

OPEN Forum
L. PARLAN

6-25-13

**Shingle Springs Community Alliance Response to
Roger Trout's White Paper on General Plan Amendments Related to
Community Region Boundary Lines, Agenda Item 4, File No 13-0510**

Shingle Springs Community Alliance (SSCA), Stop Tilden Park (STP) and No San Stino (NSS) fully understand that the density and mix of uses of San Stino and Tilden Park Projects are a problem because the density and intensity of uses proposed impact local roads, fire and public safety, and inadequate supply of water available from EID. We understand that removing the CRL and adopting a Rural Center designation for Shingle Springs will not stop the processing of those development applications. That is why we have asked the Board of Supervisors to exercise their discretion to immediately deny the projects, both of which require General Plan Amendments, without the need of an EIR, as permitted by law. SSCA-STP-NSS also recognize that other development proposals are, if not inevitable, highly likely for any vacant land close to the Hwy. 50 corridor, and possible infrastructure expansion of urban services. That is why we are always open to dialog about potential development that is more compatible with our rural community.

It is also clear, however, that the Community Region Line encourages irresponsible and incompatible development proposals like San Stino and Tilden Park. Changing the CRL and adopting the Rural Center designation (which for Shingle Springs we believe the term "Town Site Core" as used in the 1977 Shingle Springs area plan would be more appropriate), sends a signal to developers that high density urban and suburban-type development is not encouraged or welcome in Shingle Springs. For this reason SSCA-STP-NSS will continue to advocate for the modification of the CRL for Shingle Springs to a smaller Rural Center (or Town Site Core) area, no matter the outcome of the San Stino and Tilden Park development applications.

In his summary of the CEQA process relating to planning matters, Mr. Trout fails to acknowledge that a preliminary review for whether CEQA applies or whether the "common sense" exemption may apply to a General Plan amendment, such as removing the CRL, is a viable option, as presented in the detailed analysis by SSCA-NSS-STP counsel, Joel Ellinwood, previously presented to the Board in his letter dated April 25, 2013. Other than the application of the common sense exemption, Mr. Trout's itemization of the steps necessary to amend the General Plan to modify CRLs is identical to those in Mr. Ellinwood's letter and the outline presented to the Board at its May 7 meeting.

The concept of urban limit lines to direct growth to the most appropriate areas and with reasonable phasing is basic sound planning practice in the United States. However, as incorporated in the 2004 General Plan, Community Regions are a seriously flawed execution of the urban limit line concept. The primary flaw in the 2004 General Plan policies classifying all land in the County as being within a Community Region Line, a Rural Center or a Rural Region, is that these designations bear no relation to Land Use Designations or Zoning Ordinance Classifications or existing and planned future infrastructure capacity. High intensity, compact, urban or suburban-type development is being encouraged by the existence of CRLs within large areas that have Low Density Residential land use designations and 5-acre minimum zoning in the General Plan and Zoning Ordinance. It is impossible to reliably forecast or plan the extent or specific locations of growth that may ultimately occur because of CRL lines. As a result,

