

# TERRITORIAL DISPATCH

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## YCWA Board Rejects Public's Right to Vote

by John Mistler

Marysville, Ca.

On Tuesday October 11, 2016 the Yuba County Water Agency (YCWA) Board of Directors, lame ducks John Nicoletti, Mary Jane Greigo, Tib Belza, who lost re-election in June, Roger Abe now in a run-off election, Andy Vasquez, Brent Hasty and Randy Fletcher, voted unanimously to reject the "Groundwater Fairness Act," an initiative proposed for a vote of the people. The initiative would return a portion of the ground water substitution proceeds to the property owners of Yuba County through a credit or deduction in their property taxes.

The process generally requires that in order to put an initiative on the ballot, the proponent presents the initiative to the appropriate governmental agency for Title and Summary, at this point the proponent can ask the agency to put it on the ballot; if denied then the proponents can begin signature gathering to put the initiative on the ballot. Once on the ballot if the voters reject the initiative the issue is dead. If the voters

approve the initiative and the governmental agency believes it is illegal that is the time for a legal challenge. In this case the YCWA Board of Directors short circuited the process and they determined that the initiative is illegal and will not be placed on the ballot.

YCWA Chairman of the board, Tib Belza stated, "YCWA's Board of Directors earlier today rejected an illegal proposed groundwater initiative called the "Groundwater Fairness Act." For YCWA's Board, this was an important decision. Our responsibility is to the people of Yuba County. Every day, we're working to protect the county's groundwater resources, improve flood protection, provide water supplies for local farmers and ranchers, generate renewable hydropower, create enjoyable recreational opportunities, and protect and improve salmon habitat in the Yuba River.

The proposed initiative could significantly impact YCWA. It would require the Agency to impose a new tax on some people in Yuba County and to then give the

tax receipts to another group of interests, using an unexplained formula. Issuing an illegal ballot title and summary now, and the potential future administration of the initiative, could expose YCWA to numerous lawsuits from one side or another. The Agency believes the most responsible way to handle this situation is to follow the guidance by the California Supreme Court and address the legal issues now.

YCWA has a comprehensive, responsible groundwater management program that protects our community's groundwater supplies. We don't need new taxes to protect our groundwater, but YCWA does need the continued discretion to protect those supplies. To learn more about YCWA's decision, see our Board Resolution, YCWA's letter to the proponents, and "Frequently Asked Questions."

Charlie Mathews is one of the proponents for the initiative along with being the Chairman of the Board for Cordua Irrigation District and newly elected board mem-

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## The Rick Fenton Factor

news/commentary

by Lou Binninger

Marijuana for medical use is legal and Rick Fenton is fed-up with ordinances that drive-up costs and trouble ill people seeking relief. Neither is he happy with recreational smokers abusing the rights of medical users in order to get rich. And, Fenton is no proponent of legalization or dispensaries.

So, Sutter County Supervisor candidate Barbara LeVake sent him over the edge with her tough talk on marijuana. He decided to do something about it. Spending a few hundred dollars, he created and distributed flyers negatively comparing LeVake to Hillary Clinton.

Fenton knows the rules and violated no laws, but the LeVake campaign couldn't pass up the chance to again slander her opponent, Matt Conant as being in cahoots with Fenton. Fenton lives in Olivehurst.

LeVake's last laugh was saying that Conant was anti-law enforcement. Conant is a reputable farmer and political virgin in stark contrast to LeVake. LeVake is a political bully whose farming venture ended in bankruptcy hurting local growers and businesses.

LeVake and associates knew the truth about Fenton, Fenton has never met Conant and actually posted on LeVake's Facebook page that it was all his doing. LeVake removed his post.

Knowing that LeVake's campaign manager is Assemblyman James Gallagher's chief of staff, the mud-slinging may smudge the assemblyman's golden boy image and credibility. Gallagher recommended LeVake to complete his supervisor term in spite of the fact that voters turned her out once before. He also insisted that his staff member run LeVake's campaign.

