

# Opinion: Is a coup taking place in El Dorado County?

By Larry Weitzman

There is a movement in the county that could be called a coup d'county, a takeover of county government under the absolute rule of the county chief administrative officer. And it looks like this movement is lead by the county CAO, Terri Daly, her followers and minions. Maybe EDC executives will become like those executives in Bell. Only recently (July 2013) did Terri Daly seek from the BOS and receive an annual salary increase for the HR director of \$33,000, an increase of 22 percent.

Here's what going on. In order to create a furor in the county, the CAO's office using the law firm of Van Dermynen Maddux and our \$140,000 created a now questionable survey that claims that the county employees live within a "culture of fear" with the chief culprit being the county auditor, Joe Harn, alleged to be a "mean bully" who won't cave to other people's pressure when they want to use county money, perhaps improperly. Of course what was claimed about the auditor wasn't true, as the survey showed the real problem in the county was in the department headed by Kim Kerr, the Community Development Agency which according to the survey had a satisfaction rating of 22 percent. What was the employee satisfaction rating of the auditor's department you ask, about the highest in the county at 92 percent, the same as the county library.



Larry Weitzman

But it was the beginning of a campaign to rid the county of its long time auditor, an auditor who won't let anyone in the county waste the people's money or use it incorrectly. Harn has saved the county tens of millions of dollars over his tenure (Harn has taken the county from a \$20 million deficit to a \$54 million surplus). The real bully in the CAO's office from the Van Dermyden survey data is the assistant CAO, Kerr. It was hoped that all this notoriety plus a lot of advertising by the opponent would cause Harn to be defeated in the June election.

Well, that didn't work as most people in the county are aware of Harn's excellent work and work ethic and he won the last election by a landslide, by 11-12 percentage points, similar to the two Ronald Reagan landslides over Carter and Mondale. So the next move by the coup was to nullify the elections of elected county officers, the auditor-controller, tax collector-treasurer, surveyor and county recorder clerk.

The method by which the Board of Supervisors and CAO would achieve this was through the El Dorado County Grand Jury and then implementing their recommendations via a Charter Review Committee to reform the County Charter (its main governing document) to eliminate the aforementioned elected department heads and make them appointed. Appointed by guess who? That's right Daly, the CAO.

When studying the grand jury report, it can be seen that the grand jury did not study the Van Dermyden Maddux report and it admits it did not investigate allegations made against the auditor-controller but did take unsubstantiated "testimony" from obviously biased "witnesses" without any cross examination. This GJ just went through motions because the results of the report were pre-ordained from the beginning. Sounds like another Daly kangaroo court. And that becomes more evident when reading the report's findings and recommendations

which do not appear to have the underlying facts to back them up. Such a situation would and should invalidate the report. But that doesn't stop this repetition of Jan. 30, 1933. Just take a look at the GJ proposed rewrite of the EDC Charter which was forwarded to the Charter Review Committee.

Amending the Constitution of the United States normally takes years just to get a proposed amendment through Congress before ratification which can take even more years, but with respect to the foundational document to the EDC Charter the attempted coup is happening in weeks . The Charter Review Committee is required to meet only twice with only one meeting of substance and it might be the last meeting, although there could be one more. That's a lot riding on one or two meetings with limited time for the public to speak. But that goes with the territory here, as the proposed Charter changes are the elimination of democracy within the county, as the changes would give effectively complete control of the county to the CAO. After a recent short discussion with the Charter Review Committee Chairman Kris Payne, I have some hope his apparent lack of bias and common sense will prevail and the coup will be stopped in its tracks.

A summary of the changes to the charter as proposed by the GJ would do the following. All hiring and firing within the county would now belong to the CAO at her complete discretion pursuant to the GJ's proposed charter change of Section 401. Currently department heads are now hired and fired by the BOS. So if the auditor were to say no to the CAO or one of her minions, and with the CAO's new power to hire and fire (they will all eventually be minions as all department heads will serve at the pleasure of the CAO), bye bye auditor. The auditor who is supposed to protect the taxpayer's money will no longer be a junkyard dog; he/she will be a basset hound (no offense to the breed). It would become a true spoils system, a real crony county. Daly has already hired several of her friends, giving them fat raises, like Pam Knorr, the HR

Director, and Kerr.

Perhaps the CAO would appoint an unqualified or worst yet scheming tax collector-treasurer. Maybe the new tax collector-treasurer would make investments using a political insider's investment broker or worse sell off the delinquent tax rolls as one of our outgoing supervisors perhaps wanted to do. Maybe that outgoing supervisor plans on getting that job by appointment. His lack of qualifications and a one-year wait as required by the current county Charter may prevent that.

In another power grab by the CAO, is a proposed language change in Section 304 (a) of the Charter. It was only one word by it's a powerful word. Instead of reading "304 (a) Coordinate the work of all offices and departments, both elective and appointive, and devise ways and means to achieve efficiency and economy in all counties operations," the word "coordinate" was changed to "Direct." That would give complete control of the entire county to the CAO even over the district attorney, the sheriff and the assessor. The CAO would already have complete control of the auditor-controller, the tax collector-treasurer, recorder-clerk (maybe the CAO could force the back dating of recorded documents or allow an unqualified candidate on the ballot) if those offices were to become non-elective and appointed by the CAO. The proposed GJ Charter change Section 401 would have already removed from the BOS the hiring and firing of department heads and given that power and pleasure to the CAO.

Additionally, the GJ's proposed Charter change Section 404 would allow sole discretion as to what is a department head to the CAO. Proposed Section 404 clearly states, "The position of department head shall be designated by the CAO."

You will hear the concept of these changes turning a CAO into a county executive officer like a strong mayor concept. But even in Placer County where they have a CEO instead of a CAO, there are the same elected officials that we now have in EDC.

Placer citizens elect the auditor-controller, the treasurer-tax collector and the recorder-clerk, registrar. According to the Placer County organizational chart, the BOS along with the CEO under them is just one of the seven equal spokes of government responsible to and elected by the citizens.

What is proposed here reminds me of a coup, similar to the coup that took place on January 30, 1933. That's what happens when people cede too much power to one person.

*Larry Weitzman is a resident of Rescue.*