



**ALPINE COUNTY, CALIFORNIA
2007-2008 GRAND JURY
FINAL REPORT**

ALPINE COUNTY GRAND JURY 2007-2008

FINAL REPORT

1. Introduction

Here follows the report of the Alpine County Grand Jury for 2007-2008. Judge David DeVore impaneled the jury in 2007. Special legislation allows Alpine County's Grand Jury to operate with 11 members rather than 19 as in most California counties

Beginning in late June, the jury announced to the public that it was in session. Information about how to contact the jury was distributed in all parts of the County through the use of available bulletin boards and newsletters. The jury considered all correspondence and complaints.

2. Foreman's letter of transmittal and foreman's report

This report is submitted to the people of Alpine County. The jury has learned a great deal about county government and the members have benefited from this process.

Everyone who was part of this process, both jurors and witnesses, possesses different opinions on the necessity for the Grand Jury. This jury hopes that many more people in Alpine County will become interested in this fascinating process and will choose to volunteer to be a part of it.

The jury wishes to thank Superior Court Presiding Judge David L. DeVore who originally impaneled this jury and started its training, as well as Judge Richard K. Specchio. Both offered much guidance throughout. District Attorney Will Richmond rendered valuable legal advice; and Jury Commissioner Lisa Cobourn provided excellent assistance whenever needed to make the work of the jury more enjoyable.

Alpine County Grand Juries seem to always encounter the same difficulties when conducting business; the physical locations of the jury volunteers makes achieving a quorum a challenge. Great distances, which are amplified during the winter season, separate jury members, making it difficult, but not impossible, to carry on the work of the jury. Members of this jury are commended for the special efforts they made to keep the process moving forward.

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Following the instructions provided by the Alpine County Superior Court, the Grand Jury worked diligently during its session, reviewing comments and complaints submitted by the public on various subjects. The various committees were formed; they worked as very cohesive units to investigate complaints and concerns, by gathering information and reviewing it with the remainder of the jury. Following jury recommendations, the committees completed their investigations and developed a formal report along with recommendations.

This 2007-2008 Final Report is the result of these efforts; it is submitted to the people of Alpine County with the hope that it is received with open mind.

Respectfully Submitted,

Tom Sweeney, Foreman
Alpine County Grand Jury

3. List of Jurors and their region

Thomas Sweeney, Foreman; Woodfords
 Kristopher Hartnett, Secretary; Markleeville
 Madelina Henry; Woodfords, Hung-A-Lel-Ti Community
 Ernestine Fogarty; Markleeville
 Kira Krayk; Bear Valley
 David Pye; Bear Valley
 Gilbert Klingman; Kirkwood
 Cheryl Stern; Kirkwood
 John Super; Markleeville
 Jane Starratt; Markleeville
 Thomas Kelly; Markleeville
 Richard Williams; Markleeville

4. Report of Secretary

a. Number of full jury meetings and attendance:

Meeting date	Number Attending
July 14, 2007	11
August 23, 2007	11
September 27, 2007	10
October 25, 2007	9
November 29, 2007 (unofficial)	Not a quorum
December 5, 2007	9
January 23, 2008	8
February 28, 2008	9
March 27, 2008	8
April 23, 2008	9
May 21, 2008	8
June 11, 2008	TBD

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b. Number of complaints received (5) and how many were addressed (3):

Complaint	Addressed
Defensible Space Inspection	Yes
Fair Share	Yes
Sierra Pines Mobile Home and Hung-A-Lel-Ti Block Grant	Yes
Snowmobile Bear Valley	No
Eric Foster Complaint	No

1. Reports on Specific Items; each item divided into Summary of Activities; Findings; Recommendations

a. Defensible Space Inspection

The Complaint:

The Jury received an anonymous complaint concerning two related matters. The Grand Jury requests complainants to provide their name to the jury, in order to assist the jury in complainant contact. But because the issues raised in the complaint were significant, and endemic, and would provide much needed education to county residents regarding, fire safety, and its overall maintenance the jury decided to take up the complaint. The issues raised are:

1. The Fire Safe Council and its role in the 2007 Defensible Space Inspections (DFI), and property owners' rights regarding Defensible Space Inspections.
2. The relationship or lack of it between the Fire Safe Council (FSC) and the County Volunteer Fire Departments (VFD).

