

M. Lane #24 Box 9-30-14

It is said there are two sides to every story, and the truth is somewhere in between.

My own experience working in the executive offices of our state Capitol provided me valuable insight to how the government really operates. I'll begin by explaining my position had been created under the specific direction of Mayor Fargo and the City Manager during a hiring freeze after the 2007 economic downturn. But of course rules are meant to be broken. I'm grateful for the opportunities it afforded and especially the close friendships that were forged. There are policies and procedures that everyone must follow but the *unwritten rule* is you'll do as you are told and keep your lips sealed. That is known as 'job security.'

However it didn't take long to ascertain that the government determines "*what is good for the people to know and what is not good for the people to know.*" What actually transpires behind the governmental Iron Curtain really has little chance of making it into the mainstream media.

Now I'd like to segue into another story that needs to be told. It's a story about one of the 5 Mt. Murphy arson fires, the similarities to the King Fire, and how the government and the media manipulate public perceptions.

The July 1<sup>st</sup>, 2007 Mt. Murphy Fire was ignited by 3<sup>rd</sup> generation firefighter Ben Cunha at the base of my property at Bayne Road near the site of a huge sign posted by American River Conservancy without my knowledge or consent. The Conservancy had surreptitiously trespassed on my property, erected a fence that re-determined my boundaries and cut off my **fire access** at Bayne Road. A few days later my beloved golden retriever died from a respiratory infection caused by the smoke from that fire.

> MY COMMENTS ARE NOT MEANT TO DISPARAGE THE CUNHA FAMILY BUT YOU WILL BE HARD PRESSED TO FIND ANYTHING ON THE INTERNET IN REGARD TO ARSONIST BEN CUNHA OR HIS \$10M BAIL BECAUSE THE FACTS WERE COVERED UP TO PROTECT THE ARSONIST AND HIS RESPECTED FAMILY OF FIREFIGHTERS. OF COURSE I AM GRATEFUL FOR THOSE WHO'VE PUT THEIR LIVES ON THE LINE TO PROTECT US, BUT THAT'S NOT THE POINT. I WISH TO MAKE.

Similarly the King Fire arsonist Wayne Hartman is under a \$10M bail but the details of the first 24 hours of the fire have been surreptitiously obscured on the internet. State and Federal laws protect most government employees so it is unlikely that any fire fighters will receive any serious disciplinary actions, but the case against the accused arsonist might be placed in risk. Inquiring minds would like to know what really happened during the first 24 hours of the King Fire?

^ ACCOMPANIED BY LARGE PHOTOS OF THE MT. MURPHY 2007 FIRE

After I addressed a detailed letter to 12 government agencies and public officials I received a phone call at work from CA Fire Marshal Ruben Grijalva. I also received two personal phone calls from the late Senator Cox, correspondence from former Congressman Dolittle, and a letter from Governor Schwarzenegger concerning the fire that consumed close to 100 acres of the newly acquired Mt. Murphy land that doubled the size of the Marshall Gold Discovery Historic State Park.

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Clearly this property has been a historical “hot spot” for arson and other crimes. Yet somehow I’ve been unjustly labeled the “troublemaker” for sounding the alarm to the Sheriff and other government officials. They obviously recognized the liability making haste to divert the attention and hush the legitimate concerns under a cloak of secrecy.

I posted these pictures in my office immediately after the fire. About a week later the Director of Governmental Affairs ushered me into her office for a conference. I wasn’t told to remove the pictures, but it was made clear to me that they were an embarrassment to my employer. No wonder the meeting with former CA State Parks Director Ruth Coleman was moved into the Mayor’s conference room so she wouldn’t see the photos of the Marshall Gold Discovery Park gone up in flames posted in my office. As you’ll recall Ms. Coleman later resigned in disgrace after the CA State Parks scandal involving misappropriations of millions of taxpayer’s dollars.

A few days later I was ordered to attend a private offsite meeting. Apparently Fire Marshall Ruben Grijalva and other government agencies had alerted my employer about my letter and photos describing what really happened to this acreage that is supposed to preserve the historic backdrop to Sutter’s Mill and the site of the Marshall Gold Discovery that changed the face of our nation. The purpose of the meeting was to make it clear that I represented a threat to the City of Sacramento because of my access to very sensitive information that the government would prefer the public not know. In no unmistakable terms it was made clear my livelihood was in jeopardy. Five months later I was laid off.