So, LeVake's lobbying buddy in Sacramento filed an absurd Fair Political Practices Commission (FPPC) complaint against Fenton. They know it is baseless but it is all about conning the voters. That hypocrisy and insincerity is exactly what riles Fenton. Fenton thinks politicians should be caring about the well-being of their constituents rather than manipulating them, deceiving them, or pandering to them.

It appears that local farmer/ developer and political string-puller Al Montna's fingerprints are on LeVake's FPPC complaint and another filing against Roger Abe. Magalia resident James Wilson submitted FPPC papers against Yuba Co Supervisor Abe regarding Montna's controversial Magnolia Ranch proposal in Abe's district.

Abe is up for re-election. Montna has been shoveling tens of thousands of dollars to LeVake and Abe's opponent who is a Magnolia Ranch advocate.

James Wilson is colorful, in the early 1990's getting himself arrested for damaging a Wester Aggregates (WA) gate in a dispute over public access to the Yuba River through WA's property. Feeling buff he then took on Church of Glad Tidings, trashing the congregation in the Appeal Democrat.

The church was solicited by Yuba County Health to develop and direct for no cost a multi-media teen pregnancy prevention campaign. Yuba County had one of the highest teen birth rates in the state at the time. Glad Tidings was also known for assisting demonized people.

The two activities were irresistible for Wilson and his river-access buddy William Calvert who were looking for another fight. They knew nothing about the teen pregnancy epidemic or demons, but thought the two issues were perfect to create a stir.

Wilson and Calvert did not believe a church should have any interaction with government. They later admitted that it was all a ploy to weaken the church's influence in the community. They were good ol' boys lacking a moral-compass.

The Nov 8 election may reveal just how many Rick Fentons are sick of the scams of those that will say and do anything to acquire and stay in power. Donald Trump's popularity stems from just such revulsion.

Meanwhile, Fenton wants officials to protect the rights of ill people to use marijuana and not be financially gouged to grow it or taxed to buy it.

## Key Club Students Clean-Up Graffiti

by Lou Binninger



The core values of Key Club International are leadership, character building, caring and inclusiveness. Key Club members pledge to uphold the Objects of Key Club International - to build my home, school and community; to serve my nation and God; and combat all forces which tend to undermine these institutions.

Saturday, October 1st, more than 40 Key Club members carried out their mission by covering graffiti sites throughout Yuba and Sutter Counties. The students attend Yuba City, River Valley, Live Oak and East Nicolaus High Schools. Club members covered

more than 150 sites of graffiti vandalism, most of it done by gang members. A sudden uptick in gang graffiti tagging has led to recent exchanges of gunfire among rival gangs.

Students were joined by their advisor Rhonda Cameron, and two painting contractors, Jon Law and Leo Machado. Law and Machado coordinate on-going graffiti eradication, working closely with all law enforcement agencies.

The importance of eliminating graffiti, besides making the community look better, is based on the "Fixing Broken Windows" theory of community policing made popular by the successes of New York

Mayor Rudy Giuliani and his Chief of Police William Bratton.

Starting in 1994, Giuliani and Bratton led the halt of New York's crime epidemic by addressing formerly ignored "minor offenses" ultimately leading to a reduction in major crimes.

For example, keeping subway cars graffiti-free and arresting subway "turnstile jumpers" led to riders again feeling safe to use subways. Many arrested for misdemeanors were also wanted for other offenses.

Key Club students made a significant contribution to a safer community by showing they care about how it looks.

