

Public Comment #31  
BOS Recd. 10-21-24

**From:** Gary Jost <gary@co2testing.com>  
**Sent:** Sunday, October 20, 2024 5:33 PM  
**To:** BOS-Clerk of the Board  
**Cc:** Kim Dawson  
**Subject:** CUP21-0008/Archon  
**Attachments:** Archon Farms LLC letter from Co2 Testing.pdf

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RE: Commercial Cannabis use permit CCUP21-0008/Archon.

Could you please enter this document into the public record?

Thank you,

Gary Jost



Gary Jost  
916-879-0848  
[www.co2testing.com](http://www.co2testing.com)



P.O. Box 1723  
Carmichael, Ca. 95609

County of El Dorado Board of Supervisors  
330 Fair Lane, Building A  
Placerville, Ca. 95667

Re:CCUP21-0008Archon

Dear Supervisors,

I am writing this letter to inform you of my business dealings with Mr. Kevin McCarty over the past 6 years. My name is Gary Jost. I have a testing company that validates Co2 Safety systems that are in typical Cannabis Grows, Micro-Breweries and any Hospitality business the has more than 100 pounds of Co2 on site. Typically, indoor Cannabis grows enrich the environment with Carbon Dioxide to produce greater yields.

Mr. McCarty is in charge of compliance at several facilities in the greater Sacramento area. All of these facilities enrich with Co2. The California Fire code requires that an annual Co2 Enrichment Systems inspection is conducted. The facilities that are under Kevins supervision have religiously scheduled these inspections. Not all Cannabis facilities have the same dedication to the safety of their personnel as well as any fire fighter that may have to respond to Co2 alarm. Mr. McCarty and his team have that safety compliance dedication without question.

If any of the systems malfunction Kevin's team is quick to facilitate the repairs and me have come back and retest certifying the facilities are compliant with the fire codes.

Mr. McCarty has always conducted himself with the highest integrity and honesty in all of my business dealings with him.

Feel free to reach out to me if you have any additional questions.

Gary Jost  
gary@co2testing.com  
www.co2testing.com

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**From:** melody.lane@reagan.com  
**Sent:** Sunday, October 20, 2024 8:30 PM  
**To:** BOS-Clerk of the Board; Kim Dawson  
**Cc:** BOS-District V; BOS-District IV; BOS-District I; BOS-District III; BOS-District II  
**Subject:** 10/22/24 BOS Agenda Item #31 - Public Comments re: McCarty/Archon Commercial Cannabis Permit

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Board of Supervisors:

Below you will find my comments from the September 12<sup>th</sup> Planning Commission meeting regarding this agenda item, but more on that later...

I specifically wish to express my support of the appellants, Judy Husak and Leslie Shoenfeld, who expressed several of the same concerns surrounding this project which are deserving of your consideration:

- **Increased crime and safety risks:** We are deeply concerned that the presence of a large-scale cannabis farm will attract unauthorized visitors, leading to increased theft, trespass, and potential drug trafficking activity. This poses a direct threat to the peaceful and secure environment we have enjoyed in Somerset and the surrounding areas.
- **Disruption of community character:** Our community values its tranquility, strong family values, and traditional way of life. We fear that these developments will alter this character, drawing unwanted attention and potentially attracting individuals outside our close-knit community.
- **Nuisance issues:** The farms' operations could result in a variety of nuisances, including noise from processing equipment, light pollution that disrupts the night sky, unpleasant odors, and increased traffic flow on our rural roads. These factors would significantly impact the quality of life for residents.

**Concerns regarding economic impact:**

- **Potential decrease in property values:** We are concerned that the presence of commercial cannabis cultivation farms could have a negative impact on property values in our community. This would be detrimental to residents, especially those invested in agriculture or tourism.
- **Excessive water usage:** Our region faces water scarcity challenges. The farms' high water demand could deplete vital resources, affecting both our community's access and the natural environment.

- **The difference in obtaining a Beer/ Wine or Liquor License:** Our community at-large is currently unaware of entities seeking permits to have industrial size cannabis grows in their neighborhoods. Unlike Liquor Licenses applicants who are mandated to publicly post their intentions well in advance, these Cannabis applications are being processed without the same requirements, denying directly affected people the same access to information.
- **Lack of trust in regulations:** We have concerns about the effectiveness of regulations governing cannabis farms. We fear inadequate enforcement or loopholes could lead to negative consequences for our community.
- **Moral objections:** Many residents hold personal or religious objections to cannabis use, regardless of its legal status. We believe they have the right to live in a community that aligns with their values.

