those figures from Jinkens and Finance Director Christine Vuletich. He said he and Councilwoman Kathay Lovell asked for the numbers when they were acting as the hiring subcommittee. (Lovell was unavailable for comment Wednesday night.)

“We requested the amount we were spending on outside counsel,” Birdwell said. “We were given \$196,000. That’s what was budgeted. I assumed that we were working within that budget. Little did I realize that was not so.”

Mittelstadt and Enright uncovered about \$800,000 had been spent in a single year on outside counsel.

Birdwell said the money came out of undesignated reserves from various departments.

At one point this summer it looked like the council was going to make the finance director’s position be accountable to the elected officials, as is the case for the city attorneys and city manager.

Vuletich reports to Jinkens. She is the one who for the past two years has proposed a budget that says the hotel tax is going to increase. Projections were off by \$1 million for 2008-09. (Despite the fiscal year beginning Oct. 1, the council still doesn’t have a budget for 2009-10.)

With more convoluted discussion by the electeds, Councilman Hal Cole decided to let his idea about the change fade away.

By keeping with the finance director being accountable only to the city manger, the city manager then has discretion to spread cash around and spend with little or no oversight.

Complaints roll in

As the expenditures on outside counsel were coming to light, Vuletich on Aug. 10 filed an Employer’s Resource Management

Association complaint against Mittelstadt and Enright. Mittelstadt has never seen the complaint nor has it been resolved.

Mittelstadt's attorney and the city's outside counsel hired to handle her situation disagree whether the ERMA needs to be settled before the council votes next week to keep her on the city payroll.

At some point, Mittelstadt filed an ERMA complaint.

Why Enright is not fighting for his job like Mittelstadt, is part of the lack of transparency at the city.

"My reports resulted in retaliation against me," Mittelstadt said. "I do believe wrongful conduct occurred (by others)."

But the fact is Mittelstadt and Enright worked side-by-side, with both their names on the reports.

One of those reports was uncovering a \$69,000 bill approved by Jinkens for outside counsel. Any expenditure more than \$30,000 was supposed to be brought to the council for its OK.

Asked if he thought someone might be getting a kickback from the contracts, Birdwell said, "I have no reason to believe that at all."

Jinkens did not return a call to his home last night.

It would take outside legal counsel to do a forensic accounting of the city's books, of employee bank accounts as well as councilmembers' to determine if anything inappropriate, illegal or unethical has occurred.

On Aug. 14, Jinkens sent an email to all five councilmembers about the complaint Vuletich had filed.

On Aug. 17, Jinkens sent Mittelstadt an email with eight points outlining how he saw fit to resolve the employee

complaints. All councilmembers have reportedly been given a copy of this letter.

Point No. 3 says, "Any matter or consideration to make the Finance Director an at-will employee reporting to the City Council will be stopped."

Mittelstadt didn't respond to the email. However, she met in private with Jinkens after the Sept. 1 council meeting. He printed a copy of the email for her and read it to her.

Mittelstadt said in discussing the points with Jinkens she was left to believe that if she didn't push for Vuletich to be under the purview of the council, Jinkens would get Vuletich's complaint against her dropped.

Mittelstadt said she wasn't going to be part of unethical behavior.

Two days later Mittelstadt was told the majority of the council wanted her resignation and that she had until noon that Friday to make up her mind. She said no.

It was on a 3-2 vote in closed session Sept. 3 (a vote that has never been put into the public record). Grego, Lovell and Cole said start the termination process.

Cole's voicemails were full and he did not answer the phone Wednesday night.

On Sept. 14, Crawford hand-delivered to Human Resources Director Janet Emmett a complaint against Jinkens. Crawford believes Jinkens violated the privacy of Vuletich, Mittelstadt and Enright when he sent the Aug. 14 email. Part of his complaint also includes the Aug. 17 email.

It's in closed session Tuesday that this matter will be talked about.

The future

To add a layer of muck to the situation, the El Dorado County Grand Jury is looking into the whole South Lake Tahoe city attorney situation.

“Every reason I’ve heard for why they are getting rid of me is not true,” Mittelstadt said.

She wants the truth to be in the public domain – that’s why she wants an open hearing that will be televised and recorded for perpetuity.

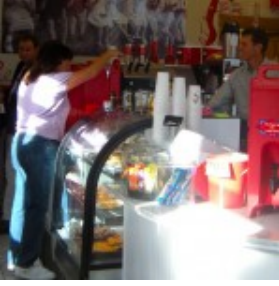
If fired, she will be owed three months pay. She has been on paid administrative leave for six weeks at a cost of more than \$10,000 a month to the city.

