



**IN BRIEF**

**Lawsuit filed against Supervisor Bill Postmus**

SAN BERNARDINO — After county attorneys denied a public-records request, a San Bernardino newspaper along with San Rafael-based California First Amendment Coalition filed a lawsuit Thursday in San Bernardino Superior Court.

First District Supervisor Bill Postmus, 2nd District Supervisor Paul Biane and San Bernardino County are named as respondents in the lawsuit.

The records requested were Postmus' calendar to establish where he was while the Sawtooth and Millard fires burned.

County attorneys rejected the requests, saying that it would not be in the public interest to reveal the supervisor's "deliberative process."

Biane also refused to release his calendar, while the other three supervisors did so on request.

**Deputy district attorney takes seat behind bench**

BARSTOW — New Superior Court Judge Steve Malone is already at work behind the bench even though his six-year term starts with the new year.

An early appointment from Gov. Arnold Schwarzenegger allowed Malone, formerly a deputy district attorney, to assume his position and fill a vacancy Dec. 11. Malone assumes Seat 4.

Malone, a Republican, lives in Highland. He said he might move later, but for now he doesn't want his daughter to have to change high schools. He and his wife, Patti, have four daughters and one son.

**Tree disposal available across Victor Valley**

VICTORVILLE — Now that Christmas is over, a second life awaits holiday trees.

Residents of Victorville and Hesperia can leave their natural, unflocked trees at the curb to be recycled.

In Victorville, trees — which must be cut to 4-foot lengths — will be picked up on residential customers' regular trash days this week and next.

Victorville apartment dwellers can drop off trees from 8 a.m. to 4 p.m. Saturday and Jan. 6 at the San Bernardino County Fairgrounds near Gate E.

For Hesperians, trees will be picked up on customers' regular trash days now through Jan. 19.

In Adelanto, trees will be collected curbside now through Jan. 6. For more information, call Victorville Disposal at 245-8607.

In Apple Valley, trees can be dropped off at Lion's Park or in a lot west of the Apple Valley Fire Protection District station on Headquarters Road just off Central and Outer Highway 18. Trees will be accepted through Jan. 6.

**Correction**

The address of World Grill was omitted from a story on page D1 in Wednesday's Daily Press. The restaurant is located at 14740 Bear Valley Road, where Pagano's restaurant used to be. World Grill's phone number is 947-8450.

— Compiled from staff reports

## Gas 101 takes on price hikes

Woman representing consumer group accuses oil companies of collusion

By ERIK DERR  
Staff Writer

No matter the prevailing weather, temperatures at High Desert gas stations range from hot to cold — as fuel costs leave consumers simmering with anger or feeling numb to the hope prices will ever improve.

"What else can you do?" asked Andy Wilton, a construction worker from Hesperia who was recently filling his pickup at the Thrifty Gas near the intersection of Park and Palmdale roads in Victorville.

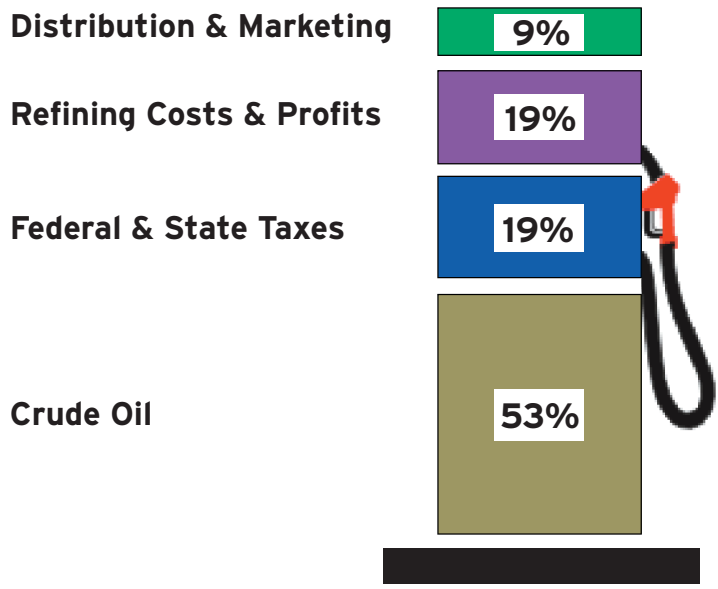
"The oil companies have all the control and I think they're just jerking us all around," said Tanya Rios of Victorville.

The problem, said Frederick Hogue, also of Victorville, is few people see any rhyme or reason behind what gas retailers charge.

