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Please pull Item #4 from 6/17 Consent Calendar - RMAC

1 message

Melody Lane <melody.lane@reagan.com> Sun, Jun 15, 2014 at 12:46 PM
 To: norma.santiago@edcgov.us, Jim Mitrisin <jim.mitrisin@edcgov.us>, edc.cob@edcgov.us
 Cc: Terri Daly <terri.daly@edcgov.us>, Kimberly Kerr <kimberly.kerr@edcgov.us>, Vickie Sanders <vickie.sanders@edcgov.us>, Pamela Knorr <pamela.knorr@edcgov.us>, Jeremy McReynolds <jimcreynolds@parks.ca.gov>, Rich Preston <rich.preston@parks.ca.gov>, ron.briggs@edcgov.us, Vern Pierson <nancy.anderson@edcgov.us>, bosfive@edcgov.us, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us, Ron Briggs <bosfour@edcgov.us>

Please pull Item #4 from the 6/17 BOS Consent Calendar for public discussion.

4. 14-0716 The River Management Advisory Committee and the Chief Administrative Office, Parks Division, recommending the Board approve final passage (Second Reading) of **Ordinance 5007** amending Chapter 5.50 of the El Dorado County Ordinance Code to include the following;
- 1) Prohibition of any glass bottle, jar, tumbler or vessel of any nature within 100 feet from the waterline on the South Fork of the American River on County Property including but not limited to Henningsen Lotus Park and Chili Bar Park, and
 - 2) Ban any glass bottle, jar, tumbler or vessel of any nature on the South Fork of the American River (Cont. 6/10/14, Item 76)

Please note the courtesy of a response to my 6/11/14 email @ 12:51 PM concerning this agenda item has not yet been received:

From: Melody Lane [mailto:melody.lane@reagan.com]
Sent: Wednesday, June 11, 2014 12:51 PM
To: norma.santiago@edcgov.us
Cc: Jim Mitrisin; Terri Daly; Pamela Knorr; Vickie Sanders; bosfive@edcgov.us; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us; 'Ron Briggs'
Subject: BOS, EDSO & RMAC audio

Hi Norma,

You'll recall my presentation to the BOS on April 29th regarding Consent Item #19 - EDSO Boating Sergeant and when Rich Williams was reticent to answer my questions about funding & staffing. Afterwards I had a brief and disturbing encounter in the lobby with Lt. Tim Becker. He was obviously upset that I'd quoted him in my message to the BOS (attached).

In the presence of witnesses Lt. Becker began stabbing his finger at me and in a loud, angry voice exclaimed, "**You need to get your facts straight!!! Show me the RMAC audio!!! Where's the audio???**"

When I reminded Lt. Becker who he worked for and to show some respect, Lt. Becker made a few derogatory remarks and angrily stormed down the steps to the lower level of the building.

BTW, these questions still need to be addressed by the Sheriff or Rich Williams. However during my conversation with Laura Lyons last Thursday, she confirmed

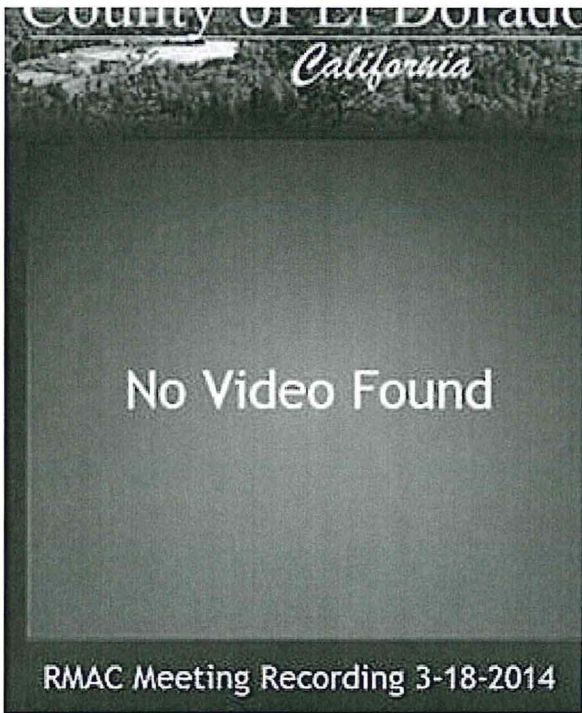
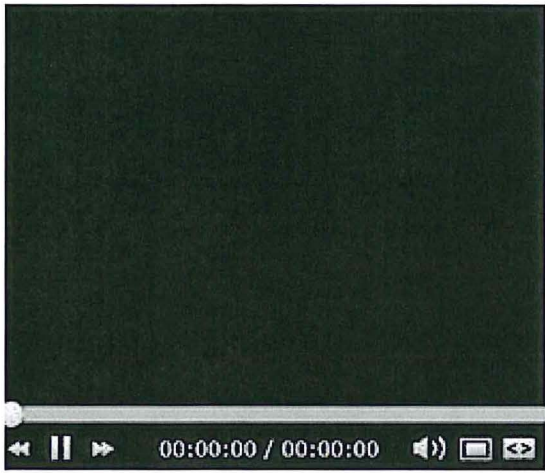
Sheriff D'Agostini still refuses to meet with us.