If she were to sue the city, the expense of hiring this attorney that all five councilmembers had originally highly touted, could skyrocket. It is not known how much the city has paid in legal fees to terminate Mittelstadt’s employment.

Mittelstadt realizes fighting is a delicate situation for her professionally. She could lose her license if the state rules she said more than she should have.

“But it’s important for the public to have the truth,” Mittelstadt said.

Kindertown counting hours to closure



Maria Barrows-Crist and Assemblyman Ted Gaines meet Wednesday.

By Kathryn Reed

Kindertown day care-preschool is slated to be closed at 5 today by the state of California.

Maria Barrows-Crist, who has run the South Lake Tahoe facility for more than 30 years, took her cause to Assemblyman Ted Gaines, R-Roseville, when he was in town Wednesday.

He told the nearly 50 people gathered in the soda fountain of the Red Hut that he would call the Department of Social Services (DSS). But he cautioned, "I don't want to make a promise I can't satisfy."

Barrows-Crist and her center have been charged with a slew of allegations – some brought by former employees – that run the gamut. An administrative law judge in a 28-page document said the facility must close and that Barrows-Crist is to not work with children for two years.

Of the 130 students who had been going to the center before the ruling was handed down a month ago, about 40 remain.

Some of their parents on Wednesday said they will not take their child elsewhere even if it means school and work will be affected.

"We parole and give probation to people convicted of crimes in courtrooms. You would think there should be middle ground here," said Bill Crawford, South Lake Tahoe city councilman.

Gaines replied, "That's what I'll be searching for – middle ground."

Barrows-Crist mentioned the more than \$300,000 in funding she has from the state to assist families in need. El Dorado County will be the recipient of that money if Kindertown closes.

"I called our local county supervisor five times and she didn't return the calls," Barrows-Crist said.

Barrows-Crist's attorney has filed a stay, but time is ticking.

Patrick Enright, South Lake Tahoe city attorney, at the direction of the council wrote a letter dated Oct. 10 to the attorney for DSS.

The letter in part says, "The City Council requests that Judge (Rebecca) Westmore consider other disciplinary actions short of revocation, including probation, monitoring, training and penalties."

Barrows-Crist said having her sister take over Kindertown is not possible because the state won't give her a license.

"I have no idea what I am going to do if I don't have a stay by 5pm on the 15th," Barrows-Crist said before the meeting. "I'll probably lose everything. If I can't have kids, I don't have a business."

Dugard exclusive in People, with photos



People will be on newsstands Friday.

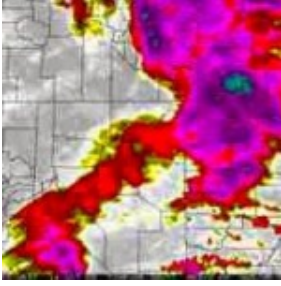
People Magazine

After being held against her will for 18 years, much of it in a backyard hell straight out of a horror film, Jaycee Dugard wants the world to know:

“I’m so happy to be back with my family,” she tells People.

Read whole story

Storm wallops Sierra



Satellite
image of
Sierra storm.

By Kathryn Reed and Susan Wood

Pelting rain pummeled Lake Tahoe for more than 24 hours, making Tuesday one of the wettest days on record, which in turn is likely to make this a record month if storms keep rolling in.

National Weather Service officials were a bit harried all day and didn't have previous water accumulations at hand, but said, "This is one of our better winter storms." And winter is still more than two months away.

"It's a very strong jet stream that sucked up moisture of remnants of a typhoon that created excellent ingredients to bring rainfall in a winter-like storm to California and Nevada," explained Chris Jordan of the National Weather Service in Reno.

The storm that walloped all of California and much of Northern Nevada was being called one of the strongest October events in a half century. Some localities were reporting three times the amount of typical rainfall for this time of year.

Even though the wet stuff started coming down about midnight Tuesday in the greater Lake Tahoe area, the Weather Service said since 1pm about 1 inch was falling every three hours.

Jordan said more than 3 inches had fallen throughout the basin as of 10pm, with 3.8 inches recorded at the base of Alpine

Meadows at 7pm.

“Usually we don’t see storms of this magnitude until November or December,” Jordan said. “This will be one of wettest days on record in October and probably one of top 10 wettest Octobers on record.”

