

claims contained therein, fully binding upon you in any court, without your protest, objection or that of those who represent you.

Some of the things to which you admit include, but are not limited to, the following:

- 1) All actions by public officers conducted in the performance of their official duties either support and defend the Constitutions, national and state, pursuant to their Constitutional oaths of office, or oppose and violate them. The purpose of several of our meetings was to establish the facts surrounding your collusion and approval of deliberately falsified information submitted to the Board of Supervisors and the Planning Commission concerning your responsibilities and coordination of services relative to the River Management Plan. Furthermore, on several occasions you've failed to lawfully respond to numerous verbal and written inquiries, including but not limited to CA Public Record Act requests for information as required under US Government Code § 6250 - 6276.48. In addition it has come to light that your "3-Strikes" policy doesn't exist; hence a policy that doesn't exist cannot be lawfully enforced. Any enterprise, undertaken by any public official, such as you, which tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word. *See: U.S. v. Tweel, cited above.* You failed to provide honest public services pursuant to your oaths, and in so doing, you perjured your oath by violating my Constitutionally guaranteed Rights, in particular those secured in the Bill of Rights, including but not limited to my First Amendment Rights. *See United States v. Dial, 757 R2d 163, 168 (7<sup>th</sup> Cir 1985) includes the deliberate concealment of material information in a setting of fiduciary obligation. See also USC Title 18, § 2071 – Concealment, removal, or mutilation generally.* By your unlawful actions, you acted in sedition and insurrection against the Constitutions, both federal and state, and in treason against the People, in the instant case, me.
- 2) Under the Political Reform Act, federal anticorruption law broadly guarantees the public "honest services" from public officials. Depriving the public of honest services is a federal crime. You were present for the entirety of the September 14, 2015 River Management Advisory Committee meeting. At that time you demonstrated foreknowledge of the predetermined outcome and actively participated along with the "River Mafia Mob", and Parks & Recreation Manager, Vickie Sanders, as they proceeded to discredit my public testimony and vilify me. Four other individuals whom I requested be present, including Parks & Recreation Commissioner, Kris Payne, all witnessed your unlawful, unconstitutional actions. It was during our August 3<sup>rd</sup>, 2016 audio recorded meeting when you admitted in the presence of Sue Taylor, Lori Parlin, CAO Don Ashton, and Supervisor Ranalli, that the September 2015 RMAC meeting was indeed a collaborative "set up" by county staff to discredit and permanently silence me for whistleblowing. Your collusion and failure to lawfully respond to constituent concerns, or take corrective measures, aids and abets the continuation of El Dorado County corruption. The First Amendment guarantees the Right of free speech and the Right to petition government

## Troust Affidavit Re: RMP

for redress of grievances, which, the oath taker, pursuant to his oath, is mandated to uphold. You failed this requirement; thus, you violated two provisions of the First Amendment, the Public Trust and perjured your oaths of office.

- 3) Every El Dorado County citizen has the right to live in peace and safety. Community concerns involving violations of Special Use Permits (SUPs), lack of Code Enforcement, disrespect for private property rights, public safety, and retaliation by County and State Parks personnel have been particular bones of contention affecting the safety and quality of life of river residents literally for decades. On several occasions I have publicly brought to your attention and to that of other County officials, evidence of retaliatory actions, harassment, and bully tactics by the "River Mafia Mob" and staff working under your direct supervision. Evidently those concerns have fallen upon deaf ears, because you have done nothing to address and rectify the issues I have reported. If a public officer, such as you, fails to act and correct the matter, then, he condones, aids, and abets criminal actions, and further, colludes and conspires to deprive me and other Citizens of their inherent rights guaranteed in the Constitutions, as a custom, practice and usual business operation of his office and the jurisdiction for which he works. This constitutes treason by the entire jurisdiction against me, and based upon the actions taken and what exists on the public record, it is impossible for any public officer to defend himself against treason committed. *See: 18 USC § 241 - Conspiracy Against Rights, and 242 - Deprivation of Rights Under Color of Law. See also: U.S. v. Guest, Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.*
- 4) Evidence I submitted into the public record indicates that signed petitions, correspondence, and relevant Planning documents have been destroyed, conveniently disappeared, or were unlawfully withheld by you and/or staff working under your direction. These issues were discussed during meetings when you repeatedly expressed your objections to my lawful audio recording of our conversation, thus by your consistent objections, you substantiated that you had something to hide. Additionally you've demonstrated your reluctance to lawfully respond to Public Record Act requests for information or reply to associated correspondence for the purpose of resolving specific safety, Planning, and Code Enforcement issues affecting the rights of residents on the South Fork American River. Any time public officers, such as you, pursuant to their oaths, violate Rights guaranteed to Citizens in the Constitutions, they act outside their limited delegated authority, thus, perjure their oaths, and by their own actions, invoke the self-executing Sections 3 and 4 of the 14<sup>th</sup> Amendment; thereby vacate their offices and forfeit all benefits, as you have done. In so doing, I was again harmed by your actions and deprived of due process.
- 5) The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, the oath taker, pursuant to his oath, is mandated to uphold. If he fails this requirement, then, he has violated two provisions of the First Amendment, the