The matter of another disastrous wildfire happening in the Coloma Valley has been a matter of great concern particularly to residents on the north side of the Mt. Murphy Bridge in Coloma. Naturally constituents wonder why our government officials have been reticent to proactively address the topic of public safety in Coloma for so many years. What took place at the 3 Mt. Murphy Stakeholders meetings is not what is publicly posted on the government website. Either this Board has been drinking the Kool Aide or they are complicit in obscuring the truth.

Is justice truly blind? Only time will tell.

When it comes to truth and transparency I hope my will give you cause to ponder the authenticity of your oaths of office and whether the ends justify the means. The questions that remain unanswered are:

- 1) Why has there been no response to the Campfire Moratorium submitted by Bob Day in July?
- 2) What was the reason the CAO failed to provide an appropriate response to the CPRA submitted in July concerning the costs associated with the Camp Lotus fire?
- 3) Why has County staff been reticent to appropriately address the lack of a community evacuation plan since 1989 as it pertains to residents living on the north side of the Mt. Murphy Bridge in Coloma?

4) Exactly from whom may we expect answers to these issues involving public safety?

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

1. Mt. Murphy Fire & Cunha arson articles
2. ROB VERNON EMAIL TO THE MEDIA



December 3, 2008

# \$10 million bail



# Convicted arsonist Cunha arrested in stolen gun plot

By Ken Paglia  
Democrat staff writer



**BEN CUNHA**

Former local firefighter Ben Cunha, who was convicted less than nine months ago for arson, was arrested last week on suspicion of arranging a deal to sell stolen firearms.

Because of his prior record, an El Dorado County judge set his bail at \$10 million.

Placerville police say three men, at least one an acquaintance of Cunha's, burglarized a home the week of Nov. 23, and stole two guns.

Cunha, 26, while not involved in the burglary, allegedly

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## CUNHA

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told a friend about the stolen guns for sale, and orchestrated the transaction.

"Ben set up the sale of the guns," said Placerville police Sgt. Kim Nida. "He was in possession of the weapons prior to us contacting him. He'd been out shooting that day, and handled the weapons prior to the sale."

Timothy Nahhas, 19, Nathan Picarello, 18, and Mathew Trudeau, 21, were arrested on suspicion of committing the burglary at a Placerville home.

Eric Summer, 25, was arrested for on suspicion of purchasing the stolen property from the men.

Nida said a citizen advised police that the guns were being sold, and gave police information about who was involved. Officers got a search warrant, and ultimately found the guns in a field near Cunha's house, said Nida.

"The suspects found out we were doing an investigation and hid the guns from us," said Nida.

At Cunha's arraignment Monday, Judge Douglas Phimister said he set the bail at \$10 million because Cunha "is a flight risk based on his prior case."

In March Cunha was convicted of starting three fires throughout the county, including one to forest land near Sand Ridge Road that consumed 19 acres.

