

You've heard several members of the public address to the BOS in recent months about how frustrating it has been to obtain timely or accurate information from county staff. My purpose this morning is to submit 2 very specific CPRAs, one for the American River Resort and the other for the Coloma Resort.

Before I proceed, I wish to make a few clarifications which should assist staff in fulfilling their civic duty to provide timely and accurate information to the public.

First, I'd like to refer to an email I received from Principal Planner Peter Mauer on January 8th. In it Peter claimed last September I requested to review a number of records that were still sitting in a box in his office. I responded that I did NOT ask to REVIEW the records, but I had submitted a very specific CPRA requesting COPIES of certain documents. I never received the documents requested in that CPRA.

Prior to that I DID receive an email in response to an August CPRA containing hundreds of pages of materials, but it lacked specific information I was seeking. (Ray - remember your recommendation after having just finished the AB1234 Mandatory Ethics Training?)

Peter then apologized for any miscommunication or misunderstanding, stating *"We have gathered a number of documents that we believed were included in your request. It was our intent to provide you the courtesy of identifying the specific documents that you were interested in, since the documents fill a bankers box and the cost of coping at 15 cents per page could be excessive. However, re-looking at your requests, I believe we could narrow the documents to some degree....I will advise you when the copies are available for pick-up and the costs of copying."*

I told Peter to hold the presses until today...

You'll recall another CPRA presented to the BOS last September when I referred to AB 1234 Ethics Training – Fees for Duplication of Records: 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 (a proportion of their salary and benefits, for example).

The direct costs of duplication **DO NOT** include costs affiliated with the research, retrieval, or redaction of a record as the Sheriff publicly indicated to a group of us on September 18th. An

agency **CANNOT** charge a person requesting copies of records for these costs. **The theory is that these costs must be born by the agency as part of its duty to serve the public.**

UNJUST ENRICHMENT occurs when one person receives benefits at the expense of another. One such example I cited at that event was the Sheriff charging \$10 for a 1-page report as a means to raise funds to supplement his budget. Although the Sheriff didn't appreciate my reminder about ethics and Unjust Enrichment, we've already paid for these services via our taxes which provide EDC staff salaries. In other words, ***you work for us.***

Digital copies don't entail printer ink, paper, postage, or untimely delays. Additionally electronic transmissions are a perfectly acceptable and efficient means of providing the requested CPRA information.

Do you have any questions or comments at this time?

Mr./Madam Clerk: Please enter these specific CPRAs into the public record and note your response is expected within the 10-day time frame:

1. This transcript
2. CPRA – Coloma Resort + attachments
3. CPRA – American River Resort
4. Peter Mauer, Principle Planner email dated 1/8/14



Compass2Truth

Citizens Serving God in Truth and Liberty

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

January 14, 2014

To: El Dorado County Board of Supervisors

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 a copy of the following:

1. Copies of all **Temporary Special Use Permit** authorizations issued by the **Planning Department** and the **El Dorado County Sheriff's Office** during the years **2009 to 2012** inclusive pertaining to the **July 25, 2012 Toe Up Cup** event at Troublemaker Rapids held at the **American River Resort**.
2. A copy of the **formal petition of signatures dated June 4, 2002** addressed to Conrad Montgomery in Planning requesting the revocation of the **American River Resort SUP #S91-06** and the **Coloma Resort SUP #S93-03** for repeated violations of sound/noise ordinances within the Quiet Zone of the American River submitted by Melody Lane on behalf of local residents, and again submitted for the county files during a meeting held on **August 9, 2012** with Pierre Rivas and Roger Trout (Planning/Development Services.)

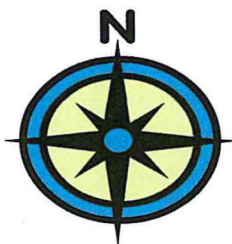
Should you not find the above documentation contained in the appropriate county files, please state so in writing.

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

It is requested that your determination be made within **10 days** as stipulated within the California Public Records Act.

Thanks for your assistance.

