

M. Lane Open Forum BOS 1/11/18

My purpose today is to enter into the public record a notarized affidavit received yesterday by Don Ashton containing truth, facts and evidence of government fraud. Depriving the public of honest services is a federal crime, and this entire Board is hereby put on notice for complicity. Your collusion and failure to lawfully respond to constituents, or to take remedial action, aids and abets the perpetuation of El Dorado County corruption.

On several occasions I ~~had~~ publicly brought to your attention evidence of retaliation, harassment, and bully tactics by the "River Mafia Mob" and other unlawful actions of staff working under Don's direct supervision, namely: Jim Mitrising, Noah Rucker-Triplett, Vickie Sanders, and Laura Schwartz. Twice in 2016 we met for the specific purpose of establishing the facts and resolving on-going concerns relative to the River Management Plan, Code/Law Enforcement issues, and the reticence of the CAO's office to ensure lawful compliance with CA Public Record Act requests for information. During our audio recorded meetings Don pledged to properly resolve ~~the~~ ^{numerous} discrepancies and accountability issues being discussed on my prepared agendas.

Since our meetings Mr. Ashton has been evasive and/or unresponsive to correspondence regarding the topics of our discussions, leading me and all accompanying witnesses to believe that we were merely being appeased, when in actuality Don had no intention whatsoever of fulfilling his duty to provide transparent, honest public services. ^{per se to your oaths of office.} Despite numerous inquiries, it is apparent you have something to hide since no response has been forthcoming from you or staff under your supervision and control. By your unlawful actions, you acted in sedition and insurrection against the federal and state Constitutions, and in treason against the People, in the instant case, me.

Two recent CPRAs are being entered into the public record: RMAC and the Villa Florentina SUP, and a request for EDSO Case File EG18-0098 concerning my discovery of a weapon on my property and other associated evidence ^{of threats to} affecting my personal safety and security. Vern Pierson has been notified to ensure accountability and follow through with the investigation due to the fact Sheriff D'Agostini blocked my ability to communicate electronically with EDSO, thus abusing the public's trust. ^{in L.O.E.}
comments/questions? Sgt. Lewis > "take it to the BOS" Hung Up
2 days to respond

AFFIDAVIT/DECLARATION OF TRUTH

To: Mr. Don Ashton
El Dorado County Chief Administrative Officer
330 Fair Lane
Placerville, CA 95667

I, **Melody Lane**, the undersigned, hereinafter: Affiant/Declarant, make this Affidavit/Declaration of Truth of my own free will, and I hereby affirm, declare and solemnly swear, under oath, before a certified California Notary Public, that I am of legal age and of sound mind and hereby attest that all the information contained in this Affidavit/Declaration is true, correct and admissible as evidence.

This Affidavit/Declaration of Truth is lawful notification to you, CAO Don Ashton, and is hereby made and sent to you pursuant to the Federal Constitution, specifically, the Bill of Rights, in particular, Amendments I, IV, V, VI, VII, IX and X, and The Declaration of Rights of the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3 Section 1, and requires your written rebuttal to me, specific to each and every point of the subject matter stated herein, within 30 days, via your own sworn and notarized affidavit, using true fact(s), valid law and evidence to support your rebuttal.

You are hereby noticed that your failure to respond, as stipulated, and rebut, with particularity and specificity, anything with which you disagree in this Affidavit/Declaration, is your lawful, legal and binding tacit agreement with and admission to the fact that everything in this Affidavit/Declaration is true, correct, legal, lawful, and fully binding upon you in any court in America, without your protest or objection and that of those who represent you. See: *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is “the first essential of due process of law.” Also, see: *U.S. v. Tweel*, 550 F. 2d. 297. “*Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading.*”

Affiant/Declarant hereby affirms that the following actions and events took place:

On November 13, 2017, I sent you, Don Ashton, via USPS certified mail, a letter which you received on November 14, 2017. That letter, attached hereto and marked **Exhibit A**, was sent to inform you of specific events and statements made by you, and also as an inquiry to ascertain whether you, CAO Don Ashton, support and uphold them or would rebut them.

Pursuant to the lawful notification contained in that letter, as I originally stated therein, and as cited and included by reference herein, you were required to respond to and rebut anything contained in the attached November 13th letter with which you disagreed, within thirty (30) days of receipt thereof.

You failed to respond to that letter and thereby failed to rebut anything stated therein. Therefore, pursuant to the referenced lawful notification, you tacitly admit to all of the statements, charges and claims contained therein, fully binding upon you in any court, without your protest, objection or that of those who represent you.

Some of the things to which you admit include, but are not limited to, the following:

- 1) All actions by public officers conducted in the performance of their official duties either support and defend the national and state Constitutions, pursuant to their Constitutional oaths of office, or oppose and violate them. On August 3, 2016, and again on October 4, 2016, we met for the specific purpose of establishing the facts and resolving on-going concerns relative to the River Management Plan, Law Enforcement, and the reticence of your office to lawfully respond to CA Public Record Act requests for information (CPRAs). In the course of those audio recorded "Come to Jesus" meetings you affirmed your public duty to abide by your Constitutional oaths of office. You further affirmed your primary focus was to improve the government accountability and communication process in that regard. You were appointed by the Board of Supervisors and Sheriff D'Agostini to your new role as CAO. Considering my ability to communicate electronically with EDSO has been blocked since 2013, I had also requested you convey to Sheriff D'Agostini that he personally attend these "Come to Jesus" meetings affecting law enforcement. You responded that you couldn't make the Sheriff do anything "he doesn't want to do." Additionally you pledged to properly resolve the discrepancies and accountability issues being discussed on my prepared agendas. However, since we met you have been evasive and/or unresponsive to correspondence regarding the agenda topics of our discussions, leading me and all accompanying witnesses to believe that we were merely being appeased, when in actuality you had no intention whatsoever of fulfilling your duty to provide transparent, honest public services. The First Amendment guarantees the Right of free speech and the Right to petition government for redress of grievances, which, the oath taker, pursuant to his oath, is mandated to uphold. If he fails this requirement, then, he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. One of the purposes of the oath is that it is given in exchange for the Public Trust. You have no constitutional authority, whatsoever, or any other form of valid, lawful authority, to oppose, contradict, deny and violate the very documents to which you have sworn your oath, but as indicated in my previous referenced letter and in this affidavit, this is exactly what you have done. By your own actions, pursuant to your oath, you have violated these First Amendment guarantees, betrayed the Public Trust and perjured your oaths of office.
- 2) It is the duty of every Citizen to demand that government employees, such as you, specifically perform pursuant to the constitutional mandates contained within their oaths, thereby uphold and protect the rights of the people, as opposed to upholding and promoting the profits of a rapacious, destructive association, such as the Chief Administrative Office of El Dorado County, that perniciously violates the rights of the people as its apparent routine custom, practice and policy. It has been clearly established that you have failed to lawfully respond to

numerous verbal and written inquiries, including but not limited to CA Public Record Act requests for information, as required under US Government Code § 6250 - 6276.48. Despite my numerous inquiries, it is apparent you have something to hide since no response has been forthcoming from you or staff under your supervision and control. *See United States v. Dial, 757 R2d 163, 168 (7th Cir 1985) includes the deliberate concealment of material information in a setting of fiduciary obligation. See also USC Title 18, § 2071 – Concealment, removal, or mutilation generally.* By your unlawful actions, you acted in sedition and insurrection against the Constitutions, both federal and state, and in treason against the People, in the instant case, me.