Of even greater concern is the fact that the appellants have jointly spent \$900 for this hearing. They also went through the trouble of collecting 291 signatures from their community, but it appears the decision has already been decided by staff's recommendation to deny both appeals. Where is the due process of law in this hearing, or is it just another hypocritical charade at the expense of taxpayers?:

HEARING - To consider appeals received from Judy Husak (CCUP-A24-0003) and Leslie Schoenfeld (CCUP-A24-0004) appealing the Planning Commission's September 12, 2024 approval of Archon Commercial Cannabis Use Permit CCUP21-0008 for the construction and operation of a cannabis cultivation facility for medical and adult-use recreational cannabis, on property identified by Assessor's Parcel Number 095-030-036, consisting of 114.69 acres, in the Somerset area, submitted by Kevin McCarty; and staff recommending the Board of Supervisors take the following actions:

- 1) Deny both appeals, CCUP-A24-0003 and CCUP-A24-0004, and uphold the Planning Commission's approval of Archon Commercial Cannabis Use Permit CCUP21-0008 based on the Findings (Attachment K) and subject to the Conditions of Approval (Attachment L) as presented; and
- 2) Adopt and Authorize the Chair to sign Resolution 176-2024 (Attachment E), denying appeals CCUP-A24-0003 and CCUP-A24-0004 with Findings of Fact. (District 2)

As for my below comments made during the 9/12/24 Planning Commission meeting, it is significant that **Mr. McCarty and Mr. Tannenbaum** have unethically engaged in serial meetings with **Planning Commissioners Kris Payne and Andy Nevis**. Mr. McCarty has made it evident in his submittals that he is perfectly aware that the Brown Act strictly prohibits such serial meetings. He demands BOS transparency and accountability, but perhaps it's high time he practices what he preaches. What's good for the goose is good for the gander.

Rather than relying on mere hearsay, Mr. McCarty needs to examine all of the facts pertaining to Kris Payne's dismissal as a Planning Commissioner. Kris Payne was dismissed by the BOS after I filed yet another formal complaint via a notarized Affidavit/Declaration of Truth. Notification of legal responsibility is the first essential of due process of law, and an un rebutted affidavit stands as truth before any court in America. Mr. Payne violated his oaths of office, the Brown Act, as well as local, state, and federal laws. Everything is delineated in the affidavits. Since Mr. Payne failed to respond as stipulated, that means he admitted to all my claims and averments which were supported by truth, valid evidence, and law. HR Director Joseph Carruesco was notified that under SB 807, California law requires that documented complaints, such as this, must be investigated and retained in Mr. Payne's personnel file for a minimum of four years. In the event of a lawsuit, the County may be required to produce these records. Failure to do so can lead to fines and other adverse

actions. The specifics for the last Payne affidavit were entered into the 7/16/24 BOS public record and may be viewed via this link: <https://eldorado.legistar.com/LegislationDetail.aspx?ID=6784421&GUID=8F9F6E15-5AA3-465F-A1E5-B91F457C6E3F>

Planning Commissioner Andy Nevis similarly received a *third affidavit* which he failed to rebut, therefore he admitted to all my claims and averments that were supported by valid evidence and law. As with Mr. Payne, HR Director Joseph Carruesco was notified that he was required under SB807 to investigate the complaint and take disciplinary action against Mr. Nevis. The affidavits may be viewed via these links:

9/12/24 PC meeting: <https://eldorado.legistar.com/LegislationDetail.aspx?ID=6862876&GUID=66A3871C-6EEF-4227-94E4-60BA39B5F77E>

9/17/24 BOS meeting: <https://eldorado.legistar.com/LegislationDetail.aspx?ID=6866753&GUID=E6599277-396E-45EF-A3DA-A74062BD047D>

Please refer to my below 9/12/24 Planning Commission comments regarding the McCarty hearing. Mr. Nevis had a moral and ethical duty to recuse himself from the McCarty cannabis hearing due to his employment with the California Water Resources Control Board, but he refused to do so. It cannot be overlooked when Dan Harkin refused to accept Brooke Laine's award for his service that Chairman Nevis and Supervisor Laine both tried desperately to censor Mr. Harkin's remarks. Mr. McCarty's Exhibit G makes it evident that there is a lack of transparency and accountability in how the Planning Commission conducts its decision making publicly, as well as behind closed doors.

Lastly, Mr. McCarty makes mention in his 10/17/24 Submittal about Todd White's dismissal during the 1/17/23 Special Hearing. For that reason he also requests that George Turnboo recuse himself from this hearing. The specifics of Mr. White's dismissal are contained within my notarized Affidavits/Declarations of Truth addressed to **Todd White and George Turnboo**. As with Mr. Payne and Mr. Nevis, HR Director Joseph Carruesco was advised of his responsibility to investigate and take action to dismiss Todd White for violating his oaths, as well as local, state, and federal laws. The factual affidavits were entered into the 1/17/23 BOS public record via this link: <https://eldorado.legistar.com/LegislationDetail.aspx?ID=5992546&GUID=63AD8718-32B4-41F6-B41F-464B39AC1708>

Collectively, all these individuals have demonstrated gross moral turpitude and abuse of the public trust. More importantly, the public is entitled to honest services, transparency, and accountability regarding the game of musical chairs being played by the Planning Commission. It begs the question: just who is pulling their strings?

In closing, the BOS needs to examine Mr. McCarty's own moral turpitude and his motives, then weigh them against the valid concerns of the appellants and the impact it will have on their community and the entire county. I was appalled by the number of cannabis permits that have been approved and processing. You betcha I would object to the negative impacts of a cannabis farm in my own neighborhood, and I most certainly would object to having the caliber of neighbors such as the McCarty's have proven themselves to be.