Jim Cantore, one of the Weather Channel’s main meteorologists, made a rare appearance on the West Coast as he gave his report from Placerville.

Hazardous conditions

On the West Slope, the storm couldn’t keep former El Dorado County Office of Emergency Services Director Marty Hackett from being close to the action. His new job with the El Dorado County Ambulance Authority – which handles services for 10 fire districts – prompted him to respond to a tree hitting the authority’s office in Diamond Springs.

“All I know is we’ve been really, really busy,” Hackett said, answering his cell phone at 9:30pm. Accidents filled his call sheet. “Anytime you get the first winter storm, the roads are really slick.”

Gov. Arnold Schwarzenegger had state emergency crews on alert, especially in areas prone to landslides because of recent fire activity.

Early in the day South Lake Tahoe officials set up sandbag distributions at 1160 Rufus Allen Blvd. and near the intersection of David and Ruby lanes.

Oct. 15 is the deadline the Tahoe Regional Planning Agency has for moving dirt, but no one told Mother Nature.

A small landslide sent Douglas County crews scurrying on Highway 50 east of Spooner Summit about 6pm. Crews heaved debris off the road, sheriff’s Sgt. Anthony Field said.

It's too early to know what the storm will do to construction sites. Steve Morales, facilities director for Lake Tahoe Unified School District, arrived at last night's meeting soaked. He and the construction gurus were at South Tahoe High School ensuring everything was in place to keep the dirt in place.

The Angora Fire burn area of 2007 has held up for two winters without any earth movement, but this is the most significant storm to hit since that June inferno burned more than 3,000 acres on the outskirts of South Lake Tahoe.

Pine needles along highways and city-county streets were plugging drainage routes and sending water into the road. Standing water on roads made driving conditions a little squirrely and hydroplaning common.

A tree that fell about 10pm onto Highway 50 one-quarter mile north of Cave Rock near Warrior Way sent one motorist to Barton Memorial Hospital with minor injuries and closed down the major artery between Carson City and South Lake Tahoe for a half hour, Tahoe Douglas Fire Battalion Chief Ben Sharit said.

Earlier in the evening the Douglas County School District board of education was meeting at the county library. The wind was not robust at 6pm.

Like Lake Valley Fire, the California Highway Patrol watch commander reported a relatively quiet day. But its counterpart in Nevada cited 14 accidents in the Reno area in the morning.

Power outages were reported in several parts of the Bay Area. Locally, reports of no electricity came from the Hopi Road area of Meyers. Sierra Pacific Power offices did not return calls.

Flickering lights were the norm Tuesday.

Snow on mountaintops

The Mount Rose Highway – which may see 2 feet of snow as morning dawns – saw its share of spinouts Tuesday, NHP Trooper Chuck Allen added.

Caltrans had chain controls in place on Highway 88 near Kirkwood Tuesday night. Be sure to check with Caltrans and NDOT (or click on their icons on the Home page of *LTN*) to be current with road conditions.

“Snowfall was limited to above 8,500 feet. What happened was a few inches of snow fell (Tuesday) morning as the storm came in,” Jordan said. “Then it was rain on snow. As the storm winds down and the cold comes in, the snow levels will be back down probably not much below 8,000 feet.”

Having an initial wet storm like this is just what ski resorts like for a base.

Kirkwood Mountain Resort was reporting 2-6 inches Tuesday night, while Mount Rose Ski Resort had 6-8 inches.

Although high wind activity produced up to 6-foot waves on the lake, the U.S. Coast Guard reported no activity.

A high wind warning has been issued until 8am for the entire Lake Tahoe area. Today will be breezy.

Temperatures are expected to be in the upper 60s by Friday, before cooling off to about 60 on Sunday when a cold front moves through.

Future of Fallen Leaf Lake up to voters

By Susan Wood

Even after the tourists have left and operations have shut down for the season, Fallen Leaf Lake residents are continuing to make waves " with some citizens taking their dispute over who runs the marina and general store to the ballot box.

A petition was certified by the El Dorado County Elections Office challenging the Community Services District's earlier decision to run the marina and general store in 2010, essentially ousting its longtime operator John Rich.

When it will actually be put before the voters of Fallen Leaf Lake has yet to be determined.

The petition needed signatures from 10 percent of those who voted in the last district election, which was less than 100 people. Double that qualified the petition.

The referendum will be discussed at a meeting slated for 11am Sunday at the Fallen Leaf Lake firehouse. The agenda item starts at 1pm.