## Opinion: EDC wasting money on river committee

PUBLISHED: AUGUST 23, 2017 BY: ADMIN, IN: VOICES, COMMENTS OFF ON OPINION: EDC WASTING MONEY ON RIVER COMMITTEE

By Larry Weitzman

In case you are wondering, RMAC is the acronym for the River Management Advisory Committee, a committee set up in the early 1980s by the Board of Supervisors to help advise them on river and nearby land use issues. It is composed of more than five members who have a vested interest in the river: an outfitter, a commercial rafter, a resident land owner, two members of State Parks, a business representative, a private boater, and two members at large.

Meetings are attended by a few people. At the one I attended on Aug. 14 about 10 interested people were there, mostly from the rafting community.

Adam Anderson is the chair and business representative. His connection is ownership of the Villa Florentino, which is under scrutiny regarding its special use permit because of complaints. A hearing is scheduled shortly in front of the Planning Commission. Anderson lives somewhere in Placerville, away from the river. I can't tell you the names of the four other members in attendance. Also in attendance were our very competent Deputy Chief Administrative Officer Laura Schwartz and Vickie Sanders of Parks and Recreation.

The committee meets about 11 times a year, which creates a huge problem for taxpayers. But first I must describe the meeting I attended which lasted nearly two and a half hours. My time watching Looney Tunes was better spent, it was so unproductive (maybe it was a live action Looney Tunes). Not only did not one panel member understand their charge, they didn't even understand their own agenda which consisted of three items. The first one was the approval of the prior meeting's erroneous minutes and the approval of the agenda for that night.

I also attended the prior meeting at the Marshall Gold Discovery Park Museum, which seemed to operate *ultra vires*. They were mostly concerned about the county's recommendation that RMAC be disbanded.

After listening to Schwartz's description of the nonfunctioning RMAC, many times not fielding a quorum, not understanding their duty or "job," not understanding their purpose, and certainly not understanding the Brown Act or how to conduct a meeting, it didn't take a rocket scientist to see the writing on the wall.

After two and a half hours, the meeting was done and nothing was accomplished but to set another meeting and perhaps another special meeting before the regularly scheduled meeting. The only thing I learned from the RMAC meeting was government dysfunction at its worst. But there is more.

Attending this meeting were two very highly paid EDC employees. In fact, their total annual cost to EDC including salary and all benefits as reported by Transparent California exceeds \$400,000. That's an hourly cost of more than \$200 an hour combined. I am not begrudging the fact that they are paid a lot of money. I am sure they work hard; I know Schwartz does. What I am pointing out is the fact that each of these meetings cost the taxpayer a lot of money.

You can be sure, with prep time, travel time, post mortem time after the meeting and actual meeting time, this meeting cost you and me at least \$1,000 or more for each one of these county dysfunctions. And they do this 11 times a year and have done so for years. You can do the math, but this RMAC thing is no free ride.

And now there is an outcry that the CAO staff, and Parks and Rec staff has recommended that RMAC be disbanded. Why did it take this long? To add some gasoline to the fire, RMAC has been nothing more than to protect the interests of the commercial rafting industry, the concessionaires along the river and other related enterprises. Have they solved any problems? No. The noise, crime, vandalism, and pollution are as big as ever. Have they ever told the board that it's many times out of control? Of course not. But they do tell the board what a boon they are to the county. Yeah, sure. So is Walmart, Big O Tires and every other business in the county, especially the hotels and motels. We get a special 10 percent tax off that tourist industry.

Let's determine what the "industry" really costs the county, sheriff, emergency response, environmental management, code enforcement, and SUP violations. We need to know the whole nine yards and then the causation needs to pay their way. Not the taxpayers. Disbanding RMAC is a great start. That alone will save the county over \$10,000 a year, more money that can be used for potholes and senior legal. Now let's get an accounting of and for everything.