"Someone or some entity needs to explain once and for all why ... when, as now, the oil prices are dropping — the gas prices are rising," said Rios.

**What Do We Pay For in a Gallon of Regular Grade?**

2005 Average Retail Price: \$2.27/gallon



Source: Energy Information Administration, Washington, D.C.

All of the area gas station workers contacted by the Daily Press said they either wouldn't comment or couldn't explain prices because they're set on the corporate level. Said one station assistant manager, "we just get the call." Industry analysts predict gas



Michael Stenerson / Staff Photographer

Drivers fill up their cars Friday night at the Shell Station on the corner of Palmdale Road and Park Avenue. The hows and whys of the price of gas continues to elude most Americans as prices have fluctuated greatly throughout the year.

prices, currently estimated at an average \$2.63 a gallon throughout the greater Los Angeles area, could surge past the \$3 mark by February.

According to the federal Energy Information Administration, retail gas prices are driven by the cost to produce and deliver gasoline, which includes the costs of buying crude oil, refining it, marketing, distributing and operating retail stations.

Federal and state taxes also figure into the price.

The agency further explained gas prices fluctuate even when crude prices are stable as a result of retail competition, seasonal spikes in demand or disruptions caused by world events, natural disasters or refinery and pipeline problems.

GAS 101/B7

## Hesperia, Re-vitalized

\$3.8M project set to roll out smoother streets and home improvements for township

By HILLARY BORRUD  
Staff Writer

Over the past year, city officials have pondered different approaches to anchoring Hesperia's identity and civic core to the original township around Main Street, between Seventh Avenue and Hesperia Road.

The new City Hall and branch library buildings completed in the fall helped, but with fresh commercial and residential development projects springing up along west Main Street on the way to Interstate 15, city officials felt they needed to implement an ambitious program to revitalize the old neighborhood.

The resulting program is the first of its kind in the High Desert, according to spokeswoman Kim Summers.

"The idea here is let's bring it back to a street standard that you would see in traditional downtowns," said Scott Priester, director of development services for Hesperia.

The City Council adopted the most detailed version of the program to date at a meeting on Dec. 20.

The first phase of the project will cost approximately \$3.8 million and include repaving and other improvements along two streets within the Township Revitalization Program boundaries: Smoke Tree Street and Spruce Street, across from the new City Hall.

Hesperia is funding the program with approximately \$1.59 million in redevelopment agency funds, \$788,000 in water capital and \$1.42 million in sewer capital.

Based on the degree of success with the initial



Aaron J. Walker / Staff Photographer

Spruce Street will be one of the first streets upgraded as part of the Township Revitalization project between 7th Street and Hesperia Road in Hesperia.

streets, the city will continue the program on two streets at a time, within the boundaries of Seventh Avenue to Hesperia Road and Hercules Street to Orange Street.

The city will also be installing water and sewer lines in the area, which relies on septic

systems despite generally small lot sizes. Some lots are vacant due to requirements that any new homes of a certain size connect to a sewer, Summers said.

REVITALIZED/B2

## Candidates eye open Hesperia Parks seat

Two former candidates and former school board member are possible selections

By HILLARY BORRUD  
Staff Writer

HESPERIA — With Thurston "Smitty" Smith, former vice president of the Hesperia Recreation and Park District Board of Directors now serving as a city councilman, the remaining four board members could vote on his replacement as soon as Jan. 10.

As of 5 p.m. on Friday, only three candidates had submitted applications for the position: Jack Hamilton, who served 19 years on the Hesperia Unified School District board, and Bill Smith and Mike Lampignano, who came in fourth and fifth respectively in the Nov. 7 recreation district election.

Cal Camara, the general manager for the Recreation and Park District, said that the appointment will probably be an agenda item at the Jan. 10 board meeting because of the small number of candidates. During the meeting, candidates will likely be invited to share reasons why they are seeking the board appointment, Camara said.

"It was kind of a spiritual decision," said Hamilton, who added that he simply felt his time on the school board had come to a natural end. When he saw an item in the newspaper that discussed Smith's election to the City Council, Hamilton began to consider whether it could be his next opportunity to become involved with the city.

"My whole life has been wrapped up in sports and recreation," said Hamilton, who

PARKS/B7

## Apple Valley town councilman rallies support for outsider

Bob Sagona throws backing to Twentynine Palm's Councilman Jim Bagley for county supervisor

By CATHERINE WILKINSON  
Staff Writer

APPLE VALLEY — Apple Valley Town Councilman Bob Sagona is rallying support from other High Desert elected officials to support Twentynine Palms Councilman Jim Bagley — instead of his own co-council member Mayor Rick Roelle. Other councilmembers are noncommittal.