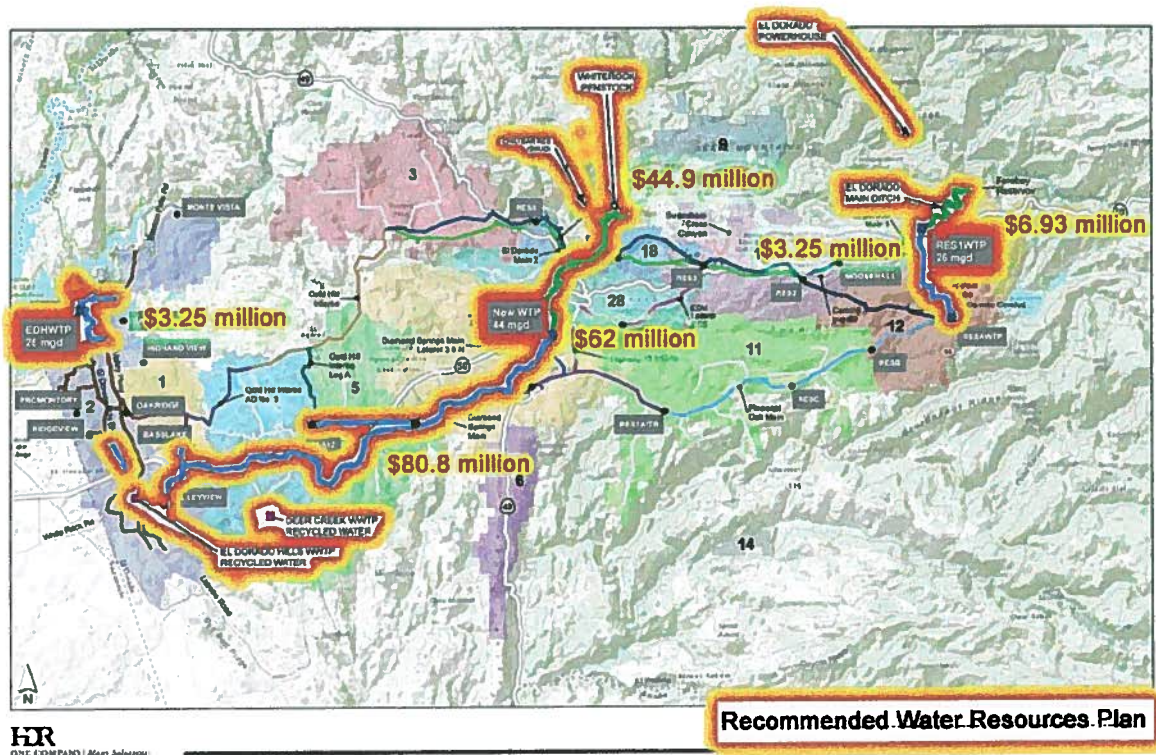
reasonable planning for the required infrastructure is virtually impossible. Were it adopted today and subjected to legal challenge for lack of internal consistency with the other elements of the General Plan, it is doubtful that the CRL policies, as currently incorporated in the plan, would pass legal muster.

This fundamental flaw is borne out by El Dorado Irrigation District's attempts to forecast demand in its recent Integrated Water Resources and Waste Water Master Plans. No account is given in EID's demand forecast for potential high intensity development within the CRLs that are not included within an already approved plan. Instead EID's demand projections are predicated entirely upon General Plan Land Use Designations. The mis-match is clearly evident with CRL-based development plans for Tilden Park (General Plan land use = medium density (1-5 acre) residential) and San Stino (General Plan land use = low density residential (5 and 10 acre minimum). If any significant percentage of low and medium density residential-designated land within the CRLs is developed for high intensity compact urban or suburban type development, then EID's demand forecast will be seriously underestimated. Growth will then occur only in a hodge-podge of disconnected projects because of EID's "first-come-first-served" connection policy. Any existing or added supply may be exhausted by residential development, without providing desired employment centers and sales-tax generating commercial development. That only exacerbates El Dorado County's badly skewed jobs-housing balance and sales tax "leakage" (hemorrhage might be a more apt term, since sales tax revenue is the life blood of local government economic health). This unbalanced growth scenario is likely simply because residential developers are more nimble and persistent and market conditions favor development of residential rooftops before industrial or commercial development markets are ripe. The rationale for CRLs as suitable for more intensive development because infrastructure is available to support it completely falls apart. Ironically, CRLs as currently implemented will encourage, not prevent uncoordinated leap-frog development, as asserted by Mr. Trout.

No Water - No Growth Development in El Dorado County is seriously constrained by numerous factors,¹ none of which is more critical than the limited supply of public water. EID's annual water supply reports indicate that there are fewer available residential water service connections than there are already approved residential parcels in El Dorado Hills, Bass Lake and Cameron Park service areas, and only 2,000 dwelling-unit equivalents available for all types of uses for the rest of EID's entire service area east of Cameron Park. There is currently no significant available water supply to support any additional growth as contemplated by the CRL scheme in the General Plan. Existing excess sewer treatment capacity is superfluous without more water to flush. In order to meet just the growth anticipated from existing General Plan Land Use Designations, EID's IWRMP calls for \$187.7 million in new diversion, treatment and conveyance facilities, the first phase of which won't be online any sooner than 2020. Water rationing to support growth is not a viable water supply plan. **Until then a *de facto* development moratorium should be in effect due to the lack of available water,** whether or not the County or EID

¹ The distance and expense of commutes to employment centers in Sacramento and Placer Counties; the inadequacy of the local road network to handle a significant increase in traffic; topography and environmentally sensitive lands; the presence of threatened or endangered plant and animal species and historically and culturally significant archeological sites; the cost of expanding water and sewer distribution, collection and treatment facilities; rural fire risks; hazardous naturally occurring minerals; etc.

formally declares it. Perhaps the de facto moratorium will give the County time to put its seriously flawed planning assumptions and methodology in order.



