

M. Lane Open Forum BOS 10/19/2021

Melody Lane – Founder, Compass2Truth

10/19/21 BOS Open Forum PC corruption

I'd like to draw your attention to the highlighted portions of the Brown Act Rights of the Public that were just distributed to you, in particular: *"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."*

Despite mandatory Ethics training, you continually break every rule in these books - **Public Service Ethics and the Brown Act—which happen to be my areas of expertise.**

Case in point was last week's Planning Commission meeting when Lori Parlin put on a dog-and-pony show to praise James Williams and Andy Nevis. That item was not on the agenda. In fact, the Notice of Vacancy for James Williams was never even posted for 10 days as required by law, nor was his letter of resignation dated. The District #2 vacancy appears on the website, but not for District #4. Lori Parlin had already selected Andy Nevis, and colluded with other public officials to groom him for the position before other applicants could apply.

Additionally Chairman John Vegna announced that Andy had not yet been sworn in, therefore there was no quorum. Consequently the entire meeting proceeded outside of the law. Kim Dawson failed to post my documents to the minutes revealing government corruption, which indicates there is something to hide. Therefore I submitted a PRA to her this morning requesting transparent answers to specific questions which the public has a right to know.

There has been a lot of controversy about corruption in the Planning Commission. I'd like to read a revealing excerpt from the Affidavit of former Chairman Gary Miller:

"I don't really need to explain to you what I did...I don't need to justify myself to you. You get what I give you!...I suggest you make a complaint to the BOS & have me removed. That would break my heart!...There isn't a 3 strikes policy! I know there's no such policy!...There is nothing in the Brown Act that says you can talk 3 or 5 minutes. One of the unique things about being a Chairman is you don't get to tell me what I can do!...Sounds like you are threatening to take me to court...County Counsel [David Livingston] was right there. I assure you, that if I was in violation of the Brown Act he would have said something."

It is evident that Lori has unethically been trading political favors with Andy Nevis who has been unlawfully using the Taxpayers Association meetings for his own personal benefit. Lori has witnessed Andy's slander, libel, and collusion with others to censor me, in particular regarding public safety issues relevant to the Mt. Murphy Bridge. It is apparent that Lori Parlin and Mr. Nevis are following in the corrupt footsteps of Al Hamilton to deprive me the **blessings of freedom.**

Lori, you have refused to respond to correspondence or return phone calls. You and Andy ~~can't even give me eye contact~~ can't even give me eye contact. Joseph Carruesco, Tiffany Schmid, Rafael Martinez, Todd White, George Turnboo, Don Ashton, and others, have also deprived me of public services and thus violated their oaths of office. If you are taking advice from County Counsel, then you are all complicit and liable ~~for aiding and abetting the dismantling of the Constitution~~

~~for aiding and abetting the dismantling of the Constitution~~ For aiding and abetting the dismantling of the Constitution

Before all public meetings you say Pledge of Allegiance "to the flag and to the REPUBLIC for which it stands...one nation UNDER GOD...indivisible, with liberty and justice for all." Yet you arrogantly exalt yourselves above God and the rights of the people guaranteed by the Constitution which you swore an oath to support and defend.

~~You are the hypocrites and brood of vipers~~ hypocrites and brood of vipers ^{Government} need to

~~Expose~~ Ephesians 5:11 - **Take no part in the worthless deeds of evil and darkness; instead expose them.** ^{Be exposed} That is my rightful duty as a Christian soldier

If you have any questions or comments, please make them now while I'm at the podium.

Madam Clerk: Please enter these documents into the public record:

- 1) This transcript
- 2) Brown Act Rights of the Public
- 3) EDC Notice of Vacancies
- 4) 10/19/21 PRA – RE: 10/14/21 Planning Commission Minutes - missing docs

Melody Lane

From: Melody Lane <melody.lane@reagan.com>
Sent: Tuesday, October 19, 2021 10:39 AM
To: Kim Dawson; edc.cob@edcgov.us; Amanda Ross; Andy Nevis; John Clerici; Jon Vegna
Cc: lori.parlin@edcgov.us; sue.novasel@edcgov.us; george.turnboo@edcgov.us; john.hidahl@edcgov.us; wendy.thomas@edcgov.us; joseph.carruesco@edcgov.us; Breann Moebius; david.livingston@edcgov.us; 'Donald Ashton'; Rose, David@Waterboards; ana.melendez@waterboards.ca.gov; andrew.nevis@waterboards.ca.gov; Richard Esposito; bosfive@edcgov.us; bosfour; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us
Subject: 10/14/21 Planning Commission Minutes - Missing Open Forum docs - PRA
Attachments: ML Affidavit-Andy Nevis.pdf; ML Tiffany Schmid affidavit.pdf; 10-14-21 PC public comments - 10-12-21 BOS OF.docx

