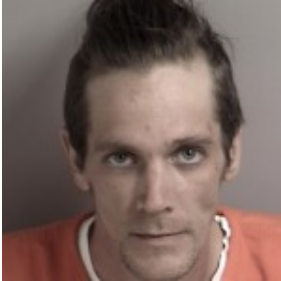


Guilty verdict in SLT domestic violence case



Thomas Payne

A jury found a South Lake Tahoe man guilty of multiple counts of domestic violence against his wife.

Thomas Edward Payne after three weeks was convicted on two counts of felony domestic violence, as well as a special allegation that he used a deadly weapon and personally inflicted great bodily injury on his wife during one of the attacks. The jury was unable to reach a verdict on the attempted murder charge.

Payne was **arrested Oct. 15, 2014**, after slitting his wife's throat with a knife before fleeing the scene.

He is scheduled to be sentenced Feb. 22.

– *Lake Tahoe News staff report*

Ski helmets evolve, become

common equipment

By Kathryn Reed

For athletes, equipment matters in terms of performance and safety.

While helmet use has increased from 25 percent of skiers-snowboarders wearing one in 2002-03 to 78 percent in 2014-15, according to the National Ski Area Association, consumers don't always pay attention to the quality.

RUR0C, which was formed 10 years ago in the United Kingdom, is the first company to create a fully integrated helmet, facemask and anti-fog goggle. For five years their helmets have been on the market, with the hopes of being in stores in the United States for next season. Right now they are available online.

Trevor Jacob of Mammoth Lakes wears the RUR0C helmet. He finished fifth in the men's snowboarder cross at the X Games in Colorado last month.

It's a solid fitting helmet that is similar and snug like a motorcycle helmet. However, it's not rated for motorized sports. Departments of transportation regulate helmets for snowmobiling and motorcycling. This is a direction the company wants to evolve into, as well as helmets for downhill mountain biking.

RUR0C officials said their helmets pass two European and one United States standards for alpine sports safety.



RUROC helmets are about safety and function with the integrated goggles and facemask. Photo/LTN

“The person just starting out doesn’t need a RUROC helmet instantly,” Dan Rees, managing director and CEO for RUROC, told *Lake Tahoe News*. “It is more for the extreme rider who is pushing themselves.” He noted how Jacob can hit 100 mph on his board.

But even this non-extreme skier feels more secure in it than other helmets. A good whack on the head on a recent Saturday unintentionally tested its protection – with positive results. The company also sees backcountry skiers gravitating toward their product.

The U.S. Ski and Snowboard Association has regulations about what type of helmets are allowed for juniors and adult competitors. Different entities have regulatory standards. There is the American Society for Testing and Materials; CE indicates a helmet meets the requirements of the European Economic Community Directive; and RS-98 is a certification mark of the Snell Memorial Foundation.

According to Snell Memorial Foundation's website, the nonprofit has been dedicated exclusively to head protection since 1957 through scientific and medical research, standards development, helmet testing, and public education.

The foundation lists these elements as critical protective properties:

- Impact management – how well the helmet protects against collisions with large objects.
- Helmet positional stability – whether the helmet will be in place, on the head, when it's needed.
- Retention system strength – whether the chinstraps are sufficiently strong to hold the helmet throughout an incident involving head impact.
- Extent of protection – the area of the head protected by the helmet.

In addition to the safety aspects, what makes the RUCOC different is that the system integrates the goggles and the facemask. The mask, while an ideal added safety tool for those in terrain parks, serves as a great addition in cold, snowy conditions. The mask pops out fairly easily, so it doesn't have to be worn the entire day.

The lenses are made in Italy and have an anti-fog coating.

"We wanted a complete closed system," Rees explained. "With the goggles, it is seamless to the roof of the helmet. It creates a constant vacuum of air and prevents fog."

Ski resorts are all over the board when it comes to rules about helmet use.