## Ben's Rain Gauge

from Strawberry Valley, CA whose Annual Rainfall Average is 80-86"

2016

6.97" Seasonal YTD

2015

1.60" Seasonal YTD

## There Must Be A Complete Change of Management

From the onset of his hire, until present day, there have been clouds of doubt and issues...The manager was hired in 2010 under a shrouded, questionable vetting procedure performed by NYWD's current legal counsel, Colantuono, Highsmith and Whatley (CHW). The manager's well-documented, dubious work history, specifically at Newhall Water District in the 1980's saw him under investigation by the L.A. District Attorney for contractor favoritism, kickbacks and other manipulative endeavors. Additionally, the resume that the manager submitted for employment at NYWD is likely fraudulent in regards to his educational background. Several customers have asked, through public records requests, for the evidence of his claimed education, but they've been denied the documents, often by CHW. CHW had to be aware of these problematic issues about the manager's past, both during their employment pre-screening process and after the NYWD Board asked them to perform a background check. CHW were negligent by not informing the Board of these issues and, for some spurious reason, continue to protect the manager's troublesome activities.

The manager has three of the board members on his side, often prepping them in advance of meetings, to support and to vote in favor of his reckless and insensitive ideas. Furthermore, these directors have sometimes secretly and unilaterally, allowed the manager to undermine standard board functions, double-dip into compensation, assign a departed employee's wages to himself and staff, hire others without full board approval and deploy an excessive use of and spending on unnecessary consultants and attorneys.

As a puppet of our county supervisor, the manager is one of several players, suspect of controlling NYWD's water to further probable development plans. The links are quite evident and the result could be disastrous to our community. These players are in full support of the manager. They've even inserted themselves into the election by enlisting candidates who are fully ignorant about NYWD. These candidates' lack of understanding NYWD's issues makes them easy to influence by the manager, the supervisor or other players who do not have the best interests of NYWD at heart. Obviously, there's a bigger agenda at work.

Bottomline, anyone who supports this manager's agenda must not be elected this November. This includes Dale Skinner, the current Division II board member and Gary Hawthorne, vying to win Director Cavaliere's seat in Division III. Additionally, Don Ferguson, the current Division IV board member, must be recalled. Eric Hansard's appointment must be contested thus allowing the voters in Division V the opportunity to advocate an alternative.

Vote Wright in Division I, Brown in Division II and Cavaliere in Division III!  
Pamela Brown  
Brownsville

### NOTE!

There will be no new political opinions published in the November 2nd issue. The Opinion Page on November 2nd, will be for non controversial opinions and rebuttal to opinions in the October 26th issue.

## North Yuba Water Agency Exceptions

All North Yuba Water District voters, are asked, "please do not be deceived!" Have you been receiving emails from North Yuba Water Alliance (NYWA)? If so, beware! NYWA emails are unsigned, with no one individual taking responsibility for writing or sending them. NYWA should be fined by the Fair Political Practices Commission (FPPC) for misrepresenting members on their mailing list, of which I am one, as having endorsed candidates Cavalier, Wright and Brown, whom I do not endorse. They are using the NYWA as their personal Political Action Committee (PAC). They have spewed hateful rhetoric towards the NYWD Manager, select Board Members and community members, who strongly disagree with their harassing tactics. NYWA is a free and deceptive advertising tool for Wright, Cavalier and Brown. They hosted two local Candidates Nights on behalf of their endorsed Candidates. Fortunately, Candidate Gary Hawthorne, who chose to speak at their candidates night and is running against Cavalier, provided water solutions and a sharp, positive contrast, to their

shameful tactics.

Jenny Cavalier has spent years honing her underhanded tactics, which have caused discord, board infighting, and slanderous attacks perpetrated upon Managers and community members alike. Thus, resulting in years of lost productivity, the ability to find common sense water solutions, and at the same time throwing NYWD customers, under the bus by wasting our precious taxpayer dollars on law suits and attorney fees. Most notably, a settlement awarded to a former NYWD Manager Dennis Parker, a dear friend and neighbor who passed away last year. Collateral damage caused from her toxic leadership. Now here we are again, another NYWD Manager under attack, under the pretense of NYWA/Jenny Cavalier. Ask yourself, "What has she done in her twenty years of service for NYWD?"

Customers deserve better and want a path forward to productive water solutions. Please vote for COMMON SENSE on November 8th, DON'T GET WATER WRONG!

Colene Weckman  
Brownsville, Ca.

