



**Agenda for the October 19, 2009 Homestead Valley Community Council Meeting
at the Landers Community Center, 3:00 P.M.**

Flag Salute

Certificate of Appreciation for Carl Gorham

Roll Call / Delegate List

Approve Agenda

Minutes of Previous Meeting

Treasurer's Report

1. Guest Comments

2. Rebecca Unger article – October 14, 2009

3. Committee Reports:

Sphere of Influence

Public Outreach

Fund Raising / Events

Community Services / Improvements

4. Hwy 247 Homestead Valley signs

5. Hwy 247 zoning

6. Letter to Supervisor Neil Derry regarding hauled water

7. Two plus Two committee to Town of Yucca Valley

8. Meeting with Senator Feinstein's office.

9. President's Report

10. Items for next agenda

11. Adjourn

In Appreciation

Carl Gorham

for all your hard work and dedication
in achieving the designation of March 30 as

Welcome Home Vietnam Veterans Day

in California

FROM THE DELEGATES OF THE
HOMESTEAD VALLEY COMMUNITY COUNCIL



Jim Harvey
JIM HARVEY, PRESIDENT

HVCC DELEGATES

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Alan RASMUSSEN ...228-5400arasmussen@sbcounty.gov

HOMESTEAD VALLEY COMMUNITY COUNCIL
MINUTES OF MEETING IN FLAMINGO HEIGHTS SEPTEMBER 21, 2009

Opened with Flag Salute at 3:00 pm

Present were Maryan Barkley, Phyllis Burns, Jim Hanley, Jim Harvey, Elizabeth Karman, Earlene McCloskey, Mike McGrath, Betty Munson, Nancy Sammons, Rick Sayers, Carl Schmitt, Joyce Wheeler

Guests: Carl Gorham, Jan Kirkpatrick, Joe Kirkpatrick, J. Larry Coulombe, Mary Coulombe, William A. Davis, Janea Jackson (MCAGCC, G-5), Jessica Napoli (Marstel-Day/MCAGCC, G-5), Duane D. Lisiewski (BDVWA), Marina West (BDVWA), Gerry Kay, Martha Oswalt, Rebecca Unger (Hi-Desert Star)

Delegate List was approved with no changes

Agenda was approved

Minutes of August meeting approved by e-mail.

Treasurer's report: Earlene McCloskey.

Beginning balance 5,908.16; Income 450.12; Expenses 127.31; Balance 6,203.97

Another donation via PayPal was received; plus donations from JVIA and YMIA of \$100 ea.

1. Guest Comments

Janea Jackson thanked us for our support of the basketball tournament which raised \$4,000 for the Boys and Girls Club of Yucca Valley.

Carl Gorham, a veteran of WWII, described the efforts he had made to achieve recognition for the veterans of the Vietnam War, which have resulted in a bill authored by Assemblyman Paul Cook, to be signed on Friday, Sept. 25, by Gov. Schwarzenegger at the Marine Base in Twentynine Palms. This bill establishes March 30 as the annual Welcome Home Viet Nam Veterans Day in California. We were invited to attend and to pass the word.

The Council unanimously approved writing a letter of commendation to Paul Cook.

Carl Gorham went on to comment that November 11 is Veterans Day, a national observance unchanged since WW1; that any action of any agency to change the observance of that day to suit their needs and purposes is perceived as a slap in the face of all veterans.

Duane Lisiewski said that he was the only director of the Bighorn-Desert View Water Agency to vote against the shift of the observance to Friday to give the Agency staff a 3-day weekend.

John Burkhart said the Agency did not change the observance.

Marina West, General Manager of the Water Agency, said the Directors had voted to change the office closure for the 2009 Veterans Day holiday to Friday, November 13; that she did not understand this would be so controversial and would change it back. When questioned, she amended that to say she would have it on the agenda for the next meeting for the Directors to vote on.

Larry Coulombe said there was hostility toward the Water Agency.

Other guests brought up the long historic precedent nationally celebrating on the Eleventh Minute of Eleventh Hour of the Eleventh Day, and the lack of education of young people on the history of the wars fought for our country.

2. Committee Reports

-The Audit Committee reported that the accounting for our previous fiscal year was in perfect order. The Committee was dissolved until next June, when it will be called to do this year's audit. Earlene was commended for her good work.