Summary of the First Issue:

The issues raised in the first part of the complaint were investigated as companion issues:

The Fire Safe Council and its role in the 2007 Defensible Space Inspections (DFI), and property owners' rights regarding Defensible Space Inspections.

Findings, First Issue:

The Alpine Fire Safe Council (FSC) is a non-profit 501(c)(3) corporation dedicated to reducing the risk to life and property due to catastrophic wildfires in Alpine County. It was formed in 2003 after the Resource Advisory Committee (RAC) granted funds from Title II of the Secure Rural Schools and Community Self Determination Act of 2000. Although most of what the FSC does could and should be done by local government, as a non-profit corporation, the FSC is eligible for grant funding that would otherwise not be available to the community.

The California Department of Forestry and Fire Protection (CALFIRE) protects the people of California from fires, responds to emergencies, and protects and enhances forest, range, and watershed values providing social, economic, and environmental benefits to rural and urban citizens. CALFIRE is tasked with training those individuals the County contracts with to perform Defensible Space Inspections.

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The 2007 Defensible Space Inspections, as they have been in prior years, are intended as a courtesy to the property/home owner, and are meant to alert the property/home owner of the imminent threat of fire in wild-land areas where there are structures, and abundant downed fuels. Because of Alpine County budget constraints, the Defensible Space Inspections had not been completed since 2004. Due to the extended drought, precipitating dry downed fuels, and devastating large fires in parts of California, inspections were resumed in 2007 as a response to a state mandate, and at the governor's request.

The DFI Courtesy Inspection reports, insofar as this investigation determined, were not citations. No records were kept of the individual home/property owner's fire safety issues elicited from the DFI. There was no intent insofar as our investigation found for any agency, fire or others to return, unless requested as a follow up by the home/property owner. The DFI Courtesy Inspection reports served only to notify the home/property owner of potentially hazardous conditions relating to the established County Defensible Space Ordinance for downed fuels, and other natural combustibles at a minimum of 100 feet from structures¹.

As there were no records of reported complaints to the FSC or VFDs pertaining to property rights encroachment, the jury reached a conclusion that no violations or illegal encroachment of property rights occurred. These inspections in Alpine County were conducted within the scope and confines of County guidelines and state law ^(1&3), and were conducted in the same manner by the CALFIRE Inspectors in other counties throughout the State.

Specific to Defensible Space Inspections/Inspectors, California Code of Regulations, title 14, section 1299, states in part, "where the Inspector can observe a property to perform an inspection, without the aide of ladders, trucks or other implements, from a common place normally open to the public, the inspector may conduct the inspection." In this context the homeowner can assume no legitimate expectation of privacy. "The inspector may not proceed into covered areas, backyards etc., which are not readily visible from common areas, without the consent of the homeowner"¹. As this matter of encroachment was specific to the complaint and the jury determined that this could also be of serious concern to other county residents, the issue of whether the Inspectors were in violation of property owner rights was pursued.

The Defensible Space Inspectors are trained by CALFIRE:

- a) In the requirements of the State Regulation⁽³⁾ pertaining to Defensible Space Inspections
- b) Property rights
- c) Encroachment issues
- d) Methods of identification to the property owner,
- e) Interfacing with the property owner
- f) Procedures of performing the inspections, etc.

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Conclusion, First Issue:

It is the opinion of the jury that the grievance by the complainant, specific to a violation of property owners' rights regarding Defensible Space Inspections, lacks merit, in that these inspections were conducted without any recorded complaint of violation, and within the provisions of the law^(1,2,3)

Summary of the Second Issue:

The second part of the complaint addressed:

The relationship or lack thereof between the Fire Safe Council and the Volunteer Fire Departments, with specific respect to the continued recruitment of volunteers, and personnel issues.

Findings, Second Issue:

In the investigation, the jury learned that there was a lack of communication between the Volunteer Fire Departments and the Fire Safe Council. There also appeared to be a level of confusion as to jurisdiction amongst the County Volunteer Fire Departments. It is the opinion of the jury that a County Fire Chief would be able to improve communication and clarify the jurisdictional issues and responsibilities.

