

The

Happy New Year!

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PARK DISPUTE ROILS EL DORADO HILLS COMMUNITY SERVICES DISTRICT



Who is responsible for the upkeep of Oak Knoll Park in Bass Lake Village?

In a move that possibly involves hundreds of thousands of dollars, Bass Lake Action Committee (BLAC) has questioned whether the upkeep of Oak Knoll Park should be funded by the Bass Lake Village Landscape and Lighting Assessment District (LLAD), asserting that the park is, and has been since it was built, actually the responsibility of the El Dorado Hills Community Services District (CSD).

At a well-attended meeting held at Oak Knoll Park on Tuesday evening, January 6, CSD representatives responded to a recent letter that BLAC sent to Wayne Lowery, general manager of the CSD, asserting that the LLAD has for years been over-assessed for maintenance of the park when the park has never been part of the LLAD.

Meeting attendees peppered the CSD representatives with questions about the LLAD assessments. In response, CSD representatives acknowledged that, as a result of BLAC's letter, CSD staff and the CSD attorney are in the process of investigating the circumstances surrounding the establishment of Bass Lake Village LLAD and the subsequent assessments. The CSD is doing what CSD general manager Wayne Lowery

characterized as "a forensic examination" of the LLAD and park formation documents.

Lowery said that the investigation should be complete in two weeks, and that the findings would be made available to the LLAD residents. Asked about what will happen with all the surplus money in the LLAD if the investigation shows that the park is not in the LLAD, Lowery said that there would probably be refunds made, but he was not sure of the extent of the refunds or how far back the refunds could be made.

According to the 2008-09 financial statements for the LLAD, the LLAD has a surplus of \$250,201.00 and information obtained by BLAC suggests that the CSD appropriated approximately \$40,000.00 a year from the LLAD's funds to maintain Oak Knoll Park over a number of years.

Readers will recall that the El Dorado Hills Community Services District (CSD) manages the landscape and lighting assessment districts in El Dorado Hills. That is, it collects annual assessments and spends those collected funds to maintain the properties of the various landscape and lighting districts.

When an LLAD is originally formed, an

engineer's report is used to determine the estimated costs of maintaining the improvements in the LLAD and to establish the annual assessment amount to be levied on each parcel in the LLAD. Once the annual assessment amount is established, it generally takes a vote of the property owners to increase the assessment.

Bass Lake Village LLAD is made up of two zones, Zone A and Zone B. Zone A includes 278 residential parcels in the neighborhood of the Hills of El Dorado. Zone B includes 294 residential parcels in the neighborhood of Woodridge. BLAC believes that the CSD has incorrectly assessed parcels in Zone B of the LLAD.

The LLAD was originally established in 1995 when Zone A was formed to maintain about an acre of landscaping in front of the Hills of El Dorado at the intersection of Bass Lake Road and Magnolia Hills Drive, plus fifteen neighborhood streetlights. Zone A parcels have always been assessed at just \$99.00 a year.

Zone B of the LLAD was formed in 1999, when Woodridge was annexed to the LLAD to maintain landscaping on about an acre of land in front of Woodridge on the Bass Lake Road right-of-way at Madera Drive, a proposed Bass Lake Village Park in Woodridge on Summer Drive at Great Heron Drive, and eleven street lights in Woodridge. The proposed park was never built, and the land that had been set aside for the park was given over to open space. In the absence of an engineer's report that would have estimated the annual maintenance costs, the annual assessment for parcels in Zone B was arbitrarily set at \$350.00 per year plus inflation. Actual assessments on Zone B parcels were \$274.84 a year until 2008-09 when they were increased to \$299.00 a year.

BLAC began to be concerned about the LLAD when the CSD increased the Zone B assessments to \$299.00 in spite of what appeared to be a \$225,000.00 surplus in the

(continued on page 2)

OAK KNOLL PARK (*continued*)

Zone B operating fund.

After a thorough examination of the documents surrounding the establishment and ongoing management of Zone B of the Bass Lake Village LLAD, BLAC believes that the CSD has misappropriated funds from the Bass Lake Village LLAD in order to maintain Oak Knoll Park, when in fact Oak Knoll Park has never been a part of the Bass Lake Village LLAD, but has always been a part of the CSD park system.

For example, BLAC became aware that in fiscal year 2007-2008 the CSD took \$46,333.00 from the Bass Lake Village LLAD to reimburse the CSD for the expenses of maintaining Oak Knoll Park. BLAC does not have data from other years, but believes similar sums were taken in other years.

