

Right of every citizen to live in peace & safety - Duty of every citizen to report government corruption

RMAC operating ultra vires (outside of the law) – Weitzman articles

Mafia Mob MD 9/26 RMP propaganda article: photo taken by ML

- For at least 3 decades no resident representation on RMAC
- 3 women personally to me run out of Coloma known (stuff body down a mine shaft) *brought in law enf. 2007*
- Shot at, libeled, slandered, threatened by mob & county staff

Shiva Frentzen & Plan Comm. Gary Miller Affidavits – truth, fact, evidence & valid law

CPRAs – RMP/RMAC/EDSO delinquent

Nate Rangel – RMAC “his committee”

Adam Anderson – RMAC Chair Villa Florentina B&B SUP revocation

9/11/17 RMAC - Member Anderson said that chances are he will be closing down his business Villa Florentina due to the pressure from the neighbors and trouble complying with the County noise ordinance. He therefore would be resigning from RMAC at the end of the year since he would then no longer be a business owner in the Coloma-Lotus area.

Kris Payne – Taxpayers Association mtg. – collusion “civil disobedience”

- Shiva Frentzen, Don Ashton & Mike Ciccozzi were breaking the law & depriving me of civil liberties
- Payne lobbying on behalf of Shingle Springs Alliance/Save our County - conflict
- Present with 3 other witnesses at September 2015 RMAC mgt. w/Ranalli
- No authority – violation of Principle Agent/Constitutional Oaths of Office
- I will not be deprived of my civil liberties

Any questions or comments, make them now while I’m at the podium.

CALIFORNIA BROWN ACT

PREAMBLE:

"The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people do not yield their sovereignty to the bodies that serve them. The people insist on remaining informed to retain control over the legislative bodies they have created."

CHAPTER V.

RIGHTS OF THE PUBLIC

§54954.3 Public's right to testify at meetings. (c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law. Care must be given to avoid violating the speech rights of speakers by suppressing opinions relevant to the business of the body.

As such, members of the public have broad constitutional rights to comment on any subject relating to the business of the governmental body. Any attempt to restrict the content of such speech must be narrowly tailored to effectuate a compelling state interest. Specifically, the courts found that policies that prohibited members of the public from criticizing school district employees were unconstitutional. (*Leventhal v. Vista Unified School Dist.* (1997) 973 F. Supp. 951; *Baca v. Moreno Valley Unified School Dist.* (1996) 936 F. Supp. 719.) These decisions found that prohibiting critical comments was a form of viewpoint discrimination and that such a prohibition promoted discussion artificially geared toward praising (and maintaining) the status quo, thereby foreclosing meaningful public dialog.

Where a member of the public raises an issue which has not yet come before the legislative body, the item may be briefly discussed but no action may be taken at that meeting. The purpose of the discussion is to permit a member of the public to raise an issue or problem with the legislative body or to permit the legislative body to provide information to the public, provide direction to its staff, or schedule the matter for a future meeting. (§ 54954.2(a).)

Melody Lane

From: Melody Lane <melody.lane@reagan.com>
Sent: Thursday, October 19, 2017 1:18 PM
To: kris.payne@edcgov.us; john.arenz@edcgov.us; charles.callahan@edcgov.us; josh.morgan@edcgov.us; steve.yonker@edcgov.us; 'Donald Ashton'; Jim Mitrisin (jim.mitrisin@edcgov.us); Vickie Sanders (vickie.sanders@edcgov.us); Roger Trout (roger.trout@edcgov.us); Vern R Pierson
Cc: Michael Ranalli; brian.veerkamp@edcgov.us; sue.novasel@edcgov.us; shiva.frentzen@edcgov.us; john.hidahl@edcgov.us; edc.cob@edcgov.us
Subject: Please post to 10/19/17 Parks & Recreation Commission Agenda Item #2
Attachments: Shiva Frentzen Affidavit.pdf; Gary Miller Affidavit.pdf

The attached documents are relevant to the River Management Plan. Pursuant to your Oaths of Office and public policy, please ensure they are posted for the public record to the 10/19/17 Parks & Recreation Commission Agenda Item #2.