"We were among the first companies to require helmets on all employees and all children in ski school. If parents don't want a helmet on their children, they have to proactively

alert us and sign a waiver," Russ Pecoraro with Vail Resorts told *Lake Tahoe News*. "I'm not aware of a preference in terms of helmets. Anecdotally, it's hard to find people these days not wearing a helmet."

The Broomfield-Colo.-based ski company owns Heavenly, Northstar and Kirkwood ski resorts in the Tahoe area.

Helmets are not mandatory for anyone at Sierra-at-Tahoe, though the resort offers employees a 30 percent discount on helmets to encourage them to buy and wear one.

"Lessons do not require a helmet, but are available for rental with all lessons," Steve Hemphill with Sierra told *Lake Tahoe News*.

The resort also goes into schools in Lake Tahoe Unified School District to educate students on helmet and snow safety.

At Squaw Valley and Alpine ski resorts Giro is the official helmet.

"This program includes a generous allotment of complimentary helmets to our ski team coaches and members of our ski patrol as well as a 50-75 percent off purchase program for all resort employees," Michael Radlick with Squaw-Alpine told *Lake Tahoe News*.

Helmets are no guarantee a person won't be hurt, but for many impacts on the slopes they will lessen or curtail a severe injury.

"Helmets can help prevent injuries and, in many cases, an injury would have been worse without a helmet. I would also speculate that we do not see some patients because they fall and hit their head while wearing a helmet and the injury was not enough to require a trip to the hospital," Lance Orr, medical director of Barton Memorial Hospital's emergency department, told *Lake Tahoe News*. "If the person had not been

wearing a helmet, it may have been a different scenario. An example of where a helmet may not help is if someone lands in a manner that puts direct force onto the spine.

Opinion: The law matters little to EDC officials

By Larry Weitzman

El Dorado County has issues with law: either not understanding it, ignoring it or just plain flaunting it. Mostly it's at our highest levels in county government. But even former county public officials have this problem.

In a recent lawsuit filed by former county Supervisors Ron Briggs and Norma Santiago, and supported by former Chief Administrative Officer Terri Daly, Briggs and Santiago claim they are due back pay from a series of resolutions mostly passed during their terms of office. Daly filed a declaration under penalty of perjury in support of the plaintiffs, Briggs and Santiago.



Larry Weitzman

If I remember right, not only did Santiago praise the inept

Daly as a champion of EDC employees (forget EDC residents) but supported paying Daly three times her contract severance pay which amounted to nine months salary or about \$153,000 when she became an embarrassment to the BOS and EDC.

Daly's declaration – under penalty of perjury – may prove to be her undoing.

But notwithstanding any possible quid pro quos, Briggs and Santiago are suing for alleged back pay. They claim the county owes them because they never received any of the wage increases and benefits via a series of salary and benefit resolutions that other county officials received, maybe \$100,000 or more each. The county has rightly defended this lawsuit.

The Briggs and Santiago case has a fatal legal flaw (as well as factual flaws) and it is called the California Constitution Article XI, Sections 1 and 4. It revolves around how a board of supervisors' compensation is set for charter counties like El Dorado County. Section 1(b) of Article XI says, "Each governing body (BOS) shall prescribe by ordinance the compensation of its members..." It also repeats itself in Section 4 (b). Factual flaws in two declarations under penalty of perjury of Briggs and Daly is the claim that in June 2014 the elected department heads all received a 5 percent raise. Absolutely false, only appointed department heads received raises, such as Daly, then Assistant CAO Kim Kerr and Human Resources Director Pam Knorr, but none of the elected department heads received anything. Now the question becomes does that make Briggs and Daly perjurers?