Melody Lane
Founder – Compass2Truth
P.O. Box 598
Coloma, CA 95613



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January 13, 2014

To: El Dorado County Board of Supervisors

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 a copy of the following:

1. Copies of all **Temporary Special Use Permit (TSUP)** authorizations issued by the **Planning Department, Code Enforcement** and the **El Dorado County Sheriff's Office** during the years **2002 to 2014** inclusive pertaining to events and fundraisers held at the **COLOMA RESORT**.
2. Please provide the TSUP for the 8/3/13 event held at the **COLOMA RESORT** and the relevant EDSO Case File report (see the attached email dated 8/5/13.)
3. A copy of the **permits issued for modular units transported down Mt. Murphy Road** in September 2011 and currently being transported to the **COLOMA RESORT** during the week of **January 13-17, 2014**. Please include:
 - a) The name of the EDC Planning Project Manager responsible for the modular unit project.
 - b) A copy of the Traffic Control Plan.
 - c) The date the project and TSUP was initially submitted to Planning.
 - d) The total number of modular units authorized to be added to the project plan.
 - e) The associated HUD report (see attached email date 9/7/11.)
 - f) The Environmental Impact Report associated with the project.
 - g) The agency responsible for liability associated with the project.

Should you be unable to locate any of the above requested documents, please so identify them by their corresponding number in your written response to this request.

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

It is requested that your determination be made within **10 days** as stipulated within the California Public Records Act.

Thanks for your anticipated cooperation.

Melody Lane
Founder – Compass2Truth

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

Sent: Monday, August 05, 2013 8:06 AM

To: 'Aaron Lopez'

Cc: 'Sheriff DAgostini'; Jim Wassner; Tim Becker; Vickie Sanders; Roger Trout; Terri Daly; Kimberly Kerr; bosfive@edcgov.us; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us; 'Ron Briggs'

Subject: RE: Noise Complaint in the QUIET ZONE of the S. F. American River

Deputy Lopez,

It's highly unlikely you'll ever receive a valid SUP from the Coloma Resort. As you can ascertain by the materials originally attached that is the same game the campgrounds and other business establishments in the QUIET ZONE of the SFAR have been playing for decades. It needs to stop. That has been the purpose of our meetings with Sheriff D'Agostini & county staff as well as a formal Grand Jury request for investigation (attached).

Please advise ASAP the **Case Number** assigned to this report and whether Lt. Becker is still the EDSO representative assigned to RMAC.

Thanks.

Melody Lane

Founder – **Compass2Truth**

Conservatives Serving God in Truth and Liberty

Home – (530) 642-1670

Democracy is two wolves and a lamb voting on what to have for dinner. Liberty is a well-armed lamb contesting the vote.

From: Aaron Lopez [mailto:lopeza@edso.org]

Sent: Monday, August 05, 2013 3:41 AM

To: Melody Lane

Subject: Re: FW: Noise Complaint in the QUIET ZONE of the S. F. American River

I have not been emailed anything yet by the owner of the Coloma Resort. I am still waiting on that.

Deputy Lopez.

On Sun, Aug 4, 2013 at 9:28 PM, Melody Lane <melody.lane@reagan.com> wrote:

Please confirm if you receive this...last one bounced.

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

Sent: Sunday, August 04, 2013 9:20 PM

To: aaron.lopeza@edso.org; 'Sheriff DAgostini'

Cc: Tim Becker; Vickie Sanders; Roger Trout; Jim Wassner; Jeremy McReynolds; Ron Briggs

Subject: Noise Complaint in the QUIET ZONE of the S. F. American River

Deputy Lopez:

This correspondence is in response to your request to document our multiple conversations regarding yet another excessively loud disturbance of the peace at the Coloma Resort on Saturday night, 8/3/13.

Per our conversation, you were going to obtain a copy of the alleged SUP that campground owner Mariel Faighta claimed to possess and hand deliver it to my home by **Monday, 8/5/13**.

If indeed a SUP exists, it should have been produced at the time you paid a visit to the Coloma Resort. It is highly unlikely that EDSO or Planning ever authorized such a SUP as Mrs. Faighta claimed. This has been the typical modus operandi that has aggravated residents over the years resulting in a **petition of community signatures submitted to Roger Trout** referred to in the attachments.