-Sphere of Influence committee chairman Elizabeth Karman reported that on Sept. 1 the Town of Yucca Valley had withdrawn its request to LAFCO to extend its Sphere of Influence over Yucca Mesa. Elizabeth is waiting for written communication. She stated however that Kathleen McDonald had told her there was a possibility LAFCO may trump the town and proceed. She thinks we will need to go to the LAFCO hearing which will be no sooner than Jan 10. The SOI Committee will remain open until this is resolved.

LAFCO must continue with the Yucca Valley Municipal Service Review by law.

- Public Outreach Committee. Betty Munson reported the HVCC brochure was printed in a small quantity, enough to be able to hand out about 40 at the YMIA Country Faire. The next event for which the brochure will be needed is the Christmas party. Jim Harvey will print about 100 to tide us over till then. Comparative costs were discussed, on various paper weights, and quantity printing will be discussed at the next meeting.

All delegates present who had requested business cards receive 20 each.

The HVCC Web site still lacks the community profiles for Landers and Yucca Mesa. Mike McGrath said the Board is to supply YMIA wording, but he can supply a photo, also take one of Landers building if needed.

Signage identifying the Homestead Valley and the various communities was brought up. Not CalTrans signs. Wording to be something like: Welcome to the Homestead Valley Community of Landers. Mike McGrath to research.

Fund Raising/Events: Jim Harvey handed Earlene \$177 raised at the HVCC Desert Plant Sale at the Country Faire. Earlene herself is adding \$5 for plants she bought after the event. Jim thanked Cathy Janowicz for her display help and telling the HVCC story to visitors to the table, to Rick Sayers for his help, to Jim Hanley for trucking the plants from Johnson Valley, to Nancy Sammons for her cactus garden donations.

The Christmas Party at Landers, Saturday, Dec. 19, is planned to begin as an event for kids, guests are requested to bring a gift for a boy or girl as price for admission. Ken Stermetz will handle supplying the liquor, and he has a band who will donate their time. Neil Derry and Alan Rasmussen will be attending. Each community is asked to help participate in supplying food. Details to be discussed at the October meeting.

A suggestion for a variation of the Poker Run event was brought up. Cards would be available at already scheduled events of each community. To play you would attend a regular Potluck, breakfast, etc. This way people would be acquainted with all the associations, yet we would not have to organize a special event as a fundraiser. Details to be discussed next month.

A letter of thanks for all donations is to be drafted ASAP.

-Community Services/Improvements/Communications: Notes on a meeting this committee had with Alan Rasmussen were supplied in the agenda packet for today's Council meeting. The Hwy 247 Project, the CalAware project and the Water Hauling/Building Permits issue were discussed at length. Rick Sayers told us about the Joshua Tree Municipal Action Committee meeting he had attended, where he passed on information to Dot Valentine about our proposed CalAware workshops. She approved of it, asked to schedule it for Monday or Tuesday if possible, and said Joshua Tree Community Center would be available for the event if desired.

Jim Harvey said in his meeting with Andy Takata he was told Yucca Valley might offer a grant of \$500-1000 for the event and that the Yucca Room could be used.

The Sportsmans Club, radio station and newspaper have also been suggested as possible sponsors. Alan Rasmussen said the latest inquiry into water hauling has not had any different results than the last one.

3. President's Report: Issues were sent by Ed Cronin to be addressed to Alan.

-Can Alan communicate with Burrtec about the trash escaping from trucks on their way to the county dump. This problem is widespread, others have notice the trucks open with trash blowing out into the desert.

-Can county road maintenance be stepped up at the intersections near the dump where heavy trucks are causing damage.

-Can the county urge the use of magnets to pick up metal hazards as is done at other dumps to prevent flat tires.

Ed requested we all spread the word to please cover your trash on the way to the dump.

We will not know if we are selected to participate in the Census2010 promotion until October.

Jim brought up the cattle crossing signs that recently appeared on Hwy. 247. Rebecca Unger stated she asked the person in charge of the road work and was told if there is a sticker on the back of the sign it can be traced to whomever had the signs erected. She will pursue the matter. Since there are very few cattle in the area, we are curious as to the origin of the signs in this day of economic hard times.

Alan Rasmussen passed on a query, do we recognize the name Goat Mountain Community Association. It was vaguely recalled by some delegates as organized by a Grange Insurance Agent, but not known to exist today.

Alan also made the suggestion attendees at HVCC and other public meetings should behave in a professional manner, show respect to speakers and refrain from side comments, interruptions and whispering. We agreed.