- 3) Under the Political Reform Act, federal anticorruption law broadly guarantees the public “honest services” from public officials. Depriving the public of honest services is a federal crime. It was during our August 3rd, 2016 audio-recorded meeting when Roger Trout admitted in your presence as well as that of Sue Taylor, Lori Parlin, and Supervisor Ranalli, that the September 2015 RMAC meeting was indeed a collaborative “set up” by county officials to discredit and permanently silence me for whistleblowing. *“Personal involvement in deprivation of constitutional rights is prerequisite to award of damages, but defendant may be personally involved in constitutional deprivation by direct participation, failure to remedy wrongs after learning about it, creation of a policy or custom under which unconstitutional practices occur or gross negligence in managing subordinates who cause violation.” (Gallegos v. Haggerty, N.D. of New York, 689 F. Supp. 93 (1988)).* Your collusion and failure to lawfully respond to constituents, in this case me, or to take remedial action, aids and abets the perpetuation of El Dorado County corruption. The First Amendment guarantees the Right of free speech and the Right to petition government for redress of grievances, which, the oath taker, pursuant to his oath, is mandated to uphold. You failed this requirement; thus, you violated two provisions of the First Amendment, the Public Trust and perjured your oaths of office. **(See Exhibit B)**
- 4) On several occasions I have publicly brought to your attention and to that of other County officials, evidence of retaliation, harassment, and bully tactics by the “River Mafia Mob” and staff working under your direct supervision, namely: Jim Mitrisin, Noah Rucker-Triplett, Vickie Sanders, and ACAO Laura Schwartz. Evidently my concerns have fallen upon deaf ears, because you have done absolutely nothing to address and rectify the issues I have reported. When a public officer, such as you, fails to act and correct the matter reported to him, then, he condones, aids, and abets criminal actions, and further, colludes and conspires to deprive me and other Citizens of their inherent rights guaranteed in the Constitutions, as a custom, practice and usual business operation of his office and the jurisdiction for which he works. This constitutes treason by the entire jurisdiction against me, and based upon the actions taken and what exists on the public record, it is impossible for any public officer to defend himself against

treason committed. *See: 18 USC § 241 - Conspiracy Against Rights, and 242 – Deprivation of Rights Under Color of Law. See also: U.S. v. Guest, Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.*

- 5) During the October 10, 2017 BOS meeting, I once again publicly asked you to identify the IT person responsible for blocking my ability to communicate electronically with the Sheriff's Office, but you refused to respond. After I left the podium, County Counsel Mike Ciccozzi replied on your behalf, but he failed to address my specific concerns. In addition to a penchant for giving bad legal advice, Mr. Ciccozzi has no authority to act as your mouthpiece, or that of any other county official. In so refusing to answer my direct inquiries, you violated Sections 54954.3 and 54954.2(a) of the Brown Act. By not responding and/or not rebutting, such as you have demonstrated on numerous occasions, you, the oath taker, denies me, the Citizen, remedy, thus, I've been denied constitutional due process of law, as set forth within the Bill of Rights. Additionally your actions demonstrate lack of government transparency or Good Governance Policy. There is no legitimate argument to support the claim that oath takers, such as you, are not required to respond to correspondence or other public inquiries, which, in this case, act as petitions for redress of grievances, stating complaints, charges and claims made against them by Citizens injured by their actions. *See: U.S. v. Tweel, cited above.* All American Citizens, can expect, and have the Right and duty to demand that you and other government officers uphold their oaths to the Constitution(s) and abide by all constitutionally imposed mandates of their oaths. This is an un-enumerated Right guaranteed in the Ninth Amendment, which I hereby claim and exercise.

- 6) During the aforementioned 2016 meetings, you affirmed your duty and responsibility to take an oath and to abide by that oath in the performance of your official duties. When public officers take oaths, yet are ignorant of the constitutional positions to which they are bound by their oaths, and then fail to abide by them in the performance of their official duties, this suggests that they may have had no intention of ever honoring their oaths, and their signatures upon the oath documents constitute fraud. Fraud vitiates any action. Any enterprise, undertaken by any public official, such as you have conducted, tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word. *"The Oath of Office is a quid pro quo contract in which clerks, officials, or officers of the government pledge to perform (Support and uphold the United States and State Constitutions) in return for substance (wages, perks, benefits). Proponents are subjected to the penalties and remedies for Breach of Contract, Conspiracy of Title 18 U.S.C., Sections 241, 242 Treason under the Constitution at Article 3, Section 3., and Intrinsic Fraud [Auerbach v Samuels, 10 Utah 2nd. 152, 349 P. 2nd. 1112,1114. Alleghany Corp v Kirby Keeton Packing Co. v State., 437 S.W. 20, 28].* You failed to provide honest public services pursuant to your oaths, and in so doing, you perjured your oath by violating my Constitutionally guaranteed Rights, in particular those secured in the Bill of Rights, including but not limited to my First Amendment Rights.

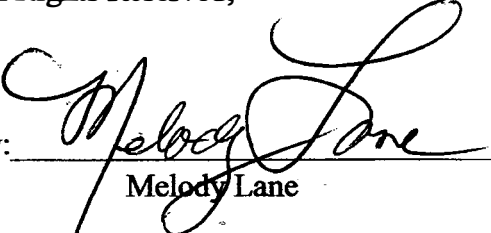
7) Substantial evidence I submitted into the public record indicates that CPRA requests for information, relevant correspondence, and Planning documents have been destroyed, conveniently disappeared, or were deliberately withheld by you and/or staff under your direct supervision. By demonstrating your reluctance to lawfully respond to Public Record Act requests for information or reply to associated correspondence, it is clearly evident you have something to hide. Any time public officers, such as you, pursuant to their oaths, violate Rights guaranteed to Citizens in the Constitutions they act outside their limited delegated authority, thus, perjure their oaths, and by their own actions, invoke the self-executing Sections 3 and 4 of the 14th Amendment; thereby vacate their offices and forfeit all benefits, as you have done. By your so doing, I was again harmed by your actions and deprived of due process.

Lawful notification has been provided to you stating that if you do not truthfully and factually rebut the statements, charges and averments made in this Affidavit/Declaration, then, you agree with and admit to them. Pursuant to that lawful notification, if you disagree with anything stated under oath in this Affidavit/Declaration of Truth, then rebut that with which you disagree, with particularity, within thirty (30) days of receipt thereof, by means of your own written, sworn, notarized affidavit of truth, based on true specific, relevant fact and valid law to support your disagreement, attesting to your rebuttal and supportive positions, as valid and lawful, under the pains and penalties of perjury under the national and state Constitutions, the laws of the United States of America and this state of California. An un-rebutted affidavit stands as truth before any court.

Your failure to respond, as stipulated, is your agreement with and irrevocable admission to the fact that everything in this Affidavit/Declaration of Truth is true, correct, legal, lawful, fully binding upon you, Don Ashton, in any court of law in America, without your protest, objection and that of those who represent you.

Further Affiant sayeth naught.

All Rights Reserved,

By: 
Melody Lane

Date: 1/4/18

Melody Lane
Compass2Truth
C/o P.O. Box 598
Coloma, California [95613]

(See attached California Notarization)

CALIFORNIA JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }

COUNTY OF El Dorado }

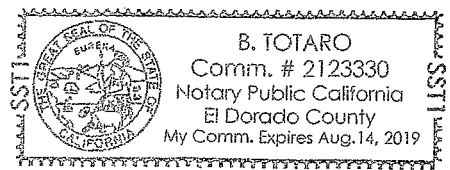
Subscribed and sworn to (or affirmed) before me on this 4 day of 12 2018
Date Month Year

by Melody Lane

Name of Signer/s

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature: B. Totaro
Signature of Notary Public



Seal
Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent attachment of this form to an unintended document.

Description of Attached Document
Title or Type of Document: Affidavit/Declaration of Truth

Document Date: 1/4/18

Number of Pages: 6

Signer(s) Other Than Named Above: _____

Attachments:

- Exhibit A – November 13, 2017 letter to Don Ashton
- Exhibit B – August 5, 2016 Come to Jesus letter to Ashton, Trout, Ranalli

CC: Dist. #1 Supervisor John Hidahl
Dist. # 2 Supervisor Shiva Frentzen
Dist. # 3 Supervisor Brian Veerkamp
District #4 Supervisor Michael Ranalli
Dist. # 5 Supervisor Sue Novasel
Sheriff John D'Agostini
EDC District Attorney Vern Pierson
MGDP Superintendent Barry Smith, CA State Parks
Media and other interested parties

*Melody Lane
Compass2Truth
P.O. Box 598
Coloma, CA 95613*

November 13, 2017

Don Ashton
El Dorado County Chief Administrative Officer
330 Fair Lane
Placerville, CA 95667

Mr. Ashton,

This letter is lawful notification to you, and is hereby made and sent to you pursuant to the national Constitution, specifically, the Bill of Rights, in particular, Amendments I, IV, V, VI, VII, IX and X, and the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3 Section 1. This letter requires your written rebuttal to me, specific to each claim, statement and averment made herein, within 30 days of the date of this letter, using fact, valid law and evidence to support your rebuttal.

You are hereby noticed that your failure to respond within 30 days as stipulated, and rebut with particularity everything in this letter with which you disagree is your lawful, legal and binding agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful and binding upon you, in any court, anywhere in America, without your protest or objection or that of those who represent you. Your silence is your acquiescence. See: *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is "the first essential of due process of law." Also, see: *U.S. v. Tweel*, 550 F. 2d. 297. "*Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading.*"

What I say in this letter is based in the supreme, superseding authority of the Constitution for the United States of America, circa 1787, as amended in 1791, with the Bill of Rights, and the California Constitution, to which all public officers, such as you, have sworn or affirmed oaths, under which they are bound by Law. It is impossible for an oath taker to *lawfully* defy and oppose the authority of the documents to which he or she swore or affirmed his or her oath. My claims, statements and averments also pertain to actions taken by you regarding CA Public Record Act (CPRA) requests for information, and your lack of response to constituents, in this case me, as required pursuant to your oaths. When I use the term "public officer(s)", this term includes you.