Ms. Dawson,

The public is entitled to honest services. Please provide your explanation to each of the following:

1. The 10/14/21 Planning Commission agenda lists Tiffany Schmid as **Executive Secretary**. It is my understanding Ms. Schmid's title is **Director of Planning and Development Services**. Therefore I prepared my public comments anticipating that Tiffany would be taking minutes during Thursday's Planning Commission meeting. Instead Deputy Director Rob Peters was present, and you were responsible for the taking the minutes. Ms. Schmid hasn't responded to any of my correspondence concerning Planning issues in quite some time, nor has Supervisor Parlin been responsive to related issues affecting Coloma residents that, by law, are required to come before the Planning Commission. Has Tiffany Schmid changed positions, or terminated her employment with EDC? If so, what was the effective date of her change in status/termination of employment? Pursuant to your oaths of office, and in the interest of public transparency, if there is some other reason for Ms. Schmid's absence/silence, please so indicate.

*Jon Vegna, Chair, District 1
Amanda Ross, Second Vice Chair, District 5
Vacant, District 2
John Clerici, Member, District 3
Andy Nevis, District 4*

*Vacant, Clerk of the Planning Commission
Tiffany Schmid, Executive Secretary
Breann Moebius, Deputy County Counsel*

Thursday, October 14, 2021

8:30 AM

Building C Hearing Room
2850 Fairlane Ct.
Placerville, CA 95667
or live-streamed

2. Why were the attached documents that I submitted to you during 10/14/21 Open Forum not included in the posted minutes as customary and required by law?

PUBLIC FORUM / PUBLIC COMMENT

Public Comment: M. Lane, L. Parlin, J. Williams, J. Davey, S. Taylor, K. Lishman

3. Only three Commissioners were present for the 10/14/21 Planning Commission meeting – **John Clerici, Jon Vegna, and Andy Nevis**. Chairman Vegna announced at the beginning of the meeting that Andy Nevis had *not* been sworn in, consequently there *failed to be a quorum* which was confirmed by Breann Moebius. Per CA Government Code SECTION 1360-1369, Commissioners must be sworn in **BEFORE** they assume their duties. Per the Brown Act, lack of a quorum meant the meeting could not lawfully proceed. The meeting should have been rescheduled *after* the public was given opportunity to provide input on the posted agenda items. Why were those important facts eliminated from the minutes?

ADOPTION OF AGENDA AND APPROVAL OF THE CONSENT CALENDAR

(All items on the Consent Calendar are to be approved by one motion unless a Commission member requests separate action on a specific item.)

A motion was made by Commissioner Clerici, seconded by Commissioner Nevis to Adopt the Agenda and Approve the Consent Calendar with the following change:

Continue item 1 to October 28, 2021.

Yes: 3 - Commissioner Clerici, Commissioner Vegna and Commissioner Nevis

Absent: 1 - Commissioner Ross

CONSENT CALENDAR

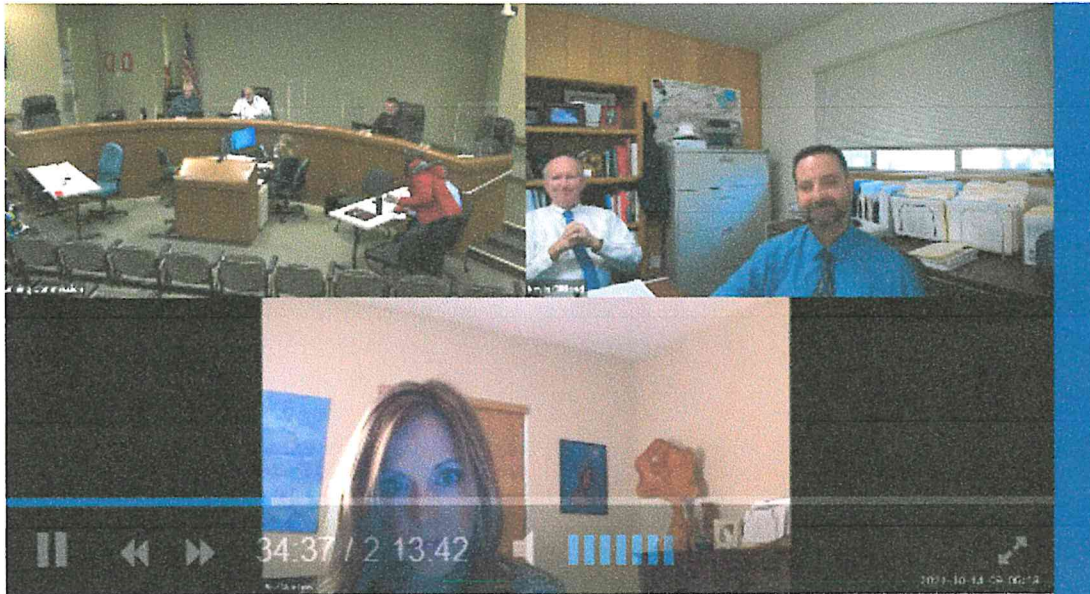
1. [21-1553](#) Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of September 9, 2021.