Conclusion, Second Issue:

The jury concluded that this entire complaint embodies a common thread: the relationship between the Fire Safe Council and the local Volunteer Fire Departments. The jury found this matter to be a duplicate complaint to one investigated by the 2006 Grand Jury, as reported in the 2006 Grand Jury Final report (Public Safety Officer for east side). The 2006 Jury recommended the hiring of a full or part-time salaried Fire Chief. This remains a recommendation of the 2007 Jury.

Recommendations:

Therefore the Jury recommends the following to enhance the relationship for the benefit of those they serve:

1. The County hire a full or part time salaried Fire Chief. The position should be funded annually as a budget line item.
2. The respective County Supervisor(s) for Markleeville and Woodfords provide oversight for the integration of the Volunteer County Fire Departments leading up to hiring a County Fire Chief.
3. At the conclusion of the 2008 Defensible Space Inspections the Alpine County Board of Supervisors should convene a meeting with the FSC and the Volunteer Fire Departments Chiefs to report to the County on the results of the 2008 inspections and to communicate any recommendations for improvements for the 2009 season.
4. Hire a full time Defensible Space Inspector.

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- a) The new position of Defensible Space Inspector should be under the direction of the Volunteer Fire Chiefs for the interim, until a permanent County Fire Chief position can be filled, and a full spectrum of duties for the DSI can be identified.
- b) The DSI for the interim must have law enforcement citation authority. The regular presence of a DSI in the inhabited areas of Alpine Co. will promote a more cognitive appreciation by the community to defensible space objectives.

Footnotes:

- (1) Alpine FSC Courtesy Fire Safe Reviews Volunteer "Authority to Inspect property" Guidelines
- (2) Public Resources Code Section 4291-4299: defensible space parameters, i.e. 0-30' rule & 0-100' rule
- (3) California Code of Regulations, title 14, section 1299, Defensible Space description

The Grand Jury would like to thank those interviewed, who so willingly gave of their time to participate in this investigation.

The Jury remands the issue of hiring a County Fire Chief to the County Board of Supervisors to address, as the communication and relationship between the Alpine Fire Safe Council and the Volunteer Fire Departments for the safety of Alpine County residents in this matter is integral and can only rest within their ultimate conscientiousness.

b. Block Grants for Sierra Pines Mobile Home and Hung-a-Lel-Ti

The Complaint:

The Grand Jury received a signed complaint about two separate issues concerning Community Development Block Grant awards:

Community Development Block Grant funding was used for upgrading a sewage treatment and disposal system on private property then known as Sierra Pines Mobile Home Park in 2001. The complaint states that the owner did the work himself, that the owner subsequently sold the mobile home park, and that the system still does not work properly.

Community Development Block Grant funding was granted for the building of the Wellness Center at the Hung-a Lel-Ti community. The building is tied up in litigation and there has never been any public information about what has happened to the money or the facility.

Findings for the First:

The Grand Jury met with individuals from the county who deal directly with the people in the mobile home park and who were directly involved in the inspection and sign off of the septic system for the mobile home park. The Grand Jury also met with county officials and inspected the mobile home park and specifically inspected the grounds where the septic system is installed.

During these investigations the Grand Jury found that there is a current problem with the septic system that causes the septic system to back up at times. The exact cause of the problem is not known for certain. However, periodic “flushing” of the system relieves the problem. The Alpine County health officials are aware of the problem and have acted to demand that that owner of the property perform the periodic maintenance needed to keep the system operating properly.

Findings for the Second:

As stated in the complaint received by the Grand Jury, the Hung-a-Lel-Ti Wellness Center is in litigation. Because of the litigation, the Grand Jury did not investigate how the Community Development Block Grant funds were spent. This was left to the Court to adjudicate.

The Grand Jury did however meet with the Chairman of the Community Council whose duties include scheduling events for the Wellness Center. The Chairman was very excited and happy to have the opportunity to talk about the Wellness Center and to describe how it is available to everyone in Alpine County to use.

Currently the Wellness Center holds exercise classes two days a week. These classes are open to anyone who wants to participate. The gym is open from 4 PM to 10 PM Monday

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through Friday. From 4 PM until 8 PM it is open for youth sports activities (basketball is big) and from 8 PM to 10 PM the facility is open for adult sport activities. The gym is open all day on Saturday to everyone.