EXHIBIT A

Since America and California are both Constitutional Republics, not democracies, they are required to operate under the Rule of Law, and not the rule of man. The Supreme Law and superseding authority in this nation is the national Constitution, as declared in Article VI of that document. In Article IV, Section 4 of that Constitution, every state is guaranteed a republican form of government. Any “laws”, rules, regulations, codes and policies which conflict with, contradict, oppose and violate the national and state Constitutions are null and void, *ab initio*. It is a fact that your oath requires you to support the national and state Constitutions and the rights of the people secured therein. To wit, County Counsel Mike Ciccozzi has no authority to speak on your behalf such as has been the case when I’ve specifically addressed you during Board of Supervisors meetings concerning CPRAs and other administrative matters under your direct supervision.

During two audio recorded meetings with you, specifically on August 3, 2016, and again on October 4, 2016, you verbally affirmed that all public officers are required to abide by their oaths in the performance of their official duties. No public officer, including you, has the constitutional authority to oppose, deny, defy, violate and disparage the very documents to which he or she swore or affirmed his or her oath. All actions by public officers conducted in the performance of their official duties either support and defend the national and state Constitutions, or oppose and violate them. **(See Exhibit A1-A2)**

“The Oath of Office is a quid pro quo contract in which clerks, officials, or officers of the government pledge to perform (Support and uphold the United States and State Constitutions) in return for substance (wages, perks, benefits). Proponents are subjected to the penalties and remedies for Breach of Contract, conspiracy under Title 28 U.S.C., Title 18 Sections 241, 242. treason under the Constitution at Article 3, Section 3., and intrinsic fraud...”

You have been regularly apprised that your staff is routinely submitting falsified information to the Board of Supervisors (BOS) concerning the River Management Plan, Parks/Recreation, Planning/Development and Code/Law Enforcement. You have failed to take corrective or remedial action despite frequent public testimony and evidence submitted into the public record concerning fraudulent information submitted by the aforementioned staff within your supervision and control. These egregious breaches in public policy were discussed during the aforementioned August 3, 2016 and October 4, 2016 audio recorded meetings. The public’s objections to fraudulent data and the recurring pattern of staff misconduct have demonstrated that meetings and public input are nothing more than bureaucratic charades to falsely and fraudulently convince Citizens that their input makes a difference. Subsequently such actions and omissions by you and staff directly under your supervision have caused the BOS to vote to approve staff’s predetermined recommendations, thus demonstrating the policy, practice, and custom of deliberate indifference to the liberty, will, consent and inherent rights of Citizens, to wit:

The preamble of the Ralph M. Brown Act states, "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."

54952.2. (b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

*The issue of serial meetings stands at the vortex of two significant public policies: first, the constitutional right of citizens to address grievances and communicate with their elected representatives; and second, the Act's policy favoring public deliberation by multi-member boards, commissions and councils. **The purpose of the serial meeting prohibition is not to prevent citizens from communicating with their elected representatives, but rather to prevent public bodies from circumventing the requirement for open and public deliberation of issues.** The Act expressly prohibits serial meetings that are conducted through direct communications, personal intermediaries or technological devices for the purpose of developing a concurrence as to action to be taken. (§ 54952.2(b); Stockton Newspapers, Inc. v. Redevelopment Agency (1985) 171 Cal.App.3d 95, 103.)*

Any enterprise, undertaken by any public official, such as you and other Board of Supervisor members, which tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths.

It is the duty of every Citizen to demand that government employees, such as you, specifically perform pursuant to the constitutional mandates contained within their oaths, thereby uphold and protect the rights of the people, as opposed to upholding and promoting the profits of a rapacious, destructive association that perniciously violates the rights of the people as its apparent routine custom, practice and policy.

Whenever constitutional violations are committed by public officers, there are constitutional remedies available to the people. Such remedies make those who violate their oaths, such as you, accountable and liable for their unconstitutional actions conducted in perjury of their oaths. When public officers take oaths, yet are ignorant of the constitutional positions to which they are bound by their oaths, and then fail to abide by them in the performance of their official duties, this suggests that they may have had no intention of ever honoring their oaths, and their signatures upon the oath documents constitute fraud. Fraud vitiates any action. Following are just a few examples:

You are responsible for tracking and responding to all CA Public Record Act (CPRA) requests for information, yet you have either been unresponsive to communications, or you've obfuscated and diverted any meaningful public replies whatsoever, particularly as they pertain to Planning/Development, the River Management Plan and Code/Law Enforcement. Frequently I am asked to submit CPRAs on behalf of other individuals and organizations, but to date there remain several CPRAs that you have failed to acknowledge or even respond to. On numerous occasions I have provided you copies of the **"Guide to CA Public Record Act Requests"** which is very clear in this regard. Following are examples of your most frequent and notorious CPRA violations I've experienced in making CPRA requests to you and/or your staff:

- The agency always bears the burden of justifying nondisclosure, and "any reasonably segregable portion... shall be provided...after deletion of the portions which are exempt." (§ 6253(a)) **Access is immediate** and allowed at all times during business hours. (§ 6253(a)). Staff need not disrupt operations to allow immediate access, but a decision on whether to grant access must be prompt. An agency may not adopt rules that limit the hours records are open for viewing and inspection. (§ 6253(d); 6253.4(b))
- **The agency must provide assistance** by helping to identify records and information relevant to the request and suggesting ways to overcome any practical basis for denying access. (§ 6253.1)
- **An agency has 10 days to decide if copies will be provided.** In "unusual" cases (request is "voluminous," seeks records held off-site, OR requires consultation with other agencies), the agency may upon written notice to the requestors give itself an additional 14 days to respond. (§6253(c)) These time periods may not be used solely to delay access to the records. (§ 6253(d))
- **The agency may never make records available only in electronic form.** (§ 6253.9(e))
- **Access is always free.** Fees for "inspection" or "processing" are prohibited. (§ 6253)
- **Copy costs are limited to "statutory fees"** set by the Legislature (*not* by local ordinance) or the "direct cost of duplication", typically 10-25 cents per page. Charges for search, review or deletion are not allowed. (§ 6253(b)); *North County Parents v. DOE*, 23 Cal.App.4th 144 (1994). If a request for electronic records either (1) is for a record normally issued only periodically, or (2) requires data compilation, extraction, or programming, copying costs may include the cost of the programming. (§ 6253.9(a),(b))
- **The agency must justify the withholding of any record** by demonstrating that the record is exempt or that the public interest in confidentiality outweighs the public interest in disclosure. (§6255)

River Supervisor Noah Rucker-Triplett works for Parks & Recreation which is a department under your administration. You've been apprised on numerous occasions that Noah has colluded with county staff and State Parks personnel to violate the law and deny Citizens due process. Your knowledge of such misconduct within your department, and failure to take remedial measures, does not demonstrate transparency or "Good Governance" by any stretch of the imagination. Furthermore, it is against all public policy. For example in an email sent October 5, 2015 @ 1:58 PM to CA State Park RMAC representatives, Noah Triplett wrote:

"We received a public records request from Melody Lane which requests copies of correspondence between RMAC representatives and me.

I am seeking an opinion from County Counsel on whether I can include the emails between you to because there is a confidentiality statement with your emails so she may have to request them from the State."

In another email dated April 28, 2014 @ 3:21 PM, Noah Triplett informed all RMAC representatives:

*“Vickie informed the committee that the County is looking at starting a more comprehensive update to the RMP beyond what was identified in the 5 year summary reports next year (July 2014). This update would include the River Rescue proposal and Institutional Proposal and anything else. The goal being to not piecemeal updates but to try and do it all at once. This is also going to cost money since the County wants to use the consultant who did the 2001 RMP **and as you know the RTF is broke.***

The floodplain litter ord. was tabled indefinitely.

The alternate RMAC representative proposal was also continued. Maybe Stephen and Keith could get together and come up with a proposal since it sounds like there may be differences?

Please do not respond to all as that could be considered a violation of the Brown act.”

Mr. Ashton, you have been regularly apprised on numerous occasions of your staff's failure to comply with the law and the deliberate strategy to delay and obfuscate financial and other pertinent data, particularly as it concerns the River Management Plan, Parks & Recreation, Planning, and Law Enforcement. By your actions, you follow neither the letter of the law, nor the spirit of the law, and consistently violate the Supreme Law of the Land and the California Constitution to which you have sworn or affirmed your oath.