Additionally, Daly's declaration may be a violation of her severance agreement (Transition Agreement And Release Of Claims, dated Nov. 4, 2014) in that Daly agreed in paragraph 4 (a) of that agreement to assist the "county in regards to matters in which she was involved during her employment including but not limited to assistance in connection with any

actual or threatened claims, complaints, litigation or lawsuits in which the county and/or Daly, in her official capacity, are named as subjects or defendants..." The same paragraph further said, "In consideration of the foregoing, county will pay Daly a total of nine (9) months base salary... \$153,519." That amount plus management leave, vacation leave and float time, Cobra insurance, etc., was paid to Daly within the first week of January 2015. Daly's declaration – clearly against the county – was executed less than 11 months later and violates her severance agreement. Why hasn't the county initiated a lawsuit against Daly for the return of their \$153,519 for Daly's clear violation of her written severance promises? It's a slam dunk!

The basis for Briggs-Santiago claim is a series of county ordinances, the last ordinance (4675) passed on July 12, 2005, which properly set the BOS annual salary as of Jan. 7, 2007, at \$76,875, but added a provision that said, "The salary, set forth above, and benefits of the BOS shall increase in the same proportion as increases in the salary and benefits to elected department heads with such changes becoming effective at the time any salary or benefit modifications for elected department heads become effective as allowed by law." In other words, if a later resolution gives an elected department head a cost of living increase or any other percentage raise, according to the ordinance passed in 2005, the BOS gets the same raise by that resolution.

But therein lies a problem. Salary and benefits of elected department heads and other county officials can be set by resolution and not by the more rigorous standards of an ordinance (an ordinance requires two hearings (readings) and published notice. A resolution can be passed at one hearing and does not require published notice. And as also stated in the California Constitution, Article XI, Section 1 an "ordinance prescribing such compensation shall be subject to referendum," a resolution is not.

Perhaps the BOS who passed those ordinances to allow later increases to the BOS compensation by resolutions for elected department heads thought they found a clever way to bypass the requirements of the California Constitution, but it appears not. The California Constitution clearly and unambiguously requires that only an ordinance can prescribe the BOS compensation. No exceptions.

The EDC BOS passed an ordinance that said BOS compensation can be changed by resolution which is why Briggs and Santiago say they are entitled to additional compensation. The California Constitution only an ordinance and not a resolution can be used to change BOS compensation. In such a conflict, the Constitution clearly trumps.

Santiago and Briggs were both on the BOS for at least eight years. Why did they wait nine years or more before filing this claim? Why didn't they do it seven years ago, five years ago, even two years ago? Maybe they both felt bound by the oath they swore to uphold the California Constitution during office? They are not that deep.

In their pleadings Briggs and Santiago are claiming that the above July 2005 ordinance granted them the later several cost of living raises received by elected department heads but were not done pursuant to an ordinance but were granted all by resolution to those elected department heads; to wit Resolution 323-2001 (Dec. 11, 2011), Resolution 247-2005 (Aug. 16, 2005) and Resolution 089-2014 (June 24, 2014). Therefore, BOS pay was not granted by ordinance, but by resolution which is a strict violation of the California Constitution that says compensation for members of a county BOS are set by ordinance, not by resolution.

This whole scheme is a subterfuge to directly violate the California Constitution and therefore is illegal on its face. It is illegal to pass an ordinance that allows the BOS to give themselves a raise by resolution. This is exactly what Briggs

and Santiago claim.

“In looking for people to hire, you look for three qualities, integrity, intelligence and energy. And if they don’t have the first, the other two will kill you.” Warren Buffet, CEO Berkshire Hathaway.

Larry Weitzman is a resident of Rescue.

Should you share your bed with your pet?

By Don Champion and Arielle Miller, CBS News

It’s one of the great debates among pet owners: should you let your dog or cat sleep on the bed? Some germophobes would never consider it, while others love snuggling up with their pet at the end of the day.

One concern, however, has been whether sharing a bed with your pet may disturb your sleep. Many sleep specialists advise against it.

But a recent study from the Center for Sleep Medicine at the Mayo Clinic in Arizona could help lay those fears to rest.