"We've had some differences on this council and (Sagona) is leery that if I get this position then Dan

Seagondollar will get the council seat because he was the highest vote getter," said Roelle. "It disappoints me that with some of these issues that he can't get beyond that."

Roelle said he has not publicly asked for endorsements because the position is an appointment and not a campaign. He believes 1st District Chief of Staff Brad Mitzelfelt's efforts to be appointed are beginning to resemble an election.

"He's making it political and

that's the wrong approach," he said.

Earlier this month, Sagona publicly announced on the Barbara Stanton radio show that he was going to support Bagley, citing he was the most qualified applicant for the job.

"He (Bagley) has the motivation to do a great job and is in it for the right reasons," Sagona said.

"Rick is genuine in his wishes to give this a try but he knows he has less years of experience."

Other council members say they

"I'm not going to back Rick just because he is from Apple Valley. If I get behind someone it will have be someone who can represent the district as a whole."

SCOTT NASSIF  
Apple Valley councilman

are remaining neutral or undecided at this point whether they will back anyone vying for the open seat.

Scott Nassif applauds Roelle for stepping up and taking on the challenge but said he will wait to see who all of the applicants are before making a decision.

"It's a big responsibility," Nassif said. "I'm not going to back Rick just because he is from Apple Valley. If I get behind someone it will

have be someone who can represent the district as a whole."

Mayor Pro Tem Tim Jasper issued a statement.

"Since I have worked so closely with others who've applied, it would be unfair for me to single one out over the other," he said.

Councilman Peter Allan is out of the country.

Catherine Wilkinson may be reached at 951-6232 or cwilkinson@vvdailypress.com

OBITUARIES

JAMES BADDERS

James L. Badders, 69, passed away Dec. 19, 2006, in Apple Valley.

Jimmy was a lifetime resident of California. He was born Oct. 26, 1937, in Pomona, where he lived for 44 years. Then he moved to Hesperia, where he lived for the next 25 years.

Jimmy is survived by his father, Charlie Badders of Hesperia; sister Carole and her husband, Del Leis, all of Hesperia; and nieces Michelle Reed of Hesperia and Janelle Mauldin and her husband, Troy, of Victorville. He was uncle to Stephanie, Richard and Josiah Coronado of Charleston, S.C., and Aaron Reed, Tristin Mauldin and Joslynn Mauldin, all of the High Desert.

Jimmy will be missed by family and friends.

He was preceded in death by his mother, Louella Badders.

Funeral services will be at 11 a.m. Wednesday at Pomona Mausoleum, 502 E. Franklin in Pomona.

Condolences may be sent to www.arrowheadaftercare.com.

Arrowhead Aftercare in Highland is handling arrangements.



LEWIS

er and her husband, Robert, of Concord, N.H.; grandchildren Corrina and Graham Lewis of San Diego and Paul Butts and his wife, Dannielle, of Russellville, Ark.; and great-granddaughter Emma Rose Butts of Russellville, Ark.

A celebration of George's life will be at 2 p.m. Friday at Sunset Hills Mortuary.



YATES

Juanita "Nita" G. Yates, 77, passed away Dec. 27, 2006, at her home in Apple Valley.

Born Oct. 9, 1929, in Joplin, Mo., Nita was a 60-year resident of San Bernardino County and previously worked as an executive secretary. She loved her family and family gatherings. Nita also loved gambling and going to casinos. She was a past president of the San Bernardino Eagles Lodge.

Nita was preceded in death by her husband Lee C. Yates and her brother Gearl Keltner.

She is survived by her loving brothers and sisters Donald Keltner of Hemet, Dennis Keltner of Anza, Bonnie White of Anaheim and Pauline Stephenson of Selah, Wash.; devoted children Steven L. Yates Sr. of Newberry Springs and Susan G. Yates of Apple Valley;

grandchildren Nathan P. Roath of Apple Valley, Steven L. Yates Jr. of Newberry Springs and Jennifer I. Yates of Newberry Springs; great-grandchildren (her jewels) Steven L. Yates III of Newberry Springs, Velia Yates of Newberry Springs, Jessica Sarah Roath of Apple Valley and Jacob Paul Roath of Apple Valley; many nieces, nephews, great-nieces and great-nephews; and sisters-in-law Merlene Stephens of Silverton, Texas, and Ora Holmes of California.