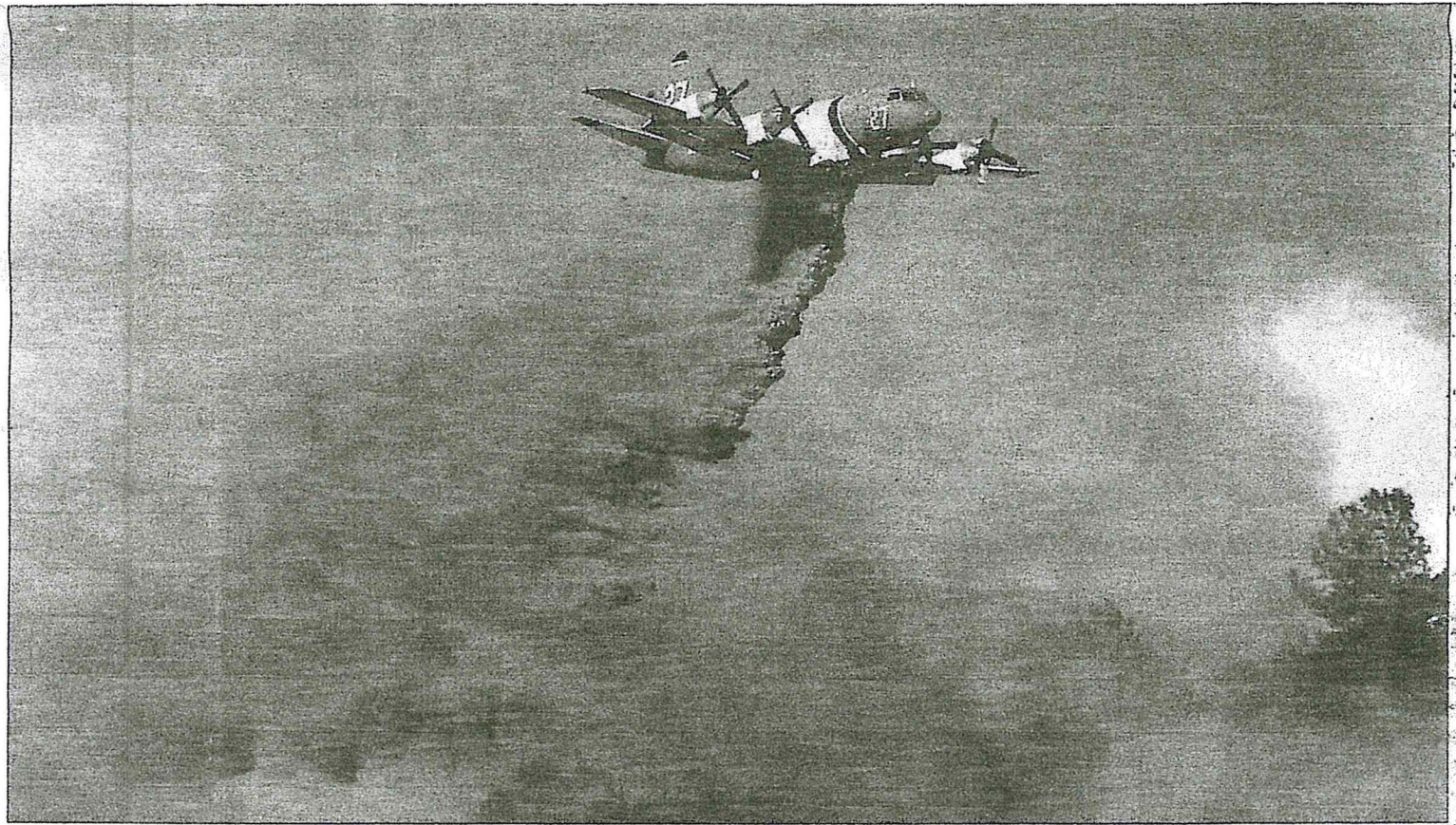
He was sentenced to a year in jail, and was given credit for the time he served in jail before his plea deal.

Nida said Monday, "The big thing is that we got the guns off the street."

Ken Paglia can be reached at [kpaglia@mtdemocrat.net](mailto:kpaglia@mtdemocrat.net) or at (530) 344-5071.

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A BOMBER drops fire retardant on Mt. Murphy Sunday.

Democrat photo by Pat Dollins

July 4, 2007

# Bayne Fire in Coloma burns 80 acres

By Denise Marie Sino

Democrat staff writer

A fire that ignited around 4 p.m. on Sunday near Mt. Murphy and Bayne roads burned 80 acres before full containment was achieved four hours later.

The fire burned around both sides of Mt. Murphy, said Terry Armstrong, a graphics coordinator with the Village Courier magazine who observed the fire from Marshall Gold Discovery State Historic Park. Quite a few spectators watched as three helicopters repeatedly took turns dunking their 600-gallon buckets into the American River, Armstrong said.

The Bayne Fire, as it was dubbed, required 19 engines, five hand crews, five aircraft, two dozers and 160 fire personnel to extinguish, said Cal Fire spokesman Tobie Edwards.

Sandy Mancus was inside her home on top of Mt. Murphy



Democrat photo by Krysten Kellum

A HELICOPTER attacks the fire on Mt. Murphy above Coloma Sunday.

when she saw the fire creeping up the west and south slopes of her property toward the house. Sandy and her husband Lawrence have owned the 20-acre lot, initially as part of a much larger parcel, for 28 years and have seen the surrounding hillside burn four times during

that period. But this is the first fire they've experienced as a resident, Mancus said. They have lived in the house on top of the hill for the last two years.

The south side of the property is defended against fire due to diligent clearing, and the house itself, made of stucco with a tile roof, is surrounded by plenty of

stonework and cement. "But it's not indestructible," Mancus said. The west side of the property, with its tall trees and rough terrain making clearing difficult, caused the couple considerable concern.

