

M. Thomas Open Forum BOS 12/15/15

EDC BOS Public Comments on 12-15-15

My name is Mike Thomas, from Placerville, representing the El Dorado Jefferson Committee. Today is **Bill of Rights Day**. The Bill of Rights was ratified on December 15, 1791, 224 years ago today. This is very appropriate because I am here to inform you that El Dorado County has enough support to join the State of Jefferson. The people have spoken.

Article 2 Section one of the California Constitution, states that all just political power derives from the people. Further, Article 2 states, it is the right of the people to alter or reform government any time the public good demands.

We have gathered enough signatures together with Declarations from local elected officials, well in excess of the number required to demonstrate the will of the people.

The people of El Dorado County will have standing and participate in any negotiations which take place to restore representation to the counties of Jefferson.

Each member of this board has been given an opportunity to sign an Individual Declaration so that you would have the opportunity to represent your district. No member of this board has taken advantage of this opportunity. Therefore the people will take the Jefferson Petition and Declaration to Sacramento, on January 6, 2016, without this Board.

The El Dorado Jefferson Committee will take your place as the official contact and representative body in any and all proceedings regarding representation and/or state formation. By not signing a Declaration, you have chosen to ignore thousands of your constituents and our demand for representation. Should you choose to affirm a Declaration at a later date, the El Dorado Jefferson Committee may, or may not, allow your participation.

The people have spoken. Thank you.

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Why Recall the Board of Supervisors

At the meeting July 29th 2014 on Item 28 the El Dorado County BOS crossed the line into absolute despotism by denying the people the right to vote on the Yellow Petition, "Restore Measure Y – No More Paper Roads". They violated the 1st Amendment right to free speech and right of the people to petition the government for redress of grievances, the 14th Amendment right to equal protection under the law, and finally the 26th Amendment, the right to vote. Arguably, the BOS also violated the 9th and 10th Amendments.

But they didn't stop there. The BOS also violated the County Code of Ethics codes #1, 2, 5, 7, 9, 11 and 12. This motion was made by a Supervisor with a direct conflict of interest, then seconded and voted on by another whose planning commission appointee was recording political ads to defeat not only the yellow petition, but all three of the voter supported propositions.

In doing so these Supervisors crushed the rights of over 10,000 citizens of El Dorado County who signed petitions to place those items on the ballot. I invite everyone to review the meeting and see it for yourselves.

Of those who voted that day, Supervisors Veerkamp and Mikalaco are still present.

What has transpired since that time? Our 1st and 14th Amendment rights continue to be violated at will. The Brown act has become a joke. Whole segments of our citizens are browbeaten into silence. The consent calendar is still used to slip policy into law unnoticed. County contracting practices continue to be corrupt. Public record act requests are worth less than toilet paper as our County continues to evade civic oversight and ignore the law. Further changes in Board procedures promise even less public scrutiny and input.

Those who should be standing up for us, won't. Our local newspaper apparently hasn't heard the words "investigative journalism", and in fact

the Publisher has just been made President of the Chamber of Commerce, a key special interest lobby. Our District Attorney seems deaf and dumb, or perhaps he lost the will to prosecute after the Ray Nutting fiasco.

I could go on to list item after item but time does not permit.

When our elected officials are no longer public servants, but rulers. When our democratic process is being completely suppressed. When our Bill of Rights is routinely denied. When the BOS passes laws shown to be illegal. When those who are supposed to protect the people instead act to deprive them of life, liberty, and property. When they violate the Brown Act and their own ethics policies yet brazenly stand untouched by the law, let us face the facts and realize that we have lost control of our local government.

This is why I signed the petitions for recall. I believe it is our only chance to restart our County on an honest path. This is the essence of the democratic process. Only Tyrants fear it.

To support the recall effort, the website is www.edctotalrecall.org.