Because EID’s plans calls for the system expansion to be ultimately paid for entirely by developer Facilities Capital Charges (FCC), serious questions must be answered about the means of financing these improvements which must be in place *before* the FCCs can be charged and collected. How will the risk be handled that the anticipated development may not occur, or will occur within the estimated timeframe, without unduly burdening existing EID rate-payers? The only answer is more rate-payer “bondage” for growth. The high unit cost of these facilities may make providing low and moderate housing units unaffordable, even infeasible, without significant subsidies. The separation of land use authority and responsibility for critical infrastructure planning and development between the County and EID makes these problems even more complicated and difficult to resolve.

Lack of County Commitment to Limit Growth to CRLs and Rural Centers Mr. Trout’s analysis reveals another flaw in the CRL concept - that the boundaries are subject to landowner-initiated General Plan Amendments at any time (several which are currently pending), which County staff feels obligated to process regardless of merit or lack of consistency with other General Plan policies. Because it receives substantial funding from developer application fees and charges, the Development Services Department has every incentive to fully process every development application that comes in the door – no matter how ill-advised, or out of sync with General Plan policies and priorities. The only way that the Board of Supervisors can interject any integrity to the General Plan CRL’s function as an urban limit line is to adopt a policy to summarily deny all General Plan Amendment applications for expansion of CRLs or for development outside of CRLs until such time as sufficient development has occurred within the CRLs as

defined in the 2004 General Plan. No such amendment should be considered until the need is demonstrated in subsequent five-year general plan reviews AND it can be demonstrated that adequate water supplies will be available, as required by law. This has been done successfully in other cities and counties in California. Option 5 in Mr. Trout's analysis doesn't go nearly far enough, nor does it meaningfully respond to Supervisor Veerkamp's request to evaluate the possibility of denying or deferring General Plan Amendments for new development projects until after the Land Use Policy Programmatic Update (LUPPU) process has been completed.

Existing viable agricultural operations within CRLs are not only not protected, but are in fact disallowed. The CRL is in effect an Agricultural Exclusion Line.

LUPPU and Shingle Springs CRL modification are not inconsistent Shingle Springs Community Alliance, No San Stino and Stop Tilden Park see no conflict between the Land Use Policy Programmatic Update (LUPPU) process (Targeted General Plan Amendment and Zoning Ordinance Update) and taking action to remove the CRL designation and adopt a new Town Site Core Area (Rural Center)-designation for Shingle Springs. This re-designation avoids any potential problem of inconsistency between current multi-family, commercial and industrial zoning and the General Plan. There is no credible evidence or rational basis for concluding that re-designating Shingle Springs from a Community Region to a Rural Center (Town Site Core) would put development pressure on any other area of the County. Development that is not yet planned (but only a gleam in a developer's eye) can't be displaced. Existing zoning and General Plan land use designations would have to be amended anywhere else that CRL-induced high-intensity compact urban or suburban type development would be proposed, just as it would in Shingle Springs. The Board of Supervisors has the discretion to just say no. The County is under no legal or policy obligation to find another vacant 645 acres for development elsewhere if the San Stino parcels are no longer within a CRL, as Mr. Trout seems to assume.

It is evident from the testimony of a number of well-informed and civically-active citizens of the County that the Community Region concept in the 350+ page 2004 General Plan was poorly understood, if it was understood at all. The fact that the General Plan was approved by the voters by a scant margin (.8 %), when the details of its contents were not well-known or clearly understood, is no argument for keeping the CRL designation for Shingle Springs or anywhere else. If other communities follow Shingle Springs in demanding that the CRL boundaries in their areas be eliminated or reduced, it would be in no small measure that the voters are now more informed and proactive. The General Plan should be responsive to the County's informed citizenry, not just slavishly pursuing a flawed course because it happens to be in the General Plan text.

There is sufficient land designated for development with the densities and uses identified in the land use element, general plan and approved specific plans that require \$187.7 million in new water supply, treatment and conveyance infrastructure without a single CRL-induced high intensity, compact, urban or suburban type development project being added to the mix. This would be true even if the CRL designations for the entire County were eliminated. EID's plans, based on the existing General Plan land use and zoning designations, fully utilize its available water rights. There is no room to further expand the system to serve additional unquantifiable growth within the CRLs. Meanwhile, the high cost of bond

financing for expanding water and sewer infrastructure has put severe rate pressure on El Dorado's agricultural economy and established large lot rural residential character.

