

M. Lane Open Forum 4-29-14

Melody Lane – Founder, Compass2Truth 4/29/14 Open Forum Coordination/EDSO Jurisdiction & Refusal to Serve

My purpose this morning is to address the issues involving CA Public Record Act requests (CPRAs).

(Read Coordination CPRA – has relevance to BOS Item #34 & 4/21 meeting w/Chair Santiago)

(Read EDSO Jurisdiction Agreement CPRA – relevant to BOS Item #34)

(Read EDSO Refusal to Serve CPRA – relevant to 4/28/14 Special BOS meeting)

(Read emailed 4/22/14 CPRA EDSO-Coloma Resort/Resolution 113-95/AB1234 – relevant to 4/28/14 Special BOS – NOT ENTERED INTO PUBLIC RECORD AS REQUESTED)

Madam/Mr. Clerk: Please enter these documents into the public record and note you have 10 days to respond to the CPRAs:

1. This transcript
2. 4/29/14 Coordination CPRA
3. 4/29/14 Sheriff Jurisdiction Agreements CPRA
4. 4/29/14 EDSO Policy Refusal to Serve CPRA
5. 4/22/14 CHP/EDSO Mt. Murphy Rd. Incident CPRA (emailed & 4/28 Special Meeting)
6. 4/28/14 Special BOS Transcript

My parents always taught me to stand up to bullies.

Although I wasn't included in the cultural survey, 8 out of 13 items attached to this agenda were submitted by me—a former EDC County employee, HR Director & whistleblower.

In Summary:

On average, 17.5% of County employees were “dissatisfied” with their employment. The following departments each had dissatisfaction rates higher than average, based upon responses within the department: Information Technology (41%); Probation Field (32%); Public Defender (26.5%); **Sheriff's Office (23.5%);** Community Development Agency (22%).

Retaliation. Approximately 140 employees stated that they would not feel comfortable reporting an incident because they feared retaliation.

Poor Work Environment. Approximately 36 employees stated that they were planning to leave the County because of a poor work environment, which included bullying, excessive stress, and favoritism.

Harassment/Bullying. Approximately 47 employees cited concerns of harassment, workplace bullying, favoritism, and/or retaliation, though it was unclear whether the cited actions were taken because of a protected characteristic.

My question for Pam Knorr which I expect a response today: Are the following individuals a protected and/or exempt class of employees?

1. **Sheriff D'Agostini**
2. Al Hamilton
3. Karl Weiland
4. Roger Trout
5. Ron Briggs
6. Kim Kerr
7. Chris Daley (Mtn. Democrat Press Reporter)

I'd like to particularly address the situation involving EDC's Constitutional Sheriff. The Sheriff's staff is a reflection of his leadership ability. He is supposed to be our last line of defense. I took John D'Agostini at his word when he said during one of our meetings not long after he was elected, ***“You need a new Board. Hold their feet to the fire. Mine too. I work for you.”***

As the Board was made aware, Sheriff D'Agostini cut off my email access and has refused to respond to matters within his jurisdiction. All evidence indicates this was done in RETALIATION after I held his feet to the fire during the September 2013 Tea Party Patriots of EDH meeting:

1. When he saw me shaking my head the Sheriff called upon me regarding:
 - Manipulation of crime statistics.
 - Refusal to assign Case File # to incident reports.
 - Issue of Unjust Enrichment = Resolution 113-95/AB1234 – visibly upset as he walked out of room in a huff.
2. Refusal to enter material evidence into a Case File after theft of a surveillance camera & other intrusions threatening the safety & security of my private property.
3. Refusal to continue scheduling regular meetings as witnessed by Roger Trout, Lt. Tim Becker & MGDG Superintendent Jeremy McReynolds.
4. October 23, 2013 "*We Work for You*" community meeting w/Ron Briggs in Garden Valley: "*You're taking up too much of my staff's valuable time.*" (witnessed by Undersheriff Rich Williams)
5. Blocked email access & refusal to remedy the situation since September 2013 - present.

This is an election year when matters of Public Trust, transparency and accountability are in crisis and daily making headlines. Such disrespect for the Sheriff's Constitutional Oath of Office--and the citizens who elected him to office--is a badge of disgrace to this county. My purpose for publicly submitting this documentation is because citizens of El Dorado County have a right to be duly informed before they cast their votes.

