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It's been called a dispute, a disagreement and a fracas, among other things. Supervisor Larry Montna has another term to describe the political showdown between many in Sutter County government and the Sutter County Taxpayers Association: War. For almost three years, following the passage of a new pension plan for county employees, the taxpayers association has been an outspoken critic of "Team Sutter," the name county leaders gave themselves to demonstrate a group commitment to civic service.

SCTA, however, insists Team Sutter's play calls are, time and again, not in the best interests of residents. "We're the best friend that Sutter County homeowners and small-business owners and citizens have," SCTA President Robert Mackensen said. The positions and arguments of the organization have gained momentum recently. In November, longtime District 2 Supervisor Dennis Nelson was defeated by Stan Cleveland, a political newcomer who advocated many positions similar to SCTA's. Then, in June, the Sutter County grand jury criticized recent pension increases for county employees - increases SCTA has, for more than two years, argued are bad for the county's bottom line.

The grand jury also ripped county officials for their actions in the back-and-forth process, saying officials have a higher responsibility to remain civil in the face of criticism because they represent the public. "The origin of rancor involving the Board of Supervisors and various community organizations is irrelevant," the grand jury wrote in its report. "Distilled to the most basic analogy, it is not as important why the kids are fighting as it is that they stop." Those recent events, the organization says, show SCTA's increasing success challenging a local government that is not being open with its constituents about the fiscal impact of its decisions.

"The fact is, they do not freely exchange information," SCTA Treasurer Elaine Miles said. "The fact is, they do not accept criticism. The fact is, it's not open and informative for the public." Those who often find themselves in the sights of SCTA's criticisms and accusations charge the organization is not primarily concerned for the best interests of the county, has abandoned the organization's traditional fiscal watchdog role of decades past, is primarily functioning as a political front for Auditor-Controller Robert Stark and is out to satisfy members' personal vendettas. "They have their own agenda, and their agenda is not being very productive for the betterment of Sutter County," Supervisor Jim Whiteaker said. "Their agenda is to create chaos and demean and degrade the board, and when that's being done in our meetings, there's nothing being done to help Sutter County."

SCTA's ultimate goal is not to watch how taxpayer money is spent, but rather to seek the dismissal of longtime County Administrator Larry Combs, the organization's critics

say. Besides, they argue, isn't it hypocritical for SCTA to claim local government isn't open enough when the organization, which claims 54 paying members, refuses to publicly release its bylaws or the names of its members or full board of directors? "You know, it's difficult to explain, because I don't think they're very forthright with us," Supervisor Dan Silva said of the taxpayers association. "They're simply attempting to make everything the county does seem wrong," Combs said. "Whatever it is, the county's wrong."

The battles fought since this war began almost three years ago have been broad on topics, and arguments have looked and played out more like a TV talk show than public meetings at times. Issues SCTA members and the county have locked horns over include employee pensions, salary increases, levee maintenance, influence over grand jury reports, reimbursement of travel expenses and mileage; the board's adherence to the Ralph M. Brown Act, which governs openness of public meetings; actions concerning Stark; ranchette zoning; new development projects; changes to the Food Processing, Agricultural and Recreation Combining District near the community of Sutter; back-and-forth accusations of lying and dishonesty, and even court-house metal detectors being sensitive enough to be triggered by the wire in bras.

Board members have called SCTA members "ignorant" and "peons" and likened the organization to the Ku Klux Klan. "I've got to where if they say anything, I don't answer them anymore, because I found it doesn't pay to answer them back, because they're looking for an argument," said Supervisor Larry Munger, who has been rebuked by critics for telling an audience member to "shut up" and calling Mackensen a "peon who wants to run the county" during meetings. "I'm not going to give them that opportunity anymore." Over several months, the Appeal-Democrat has chronicled interactions, conducted interviews with those primarily involved in the dispute, collected documents from SCTA and the county, and researched public records to outline reasons behind the dispute and look at what the future might hold for politics and taxpayers in Sutter County.