In addition, BLAC believes that the CSD has over-assessed the Zone B homeowners. In 2008 Zone B had a capital improvement reserve of \$175,000.00 plus other reserve funds that totaled over \$70,000.00. This seems incompatible with the Zone B improvements, which consist of a landscape corridor of less than an acre and eleven street lights. To BLAC's knowledge, no capital projects were ever planned, identified or approved for improvements in Zone B.

BLAC representatives brought this subject up in meetings with CSD staff members beginning in the summer of 2008. Though those meetings were amicable, it appeared at that time the stated position of the CSD was that Oak Knoll Park was a part of the Bass Lake Village LLAD, and that Zone B of the LLAD was responsible for the maintenance and upkeep of Oak Knoll Park. BLAC disagreed with the CSD's position for the following reasons.

First, in the document "Agreement for Dedication of Parks in Bass Lake Village" dated April 19, 1990, and recorded with the County Recorder May 17, 1990, the CSD agreed that: "The District shall maintain Oak Knoll Park . . . as part of the District's park program."

Second, an initial engineer's report of April 1995 described Bass Lake Village LLAD, which then included only the Hills of El Dorado. In that report, Oak Knoll Park, which is situated on Assessor's Parcel Number 103-793-04, was not a part of the Bass Lake Village LLAD. It was marked on the report's accompanying maps as "Oak Knoll Park – not a part of the lighting and landscape district."

Third, the annexation document of April 1999 that added Woodridge to the Bass Lake Village LLAD as Zone B clearly specified the property to be maintained by the Woodridge parcels: about an acre of landscape improvements upon the county road right-of-way at flanking Madera Drive at the entrance to Woodridge, a Bass Lake Village Park proposed to be located on Assessor's Parcel Number 116-830-13 in the southeast corner of Woodridge, and street lights in Woodridge. The proposed park was never developed, and Assessor's Parcel Number 116-830-13 was conveyed to the Woodridge Open Space Association in June 2005 for the open space association to maintain.

Therefore, to BLAC's knowledge, the only property to be maintained in the Woodridge Zone B portion of the Village LLAD is the acre or so of landscape improvements upon the county road right-of-way at the entrance to Woodridge, and the eleven street lights in Woodridge, for which Zone B parcels are being assessed \$299.00 per year. The landscaped area in Zone B is roughly equivalent to the landscaped property maintained by Hills of El Dorado Zone A, for which Zone A parcels are assessed only \$99.00.

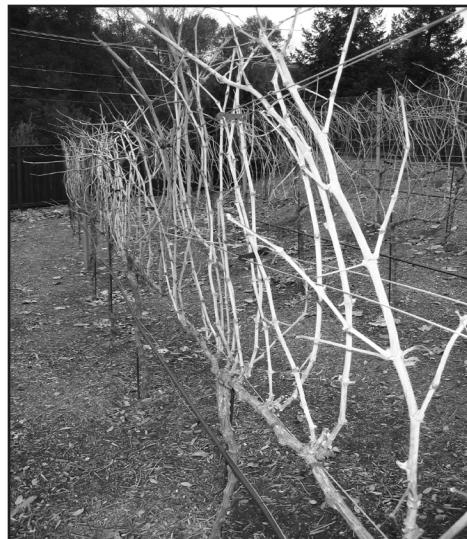
As a result of their findings, BLAC asked the CSD to immediately take the following steps:

First, the CSD must immediately suspend any actions relating to any expenditure of any Bass Lake Village LLAD funds on Oak Knoll Park.

Second, with respect to Bass Lake Village LLAD Zone B, the CSD must conduct an engineer's report to ascertain the correct assessment to be levied upon those parcels in Zone B in order to determine the correct annual assessment for the special benefit received from the landscaping improvements upon the road right of way and the street lighting. The engineer's report should conform to the requirements set forth in the applicable sections of the Landscape and Lighting Act of 1972.

Third, the CSD must refund the excess monies erroneously assessed and collected from Bass Lake Village LLAD Zone B parcel owners since the annexation of Zone B, inasmuch as Section 4(a) of Article XIID of the California Constitution, in part, provides that, "No assessment shall be imposed on any parcel which exceeds the reasonable cost of the special benefit conferred on that parcel."