This is the appropriate time and place for the BOS to address the situation starting at the very top of the pecking order. Not only is it your DUTY, it is a golden opportunity to "do the right thing" and thereby honor your oaths of office to the citizens of our County.

My 4-part question for the Board & Pam Knorr, was my email forwarded to Sheriff D'Agostini as I requested, was there any response from the Sheriff, is the Sheriff & aforementioned staff exempt, and how do you plan to address the problem?

Madam Clerk: Please enter these documents into the public record and note the CPRA was previously submitted on 4/22/14 via email:

1. This transcript
2. **4/22/14 CPRA re: Coloma Resort/Mt. Murphy Road incident 4/4/14**
3. D'Agostini blocked email 4/27/14



Compass2Truth

Citizens Serving God in Truth and Liberty

P.O. Box 598
Coloma, CA 95613
(530) 642-1670

melody.lane@reagan.com

April 29, 2014

To: El Dorado County Board of Supervisors
EDC Clerk to the Board
D.A. Vern Pierson

CA PUBLIC RECORDS ACT REQUEST

Congress has exclusive management power over federal lands and has mandated that its management designees, the US Forest Service (USFS), National Park Service (NPS), Bureau of Land Management (BLM) and others, *coordinate* their planning and management processes with local governments.

Coordination is a formal collaborative process established by Congress to require federal land and resource agencies to give states, local governments, and Indian tribes a meaningful role in the decision-making process. It has been written into virtually every environmental act passed in the last thirty years. The ultimate goal for the *coordination* process is consistency (*marked by harmony, regularity, or steady continuity: free from variation or contradiction*) between federal, state, and local plans, policies and actions.

Local governments fund public services with revenue from **property taxes**. Because many counties contain massive amounts of federal lands (**from which no property tax revenue is derived**), Congress mandated *coordination* to protect local interests. It has been a topic of our meetings with the Sheriff, CAO, BOS, legislators and CA State Parks personnel. The Sheriff's responsibility is to protect rights and property. He is the first line of defense between the government and/or criminal activity perpetrated against County citizens.

After Fred Kelly-Grant made a special presentation to the Board of Supervisors it was our understanding that Supervisor Ray Nutting would be responsible for implementing the EDC Coordination process. On March 8, 2011 Supervisor Nutting signed a letter addressed to Chief Thomas Tidwell and Tony Took, Director of the Ecosystem Management Coordination of the US Forest Service. That letter endorsed the Comment Letter submitted by Fred Kelly Grant LTD as the County plan and policy for the protocol by which Coordination between the county and the United States Forest Service shall be implemented.

However since that time it appears the Coordination process has fallen through the cracks presumably due to the fact that Supervisor Nutting has been and is currently embroiled in more time consuming legal matters involving the Department of Forestry and Cal Fire. Subsequently concerned citizens have questions regarding the County of El Dorado Coordination Plan under Title 43 Sec. 1701-1712.

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain written answers to the following inquiries:

1. Has El Dorado County implemented its right to Coordination regarding actions taken by the following State agencies?

- Department of Forestry

- CA Natural Resources Agency/CEQA
- CA Department of Food & Agriculture
- Department of Transportation/CalTrans
- CA State Parks, Recreation and Historical Preservation

2. Has El Dorado County implemented its right to Coordination involving the following US Government agencies?

- US Forest Service
- Bureau of Land Management (BLM)
- Department of Fish and Wildlife
- US Department of Agriculture
- US National Park Service
- Environmental Protection Agency
- Housing and Urban Development
- Department of Education

3. If the County has coordinated with the above listed agencies, **when and where** was that Coordination meeting held?

4. If the meeting was held, **who represented El Dorado County in this regard**, and what items were discussed regarding the protection of the People's Rights and Property against **Agenda 21/Sustainable Development**?

5. If the answer to the above questions is 'No', then the question is **WHY NOT?**

6. Another compelling question is: Why is it that such special treatment is given to special interest groups such as:

- American River Conservancy
- Chamber of Commerce
- Friends of the River
- Sierra Club
- Nature Conservancy

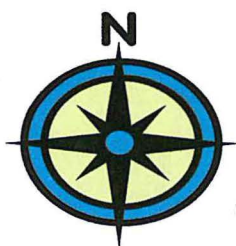
If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you provide a signed notification citing the legal authorities on whom you rely.