Please do what is right for El Dorado County by honoring the appellants' valid concerns and deny the Archon Commercial Cannabis Use Permit.

Respectfully,

*Melody Lane*

**Founder – Compass2Truth**

“Resistance to tyranny becomes the Christian and social duty of each individual...Continue steadfast and, with a proper sense of your dependence on God, nobly defend those rights which heaven gave, and no man ought to take from us.” ~ John Hancock ~

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

**Sent:** Thursday, September 12, 2024 3:40 PM

**To:** Brooke Laine <Brooke.laine@edcgov.us>; 'Lori Parlin' <lori.parlin@edcgov.us>; 'George Turnboo' <George.Turnboo@edcgov.us>; 'John Hidahl' <john.hidahl@edcgov.us>; 'Wendy Thomas' <wendy.thomas@edcgov.us>; Andy Nevis <andy.nevis@edcgov.us>; Bob Williams <bobw1800@gmail.com>; Brandon Reinhardt <brandon.reinhardt@edcgov.us>; 'Daniel Harkin' <daniel.harkin@edcgov.us>; Lexi Boeger <lexiboeger@gmail.com>

**Cc:** Karen Garner <karen.l.garner@edcgov.us>; aurora.osbual@edcgov.us; Eric Jaramishian <eric@mtdemocrat.com>; Richard Esposito <resposito@mtdemocrat.net>; Noel Stack <nstack@mtdemocrat.net>; Joseph Carruesco <Joseph.Carruesco@edcgov.us>

**Subject:** 9/12/24 Planning Commission Agenda Item #2 Public Comments - McCarty Cannabis Permit

Below are the public comments entered into today's Planning Commission meeting, Item #2 – McCarty Cannabis Permit.

Prior to the hearing commencing, Brook Laine attempted to present Commissioner Dan Harkin with an award for his service, but Mr. Harkin rejected it with good cause. You are encouraged to view the video when it is made available and be sure to read additional public concerns.

Although this item passed 3:1 without sufficient scrutiny and accountability, Commissioner Bob Williams is to be commended for actually listening to constituent concerns and voting **NO** on this item. Andy Nevis had a conflict of interest due to his employment with the CA Water Resources Control Board but failed to recuse himself. (Refer to the Nevis Affidavit submitted during Open Forum.)

It is notable that after the hearing Mr. McCarty was extremely disrespectful and insulting to me during our brief exchange in the parking lot. That was the first time ever that we spoke with each other, yet it is a fact that he participated in **secret tribunals** with **Commissioners Kris Payne and Andy Nevis** for the specific purpose of my character assassination in retaliation for whistleblowing.

Erin McCarty texted me soon afterwards, but the McCarty's were unwilling to accept my invitation to meet face-to-face over coffee and discuss the issues like reasonable adults. That should speak volumes about Mr. McCarty's character and aspirations to run for public office.

*Melody Lane*

**Founder – Compass2Truth**

*"In keeping silent about evil, in burying it so deep within us that no sign of it appears on the surface we are implanting it, and it will rise up a thousandfold in the future. **When we neither punish nor reproach evildoers...we are ripping the foundations of justice from beneath new generations.**" ~Aleksandr Solzhenitsyn ~*

###

I'd like to offer another perspective on this agenda item that needs to be taken into consideration. You can Debate Local Politics on Mr. McCarty's Facebook page until the cows come home, but you can't argue with the facts. The McCarty's have censored, defamed, and gaslighted me on social media for having the temerity to exercise my moral and civic duty to expose the works of

darkness to the light of Truth. It is apparent these cannabis growers lack the character and integrity to be good citizens, much less good neighbors.

First of all, it is a fact that two Planning Commissioners, Andy Nevis and Kris Payne, have unethically used their positions as officers of the Taxpayers Association for their own purposes. Bob Williams and Lexi Boeger are members of the Association. You may not be aware that Kevin McCarty is a director. Kevin colluded in secret tribunals with **Andy Nevis, Kris Payne, Lee Tannenbaum, Carol Louis**, and others, in retaliation against me for whistleblowing about their unlawful conduct which violated local, state, and federal laws. You also may not be aware of the retaliation behind the dismissal of **Planning Commissioner Dr. Cheryl Bly-Chester** for whistleblowing which culminated in a lawsuit at taxpayers' expense. Then the circumstances behind **Commissioner Dan Harkin's removal** should raise even more questions about how the the BOS and Commissioners unethically conduct business behind closed doors.

In yet another example, on June 15th Lee Tannenbaum texted me: *Kris has told me confidentially that he was told by George during the election to vote no on cannabis. Look at the Hardy hearing where Kris abstained with prejudice. It was his way of saying f u to his orders. He was fired right after that.*

I replied: *He was fired because I publicly filed formal complaints in front of the BOS and with HR. That's why he's retaliating against me for whistleblowing. The Hardy hearing was also simultaneous with my public complaints about Kris and Andy violating their oaths. When I read one of Kris's crazy rants into the public record in which he even admitting violating the Brown Act, Wendy Thomas shut off the mic on me. HR doesn't like those kind of things going public. Kris's award for service after he was dismissed as a Planning Commissioner was just a typical dust-up.*

Lastly, I share the same concerns that Leslie Schoenfeld brought to light about the CA Water Resources Control Board. As you heard earlier, Mr. Nevis is employed by the Water Resources Control Board. He has repeatedly violated his oaths of office and public policies which are grounds for disciplinary action. As such, Mr. Nevis has a conflict of interest, so he would be wise to recuse himself from this item. In fact, this entire agenda item deserves much more scrutiny and public transparency.