This matter was Continued to October 28, 2021 upon Approval of the Consent Calendar.

Yes: 3 - Commissioner Clerici, Commissioner Vegna and Commissioner Nevis

Absent: 1 - Commissioner Ross

4. Prior to the meeting commencing, **Supervisor Lori Parlin** conducted a pow-wow of the following individuals audibly discussing how the meeting was to proceed: **Jon Vegna, James Williams, Gary Miller, John Clerici, and an unidentified woman** with long dark hair wearing a red jacket. Per the Brown Act, a majority of a decision-making body *cannot meet and discuss agency business* except at an open and fully noticed meeting. Supervisor Parlin’s dog and pony show clearly violated the Brown Act. Please identify the woman in red, and her role, who was apparently coaching Deputy Director Rob Peters in the upper left corner of this screenshot:



PlanningCommission2021-10-14

5. It was confirmed that Andy Nevis was not sworn in, and that there was no 10/14/21 quorum. However Mr. Nevis reported the following which was unrelated to the business of the body, and apparently for the benefit of Supervisor Parlin who was present. Per Fair Process Laws, all public officials are required to *“exercise their powers free from personal bias including biases that have nothing to do with financial gain...an elected official has a fiduciary duty to exercise the powers of office for the public good and is not permitted to use those powers for the benefit of private interests.”*

Commissioner Nevis reported on the following:

Thanked former Planning Commissioner Williams for the assistance during the transition.

Thanked staff for the assistance provided and he is looking forward to working with everyone.

On September 30, 2021, there was a meeting of the State Parks and Recreation Commission where they discussed the Auburn State Recreation Area General Plan. The Commission adopted the General Plan, however there will be amendments to it.

Mt. Murphy Bridge in Coloma has been reopened with restrictions.

Supervisor Parlin and the Department of Transportation will be having a meeting next Wednesday at 6:00 P.M. utilizing Zoom to address public concern and future plans for the bridge.

It is significant that Supervisor Parlin has witnessed Mr. Nevis censoring me during several Taxpayers Association meetings when I’ve challenged his unlawful actions, *in particular those related to the Mt. Murphy Bridge and related Planning/Development issues that are required to come before the Planning Commission.* (See the attached 10-14-21 PC Public Comments.) Per the Institute of Local Government, *“Because of the breadth of federal anticorruption law, public officials are warned to avoid any temptation to walk closely to the line that divides legal from illegal conduct.”* Lori Parlin, Andy Nevis, and other public officials, such as yourself, have crossed that line on multiple occasions.

In light of the aforementioned **facts**, it was apparent that the entire 2-hour Planning Commission meeting, and the hearing outcomes, were unethically predetermined beforehand. In the interest of public transparency and good governance, I therefore request that you **please identify the person(s)** responsible for authorizing the 10/14/21 Planning Commission meeting to proceed outside of the law.

****If you determine that some but not all of the above 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. If you have any questions, please do not hesitate to contact me immediately.**

Thank you for your prompt and comprehensive response to this request for public information.

Melody Lane

Founder – Compass2Truth

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.”

For the record, I knew Cheryl Bly Chester while I worked for Capitol legislators. During the BOS kangaroo court hearing against Dr. Bly Chester, there was public testimony about Planning Commission corruption and regular violations of the Brown Act. Conflicts of Interest and the Brown Act happen to be my areas of expertise. It is public knowledge that 14 of us met with the FBI regarding EDC corruption. I personally participated in eight FBI meetings.