Most of those intimately involved on the two sides say more peaceful interaction isn't impossible. But what it will take to achieve that peace is far from a unanimous conclusion. "We're not getting anyplace," Montna said. "We've got to get through this and move on to make things better for the citizens of Sutter County, in my opinion." Have things changed? The history of the Taxpayers Association dates to 1967, when the organization incorporated, according to data from the California Secretary of State's office. Most counties have an active group identifying itself as a taxpayers association, Combs said.

"Normally, it's a - conservative, I'll label it - group that is very critical of taxes, very

critical of inefficiency and waste in government; those kinds of things they see as not of benefit to the public taxpayers,” he said. He called such functions “a good role.” “It’s an outside voice,” he said. Combs said he has interacted with SCTA from the time he became county administrator in 1983. But, he said, the SCTA of the past acted much differently and was much more open than SCTA is now. “You could know who their members were,” Combs said. “They invited you to meetings to talk to them. I went to several meetings of the taxpayers association and had discussions with them. They asked questions, we debated certain concepts, I presented facts to them, they came to their own conclusions.”

In the past, he said, the organization was a positive force in the county. “Despite the fact that I disagreed with their point of view in the early ’90s, they had a much more positive approach to things,” Combs said. “Positive meaning they were seeking information and asserting a point of view that wasn’t anti-, as they call it, administration, which includes the board and I.” That’s no longer the case, he said. “This is a very closed group there’re references by Mr. Mackensen to the fact that the group was fairly inactive for a period of time and was only reactivated to support Bob Stark,” he said. “So, in essence, this current group is nothing but a political action committee. It has no real taxpayer interest involved.” Combs’ claim was disputed by Mackensen, who provided the Appeal-Democrat a folder of documents showing SCTA’s political activity for several years prior to the pension increases.

In 2003, SCTA wrote two letters to supervisors about the Historic Preservation Ordinance and the South Sutter Specific Plan.

The documents Mackensen provided included nothing between October 2000 and September 2002. Appeal-Democrat archives show SCTA-sponsored candidate debates and announcements of regular meetings held at the Sutter County Library. Montna, who joined the board in 2005, shortly after the pension increase, also served a term on the board from 1989 to 1993. He recalls the Sutter County Taxpayers Association being active in the Sutter Bay Associates development proposals in the south county.

“I don’t remember them being as aggressive as they are now,” he said. “I think some of the runners and players involved in the taxpayers have changed from then until now. I don’t remember Mackensen and (Miles) and some of them being there.”

Munger, who has been on the board since 1995, said he was a SCTA member in the late ’90s. Mackensen has his doubts.

“Well, he never attended a meeting,” he said of Munger. After becoming a supervisor, Munger said, he had positive relationships with long-term members such as Leslie “Doc” Libby and Harry Pappas, who regularly attended board meetings. “Both of those

guys would come and, if they had a question, you could sit down with them and talk to them and work things out,” Munger said. But through age and death, many of those old members are no longer with the organization, he said. “There were some real good people that were in there, and I even asked why they (left), and they didn’t like the direction that the taxpayers (association) was going,” Munger said. “And that’s basically why I left it also.”

Cleveland said the tone of SCTA has changed through the years from vocal to caustic to questioning, but that it correlates to resistance the organization receives from governing bodies. “Over the last few years, it has become more vocal and something very negative for the matter that being stonewalled is not a good thing to be doing by a governmental agency,” he said. The association’s leadership calls its current conflicts with county government a “three-year blip” in SCTA’s history. The amount of time the organization focuses on county and city politics ebbs and flows, depending on the issues. In other cases, city and county issues are intertwined, such as levee repairs and annexations. “I’ve attended more city council meetings,” Miles said of her political participation.

Trials of the grand jury

A grand jury is an independent body of citizens tasked with looking into the functions of local government. In a local government environment as tumultuous as Sutter County’s has been, that makes the grand jury a lightning rod for criticism. SCTA said pension findings in the latest Sutter County grand jury report substantiated its claims that the increases will negatively impact the county. Within hours of the report’s release, county officials struck back, challenging findings in the report as being the work of biased grand jury members, and alleged that SCTA had a hand in tainting the grand jury pool. Their proof? Eleanor Mackensen, wife of Robert Mackensen, sat on the grand jury. Robert Mackensen scoffed at the idea. “My reply, to those who wonder, is that I know my wife ... is sharp,” he wrote in a letter to the editor. “But I had no idea she could single-handedly twist 18 grand jury members around her little finger. What a woman!” While SCTA says Eleanor Mackensen isn’t capable of manipulating a grand jury, for the two previous grand juries, it said, Larry Combs manipulated jurors into indicting Stark on criminal charges.