El Dorado County has for too long engaged in fantasy planning because it assumes that EID can magically provide water and sewer services wherever high-intensity, compact urban or suburban type development might pop up along the Highway 50 corridor. It is high time the County engaged in responsible planning based on the resource constraints that exist, and not plan for growth without a realistic plan to pay for the infrastructure needed to support it. Passing the financial risk of speculative development to existing EID ratepayers and County taxpayers is unconscionable.

I've said it before but it bears repeating: I may not be politically correct, but I am biblically correct. You can be assured the best Jewish lawyer in the universe is backing me.

On June 11th and on June 18th I brought to your attention significant errors in the BOS minutes and the corresponding attachments submitted during Open Forum. Apparently you didn't get the message because the published BOS minutes of June 18th lack the document I submitted which was accepted by the Clerk to the Board.

This supplemented document emailed to you on June 24th concerns the BOS, Chris Daley & Publisher Richard Esposito of the Mtn. Democrat. It is information the public has a right to know. Whether it was by deliberate design or gross incompetence, the public record still needs to be corrected. I also expect the BOS to comply with the request to post a topic after my name to reflect ***"Brown Act, Transparency & BOS Accountability."***

I'll again take this occasion to remind you of the preamble to the Brown Act. It states in part, ***"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..."***

Let the words of that preamble sink in. The citizens whom you profess to serve demand transparency & accountability from their public servants. **YOU** work for **US**.

Your oath of office, as well as that of *every* public employee under those bond requirements--including County Counsel--states that you'll uphold the Constitution of the United States. This book (Constitution & Bill of Rights) is based upon the scriptures contained in this book--my Daddy's Holy Bible.

Chairman Briggs: Your conspicuously **petulant** action when you shut off the mic & exited the room last week was another arrogant display of your disrespect for the citizens and principles contained in these revered books.

To their *credit* Supervisors Nutting, Veerkamp and Santiago remained seated during the 10 minute break. Apparently they take their oaths of office and positions of fiduciary responsibility more seriously than you do. Your **written response** explaining the BOS deviation from the former practice of listing names & topics in the minutes is expected **no later than the end of the business day, June 28th**.

On a related topic I'll now address all current Supervisors...

A notarized Notice of Default dated June 13, 2013 was sent certified mail to all five Supervisors, Ms. Jane Kohlstedt and Mr. William E. Schutz pertaining to the recording of a land patent. It was received by the BOS on June 17th.

That legal document states in part:

It is extremely disturbing to the citizens of EDC that the County BOS, Recorder/Clerk and the Register of Voters and County Counsel have and are taking such an extremely blatant disregard for both state and federal laws regarding the recording of a lawful conveyance of which you have in the county record that I submitted to you earlier.

Note: A public official has a fiduciary toward the public...and if he/she deliberately conceals material information from them, he/she is guilty of fraud. U.S. v. Throckmorton, 98 USC 61. Also see 18 USC 1001, 18 USC 134.

Contained therein are references to Title 18 USC sec. 2071 Requirement to Record; Crimes & Criminal Procedure; Records & Reports, Concealment, Removal or Mutilation; Crimes Against Justice; Conspiracy Against Rights; Deprivation of Rights Under Color of Law.

The questions I now pose to you and expect an appropriate response are:

- 1) Having received 3 notices that you were in violation of state & federal laws, why did you knowingly aid and abet **extensive fraud**, and
- 2) Why was the BOS and County Counsel negligent in taking **action** to correct the problem?

(BOS response)

(Your silence is confirmation of the aforementioned statements)

Madam Clerk: Please accept these documents into the public record and post them accordingly.

1. BOS Transcript – (4 min. 30 sec.)
2. 6/13/13 Notice of Default & attachments (total 11 pages)
3. June 24, 2013 amended email to Esposito & BOS (originally submitted 6/18)

Cc: Sheriff D'Agostini
D.A. Vern Pierson

Melody Lane
P.O. Box 598
Coloma, CA 95613

June 13, 2013

El Dorado County Board of Supervisors
Districts #1, 2, 3, 4 & 5
330 Fair Lane
Placerville, CA 95667

Ref: Notice and Demand, Dated April 2, 2013

Ref: Notice, Dated May 23, 2013

NOTICE of DEFAULT

Dear members of the Board of Supervisors for El Dorado County, Ms. Jane Kohlstedt and Mr. William E. Schultz, who are all included in this Notice.

I, Melody Lane, sent to the Board of Supervisors (BOS) including all names listed below a **NOTICE and DEMAND** by way of Certified Mail dated April 2, 2013, giving the El Dorado County, BOS thirty (30) days to respond to the **NOTICE and DEMAND**.