Another example emanating from your department in a memo dated May 9, 2017 ACAO Laura Schwartz states, *“...we recommend that this committee [RMAC] be dissolved and that the County encourage interested participants to form an ad-hoc committee...Over the past several months, the majority of RMAC members have stepped down from the Committee resulting in not enough members to reach quorum. Several meetings have been cancelled at the request of RMAC due to a lack of a quorum or no issues to discuss...The Chief Administrative Office recommends that the Board consider filling the vacancies noting that RMAC may be dissolved by the end of the year.”*

It is a fact that RMAC members have NOT stepped down; they've regularly continued to conduct serial meetings and falsified minutes that are routinely approved by your staff. As you are aware, serial meetings are strictly prohibited by the Brown Act. Your culpability is made evident by your knowledge of staff misconduct and deliberate failure to take remedial action. Additional proof has been publicly submitted that RMAC habitually operates “ultra vires” (outside of the law) as witnessed by Larry Weitzman in his columns published in the Lake Tahoe News and the Mountain Democrat. **(See Exhibit B)**

During one of the meetings Mr. Weitzman witnessed when Laura Schwartz got up from her seat, walked across the room, and turned off the microphone while I was speaking because she objected to my observations about staff's unlawful practices.

The Brown Act makes it clear she had no authority to deprive me of the right to testify or seek redress of grievances. The following published remarks by Mr. Weitzman were most revealing about Ms. Schwartz aiding and abetting the unlawful conduct of your staff:

“...at the Aug. 10 Planning Commission meeting when discussing item No. 5 regarding the new updated River Management Plan (RMP), I thought Schwartz had morphed into Nancy Pelosi, when she said, “We need to pass the RMP before we do a financial analysis of its impact.” Pelosi said an almost identical statement when she said, “We need to pass Obamacare to see what’s in it.”

One more significant example entailed the October 19, 2017 Parks & Recreation Commission meeting when Vickie Sanders and Laura Schwartz were in attendance. The only two items on the agenda involved the River Management Plan Update and the Parks & Trails Master Plan. The only members of the public in the room were RMAC Representative Nate Rangel, District #1 Supervisor John Hidahl, and me. Evidence I submitted into the public record, and my corresponding public comments, revealed highly unethical practices transpiring within your department. Although neither agenda item pertained to his district, Mr. Hidahl addressed both agenda items. After only nine months on the job, it appeared Mr. Hidahl’s primary purpose that evening was to applaud Parks & Recreation for what a “great job” they were doing, when in fact staff has been colluding to fraudulently pull the wool over the eyes of the public. Therefore it was not surprising when notice was posted that due to “equipment malfunction” the Parks & Rec audio was “corrupted” and therefore could not be posted to the EDC calendar. That conveniently happens to be the all too frequent excuse whenever there are controversial issues involving government transparency and accountability, especially when it concerns the River Mafia Mob and EDC government representatives acting outside of the law (*ultra vires*).

With regard to your failure to respond when I’ve directed questions to you during BOS meetings, the Ralph M. Brown Act further states:

§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.**

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).)**

The subject of the fraudulent 9/14/15 RMAC meeting was addressed during our 8/3/16 meeting with you, Supervisor Ranalli, and Planning/Development Director Roger Trout. The topic of the orchestrated fraud was again broached during our 10/4/16 meeting. As you know, Sheriff D'Agostini failed to show up for either of those meetings and has cut off all communication with me. Although you formerly worked for Sheriff D'Agostini as his Chief Fiscal Officer prior to your promotion to Chief Administrative Officer for El Dorado County, you've continued to act as the Sheriff's spokesperson and mediator without any authority whatsoever to do so. A recurring concern discussed during our meetings was your reticence to track and lawfully respond to Public Record Act Requests (CPRAs), especially those relevant to the Sheriff's Office (EDSO), Planning, government grants, and the River Management Plan.

Then on September 12, 2017 @ 7:11 AM Don Ashton wrote:

Good morning Melody,

As we have discussed several times in the past, neither the CAO or the IT Director have the authority to tell the Sheriff how to manage his office, and the Sheriff has his own IT Division who is following his orders to block your email. **← PLEASE IDENTIFY NAME OF INDIVIDUAL RESPONSIBLE FOR EDSO IT DIVISION.**

I have discussed your concerns with him in the past, and will reach out again to see if he will reconsider, but unfortunately, in addition to the prior commitment I made to forward printed copies of your emails to his office, that is the best I can do.

Once again on October 10, 2017 during the BOS meeting I asked you again to publicly identify the IT person responsible for blocking my ability to communicate electronically with EDSO. Instead of responding to my inquiry, after I left the podium County Counsel Mike Ciccozzi replied on your behalf that you had sent me an email that morning, but he still did not identify the EDSO IT individual. Mr. Ciccozzi has no authority to act as your mouthpiece, or that of any other county official. **(See Exhibit C)**

Another example pertained to CPRA #P001406-081117, when you failed to indicate the total dollar amounts of grant funds applied for and actually received. Additionally only one of the requested seven contracts was signed, rendering six of them invalid. Note the following regarding unsigned contracts:

X. Special Provision B. This contract shall have **no force or effect until signed** by the Department, Agency, and approved by the Department of General Services Legal Department, if required.

Don, it is glaringly apparent you have colluded with Sheriff D'Agostini and/or County Counsel to also get Clerk to the Board Jim Mitrisin and other county staff to refuse to reply or obfuscate responses to CPRAs. You are not above the law and have no authority whatsoever to deprive any Citizen due process or access to public information. Such discriminatory actions are against public policy and are contrary to your Oaths of Office. **(See Exhibits D1 & D2)**

We discussed during our 8/3/16 meeting that evidence reveals your collusion with county staff to deprive Citizens of their right to public information, refusal to engage in dialog, or participate in the deliberation of public policy. Consequently, the decisions made by you and the other Supervisors that are based on collusion and deliberately falsified information will ultimately adversely affect all EDC tax payers through unnecessarily expensive litigation, thus, undermining the public trust in local government.

By your actions and in some cases, inaction, it is clear that you have violated on numerous occasions each and every one of the above provisions. You've been made aware of unlawful government practices within your department, yet you've failed to take any corrective measures. In so, doing you've aided and abetted the perpetuation of government fraud, and are therefore culpable, complicit and liable.

When you and other public officers violate the Constitutions, at will, as an apparent custom, practice and policy of office, you and they subvert the authority, mandates and protection of the Constitutions, thereby act as domestic enemies to these Republics and their people. When large numbers of public officers so act, this reduces America, California, and the County of El Dorado to the status of frauds operating for the benefit of governments and their corporate allies, and not for the people they theoretically serve.

You have no constitutional or any other valid authority to defy the Constitution, to which you owe your LIMITED authority, delegated to you by and through the People, and to which you swore your oath. Yet, by your actions against me, committed repeatedly on the aforementioned dates and several other occasions, you've deprived me of my inherent rights. It is apparent the public's input has been reduced to irrelevancy, thereby demonstrating that public meetings are little more than predetermined outcomes designed to falsely give Citizens the impression of

government transparency and accountability, while providing neither. This is blatant fraud perpetrated by you and other elected/appointed officers against the people they are required to serve and who pay their respective salaries.

Anytime you and other public officers, pursuant to their oaths, violate Rights guaranteed to Citizens in the Constitutions, they act outside their limited delegated authority, thus, perjure their oaths, and by their own actions, invoke the self-executing Sections 3 and 4 of the 14th Amendment; thereby vacate their offices and forfeit all benefits thereof, including salaries and pensions, as you did on several other occasions, which are now a matter of public record.

Depriving the public of honest services is a federal crime. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths. All public officers within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts. That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves and owes a fiduciary duty to the public. The fiduciary responsibilities of a public officer cannot be less than those of a private individual. You have failed your fiduciary responsibilities and duty as Chief Administrative Officer.

Furthermore, any enterprise undertaken by the public official who tends to weaken public confidence and undermine the sense of security for individual rights is against public policy. 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 R2d 163, 168 (7th Cir 1985) includes the deliberate concealment of material information in a setting of fiduciary obligation. See also USC Title 18, § 2071 – Concealment, removal, or mutilation generally.*

The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, the oath taker, pursuant to his oath, is mandated to uphold. If he fails this requirement, then, he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. By not responding and/or not rebutting, the oath taker denies the Citizen remedy, thus, denies the Citizen constitutional due process of law, as stated within the Bill of Rights. By your own actions, pursuant to your oath, you have violated these First Amendment guarantees. An American Citizen, such as I, can expect, and has the Right and duty to demand, that government officers uphold their oaths to the Constitution(s) and abide by all constitutionally imposed mandates of their oaths. This is an un-enumerated Right guaranteed in the Ninth Amendment, which I hereby claim and exercise.