"It was very, very frightening," she said.

With the fire dangerously close to several homes, the El Dorado Sheriff's Department took no chances by calling for evacuations in the area, sheriff spokesman Lt. Kevin House said. Most of the fire had been put down by 6:30, when residents were allowed to return home.

"Except for needing some airing out, the house is fine," Mancus said.

There were no injuries and no structures burned. The cause of the fire is still under investigation.

Contact Denise Sino at 344-5071, or e-mail her at [dsino@mtdemocrat.net](mailto:dsino@mtdemocrat.net).

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4/3/04

# DA changes strategy in Cunha case

**By Ken Paglia**  
Democrat staff writer

Third generation firefighter and convicted arsonist Ben Cunha still faces prison for allegedly arranging a deal to sell stolen firearms last December.

But the El Dorado County district attorney has dropped the main charges against him.

"We're proceeding with a probation violation charge,

but dismissed the pending charges against him. It's our expectation that the court will send him to prison for the probation violation," said deputy district attorney Joe Alexander.

"There isn't any new fact or information that made me think we can't prove these charges beyond a reasonable doubt. We simply view this as the most economical and judicious way of removing him from the

community, which is in the community's best interest," Alexander said.

Cunha, 26, was convicted of arson one year ago, and was given a suspended prison sentence as part of his plea deal. His arrest in December may have violated the terms of his probation, thus putting him in jeopardy of serving prison time.

He reportedly faces a six-year prison sentence.

In the current case, he was charged with possession of a firearm by a convicted felon, and receiving stolen property.

"The probation violation is based on the same facts and circumstances, but survives independent of what happens with the other charges. It's within our discretion to do that," Alexander said.

➤ see CUNHA, page A-5

## CUNHA

continued from A-1

Cunha, a former local volunteer firefighter, was convicted of starting three fires throughout the county, including one that burned 19 acres near Sand Ridge Road in south county.

He also set fire to Big Cut Road in Placerville, and to timber land at Mosquito Road in Placerville.

He was sentenced to a year in jail, and was given credit for the time he served before agreeing to the plea deal.

In December, Cunha and four men were arrested after two guns were reportedly taken from a Placerville home.

Cunha, while not involved in the burglary, arranged a deal to sell the guns, said Placerville police.

Timothy Nahhas, 19,

Nathan Picarello, 19, and Mathew Trudeau, 22, were arrested on suspicion of burglarizing the home.

Eric Summer, 25, was arrested on suspicion of buying the stolen guns.

Trudeau was sentenced in December to 270 days in jail after pleading to first degree burglary.

Picarello was sentenced in December to a year in jail after pleading to a similar burglary charge.

Nahas has reportedly agreed to a plea deal, but the details of the deal were unclear at press time.

Summer's case was still pending, Alexander said.

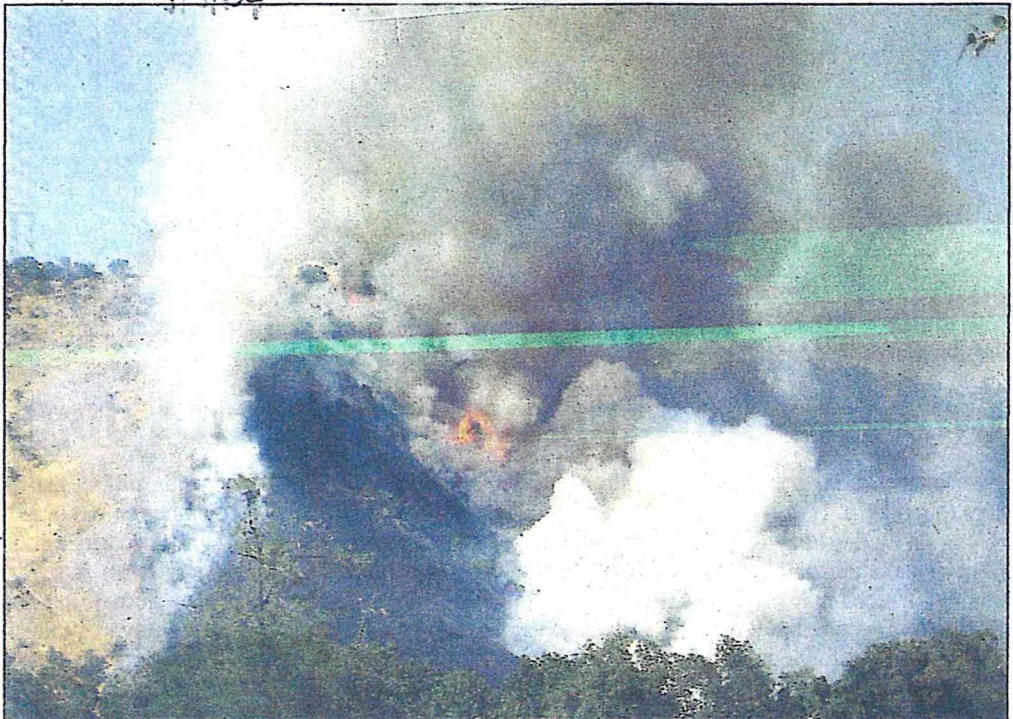
Ken Paglia can be reached at [kpaglia@mtdemocrat.net](mailto:kpaglia@mtdemocrat.net) or at (530) 344-5071.