Melody Lane
Founder – Compass2Truth

Any act by any public officer either supports and upholds the Constitution, or opposes and violates it.

From: Melody Lane [mailto:melody.lane@reagan.com]

Sent: Monday, October 16, 2017 7:39 PM

To: 'Donald Ashton'; Vern R Pierson; Sheriff DAgostini; kris.payne@edcgov.us; Al Hamilton

Cc: Michael Ranalli; john.hidahl@edcgov.us; brian.veerkamp@edcgov.us; sue.novasel@edcgov.us; shiva.frentzen@edcgov.us; edc.cob@edcgov.us; Jim Mitrisin (jim.mitrisin@edcgov.us); 'Richard Mack'

Subject: FW: Email communications with local government

Any act by any public official either supports and defends the Constitution, or opposes and violates it. Furthermore, it is the duty of citizens to expose government corruption. Below is irrefutable proof concerning Don Ashton's blatantly false replies to my questions during this morning's Taxpayers meeting as it pertained to CA Public Record Act requests for information and my blocked electronic correspondence with EDSO and all other county officials.

Of equal concern was Mr. Ashton's failure to abide by his Constitutional Oaths of Office or lawfully respond to CPRAs, particularly those relevant to EDSO and the River Management Plan submitted into public record during the 10/10/17 BOS meeting. (See attached public comments) Note Mike Ciccozzi and Shiva Frentzen had no authority whatsoever to respond on Don's behalf.

As previously stated, collusion to intentionally deprive any citizen their civil liberties is a federal offense under USGC Title 18, Sections 241 & 242 (Conspiracy Against Rights & Deprivation of Rights Under Color of Law.)

It cannot go without mention that Al Hamilton's continued illicit conduct this morning will not, and cannot, be tolerated. Since Mr. Hamilton failed to respond or rebut with specificity anything with which he disagreed in the (attached) Affidavit/Declaration, it therefore stands as a lawful, legal and binding tacit agreement with and admission to the fact that everything stated therein is true, correct, legal, lawful and is fully binding upon him in any court in American without his protest or objection or that of those who represent him.

You are hereby advised that Mr. Hamilton, a public official whose salary is paid via my taxes, is still under investigation by the State BAR for discrimination, threatening a senior citizen, and violating the Professional Business and Professions Codes as well as his Oaths of Office. The Franchise Tax Board has also been apprised of the investigation as it concerns the Taxpayers Association.

Besides the notarized affidavit of Lori Parlin, Parks & Rec Commissioner Kris Payne was one of three other witnesses who witnessed Al Hamilton's threats directed at me immediately after the 11/16/16 Taxpayers Association meeting. As such, Mr. Payne's unabashed public conduct during this morning's Taxpayers meeting when he implied my "civil disobedience" during the 10/10/17 BOS presentation of the facts makes him just as guilty as Mr. Ashton and Mr. Hamilton of collusion, fraud, discrimination, and violation of his Principle Agent Oaths of Office. I will not be deprived of my civil liberties by any of the aforementioned individuals.

You are reminded of your fiduciary obligations to taxpayers. Instead of providing raises and golden handshakes as discussed this morning, the BOS needs to be holding certain employee's feet to the fire by taking appropriate disciplinary measures to ensure transparent, honest services and restoration of Constitutional Governance. You can start by making an example of Sheriff D'Agostini, CAO Don Ashton, Sr. Services attorney Al Hamilton and Kris Payne.

Melody Lane

Founder – Compass2Truth

As history teaches us, if the people have little or no knowledge of the basics of government and their rights, those who wield governmental power inevitably wield it excessively. After all, a citizenry can only hold its government accountable if it knows when the government oversteps its bounds. ~ John Whitehead ~

My purpose today is to address Good Governance, River Mafia Politics, and Constitutional Oaths of Office. Any act by any public official that weakens 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.