You can easily ascertain this has been a Hatfield & McCoy bone of contention within the QUIET ZONE of the SFAR for decades. The lack of appropriate code & law enforcement in District #4 was discussed during our last meeting in the office of Sheriff D'Agostini and formally submitted to the Planning Commission as well as the BOS. Note: a primary concern is bully tactics and retaliation for reporting such incidents to code/law enforcement.

As Sheriff John has often reminded residents, "We work for you."

Therefore please assign a **Case # -- not a CFS# --** and enter the entirety of this correspondence into the file. I expect you'll apprise me of the case number when you follow up to this message.

It would be appreciated if you'd also advise if Lt. Becker is still the EDSO representative to RMAC. This material will be used for our upcoming meeting with Sheriff D'Agostini and county staff.

Regards,

Melody Lane

Founder – **Compass2Truth**

Conservatives Serving God in Truth and Liberty

Home – [\(530\) 642-1670](tel:5306421670)

Democracy is two wolves and a lamb voting on what to have for dinner. Liberty is a well-armed lamb contesting the vote.

From: Lou Balisteri

Sent: Wednesday, July 31, 2013 10:59 AM

To: melanienhill@gmail.com; riverbox@cal.net

Cc: heatherfreer@gmail.com; clnews@googlegroups.com; robin & Bill Center

Subject: Re: [CLNews] Please call in noise complaint

Maybe I am missing something but posting on here at 3am does little good unless we have some insomniacs, **otherwise you could call the Sheriffs number given.**

I see the river quiet zone from the Marshall Park downriver is not enforced anymore, they scream their little heads off every ripple.

The fact the music stops when one calls could be the clowns involved here have a scanner and hear the sheriff's call go out and stop the music for awhile till safe. Won't be the first time.

----- Original Message -----

From: [Melanie Hill](#)

To: riverbox@cal.net

Cc: heatherfreer@gmail.com ; clnews@googlegroups.com News ; [robin & Bill Center](#)

Sent: Wednesday, July 31, 2013 9:46 AM

Subject: Re: [CLNews] Please call in noise complaint

How is that they can continuously do this, toe up cup gets cancelled because of one neighbor complaining of noise during allowed hours?

Might be time for the neighbors to take their complaints to higher authority if the sheriffs are not doing anything about it.

Sorry to hear this and hope it gets resolved soon. People decide to live in the area because it is peaceful and no one should have the right to take that away from others **ESPECIALLY** at 3/4 am in the morning!

Good luck!

On Wed, Jul 31, 2013 at 9:37 AM, Kelly Ahola <riverbox@cal.net> wrote:

Hello All, I'm forwarding this response (to Heather's email) from robin and Bill Center (who are having difficulty posting to CLNews), below:

9:09 AM (19 minutes ago)

to Heather, clnews

hello neighbors,

at least 6 times this summer, often between 9:00pm and sometimes lasting til 4am, there has been **outrageously loud music** coming from the large (used to be blue) house just upstream and across the river from camp lotus. the music has kept our campers (and neighbors within earshot) up til 3 or 4am. we have called the sheriff's office multiple times. often the music stops right after we call, then starts in again half an hour later. last year there was also loud music coming from the vacant property just upstream of this house.

we have asked the owners in the past to please observe 10pm quiet hours and asked anyone who knows the owners to also request they **abide by this county policy**.

robin and bill center

On Jul 31, 2013, at 3:22 AM, heatherfreer@gmail.com wrote:

If you know the address of this house concert, please call it in to the sheriff. 621-6600. Thanks. It's 3:21 am.

Heather Brooks Freer

Melody Lane

From: Melody Lane <melodylane@calis.com>
Sent: Wednesday, September 07, 2011 4:35 PM
To: Dan O'Donnell
Cc: Tony White; Pierre Rivas; Jeremy McReynolds; John DAgostini; Gerri Silva; Dana Jorgensen; Titus, Dave
Subject: Coloma Resort SUP #S93-003 - Environmental Concerns
Attachments: 2011_0120CRUnits9_67_110014.JPG; 2011_02163MobileUnits0818110004.JPG; 2011_0215MtMurphyRd0817110016.JPG; 2011_0215MtMurphyRd0817110007.JPG; CR Mobile Home 04-11.JPG; 2011_0120CRUnits9_67_110006.JPG; Coloma Resort SUP.jpeg

Hi Dan,

I'd like to follow up to our phone conversation last week regarding the "park models" transported to the Coloma Resort.