Mark E. Smith
Garden Valley

Attachments:

1. This document, 2 pages

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E. Van Dyke Open Forum BOS 12/15/15

From: Ellen Van Dyke

Sent: Tuesday, December 08, 2015 5:56 AM

To: Char Tim ; Brian Shinault ; Gary Miller ; Tom Heflin ; Dave Pratt

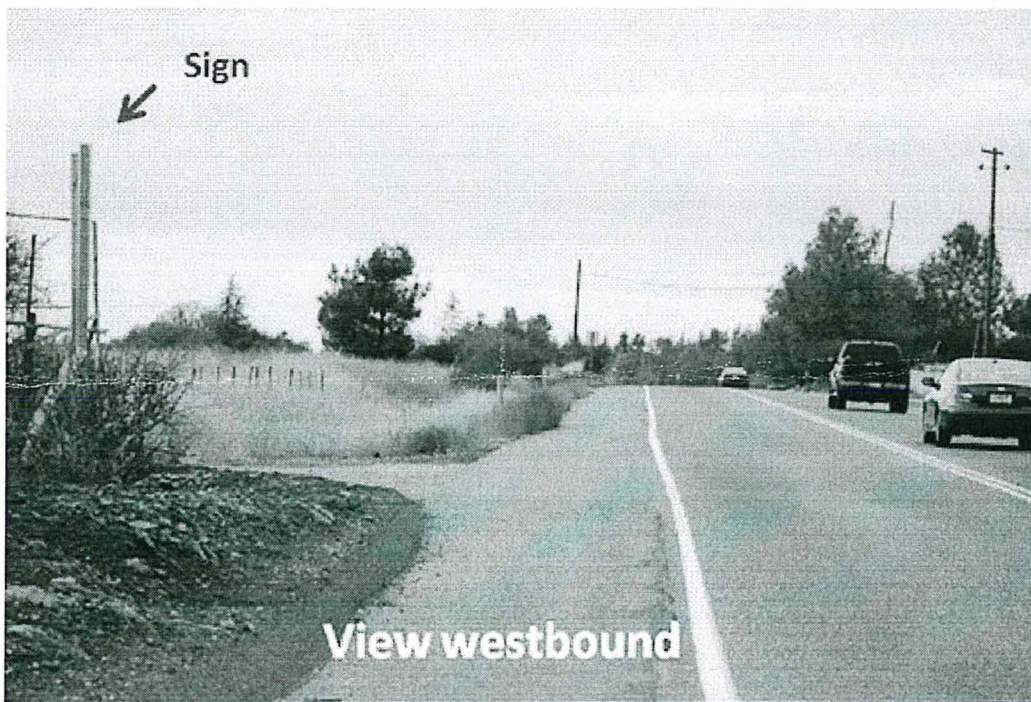
Cc: Brian Veerkamp ; Shiva Frentzen ; Sue Novasel ; Michael Ranalli ; Jim Mitrisin ; Lillian Macleod

Subject: Re: Dixon Ranch, public comment, Planning Commission 12/10/15

Dear Commissioners:

The sign below is presumably intended to meet the requirements of Zoning Ordinance 120.24.085(2):

"Physical posting of notice on the property proposed for development so as to be visible to the public"



The sign is not actually visible from the roadway until you are almost directly in front of it, and this is a 55 mph road. It seems reasonable to ask that the item be continued so that the applicant can adequately meet the noticing requirement.

Additionally, please include the attached public comments into the administrative record. Thank you
– Ellen Van Dyke

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L. Parlin Open Forum BOS 12/15/15

Dear Supervisor Ranalli,

Thank you for holding a Town Hall Meeting in Shingle Springs. While the audience seemed to appreciate that you took time to be out in public with some of your constituents, the goal of the meeting was not clear. You spent the first hour of the meeting giving a presentation about what the County has been doing since you came into office. You spent the second hour of the meeting answering questions. If your goal was to gather public input so that you could make representative decisions on our behalf, then we need to schedule another meeting where we can sit down and actually work on some topics within Shingle Springs and plan for our future.

It is the job of citizens to hold elected officials accountable for their actions. On Friday, November 13, 2015, you voted to rezone 37,000 parcels in El Dorado County, without any site-specific notification to the public. You said that you were comfortable with the fact that maps were posted on a wall at meetings for the public to view and you supported Long Range Planning Staff's claim that there was no need for community meetings to discuss specific rezones. That is not a very transparent way for the County to include people in decisions that will affect their neighborhood FOREVER.

At your Town Hall meeting, you misled the public about the rezones, specifically the rezoning of parcels at the northeast and northwest corners of Ponderosa Road and Highway 50. You said that there was a PD (Planned Development) overlay on those parcels, and that a Costco-type business could be developed there today, with or without the rezoning of the property. That was inaccurate. When your misleading statement was questioned, you backpedaled and said that only 2 of the parcels had the Planned Development overlay on them. The reality is that the County's online LUPPU map shows a total of 14 parcels being rezoned at this intersection and only 4 of them have a Planned Development overlay on them. The facts are completely different than what you said to the room full of your constituents.