Every citizen has the right to live in peace and safety and to expect honest services from public servants. You've all been apprised of fraudulent and unlawful conduct by county staff, particularly as it pertains to the River Management Plan and the subsequent retaliation I've been subjected for exposing government corruption. I've been shot at, harassed, libeled, slandered, heckled and threatened by the River Mafia Mob, many whom filled this room on 9/26. Worst of all Sheriff D'Agostini has aided and abetted such unlawful conduct. In so doing the Sheriff has put my safety in jeopardy, violated my civil rights and his Constitutional Oaths of Office.

Two recent examples were the out of control events held at the American River Resort. On September 24th I requested assistance in making a Citizens Arrest at 1:30 AM when Deputy Muckerheide confirmed 900 people at an event keeping awake residents in the Quiet Zone of the American River. He refused to issue a citation or Case File number and denied me the right to make a Citizens Arrest. The CPRA was due 10/9 and is being resubmitted for the public record in the form of a **Citizen Complaint of Officer Misconduct** which includes the complete transcript.

Then on October 7th there was another exceptionally loud event held at the American River Resort in violation of their SUP and the River Management Plan necessitating I again request assistance in making a Citizen Arrest. Deputy Jencks appeared to be annoyed when she arrived with a document that appeared to be a **fake Citizen Arrest** form. It did not look anything like the form used years ago when it was necessary I accompany a deputy at 3 AM in order to receive a carbon copy of the served and signed Citizen Arrest form. Deputy Jencks had me fill in the mostly blank form and said she'd deliver it to the District Attorney, but I was not provided a copy, nor would she issue a citation and get a headcount as required by RMP Element 4. I find it difficult to believe it was served on Arnie Chandola since the noise level didn't change. A short while later there was an intruder necessitating that I call Dispatch again, but Deputy Jencks demonstrated her reluctance to take pertinent information.

It's clear I'm being discriminated against by EDSO and other county officials. Knowledge of unlawful conduct, and failure to take remedial action or deny due

process, is a federal offense under USGC Title 18, Sections 241 & 242 (Conspiracy Against Rights & Deprivation of Rights Under Color of Law.) Furthermore, the Sheriff does NOT possess the authority to refuse to accept and THOROUGHLY investigate Citizen Complaints for Officer Misconduct, deny me due process, block my access to EDSO, or circumvent Public Record Act requests. Several of these CPRAs are overdue.

9/12/17 Don Ashton wrote: *As we have discussed several times in the past, neither the CAO or the IT Director have the authority to tell the Sheriff how to manage his office, and the Sheriff has his own IT Division who is following his orders to block your email.*

9/12/17 Melody Lane replied: *Per your own words, David Russell is now IT Director for EDC which formerly was the responsibility of District Attorney Vern Pierson. It is reasonable to presume that Dave Russell oversees **all** IT operations within EDC, including EDSO and the DA's office. **If that is not the case, then please so state in writing in order that the public may be properly informed.***

Mr. Ashton, there has been no response to multiple requests for the identity of the person responsible for EDSO IT. Your response please?

Madam Clerk: Please enter these documents into the public record:

1. 9/12/17 P001433-091217- Due 9/25/17
2. 9/27/17 P001441-092717 – Due 10/10/17
3. 9/29/17 P001440-092617 – Due 10/9/17
4. 10/9/17 P001452-100917 –Due 10/20/17
5. CLNews 10/9/17 Suspicious activity on Mt. Murphy
6. 10/7/17 @ 11:47 PM Exceptionally LOUD event @ ARR = Jencks Citizen Arrest

River Management Plan moves around the bend



This week's Board of Supervisors meeting saw a large turnout as they discussed the River Management Plan. Courtesy photo

photo by Melody Lane

By Noel Stack From page A1 | September 29, 2017

After a lengthy meeting with emotional debate about the future of the River Management Advisory Committee and how nonprofit groups operate on the South Fork of the American River, the El Dorado County Board of Supervisors tentatively approved the 2017 draft River Management Plan.