###

7/15/24 TPA: Andy Nevis coaching Kevin McCarty as his replacement:



# Debating Local El Dorado County Politics (Uncensored)

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• • • • Kevin McCarty

Melody, I have not responded to the various posts involving TPA because I did not think it worth the time, and perhaps it still isn't. At this point however I believe I have heard all your public grievances, on this page, at TPA meetings, and before the Board of Supervisors open forum segment. I speak only for myself, but I am sure that others will concur with the following assessment:

I have trouble identifying the original grievance behind your actions. Clearly there was something, but virtually all of your complaints are compounded consequences resulting from you not getting the audience and/or action that you wanted. If a public official did not listen to your concerns as a constituent, then I agree that is a problem. Collusion among public officials and partisan political operatives is also extremely concerning and should be addressed and rectified, by whatever means necessary. The right to free speech is sacred and no American citizen should be deprived of that blessing.

Having established that basis of agreement and sympathy, I frequently find your tactics to be asymmetrical, off-base, and irritating to the point of being self-defeating of your stated goals and purpose. TPA is not a government organization, and in its 501c classification, nobody has a right to participate in its proceedings. It is a privilege, plain and simple, and it can be granted and revoked at the discretion of the Board of Directors at any time.

Taking the manufactured drama that often finds expression at TPA meetings and airing it before our county Board of Supervisors is, in my opinion, a complete waste of everyone's time -- yours as petitioner, ours as residents, and the Board's as an elected body with plenty of important issues to deliberate that totally eclipse even the most egregious of items that you discuss, frequently and at times, ad nauseam.

Without a doubt, there is not a person on the face of this earth, not even Erin McCarty, with whom I find agreement 100% of the time on every issue. I certainly have agreements and disagreements of opinion with Mr. Payne and Mr. Nevis. You will find no defense of Todd White from me. He is, objectively, unredeemable as a human being. With that said, I believe you are right now treating Kris and Andy more unfairly than they have treated you at any point in time.

My understanding is that yes, you were a member of TPA as is the privilege open to any qualified resident of EDC who shares concern about the fiscal machinations of our local and State governments. As the result of your behavior at TPA meetings, willingly chosen as a human being endowed with free will, you were formally reprimanded, warned about potential membership termination for subsequent behavioral problems, and then ultimately terminated as a member of the organization in 2022.

Again, nobody has a right to be part of a private organization, and its operations are governed by Bylaws, not by the codes and statutes that bind public and elected officials. It is irrelevant to conflate the two domains and



pretend that nonexistent rights have been violated, when it is fully within the norms of any organization to terminate association with disruptive members within its ranks who hinder its effectiveness.

If you have a personal issue with Kris or Andy, then seek an audience with them as individuals. But as for TPA, the matter is settled and as far as I can tell it will remain so until such time as the Board of Directors decides that your participation will be more of a help than a hindrance in achieving its mission and purpose. Each of these outbursts and airing of "dirty laundry" at meetings and BoS hearings, ensures that this outcome will remain remote, if even possible at all at this point.

TPA President Payne asked a question of you at Monday's meeting, moments after your disruption hijacked a deliberation of \*private\* business, which I find to be quite cogent, and cuts straight to the point of something that I also would like to know, with great curiosity. To paraphrase, "Why do you want so badly to be a member of an organization that you believe to be made up entirely of frauds?"

I hope, but am doubtful, that you will take this message as I intend it to be: sincere and constructive criticism of your methods, not necessarily you as a person. I applaud your intensity in seeking to enforce transparency and accountability among our local government, and believe that more people should be active in defending their God-given rights as Americans. To that extent, I remain receptive to your petitions.

I pray that you find peace enough to let go of grievances that cannot be resolved, either because they are ultimately insignificant or because they are greater than us as individual citizens and beyond our power to influence.

Be well, and have a good evening.

Melody Lane

Kevin McCarty Permit me to clear up some of your misperceptions and fallacies by reviewing a few facts that you may have overlooked. You are certainly entitled to your opinion, but you cannot argue with the facts, evidence and applicable law contained in the notarized affidavits which were responsible for getting Todd White removed from EDC employment, Big Brothers/Big Sisters, and Park Community Church where the RCC formerly held their monthly meetings. Planning Commissioner Kris Payne was also fired after I submitted formal complaints to HR concerning his perpetual violation of the the Brown Act and some of the same \*LORS delineated within the Todd White affidavits. Andy Nevis received similar notifications of legal responsibility which is the first essential of due process of law. All are public records that were effective in the dismissal of Todd and Kris without the necessity of having to enter into costly litigation at the expense of taxpayers. I'm happy to have a face-to-face conversation with you to explain anything in those documents that you may not understand. Please note the following:

The TPA FB page states, "Providing a VOICE for El Dorado County taxpayers through advocacy, voter education, and weekly public meetings." The Bylaws state, "The primary Object of the Taxpayers Association is "the maintenance of a forum within which to study the issues of government and the problems of those who are governed...through ongoing weekly discourse that will be open to members of the Association, the public, and those who govern...to reveal and understand the true costs of government and to encourage awareness of individual responsibility...and be involved in the process of governance to help insure that the blessings of freedom shall be forever perpetuated."