In 2013 I hosted a private all-day symposium at my home featuring two nationally-known experts on the topic of Constitutional law. One of the speakers wanted to bring Brian Veerkamp and Sheriff D'Agostini with him which would have been disastrous since my guests wouldn't have felt comfortable candidly expressing themselves in their presence.

Eighteen guests were invited, many of whom have been in the news, with the expectation that perhaps half of them would attend. I was pleasantly surprised when 17 people showed up, some of them early. After opening in prayer, the speaker asked my guests to introduce themselves and their reason for attending. *Each one without exception* replied, "**Corrupt government!**" One guest has already spent over \$7M on legal fees litigating a lawsuit that could have been avoided had the county just done the "right thing" in the first place.

The term doing things "by the book" is derived from a reference to biblical law which is the foundation of Constitutional law framed by the founders of our nation.

Sunshine laws such as FOIA, CPRA, and the Brown Act were instituted to ensure public transparency and accountability to the citizens whom elected officials profess to serve. AB1234 is the basis of mandatory ethics training for public officials described in this manual (Public Service Ethics). Even the Sheriff and County Counsel are required to sign an Oath of Office to support the US & CA Constitutions.

However just because something may be lawful doesn't mean it is ethical. Employees regularly abuse their fiduciary which presents major headaches for Risk Management. Ultimately lawsuits are filed at taxpayer's expense and the attorney's lucrative profit. The root of EDC's problem with Shadow Government is seated to the left of me > CAO and County Counsel. For example:

- 1) Last week's loaded BOS agenda was surreptitiously held in Somerset instead of this room. Had I not sent out a notice it is likely nobody would have shown up. The video and minutes of that meeting are not yet available as required by law.
- 2) The United Domestic Workers used to line up to the back of the room every Tuesday during Open Forum until Health & Human Services Director Don Ashton told them not to show up at any more BOS meetings. When asked to put that in writing he refused to do so for obvious reasons.
- 3) During the November 20th Taxpayers Assn. Chairman Veerkamp claimed the BOS meetings need to be "streamlined." Since when does expediency justify Brown Act violations, refusal to pull items from Consent, and censoring citizens?

- 4) Minutes and reports to the BOS are deliberately falsified by staff; specifically RMAC, Development Services, and Parks & Rec.
- 5) No oaths of office on file with HR for Roger Trout, Vickie Sanders and Noah Rucker...and who knows how many other employees?
- 6) Mike Ranalli stonewalled the coordination of a Coloma Lotus Fire Safe Council meeting request made 5 months ago and refused to respond publicly to matters within his district. He still hasn't revealed the officers or how they were selected.
- 7) A Conspiracy to commit fraud, harassment and libel relevant to the 9/14/15 RMAC meeting witnessed by Supervisor Ranalli ended up in the black hole of government bureaucracy headquartered in this building and guarded by County Counsel.

We met at the request of County Counsel last year regarding failure to respond timely and appropriately to CPRAs. The agenda for that audio recorded meeting is being submitted with supporting documentation into the public record. Note Counsel has yet to respond to those issues.

What's really going on here? Where's our representation, Mr. Ranalli? Case in point is this recent email excerpt from Paula Franz in response to a CPRA:

"Mr. Trout had also responded promptly to let me know that he does not have a copy of an oath of office; however, due to absences in the HR department, I never heard back from them about Mr. Trout's oath of office. While waiting for a response from them, this request inadvertently fell through the cracks on my desk. I apologize both to you and to Mssrs. Ranalli and Trout."

The apology of County Counsel is no excuse for incompetence or ignorance of the law. Accordingly another CPRA pertaining to outside law firms contracted by EDC to supplement Counsel's team of 14 lawyers is hereby submitted.

Madam Clerk: Please enter these documents into the public record and note you have 10 days to respond to the CPRA:

1. This transcript
2. 11/10/15 @ 8:54 AM CPRA Ranalli Trout oaths of office Paula Franz email
3. 11/12/14 Counsel Agenda re: CPRAs & Brown Act Violations
4. 11/12/15 @ 3:41 CL FSC CPRA correspondence w/Paula Franz
5. CPRA – Outside Legal Contracts

From: Paula Frantz [mailto:paula.frantz@edcgov.us]
Sent: Tuesday, November 10, 2015 8:54 AM
To: Melody Lane
Cc: Brenda Bailey; Michael Ranalli; Roger Trout
Subject: Fwd: 10/12/15 RMAC meeting & CPRA