Furthermore, there is no legitimate argument to support the claim that oath takers, such as you, are not required to respond to letters or meeting requests, which, in this case, act as petitions for redress of grievances, stating complaints, charges and claims made against them by their constituents or by Citizens injured by their actions. When public officers harm the Citizens by their errant actions, as you have done, and

then refuse to respond to or rebut petitions from Citizens, as you have also done, then, those public officers, as are you, are domestic enemies, acting in sedition and insurrection to the declared Law of the land and ***must be opposed, exposed and lawfully removed from office.***

As stated previously, actions by a public officer either uphold the Constitutions and rights secured therein, or oppose them. By your stepping outside of your delegated authority you lost any "perceived immunity" of your office and you can be sued for your wrongdoing against me, personally, privately, individually and in your professional capacity, as can all those in your jurisdiction, including your supervisors and anyone having oversight responsibility for you, including any judges or prosecuting attorneys and public officers for that jurisdiction, if, once they are notified of your wrongdoing, they fail to take lawful actions to correct it, pursuant to their oaths and their duties, thereto:

"Personal involvement in deprivation of constitutional rights is prerequisite to award of damages, but defendant may be personally involved in constitutional deprivation by direct participation, failure to remedy wrongs after learning about it, creation of a policy or custom under which unconstitutional practices occur or gross negligence in managing subordinates who cause violation." (Gallegos v. Haggerty, N.D. of New York, 689 F. Supp. 93 (1988)).

If those superiors referenced above fail to act and correct the matter, then, they condone, aid and abet your criminal actions, and further, collude and conspire to deprive me and other Citizens of their Rights guaranteed in the Constitutions, as a custom, practice and usual business operation of their office and the jurisdiction for which they work. This constitutes treason by the entire jurisdiction against the Citizens of El Dorado County, in the instant case, me, and based upon the actions taken and what exists on the public record, it is impossible for any public officer to defend himself against treason committed. See: 18 USC § 241 - Conspiracy against rights and 18 USC § 242 - Deprivation of Rights Under Color of Law. See also: U.S. v. Guest, Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.

You can either uphold your oath and the rights and best interests of the people, or violate your oath and your duties to the people. As stated previously, anytime you perjure your oath, defy the authority of the Constitutions and step outside of the lawful scope of your duties and authority, you are personally liable. In fact, the national Constitution provides remedy for the people when public officers, such as you, perjure their oaths, which remedy, in part, can be found at the referenced Sections 3 and 4 of the 14th Amendment.

Pursuant to the constitutional mandates imposed upon them, by and through their oaths, there is no discretion on the part of public officers to oppose the Constitutions and their oaths thereto, nor to be selective about which, if any, mandates and protections in the Constitutions they support. The mandates and protections set forth in the Constitutions are all-encompassing, all-inclusive and fully binding upon public officers, without exception, as they are upon you. All of the facts, claims and charges stated herein clearly demonstrate that you, pursuant to your oath, acted outside the lawful scope of your limited duties and constitutional authority; therefore, you acted

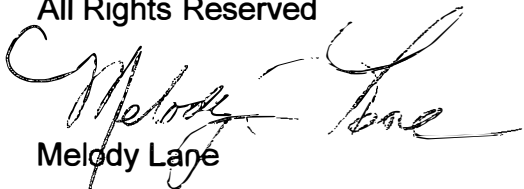
on your own, as a private Citizen and renegade, outside of any governmental protection and/or immunity, whatsoever. If government were to protect and defend your unconstitutional actions, then, that government becomes complicit in those actions, condones, aids and abets them.

If you disagree with anything in this letter, then rebut that with which you disagree, in writing, with particularity, to me, within thirty (30) days of the date of this letter, and support your disagreement with valid evidence, fact and law.

Your failure to respond, as stipulated, is your agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful, and is your irrevocable agreement attesting to this, fully binding upon you, in any court in America, without your protest or objection or that of those who represent you.

Sincerely,

All Rights Reserved

A handwritten signature in black ink, appearing to read "Melody Lane", written in a cursive style.

Melody Lane

Attachments:

Exhibit A1-A2 – 8/3/16 & 10/4/16 Meeting Agendas

Exhibit B – Weitzman “Ultra Vires” RMAC meetings

Exhibit C – 10/10/17 EDSO/CPRA transcript

Exhibit D1-D2 – 10/23/17 @ 3:40 PM email & 10/25/17 @ 5:20 PM email

Cc: Supervisor Brian Veerkamp
Supervisor Sue Novasel
Supervisor Shiva Frentzen
Supervisor John Hidahl
Supervisor Mike Ranalli
Sheriff John D’Agostini
D.A. Vern Pierson

Agenda
8-3-16 @ 4 PM
Don Ashton – Mike Ranalli – Roger Trout

- I. RIVER MANAGEMENT PLAN
 - A. RMAC Representation
 - 1) EDSO
 - 2) MGDG
 - 3) Resident
 - B. Brown Act Violations
 - a. 9/14/15 meeting (attendees)
 - b. MGDG Rep. Bill Deitchman – absent/approved minutes
 - c. 5/26/16 MGDG Special Meeting
 - d. 7/11/16 Lotus Fire House > 8/8/16
 - C. RMP Update
 - 1) EDSO Revisions
 - 2) BLM/CA State Parks
 - 3) Ranalli strategy

- II. CODE/LAW ENFORCEMENT
 - A. EDSO Jurisdiction
 - B. SUPs
 - 1) Code Enforcement coordination w/EDSO (John Desario replaced Jim Wassner)
 - 2) Documentation
 - 3) Complaint process > responsibility?
 - 4) Consequences/Revocations
 - 5) Retaliation

- III. CPRAs
 - A. Oaths of Office
 - B. CAO/County Counsel
 - C. Violations – Late/non-compliant responses

- IV. FOLLOW UP
 - A. Remedy & Expectations
 - 1) CAO
 - 2) Mike Ranalli
 - 3) Roger Trout
 - 4) EDSO
 - B. Next meeting target date:

EXHIBIT A-1

Tuesday October 4, 2016 @ 2:30 PM
Don Ashton, Mike Ranalli, Paula Franz

- I. CPRAs - FOIA
 - A. Guide to CPRAs
 - B. Government PRA Tracking system – COB Discrepancies
 - C. Legal vs. Lawful

- II. Ethics & HR policies
 - A. Brown Act Violations
 - B. Transparency & Accountability
 - 1. BOS
 - 2. EDSO
 - 3. CAO

- III. Obstacles - Bureaucratic Shenanigans
 - A. Communication breakdown
 - B. Fees - Resolution 113-95 v. AB1234
 - C. Code/Law Enforcement policy inconsistencies

- IV. Follow up - Target date

EXHIBIT A-2

Opinion: EDC wasting money on river committee

PUBLISHED: AUGUST 23, 2017 BY: ADMIN, IN: VOICES, COMMENTS OFF ON OPINION: EDC WASTING MONEY ON RIVER COMMITTEE

By Larry Weitzman

In case you are wondering, RMAC is the acronym for the River Management Advisory Committee, a committee set up in the early 1980s by the Board of Supervisors to help advise them on river and nearby land use issues. It is composed of more than five members who have a vested interest in the river: an outfitter, a commercial rafter, a resident land owner, two members of State Parks, a business representative, a private boater, and two members at large.

Meetings are attended by a few people. At the one I attended on Aug. 14 about 10 interested people were there, mostly from the rafting community.

Adam Anderson is the chair and business representative. His connection is ownership of the Villa Florentino, which is under scrutiny regarding its special use permit because of complaints. A hearing is scheduled shortly in front of the Planning Commission. Anderson lives somewhere in Placerville, away from the river. I can't tell you the names of the four other members in attendance. Also in attendance were our very competent Deputy Chief Administrative Officer Laura Schwartz and Vickie Sanders of Parks and Recreation.

The committee meets about 11 times a year, which creates a huge problem for taxpayers. But first I must describe the meeting I attended which lasted nearly two and a half hours. My time watching Looney Tunes was better spent, it was so unproductive (maybe it was a live action Looney Tunes). Not only did not one panel member understand their charge, they didn't even understand their own agenda which consisted of three items. The first one was the approval of the prior meeting's erroneous minutes and the approval of the agenda for that night.

I also attended the prior meeting at the Mars hall Gold Discovery Park Museum, which seemed to operate ultra vires. They were mostly concerned about the county's recommendation that RMAC be disbanded.

After listening to Schwartz's description of the nonfunctioning RMAC, many times not fielding a quorum, not understanding their duty or "job," not understanding their purpose, and certainly not understanding the Brown Act or how to conduct a meeting, it didn't take a rocket scientist to see the writing on the wall.

After two and a half hours, the meeting was done and nothing was accomplished but to set another meeting and perhaps another special meeting before the regularly scheduled meeting. The only thing I learned from the RMAC meeting was government dysfunction at its worst. But there is more.