The Chairman gave the Grand Jury a tour of the Wellness Facility. In addition to the gym there are many offices and activity rooms. During the tour, the Chairman stressed that the goal of the Wellness Center is to promote overall physical and mental wellness – not just sports and exercise. It sponsors a mental health clinic, in the early stage of its operations, craft rooms, a kitchen to teach healthful cooking, an exercise room and more.

The Hung-a-Lel-Ti community publishes a calendar of events for the Wellness Center. However, there are limited means for distributing this information among the people in Alpine County, those outside the Hung-a-Lel-Ti community. During our visit it was our observation that there is nothing but good will and good intentions surrounding the Wellness Center and that the facility is open to everyone in Alpine County. What is needed is a better system for “marketing to” and informing the general community in Alpine County about the goals and activities of the Wellness Center. The Hung-a-Lel-Ti community strives for inclusion, not exclusion, for the entire community of Alpine County to participate in all activities of the Wellness Center.

Recommendations for the Second:

The Grand Jury recommends that the Alpine County Board of Supervisors assign the responsibility for updating and distributing the current events calendar in a timely manner to one department and/or instruction as to how to post activities and events should be provided. This should include information from all parts of the County and include the Wellness Center.

c. Fair Share

The Complaint

The 2007 – 2008 Grand Jury was asked to investigate a matter that relates to the recent significant growth and development in Kirkwood that has resulted in windfall property tax revenues to Alpine County. Kirkwood homeowners have repeatedly expressed discontent with the lack of county services provided to the Kirkwood community and the neglect of necessary infrastructure improvements to support the continued growth of Kirkwood. They specifically seek to understand whether county revenues and services received in Kirkwood are on par with other similar Alpine County communities such as Bear Valley and whether Kirkwood receives their fair share of the County General Fund.

Summary: Since 2005, Kirkwood homeowners, Kirkwood Mountain Resort management and other community organizations (Kirkwood Meadows Public Utility District and Kirkwood Community Association) have expressed concerns that the services Kirkwood receives from Alpine County are disproportionately small relative to what Kirkwood pays to the County in property tax dollars. The 2007 – 2008 Grand Jury was asked to investigate this issue and assigned four members to lead the investigation and report back to the Grand Jury. After learning that property taxes paid by Kirkwood homeowners are close to half of all property tax revenues assessed in Alpine County, the investigation focused on a comparison of services allocated to Bear Valley and to Kirkwood by the Alpine County Board of Supervisors (BOS). These two communities were selected because they are similar in nature; they are both ski resorts and are both predominantly second-home communities. Based on what was learned in interviews with county officials, the Grand Jury will make two recommendations. The first will ask that the Alpine County Board of Supervisors consider returning additional future monies to Kirkwood, funded by the incremental property tax revenue associated with Kirkwood's expansion, to help offset the costs incurred for snow removal and road maintenance that are presently being paid by the same Kirkwood homeowners that are contributing close to half of the property tax revenues to the County. The second recommendation will ask the Board of Supervisors to initiate an in depth and thorough analysis of the funding needs of each area of the County and determine fair and appropriate funding allocations county wide, one that is in line with the needs of the diverse areas within Alpine County.

Findings:

The committee began by reviewing the Alpine County Budget with a specific focus on the property tax revenue in the County. We then evaluated how the revenue for services in the County had been allocated and what governs its distribution. The focus of this inquiry was to look at two similar communities in the County, Bear Valley and Kirkwood, to understand the nature of services provided using monies allocated to the County Service Area #1 (CSA#1) in Bear Valley and to the Kirkwood Meadows Public Utility District (KMPUD) in Kirkwood.

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What Was Learned

Kirkwood contributes 46% of Alpine County's property tax revenue.

In 2007 – 2008, close to half of the property tax revenue in Alpine County (\$3,252,043) was collected from Kirkwood. Property taxes are determined as 1% of the assessed property value. This is consistent throughout the entire County. While property values throughout the County are increasing, Kirkwood's property values have increased by more in the past year than other County areas: Kirkwood 15% versus Bear Valley 11% and Greater Markleeville 9.7%. In addition, the growth in the assessed property values in the County are disproportionately funded by Kirkwood's expanding development. Kirkwood's property taxes account for 54% of the incremental property tax assessment for the period covering 2006 – 2007 to 2007 – 2008 versus 20% from Bear Valley and 25% from Greater Markleeville. The following table supports this finding.