Dear Ms. Lane:

In response to your inquiry of October 12, attached please find the documents demonstrating Supervisor Ranalli's participation in Ethics Training. As you can see, District 4 provided me with those documents the next day. However, since your request covered numerous topics from numerous departments and divisions within a single letter, Most of the information requested did not appear to seek any identifiable documents but rather sought information about "why" certain actions were taken, which are not subject to the CPRA; however, I was waiting to hear from all of the various responders before sending you a coordinated response to all of the requests. Mr. Trout had also responded promptly to let me know that he does not have a copy of an oath of office; however, due to absences in the HR department, I never heard back from them about Mr. Trout's oath of office. While waiting for a response from them, this request inadvertently fell through the cracks on my desk. I apologize both to you and to Msrs. Ranalli and Trout.

Have a good day.

Paula F. Frantz
Senior Deputy County Counsel

paula.frantz@edcgov.us
530-621-5778

----- Forwarded message -----

From: Brenda Bailey <brenda.bailey@edcgov.us>
Date: Tue, Oct 13, 2015 at 11:31 AM
Subject: Re: 10/12/15 RMAC meeting & CPRA
To: Paula Frantz <paula.frantz@edcgov.us>
Cc: Molly Kotyk <molly.kotyk@edcgov.us>, Kim Dawson <kim.dawson@edcgov.us>

Supervisor Ranalli completed two Ethics Training courses and one on Discrimination, Harassment and Retaliation. All three certificates are attached.

Brenda Bailey
Assistant to Supervisor Michael Ranalli
Board of Supervisors, District IV
County of El Dorado
(530) 621-6513

On Tue, Oct 13, 2015 at 11:06 AM, Paula Frantz <paula.frantz@edcgov.us> wrote:
Attached, please find a copy of a recent PRA request from Melody Lane, Please gather any responsive documents and forward them to this office within 10 days. If it will take longer than 10 days to gather responsive documents, please let me know asap.

Thank you.

Paula F. Frantz

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Senior Deputy County Counsel

paula.frantz@edcgov.us

530-621-5778

----- Forwarded message -----

From: **Donna Mullens** <donna.mullens@edcgov.us>

Date: Mon, Oct 12, 2015 at 2:47 PM

Subject: Fwd: 10/12/15 RMAC meeting & CPRA

To: Paula Frantz <paula.frantz@edcgov.us>, Vickie Sanders <vickie.sanders@edcgov.us>

Paula - please see the CPRA attached below and advise as to how the Parks Division should proceed.

Donna

----- Forwarded message -----

From: **Melody Lane** <melody.lane@reagan.com>

Date: Mon, Oct 12, 2015 at 11:42 AM

Subject: 10/12/15 RMAC meeting & CPRA

To: edc.cob@edcgov.us, larry.combs@edcgov.us

Cc: michael.ranalli@edcgov.us, Vickie Sanders <vickie.sanders@edcgov.us>, Donna Mullens

<donna.mullens@edcgov.us>, Pamela Knorr <pamela.knorr@edcgov.us>, Roger Trout

<roger.trout@edcgov.us>, Sheriff DAgostini <john.dagostini@edso.org>, barry.smith@parks.ca.gov,

bosfive@edcgov.us, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us, Michael Ranalli

<bosfour@edcgov.us>

It is clearly evident by the audio and the 8/3/15 meeting agenda that the outcome of the 9/14/15 RMAC meeting was predetermined and falsely portrayed in the minutes.

***Note:** Courts have found that prohibiting the public from making critical comments is a form of discrimination, and that such a prohibition promoted discussion artificially geared toward praising and maintaining the status quo, thereby foreclosing meaningful public dialog. (Baca v. Moreno Valley Unified School Dist. (1996) 936 F. Supp. 719.)

Pursuant to multiple meetings concerning illicit RMAC operations, I am requesting you formally document the bullying & harassment of RMAC representatives Nate Rangle, Tim Lasko and Adam Anderson.

Please post the attached to the BOS Calendar along with this request NOT to approve the draft 9/14/15 RMAC minutes at tonight's meeting.

As per Government Code 6253(c) you have 10 days to respond to the attached CPRA.

