



LATE DISTRIBUTION 02-03-14

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Please pull 2/4/14 BOS Consent Item #13

2 messages

Melody Lane <melody.lane@reagan.com>

To: Jim Mitrisin <jim.mitrisin@edcgov.us>, edc.cob@edcgov.us, Pamela Knorr <pamela.knorr@edcgov.us>, Ron Briggs <bosfour@edcgov.us>, bosfive@edcgov.us, bosone@edcgov.us, bostw@edcgov.us

Cc: Vern Pierson <nancy.anderson@edcgov.us>, Sheriff DAGostini <john.dagostini@edso.org>, Bryan Golmitz <golmitzb@edso.org>, Laura Lyons <lyonsl@edso.org>

Please pull Consent item #13 from the 2/4/14 BOS agenda for public discussion.

Be prepared to explain why the 1/28/14 Open Forum link in the minutes was not activated to display the RMAC materials I presented and ordered the COB to p minutes for approval by the BOS on 2/4/14 (see attached):

APPROVAL OF CONSENT CALENDAR 2

Public Comment: M. Lane

A motion was made by Supervisor Mikulaco, seconded by Supervisor Veerkamp to Approve Consent Calendar 2 with the following change: Trail Item 17.

Yes: 4 - Briggs, Santiago, Mikulaco and Veerkamp

The Board may make any necessary additions, deletions or corrections to the agenda including moving items to or from the Consent Calendar and adopt the agenda with one single vote. A Board member may request an item be removed from the Consent Calendar for discussion and possible action, and the item will be moved from Consent and heard as a separate item with Department Matters. Any member of the public may ask to address an item on the Consent Calendar prior to Board action.

14-0221 OPEN FORUM

Public Comment: M. Lane, E. Veerkamp, S. Taylor, M. O'Neil, W. Nagel

14-0222 CAO UPDATE

Relevant to this matter was the approval of the minutes from the November 19, 2013 Annual RMAC meeting held at the Marshall Gold Discovery Park Museum, and materials had once again been censored from the minutes by River Supervisor Noah Triplett.

It is my understanding that Assistant CAO Kim Kerr texted Noah during the 1/28 BOS meeting so he immediately posted them via legistar to the BOS calendar

From: El Dorado County <eldoradocounty@service.govdelivery.com> Sent
To: melodylane@calis.com
Cc:
Subject: El Dorado County River Management Advisory Committee Agendas & Minutes Update



You are subscribed to River Management Advisory Committee Meeting Agendas & Minutes for El Dorado County . This information has recently been updated, and is now available.

[htt://eldorado.legistar.com/Calendar.aspx](http://eldorado.legistar.com/Calendar.aspx)

It was further understood the November RMAC minutes will not be approved until February when they are properly amended to reflect my public comments rega and lack of code/law enforcement.

This is a Human Resources and District Attorney issue. Please note below and post accordingly:

14-0227 Public Comment
BOS Rcvd 02-03-14 1 of 4

PUBLIC OFFICIAL TRUSTEE DUTIES AND AUTHORIZATION

****63C Am. Jur.2d, Public Officers and Employees §247*** "As expressed otherwise, the powers delegated to a public officer are held in trust for the people and on behalf of the government or of all citizens who may need the intervention of the officer.

[1] Furthermore the view has been expressed that all public officers within whatever branch and whatever level of government, and whatever be their private of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from trusts.

[2] That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves.

[3] and owes a fiduciary duty to the public.

[4] It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual.

[5] Furthermore, it has been stated that any enterprise undertaken by the public official who tends to weaken public confidence and undermine the sense of rights is against public policy. Fraud is its elementary common law sense of deceit and this is one of the meanings that fraud bears [483 U.S. 372] in the statute.

See *United States v. Dial*, 757 R2d 163, 168 (7th Cir 1985) includes the deliberate concealment of material information in a setting of fiduciary obligation. / fiduciary toward the public, including, in the case of a judge.