2007-2008 Assessed Property Values – Alpine County

Property Values	Bear Valley	Kirkwood	Greater Markleeville	Total
Secured Homeowner Property Tax Exemption (HOPTE)	156,472,279	310,871,463	197,054,323	664,398,065
Unsecured (includes ski lifts) Homeowner Property Tax Exemption (HOPTE)	126,000	14,000	1,155,000	1,295,000
Non-Unitary (Utility lines/cable towers)	667,388	12,462,536	18,464,932	31,594,856
Total Assessed Property Value 2007 - 2008	157,265,667	325,204,271	218,785,225	701,255,163
% of Total	22%	46%	31%	
Total Assessed Property Value 2006 - 2007	141,480,671	283,093,641	199,412,450	623,986,762
Change in Assessed Value	15,784,996	42,110,630	19,372,775	77,268,401
% Year on Year Change	11%	15%	9.7%	12%
% of Annual Incremental Property Tax Dollar Growth 2007 - 2008 Total Property Tax Assessment	20%	54%	25%	
	\$1,572,657	\$3,252,043	\$2,187,852	\$7,012,552

The 2007 – 2008 Alpine County property tax revenues are allocated as follows:

County General Fund	61%
Alpine County School	19%
KMPUD	9%
CSA	2.9%
ERAF*	7%

*Education Realignment Augmentation Fund

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The Alpine County Board of Supervisors determines how the General Fund is spent within the County. The General Fund dollars are allocated to the following departments: Administration/Purchasing/Risk Management, Auditor/Controller, Board of Supervisors, County Clerk, County Counsel, District Attorney, Health & Human Services, the Library, the Museum, Planning Department, Probation Department, and the Sheriff's Department.

The vast majority of General Fund dollars appear to be allocated towards the Greater Markleeville area of the County. There it is used to pay for county infrastructure, programs and a full range of county services.

20% of Property Taxes Paid by Kirkwood Homeowners are Returned to KMPUD to Fund Their Business Operations.

The Kirkwood Meadows Public Utility District (KMPUD) was formed by a Local Agency Formation Commission (LAFCO) and approved by resolution in May 1984. The formation of KMPUD effectively transferred responsibility for the operation of water and wastewater systems, serving the Kirkwood community, from El Dorado Irrigation District to the KMPUD on July 1, 1985. In order to support these operations and according to the LAFCO document, the KMPUD annually receives 20% of the property tax revenues paid by Kirkwood residents with properties in Alpine County. With the increases in Kirkwood's assessed property values, the dollar amount returned to the KMPUD by the County has also increased. Over the years, the KMPUD's community service responsibilities have expanded to include fire and emergency services, parks and recreation, television cable, mosquito abatement, solid waste, snow removal and KMPUD employee housing.

Certain KMPUD activities are funded primarily through service fees and are referred to as Enterprise activities. These include water, wastewater, solid waste and snow removal.

Other KMPUD activities are funded primarily through property tax dollars (called Non-Enterprise) and include fire/emergency services, mosquito abatement and parks and recreation.

The funds returned to the KMPUD, the 20% of the property taxes paid by the Kirkwood residents in Alpine County equates to 9% of the total county property tax revenue or just over \$650k for FY 2007 – 2008. The property tax revenue received by KMPUD from the counties (Kirkwood is located in three counties: Alpine County, Amador County and El Dorado County) is pooled into the KMPUD Operating Fund. The KMPUD Board of Directors allocates these funds to defray the cost of day to day business operations of the KMPUD. This includes loan payments on the Employee Housing Building, the Community Services Building and the Vehicle Maintenance Storage Facility. Since the property tax revenues returned to the KMPUD from the three counties are allocated almost entirely to fund KMPUD operations and pay for KMPUD facilities, currently, very little comes back to the community to support required community services such as road repair or snow removal.

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The 2007 – 2008 KMPUD Budget allocates Alpine County property tax revenues of \$625,000 according to the following table.