Nita's family would like to give a very special thank you to family and friends; and Community Hospice of Victor Valley, for your love, support and endless hours of help.

Visitation will be from noon to 1 p.m. Tuesday at Sunset Hills Mortuary Chapel, 24000 Waalew Road in Apple Valley. Services will follow at 1 p.m.

Sunset Hills Mortuary is handling arrangements.

THEREACER ALEXANDER

Apple Valley resident Thereacer Mildinzer Alexander, 60, died Dec. 21, 2006.

Visitation will be at 9:30 a.m. Tuesday at Friendly Temple Church of God in Christ, 16570 E St. in Victorville. Services will follow at 10 a.m.

Desert View Funeral Home is handling arrangements.

CALVA JONES

Victorville resident of 27 years Calva Agnes Jones, 86, died Dec. 26, 2006.

Services will be private. Victor Valley Mortuary is handling arrangements.

RAY MCCARDELL

Phelan resident Ray A. McCardell, 64, died Dec. 17, 2006.

Committal services will be at 1:45 p.m. Thursday at Riverside National Cemetery. Pastor Robin Montgomery will be officiating.

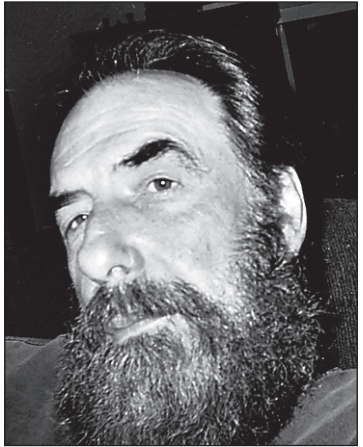
Desert View Funeral Home is handling arrangements.

ILENE PACK

Hesperia resident of 51 years Ilene Pack, 90, died Dec. 28, 2006. Family services will be private.

Kern Hesperia Mortuary is handling arrangements.

Some obituaries in this section are paid for by families of the deceased, who also provide the information. The Daily Press is not responsible for the accuracy of the information published in paid obituaries. Short death notices are also offered, and these are free of charge.



FITCH

JOSEPH FITCH

Joseph Andrew Fitch Sr., "Bro Andy," 59, of Victorville, passed away Dec. 11, 2006.

Born Nov. 22, 1947, in San Pedro, Joseph was the son of Jack Fitch and Beverly La Rue. He was a lifetime resident of California and was self-employed.

Joseph is survived by his wife of 28 years, Marie Fitch; four children, Christal Marshall of Barstow and Joseph Andrew Fitch Jr., Jessica Torres and Holly Fitch, all of Victorville. He also had eight grandchildren that he loved very much; brothers John Fitch of Apple Valley and Tom Jackson and Nick Wheeland of New Orleans, La.; sisters Cathy Fitch of Apple Valley and Jamie Wheeland of New Orleans, La.; along with many aunts, cousins, nieces, nephews and friends.

We all love you Andy, always and forever.

Victor Valley Mortuary is handling arrangements.

GEORGE LEWIS

George Lind Lewis, a 45-year resident of the Victor Valley, died Dec. 26, 2006.

Born in the Bronx, N.Y., Feb. 1, 1917, George joined the U.S. Army in 1940, and was stationed in Virginia and Panama before his assignment to Hawaii, where he met and married Barbara Jean Seach in July of 1947. The couple moved to California, where they raised their two sons. George owned and managed the Victor Valley agencies of George Lewis Insurance (now Dan Smith Insurance). He was a member of the Rotary Club and Toastmasters, and was a long-time member of the Apple Valley Country Club.

His survivors include his wife, Barbara; son Christopher Robin Lewis and his wife, Anna Slavick, of Apple Valley; son Steven Lewis and his wife, Victoria, of Apple Valley; granddaughter Robin Marie DesRosi-

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Revitalized: Foot, auto traffic to be better accommodated

FROM B1

Curbs and gutters will also be installed, streetlights and landscaping will be put in place, and rear alleys will be eliminated.

"The first indication of whether it's going to be successful or not is the first two streets we are going to put in," said Priester, who added that he would like the program to encourage the "walking aspects" of the neighborhood where residents are a short distance from the branch library and planned downtown park.

"Because it's the first one and there are not really other cities to model after, it's taken us longer to get input and hire a consultant," Summers said.