On, May 23, 2013 I, Melody Lane sent a Notice of Fault to the El Dorado County Board of Supervisors, and the county Clerk/Recorder and Registrar of Voters regarding said **NOTICE and DEMAND** and a **NOTICE of FAULT**. Therefore be advised by way of this **NOTICE of DEFAULT** on this date June 13, 2013 that the Board of Supervisors so listed below of El Dorado County, Ms. Jane Kohlstedt - County Recorder/Clerk, and Mr. William E. Schultz - Registrar of Voters are hereby noticed.

It is extremely disturbing to the citizens of El Dorado County that the County BOS, Recorder/Clerk and the Register of Voters and the County Council have and are taking such an extremely blatant disregard for both state and federal laws regarding the recording of a lawful conveyance of which you have in the county record that I submitted to you earlier!

Note; A public official has a fiduciary toward the public...and if he/she deliberately conceals material information from them, he/she is guilty of fraud. **U.S. v. Throckmorton, 98 US 61. Also See 18 USC 1001, 18 USC 1343.**

Therefore be Noticed as of this date June 13, 2013 that the parties listed below by way of this **NOTICE of DEFAULT** have by Law defaulted within the time requirements so stated in this notice and all previous notices.

District # 1 – Mr. Ron Mikulaco,

District # II – Mr. Ray Nutting

District # III – Mr. Brian Veerkamp

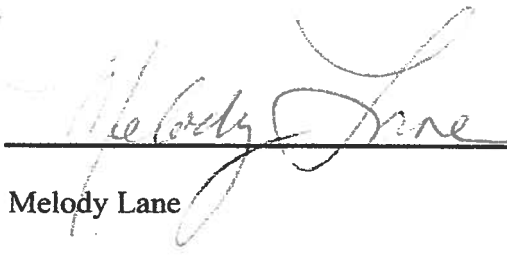
District # IV – Mr. Ron Briggs

District # V – Ms. Norma Santiago

Ms. Jane Kohlstedt, County Recorder/Clerk, and

Mr. William E. Schultz, Registrar of Voters.

Sincerely,



_____ 6/13/13
Melody Lane Date, June 13, 2013

Attachments: Notice & Demand – dated April 2, 2013
Notice of Fault – dated May 23, 2013
Title 18 – Requirement to Record

In the county of El Dorado

On this, 13th day of June 2013, before me a Notary Public, the undersigned officer, personally appeared Melody Lane, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained.

In Witness Whereof, I have hereunto set my hand and Notarial seal.

Notary Public  Expires _____

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of **El Dorado**

On June 3, 2013 before me **B. Totaro, Notary Public**

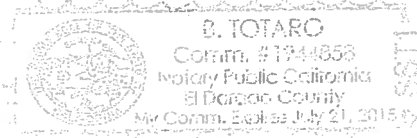
personally appeared Melody Lane

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

B. Totaro
Signature of Notary Public



ADDITIONAL OPTIONAL INFORMATION

<p>DESCRIPTION OF THE ATTACHED DOCUMENT</p> <p>_____</p> <p style="text-align: center;">(Title or description of attached document)</p> <p>_____</p> <p style="text-align: center;">(Title or description of attached document continued)</p> <p>Number of Pages _____ Document Date _____</p> <p>_____</p> <p style="text-align: center;">(Additional information)</p>
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<p>CAPACITY CLAIMED BY THE SIGNER</p> <p><input type="checkbox"/> Individual (s)</p> <p><input type="checkbox"/> Corporate Officer</p> <p>_____</p> <p style="text-align: center;">(Title)</p> <p><input type="checkbox"/> Partner(s)</p> <p><input type="checkbox"/> Attorney-in-Fact</p> <p><input type="checkbox"/> Trustee(s)</p> <p><input type="checkbox"/> Other _____</p>
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INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he/she/they~~ is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ◆ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ◆ Indicate title or type of attached document, number of pages and date.
 - ◆ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

*Melody Lane
P.O. Box 598
Coloma, CA 95613*

May 23, 2013

El Dorado County Board of Supervisors
Districts #1, 2, 3, 4 & 5
330 Fair Lane
Placerville, CA 95667

NOTICE OF FAULT

Dear members of the Board of Supervisors for El Dorado County, Ms. Jane Kohlstedt and Mr. William E. Schultz, who are all included in this Notice.

I, Melody Lane, sent to the Board of Supervisors (BOS) including all names listed below a Notice and Demand by way of Certified Mail dated April 2, 2013, giving the El Dorado County BOS thirty (30) days to respond to the Notice and Demand.