	KMPUD Budget 2007 - 2008 Budgeted for 2007 - 2008 PROPERTY TAXES	All County** PROPERTY TAXES
REVENUES	\$625,000	\$739,300
EXPENSES		
Water	\$59,372	\$70,230
Wastewater	\$116,664	\$138,000
Electrical/ Propane Study	\$49,375	\$58,405
Vehicle Purchase	\$14,372	\$17,000
Vehicle Maintenance Loan	\$118,017	\$139,600
Generator Capital Costs	\$6,763	\$8,000
Employee Housing Loan	\$63,853	\$75,530
Fire Department	\$124,611	\$147,400
Cable Television	\$2,519	\$2,980
Mosquito Abatement	\$5,719	\$6,765
Parks and Recreation	\$13,011	\$15,390
Monitoring Well Installation	\$50,724	\$60,000
Total	\$625,000	\$739,300

**Kirkwood is located in three counties: Alpine, Amador and El Dorado. 85% of the property tax revenue returned to the KMPUD comes from Alpine County.

No property tax monies are allocated by the KMPUD for snow removal services nor is the KMPUD responsible for, nor do they allocate any county funds for Kirkwood road repair and maintenance.

Only County Roads Qualify for State Reimbursements for Snow Removal and Road Maintenance and Repair.

Alpine County Department of Public Works (DPW) operates on a budget that is approved by the Alpine County Board of Supervisors (BOS). Funds are spent as determined by the BOS. County tax dollars are not used to fund road improvements in Alpine County. Instead, State funds determined through the California Streets and Highways Code funds the maintenance, rehabilitation and construction of new roads and road improvements. For every gallon of gas pumped into vehicles in California, the State collects a vehicle and gasoline tax. Using a formula, the State allocates monies back to the counties from the special revenue fund called the Road Fund. These funds must be used for road and transportation purposes on county roads, those roads accepted and maintained by the County.

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The roads in Bear Valley were all designated as county roads in the late 1960s. None of the roads in Kirkwood, located in Alpine County, are designated as county roads but instead these are considered private roads by the County and as such are not eligible for State dollars received by the DPW through the Road Fund. The County has not accepted new county roads in many years due to the cost to maintain the roads. Since the roads in Kirkwood are considered private roads and are maintained by various Kirkwood Valley Homeowners Associations, they are not eligible for snow removal reimbursements from the State. This places the burden of road repair and maintenance as well as the expense for snow removal squarely on the homeowners in Kirkwood. The county roads in Bear Valley, on the other hand, do qualify for State road reimbursements to the DPW for road repairs and maintenance. While no monies come back to Bear Valley, the DPW is also reimbursed by the State for a percentage of the snow removal cost on county roads (including those in Bear Valley) based on a three year average cost across all counties in the State.

15% of Property Taxes Paid by Bear Valley Homeowners Are Returned to Bear Valley CSA#1 to Cover Snow Removal and Solid Waste Services.

When the Bear Valley community and resort was established in the late 1960s, all of the roads were accepted as county roads. Bear Valley is a County Service Area (CSA#1) that was established in 1976 under Proposition 13 guidelines. It was initially formed to administer snow removal services and homeowner payment for these services. Solid waste service was later added. Of the property taxes paid by homeowners in Bear Valley, 15% of that amount is returned to Bear Valley. This equates to 2.9% of the county property tax revenues or roughly \$220,450 for 2007 – 2008. These monies fund the operations of the CSA#1. The budget for the 2007 – 2008 period is \$369,996 and includes monies left over from previous budget year(s).

Additional services in Bear Valley paid for by the County include an elementary school, a library and a nurse both of which are located in the Perry Walther Community Center as well as funding for parks and fire protection. Bear Valley water is supplied to the community by the Lake Alpine Water Company. Bear Valley Water Company provides wastewater treatment. None of these services were studied in this analysis given time constraints.

Closing Summary

While Kirkwood and Bear Valley have adopted different models to fund community services and infrastructure, both communities rely heavily on their homeowner associations to fund services and infrastructure. And after developing a comparison of the services provided to these two areas it seems that the county funded support to Bear Valley and Kirkwood are dissimilar. Bear Valley seems to have some services in their community that are not provided to Kirkwood.