The Bylaws also state:

- Section I.A(1) -The organization shall be governed by the Articles of the Incorporation, Bylaws, Policies and Procedures, Standing Rules, Special Rules, and Resolutions. It shall adhere to and comply with all applicable Federal, State and local laws, codes, regulations and ordinances (\*LORS).

- Section I.A (4) – The organization shall strive to operate in a manner consistent with non-profit best practices and shall maintain ALL records required to be made available for PUBLIC INSPECTION.

The Association has the following Policies and Procedures by which you are required to lawfully abide: Member Ethics, Conflict of Interest, Whistleblowers, Non-discrimination, Retaliation, and Retention of Records. Todd White, Kris Payne, and Andy Nevis have violated ALL those TPA policies and applicable law.

Furthermore, the treasurer has a fiduciary to record my annual dues payments. My 2023 and 2024 TPA dues are PAID. That means I AM A MEMBER. Despite my attempts to publicly address the problems, the directors have FRAUDULENTLY held my payments and swept the matter under the carpet.

Regarding your remark, “in its 501c classification, nobody has a right to participate in its proceedings. It is a privilege, plain and simple, and it can be granted and revoked at the discretion of the Board of Directors at any time.” That statement is patently FALSE. It is clear the directors do NOT have authority to remove a member particularly if trumped-up, libelous accusations are based upon DECEIT, FRAUD, and DISHONESTY, nor do the directors have authority to hold secret meetings and illicit tribunals for the purpose of my defamation in retaliation for whistleblowing. For example, the multiple falsehoods in the libelous letters penned by TPA President/Planning Commissioner Andy Nevis who is also a CA Water Resources Control Board employee. Andy is a public servant; that means he works for me. Note the applicable law:

Any deceptive, obstructive enterprise undertaken by any public servant that tends to weaken public confidence and undermines the sense of security for individual rights, is against the Supreme Law of the land and all other laws which comply with the state and national Constitutions. Fraud, in its elementary common-law sense of deceit, is the simplest and clearest definition of that word [483 U.S. 372] in the statute. See *United States v. Dial*, 757 F.2d 163, 168 (7th Cir. 1985)

The following public policies are also applicable to Kris and Andy (expanded version may be viewed in the 1/17/23 BOS Special hearing for the Todd White dismissal:

### 301. CODE OF ETHICS:

- (e) Outside activities should be compatible with the objective performance of your duties or delivery of government service.
- (k) Demonstrate the highest standards of personal integrity, truthfulness, and honesty in all public activities.
- (l) Uphold these principles being ever conscious that public office is a public trust.
- 1503.1 Discipline The appointing authority may suspend without pay, reduce in pay, demote, or dismiss any employee who has attained post-probationary status for reasonable cause, including but not limited to:
  - (d) On-duty or off-duty conduct, including, without limitation, crimes that do not fall within paragraph (c) above, that
    - (i) tends to bring the County service into disrepute, or
    - (ii) is a direct hindrance to the effective performance of County functions;
  - (k) Violation of any of the provisions of applicable law, regulation, these Rules, or County policies;
  - (p) Dishonesty or theft;
  - (q) Violation of the County’s Code of Ethics;

Because they have stepped outside the lawful scope of their LIMITED duties and authority, and they violated due process of law, they become personally responsible and liable for their actions. Note excerpt:

“The public is entitled to honest services. Whether by your own volition, or under the direction and influence of ANDY NEVIS, President of the Taxpayers Association, you conspired with others to deprive me of honest services and the exercise of my right to access records. In particular was your refusal to provide me with the minutes identifying the participants in the illicit tribunal **held at the request of Andy Nevis** on January 9, 2021

at Ponderosa High School pertaining to the November 5, 2020 incident during the Taxpayers Association meeting involving Sheriff D'Agostini and his former staff member, Stacy Walls. At that time the Sheriff, **KRIS PAYNE**, and Ms. Walls and her daughter had created a scene when I lawfully, and silently, served the Sheriff with three notifications in the form of Affidavits of Truth relevant to EDSO misconduct. I have a right to know who my accusers are, and it is my understanding that you participated in the illicit January 9th tribunal for the specific purpose of my character assassination. As Secretary of the Association, you are required to maintain minutes of all meetings, including names of participants, and make them available for public inspection.