In order to avoid unnecessary costs of duplication, digital copies of large documents are acceptable and may be emailed to melody.lane@reagan.com.

It is requested that your determination be made within **10 days** as stipulated within the California Public Records Act **Government Code 6253(c)**.

Thanks for your anticipated cooperation.


Melody Lane
Founder - Compass2Truth



Compass2Truth

Citizens Serving God in Truth and Liberty

P.O. Box 598
Coloma, CA 95613
(530) 642-1670
melody.lane@reagan.com

April 29, 2014

To: El Dorado County Board of Supervisors
EDC Clerk to the Board

CA PUBLIC RECORDS ACT REQUEST

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain the following:

- A copy of any direct or indirect contract, or any other means of agreement, with any agency and/or personnel that gives law enforcement authority within Sheriff D'Agostini's jurisdiction.

If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you provide a signed notification citing the legal authorities on whom you rely.

Charges for reproduction of records are limited to the direct costs of materials as stipulated by **Government Code 6253(b)** and **AB1234**. To avoid unnecessary costs of duplication, electronic copies are acceptable and may be emailed to melody.lane@reagan.com.

It is requested that your determination be made within **10 days** as stipulated within the California Public Records Act, **Government Code 6253(c)**.

Thanks for your anticipated cooperation.

Melody Lane
Founder – Compass2Truth

Rec'd 4/23/14



JOHN D'AGOSTINI
SHERIFF - CORONER - PUBLIC ADMINISTRATOR
COUNTY OF EL DORADO
STATE OF CALIFORNIA

April 17, 2014

Ms. Melody Lane
P.O. Box 598
Coloma, CA 95613

Re: Public Records Request

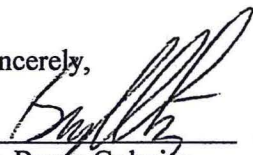
Dear Ms. Lane,

I have received and reviewed your Public Records Act Request dated April 7, 2014.

You have requested a copy of the Memorandum of Understanding and/or Agreement (MOU/MOA) as to whom, if any, agencies that the El Dorado County Sheriff has given or authorized law enforcement authority under his jurisdiction.

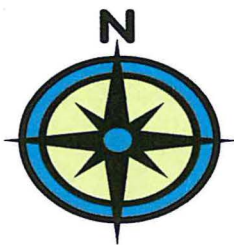
A review has been completed and no records were located which match your request.

Sincerely,



Lt. Bryan Golmitz
El Dorado County Sheriff's Office
Support Services

"Serving El Dorado County Since 1850"
HEADQUARTERS- 300 FAIR LANE, PLACERVILLE, CA 95667
JAIL DIVISION- 300 FORNI ROAD, PLACERVILLE, CA 95667
TAHOE JAIL- 1051 AL TAHOE BLVD., SOUTH LAKE TAHOE, CA 96150
TAHOE PATROL- 1360 JOHNSON BLVD., SUITE 100, SOUTH LAKE TAHOE, CA 96150



Compass2Truth

Citizens Serving God in Truth and Liberty

P.O. Box 598
Coloma, CA 95613
(530) 642-1670
melody.lane@reagan.com

April 29, 2014

To: El Dorado County Board of Supervisors
EDC Clerk to the Board
D.A. Vern Pierson

CA PUBLIC RECORDS ACT REQUEST

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain the following:

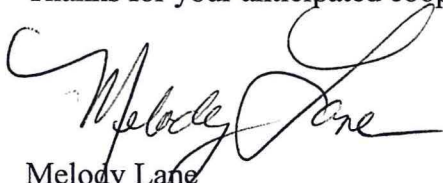
- A copy of the specific policy, ordinance, statute, government code, or any other lawful document that authorizes El Dorado County Sheriff D'Agostini to discriminate against citizens, block email correspondence, permit EDSO or CHP to refuse to assign a Case File Number to incidents, refuse to meet and/or file a report in person concerning issues affecting citizenry within his Jurisdiction.

If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you provide a signed notification citing the legal authorities on whom you rely.

Charges for reproduction of records are limited to the direct costs of materials as stipulated by **Government Code 6253(b)** and **AB1234**. To avoid unnecessary costs of duplication, electronic copies are acceptable and may be emailed to melody.lane@reagan.com.