Any further developments in this issue will be reported in the February issue of the Bass Lake Bulletin. ~



*Now winter nights enlarge
This number of their hours;
And clouds their storms discharge*

Upon the airy towers.

*Let now the chimneys blaze
And cups o'erflow with wine,
Let well-tuned words amaze
With harmony divine . . .*

*This time doth well dispense
With lovers' long discourse;
Much speech hath some defense,
Though beauty no remorse.
All do not all things well:
Some measures comely tread,
Some knotted riddles tell,
Some poems smoothly read.
The summer hath his joys,
And winter his delights;
Though love and all his pleasures
are but toys
They shorten tedious nights.*

-- Thomas Campion



THE PRESIDENT'S LETTER



Hello Everyone,

Sometimes it seems like we have no time at all. Those of us with busy lives are preoccupied with going to work, keeping the house up, raising the kids, and all that goes with those duties.

Concentrating on those things that immediately surround us, we often don't have time to see what is happening outside our lives. That's very understandable.

When I worked, the last thing I worried about was what my local government was doing. I figured that my elected officials and the public employees knew what needed to be done and did it.

After I retired, I found out that the folks that work for the government were just like us, nice people with lots to do, but sometimes things slip between the cracks, and sometimes there is the famous "failure to communicate." It's only human.

That's why there needs to be some form of intermediary, or middleman, to do two things. First, to let the citizens know what government is supposed to do, and second, to make sure that government does it correctly. As I see it, that's the job of Bass Lake Action Committee.

If something seems to be wrong, it needs to be examined, and perhaps brought to the attention of someone in the government. Many times something that appears to be wrong is the result of misunderstandings. In those cases, a trusted intermediary is invaluable.

I am sure that the current issue over Oak Knoll Park will be settled in an amicable manner, because I know that we are working with honest people on both sides. Like Jack Webb said in Dragnet, all we want is, "just the facts, Ma'am."

I hope everyone had a Merry Christmas, and I want to wish one and all a very Happy and Prosperous New Year.

John E. Thomson

President

WHAT'S UP WITH



PROPANE?

Liquefied petroleum gas (usually called just propane) is a mixture of gaseous hydrocarbons, mainly propane and butane that change into liquid form under moderate pressure. It can be turned into a liquid at a moderate pressure of 160 pounds per square inch (psi), and is stored in pressure tanks at about 200 psi at 100 degrees Fahrenheit. When propane is drawn from a tank, it changes back to a gas before it is burned in a furnace, stove, or vehicle engine.

Propane is normally created as a by-product of both petroleum refining and natural gas production. Propane is commonly used as a fuel for rural homes for space and water heating, as a fuel for barbecues and recreational vehicles, and as a transportation fuel. There are 14 million or so residential propane users in the United States, and about 7 million households heat their home with propane. In addition, there are about 47 million propane grill users, according to federal statistics.

Propane is basically an unregulated fuel in California, except for storage and safety issues, which are regulated. Because it is an unregulated commodity, no data is collected by the state on LPG sales or usage.

Propane prices vary in different parts of the country, so you can't really compare the price paid in New England to the price paid in California. This is because of two key reasons that are related to supply and demand: weather influences and location.

In the short-term, the demand for propane among residential and commercial customers is affected significantly by weather. Because weather conditions change rapidly, large and sudden shifts in demand can occur, creating imbalances that result in price movements.

These weather factors can also influence the propane distribution system. As with all energy sources, propane prices are influenced by the systems required to transport the energy source from where it is produced to where it is used, whether through pipelines, ships, or trucks.

Propane prices are also influenced by

proximity of the customer to the supply. In an area such as the Gulf Coast, customers are close to major suppliers and shipping ports, so the effort needed to get propane to its customers is minimal. Those customers who live farther away usually pay higher prices when transportation costs are added.

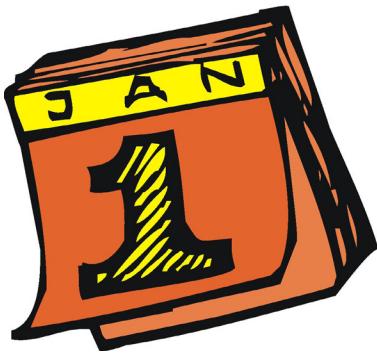
While we are on the subject of propane, remember that the propane gas regulator is one of the most important parts of a propane gas system. The purpose of the regulator is to control the flow of gas and lower the pressure from the tank to the appliances in the gas system. The regulator not only acts as a control regarding the flow and distribution of propane but also as a safety barrier between the high pressure of the tank and the end use appliances. Most will rightfully argue that the LP Gas regulator is the heart of any propane gas system.