Read the whole story

Excursion benefits Snowshoe Thompson legacy

The 17th annual Snowshoe Thompson Celebration Cross Country Ski and Snowshoe Tour is March 5 from 9am-1pm.

This is a benefit for the Friends of Snowshoe Thompson to promote awareness of Snowshoe Thompson and maintain his statue in Genoa.

Registration is from 8:30-9am off Highway 89 in Hope Valley, north of the river. Parking will be on Highway 89; look for the flags and "Snowshoe" banner.

Cost is \$15, children younger than 12 are free. To RSVP or for more information, contact Nina at 530.573.8940 or Sue at 775.315.7777.

El Dorado County at the ready for Zika outbreak

El Dorado County health officials are monitoring information and guidance from the California Department of Public Health and Centers for Disease Control and Prevention regarding the Zika virus.

While the risks associated with the virus are currently low in California, health officials recommend individuals, particularly pregnant women, check and follow CDC travel advisories before going to countries with Zika virus outbreaks and also protect themselves from mosquito bites.

Between 2013 and 2016, a handful of Zika virus cases have been reported among California residents, all of whom acquired the virus during travel to other countries with Zika virus outbreaks. To date, there has been no known transmission of the Zika virus within California. The resident in Yolo County who tested positive for Zika had recently been out of the country.

According to the CDC, the following countries and regions have been affected by ongoing transmission of the Zika virus: American Samoa, Brazil, Colombia, Costa Rica, Curacao, El Salvador, French Guiana, Guatemala, Haiti, Honduras, Martinique, Mexico, Nicaragua, Panama, Paraguay, Suriname, Venezuela and Puerto Rico. Travelers returning from these areas should let their doctors know if they develop fever or other symptoms of Zika.

The Zika virus is primarily spread through the bite of an infected *Aedes aegypti* or *Aedes albopictus* mosquito; transmission may also be possible through sexual contact with an infected person. The mosquitoes that can carry the Zika virus are not native to California, but have been identified in several California counties. To date, these mosquitoes have not been detected in El Dorado County or the surrounding area.

Forest management integral to water issues

By David Benda, Record Searchlight

Two-thirds through Thursday's talk on forests and water yields at the Sierra-Cascade Logging Conference, moderator Jim Ostrowski asked the audience about the governor's mandate for

a 25 percent statewide water use reduction.

“Maybe we need to tell the governor we got a better deal,” Ostrowski said.

He was referring to the PowerPoint just given by Rob York, a UC Berkeley adjunct professor who for years has been studying the role of sustainable timber harvesting as way to reduce fire risk, restore the forest and increase water available for agriculture and residential users.

Reducing the forest canopy cover by 30 percent can mean an extra 6 inches of water, York said.

Read the whole story

Controlled burns on East and South shores

Tahoe Douglas Fire Protection District, California Tahoe Conservancy and the U.S Forest Service may continue prescribed fire operations beginning Feb. 16.

On the East Shore, operations may take place near the Logan Shoals Vista Point, Camp Galilee, south of Glenbrook and between Round Hill and Zephyr Cove. On the South Shore, operations may take place near Spring Creek, Panther Road, and Mountain Drive near North Upper Truckee Road. To view a map with project locations and details, go **online**.

Residual smoke may be seen in locations where operations have taken place over the last several weeks.

Before conducting prescribed fire operations, agencies post

road signs around areas affected by prescribed fire, send email notifications and update the local fire information line at 530.543.2816.

Snippets about Lake Tahoe



• Placer County is evaluating several opportunities to improve bicycle and pedestrian movement in Tahoe City. Here is an **online survey**.

• The warm room in South Lake Tahoe, which was established for the homeless this winter, is having an open house on Feb. 17 from 4-6pm at 981 Silver Dollar Ave.

• Liberty Utilities partnered with Truckee Tahoe Unified School District to assist the district to improve efficiency and save money. The lighting upgrades resulted in a \$3,405 rebate for TTUSD and a 20 percent savings every time the light switches are turned on.