City officials are concerned about crime and the rundown appearance of some lots in the neighborhood, where Summers said unlicensed dogs run loose and abandoned cars and furniture are more common than in other areas.

"We don't want the residents to think the police are coming in and



Aaron J. Walker / Staff Photographer

Cars leave the Hesperia City Hall and Library branch parking lot. Spruce and Smoke Tree Streets between 7th Street and Hesperia Road are the first two streets scheduled for upgrade as part of the Township Revitalization project.

looking for people," Summers said, but police and code enforcement presence will be increased as part of the program.

The city will work with residents to start a neighborhood watch program and will provide zero-interest loans to property

owners who want to connect to the sewer and make improvements on their homes.

"We're really trying to build partnerships with the people that live there," Summers said.

The city plans to begin construction in the summer of 2007.

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Table listing various car models and prices: 02 FORD EXPLORER PU, 04 DODGE GRAND CARAVAN, 01 MITSUBISHI ECLIPSE GT SPYER, 04 HONDA ACCORD LX, 04 DODGE 1500 QUAD CAB P/U, 05 TOYOTA HIGHLANDER, 04 TOYOTA SEQUOIA SR5, 05 CHEVY TAHOE SUV, 05 NISSAN MAXIMA SL.

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# Congress extends flood insurance

By BEN EVANS  
Associated Press Writer

WASHINGTON — The federal flood insurance program may be going broke after incurring \$20 billion in debt from recent storms like Hurricane Katrina. Still, politicians want to extend the taxpayer-subsidized coverage for some of the riskiest — and potentially most valuable — properties in the country.

For all it didn't accomplish this year, Congress passed two bills carving out exceptions to a law passed years ago to phase out federal spending that might encourage development in environmentally sensitive and disaster-prone areas.

One of the bills benefited Jekyll Island, a vacation spot off Georgia's coast that is poised for redevelopment, while the other helped a mostly undeveloped 10-lot subdivision on Florida's Gulf Coast.

A handful of similar proposals are pending. After seeing the success of the Georgia and Florida bills this year, property owners in Alabama, Texas and elsewhere are lobbying for their own continued coverage.

"You only have to look at 300 miles of Katrina and Rita wasteland to see that bankrolling federal flood insurance in high-risk areas is just asking the American taxpayer to flush money down the toilet," said Oliver Houck, director of the environmental law program at Tulane University in New Orleans. "If people want to build out there, that's

one thing. But to build out there with federal support is insane."

The debate involves a Reagan-era environmental law called the Coastal Barrier Resources Act that was hailed as a free-market approach to conservation. Instead of restricting where private landowners could build, the law, nicknamed COBRA, mandated that the government would not subsidize such construction, whether through flood insurance, roads or otherwise.

However, Congress has repeatedly chipped away at the covered territory, often in response to wealthy property owners who argue they were mistakenly included. Lawmakers have redrawn COBRA maps more than 40 times in the past 15 years, according to the U.S. Fish and Wildlife Service, which oversees the maps.

At least four other bills stalled this year, and Fish and Wildlife officials say they have received more than 20 other requests for changes.

Even critics concede that mapping corrections are sometimes warranted and that the two exemptions approved this year are hardly a blip in the federal flood portfolio, which carries 5.4 million policies and recently eclipsed \$1 trillion in coverage.

But they say Congress' continued willingness to extend coverage is alarming, particularly in the hindsight of Katrina.

"The underlying principle is



The Associated Press

A sign marks the future site of a hotel and condominium redevelopment on Jekyll Island, Ga. The sign states the new development will benefit from one of island's greatest amenities, the undeveloped natural beach. In 2006, two bills carving out exceptions to a law passed years ago were passed to phase out federal spending that might encourage development in environmentally sensitive and disaster-prone areas. One of the bills benefited Jekyll Island.

that every time COBRA runs up against individual interests, it's always COBRA that loses," said Steve Ellis, vice president of the watchdog group Taxpayers for Common Sense. "These are clearly areas where there's a lot of development pressure and COBRA's having an impact in denying that."

Despite anecdotes that private flood insurance is unavailable, industry officials say it is for sale, just without the government subsidies.

It's those subsidies that have put the federal system in need of a taxpayer bailout. The program owes the Treasury \$20 billion. It takes in just \$2 billion a year in premiums. More than a third of that — nearly \$720 million a year — is now eaten

up by interest on the debt.

Congress has wrestled with reforming the system by raising premiums and placing new requirements on homeowners. But lawmakers adjourned again this year without acting.