So far at least six of these modular units have been transported in recent weeks. Per Jim Ware at DOT some have not been properly permitted. The last one passed my home at 11:30 this morning.

BTW, I found it rather disturbing that my polite inquiries have been met with outright hostility by certain individuals involved in their transport. Obtaining information on a local level has been like getting blood out of a turnip.

The last thing Coloma residents need are the increasing problems associated with transient housing, code and law enforcement in this rural historic region.

As you can see, the structures appear to be permanent housing units. Residents are concerned whether they actually qualify as RV-park models that have typically slipped conveniently past the Planning & permitting process.

It would be helpful if you would provide the specific ordinance, RV-park model qualifications, and permitted number of RV spaces for such units at the Coloma Resort.

Residents are especially concerned about the Coloma Resort SUP S93-003, specifically septic compliance. This is a significant aspect of the River Management Plan, recreational use, and water quality along the S. Fork American River.

As we discussed, please advise when you anticipate making a site inspection at the Coloma Resort for State code compliance. We'd appreciate as well the outcome of that visit.

On a related note, could you please refer me to the appropriate person or agency responsible for septic inspections involving the two new restrooms constructed recently in the Marshall Gold Discovery Historic State Park? Both are within a few dozen yards of the S. Fork American River.

Thanks so much for your timely reply.

Melody Lane
President – COMPAS, Inc.

From: Melody Lane [mailto:melody.lane@reagan.com]
Sent: Wednesday, January 08, 2014 10:44 AM
To: 'Peter Maurer'
Cc: 'The BOSFOUR'; 'Roger P Trout'
Subject: RE: Public records request

Peter,

Hold the copy machine...

A response to the very specific 9/24/13 CPRA (attached) was what I expected to obtain by the due date of **October 8th**.

I will be making another CPRA presentation to the BOS on Tuesday. Until then let the bankers box stay where it is.

Regards,

Melody Lane

Founder – **Compass2Truth**
Conservatives Serving God in Truth and Liberty
Home – (530) 642-1670

Democracy is two wolves and a lamb voting on what to have for dinner. Liberty is a well-armed lamb contesting the vote.

From: Peter Maurer [mailto:peter.maurer@edcgov.us]
Sent: Wednesday, January 08, 2014 10:16 AM
To: Melody Lane
Cc: The BOSFOUR; Roger P Trout
Subject: Re: Public records request

Ms. Lane,

My apologies for any miscommunication or misunderstanding. We have gathered a number of documents that we believed were included in your request. It was our intent to provide you the courtesy of identifying the specific documents that you were interested in, since the documents fill a bankers box and the cost of copying at 15 cents per page could be excessive. However, re-looking at your requests, I believe we could narrow the documents to some degree. But items such as "all applications, writings and communications relevant to the status of special use permits...for amplified outdoor events..." could still entail a large number of documents. I will advise you when the copies are available for pick-up and the costs of copying.

Peter Maurer
Principal Planner

On Tue, Jan 7, 2014 at 9:53 AM, Melody Lane <melody.lane@reagan.com> wrote:

Mr. Maurer,

I did not request to view the files you indicated. I asked for COPIES of **specific** materials which were incomplete or you failed to produce in a timely manner. Please refer to the attached CPRAs.

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

Regards,

Melody Lane

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From: Peter Maurer [mailto:peter.maurer@edcgov.us]

Sent: Tuesday, January 07, 2014 8:42 AM

To: Melody Lane

Subject: Public records request

Ms. Lane,

Several months ago you requested to review a number of records from our office. Those records were pulled and you were notified of their availability at that time. They have been sitting in a box in my office and taking up space since September. If you are still interested in reviewing those files please let me know and we can schedule time for you to do so. If I do not hear from you by Friday I will refile them. Thank you.

Peter Maurer

Principal Planner