Pertaining to your “ad nauseum” remark, please note that fifty years ago, Supreme Court Justice William Douglas asked: “Since when have we Americans been expected to bow submissively to authority and speak with awe and reverence to those who represent us? The constitutional theory is that we the people are the sovereigns, the state and federal officials only our agents. We who have the final word can speak SOFTLY or ANGRILY. We can seek to CHALLENGE and ANNOY, as WE NEED NOT STAY DOCILE AND QUIET. At the constitutional level, speech need not be a sedative; it can be DISRUPTIVE. A function of free speech under our system of government is to INVITE DISPUTE. It may indeed best serve its high purpose when it induces a condition of UNREST, CREATES DISSATISFACTION with conditions as they are, or even stirs people to ANGER.”

The TPA continues to operate more like the KKK (a secret society), using threats and intimidation to censor, stifle dissent, and gaslight citizens who have the temerity to exercise their moral and civic duty to whistle-blow about government corruption. Because of the breadth of federal anticorruption law, the Institute for Local Government Public Service Ethics strictly warns to avoid any temptation to walk closely to the line that divides legal from illegal conduct under state law, as well as retaliating against those who whistle-blow.

Your opinion that I am “now treating Kris and Andy more unfairly than they have treated you at any point in time” is ludicrous. They have no authority over me and made it evident they will not speak with me nor allow me to be heard. Per the Bylaws, the documents publicly handed to secretary Andy Nevis are to be “made available for PUBLIC INSPECTION.”

You may not be aware of Kris Payne’s uncontrolled crazy rants during public meetings. Prior to retiring from working for Capitol legislators I also served as an HR professional in both the public and private sectors. Although the county cannot respond publicly to HR issues, I am perfectly within my 1A rights to bring this to the attention of the public and TPA membership. Kris has openly discussed the reasons he was forced to resign EDC employment was due to inability to handle stress and requiring medications for his condition. His inappropriate conduct and retaliation against me for whistleblowing have been the topic of conversations with County Counsel and meetings with county staff resulting in my formal complaints. By law, such complaints MUST be investigated, acted upon, and retained in the individual’s personnel file for a minimum of four years. As such, Kris Payne, Todd White, and Andy Nevis represent a legal liability to EDC requiring they be removed from public office.

# Debating Local El Dorado County Politics (Uncensored)

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**El Dorado County, CA - Government**  
Joined about a month ago



**Andy Nevis**  
Added by Kevin McCarty on February 10, 2024  
District 4 Planning Commissioner at El Dorado County, CA - Government



**Carol Louis**  
Added by Lee Tannenbaum on February 13, 2024



**Kevin McCarty for Supervisor, El Dorado County District 2**  
Joined about 5 months ago



**Kris Payne**  
Joined about 5 months ago  
USC School of Public Administration



**Lee Tannenbaum**  
Added by Erin McCarty on February 10, 2024  
Armstrong Atlantic State University



**Kevin McCarty**

"Everyone is in favor of free speech. Hardly a day passes without its being extolled, but some people's idea of it is that they are free to say what they like, but if anyone says anything back, that is an outrage." — Winston Churchill

Good day to all. This post is to follow up on the shenanigans of the last week with which you are all likely familiar by scrolling down the page.

I'll start by saying that life is generally a frustrating exercise. None of us get exactly what we want all the time. Maturity entails accepting this reality and abiding by Murphy's law, that in order for things to go as intended you personally must ensure that all potential avenues of failure are addressed and resolved.

As a father of two girls, aged 4 and (almost) 6, I am quite familiar with the emotional dynamic of a person wanting something, not getting it, and the tantrums, arguments, and attempts at manipulation that follow. Because they are children, not in full control of their minds and still learning the reality of cause and effect, we can take a deep breath, forgive them, and move on.

It is generally a different phenomenon and harder to "forgive and forget" when grown adults present this mentality. The number of people, professional and otherwise, who desperately try to avoid taking responsibility for their failures in today's America is staggering to behold. Credentials do not guarantee expertise, nor do age and experience guarantee wisdom.

To paraphrase Mr. Churchill, we are all free to speak and act but never free from the consequences of our speech and actions. Some in our EDC community would do well to meditate on this.

If I join a club, and proceed to verbally abuse members of the club and disrupt its meetings, that club has every right in the world to kick me out. I can cry and scream if I like, but it doesn't ultimately matter. Freedom of Association as enshrined under the 1st Amendment cuts both ways.

You and I have rights under equal protection of the law, and in our conduct with government entities. ZERO such rights exist or apply with private organizations, with the exception of non-discrimination based on race, sex, etc. per the Civil Rights Act.

To get to the point, this is an uncensored group. I am not an admin, nor is anyone else except for Erin McCarty who created this venue under her own volition. I give advice when asked, but do not determine what is allowed to be posted or not. However, recent conduct by a certain community member has strayed far outside the bounds of protected speech.

Since the repeated complaints quite literally serve no purpose to anyone in EDC other than to gratify Ms. Lane's self-righteous indignation, and are now resulting in actions constituting harassment both online and in person, her posts will now and until further notice be subject to admin approval.

If Ms. Lane wishes to calmly and clearly explain and/or debate points of common interest related to EDC local politics, all of her posts will be approved. If she instead wishes to continue with personal attacks aimed at a variety of other community members, they will be denied, and her ability to comment will be suspended.