As of this date, May 22, 2013 no response has been received from the El Dorado County Board of Supervisors, or the county Clerk/Recorder or Registrar of Voters regarding said Notice and Demand. Therefore be advised by way of this Notice of Fault that the Board of Supervisors of El Dorado County, Ms. Jane Kohlstedt - County Recorder/Clerk, and Mr. William E. Schultz - Registrar of Voters are hereby noticed.

It is extremely disturbing to the citizens of El Dorado County that the County BOS, Recorder/Clerk and the Register of Voters and the County Council have and are taking such an extremely blatant disregard for both state and federal laws regarding the recording of a lawful conveyance of which you have in the county record that I submitted to you earlier!

Therefore be Noticed as of this date May 23, 2013 that the parties listed below by way of this NOTICE of FAULT that the parties listed below have by Law have Fourteen (14) days in which to respond to this notice.

District # 1 – Mr. Ron Mikulaco,

District # II – Mr. Ray Nutting

District # III – Mr. Brian Veerkamp,

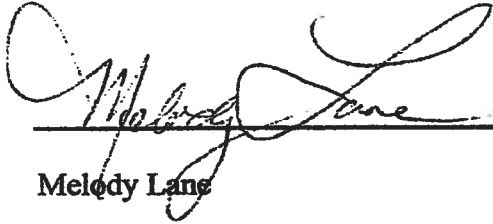
District # IV – Mr. Ron Briggs

District # V – Ms. Norma Santiago

Ms. Jane Kohlstedt, County Recorder/Clerk, and

Mr. William E. Schultz, Registrar of Voters.

Sincerely,



Melody Lane

5/23/13

Date

Melody Lane
P.O. Box 598
Coloma, CA 95613
(530) 642-1670

April 2, 2013

El Dorado County Board of Supervisors
Districts #1, 2, 3, 4 & 5
330 Fair Lane
Placerville, CA 95667

RE: NOTICE and DEMAND

Dear members of the Board of Supervisors for El Dorado County:

District # 1 – Mr. Ron Mikulaco
District # II – Mr. Ray Nutting
District # III – Mr. Brian Veerkamp
District # IV – Mr. Ron Briggs
District # V – Ms. Norma Santiago
Ms. Jane Kohlstedt, County Recorder/Clerk, and
Mr. William E. Schultz, Registrar of Voters.

I, Melody Lane presented to the above listed Board of Supervisors for El Dorado County, CA on Feb. 26, 2013 a NOTICE and DEMAND that the BOS instruct the County Recorder to record my conveyance (of which I have paid for.)

In that NOTICE and DEMAND I did not place a time limit on the BOS at that time for the following reason. I felt that the BOS would make the right and lawful choice, being that I had presented the BOS a copy of the Federal laws and case law that very clearly states that the recorder has a legal duty to record. I would also like to point out to the BOS that the County Recorder is required to record a conveyance once it is submitted for recordation and also that the recorder's office is the custodian of all the past conveyances—that is one of the purposes of the Recorder's Office.

On March 1st I had checked to see if my conveyance had been recorded and I found no record in the file as to such recording. I was informed by Clerk to the Board Jim Mitrisin that the conveyance documents and \$45 money order presented for recording were referred to County Counsel.

NOTICE

Therefore I am once again putting the BOS on NOTICE and DEMAND to record my Conveyance. I, Melody Lane, give the El Dorado County Board of Supervisors THIRTY DAYS (30) from the date of the BOS receipt of this NOTICE and DEMAND IN WHICH TO RECORD MY CONVEYANCE (see attached).

I am in the process and will continue to exhaust my administrative remedies.

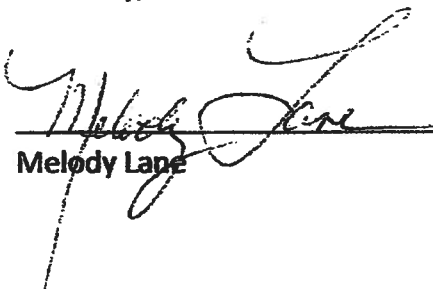
All of the above named individuals are hereby put on NOTICE for violations of Federal Laws regarding failure to record a conveyance under Requirement to Record Title 18 USC Chapter 47 sec.102, Title 18 USC sec. 207, Biffle v. Morton Rubber Industries INC. 785 S.W. 2d (Tex. 1990). 143, 144, (Tex. 1990) and Title 18 sec. 241 Conspiracy Against Rights.