Attending this meeting were two very highly paid EDC employees. In fact, their total annual cost to EDC including salary and all benefits as reported by Transparent California exceeds \$400,000. That's an hourly cost of more than \$200 an hour combined. I am not begrudging the fact that they are paid a lot of money. I am sure they work hard; I know Schwartz does. What I am pointing out is the fact that each of these meetings cost the taxpayer a lot of money.

You can be sure, with prep time, travel time, post mortem time after the meeting and actual meeting time, this meeting cost you and me at least \$1,000 or more for each one of these county dysfunctions. And they do this 11 times a year and have done so for years. You can do the math, but this RMAC thing is no free ride.

And now there is an outcry that the CAO staff, and Parks and Rec staff has recommended that RMAC be disbanded. Why did it take this long? To add some gasoline to the fire, RMAC has been nothing more than to protect the interests of the commercial rafting industry, the concessionaires along the river and other related enterprises. Have they solved any problems? No. The noise, crime, vandalism, and pollution are as big as ever. Have they ever told the board that it's many times out of control? Of course not. But they do tell the board what a boon they are to the county. Yeah, sure. So is Walmart, Big O Tires and every other business in the county, especially the hotels and motels. We get a special 10 percent tax off that tourist industry.

Let's determine what the "industry" really costs the county, sheriff, emergency response, environmental management, code enforcement, and SUP violations. We need to know the whole nine yards and then the causation needs to pay their way. Not the taxpayers. Disbanding RMAC is a great start. That alone will save the county over \$10,000 a year, more money that can be used for potholes and senior legal. Now let's get an accounting of and for everything.

Larry Weitzman is a resident of Rescue.

EXHIBIT B

Opinion: Rafters, not taxpayers need to foot the bill

PUBLISHED: AUGUST 16, 2017

By Larry Weitzman

El Dorado County has a competent deputy chief administrative officer and former chief budget officer working in our administration, Laura Schwartz. She understands cash flow, spending and overall, she is pretty smart.

I understand she has a master's degree in accounting. Dam good credentials. In fact, about the only thing I remember from my psychology 1A class was a chart listing the highest IQ of all professions and accountants were ranked No. 1. Of course, you can probably now guess my major in undergraduate school.

But—and don't you love “buts” because here it comes—at the Aug. 10 Planning Commission meeting when discussing item No. 5 regarding the new updated River Management Plan (RMP), I thought Schwartz had morphed into Nancy Pelosi, when she said, “We need to pass the RMP before we do a financial analysis of its impact.” Pelosi said an almost identical statement when she said, “We need to pass Obamacare to see what's in it.”

Are you kidding me? What was the name of that turnip truck I just fell off? Of course, in spite of the objections of certain members of the public who even presented information as to the preliminary sheriff's costs relative to the river totaling about \$1 million, there was no analysis or method within the plan of how to recover these taxpayers' costs. Yet, the entire Planning Commission approved the RMP recommending that the Board of Supervisors approve the RMP “as is.”

I don't want to waste “the ink” telling you who the commissioners are who serve at the pleasure of the board. Understand that RMP appears to have been crafted by mostly the commercial rafting industry here in EDC as there are no provisions for cost recovery to the county for costs their industry creates. Sounds like the tail may be wagging the dog.

In fact, one of the ringleaders, Nate Rangel, **in his column** and in his appeal to the Planning Commission at the hearing to pass this updated RMP, attempted to counter facts that with respect to their approximately \$30,000 grant for shuttle buses, the money doesn't come from EDC, but comes from some state or local government environmental grant. Hello! Can anybody tell me where any government money comes from? How about grants, paychecks, pensions, police cars, road repairs, Delta tunnels, and high-speed rail? It comes from one place and one place only—the taxpayers. All Rangel is saying in his obfuscation of the facts is that the shuttle buses are essentially being paid for by different taxpayers, but paying just the same.

What the Planning Commission has done is similar to going to the board of directors at a bank with a business model but with no financial data. Here is our new plan to build a widget factory. It will be the best widget factory ever. Trust us. Just look at the drawings, equipment and factory buildings. But the board will ask the big question before showing them the door. You want our money to finance this monstrosity, right? Well how much is it going to cost? How are you going to pay for it? And how will you pay us back for the money you want?

That's exactly what's going on here. If the Planning Commission were a bank, the depositors would lose everything as it would go broke in a nanosecond. But we are dealing with government here, they don't care about money because it is always “other people's money” — your money and my money — never their own money. But the Planning Commission can't think that deep.

The first things anyone with any brains asks of a new proposition is how much is it going to cost, and how are we going to pay for it? What happens to people when they get into government? Do they all lose their common “cents?” That's just not in EDC, it's problematic in all governments.

Not only did the Planning Commission fail to ask these most important questions, they failed to even ascertain one iota of information relative to costs. I did ask some questions and received incredibly quick answers from someone in the know. While they admittedly were good guesstimates, some of the numbers was quite accurate; however, further studies need to be done from the law enforcement, emergency response and public safety perspective. I was advised that information will be forthcoming as soon as EDC's new computer system gets up and running. We also have no idea about code enforcement, another huge (cost) issue along the river, and that includes continuing violations of many concessionaire's special use permits. Inquiring minds want to know, but unfortunately none of these minds reside in the EDC administration and/or the Planning Commission members.

You may hear things like “We have a river trust fund.” Well give the taxpayers and other concerned individuals an accounting. It isn't called a trust fund for nothing. And they may claim they already pay fees for this and that. Well tell us

how much the total is? And they claim they bring ancillary business to the county. Well let's cut through the chase on that one. All businesses do that especially hotels and motels who already pay a 10 percent transit occupancy tax. The argument of the rafters that they make money for the county just doesn't hold water.

When is this incompetence going to end? Or the free ride of the commercial rafters and the businesses who operate on special use permits going to end? They need to be paying for the costs of their river use, not the taxpayers.

Larry Weitzman is a resident of Rescue.

My purpose today is to address Good Governance, River Mafia Politics, and Constitutional Oaths of Office. Any act by any public official that weakens public confidence and undermines the sense of security for individual rights, is against public policy. Fraud, in its elementary common-law sense of deceit, is the simplest and clearest definition of that word.

Every citizen has the right to live in peace and safety and to expect honest services from public servants. You've all been apprised of fraudulent and unlawful conduct by county staff, particularly as it pertains to the River Management Plan and the subsequent retaliation I've been subjected for exposing government corruption. I've been shot at, harassed, libeled, slandered, heckled and threatened by the River Mafia Mob, many whom filled this room on 9/26. Worst of all Sheriff D'Agostini has aided and abetted such unlawful conduct. In so doing the Sheriff has put my safety in jeopardy, violated my civil rights and his Constitutional Oaths of Office.

Two recent examples were the out of control events held at the American River Resort. On September 24th I requested assistance in making a Citizens Arrest at 1:30 AM when Deputy Muckerheide confirmed 900 people at an event keeping awake residents in the Quiet Zone of the American River. He refused to issue a citation or Case File number and denied me the right to make a Citizens Arrest. The CPRA was due 10/9 and is being resubmitted for the public record in the form of a **Citizen Complaint of Officer Misconduct** which includes the complete transcript.

Then on October 7th there was another exceptionally loud event held at the American River Resort in violation of their SUP and the River Management Plan necessitating I again request assistance in making a Citizen Arrest. Deputy Jencks appeared to be annoyed when she arrived with a document that appeared to be a **fake Citizen Arrest** form. It did not look anything like the form used years ago when it was necessary I accompany a deputy at 3 AM in order to receive a carbon copy of the served and signed Citizen Arrest form. Deputy Jencks had me fill in the mostly blank form and said she'd deliver it to the District Attorney, but I was not provided a copy, nor would she issue a citation and get a headcount as required by RMP Element 4. I find it difficult to believe it was served on Arnie Chandola since the noise level didn't change. A short while later there was an intruder necessitating that I call Dispatch again, but Deputy Jencks demonstrated her reluctance to take pertinent information.

It's clear I'm being discriminated against by EDSO and other county officials. Knowledge of unlawful conduct, and failure to take remedial action or deny due

EXHIBIT C

process, is a federal offense under USGC Title 18, Sections 241 & 242 (Conspiracy Against Rights & Deprivation of Rights Under Color of Law.) Furthermore, the Sheriff does NOT possess the authority to refuse to accept and THOROUGHLY investigate Citizen Complaints for Officer Misconduct, deny me due process, block my access to EDSO, or circumvent Public Record Act requests. Several of these CPRAs are overdue.

9/12/17 Don Ashton wrote: *As we have discussed several times in the past, neither the CAO or the IT Director have the authority to tell the Sheriff how to manage his office, and the Sheriff has his own IT Division who is following his orders to block your email.*

9/12/17 Melody Lane replied: *Per your own words, David Russell is now IT Director for EDC which formerly was the responsibility of District Attorney Vern Pierson. It is reasonable to presume that Dave Russell oversees all IT operations within EDC, including EDSO and the DA's office. **If that is not the case, then please so state in writing in order that the public may be properly informed.***

Mr. Ashton, there has been no response to multiple requests for the identity of the person responsible for EDSO IT. Your response please?