Although I personally record all RMAC meetings, when I got home from the 4/29 BOS meeting I went on-line to check the public audio of the 3/18/14 RMAC meeting. That was the evening Ron Briggs commandeered the RMAC meeting relevant to the glass ban on the SFAR which was on yesterday's BOS agenda.

Lo and behold, the 3/18/14 RMAC audio is **NOT** available, nor are the February or April RMAC audios (see below). All other RMAC audios appear to be accessible and properly functioning.

The obvious question is: **WHY** are the Feb., March and April RMAC audios not available on the government website?

I'd appreciate a timely reply as this will be relevant to our upcoming meeting with D.A. Vern Pierson and Bob Cosley.



Melody Lane

Founder – **Compass2Truth**

Conservatives Serving God in Truth and Liberty

"We, the people are the rightful masters of both Congress and the courts not to overthrow the Constitution, but to overthrow men who pervert the Constitution." ~ Abraham Lincoln ~

2 attachments



4-29-14 Consent 19 CPRAs Boating.docx

34K



4-15-14 OF CPRA Compliance.docx

32K

On April 15th I brought to the Board's attention Item #9 – EDSO New Boating/Rubicon Sergeant—with 7 specific questions. That item is germane to today's Item #19 Boating Safety & Enforcement Financial Aid Contract with CA Dept. of Parks & Recreation Division of Boating & Waterways in the amount of a \$319, 546 grant.

First I'd like to address the issue of inconsistent information being submitted to the BOS. During the March 18th RMAC meeting Lt. Tim Becker claimed he was the EDSO representative on RMAC responsible for the Search & Rescue Unit, Water Patrol & Rescue in accordance with the River Management Plan.

However Lt. Becker also claimed EDSO has been trying to find someone who is qualified and can run the river. They posted the position but no one volunteered. It was the same old issue—**EDSO DOESN'T HAVE THE QUALIFIED MANPOWER**. For this reason there has been no law enforcement on the river for the past two years. It's the same old runaround - the truth has been compromised for the sake of obtaining funding resulting in an *abuse of the public trust*.

This has been the subject of numerous meetings with Sheriff D'Agostini and Marshall Gold Discovery Park Superintendent Jeremy McReynolds. As you are aware, the Sheriff has reneged on his DUTY and refused to address correspondence in regard to Code & Law Enforcement issues within his jurisdiction. As a consequence information submitted by RMAC delegates to the BOS have been consistently erroneous apparently for the ultimate goal of rubber-stamping their recommendations to obtain the funding necessary to run the Sheriff's department and the trails, rivers and lakes of EDC.

Once again the matter of transparency & accountability was hashed over during yesterday's Special BOS meeting. A CONSTITUTIONAL SHERIFF has a DUTY to HONOR his oath of office; he works for US. *What is honor? It is being honest in all of our dealings. It is showing loyalty and fairness, and being a beacon of integrity in all our beliefs and actions. It is showing respect for others.* That means the Sheriff is NOT above the law, nor does he get to pick and choose which laws he will enforce or to whom he'll be accountable.