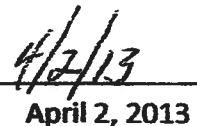
On February 4, 2013 at 9:45 AM and again on February 5, 2013 at 11:45 AM I, Melody Lane, along with Laurel Stroud came to the El Dorado County Recorder's Office for the purpose of recording a conveyance that the public has a right to know if they so choose to inspect the county record. Upon stating to the clerk at the desk my request to have the conveyance recorded I was told that the Recorder-Clerk's Office would not record my conveyance.

DEMAND

I, Melody Lane, do hereby demand that the El Dorado County Board of Supervisors instruct the Recorder's Office to record my conveyance as required by Federal Law as so stated above. If the El Dorado County Board of Supervisors chooses not to allow the recording of my conveyance, every lawful means available to me will be used to accomplish this task.

Sincerely,


Melody Lane


April 2, 2013

Enclosures: Land Patent
Federal & Case Law
Photocopy \$45 Money Order to EDC

Failure to do so will result in further charges under the Tweel and Carmine doctrines for fraud and estoppel to prevent you from engagement in future commerce.

To wit: **Requirement to Record, Title 18 USC sec. 2071**

Biffle v. Morton Rubber Indus., Inc., 785 S.W.2d 143, 144 (Tex.1990).

“An instrument is deemed in law filed at the time it is delivered to the clerk, regardless of whether the instrument is filemarked.”

The minute any document(s) are received, it/they is recorded. Refusal to record documents once deposited with the county recorder is **considered criminal in accordance with Title 18 USC § 2071 and is punishable by fines** and imprisonment without regard to third party intervention and where consent to third party intervention is refused by the party recording the document.

Title 18 USC – Crimes and Criminal Procedure

Part I – Crimes

Chapter 101 – Records and Reports

Section 2071 – Concealment, removal, or mutilation generally

(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined under this title or imprisoned not more than three years, or both.

(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined under this title or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. As used in this subsection, the term "office" does not include the office held by any person as a retired officer of the Armed Forces of the United States.

Revised Statutes of The United States, 1st session, 43 Congress 1873-1874.

Title LXX.---CRIMES.--- CH. 4. CRIMES AGAINST JUSTICE

TITLE 18 § 241. Conspiracy against rights

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

TITLE 18 § 242. Deprivation of rights under color of law

Whoever, under color of any law, statute, ordinance, regulation, or custom, wilfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 EL Dorado Co. Board of Supervisors
 Districts #1, 2, 3, 4 & 5
 330 Fair Lane
 Placerville, CA 95667

COMPLETE THIS SECTION ON DELIVERY

A. Signature: *JRADO COUNTY MAILROOM* Agent Addressee

B. Received by (Printed Name) _____ C. Date of Delivery **JUN 17 2013**

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4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) **7010 1870 0003 5967 1979**

Melody Lane

From: Melody Lane <melody.lane@reagan.com>
Sent: Monday, June 24, 2013 12:29 AM
To: Ron Briggs; Jim Mitrisin; edc.cob@edcgov.us
Cc: Chris Daley; Richard Esposito; Mike Raffety; Terri Daly; Kimberly Kerr; 'Sheriff DAgostini'; Kirk@DefendRuralAmerica.com; bosfive@edcgov.us; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us
Subject: FW: El Dorado County BOS Meeting Agendas & Minutes Update
Attachments: Mtn Demo Req. for Meeting - BOS 6-18-13.docx

Supervisor Briggs,

Please note that the Clerk to the Board **again** did not properly post the topics alongside the names of the speakers during Open Forum as was previously requested on June 11th and June 18th. The topic of my comments should read "**CA Brown Act, Transparency & Accountability to EDC Citizens.**" Whether it was by deliberate design or gross incompetence, the public record needs to be corrected.

Your written response explaining the BOS deviation from the former practice of listing names & topics in the BOS minutes is expected no later than the end of the business day, **June 28th**.

Additionally the attached document was submitted and accepted by the COB after you turned off the microphone, called a 10-minute recess and exited the room during my dialog with you. This document does not appear in the minutes posted under Open Forum.

It was significant that Supervisors Nutting, Veerkamp and Santiago remained seated and did not follow your exit. Apparently they take their Oaths of Office and responsibility to EDC citizens more seriously than you. As a reminder, you work for US—the citizens of EDC.

Looking forward to our meeting on Wednesday, June 26th at 12:30 PM to discuss the **Next Economy critique submitted to the BOS by Kirk MacKenzie - Defend Rural America.**

Regards,

Melody Lane

Founder – **Compass2Truth**
Conservatives Serving God in Truth and Liberty
Home – (530) 642-1670

Democracy is two wolves and a lamb voting on what to have for dinner. Liberty is a well-armed lamb contesting the vote.