4. Items for the next agenda: possible revival of the local Chamber of Commerce

Meeting adjourned 5:15

Betty Munson, Secretary

Candidates carded for bad behavior

By Rebecca Unger Hi-Desert Star Wednesday, October 14, 2009

LANDERS — Moderator Alan Rasmussen took a page from the books of soccer referees and elementary school teachers at a Bighorn-Desert View Water Agency candidates' forum Saturday night at the Landers Association. Rasmussen kept the proceedings civil by flashing a yellow caution card when he thought one of the candidates was being uncivil or uncouth. Three contenders — Larry Coulombe, Dave Larson and Martha Oswalt — got carded.

Rasmussen, field representative for 3rd District County Supervisor Neil Derry, said he has witnessed several Bighorn meetings where contentious and rude behavior was displayed in the audience and sometimes on the board.

Last month, he chided the participants at a Homestead Valley Community Council meeting for stooping to low levels of disrespectful discourse with their attacks on the water agency.

Saturday's forum was the first of three scheduled before the November election, where seven candidates are vying for four seats on board.

Candidates gave opening and closing statements and were given two minutes to answer audience questions read by Rasmussen.

The following are highlights from the candidate statements in alphabetical order.

Incumbent Terry Burkhart: "I value integrity and honesty," the director said in her opening statement. "I have always tried to act in a manner consistent with these values, and will continue to do so." She credited the board's hiring of General Manager Marina West for helping the agency "overcome inherited problems like old, malfunctioning equipment, inadequate and poorly managed funds and well failures."

Incumbent Judy Corl-Lorono: "The political situation in the state and the country changes daily with regards to water issues and funding," the board president observed. "Being a small agency with a limited staff, it is important for board members to stay as educated as possible." Corl-Lorono touted the agency's meter replacement program and diminished water loss, moving forward with a recharge basin "at no cost to our customers or the agency," a routine maintenance program, and pulling the agency's finances from the negative to the positive.

Larry Coulombe: "My intent is not to run against the incumbent directors. I'm running for the vacancy left by Director Duane Lisiewski," he said. Coulombe is a steady attendee at water agency meetings, but got carded when his comments veered into criticism of the retiring director. "My goal is to continue the vision of this agency, to be vigilant to access any and all sources for water and financial support for our district," Coulombe said.

David Larson: The candidate said he decided to run because "it's apparent that within the community there is some dissatisfaction with the water board." Larson, an infrequent attendee at agency meetings, got into trouble when he tried to launch an attack on some of the directors. "I want to make sure that our water is managed effectively, and not invest too heavily now to where we limit our ability to manage it in the future," he said.

Martha Oswalt: Her campaign flyers urge voters to "stop the leak" of unnecessary spending at the agency. Oswalt, a reliable critical presence at agency meetings, has a degree in business administration and extensive professional experience in financial sectors like loans and escrow. As regards the agency finances, Oswalt said, "The area of accurate knowledge of handling our money is seriously lacking."

Barbara Renton: "I've been interested in water issues since moving to the desert," said the reporter from the American Free Journal. "I've researched many stories on water issues from the Delta to the Salton Sea." The candidate is a retired police officer from Illinois, has recently completed university environmental science courses, and is currently working towards a master's degree in that area. She occasionally attends Bighorn meetings.

Warren Strodel: The incumbent was appointed by a board majority last year when Director Phil Johnson was removed from office. "We're going to need fighters on our board because the situation with water in the state is not going to get better," Strodel warned. "We're going to have to fight to keep our water, and to keep local control over it. Running the water business is like running any business: You have to pay attention to the details and keep an eye on the future."

Homestead Valley Community Council Committees
10/19/09

Ad Hoc Committees

Sphere of Influence: Chairperson Elizabeth Karman
Betty Munson
Rick Sayers

Nominating: assembled in April for May nominations and June election

Standing Committees

Public Outreach: Chairperson Betty Munson
Maryan Barkley
Mike McGrath
Linda Willgues

Fundraising / Events: Chairperson Earlene McCloskey
Phyllis Burns
Nancy Sammons

Community Services / Improvements / Cooperation: Chairperson Rick Sayers
Jim Hanley
Betty Munson

