



Public Comment #4 + 6  
 County of El Dorado Clerk of the Board <edc.cob@edcgov.us>  
 BOS RCW. 8-24-21

## 8/24/21 BOS Consent Items #4 & #6 - Public Comments

Melody Lane <melody.lane@reagan.com>

Tue, Aug 24, 2021 at 9:21 AM

To: edc.cob@edcgov.us, lori.parlin@edcgov.us, Donald Ashton <don.ashton@edcgov.us>, Tiffany Schmid <Tiffany.Schmid@edcgov.us>, david.livingston@edcgov.us

Cc: john.hidahl@edcgov.us, Shelley Wiley <shelley.wiley@edcgov.us>, wendy.thomas@edcgov.us, george.turnboo@edcgov.us, sue.novasel@edcgov.us, bosfive@edcgov.us, bosfour <bosfour@edcgov.us>, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

Please ensure the entirety of this correspondence is entered into the corresponding Consent items #4 & #6.

I am addressing Consent Item #4 where the CAO is recommending the BOS approve a \$400/month step increase for Clerk of the Board Kim Dawson, and Consent Item #6 – the adoption of changes to the Good Governance Handbook. The strategic goal of the Good Governance Handbook states: *Achieving the best possible process for making & implementing decisions; characterized by honesty, integrity, accountability, transparency, responsiveness, equitability, inclusion, effectiveness, efficiency and following the rule of law.*

On multiple occasions the BOS has been apprised that Ms. Dawson has violated the Brown Act Rights of the Public and her oaths of office. In so doing she has violated her oaths of office, nor did she demonstrate the aforementioned Good Governance characteristics and the Core Values of Accountability, Collaboration, Integrity, and Service Excellence.

Recently you were apprised that Ms. Dawson has colluded with county staff to deprive me of Public Record Act requests for information. In particular, the most recent PRA (# P003410-072821) that was initially made on July 8<sup>th</sup> and was due no later than July 21<sup>st</sup>. When I didn't receive a response, on July 27<sup>th</sup> I again asked to obtain the following documents via email:

1. All correspondence between county officials and Lori and Sam Parlin pertaining to Kniesel's Auto Body noise violations, harassment, and retaliation for the period between **January 1, 2017 through the present date of this PRA.**
2. Documentation indicating whether this specific noise issue was resolved with or without the expense of the Parlin's hiring an acoustical consultant. If it has not yet been resolved, please so state immediately.
3. All policies, resolutions, and ordinances with reference to the county's newest requirement for citizens to obtain an "acoustical noise consultant" to mitigate excessive noise issues and other SUP violations.

Although the County of El Dorado claims to be "dedicated and responsive to our community", Ms. Dawson fraudulently forwarded **31 pdf documents** on August 13<sup>th</sup> and on August 16<sup>th</sup> that were **UNRESPONSIVE** to my PRA. The documents she forwarded were **all duplicates of my own emails** indicating the county's flagrant mockery of citizen's rights to access California Public Record Act requests.

Consequently I demanded that Kim Dawson, **immediately** identify the specific person who gave her the directive to convey the aforementioned emails: Was it **Tiffany Schmid, Lori Parlin, CAO Don Ashton, or**

## County Counsel?

Once again Ms. Dawson failed to respond to my inquiry as required by law, thus she demonstrated that the county has something to hide.

The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, the oath taker, pursuant to her oath, is mandated to uphold. If she fails this requirement, then she has violated two provisions of the First Amendment, the Public Trust and perjured her oath. By not responding, the oath taker denies the Citizen remedy, thus I was denied constitutional due process of law, as stated within the Bill of Rights. Ms. Dawson deliberately violated these First Amendment guarantees with the full knowledge and blessing of the CAO, BOS, and county counsel, thereby making you all complicit and liable for aiding and abetting her unlawful actions.

Therefore the BOS would be remiss in their fiduciary responsibilities to reward Ms. Dawson with a salary increase for violating the public trust and her oaths. **At the very least Ms. Dawson should be reprimanded and sternly disciplined.**

If you have any questions or comments, please make them now. Hearing none, your silence is your acquiescence.

*Melody Lane*

**Founder – Compass2Truth**

~ By identifying the people's sovereign will not with its latest but its oldest expression, the Framers succeeded in identifying the people's authority with the Constitution, not with the statutory law made by their representatives. ~



7-27-21 Parlin Kniefels accoustical consultant.doc

55K



# Compass2Truth

*Citizens for Constitutional Liberty*

P.O. Box 598  
Coloma, CA 95613

July 27, 2021

To: Supervisors Districts #1, #2, #3, #4 & #5  
EDC Clerk to the Board  
CAO Don Ashton  
Planning/Code Enforcement Director Tiffany Schmid

## CA PUBLIC RECORDS ACT REQUEST

On 7/8/21 I submitted a PRA that was due 7/21 but I have not yet received a response as required by law regarding the excessive noise issues pertaining to Supervisor Lori Parlin's noise battle with Kniesel's Auto Body adjacent to her home in Shingle Springs: **While you are at it, I'd also like to know if Code Enforcement made the same demands of Supervisor Lori Parlin to enlist the services of an acoustical consultant to substantiate the noise emanating from Kniesel's Auto Body, and whether or not the nuisance noise issue was resolved with or without a consultant.** FYI, it is my understanding that Code Enforcement retaliated against Lori and Sam Parlin by sending them a notice to bring one of their outbuildings into compliance with county ordinances.