The controversy that has dragged on since April involves the district seeking to take over the marina operations because a contract could not be met between its board and the Rich family, which has run the hub of the lake for 14 years. The district claims it needs more rent and accountability over operations practices from Rich. But a vocal segment of the community wants to keep things in his hands.

A last-ditch effort to find common ground was unmet. So, the board insists its Sept. 5 motion stands. It declares "should an agreement in principle not be reached between (board)

directors (Mike) Kraft and (Terri) Thomas and Fallen Leaf Landing by Sept. 19, 2009, the CSD will proceed to execute their decision made at the April 25, 2009, board meeting or submit to the registered voters of the district at the next regularly scheduled district election. A special election could be called to settle the dispute since it's too late to make the Nov. 3 ballot.

The residents who support the Rich family aren't buying the changing of the guard and the district's flimsy figures and plans to hire a general manager under the direction of the five-member board. They cry foul.

"This is disappointing to all of us who have been involved that it had to come to this. We were hoping our elected officers would listen to the people they represent. Unfortunately, this was our last resort," Fallen Leaf resident Debra Barnes said.

At earlier meetings and encounters, shouting matches and threats ensued. The last CSD meeting was standing room only and ran on for hours.

Rich claims he would still like to work for the district.

Susan Wood is a freelance writer based in South Lake Tahoe. She may be reached at copysuel@yahoo.com.

Bear attack in Tahoe National Forest

Associated Press

CAMPTONVILLE — An 83-year-old hunter is recovering from

severe arm and shoulder wounds after a black bear mauled him in the Tahoe National Forest.

State officials say Orval Sanders of Oroville was hunting with six other men and some dogs near Camptonville in Sierra County when they encountered three bears Monday.

Read the whole story

6-foot waves on Lake Tahoe; snow at resorts



Rain doesn't
keep Lake
Tahoe
Community
College
student Andrea
Killebrew from
class Tuesday.
Photo/
DanThriftPhoto
graphy.com

A high wind advisory is in effect for the Lake Tahoe Basin and beyond. Rain has been coming down much of the day at lake

level, with snow at the higher elevations and at the ski resorts.

Webcams for most of the Lake Tahoe ski resorts are showing white stuff in abundance.

The National Weather Service in Reno has issued a high wind warning from 5pm today to 5am Wednesday. The lake wind advisory is in effect until 5pm today.

The 2:30 and 6pm MS Dixie paddle-wheeler cruises out of Zephyr Cove have been canceled.

Sand bags are available to the public at two locations in South Lake Tahoe; 1160 Rufus Allen Blvd. and near the intersection of David and Ruby lanes. If needed, additional locations will be added.

Residents are responsible for filling their sand bags. The city will provide shovels, but residents are also encouraged to bring their own shovel.

City crews do not normally respond to flooding on private property as crews are busy clearing drains and inlets.

Any street flooding issues should be reported to Public Works at (530) 542.6030 or to Public Safety Dispatch.

From the National Weather Service:

* Timing: locally gusty winds early this morning will increase and become strong by mid-morning. A brief decrease in the wind will occur during the heavy rainfall this afternoon. However, a few hours of even stronger winds are expected this evening and overnight.

* Wind speeds today: south to southwest winds of 20 to 30mph with gusts up to 45mph on Lake Tahoe. Gusts up to 110mph over Sierra ridges this afternoon.

* Wave heights on Lake Tahoe: 3 to 5 feet will be common with 6-foot waves possible along the East and North shores.

* Wind speeds this evening and overnight: south to southwest winds of 25 to 35mph with gusts up to 60mph. Stronger gusts are possible in wind prone areas. Gusts up to 120 mph over Sierra ridges.

* Impacts: boats on Lake Tahoe will be prone to capsizing and should remain off lake waters through tonight. Winds will be capable of producing damage to trees, power lines and fences.

Precautionary/preparedness actions:

Damage to trees, power lines and property is likely with winds of this magnitude. Unsecured objects such as lawn furniture and construction materials should be secured or moved indoors before the strong winds today.

Driving will become hazardous for high profile vehicles, especially on Interstate 80 over Donner Summit and Mount Rose Highway. Use extra caution and remain alert for sudden gusts or cross winds.

The merging of a storm system and remnants of a typhoon from Japan created the blustery, wet weather.

Today's high in Lake Tahoe is expected to be 47 degrees, increasing to 56 degrees on Wednesday. Dry, warmer weather will follow, with Friday's high expected to be 71 degrees at Tahoe.