The 4-1 vote, with District 2 Supervisor Shiva Frentzen the dissenting voice, moves the draft plan onto the next phase — California Environmental Quality Act analysis.

District 4 Supervisor Michael Ranalli, who's district includes the portions of the river where rafting takes place, made a five-part motion after hours of discussion:

1. Staff to revisit the 2002 RMAC resolution and, after holding community meetings, return in March 2018 with recommendations related to committee's future role.
2. Direct County Counsel or designated staff to provide training to current RMAC members.
3. Bring back to the board any insurmountable issues in the RMP that threaten nonprofit groups' operations on the river.
4. Tentatively approve final draft of the RMP.
5. Move forward with the CEQA process.

District 3 Supervisor Brian Veerkamp seconded the motion.

RMAC's role

"The tentative approval of the RMP today does not dissolve RMAC," Deputy Chief CAO Laura Schwartz told the packed board room Tuesday afternoon.

At issue was the perceived diminished role RMAC would have related to river management issues. The draft RMP as written leaves the committee out, instead listing the Parks and Recreation Commission "as the legislative body that will hear annual summaries related to river management activities in a public session," Schwartz explained in her presentation.

"We've seen a disconnect with the Parks and Recreation Commission not being involved in our river issues," she said, explaining that the commission's inclusion is important since it's the primary legislative body overseeing El Dorado County's recreation.

The presentation also notes that:

1. If substantive issues or suggestions are identified in these sessions, the Parks Division will conduct focuses study of these subjects; and
2. The PRC has the authority to appoint citizens' committees to assist in making recommendations to the commission concerning these issues.

It is within these two provisions that RMAC could play a role, Schwartz said, but speakers lined up one after the other opposing this change.

"This document as written is the first step in diminishing and eliminating our voice as a community, as recreationalists, as an industry," said Nate Rangel, RMAC vice president, rafting company owner and president of the local outfitters' association.

Rangel told the supervisors the removal of RMAC as the primary legislative body would "radically change" how river recreation — an industry that brings in millions of dollars to the county — will be managed.

He and more than a dozen other speakers asked for a delay of three months or so, giving RMAC, stakeholders and community members more time to define the committee's purpose and future.

Campground owner Monte Osborn criticized the board and past county leaders, saying he's never seen a pro-rafting attitude from the county. "We've never been taken care of," Osborn said, adding, "The recreation department has no idea what it takes to run a river."

RMAC has been a "key instrument" in solving problems, resident Howard Penn said.

Another speaker pointed out that if the Parks and Recreation Commission couldn't resolve an issue, where to put more port-a-potties along the river could come to the Board of Supervisors for discussion.

Placerville Mayor John Clerici, speaking on behalf of himself, warned that river management could take a large chunk of the commission's time, leaving less time for its other priorities — parks and trails. He acknowledged that RMAC could use "some tweaking" and needs clear direction.

Parks and Recreation Commissioner Kris Payne said the commission welcomes the opportunity to get involved in river recreation but stopped short of endorsing the RMP, saying it was up to the board to decide.

District 5 Supervisors Sue Novasel said she had a lot of faith in the commission's ability to take on this new role.

Stressing that RMAC's demise is not on the table, Ranalli told the crowd "I understand the value that it has."

Like other committees and commissions, RMAC members could revisit how or what they want to change, the supervisor said. He pointed out that a new RMP is long overdue. "We have kicked this can too darn long," he said. "At some point we need to follow through with our obligations."

The current RMP process began about four years ago and public workshops and meetings were held in 2015, 2016 and 2017, according to Schwartz.

Institutional groups

Other emotional testimony came from nonprofit groups, of which there are six that face a new set of rules under this draft RMP.