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

1. 9/12/17 P001433-091217- Due 9/25/17
2. 9/27/17 P001441-092717 – Due 10/10/17
3. 9/29/17 P001440-092617 – Due 10/9/17
4. 10/9/17 P001452-100917 –Due 10/20/17
5. CLNews 10/9/17 Suspicious activity on Mt. Murphy
6. 10/7/17 @ 11:47 PM Exceptionally LOUD event @ ARR = Jencks Citizen Arrest

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

Sent: Monday, October 23, 2017 3:40 PM

To: 'El Dorado County Public Records Center'; Jim Mitrisin; 'Donald Ashton'; Sheriff DAgostini; Michael Ranalli; sue.novasel@edcgov.us; john.hidahl@edcgov.us; brian.veerkamp@edcgov.us; shiva.frentzen@edcgov.us; Roger Trout; Vern R Pierson

Cc: edc.cob@edcgov.us; bosfive@edcgov.us; bosfour@edcgov.us; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us

Subject: RE: Public Records Request :: P001452-1009i7

Importance: High

THIS MATTER IS NOT CLOSED.

READ THE BELOW EMAIL SENT OCTOBER 18, 2017 @ 5:56 PM. I STILL CANNOT LOG INTO THE GOVERNMENT PRA SYSTEM!!

DIRECT ALL CPRA RESPONSES DIRECTLY TO MY EMAIL ADDRESS AS REQUIRED BY LAW AND PURSUANT TO YOUR CONSTITUTIONAL OATHS OF OFFICE.

Melody Lane

Founder – Compass2Truth

Any act by any public officer either supports and upholds the Constitution, or opposes and violates it.

Sent: Wednesday, October 18, 2017 5:56 PM

To: 'El Dorado County Public Records Center'; 'Donald Ashton'; Michael Ranalli; brian.veerkamp@edcgov.us; sue.novasel@edcgov.us; john.hidahl@edcgov.us; sue.novasel@edcgov.us; Roger Trout (roger.trout@edcgov.us); Sheriff DAgostini; Vern R Pierson; Jim Mitrisin (jim.mitrisin@edcgov.us); edc.cob@edcgov.us

Subject: RE: Public Records Request :: P001452-100917

Apparently understanding the English language isn't one of your fortes. As you are very well aware, I have been **unable to log into the government system** ever since Sheriff D'Agostini/County Counsel gave orders to block my ability to communicate with EDSO or any other EDC representatives. This was exhaustively discussed during our last two audio recorded meetings with county staff concerning CPRAs. (see attached agendas)

Furthermore, the law does not require anyone log into a government system, nor are citizens required to submit to government Bureaucratic Shenanigans (aka "Good Governance" or BS).

Refer to the attached Guide to CA Public Record Act Requests; the law has not changed in this regard: "THE PEOPLE OF THIS STATE DO NOT YIELD THEIR SOVEREIGNTY TO THE AGENCIES WHICH SERVE THEM. 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 INSIST THEY MAY RETAIN CONTROL OVER THE INSTRUMENTS THEY HAVE CREATED." -- CA PUBLIC RECORDS ACT

Don't forget who you work for and pays your salaries. Pursuant to your Constitutional Oaths of Office, direct ALL replies to ALL CPRAs to melody.lane@reagan.com. If necessary, multiple emails containing large documents and/or compressed files **can and have been utilized** when responding to CPRAs, many of which are long overdue.

Melody Lane

Founder – Compass2Truth

EXHIBIT D-1

~ By identifying the people's sovereign will not with its latest but its oldest expression, the Framers succeeded in identifying the people's authority with the Constitution, not with the statutory law made by their representatives. ~

From: El Dorado County Public Records Center [<mailto:eldoradocountyca@mycusthelp.net>]
Sent: Monday, October 23, 2017 3:20 PM
To: melody.lane@reagan.com
Subject: Public Records Request :: P001452-100917

--- Please respond above this line ---



County of El Dor

The Gold Standard in Public Ser

Public Records

Ms. Lane,

Please login to the Public Records Center Reference P001452-100917 to view additional records responsive to your request as well as a letter from the Sheriff's Department with additional information. This matter is now closed.

Thank you for using the Public Records Center.

Jim Mitrisin
Clerk of the Board

To monitor the progress or update this request please log into the [El Dorado County Public Records Center](#).



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

Sent: Wednesday, October 25, 2017 5:20 PM

To: 'Donald Ashton'; Sheriff DAgostini; Vern R Pierson; jon.deville@edso.org

Cc: edc.cob@edcgov.us; Jim Mitrising; Michael Ranalli; sue.novasel@edcgov.us; john.hidahl@edcgov.us; brian.veerkamp@edcgov.us; shiva.frentzen@edcgov.us

Subject: RE: Public Records Request :: P001406-081117

Attached:  EDSO River Patrol Grants Incidents 8-11-17.doc (56 KB);  Guide to CA Public Records Act Request.docx (23 KB)

The public is entitled to honest services by their government officials. There appear to be problems with the sufficiency and/or validity of your piecemeal responses to the attached CPRA. The red & blue arrows below signify lack of appropriate information as required by law.

1) You failed to indicate the total dollar amounts of grant funds applied for and received. Additionally only one of the requested grant contracts was signed by Sheriff D'Agostini in 2016. Note regarding unsigned contracts:

X. Special Provision

B. This contract shall have no force or effect until signed by the Department, Agency, and approved by the Department of General Services Legal Department, if required.

2) Please provide proof of each of the EDSO staff who met the qualifications for the above grants & actually filled the positions of EDSO River Patrol as required by the RMP, years 2011 through 2017.

3) A condition of the grant(s) requires an accounting be provided to the State Controller's Office. Please provide the application as well as the figures submitted to the SCO.

4) Another condition of the grant(s) requires all incidents/claims be reported to the State Controller's Office. Please provide incidents/claims provided to the SCO.

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

As a reminder, there are several long-overdue CPRAs. Pursuant to your Constitutional Oaths of Office and the attached Guide to CA Public Record Act Requests, please direct ALL responses to all CPRAs directly to melody.lane@reagan.com.

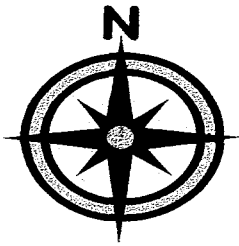
If you have any questions, do not hesitate to contact me.

Melody Lane

Founder – Compass2Truth

~ By identifying the people's sovereign will not with its latest but its oldest expression, the Framers succeeded in identifying the people's authority with the Constitution, not with the statutory law made by their representatives. ~

EXHIBIT D-2



Compass2Truth

Citizens Serving God in Truth and Liberty

P.O. Box 598
Coloma, CA 95613
(530) 642-1670
melody.lane@reagan.com

August 5, 2016

TO: Don Ashton, CAO
Roger Trout, Planning & Development
Mike Ranalli, Supervisor District #4

CC: Sheriff John D'Agostini
Barry Smith, Acting MGDG Superintendent

**RE: 8/3/16 Come to Jesus Meeting
RMP/Code & Law Enforcement/CPRAs**

Gentlemen,

Thanks especially go to Don Ashton for coordinating this long overdue "Come to Jesus" meeting. I realize this was a lot of info to digest in one short hour but I'm confident in Don's ability to assimilate the most important aspects outlined on the prepared agenda. Thanks as well for forwarding relevant information to Sheriff D'Agostini thus encouraging accountability, communication and honorable resolution without the necessity of litigation.

For the record we've already met with MGDG Superintendent Barry Smith over related matters. It is noteworthy that Sheriff D'Agostini has refused to respond or participate in these important meetings concerning EDSO jurisdiction, public safety, Public Record Act requests, and other legal issues relative to his Constitutional Oath of Office. As mentioned Park Rangers, BLM, Dept. of Forestry, Fish & Wildlife and all other branches of law enforcement have no authority on private property unless granted authority via a MOU or MOA by Sheriff D'Agostini. To date all CPRAs reveal none exist.

I would also like to thank Roger Trout for transparently acknowledging the 9/14/15 RMAC meeting attended by Supervisor Ranalli as a deliberate set-up orchestrated by RMAC delegates and County Parks & Recreation personnel. The blatant lies and falsification of public records cannot be ignored.

Please note that Ranger Bill Deitchman was not present at the 9/14/15 RMAC meeting yet instead of recusing himself he seconded the approval of the minutes. During our April meeting with CA State Parks Bill commented that County Counsel advised him, "You don't have to be there to approve the minutes."