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What is strikingly similar in both communities is that funds from the County's General Fund are not allocated to support either community. The General Fund seems to be disproportionately allocated towards the Greater Markleeville area. Another similarity is that Bear Valley and Kirkwood are ski areas requiring viable roads and snow removal services. The County benefits from Bear Valley's roads being designated as county roads in that State funding is available to defray the costs of road repair, maintenance and snow removal. Kirkwood, on the other hand, is not eligible for State funding and with the County not willing to subsidize these services is further penalized due to their roads not being recognized as county roads.

- Kirkwood homeowners pay for snow removal via a service managed by the KMPUD on a not for profit basis. Homeowners in Kirkwood pay snow removal fees of more than \$420k annually for snow removal services.
- Road maintenance expenses in Kirkwood are paid by East Meadows Homeowner Association and West Meadows Homeowner Association from funds accumulated from homeowners association dues. The more traveled portion of Kirkwood Meadows Drive that is used by all vehicular traffic entering the valley is indirectly paid for by the homeowners and guests via civic fees that are collected on lodging and retail sales and directed to the Kirkwood Community Association to manage. As an example in excess of \$500k was spent on road maintenance and repairs in 2006.

Water Service: Kirkwood water service costs the community \$335k, \$60k of which is subsidized by the property tax revenue returned to the KMPUD from Alpine County. Bear Valley's water is provided by the Lake Alpine Water Company. The associated costs were not analyzed in this study and require further investigation.

Wastewater Treatment: Kirkwood waste water treatment costs the community \$531k, \$117k of which is subsidized from the property tax monies returned to the KMPUD. In Bear Valley sanitary sewer service is provided by Bear Valley Water District. The associated costs were not analyzed in this study and require further investigation.

Solid Waste: Kirkwood solid waste costs the community \$108k, with no property tax subsidy. In Bear Valley each property is assessed on their annual property tax bill for the solid waste assessment (the right to dump in Calaveras County). This amount changes every year because it is based on a cost share of the actual expense incurred. In 2007/2008 the solid waste assessment on the tax bill for a single family residence was \$101. The assessments are based on benefit assessment units and are different for each category (i.e. Residential Parcels: Unimproved parcels, Single Family, Residence with apartment; Commercial: unimproved lots, offices, grocery stores, laundries, hotels, etc).

The annual Solid Waste Transfer Station assessment in Bear Valley is set up in the same way with the benefit assessment units and different categories, except that the condos and

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businesses don't get assessed because they contract individually with the Solid Waste Contractor. The assessment for a Single Family Residence this last 2007/2008 year was \$123.48.

Public Safety: Bear Valley funds their Public Safety positions with a fire assessment for the 2007 – 2008 period of \$131,618. There are 5 positions in Bear Valley that include a Public Safety Supervisor and two Deputy Sheriffs. The budget for Bear Valley's Public Safety for 2007 – 2008 is \$159,643. Conversely there isn't a sheriff based in Kirkwood. Instead the Alpine County Sheriff drives through Kirkwood at least once a day and is on call for emergency situations.

The depth of this study was limited by time constraints. As such, this report does not include the complete costs or assessments that Bear Valley homeowners incur for water and wastewater treatment. To date this committee has only been able to quantify these costs for the Kirkwood community (in both Alpine and Amador counties). Further analysis is needed to evaluate Kirkwood's costs by County and to complete studying the Bear Valley community. This study has not attempted to understand or quantify how the General Fund, which is the recipient of 61% of the property taxes collected in the County (\$1,983,746 from Kirkwood and \$959,321 from Bear Valley), is apportioned to support services in the County.

Recommendation:

1. The Grand Jury recommends that the Alpine County Board of Supervisors consider returning additional amounts to Kirkwood funded from the year on year incremental property tax revenue (e.g. a portion of \$421,106, the increase amount for the period 2006/2007 to 2007/2008) associated with Kirkwood's expansion be earmarked for Kirkwood to partially offset the costs incurred for road maintenance and snow removal on the roads in Kirkwood that are located in Alpine County.
2. The Grand Jury recommends that the Alpine County Board of Supervisors and/or the County Administrative Officer initiate a study to perform an in depth and thorough analysis of the funding needs of each area of the County and determine appropriate allocations county wide, in order to ensure a fair and equitable allocation of revenues and services throughout the County, one that focuses on the unique needs of each of the diverse communities in Alpine County.