We appreciate the thoughts and contributions of everyone in this group and believe 100% in the 1A rights to free speech and free association. To ensure that this forum is not hijacked to serve the personal gratification of one individual, I trust that most if not all of you will understand why the limits described above are necessary.

Speak freely, act forthrightly, and be prepared to defend your conduct with reason and logic if challenged. That is what I believe is the responsibility and measure of each American citizen.

Be well, and have a great day! 🍀



Melody Lane

Top contributor · June 24 · 🍀

Kevin McCarty "A big lie is a gross distortion or misrepresentation of the truth primarily used as a political propaganda technique. The German expression was first used by Adolf Hitler in his book Mein Kampf to describe how people could be induced to believe so colossal a lie because they would not believe that someone "could have the impudence to distort the truth so infamously".

The libelous "big lies" (aka gaslighting) and personal attacks by TPA directors, such as you, speaks volumes about your level of character and integrity. In case you weren't aware, prior to retiring I worked for Capitol legislators, and I remain active in Capitol ministries. I've hosted conferences for international speakers, politicians, missionaries, and evangelists from all over the globe. Shame on you for using this site to make libelous, personal attacks against me without examining the FACTS. Since you recently ran for public office, and likely will again, this should concern every EDC TAX PAYING VOTER.

FACT: Several members of the TPA are public officials whose salary is paid via my taxes; they work for me. Contrary to popular opinion, the fact is I have been a paid member of the TPA since 2008. The treasurer PUBLICLY accepted my dues; therefore, I AM A MEMBER. No problem proving my valid membership.

FACT: There is nothing in the Bylaws authorizing closed meetings. The secretary is required to take minutes of ALL meetings to ensure transparency and compliance with the law. Any deceptive, obstructive enterprise undertaken by any individual, organization, or public servant (Todd White, Kris Payne, Andy Nevis, etc.) that tends to weaken public confidence and undermines the sense of security for individual rights, is against the Supreme Law of the land and all other laws which comply with the state and national Constitutions. FRAUD, in its elementary common-law sense of DECEIT, is the simplest and clearest definition of that word.

FACT: In 2009 a TPA director joined me in founding Compass2Truth, a whistleblower organization. Our affiliates are nationwide. Since then, I have been subjected to retaliation and numerous threats by public officials and TPA directors for exercising my moral and civic duty to expose the works of darkness to the light of TRUTH (Eph. 5:11).

FACT: During the 6/25 BOS Open Forum I made factual remarks concerning Carol Louis and Lee Tannenbaum who got caught in their web of lies and necessitating that the Mgr. of Dennys call PPD. Next at the podium was a TPA director addressing the BOS regarding the ongoing "meanness, LIES, and the TPA mess" (his words). Photos and Carol's libelous post were entered into the public record.

FACT: The following excerpt from Lori Parlin's affidavit concerns former Sr. Services attorney Al Hamilton's threat at a Taxpayers Assn. meeting was witnessed by Carol Louis and Kris Payne: "...at the conclusion of the weekly Taxpayers meeting held at Denny's in Placerville, California, I was talking to Melody Lane while seated across the table from her. Out of the corner of my eye I noticed that Al Hamilton, the President of the Taxpayers Association, was approaching us from behind Ms. Lane. My first thought was that Mr. Hamilton was coming over to talk to me about the Association's refusal to give me an application for membership....There was arguing between them about the audio recordings. At some point during the arguing Mr. Hamilton said that he would call the Sheriff and have Ms. Lane removed from the building for causing a disturbance. Finally, Mr. Hamilton threatened Ms. Lane by saying that he would see to it that her reputation was destroyed in the county. I was shocked to hear him make such a threat, especially the use of "I" and "destroy" in his language. Ms. Lane then asked if Mr. Hamilton was threatening her. He said, no, that was not a threat. I then asked what exactly he meant by those words because it also sounded like a threat to me. I don't remember exactly how the conversation ended because I was shaken up by Mr. Hamilton's threatening words and tone." A complaint was filed and remains on record with the CA BAR. The same unlawful tactics are currently being used by the TPA.

FACT: The Bylaws state the following pertaining especially to the Secretary of the Association (Andy Nevis):

- Section I.A(1) -The organization shall be governed by the Articles of the Incorporation, Bylaws, Policies and Procedures, Standing Rules, Special Rules, and Resolutions. It shall adhere to and comply with ALL applicable Federal, State and local laws, codes, regulations and ordinances.
- Section I.A (4) – The organization shall strive to operate in a manner consistent with non-profit best practices and shall maintain ALL records required to be made available for PUBLIC INSPECTION.

FACT: Todd, Kris, Carol, Andy, and others violated due process of law and are personally responsible and liable for their actions because they stepped outside the lawful scope of their limited duties and authority. See: Morrison v. Coddington, 662 P.2d. 155, 135 Ariz. 480 (1983) - Fraud and deceit may arise from silence where there is a duty to speak the truth, AS WELL AS FROM SPEAKING AN UNTRUTH. See also USC 18 § 241 and USC 18 § 242.