Instead, in the two COBRA bills that were passed, they added hundreds of high-risk properties and paved the way for new construction on vulnerable land.

Six of the 10 lots exempted in the Grayton Beach, Fla., bill are vacant, owned by out-of-state investors. About two-thirds of the 600-plus houses on Jekyll Island are vacation homes, and state officials are reviewing sweeping proposals for new construction on the island.

# Search for remains at Ground Zero expanded

NEW YORK (AP) — The search for human remains at the World Trade Center site will be expanded, a city official said Friday, hours before searchers found what may be more bone fragments at the site.

In a memo to Mayor Michael Bloomberg about the search for remains, Deputy Mayor Ed Skyler said debris believed to be from the towers had been dug up from under a service road on the site's western edge and said more of the road would be excavated.

Crews sifting through the material have reported finding computer parts, office carpet, electrical wires and steel from the building.

"Based on the appearance of what could be WTC-related debris in the trench, the majority of the haul road requires further excavation," Skyler wrote. He said officials had identified another 165 underground utility cavities in the streets around the site that need to be searched, bringing the total number to nearly 600.

# Parks: Recreation careers drive candidates' desires

FROM B1

has coached Little League, soccer and basketball and has two sons who are basketball coaches.

Smith said that he is applying for the appointment for the same reason he ran for the position: He believes his career in recreation services has prepared him to serve the community well in that area.

Smith currently works as director of community services in Colton, a position that includes working on recreation activities and park development. January 2007 will mark Smith's 25th year working in recreation, he said, with former jobs in Ontario and San Bernardino.

"I was hoping there would be more people wanting to get in there," Smith said. "But any of those candidates would be good, qualified people. It'll still be a tough choice."

Lampignano said he is applying for the position because he believes that he can assist the current board in meeting the needs of the community.

"The park board is more a labor of love," said Lampignano, offering one possible explanation for the small applicant pool. "I'm sure any of the three of us will do a good job."

Hillary Borrud may be reached at 951-6234 or hborrud@vvdailypress.com.

# Gas 101: 18.4 cents of every gallon from federal tax

FROM B1

The Organization of Petroleum Exporting Countries, more commonly known as OPEC, is frequently blamed for raising prices.

The EIA asserts OPEC has the potential to influence oil prices worldwide because its members possess such a great portion of the world's oil supply, accounting for about 40 percent of the world's production of crude oil. OPEC also holds more than two-thirds of the world's estimated crude oil reserves.

Then there is an 18.4-cent-a-gallon federal excise tax and an 18-cent-a-gallon state excise tax, topped off by another 7.25 percent in state and federal sales and usage taxes.

California prices, federal officials say, are more variable than others because there are relatively few supply sources for the state's unique blend of gas. California operates its own reformulated gas program with tougher requirements than federal mandates.

Judy Dugan, of the Santa Monica-based Foundation for Taxpayer and Consumer Rights, contends gas prices are so high and volatile because oil companies want to make more money.

Gas prices don't, in fact, follow actual production or distribution costs, she said, because if they did, they'd be a lot lower.

Dugan said 80 percent of the

world's oil industry is controlled by a handful of companies and she accuses them of collusion, "but not overt collusion, with back-room meetings and fat cats with cigars."

Instead, oil companies have cooperatively manipulated the system. Evidence suggests companies have intentionally kept oil reserves low.

An Associated Press investigation found big oil companies have been crimping supplies in subtle ways across the country for years.

The analysis, based on data from the U.S. Energy Information Administration, indicates that the industry slacked off supplying oil and gasoline during the price boom between early 1999 and this last

summer, when prices began to fall.

Dugan's group calls on lawmakers to rewrite federal anti-trust and price gouging legislation that would close the loopholes oil companies use to skirt around laws.

The group also wants to see stricter oil industry regulations. "The individual doesn't have any real power to do anything, except get out of their car," Dugan said, and that typically isn't possible in suburban California.

The government, she said, "can no longer take a hands-off position."

Erik Derr can be reached at 955-5358 or ederr@vvdailypress.com.

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**BNSF RAILWAY CROSSING RENEWAL PROJECT HWY 395 IN THE CITY OF BORON**

HWY 395 northbound and southbound traffic lanes will be closed from 12:00 midnight until 4:00 am on 1/03/07. The southbound traffic lanes will remain closed until 12:00 pm noon and the northbound traffic lanes will reopen for traffic at 4:00 am on 1/03/07.

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