Therefore, pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I again ask to obtain the following documents via email:

1. All correspondence between county officials and Lori and Sam Parlin pertaining to the above Kniesel's Auto Body noise violations, harassment, and retaliation for the period between **January 1, 2017 through the present date of this PRA.**
2. Documentation indicating whether this specific noise issue was resolved with or without the expense of the Parlin's hiring an acoustical consultant. If it has not yet been resolved, please so state immediately.
3. All policies, resolutions, and ordinances with reference to the county's newest requirement for citizens to obtain an "acoustical noise consultant" to mitigate excessive noise issues and other SUP violations.

**The agency must justify the withholding of any record** by demonstrating that the record is exempt or that the public interest in confidentiality outweighs the public interest in disclosure. (§6255) **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 specific legal authorities on whom you rely.**

To avoid unnecessary delays or costs of duplication, electronic copies are acceptable and may be emailed directly to [melody.lane@reagan.com](mailto:melody.lane@reagan.com) in pdf format. **Access is always free.** Fees for "inspection" or "processing" are prohibited. (§ 6253)

It is further requested that your determination be made within **10 days, or sooner**, as stipulated within the California Public Records Act, Government Code 6253(c). **\*Note these time periods may not be used solely to delay access to the records. (§ 6253(d)) The law makes no provision for extensions due to Covid-19.**

Please do not hesitate to contact me immediately if you have any questions.

Sincerely,

Melody Lane

Founder – Compass2Truth



Public Comment #6  
 County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

BOS Recd. 8-24-21

## 8/24/21 Consent Item #6 Good Governance Handbook - Public Comments

Melody Lane <melody.lane@reagan.com>

Tue, Aug 24, 2021 at 10:32 AM

To: edc.cob@edcgov.us, Donald Ashton <don.ashton@edcgov.us>, david.livingston@edcgov.us

Cc: sue.novasel@edcgov.us, lori.parlin@edcgov.us, john.hidahl@edcgov.us, wendy.thomas@edcgov.us, george.turnboo@edcgov.us, bosfive@edcgov.us, bosfour <bosfour@edcgov.us>, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

Please ensure the entirety of this correspondence is entered into the public record under Consent Item #6:

The strategic goal of the Good Governance Handbook states: *Achieving the best possible process for making & implementing decisions; characterized by honesty, integrity, accountability, transparency, responsiveness, equitability, inclusion, effectiveness, efficiency and following the rule of law.*

I was appalled by Sue Novasel during Consent when she flagrantly demonstrated her blatant **disrespect** and contempt for the public and the rule of law. I'm not sure if it was Lori Parlin or Wendy Thomas who disrespectfully chimed in with Sue Novasel, but that is precisely why the hypocrisy of "Good Governance" is a joke frequently brought up during Taxpayers Association meetings.

This entire BOS has no regard for the Brown Act, their oaths of office, their fiduciary responsibilities, or the rule of law. The Supreme Law of the Land takes precedence over this Good Governance handbook or any other state or local laws, ordinances or policies.

You are again reminded that you are public **servants**, not dictators. The preamble to the Brown Act explicitly states, "*The people do not yield their sovereignty to the bodies that serve them.*" However you are methodically stripping the people of their God-given rights through the hypocrisy of this progressive "Good Governance" policy.

The same tyranny is taking place at BOS meetings throughout the nation. Rest assured, "we the people" will not tolerate it!

As an example, below is the video of the 8/17/21 San Diego County of San Diego Board of Supervisors meeting where there were over 80 citizens inside, and 400 citizens outside rallying. The speakers start at the 22:50 minutes mark, some of whom are kids with a tremendous amount of poise and confidence about their rights:

<https://www.youtube.com/watch?v=CX01nsB3mUI&t=9052s>

You are aware that staff is violating the public trust and their oaths of office, yet you do nothing about it as required **by law**. You are also aware Don Ashton has blocked my ability to communicate electronically with

most staff and you all remain unresponsive to the public. There is no transparency, accountability, effectiveness, efficiency or following the ***rule of law***. You are also aware that certain committees, such RMAC and the Coloma Lotus Advisory Committee (CLAC), have not submitted minutes of their meetings. Where's the transparency, accountability and other characteristics of the Good Governance strategic goal?

You are also aware Sue Novasel, George Turnboo, John Hidahl, CAO Don Ashton, Kris Payne, and others have already received Affidavits of Truth that were entered into the public record. An un rebutted affidavit stands as truth and fact before any court of law in America. I guarantee you will be hearing more about this in the future, and it will end up in court.

*Melody Lane*


**Founder – Compass2Truth**

"It does not take a majority to prevail... but rather an irate, tireless minority, keen on setting brushfires of freedom in the minds of men." ~ Samuel Adams ~

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**2 attachments**

 **Brown Act Rights of the Public.docx**  
16K

 **8-24-21 Consent Item 4 Kim Dawson Raise.docx**  
18K

# 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.

54954.2 E (3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3.

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).)

8/24/21 Open Forum #4 Kim Dawson raise from \$7,846.80 to \$8,238.53/mo.

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