Respectfully,

Melody Lane

Founder – Compass2Truth

Conservatives Serving God in Truth & Liberty

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Wednesday November 12, 2014 @ 10:00 AM
Robyn Drivon/Paula Franz

- I. CPRAs - FOIA
 - A. CAO - Ross Branch
 - B. Process - Coordination, logging, tracking
 - C. Spreadsheet Discrepancies
 - D. EDSO

- II. Brown Act – Bagley Keene Act Violations
 - A. BOS Agendas
 - B. Censoring/minimizing info.
 - C. Technical Difficulties

- III. Obstacles - Bureaucratic Shenanigans
 - A. Communication breakdown
 - B. Resolution 113-95 v. AB1234
 - C. Fees - Paper v. electronic copies or CD
 - D. Code/Law Enforcement inconsistencies
 - E. Diverted responses/lack of response

- IV. Solutions – Follow up
 - A. 10/21 CPRA presentation – publish CPRAs to government website?
 - B. Transparency/Accountability
 - C. Right-to-know v. media blackout

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

Sent: Thursday, November 12, 2015 3:41 PM

To: 'Paula Frantz'; larry.combs@edcgov.us; Robyn Drivon (robyn.drivon@edcgov.us); michael.ranalli@edcgov.us; 'Michael Ciccozzi'; 'Sheriff DAgostini'; Pamela Knorr (pamela.knorr@edcgov.us)

Cc: 'Laura Lyons'; 'Brenda Bailey'; 'Roger Trout'; 'The BOSFIVE'; 'The BOSFOUR'; 'The BOSONE'; 'The BOSTHREE'; 'The BOSTWO'; 'Vickie Sanders'; 'James Byers'

Subject: RE: Your concern...Fire Safe Council--CPRAs

Ms. Franz, et al,

Please check the facts before jumping to conclusions. To be perfectly clear, your message below is erroneous...

Please recall the purpose of our meeting last year when two witnesses accompanied me, one of whom was a lawyer. The meeting was scheduled at your request. To ensure transparency and accountability I audio recorded the meeting with your full knowledge and consent.

Contrary to your promises to follow up, nobody ever contacted me regarding the issues outlined on the attached agenda.

If anything at all came out of the 11/12/14 meeting it was to identify that Ross Branch had screwed up in his responsibilities to track and follow up on all CPRAs. Our understanding from recorded meetings with Norma Santiago that Ross was subsequently fired for related issues.

It was made clear during a subsequent BOS meeting that **County Counsel** is responsible for processing and responding to all CPRAs--**not** the individual department heads whose honesty and credibility is in question. The law is clear that parking lot, telephone, or private conversations are unacceptable. It is apparent County Counsel has been remiss in their obligation to file comprehensive and timely responses to CPRAs as required by Government Code 6250 et seq.

For clarification, FSC rep Deborah Kruse made a pointed comment during the September Fire Safe Council meeting about the important role EDSO has to the River Management Plan witnessed by Mike Ranalli. As you know I audio record all public meetings where several residents have publicly voiced their concerns about the campgrounds and the traffic problems at Mt. Murphy Road Bridge in the event of yet another catastrophic fire. Our concerns have been perpetually diverted and obfuscated over the years by county staff, FSC, and ***RMAC representatives delegated by the BOS.***

Elected and county staff are bound by their Constitutional oaths of office to represent all their constituents, especially when public safety is concerned. There's also the matter of EDC Personnel Rules that have been violated by Sheriff D'Agostini, Vickie Sanders and Roger Trout. I will be forwarding under separate cover substantiating emails in this regard.

Thanks in advance for your timely response.

Regards,

Melody Lane
Founder - Compass2Truth

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~ 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. ~

From: Paula Frantz [<mailto:paula.frantz@edcgov.us>]

Sent: Tuesday, November 10, 2015 1:31 PM

To: Melody Lane

Cc: Michael Ranalli; Sheriff DAgostini; Laura Lyons; Brenda Bailey; Roger Trout; Robyn Drivon; Michael Ciccozzi; The BOSFIVE; The BOSFOUR; The BOSONE; The BOSTHREE; The BOSTWO; Vickie Sanders; James Byers; Pamela Knorr

Subject: Re: Your concern...Fire Safe Council

Ms Lane:

To be clear, the response you received from me this morning had nothing to do with any FSC meeting or other Mt. Murphy meeting. I was responding SOLELY to your claim that you had not received a response to your October 12 CPRA, a claim which was false. You had previously received numerous documents from the Parks Department, which the majority of the requests related to. I resent documents concerning Supervisor Ranalli's ethics training because I thought perhaps the documents responsive to that one request had not been sent to you, since it was included in a request that was primarily directed to Park. I have confirmed with Parks that they have sent all documents they possess responsive to your October 12 request, and have re-forwarded your letter to the Sheriff to see if they have responsive documents, although as I noted this morning, your request to the sheriff did not appear to seek documents but rather an explanation why certain decisions were made. I also re-forwarded your request to HR to see if they have documents responsive to your request for an oath of office for Mr. Trout.