Leaving Johnson Valley X

Entering Johnson Valley X

Welcome to the HOMESTEAD VALLEY
You are Entering the community of
Yucca Mesa

247

CALIFORNIA

SAN BERNARDINO

Linn Rd

Reche R

Entering Landers X

Field Blvd

Landers

Entering Landers X

Twentynine Palms Marine Corps Base

Entering Flamingo Heights X

Entering landers X

Entering Yucca Mesa X

Entering Yucca Mesa X

Abeldeen Dr

Entering Yucca Mesa X

Border Ave

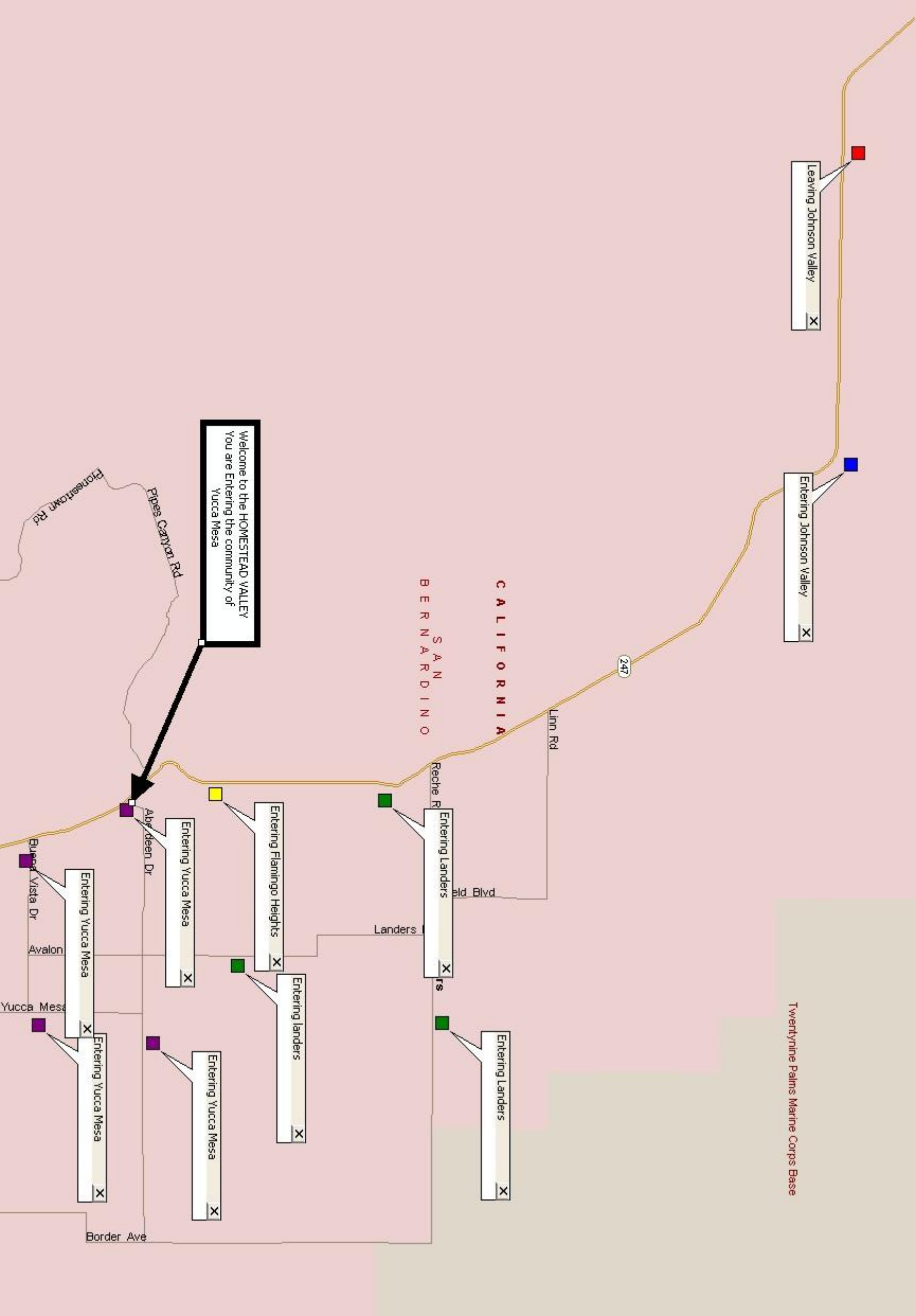
Buena Vista Dr

Avalon

Yucca Mesa

Promised Land Rd

Paper Canyon Rd





P.O. Box 3694 Landers, CA 92285 www.hvccsite.org

San Bernardino County Government Center
Supervisor Neil Derry
385 N Arrowhead Ave, Fifth Floor
San Bernardino, CA 92415-0110

October 19, 2009

Dear Supervisor Neil Derry,

Earlier this year we began hearing from area residents about difficulties in obtaining building permits for properties that rely on hauled water. As you know, Homestead Valley is very rural, with a significant number of properties that do not have access to a piped water distribution infrastructure.