## Healthcare Professionals Fleeing California

I have been talking to healthcare providers for sometime now, and all are telling me the same thing...get the HELL OUT OF CALIFORNIA or you will one day regret it if you need Healthcare... Because the State is imposing draconian regulations and unrealistic and unnecessary requirements on Doctors Nurses and other certified healthcare professionals, so many of them are saying "TO HELL WITH IT!" getting out of healthcare in California and either just quitting the field or moving to Medical Friendly States, because of the Over Regulation piled on top of an already stressful job!... This is leaving a major shortage of competent professionals. What you are getting in return are kids coming out of school (Many of them Foreigners) with their heads stuck so far up the Government's anal cavity their feet barely show... These automatons could care less about your healthcare and only care about pleasing their Master the Government. Even Pharmacies are involved in collecting information ON YOU for the government and many of those creatures that work in that industry are part of this tyranny!

The requirements for renewing a certification to work in the healthcare field is costly and varies but in general they require a person to attend 40 hours of courses every 2 years that mostly are government regulations that have NOTHING TO DO with providing good medical care. Regulations, regulations and more regulation and tons of paperwork to overwhelm a person just to see a doctor and then the medical staff has to do tons of paperwork to please their Master the government. All of us can understand making sure a person is qualified in the healthcare industry, but to over regulate a care provider that has been in the field for 20, 30 and even 40 years, (Old School Doctors and Nurses that really care about you) so they quit, so the Government can replace them with government automatons is not in YOUR BEST INTEREST!

When will you sheeple WAKE UP and realize you are enslaved? When a Government becomes tyrannical, it is the duty of the people to abolish it!... If there ever was a time to abolish a tyranny...it sure as hell has come to California and America for that matter!  
RW Gless  
Marysville, Ca.

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Or: E-mail: territorial@sbcglobal.net

• Letters must include Name, Address and Phone Number. Only Name, Town and State will appear with letter. Letters should not be any longer than 250 words. Letters are opinions; if facts are presented writer must be prepared to back up facts. There should not be more than one letter per week. For more information call 530-743-6643.

Please Note: Opinions expressed are not necessarily those of the Territorial Dispatch



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## YCWA Board Rejects Public's Right to Vote

ber of the YCWA. Mr. Mathews said, "Clearly the YCWA Board has overstepped their authority in voting to deny the voters of Yuba County the right to decide this issue. Their function was to provide a "Title and Summary" for the initiative and nothing more. In Schmitz vs. Younger 1978) 21 Cal.3d 90 the California Supreme Court said, "In furtherance of the people's power we have narrowly circumscribed the rights of ministerial officials to impede or delay the initiative process..... These questions may involve difficult legal issues that only a court can determine. The right to propose initiative measures cannot properly be impeded by a decision of a ministerial office, even if supported by the advice of the city attorney, that the sub-

ject is not appropriate to the voters."

### History

At the beginning of the current drought Governor Brown, with a broad brush approach, declared that all Californian's must cut water usage by 25%. The people responded to the cut and saw their utility bills go up (less water at a higher cost). Because of good groundwater management by the YCWA the aquifers in Yuba County were in good shape and did not meet the same emer-

gency that existed in Southern California. The elected representatives did nothing about trying to get an exemption from the governor, yet "pumpers", approximately 20 people, were making a profit from the ground water substitution program using surface water from Bullards Bar Reservoir, water that belongs to all of the people of Yuba County. In 2013 the "Pumpers" revenues were \$33,580,000 and in 2014 they were \$26,912,241.

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## YUBA COUNTY WATER AGENCY STRATEGIC PLANNING WORKSHOP ON WATER SUPPLY RELIABILITY

The Yuba County Water Agency Board of Directors is hosting a strategic planning workshop focused on water supply reliability. Individuals with an interest in management of surface water and groundwater supplies are invited to learn more about this effort and provide input to the planning process.

**Date:** Tuesday, October 18, 2016

**Time:** 6:30 PM

**Place:** Yuba County Government Center Board Chambers, 915 8th Street, Marysville, California

For more information, please contact:  
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