In 2005, Stark was indicted on 13 felony counts alleging misappropriation of public funds. Stark’s assistant, Ronda Putman, was indicted on two counts. An appellate court has held up six of the charges against Stark, while Putman’s charges were later dismissed. A year later, Stark was indicted by the next grand jury on two felony counts of filing false versions of the county budget. Stark would be forced to relinquish his office as auditor-controller if he is convicted of any of the felonies. The state Supreme Court has yet to rule on Stark’s appeal of the charges. The taxpayers association

quickly jumped to Stark's defense and accused Combs and District Attorney Carl Adams of manipulating those grand juries into indicting Stark and Putman. SCTA filed its own eight-page response, signed by Mackensen, to the 2004-2005 grand jury's final report. In it, SCTA accused the grand jury of choosing facts to meet an anti-Stark agenda.

"With respect, the Grand Jury has not only ignored the Constitutional Rights and Obligations of the Citizens, it has made statements that have the negative affect (sic) of further diminishing the citizens' right to oversee and question its government," Mackensen wrote. A press release on the response released by SCTA accused the grand jury of wanting to prevent the public from questioning the county. "We believe the attack on Robert and Ronda is an effort by County Administrator Larry Combs to gain complete control of Sutter County government, and the citizens must do everything in their power to not let that happen," Mackensen was quoted as saying in the release.

After the second round of indictments, SCTA went on the offensive again. In an Appeal-Democrat story, Mackensen declared the grand jury indictment process a "kangaroo court," adding that additional charges against Stark while the court was still ruling on the previous grand jury's charges indicated "sheer vindictiveness." Combs takes responsibility for filing complaints against Stark. But to say he and Adams manipulated the grand jury is "ridiculous," Combs said. "Nobody's going to control 19 independent people Try controlling 19 people you don't know and getting them to do something like indict somebody," Combs said. Along with the grand jury, SCTA is also suspicious of Sutter County's Superior Court judges in working toward removing Stark from office.

In a letter on SCTA letterhead dated March 23, 2006, and addressed to Sacramento-based federal attorney McGregor Scott, the taxpayers association asked for the Attorney General office's help "to protect the civil rights of citizens in Sutter County, California, from judges and elected officials who are conspiring to force our elected Auditor-Controller Robert Stark to resign or be removed from office through the use of a manipulated grand jury." Other government officials receiving the letter included Attorney General Alberto Gonzalez, FBI agent Chad Coulter, then-state Attorney General Bill Lockyer, then-state Controller Steve Westly, U.S. Senators Barbara Boxer and Dianne Feinstein, Congressman Wally Herger, R-Chico; state Senator Sam Aanestad, R-Grass Valley; Assemblyman Doug LaMalfa, R-Richvale; and the California Commission on Judicial Performance. Combs said the letter shows SCTA's "outrageous view of the world."

So we're talking about 19 citizens, two Superior Court judges, the elected DA of this county - and those judges are elected, too - five members of the Board of Supervisors

and me,” he said. “We’re all conspiring against Bob Stark. You think that somehow that isn’t going to get discovered somewhere? That’s just nonsense.” How does Stark fit in? Combs and Stark have a history of political disputes going back to the 1980s. When Montna was re-elected to the board, he said Combs came by his business, Muffler Masters, with a packet of documents about Stark. Among the documents was one signed by Montna while he was chairman during his first stint on the board.

“And I said, ‘How in the hell can you go back that far?’” Montna said. “That’s 12 years ago. If he’s had that document that long, he’s trying to find everything he can find wrong about the guy. That’s alarming.” But when pensions were increased and the grand jury first indicted Stark, the dispute spilled into the public realm. SCTA has thrown its support behind Stark with voices, pens and pocketbooks. “We didn’t get into this, we were drafted,” Miles said. “There was no one stepping forward to fight for the independence, and that kind of got lost because, the fact is, it is two individuals involved, so people focus on that, but it’s the office.”