FACT: Relevant excerpt instrumental in Todd White dismissal: "The public is entitled to honest services. Whether by your own volition, or under the direction and influence of Andy Nevis, President of the Taxpayers Association, you conspired with others to deprive me of honest services and the exercise of my right to access records. In particular was your refusal to provide me with the minutes identifying the participants in the illicit tribunal held at the request of Andy Nevis on January 9, 2021 at Ponderosa High School pertaining to the November 5, 2020 incident during the Taxpayers Association meeting involving Sheriff D'Agostini and his former staff member, Stacy Walls. At that time the Sheriff, Kris Payne, and Ms. Walls and her daughter had created a scene when I lawfully, and silently, served the Sheriff with three notifications in the form of Affidavits of Truth relevant to EDSO misconduct. I have a right to know who my accusers are, and it is my understanding that you participated in the illicit January 9th tribunal for the specific purpose of my character assassination. As Secretary of the Association, you are required to maintain minutes of all meetings, including names of participants, and make them available for public inspection."

FACT: Andy's letter of reprimand is based on fraud and is without legal standing. My responsive notifications of legal responsibility in the form of notarized affidavits are based on facts, valid evidence, and law. They stand as truth before any court in America.

FACT: Kris has on numerous occasions created disturbances by his uncontrolled, crazy rants when it was necessary to hold his feet to the fire for violating his oaths of office. That's just one of the reasons he was fired as a PC.

FACT: Kris and Todd colluded to persuade Treasurer Pappas to withhold his December resignation letter until after the counting of ballots. That is ELECTION FRAUD, plus there was no quorum to officially elect the 2024 TPA directors.

Now explain why you advised your wife to CENSOR my appropriate and FACTUAL replies to you and Lee Tannenbaum.

Also explain why the disrespectful, personal attacks by the FAKE Marjorie Kays were not removed for violating site rules as I previously requested.



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**From:** Bob Williams  
**Sent:** Monday, October 21, 2024 1:40 PM  
**To:** Wendy Thomas; George Turnboo; BOS-Clerk of the Board  
**Cc:** David A Livingston; Jefferson B. Billingsley; Karen L. Garner; Aurora M. Osbual; Tiffany Schmid  
**Subject:** Planning Commissioner comment P24-A-0003/0004

Dear Chair Wendy Thomas and Honorable Members:

On October 16, 2024, applicant Kevin McCarty, CEO of Archon Farms, submitted a letter to County Counsel David Livingston in response to Appeals CCUP-A24-0003 and CCUP-A24-0004. I am respectfully writing because I have been explicitly named individually and as a Planning Commission in unsubstantiated allegations.

His new applicant documents for CCUP21-0008 include claims not disclosed to EDC staff, the Planning Commission, appellants, and the public.

A series of grave accusations have been made challenging the personal and professional integrity, character, motives, and actions of Supervisor Turnboo and me. These attacks seek to undermine the deliberation of the Planning Commission and the Board of Supervisors rather than focus on the matters set forth by the two Appellants.

Mr. McCarty's veiled and groundless assertions include (1) Brown Act violations, (2) ethical conduct and conflict of interest, (3) potential violations of Planning Commission Rules and Bylaws, and (4) Code of Ethics and Fair Process. I take these allegations seriously, and I resolutely deny them.

Kevin McCarty contends the sole reason for my Planning Commission appointment was based on what he contends is an opposition to cannabis. His assertion is ABSURD. The reasons for my appointment have been well stated by Supervisor Turnboo. My credentials are documented.

Regarding cannabis cultivation and Mr. McCarty's CCUP application, I have independently dedicated many additional research hours to consider the issues without bias and preconceived opinions. I continue to stand by my deliberation and decision.

*Supervisor Turnboo has never exercised pressure nor directed me to take a position on matters pending before the Planning Commission.*

As an element in his response to the Appeals, McCarty also drags into this diatribe private citizen Todd White, Planning Commissioner Lexi Boeger, and ex-Planning Commissioner Kris Payne. It is important to acknowledge that Commissioner Boeger properly disclosed earlier conflict concerns when considering CCUP21-0008; I trust her expression of neutrality. None of McCarty's references to these individuals relate to the current Appeals under consideration.

The McCarty letter also seeks to force Supervisor Turnboo to recuse himself based on alleged statements in public candidate forums. While I can feel sympathy of the voters' rejection of McCarty's BOS candidacy, past campaign opinions are not relevant to the specific CCUP before the Board. Based upon his theory, all members of the Board and Commission would be subject to refusal for any public expression of opinion on matters of general interest.

In summation, Mr. McCarty's response to the Appeals involves claims that were not considered by Planning staff and the Planning Commission. A full vetting of these newly disclosed allegations would seem prudent before further action on the original CCUP and the Appeals.

As an individual and Planning Commissioner, I seek to fully consider the implications of the allegations, consult with counsel, and secure formal advice from the California Fair Political Practices Commission and other governmental actuaries.

Respectfully submitted,

Robert Williams, Planning Commissioner-District 2 and EDC taxpayer

cc California Fair Political Practices Commission, Clerk, EDC Planning Commission, Clerk, EDC Board of Supervisors