Corrupt is a word to describe an act done with intent to give some advantage inconsistent with official duty and the rights of others, and is generally undertaken for personal gain. It is commonly used to refer to unethical or dishonest character or behaviors undertaken by someone who has been entrusted with authority. Government corruption includes a variety of activities, such as the offering or accepting of bribes, extortion, and the offering of jobs or other benefits to friends or family members (called “cronyism”).

These two un rebutted affidavits contain proof of systemic corruption; one is for **Tiffany Schmid**, and the other for **Andy Nevis**. Notification of legal responsibility is the first essential of due process of law, and an un rebutted affidavit stands as truth and fact before any court of law in America. You are expected to uphold the highest standards of morality and ethics consistent with the law, being **ever conscious that public office is a public trust**.

Andy's affidavit contains the notarized affidavit of Lori Parlin documenting the threat made by Al Hamilton against me during a Taxpayers association meeting. Andy is following in the same corrupt footsteps of Al Hamilton, and therefore he is unfit to serve as a commissioner.

Additionally, Andy has multiple conflicts of interest, and has been acting outside of the law by regularly censoring me, committing fraud, libel, slander, discrimination, retaliation, blatant violations of my First Amendment rights and his oath of office. Andy's ensorship is an abuse of the public trust and a hallmark of COMMUNISM. Besides using the Taxpayers Association for his own personal gain, Andy has been aided and abetted by Lori Parlin, and other public officials, who have failed to take remedial action.

Ms. Schmid, my taxes pay your salary, therefore you work for me. Like your predecessor, Roger Trout, you have been unresponsive to correspondence, as well as public record act requests for information necessary to assist my efforts for redress of grievances. Case in point is the documentation necessary to implement the Coloma Resort and American River Resort SUP revocation process that is required to come before this Planning Commission. There is also the matter of the Lori Parlin/Kniesels PRA. Your collusion with staff, and failure to provide honest public services, to unconstitutionally and unlawfully deny me equal access to public services and due process of law, as stated within the Bill of Rights, aids and abets the perpetuation of El Dorado County corruption.

In closing, fraud is a federal crime. Be assured that Andy, Tiffany, and others, will be held accountable. If you have any questions or comments, make them now while I'm at the podium.

Please enter these documents into the public record.

- 1) Andy Nevis affidavit
- 2) Tiffany Schmid affidavit
- 3) 10/12/21 BOS Open Forum comments – Taxpayers/Parlin corruption

10/14/21 – Posted NOTICE OF VACANCIES

*Does NOT include Dist #4 PC James Williams PC/Andy Nevis appointed without 10 day notice of vacancy

El Dorado County Committee and Commission Descriptions

Notice of Vacancy: Community and Economic Development Advisory Committee - Posted 10-13-2021

Notice of Vacancy: El Dorado County Planning Commission District 2 - Posted 9-10-2021 – Cheryl Bly-Chester removed 8/31/21

Notice of Vacancy: El Dorado Solid Waste Advisory Committee - Posted 9-9-2021

Notice of Vacancy: Tahoe Resource Conservation District - Reposted 9-29-2021

Notice of Vacancy: Fish and Wildlife Commission - Posted 8-27-2021

Notice of Vacancy: Building Industry Advisory Committee - Posted 8-11-2021

Notice of Vacancy: El Dorado County Commission for Youth and Families - Posted 7-21-2021

Notice of Vacancy: El Dorado County Early Care and Education Planning Council - Reposted 9-29-2021

Notice of Vacancy: El Dorado County Airport Advisory Committee - Reposted 9-29-2021

Notice of Vacancy: El Dorado County Child Abuse Prevention Council - Reposted 8-19-2021

Notice of Vacancy: Cemetery Advisory Committee - Reposted 4-29-2021

Notice of Vacancy: Diamond Springs and El Dorado Community Advisory Committee - Reposted 9-8-2021

Notice of Vacancy: Cameron Park Design Review Committee - Posted 2-18-2021

Notice of Vacancy: Behavioral Health Commission - Reposted 6-16-2021

Notice of Vacancy: Meyers Advisory Council - Reposted 9-27-2021

Notice of Vacancy: In-Home Supportive Services (IHSS) Advisory Committee - Reposted 8-17-2021

*Note: Notices of Vacancy must be posted for a minimum of 10 work days.

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).)