Paula F. Frantz
Senior Deputy County Counsel

paula.frantz@edcgov.us

530-621-5778

On Tue, Nov 10, 2015 at 11:51 AM, Melody Lane <melody.lane@reagan.com> wrote:

Gentlemen,

I do not see the necessity to meet privately with you regarding issues of community concern, particularly the number of Mt. Murphy arson fires, annual Coloma Resort illegal fireworks, and the lack of sufficient egress at the Mt. Murphy Road bridge. These concerns should have been addressed transparently and publicly long ago by our public servants.

A separate meeting would be redundant since Supervisor Ranalli's office is *supposed* to be coordinating a request made *four months ago* for a joint meeting with Sheriff D'Agostini, Roger Trout and acting MGDSPH Superintendent Barry Smith regarding residents public safety concerns. (Bob Day appears to have dropped out of the picture.)

Considering correspondence I just received this morning from County Counsel, it appears that request has again fallen through the cracks of government bureaucracy...just more of the same old problem we had while Ron Briggs was in office.

These public safety concerns are best addressed at a higher level where they belong. As Sheriff D'Agostini said, it's time to hold all their feet to the fire.

Regards,

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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 ~

From: Tim Kulton [mailto:tkulton@gmail.com]
Sent: Monday, November 09, 2015 12:52 PM
To: Fire- Melody Lane
Cc: Fire- Steve Willis
Subject: Your concern..

Melody,

In the Sept. Fire Safe Council meeting you expressed concern over some issues. Steve Willis from the county FSC and myself would be willing to sit down with you an hour before the upcoming meeting to briefly discuss what the goal and aim of the Coloma - Lotus Fire Safe Council should be. Please reply to both of us and let us know if you can meet on: Nov 18th 6pm at the Grange in Coloma.

Let us know.

Tim Kulton

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Compass2Truth

Citizens Serving God in Truth and Liberty

P.O. Box 598
Coloma, CA 95613
melody.lane@reagan.com

December 2, 2015

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:

- Documentation substantiating the application of the **Coloma Lotus Fire Safe Council**, the date it was formed, the names of each of the officers and the method/policies by which they were selected.
- Copies of all contracts/agreements with the Coloma Fire Safe Council, the County of El Dorado, and all tree trimming/chipping agencies.
- Copies of all ***correspondence** between Supervisor Ranalli, Tim Kulton, Deborah Kruse, and all officers and active participants pertaining to the implementation of the Coloma Lotus Fire Safe Council.

(* Such writings and communications to include any handwriting, typing, printing, photocopying, transmitting by facsimile or electronic mail, any form of communication or representation including letters, words, pictures, sounds or symbols, or combination thereof, and any record thereby created, regardless of the manner in which the record has been stored.

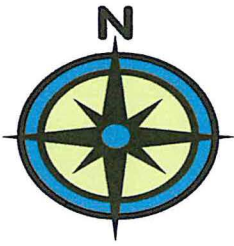
If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you provide a signed notification citing the legal authorities on whom you rely.

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)**.

Should you have any questions, please do not hesitate to contact me. Thanks for your anticipated cooperation.


Melody Lane
Founder – Compass2Truth

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Compass2Truth

Citizens Serving God in Truth and Liberty

P.O. Box 598
Coloma, CA 95613
melody.lane@reagan.com

December 15, 2015

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

CA PUBLIC RECORDS ACT REQUEST

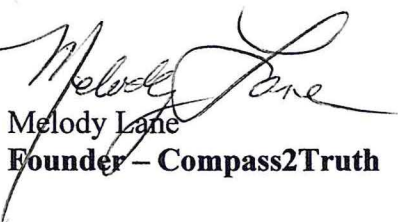
Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain the following:

- Documentation from the County Auditor identifying each of the outside law firms contracted by El Dorado County to supplement County Counsel's team of 14 lawyers; and
- The total annual dollar amount budgeted and/or allocated to each of those outside law firms, and
- The percentage of the county budget and/or General Funds annually allocated solely to Law and Justice.

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.

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 and timely reply.


Melody Lane
Founder – Compass2Truth

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