Targets of the association’s criticism say its support of Stark is not by chance. “I think he’s using them,” Silva said. “I think he’s using them to assist his political fodder.” “Whatever the county does is wrong, whatever Bob Stark does is right,” Combs said. “That’s why I use the term political action committee. It’s more spin than it is fact.” Stark’s wife, Pamela, is SCTA’s secretary. In addition, Munger said he and Stark were members at the same time in the 1990s. “They’re all friends,” Munger said. “You know, his wife’s an officer, he’s in the organization, he’s been there. It’s their clique group; he’s part of the clique group and that group is the taxpayers’ association.” But SCTA maintains the organization’s fierce support of Stark is in defense of the office, not of the person.

“The voters have elected to have an independent person to handle the financial issues, so we have a watchdog,” Miles said of the auditor-controller’s office. “No matter who’s sitting in there, and I’m not saying (Stark and Putman are) the best administrators or not. I don’t know and I really don’t care at this point. It’s the fact that they were basically being gone around and (Combs) usurped their responsibilities.” “It is a matter of two offices, one trying to undercut the other,” Mackensen later added. “We would fight for the auditor if it was Mickey Mouse, probably.” Stark declined to be interviewed for this story. In an e-mail, he said he appreciates the support of SCTA and many others. Silva said SCTA is “carrying a banner” for Stark.

“They call him a watchdog,” Silva said. “There’re all sorts of watchdogs out there.”

“You could argue that,” Combs said of Stark being a watchdog. “It’s not one of his defined roles, but you could argue it.”

Shortly after Stark’s legal battles began, the Auditor-Controller Defense Fund, through

which people could donate money for Stark's legal bills, started. Miles said SCTA didn't start the fund and that it began before criminal charges were filed, but that it took over responsibilities for it. In 2005, the fund received \$27,311 in contributions, according to disclosure statements on file with the Sutter County Elections Office. The money was given to Stark through his re-election committee. The fund has since been closed, Miles said.

"There was enthusiasm, but the enthusiasm waned it doesn't mean I still don't believe in the issue," she said. "It's obvious this isn't going to be a short-term thing." Stark's last public estimate would have his legal bills climbing to \$500,000 by the end of the next fiscal year. Who's wrong, who's right? SCTA says its claims are backed up with documentation and research and should be taken seriously by the county, even when it runs counter to staff determinations. "It doesn't matter who the messenger is," Miles said. "If the message is right, then what is the problem with who's ferrying it? You can't operate in a vacuum." The accuracy of SCTA's conclusions, however, has been debated.

"They're very good at what they do, I will give them that," Combs said. "They're very good at distorting information and putting out information in a way that sounds good." Combs said the association makes use of a debate concept called "big lie."

"You say something long enough and loud enough, people will believe it," he said. Whiteaker considers the rift between the SCTA and the county more than a difference of opinions. "They are understanding of the politics and procedures of the county as implemented," he said. "They choose to ignore it and distort it." Silva also questioned the accuracy of the organization's conclusions. "They just make up accusations and figures and dollar amounts and suppositions of the things, and where's the sound science in it?" he said.

SCTA's primary criticism of the board has been over the changes to the county employees' pension plan. SCTA contends pension liabilities are upward of \$36 million, and money going toward pensions would be better spent on levee and road repairs, among other things. Combs said disagreeing with pension increases and arguing they will make the county go broke is a legitimate issue for a taxpayers association to take up. "But it's when they've gotten into the personality issues, when they've attacked me personally, when they've attacked other board members personally they stand up and do that in the name of the taxpayers association," he said. Montna said SCTA's tactics could be part of the problem. Members sometimes go overboard with criticism, he said.