That was not the first time Mike Ciccozzi has been known to give bad counsel and violated his Oath of Office. Larry Weitzman nailed it in this article entitled "***Below the Law - EDC Legal Counsel Giving Bad Advice.***" In addition to state law, federal anticorruption law broadly guarantees the

EXHIBIT B

public “honest services” from public officials. *Depriving the public of honest services is a federal crime.* (Refer to my 1/5/16 BOS Open Forum presentation.)

Both consultant Steve Peterson and Vickie Sanders acknowledged during one of our audio recorded meetings that the River Management Plan has been *essentially ineffective since its inception*. According to both Steve and Vickie, relinquishing the RMP management to BLM and CA State Parks who work hand-in-hand with American River Conservancy is already a “done deal.” As it stands neither option is desirable for residents affected by the River Management Plan.

Equally significant is the fact that Noah Rucker and the RMAC representatives continue to abuse the authority delegated to them by the BOS and under the direction of County Counsel. Basically RMAC has gotten away with blatant bully tactics for decades. It is clearly evident so-called “public” meetings facilitated by County staff are nothing more than prearranged RMAC outcomes deliberated behind closed doors at the behest of RMAC and the River Mafia minions.

Note specifically that the 7/11/16 RMAC meeting postponed to 8/8/16 was *again* postponed to be held on 8/15/16. This raises the concern brought up relevant to the CA State Parks PRA revealing that Supervisor Ranalli’s intent to stall the RMP Update as well as Sheriff D’Agostini’s reticence to comply with Public Record Act requests, especially those pertaining to EDSO representation on RMAC as required by the RMP.

In order that everyone is on the same page I’ve included as attachments the agendas from a few of our meetings with Sheriff D’Agostini, State Parks and other County personnel. I’m confident you will concur that public servants are either part of the problem, or part of the solution. We are hopeful Don Ashton in his new capacity as CAO will indeed live up to the expectations placed in him to improve EDC accountability and communication with the public.

As promised, I’ve also included the EDSO/Code Enforcement portions of the RMP I referred to during our meeting last Wednesday regarding Code and Law Enforcement. A comprehensive copy of the RMP can be found on the EDC government website:

https://www.edcgov.us/EMD/Rivers/River_Management_Plan.aspx

We look forward to meeting with you again in approximately three months to follow up on these important issues. In the interim it is expected Roger Trout will reply in writing to each Code Enforcement complaint as he agreed with a reminder of the “3 strikes” consequences for SUP violations.

Respectfully,

Melody Lane

Attachments:

1. Norma Santiago 9/22/14 meeting agenda
2. Roger Trout/Pierre Rivas 8/9/12 meeting agenda
3. 11/12/14 Robyn Drivon/Paula Franz meeting agenda
4. 9/4/12 Sheriff D’Agostini, Roger Trout, Jeremy McReynolds meeting agenda
5. 4/1/16 CA State Parks meeting agenda w/Barry Smith & Bill Deitchman
6. 8/3/16 CAO/Trout/Ranalli meeting agenda
7. RMP excerpts re: EDSO/Code Enforcement



Compass2Truth

Citizens for Constitutional Liberty

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

January 4, 2018

To: El Dorado County Board of Supervisors, Dist. #1, 2, 3, 4 & 5
EDC Clerk to the Board
CAO Don Ashton
Roger Trout, Planning & Development Services

CA PUBLIC RECORDS ACT REQUEST

P001575-010418

On August 24, 2017 the EDC Planning Commission held a public hearing to review the conditions and non-compliance of the Villa Florentina Special Use Permit, owned and operated by Adam Anderson, the Business Representative and 2017 chairman of the River Management Advisory Committee (RMAC). It was clearly established that Mr. Anderson did not reside onsite, or anywhere near the American River for that matter, thereby he failed to meet the requirements of his SUP and thus disqualifying him to serve as the Business Representative to RMAC. However the Planning Commission never publicly addressed the obvious consequences for lack of Anderson's compliance with his Villa Florentina SUP, or qualifications to serve on the River Management Advisory Committee as required by the River Management Plan (RMP).

Special Use Permits are a major component of the RMP, especially as they pertain to restrictions required of all business establishments located within the Quiet Zone of the S. Fork American River. Comments made by Roger Trout during the March 23rd Planning Commission hearing regarding the Villa Florentina SUP raised several red flags, particularly Mr. Trout's evident reluctance to respond to numerous requests for the written "3-strikes" SUP policy. A policy that doesn't exist cannot be enforced. Consequently Mr. Anderson still appears to be in business and serving as representative to RMAC as evident by the January 8, 2018 RMAC meeting agenda posted to Legistar.

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to be emailed substantiating documentation that the County of El Dorado took action to revoke the Villa Florentina SUP, and remove Adam Anderson as Business Representative to RMAC. Additionally I request to be emailed substantiating records of all noise complaints filed in 2017 against Villa Florentina.

If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you provide a signed notification citing the specific legal authorities upon whom you rely. To avoid unnecessary costs of duplication, electronic copies are acceptable and may be emailed directly to melody.lane@reagan.com. It is requested that your determination be made within **10 days** as stipulated within the California Public Records Act, **Government Code 6253(c)**. Should you have any questions, do not hesitate to contact me immediately.

Thank you for your compliance and timely response.

Sincerely,

Melody Lane
Founder – Compass2Truth

Melody Lane

From: Melody Lane <melody.lane@reagan.com>
Sent: Thursday, January 4, 2018 9:29 AM
To: 'Donald Ashton'; Jim Mitrising; edc.cob@edcgov.us; Roger Trout; Michael Ranalli; sue.novasel@edcgov.us; john.hidahl@edcgov.us; shiva.frentzen@edcgov.us; brian.veerkamp@edcgov.us
Cc: brian.shinault@edcgov.us; jvegna@edcgov.us; James Williams; jeff.hansen@edcgov.us; gary.miller@edcgov.us; Vern R Pierson; Joe Harn; barry.smith@parks.ca.gov; laura.schwartz@edcgov.us; Vickie Sanders; Sheriff DAgostini; kris.payne@edcgov.us; Bill Deitchman; bosfive@edcgov.us; bosfour@edcgov.us; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us
Subject: Public Record Act Request for information - RMAC Villa Florentina SUP
Attachments: Adam Anderson RMAC Villa Florentina.doc; EDC wasting money on ultra vires RMAC 8-23-17 LTN.doc; Balancing Act 8-21-17 Deja vu all over again RMP MD Weitzman.doc

It is requested that your response to the attached CPRA be made within **10 days** as stipulated within the California Public Records Act, **Government Code 6253(c)**. To avoid unnecessary costs of duplication, electronic copies are acceptable and may be **emailed directly** to melody.lane@reagan.com.

Note there has been *absolutely no response* to several CPRAs submitted in 2017. In the interest of government transparency and "Good Governance" policy, please refer to the attached Weitzman articles relevant to RMAC: *"We also have no idea about code enforcement, another huge (cost) issue along the river, and that includes continuing violations of many concessionaires' special use permits. Inquiring minds want to know, but unfortunately none of these minds reside in the El Dorado County administration and/or the Planning Commission."*

As 2018 is an election year, this is information voters need to know.

Should you have any questions, do not hesitate to contact me immediately.

Melody Lane

Founder – Compass2Truth

"Knowledge will forever govern ignorance; and a people who mean to be their own governors must arm themselves with the power which knowledge gives." ~ James Madison ~



Compass2Truth

Citizens For Constitutional Liberty

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

January 8, 2018

To: El Dorado County Board of Supervisors, Dist. #1, 2, 3, 4 & 5
EDC Clerk to the Board
Sheriff John D'Agostini
CAO Don Ashton

p 001520-010818

CA PUBLIC RECORDS ACT REQUEST

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to be emailed a copy of El Dorado County Sheriff's Office written case file report #EG18-0098. It is requested that your determination be made within **10 days** as stipulated within the California Public Records Act, **Government Code 6253(c)**.

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

To avoid unnecessary delays or costs of duplication, electronic copies are acceptable and may be **emailed directly** to melody.lane@reagan.com. Please note:

- **The agency may never make records available only in electronic form.** (§ 6253.9(e))
- **Access is always free.** Fees for "inspection" or "processing" are prohibited. (§ 6253)
- **Copy costs are limited to "statutory fees"** set by the Legislature (*not* by local ordinance) or the "direct cost of duplication", typically 10-25 cents per page. Charges for search, review or deletion are not allowed. (§ 6253(b)); *North County Parents v. DOE*, 23 Cal.App.4th 144 (1994).

Should you have any questions, do not hesitate to contact me immediately.

Thank you for your compliance and timely response.

Sincerely,

Melody Lane
Founder – Compass2Truth