Residential propane tank pressure can range from 10psi up to 200 psi, depending on the amount of propane in the tank. The regulator compensates for these pressure differences in the tank to supply a steady flow of required pressure to the household appliances, reducing the flow to a safe and usable pressure. Note that under normal operation a propane regulator will make a "humming" noise. This is normal and should not be thought of as a problem or a regulator malfunction.

Like any part of a propane system, the regulator needs to be protected. Protecting a regulator, for the most part means keeping it correctly installed. Regulators are generally found under the tank dome, or if installed outside the dome, they will have the vent pointed down to prevent rain, ice and debris from entering the regulator.

Regulators have internal moving parts that are subject to wear and tear, and after some time a regulator needs to be replaced. The industry norm is 15 years before a regulator needs replacement, though some manufacturers specify longer periods. Any replacement should be installed by your propane company or a licensed LP Gas plumber. Though propane regulators may be adjusted by licensed propane professionals, they cannot be repaired, they can only be replaced.





WHENCE JANUARY?

January is the first month of the year in the Gregorian Calendar and one of seven Gregorian months with a length of 31 days.

Astrologically, January begins with the sun in the sign of Capricorn and ends in the sign of Aquarius. Astronomically speaking, the sun begins in the constellation of Sagittarius and ends in the constellation of Capricornus.

January is named for Janus, the Roman god of doors and gateways.

The original Roman calendar consisted of 10 months (304 days), because the Romans originally considered the winter to be a period without months; they only observed months in the warm period, beginning in March.

Around 700 BC, Roman King Numa Pompilius added the months of January and February, allowing the calendar to equal the standard lunar year of 354 days. A Roman superstition against even numbers resulted in the addition of one day, thus increasing the year to 355 days.

Although we have seen that March was originally the first month in the Roman calendar, January later was given that position, because that was the time when Roman consuls were usually chosen.

Julius Caesar made sweeping changes in the Roman calendar during his third year as consul, so that the New Year began on January 1 and ran 365 days until December 31.

Further adjustments were made under Augustus, who introduced the concept of the leap year. The resultant Julian calendar remained in almost universal use in Europe until 1582, when the Gregorian calendar was introduced.

The Gregorian calendar was derived from the Julian calendar, and was instituted in 1582 by Pope Gregory XIII, after whom the calendar was named. Our present Gregorian calendar is the most widely used calendar in the world today. ~



Elihu Root 1845-1937
American Statesman and Nobel Prize Winner

"Little by little, business is enlarged with easy money. With the exhaustless reservoir of the Government of the United States furnishing easy money, the sales increase, the businesses enlarge, more new enterprises are started, the spirit of optimism pervades the community."

"Bankers are not free from it. They are human. The members of the Federal Reserve board will not be free of it. They are human. Everyone is making money. Everyone is growing rich."

"It goes up and up, the margin between costs and sales continually growing smaller as a result of the operation of inevitable laws, until finally someone whose judgment was bad, someone whose capacity for business was small, breaks; and as he falls he hits the next brick in the row, and then another, and then another, and down comes the whole structure."

"That, sir, is no dream. That is the history of every movement of inflation since the world's business began, and it is the history of many a period in our own country. That is what happened to greater or less degree before the panic of 1837, of 1857, of 1873, of 1893 and of 1907."

-- Senator Elihu Root, 1913

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NEW CSD BOARD MEMBER VISITS BLAC

Bass Lake Action Committee members were pleased to welcome new El Dorado Hills Community Services District board member, Guy Gertsch, to their January monthly meeting.

Guy explained to the group the various board committees on which he serves, including the Parks Committee. BLAC members told Guy of their concern about the Bass Lake Village Landscape and Lighting Assessment District fees, and discussed with Guy their desire for improvements in CC&R enforcement in Woodridge and Hills of El Dorado. CSD board member Noelle Mattock was unable to attend, but will be invited to a future meeting.

BLAC's next meeting will be held on Monday, February 2, 2009, at 7:00 PM at the home of Stuart and Sue Colvin, 2401 Summer Drive, El Dorado Hills. Guests will be new El Dorado County Supervisors John Knight (District 1) and Ray Nutting (District 2).

Contact Vice President Kathy Prevost at 530-672-6836 for further information. ~

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