"I think they're so negative about a lot of stuff that nobody on the board's listening," he said. "Very seldom do they ever come up and say, 'Hey, you guys made the right deci-

sion.' They're always coming up and criticizing what we're doing." But he thinks the board should avoid the incidents of name-calling that have happened in the past. "I think we ought to be more professional," he said. Cleveland said being overly passionate is a minor weakness of SCTA's. "Passion and emotionality sometimes, it just gets away from them," he said. "Which I'd rather have than complacency. I would rather have too much passion than apathy." "Sometimes politics causes people to lose their control and they say things they should not," he added. "The public has the right to do that. I, as an elected official, do not."

Miles acknowledges the organization can be emotional, but said SCTA has good reason for its actions. "I really don't like being called names," she said. "I don't really like having someone waving their arms and shouting at me." Combs, a popular target of SCTA, has been described in various SCTA documents as corrupt - a statement SCTA later retracted - and out to eliminate an elected auditor-controller's office. "I would like someone to come up with any place I have ever said that, in a private conversation, in a public report, anywhere," he said. "That is an outright lie."

SCTA said its focus isn't as much on Combs as the supervisors, who make the decision on whether the administrator keeps his employment. But they don't ignore him, either. Paraphrasing Harry Truman, Mackensen said "the buck stops with the administrative head." "So you can't ignore that fact when you're dealing with Sutter County," Mackensen said. Part of SCTA's suspicion is linked to Combs' time in office. Counties tend to get new administrators every five to 10 years; Combs is in his 24th year on the job. "One of the dangers you have - I'm not saying this is what's happening in Sutter County, it goes back to my training in auditing - when you have someone very entrenched in an organization and no one's checking what they're doing, there's a lot of mischief that can go on," Miles said.

Can things be worked out?

While often sharply critical of the county, SCTA also maintains it wants to have a positive working relationship and has tried to do so in the past. "We're not trying to overthrow the county," Miles said. "We're just trying to change the way that they conduct their business. That means openness, transparency and fiscal responsibility." Perception becomes reality in interaction between government and the people, they say. "When you have this perception that you cannot trust your government because 'the good old' boys' are going to get something that I'm going to have to pay for, they don't trust you enough to turn over money to you, whether it be levees or the police (station) that Yuba City wants, or whatever," Miles said.

But those regularly on the end of the association's rebuke have their doubts of SCTA's willingness to hash things over.

“They seem to take an adversarial role if you, as a board member, do not see eye-to-eye with them and engage with them; they take an adversarial role with you,” Silva said. “Rather than saying, ‘Dan, I know we have issues that we don’t always agree on. Is there a chance that we can get together and talk things over?’ - we never seem to be able to do that.”

Cleveland said cooperation is possible - for some. “But there are statements from both sides that have basically said that they will not work with these people,” he said.

“One of my goals is to get them to sit down at the table and discuss things civilly,” he later added. Montna said the board needs to have more dialogue with individual members. He also said there are some things SCTA can do to improve the situation. “I think they’d have more influence if they came up with some objective ideas instead of criticizing all the time,” he said. “Every time they get in front of us, they want to hammer us on something.” But some also point to the end of the disputes between Combs and Stark as the point at which this constant fighting would end.

“Let the courts finish this out and quit doing it in public, because it only hurts the citizens,” Cleveland said. But there is a scenario that might be better than a courtroom, too, the board rookie said - a Sutter County government minus both Combs and Stark. “Let’s put it in a perfect situation, a dream,” Cleveland said. “If both of the two gentlemen that seem to be at it all the time (leave) and we’re able to put two reasonable people in their place. Now, the ability to do that is near impossible. That would be the ultimate situation. Because of the bad blood that’s in there between each other, it just will not happen. They will not come together on things.”

He wasn’t the only supervisor to propose that idea. “I think it’s better to cut the umbilical cord, start fresh with two new ones, maybe,” Montna said. “Because, if Stark wins and he comes back, he’s going to think he’s king of the mountain. If Combs wins, Stark goes, he’s going to think he’s king of the mountain. And we need to get back to a level playing field, in my opinion.” “As long as this war is going on,” he added, “neither side is winning and neither side is getting anyplace.”

Appeal-Democrat reporter Robert LaHue can be reached at 749-4713. You may e-mail him at rlahue@appealdemocrat.com