After looking into these matters, we have discovered that in fact, property owners in San Bernardino County who rely on hauled water as their primary potable water source, are being denied building permits based solely on the lack of connection to a pressurized system or well on the premises. Explanations for these denials by the Planning Department are vague, conflicting, and highly questionable.

The Homestead Valley Community Council was stunned by this revelation, and immediately asked Alan Rasmussen to help us with locating the County Development Code that authorizes these denials. As a result, we were even more stunned to learn that while property owners on hauled water were being denied building permits, no such county code specifically written to authorize these actions exists.

San Bernardino County Planning code 84.21 addresses the infrastructure requirements for obtaining a building permit. Hauled water is listed as one of the three accepted water sources, but will only be allowed by approval of the Division of Environmental Health Services. There is however, no legislated, written language that defines the criteria for such a decision by Environmental Health Services.

Obtaining potable water through hauling, either privately or commercially, is legal under the California Health and Safety Code and The Sherman Food, Drug, and Cosmetic Law. In fact, section 11120 of the California Health and Safety Code outlines the procedure for water haulers to obtain a Water Hauler License, issued by the Department of Public Health's Food and Drug Branch. It is unlikely that the County EHS is unaware of these State laws permitting licensed hauled water, so what is the basis for their refusal to allow property owners fair access to a building permit? To this date, they have failed to adequately answer that question.

HVCC believes this discretionary action is unlawful, and exposes the County to significant litigation. Denying building permits to property owners relying on hauled water has profound environmental affects related to the CEQA issues of environmental impacts on "Population and Housing". Prior to taking this action, the Department should have gone through an environmental review process that would have included Public Notification, a Public Meeting of the "Affected Communities" and a Public Comment Period.

Under the Population and Housing Provisions of CEQA, such a discretionary action needs to be evaluated under the Standards of Significance. As such this action has the effect of:

Displacement of People
Displacement of Existing Housing
Impacts on Existing Land Use
Limitations on Existing Land Use

Each of these categories of impacts under CEQA needs to be addressed. HVCC contends that until a full CEQA review that addresses these issues is completed, The San Bernardino County Planning Department should suspend this controversial and unconstitutional policy of denying building permits over hauled water.

Please intervene on behalf of the property owners who have been denied building permits on the basis of hauled water, as legally licensed by the State of California. We ask that County Counsel be made aware of this issue. We believe that County Counsel will concur with our assessment, and hope the County Division of Environmental Services reverses its policy immediately.

Thank you for your consideration in these matters.

A handwritten signature in black ink that reads "Jim Harvey". The signature is written in a cursive, flowing style.

Jim Harvey
President, Homestead Valley Community Council

TOWN COUNCIL STAFF REPORT

To: Mayor & Town Council
From: Jamie Anderson, Town Clerk
Date: September 29, 2009
For Council Meeting: October 6, 2009
Subject: Homestead Valley Community Council 2+2

Prior Council Review: None

Recommendation: Select two Council Members to serve on a 2+2 committee with the Homestead Valley Community Council

Summary: the Town Council has developed 2+2 Committees with various agencies to discuss issues of mutual interest.

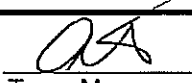
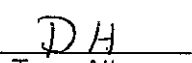
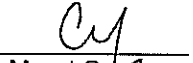
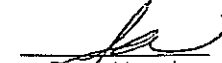
Order of Procedure:

- Department Report**
- Request Staff Report
- Request Public Comment
- Council Questions of Staff
- Council Discussion
- Motion/Second
- Discussion on Motion
- Call the Question (Voice vote)

Discussion: The Town Council has formed 2+2 committees with the Hi Desert Water District, Chamber of Commerce, Morongo Unified School District, Caltrans, the Airport District and Copper Mountain College. The Homestead Valley Community Council, consisting of the communities of Yucca Mesa, Flamingo Heights, Landers and Johnson Valley, would like to establish better lines of communication than currently exists with the Town of Yucca Valley, and has requested the formation of a 2+2 Committee to work together on issues of mutual interest.

Alternatives: do not form the committee.

Fiscal impact: None

Reviewed By:	 Town Manager	 Town Attorney	 Mgmt Services	 Dept Head
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<input checked="" type="checkbox"/> Department Report	<input type="checkbox"/> Ordinance Action	<input type="checkbox"/> Resolution Action	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> Consent	<input type="checkbox"/> Minute Action	<input type="checkbox"/> Receive and File	<input type="checkbox"/> Policy Disc.