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 ~

4 attachments

 1-28-14 RMAC Censored OF.docx
31K

 1-28-14 CPRA Inspection Warrants.doc
72K

 12-15-13 RMAC Cover Letter to DAgostini.doc
66K

 RMAC 11-19-13 Annual Mtg.doc
39K

Over 15 years of experience as an HR professional in both the corporate and government arenas have equipped me to speak with authority on **bully tactics**, discrimination, conflict of interest, ethics and other employee misconduct.

Madam Clerk: Please distribute to each of the supervisors these relevant materials.

I wish to draw your attention to my reply to Chris Daley this morning regarding an inappropriate email he sent from his business address. Chris isn't a county employee, but he is the press agent for the BOS.

*"Your **bullying** and **attempts at intimidation** are just laughable. You're going to tell my boss that I responded with "biting sarcasm" to your snarky, unsolicited email to me? Compared to your public abuse of me at numerous BOS meetings, your outrage at my changing a couple of letters in your name in a private communication seems rather puny and petty. And you expect what, that I'll be reprimanded, lose some pay or be fired?"*

Unprofessional conduct & journalistic ethics was the purpose of our 2010 meeting with Publisher Richard Esposito and the Cal Aware consultant who accompanied me. My response to Chris differentiates between whistle blower organizations such as **Compass2Truth** versus his own distorted perception of harassing **bully tactics particularly against women.**

Whether in the government or private sector, Mr. Daley's conduct is unacceptable by any standards.

As an example, note my comment to Chris regarding the misconduct of Gary Lyons, MGD Superintendent. Based upon notarized affidavits of witnesses and other substantial evidence, CA State Parks took proper disciplinary action. What the Mtn. Democrat didn't publish was that just months after being promoted Mr. Lyons was forced to suddenly retire for sending me a similar inappropriate email stemming from the incident that Chris Daley falsely biased to smear my good name and reputation. The media refers to such tactics as "trash journalism."

Public employees Al Hamilton and Karl Weiland have maliciously distributed similar libelous correspondence as evidenced by the materials just distributed to you.

"The Melody Lane's of this county cause road blocks to our goals and provide no service or value to our cause. Actually she has made so much noise that she is being ignored by all."

The actions of these GOBs are unlawful and can't be ignored. They have an obligation to comply with ethical guidelines and to conform to standards of professionalism. In order to instill public confidence in the legal profession and our judicial system, an attorney especially must set an example of lawfulness. As a legislative body the BOS has a legal obligation to act upon that knowledge in a timely manner.

You'll recall the 2010 Grand Jury report regarding SLT dysfunction & misconduct. A similar situation was raised concerning the City Council's ethics and the conflict of interest issues with the FPPC. We have the same situation transpiring here on the West Slope. However we no longer have a county Grand Jury to investigate malfeasance.

On October 7, 2005, the Governor signed Assembly Bill 1234. This bill requires that if a local agency provides any type of compensation, salary, or stipend to, or reimburses the expenses of a member of its 'legislative body' that local agency's officials **must** receive training in ethics. (**PUBLIC SERVICE ETHICS**)

Bullying and Ethics training go hand in hand. It is recommended that the BOS direct the CAO & HR Director to take necessary disciplinary action of the aforementioned county employees. It is further requested they review the mandated Ethics Training requirements as defined in California Government Code Section 54952.

The quality of local government is largely dependent upon the quality of elected leadership. It is up to this BOS to make sound policy decisions to ensure ethical standards are adhered to, enforce appropriate disciplinary measures and thus avoid the threat of costly litigation at the expense of taxpayers.

Today is a golden opportunity for the BOS to simply do what is right and lawful.

Do you have any other questions or comments at this time?

Madam Clerk: Please accept these documents into the public record.

1. BOS Transcript – (5 min. 10 sec.)
2. DOJ Ethics Training for Local Government Officials