

Opinion: Grand jury needs to learn meaning of investigation

By Larry Weitzman

Dysfunction is the key word within the title of the grand jury report published June 25 regarding the El Dorado County Charter. Most, if not all, grand juries are suppose to be fact finders, and although I didn't examine the entire report to see if other areas of the report had fact finding or opinion, the dysfunction section discussed here was mostly opinion or statements with absolutely no factual basis.

This section of the report is supposed to be the basis for Terri Daly's campaign to make her the *führer* of El Dorado County. *Führer* in German means guide or leader, but most people think of *führer* as a dictator, and not a benevolent one. The report reeks with Terri Daly's smell and fingerprints as if she not only wrote the report, but also drafted the Charter changes recommended by the GJ and submitted to the Charter Review Committee. Why? Because the report is full of opinion and statements that have no factual basis, and because of the way the grand jury referred to the CAO within the report. Grand juries are supposed to be fact finders, not opinion writers or editorialists.



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Within the six pages are claims for which there is no basis in fact; starting with the “proliferation” of elected officials in El Dorado County. Was that a malapropism or did the GJ not understand what the word “proliferation” means? It sounds like the GJ is trying to find an ant hill in the Himalayas. There hasn't been any new elected office created in the county since the passing of the El Dorado County Charter in 1994. What proliferation is the GJ talking about, the rapid expansion in the last four years in budget and employees in the CAO's office?

Then the GJ concludes there should be no elected officials in EDC except those required by California law (the sheriff, DA and the assessor). Their reasoning is that the county's elected officers, the Board of Supervisors and/or its five members interfere in the administration of county business. Of course they don't cite one example or fact as to what the interference is, how it occurs, when it happened and why and who did it. Nothing, zero, nada.

The GJ says the purpose of the BOS is to create and implement the vision for the future of EDC. What is the purpose of the General Plan? While Section 210 (a) (1) of the County Charter says the BOS shall adopt a statement of goals annually reflecting the quality and direction of the activities of county government, it is hardly a vision and the only purpose of the BOS.

I have news for the GJ, the ultimate county buck stops with the BOS. They share ultimate responsibility of the administration of EDC business and the BOS can change every two years and some BOS members will have different visions and ideas. It will be ever changing because of term limits and that “vision” creation is not even a part-time job, it is, to use the GJ's word, “esoteric” baloney.

Here's a county vision: Better, faster and more service and smoother, better roads all for less money. OK, what is a BOS

member supposed to do for the next 8,759 hours left in the year?

As reported in the last Balancing Act, the BOS needs to be involved as Amador County is now saddled needlessly with a \$20 million lease obligation because the BOS trusted and did not question sufficiently what the CAO, Terri Daly, snuck through at a BOS meeting via the consent calendar. Yes, it's the same Terri Daly who is now entrusted with a budget seven times greater than the Amador County budget.

Here are examples of the GJ's conclusions without a factual basis. The GJ states, "Recently the imbalance and potential for abuse of power by elected officials has been brought to the public's attention following the County's Workplace Climate Assessment Survey and ensuing significant criticism of the Auditor/Controller. Whether or not the criticisms directed at the Controller are true..." The GJ makes a conclusion while admitting they don't know if it's true or not. In fact, the Climate Assessment Survey said nothing of the auditor/controller and in fact gave the auditor/controller some of the highest marks in the survey, while giving the CAO's office some of the lowest marks. But the GJ didn't say a word about of the negative remarks or facts derived by the survey regarding CAO or assistant CAO. The grand jury obviously did not study the report. They were not interested in fact finding.

Want more? At the beginning of the very next paragraph the GJ allegedly wrote, "Although the GJ did not investigate the allegations made against the auditor/controller following the County's Workplace Assessment, the GJ received substantial testimony from a number of witnesses..."

If they didn't investigate the allegations against the auditor/controller, they obviously didn't do a proper fact-finding and therefore shouldn't say anything that isn't backed by facts that they again obviously did not ascertain. This GJ

report is strictly anecdotal and its recommendations should be disregarded. There is no factual basis for its conclusions. This grand jury report was nothing more than a continuation of a witch hunt, a witch hunt led by the witches themselves.

The GJ's rant isn't limited to certain elected officials, it also disses the electorate when it says "the electorate has no valid basis for evaluating the performance of officials performing the specialized and sometimes esoteric (now there is a word to show just how smart the GJ is) duties of these offices." What, the CAO who wants to select these people herself is an expert? Yeah, sure. Our CAO has already shown herself to be untrustworthy with some of her appointments and a terrible businessperson. Ask Amador County.

As to the grand jury's idea of a government that is a harmonious love fest, forgetaboutit. If you want a government without disagreement or dissent, try a dictatorship. Everyone is a yes man to the dictator or head of government. That is what makes the American government so different. It is created with checks and balances and competing ideas to most everything and you want that provided for in its structure, such as elected officials facing the voters every four years and that includes the BOS. One thing we don't want is a runaway government and that's what you will get with the grand jury's baseless recommendations. What is surprising is that notwithstanding the Sacramento Bee's very limited investigation and evaluation of the GJ "Dysfunction" report in its July 5 editorial, the Sac Bee agrees that it is not a good idea to "reduce democracy ... for political expediency."

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