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8/3/09

Mtn. Demo used wrong photo!



← 2007 Fire NOT 2009!

FLAMES can be seen devouring a hillside during Thursday night's fire. The cause of the blaze is under investigation.

Photo by Melody Lane

# Mt. Murphy fire quickly contained by crews

Democrat staff

**COLOMA** — A 30-plus acre wildland fire burned through Coloma Valley Thursday night.

The fire off Mt. Murphy Road began about 6:45 p.m., and was contained about 8:15 p.m., according to Cal Fire spokesman Chris Anthony.

There were no injuries, and no structures were damaged in the fire, said Anthony.

Its cause is still under investigation.

"It was a good stop because the first responders thought it

might go to well over 100 acres," Anthony said.

"There's a lot of potential for fires in that area because of the fuels on Mt. Murphy, and the steepness of the terrain. It's one of those areas that from an initial attack standpoint you have to get into really quickly, and hit the fire really hard in order to mitigate the incident as fast as you can," he said.

A camper at Coloma Resort noticed the smoke and called authorities, Anthony said.

Two air tankers, two heli-

copters and multiple fire engines were used to extinguish the fire.

El Dorado County Fire and several other agencies assisted.

### Logtown fire

Another fire Thursday night burned down an outbuilding in Logtown near El Dorado.

A neighbor was able to contain some of the fire before firefighters arrived.

Diamond Springs Fire Department contained the remainder of the fire late Thursday night.

**Melody Lane**

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**From:** "Rob Vernon" <rgvernon@cwnet.com>  
**To:** <newstips@sacbee.com>; <call3@kcra.com>  
**Cc:** "Melody Lane" <melodylane@calis.com>  
**Sent:** Sunday, July 22, 2007 1:34 PM  
**Subject:** Mt Murphy Fire of 7/1

I would like to call your attention to a continuing issue here in El Dorado County.

Our county is primarily a rural one. And during fire season, we are a great big tinder box. Yet, careless people continue to toss their cigarette butts out their car windows!

But I digress.

On July 1st 2007, a fire was started at the base of My Murphy in Coloma, just above the Troublemaker Rapids. It started on newly "aquired" American River Conservancy land and attached to the Marshall Gold Discovery Park.

Land that is now open to The Public. This land is in challenging terrain and surrounded by steep grassland that becomes very dry in summer.

All it takes is a hot catalytic converter or a cig butt, and WHOOSH! You have a wildland fire. There is a big new sign on this land that says the conservancy is supposed to protect this land, but to date, no plans or facilities nor staff have been implemented to help keep the area safe. Local residents who's private property border this land (and there IS a boundary dispute going on, as the ARC property encroaches on private land) have been enduring interlopers and trespassers in addition to the elevated danger of human-caused fire. Yet, none of our "public officials" seem to care. Repeated inquiries to Marshall Gold Discovery Park & American River Conservancy officials, County Dist.4 Supervisor Ron Briggs, and El Dorado County Fire fall on deaf ears.

We all would appreciate your attention, and investigation, into this matter, as we alone cannot get anyone's attention.

I would suggest that you contact one Melody Lane regarding the details of this matter. Her property is one encroached upon by this ARC land acquisition. ( melodylane@calis.com )

Sincerely,  
Rob Vernon  
Coloma / Placerville

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11/5/2007