"These groups are taking people down the river just like a commercial a commercial outfitter is," Schwartz said. "They're affecting our carrying capacity. They're affecting the environment, the same way that commercial outfitter is."

"This brings parity between all those groups that are taking people down the river, which ... allows for better management of our daily capacity," she added.

Only accredited educational courses would be able to register as an Institutional Group under the plan, which also requires that institutional groups obtain a River Use Permit and pay associated fees. This is not a large revenue generator, Schwartz said, explaining that the county will collect between \$6,000 and \$7,000 annually. The permit also requires that groups get a written letter from landowners if they use private property for trips and they are subject to fines if they violate the rules.

There are some River Use Permit requirements for which nonprofits can file for an exemption. To ease the transition, the plan grants a three-year transition period during which the groups and county staff can work out unanticipated problems.

"We don't want to see any of these groups go out of business; that is not the intent of this," Schwartz said. "If there was an issue that came up that we had not thought through that is insurmountable ... we've agreed to look at that and bring any changes back to the board."

Opponents of the proposals noted that the new regulations would be onerous on these organizations, many of which rely solely on volunteers.

Suzanne Robinson with Healing Waters, a nonprofit that takes people with HIV and those living in poverty down the river, said she's concerned about keeping the South Fork of the American River an "equal opportunity river."

"We are scared ... more scared for our clients," she said. "We know that we've saved and changed lives."

The nonprofit takes a financial loss every trip, Robinson added, and has to fundraise to stay afloat. Fees and regulations add another hurdle and, she said, the transition period doesn't solve that problem. "Closing us down tomorrow or closing us down in three years ... it's still going to be closing us down."

Joe Pratchard with Calvary Chapel of Concord said nonprofits shouldn't be treated like commercial outfitters. Doing so could interfere with the nonprofit's mission, he asserted, adding that his group is taking people rafting to change their lives not make money.

A representative from Dirt Bag Paddlers, which plans to start offering river trips on the South Fork next season, questioned the plan's flexibility to allow for growth in the rafting industry. "One of the things we fail to do in this county is plan for tomorrow because we're so busy cleaning up the messes from yesterday," she said.

Staff has committed to continue meeting with these groups, Schwartz said, explaining that the first year under the new rules is a period during which she's advised the nonprofits to "'pretend' you're working under these constraints and see what that looks like."

The supervisors stressed that they wanted to know as soon as (or if) any problems arise.

"Over this three-year transition should there be something that's insurmountable ... we have the opportunity to intervene," Ranalli said.

Further discussion

After public comment and staff's responses to questions Frentzen said she still wasn't comfortable tentatively approving the plan. She made a motion to direct staff to clarify issues raised by the institutional groups and work with RMAC to define its role, and report back by next March. District 1 Supervisor John Hidahl seconded the motion for discussion but it failed on a 1-4 vote.

Ranalli stressed that his motion could accomplish what Frentzen desired while at the same time moving the process along. He told the crowd he and his fellow supervisors, as well as county staff, respect all river users' opinions and appreciate their input and passion.

"We know being on the river is a visceral experience," Ranalli said. "We know that it is precious. We know that it's passionate for people."

Read the final draft 2017 River Management Plan online at edc.gov.us/Government/River/Pages/river_management_plan.aspx.

Leave a Comment

Discussion | 1 comment

- **Evelyn Veerkamp** September 29, 2017 - 11:30 am

Noel Stack: I think the word you wanted was "parity"! "This brings parity between all those groups that are taking people down the river, which ... allows for better management of our daily capacity," she added."

Reply Report abusive comment

Materials just distributed to you are based on truth, fact, evidence and valid law.