Madam Chair: We have questions that require answers. The Boat Patrol materials you provided last week don't address the issues submitted on April 15th. The seven questions I expected Undersheriff Rich Williams to address still remain unanswered. Therefore I'm resubmitting them with the full expectation that answers will be provided TODAY prior to making any decisions on this related matter of grant monies and expenditures. In that regard I'm also submitting an email into the public record that I addressed to you, the Board, HR Director Pam Knorr and Sheriff D'Agostini. *Silence is not an option.*

In addition, I expect an explanation as to the following statement: *"Funding is also provided for permanent staff who provides river and lake patrol service on a year round basis, as well as for the supplies & equipment needed to run the boating program. As a condition of participating in this program the County must use the boat property taxes to partially fund this program. The Auditor's Office provides the estimated funding, which will be included in the Sheriff's Fiscal Year 2014/15 budget in the amount of \$122,578."*

How do the Auditor and Sheriff justify these funds since Lt. Becker clearly stated there is NO QUALIFIED EDSO REPRESENTATIVE IDENTIFIED TO PERFORM THIS BOATING FUNCTION??? Has an applicant been identified? Are their conditions to the grant monies stipulating their specific use within a designated period of time? What happens to the funds if they aren't utilized?

Madam/Mr. Clerk: Please enter these documents into the public record:

1. This transcript
2. 4/15/14 transcript Boating Sgt./Rubicon
3. 4/15/14 email @ 12:14 PM to Norma Santiago & Sheriff D'Agostini

The Marshall Gold Discovery historic State Park on the S. Fork of the American River represents the heart & life-blood of El Dorado County. The Rubicon represents one of the main arteries of the recreational trail network. Many residents living in this area enjoy the peaceful solitude associated with remote, low density locations.

In addition to EDC, other governmental agencies with jurisdiction include the BLM and CA State Parks. It is the Sheriff's responsibility to ensure code compliance & law enforcement pertaining to the River Management Plan, EDC General Plan and the CA Parks Master Plan for the Marshall Gold Discovery Park.

There are too many to list but just a few include:

- The relationship between recreational activities and **residents rights**.
- Noise monitoring in sensitive areas near project area **campgrounds** and other sensitive locations along the river with focus on the Quiet Zone in the Coloma-Lotus area which begins at Indian Creek above Coloma, and ends at Greenwood Creek below Rivers Bend.
- Trespassing issues.
- Coordination among the Sheriff's Department, River Safety Committee, EDC Fire Protection District, Department of Fish & Wildlife, CEQA, County and State Parks.
- Emphasis upon safety and **emergency response activities**.

The addition of additional personnel allocation to the Sheriff's Office raises some concerns that I expect will be addressed today:

1. Is the addition of 1.0 Sheriff's Sergeant for the Boating & Off-Highway Vehicle Rubicon Patrol considered to be a promotion within the department, or justification for new addition to EDSO staff at a Sergeant-level salary?
2. Explain the \$182,895 cost of benefits & salary for 12 months – Is it a temporary justification spread out to the entire department or a long term position fulfilled by one specific individual?
3. During last month's RMAC meeting Lt. Ti Becker indicated that there was nobody on staff who was qualified & trained in boating skills & safety. Has an applicant already been identified, or will it be necessary that he receive special boating skills & safety training?
4. If so, what agency will be responsible for administering the competence and safety training?
5. There was no EDSO official representative to RMAC in 2012 or 2013 as required in the River Management Plan and reported annually to the Planning Commission. Will this

new Sergeant be the official representative required to attend monthly RMAC meetings & submitting regular reports as required in the RMP?

6. Are there conditions to the grant monies stipulating their specific use and/or within a designated period of time?
7. Can you explain how the Sheriff can give back thousands of dollars to the General Fund yet he claims to have insufficient staff to respond to constituents covering over 350 square miles on the Georgetown Divide?

Last, I believe this is an appropriate time to bring to your attention that Supervisor Briggs appeared to have unethically overreached his authority by commandeering the March RMAC meeting for his own political purposes. The official press release issued by Mr. Briggs for that meeting belies the fact that the abbreviated minutes deceptively indicate he was merely a Member of the Public.

In a similar vein Sheriff D'Agostini need to be reminded that he is not above the law as it applies to AB1234 Mandatory Ethics Training and FPPC regulations.

The Sheriff needs to remedy the situation pertaining to blocked email access to EDSO staff, appropriate responses to correspondence, proper investigations, and accuracy in filing all reports required by law. These topics have been covered extensively during our previous meetings with the Sheriff, CA Parks and other County personnel.

I'd also like to thank HR Director Pam Knorr for bringing these matters to the attention of the Sheriff. We anticipate that Sheriff D'Agostini will remedy the situation and comply with the law according to his Constitutional Oath of Office and duty to constituents.