Larry Weitzman is a resident of Rescue.



## Opinion: Rafters, not taxpayers need to foot the bill

PUBLISHED: AUGUST 16, 2017

By Larry Weitzman

El Dorado County has a competent deputy chief administrative officer and former chief budget officer working in our administration, Laura Schwartz. She understands cash flow, spending and overall, she is pretty smart.

I understand she has a master's degree in accounting. Darn good credentials. In fact, about the only thing I remember from my psychology 1A class was a chart listing the highest IQ of all professions and accountants were ranked No. 1. Of course, you can probably now guess my major in undergraduate school.

But—and don't you love "buts" because here it comes—at the Aug. 10 Planning Commission meeting when discussing item No. 5 regarding the new updated River Management Plan (RMP), I thought Schwartz had morphed into Nancy Pelosi, when she said, "We need to pass the RMP before we do a financial analysis of its impact." Pelosi said an almost identical statement when she said, "We need to pass Obamacare to see what's in it."

Are you kidding me? What was the name of that turnip truck I just fell off? Of course, in spite of the objections of certain members of the public who even presented information as to the preliminary sheriff's costs relative to the river totaling about \$1 million, there was no analysis or method within the plan of how to recover these taxpayers' costs. Yet, the entire Planning Commission approved the RMP recommending that the Board of Supervisors approve the RMP "as is."

I don't want to waste "the ink" telling you who the commissioners are who serve at the pleasure of the board. Understand that RMP appears to have been crafted by mostly the commercial rafting industry here in EDC as there are no provisions for cost recovery to the county for costs their industry creates. Sounds like the tail may be wagging the dog.

In fact, one of the ringleaders, Nate Rangel, in his column and in his appeal to the Planning Commission at the hearing to pass this updated RMP, attempted to counter facts that with respect to their approximately \$30,000 grant for shuttle buses, the money doesn't come from EDC, but comes from some state or local government environmental grant. Hello! Can anybody tell me where any government money comes from? How about grants, paychecks, pensions, police cars, road repairs, Delta tunnels, and high-speed rail? It comes from one place and one place only—the taxpayers. All Rangel is saying in his obfuscation of the facts is that the shuttle buses are essentially being paid for by different taxpayers, but paying just the same.

What the Planning Commission has done is similar to going to the board of directors at a bank with a business model but with no financial data. Here is our new plan to build a widget factory. It will be the best widget factory ever. Trust us. Just look at the drawings, equipment and factory buildings. But the board will ask the big question before showing them the door. You want our money to finance this monstrosity, right? Well how much is it going to cost? How are you going to pay for it? And how will you pay us back for the money you want?

That's exactly what's going on here. If the Planning Commission were a bank, the depositors would lose everything as it would go broke in a nanosecond. But we are dealing with government here, they don't care about money because it is always "other people's money" — your money and my money — never their own money. But the Planning Commission can't think that deep.

The first things anyone with any brains asks of a new proposition is how much is it going to cost, and how are we going to pay for it? What happens to people when they get into government? Do they all lose their common "cents?" That's just not in EDC, it's problematic in all governments.

Not only did the Planning Commission fail to ask these most important questions, they failed to even ascertain one iota of information relative to costs. I did ask some questions and received incredibly quick answers from someone in the know. While they admittedly were good guesstimates, some of the numbers was quite accurate; however, further studies need to be done from the law enforcement, emergency response and public safety perspective. I was advised that information will be forthcoming as soon as EDC's new computer system gets up and running. We also have no idea about code enforcement, another huge (cost) issue along the river, and that includes continuing violations of many concessionaire's special use permits. Inquiring minds want to know, but unfortunately none of these minds reside in the EDC administration and/or the Planning Commission members.

You may hear things like "We have a river trust fund." Well give the taxpayers and other concerned individuals an accounting. It isn't called a trust fund for nothing. And they may claim they already pay fees for this and that. Well tell us how much the total is? And they claim they bring ancillary business to the county. Well let's cut through the chase on that

one: All businesses do that especially hotels and motels who already pay a 10 percent transit occupancy tax. The argument of the rafters that they make money for the county just doesn't hold water.

When is this incompetence going to end? Or the free ride of the commercial rafters and the businesses who operate on special use permits going to end? They need to be paying for the costs of their river use, not the taxpayers.

*Larry Weitzman is a resident of Rescue.*