It is requested that your determination be made within **10 days** as stipulated within the California Public Records Act, **Government Code 6253(c)**.

Thanks for your anticipated cooperation.



Melody Lane
Founder – Compass2Truth



Compass2Truth

Citizens Serving God in Truth and Liberty

P.O. Box 598
Coloma, CA 95613
(530) 642-1670
melody.lane@reagan.com

April 22, 2014

E-MAILED + Submitted 4/28/14
Special BOS

To: El Dorado County Board of Supervisors
EDC Clerk to the Board

CA PUBLIC RECORDS ACT REQUEST

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain the following:

- A copy of **all EDSO and CHP email correspondence** relevant to the Coloma Resort transport of modular units down Mt. Murphy Road the week of March 31 – April 4, 2014.
- A copy of the specific **email correspondence from a CHP Sergeant** referred to by Placerville Officer Hoey in a voice mail message left on my home phone on 4/7/14 at 12:45 PM regarding the April 4, 2014 incident called into Dispatch.
- Written justification for **EDSO and CHP refusal to assign a Case File Number** as requested to the 4/4/14 incident involving the transport of Coloma Resort modular units and obstruction of traffic on Mt. Murphy Road. **(Please see attached response from Lt. Golmitz to a previously submitted CPRA.)**

If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you provide a signed notification citing the legal authorities on whom you rely.

AB1234 was signed in 2005 by the Secretary of State which superseded EDC Resolution 113-95. (Resolution 113-95 no longer exists on the Government website.) Agencies may charge the **direct cost** of producing a copy of a record. The direct cost of duplication includes the pro-rata (proportionate cost) of copying equipment as well as the pro-rata cost of the person running the equipment. The direct costs of duplication **DO NOT** include costs affiliated with the research, retrieval, or redaction of a record as the Sheriff claimed previously. Such exorbitant fees are referred to as **UNJUST ENRICHMENT**.

In order to avoid unnecessary costs of duplication, digital copies of documents are acceptable and may be emailed to melody.lane@reagan.com. It is requested that your determination be made within **10 days** as stipulated within the California Public Records Act **Government Code 6253(c)**.

Thanks for your anticipated cooperation.

Melody Lane
Founder - Compass2Truth

Attachment: 4/11/14 Lt. Bryan Golmitz response to 4/7/14 CPRA

Rec'd 4/17/14



JOHN D'AGOSTINI

SHERIFF - CORONER - PUBLIC ADMINISTRATOR
COUNTY OF EL DORADO
STATE OF CALIFORNIA

April 11, 2014

Ms. Melody Lane
P.O. Box 598
Coloma, CA 95613

Re: Public Records Request

Dear Ms. Lane,

I have received and reviewed your Public Records Act Request dated April 7, 2014.

You have requested relevant El Dorado Sheriff's Office case file reports and information for an event that occurred on April 4, 2014

1. EDC Dispatch call/report made by Melody Lane
2. All calls/reports made on behalf of the Coloma Resort
3. CHP call/report made by Melody Lane on April 4, 2014
4. A copy of EDSO Case File #14-3120

The Sheriff's Office has complied with your requested information with the exception of item 3. CHP call/report. The Sheriff's Office does not maintain or have access to CHP communications. A search was conducted of our records in an attempt to locate a CHP transfer call to the Sheriff's Office, but none was located. Copies of the reports are available to you Monday – Friday during business hours at the Records Division located at 300 Fair Lane, Placerville CA 95667. You may also call the Records Division at (530) 621-5703 to schedule an appointment.

Government Code Section 54985 allows the Board of Supervisors to pass ordinance allowing for full reasonable cost recovery. Per El Dorado County Resolution 113-95 there is a \$10.00 fee for each report requested.

Sincerely,

Lt. Bryan Golmitz
El Dorado County Sheriff's Office
Support Services

"Serving El Dorado County Since 1850"

HEADQUARTERS- 300 FAIR LANE, PLACERVILLE, CA 95667
JAIL DIVISION- 300 FORNI ROAD, PLACERVILLE, CA 95667
TAHOE JAIL- 1051 AL TAHOE BLVD., SOUTH LAKE TAHOE, CA 96150
TAHOE PATROL- 1360 JOHNSON BLVD., SUITE 100, SOUTH LAKE TAHOE, CA 96150