

FILLMORE-PIRU VETERAN'S MEMORIAL DISTRICT

August 21, 2008

Don Cody, Foreperson
Ventura County Grand Jury
800 South Victoria Avenue, L#3751
Ventura, CA. 93009

In response to the Ventura County Grand Jury report titled, "Fillmore-Piru Memorial District" the District submits the following response:

R-01. The Grand Jury recommends that the District be reorganized as a subsidiary district of Fillmore through the State legislative process.

District Response: The District disagrees with the Grand Jury's recommendation. The tax base for the District extends far beyond the boundaries of the City of Fillmore. If the District were to implement the Grand Jury's recommendation, a large number of the District's taxpayers would be excluded from the franchise. Thus, there would be taxation without representation, a result repugnant to the principals on which the nation was founded.

R-02. The Grand Jury recommends that the Fillmore City Council become the Board of Directors for the new subsidiary district.

The District disagrees with the Grand Jury's recommendation for the reasons stated above in the response to R-01.

R-03: The Grand Jury recommends that the Board complete AB1234, mandatory ethics training, regardless of a decision to reorganize the District.

The District disagrees with the Grand Jury's recommendation. The members of the Board are not paid and the nature of their duties is such that they do not incur expenses in the exercise of their duties. Thus, AB1234 does not apply to the Board. One member of the Board has completed the ethics training in connection with his service on another agency: and the other members of the Board—in a spirit of comity—will complete such training at their earliest convenience.

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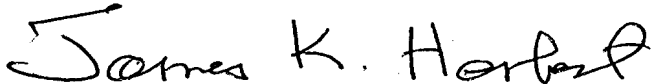
**VENTURA COUNTY
GRAND JURY**

R-04: The Grand Jury recommends that the District comply with the Military and Veterans Code #1195 regarding elections for board members, unless there is a decision to reorganize the District.

The District has *always* complied with #1195 which provides for elections in odd-numbered years. What is more to the point is that there has not been a contested election since the election which organized the district. This is probably because such a stand-alone election in an odd-numbered year would be cost-prohibitive for the District. In the recent past sitting members of the Board when challenged have chosen to stand down. In order to encourage more contests the District is proceeding under Elections Code #1404 which will permit District elections to be held on the same day as the statewide general election at a far reduced cost to the District.

Please feel free to contact me (805)524-5276 should you have questions. Better yet, we invite you to attend one of our meetings which are held on the third (3rd) Wednesday of each month at 7:00 P.M.. Our September meeting will be September 17, 2008.

Sincerely,

A handwritten signature in black ink that reads "James K. Herbert". The signature is written in a cursive style with a large, stylized initial "J".

James K. Herbert
President, Fillmore-Piru Veterans Memorial District