• The Kings Beach Snowfest Parade is March 12 from 11:30am-12:30pm.

• Comments will be taken until March 14 on the draft of the El Dorado County Historical Railroad Park Project. For more info, go **online**.

Casinos woo millennials with tattoos, martial arts, poker

By Phillip Marcelo, AP

Casinos worried that millennials aren't getting into traditional gambling like their parents and grandparents are bringing in tattoo studios, mixed martial arts competitions and other offbeat attractions to attract a younger clientele.

In New England, where a regional casino war is afoot, Connecticut's Foxwoods is remaking one of its gambling floors – now christened “The Fox” – as a hip, fun scene in the sprawling 30-year-old casino complex.

The casino floor bar was redone in January to include a stage where a mostly female ensemble covers pop songs. Just off the gambling floor, a swank new tattoo studio-slash-fashion retailer opened in the fall, not far from where Shrine, the casino's popular nightclub, is increasingly booking top electronic dance acts like DeadMau5 and Tiesto.

“It's kind of like the party place,” says CEO Felix Rappaport. “It's really energized the casino floor.”

In Rhode Island, the more modest-sized Twin River Casino removed 274 slot machines to make way for more poker and other table games favored by younger gamblers this past December. It's also been hosting mixed martial arts competitions at its event center, a nod to its popularity among younger fight fans.

Casinos are making the right move to draw in millennials if they're putting fewer slot machines on their floors in favor of table games, said Sunny Chopra, a 25-year-old from Falmouth, Massachusetts, as he considered betting at an electronic roulette wheel at Plainridge Park, a slots parlor

and harness racing track in Plainville, Massachusetts.

"I've never played slot machines," Chopra said. "I'm not that old."

Casinos slow to pivot to millennials' preferences do so at their own risk, warned Steven Norton, a casino consultant based in Illinois.

Older members of the demographic are in their 30s, meaning they're entering their prime earning and spending years, he says. That's critical for an industry whose customers have historically been in their 40s and over.

"You want to develop good customers now so that we don't become the horse racing industry of the future, where all of our people have died off and we don't have any new blood coming in," Norton said.

It's too soon to determine whether any of these efforts will translate to sustained success with millennials, casino operators said.

But market research suggests new thinking is necessary, said Michael Mathis, president of MGM Springfield, a \$950 million resort casino expected to open in western Massachusetts in late 2018.

He pointed to a 2015 article by the Washington, D.C.-based Marketing Research Association suggesting current versions of slot machines are "widely viewed" by millennials as "antisocial, non-intuitive and generally boring."

To address the slot machine apathy, casinos in past years updated machines with more pop culture references, like Star Wars themed gambling machines. They also introduced electronic version of popular table games.

The newest trend? Electronic table games that feature live dealers.

Casinos are betting the blend of live table game action, easy slot machine-style play and lower minimum bets will appeal to younger and novice gamblers, says Carrie Nork Minelli, spokeswoman at Parx Casino outside Philadelphia, which unveiled a Shaquille O'Neal-themed electronic blackjack game where players are arranged "stadium-style" around a live dealer in late 2015.

Casinos are also increasingly launching "social casinos" – websites where players can play free, online versions of their slot machine and table game offerings for virtual credits that can't be converted to cash or redeemed.

The hope is that free online play generates paying customers at brick-and-mortar gambling halls, says Mario Maesano, senior vice president of marketing at Maryland Live, which launched a social casino just before Christmas.

At Connecticut's Mohegan Sun, where millennial-friendly nightlife and entertainment options like Vegas-style pool parties and rooftop concerts emerged almost four years ago, general manager Ray Pineault cautions the need to address the younger generation has to be balanced.

"You can't over emphasize millennials to the detriment of your other customers," he said. "They're still young and have less disposable income than their more established parents."