From: El Dorado County [mailto:eldoradocounty@service.govdelivery.com]
Sent: Friday, June 21, 2013 10:29 AM

To: melody.lane@reagan.com

Subject: El Dorado County BOS Meeting Agendas & Minutes Update

You are subscribed to BOS Meeting Agendas & Minutes for El Dorado County.

- The MINUTES for the Board of Supervisors' Regular Meeting held on Tuesday, June 18, 2013 have been published and are now available on the web.

This information has recently been updated, and is [now available](#).

Questions? Contact Us at edcquestions@edcgov.us

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This email was sent to melody.lane@reagan.com using GovDelivery, on behalf of: El Dorado County



▪

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

Sent: Sunday, June 09, 2013 5:32 PM

To: Richard Esposito

Cc: Chris Daley; Mike Raffety; bosfive@edcgov.us; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us; 'Ron Briggs'

Subject: Request for Meeting - Mtn. Democrat

Richard,

Two months is sufficient time for you to get settled into your new digs. I'm not going to let this slide...

It's high time we have this long overdue meeting regarding dirty politics, slander and inappropriate staff conduct. Refer to attached as the basis of this meeting request.

Please provide 2 possible times/dates. Depending on their availability I will be accompanied by at least one other individual.

Thanks for your anticipated cooperation.

Melody Lane

Founder – **Compass2Truth**

Conservatives Serving God in Truth and Liberty

Home – (530) 642-1670

Democracy is two wolves and a lamb voting on what to have for dinner. Liberty is a well-armed lamb contesting the vote.

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

Sent: Sunday, April 28, 2013 11:28 AM

To: 'Richard Esposito'

Subject: RE: Channel 10 Latest News on Nutting

Rich,

Nutting is only part of the bigger problem.

I'd still like to know your availability to discuss the Chris Daley issue relevant to his inappropriate email. Someone will accompany me, so it would be helpful if you'd provide a couple of dates to meet.

Our topic will be my 4/9 reply to Chris and the BOS along with other documentation that has been made available for the public record on the 4/9 BOS calendar, agenda **Item # 23 – Bullying, Ethics & HR Policies & Procedures**.

Looking forward to our upcoming chat...

Melody

From: Richard Esposito [<mailto:resposito@mtdemocrat.net>]
Sent: Sunday, April 28, 2013 10:34 AM
To: Melody Lane
Subject: Re: Channel 10 Latest News on Nutting

Melody,

I'm in the middle of moving our operation from Broadway to Placerville Drive.

I'll see where the staff are on this Nutting issue and if anything else has developed since it broke.

From: Chris Daley [<mailto:cdaley@mtdemocrat.net>]
Sent: Tuesday, February 19, 2013 11:45 AM
To: Melody Lane
Subject: Your latest email

Ms. Lane,
Your apology and well wishes are appreciated.

I'm not sure how or why you are equating a private email message with a published news article. Sure I made fun of your name - only because you sent me an unsolicited email misspelling my name and casting aspersions on my reporting competence - "As expected, reporter Cris Daly, etc. etc."

I responded to you and only you. I didn't send copies to anyone else nor would I have any reason to do so. You, on the other hand, sent copies of your nonsense to many other people. For what reason I can't imagine.

Your bullying and attempts at intimidation are just laughable. You're going to tell my boss that I responded with "biting sarcasm" to your snarky, unsolicited email to me? Compared to your public abuse of me at numerous BOS meetings, your outrage at my changing a couple of letters in your name in a private communication seems rather puny and petty.

And you expect what, that I'll be reprimanded, lose some pay or be fired?

I well remember those earlier stories - not as hit pieces but as legitimate reporting of events as they were related to me by numerous others (GDPA) or were witnessed by me (RMAC).

For your reference from your email of Feb. 13:

"You remember the nasty "hit pieces" you wrote about me stemming from the GDPA & RMAC meetings when the 2009 news release was initially distributed, don't you? That was the purpose of our meetings with Publisher Richard Esposito. Sounds like it is time to schedule another little talk with Richard.

From now on when mentioning my name, keep it factual and honestly unbiased. That way you won't need to worry about further marring the reputation of "California's oldest newspaper."

From now on, as always, I will be factual and honestly unbiased, if and when I mention your name. And, from now on, if you send me insulting, unsolicited emails, I will respond with equal insult.

CD

p.s. I've never been worried about "marring the reputation of California's oldest newspaper" and don't plan to start now.