BOS has received and should have read the September 22 public comments sent yesterday morning wherein I present facts and evidence associated with past and present RMAC and county representatives who've routinely been submitting false information to the BOS & Planning Commission & holding serial meetings prohibited by the Brown Act at the Nature Conservancy, American River Conservancy and Camp Lotus. Note especially Larry Weitzman's column about RMAC operating "ultra vires" or outside of the law. Just a few of the most significant names are:

- Nate Rangel – RMAC
- Adam Anderson – RMAC Chair/owner Villa Fiorentina
- Dave Martinez – owner American River Resort
- Planning Commissioner Gary Miller
- Vickie Sanders
- Noah Rucker
- Roger Trout
- Don Ashton
- Michael Ranalli
- Sheriff D'Agostini

A large portion of the RMP deals with the requirements of code and law enforcement under the jurisdiction of Sheriff D'Agostini. Specifically mentioned are legal authority, safety, emergency response, noise, and rights of the residents within the 6-mile stretch of the Quiet Zone who **"enjoy the peaceful solitude associated with remote, low density locations."** Our "Come to Jesus" meeting in August 2016 with Don Ashton, Roger Trout, and Mike Ranalli concerning the RMP and related concerns was a perfect example of **Bad Governance and Bureaucratic Shenanigans**.

Literally for several decades river residents have been subjected to the type of events that took place this past weekend at the American River Resort, hence the purpose of the CPRA – Citizen Report of Officer Misconduct that is before you. Read it carefully. Just a few highlights:

- After midnight call Sunday morning to Dispatch re: noise and calls for help. Midnight swimmer, helicopter & rescue team rescue/recovery at Grange Hall 2 months earlier
- ~ 1:30 AM Deputy Muckerheide responded, followed by Deputy Richardson & Sgt. Principae
- Confirmed ARR out of compliance with SUP and noise "offensive and disturbing"
- 900 people at event (SUP = 466 total)
- Refused to issue citation

- Refused to issue a Case File #. A Case File number however is a *public record that documents details of the incident such as those used for mapping, fiscal reporting, legal and government accountability purposes*. The CF# and EDSO incident report was necessary in order that documentation be forwarded to Roger Trout for the ARR SUP Planning files as well as tracking purposes required under the River Management Plan (RMP).
- When pressed about issuing the American River Resort a citation and my right to make a Citizen's Arrest, Principae and Muckerheide became argumentative and staunchly refused to do so. That's when they claimed that the campground manager, Arnie Chandola, had called before I dialed Dispatch. *They both stated Chandola knew the campground wasn't in compliance and therefore requested EDSO assistance with the out of control mob.*
- I voiced my reason to doubt the validity of their claim, as that is the *exact same excuse Deputy Terri Cissna has used in the past to refuse my request for assistance in making a Citizen Arrest concerning Coloma Resort and **American River Conservancy** incidents*. It was later discovered that Deputy Cissna, like numerous other deputies, had falsified her case file report making me appear to be the problem. ***It is a River Mafia retaliatory tactic to circumvent the law and continue "business as usual" in EDC. In so doing, EDSO aids and abets the unlawful practices that affect the property values, peace and safety of river residents throughout the entire Quiet Zone of the S. Fork American River.***
- Flatly denied my right to make a Citizen's Arrest & due process.

Might does not make right. The public has been falsely led to believe that their input was valued and meaningful, when the decisions had all been made surreptitiously behind closed doors. ***The reality is the RMP and RMAC exists for the sole interests of the rafters, American River Conservancy, CA State Parks and BLM.*** Residents are not, and never have been, properly represented. *by RMAC*

It is not good stewardship to allow RMAC to operate under mob rule, nor is it "Good Governance" by any stretch of the imagination. Begin by fixing the problem of government accountability, fiduciary responsibility, and transparency. Starting with code and law enforcement, hold their feet to the fire, thus ensuring compliance with the RMP and the Supreme Law of the Land.

Madam Clerk: Please enter these documents into the public record:

1. 9/25/17 CPRA – ARR TUP Report
2. 9/22/17 – Compass2Truth Public Comments
3. 8/5/16 – Come to Jesus meeting – RMAC, 3-Strikes, EDSO, CPRAs