



Open Forum 21-0054

EDC COB <edc.cob@edcgov.us>

BOS 1/5/21

1/5/21 BOS Open Forum - Andy Nevis/Taxpayers Association

5 messages

Melody Lane <melody.lane@reagan.com>

Tue, Jan 5, 2021 at 9:55 AM

To: edc.cob@edcgov.us, bosfive@edcgov.us, bosfour <bosfour@edcgov.us>, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

Cc: Donald Ashton <don.ashton@edcgov.us>, charles.delgado@waterboards.ca.gov, andrew.nevis@waterboards.ca.gov, eileen.sobeck@waterboards.ca.gov, george.turnboo@edcgov.us, wendy.thomas@edcgov.us, lori.parlin@edcgov.us, john.hidahl@edcgov.us, sue.novasel@edcgov.us

Please ensure the entirety of this correspondence is entered into the 1/5/21 BOS Open Forum.

###

Compass2Truth was founded in 2009 as a whistleblower organization with the assistance of Californians Aware whose legal expertise is the Brown Act. The foundation of Compass2Truth is the preamble of the Brown Act which 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." Also applicable, "Members of the public have broad constitutional rights to comment on any subject relating to the business of the governmental body. Prohibiting critical comments is 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."*

I have been privileged to host multiple conferences in my home for artists, politicians, evangelists and missionaries from all over the world. One such event was an all-day symposium featuring two international speakers on the subjects of Constitutional Law and the RICO Act. When one of the prominent speakers wanted to bring Sheriff D'Agostini and Brian Veerkamp into my home, I had to tactfully "un-invite" him because it would have jeopardized the identity of my guests, all of whom had issues with EDC corruption.

We are currently in a battle for the soul of El Dorado County and our nation. **Sheriff D'Agostini, Supervisors Brian Veerkamp and Sue Novasel, Kris Payne, Andy Nevis, Al Hamilton, CAO Don Ashton, Assemblyman Frank Bigelow**, and several other public officials, have been served with Affidavits of Truth relevant to blatant violations of their Constitutional Oaths of Office, and in some cases, their overt threats against me in retaliation for **whistleblowing**. *This is information the public needs to know.* An un rebutted affidavit is fully binding in any court of law in America, without their protest, objection and that of those who represent them.

Andy Nevis is a government employee who aspires to higher public office. The reason I bring this up is during yesterday's Taxpayers Association meeting Andy focused on several issues concerning the Brown Act and how the Association conducts its meetings. Of particular concern was county counsel's interpretation of the legality of two or more supervisors or public officials attending Taxpayers either by Zoom or via telephone. This is an issue affecting John Hidahl and Lori Parlin who participated in the November meeting when I served Sheriff D'Agostini with three affidavits. Government lawyers have no authority to arbitrate or advise the Association, but when I attempted to address the issue, Andy censored me.

Andy is a government shill who has used the Association as his personal bully pulpit for defamation, censorship, slander, and discrimination against an **evangelical senior citizen**. Evidently Andy picked up the gauntlet that Sr. Services Attorney Al Hamilton laid down when he threatened to "destroy" my reputation. He is a prime example how the Association maintains the corrupt status quo and forecloses any meaningful public dialog about the problems of government and those who are governed. By emulating the bigotry and ideologies of the aforementioned public officials who do not take their oaths of office seriously to support and defend the Constitution and the rights of the people whom they profess to serve, Mr. Nevis ruins his own credibility and that of the Taxpayers Association. That is not leadership; it is outright despotism.

If you have any questions or comments, please make them at this time.

Evidence containing Andy's correspondence will be distributed to each of the supervisors and submitted to the COB to be entered into the public record.

###

From: Melody Lane [mailto:melody.lane@reagan.com]
Sent: Sunday, January 3, 2021 3:26 PM
To: 'Andy Nevis'; charles.delgado@waterboards.ca.gov
Cc: Todd White; Richard Esposito; 'bosfive@edcgov.us'; bosfour (bosfour@edcgov.us); 'bosone@edcgov.us'; 'bosthree@edcgov.us'; 'bostwo@edcgov.us'
Subject: RE: Andy Nevis Censorship and Defamation - Taxpayers Association: January 2021 Speakers Schedule

Mr. Nevis,

It is a fact that I have never given you any reason to believe that I won't follow the Taxpayers policies and procedures. It is you, Andy Nevis, who has committed fraud and failed miserably to abide by the Taxpayers Bylaws and policies and procedures. You have no authority to deprive me of 1st Amendment rights, or to censor and discriminate against me. So quit your liberal bully tactics and spurious vendetta against a conservative senior citizen.

As you know, the attached un rebutted Affidavit of Truth that you received last month was entered into the BOS public record on December 5, 2020. Your failure to respond is your tacit agreement with and admission to the fact that everything in this Affidavit/Declaration of Truth is true, correct, legal, lawful, and is your **irrevocable admission attesting to this, fully binding upon you in any court of law in America, without your protest, objection and that of those who represent you**. Rest assured that your fraud, malicious libel, slander and defamation of character will be used as evidence against you in a court of law.

This is information that your employer, the Taxpayers Association membership, and the general public is entitled to know. Should you proceed with your January 9th secret tribunal with directors of the Association, then they will be held complicit and liable for aiding and abetting your unlawful actions against me.

Sincerely,

Melody Lane

Founder – Compass2Truth

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

From: Andy Nevis [<mailto:andynevis@gmail.com>]
Sent: Sunday, January 3, 2021 1:54 PM
To: Melody Lane
Subject: Fwd: Taxpayers Association: January 2021 Speakers Schedule

Melody, I am forwarding you the schedule of speakers as you requested. However, as noted in my previous emails to you I continue to believe that if recognized there is fair reason to believe you will not follow our policies and procedures. You may join the Zoom meeting to observe, however you will not be unmuted.

Sent from my iPhone

Begin forwarded message:

From: Todd White <toddwhite2006@hotmail.com>
Date: January 2, 2021 at 8:24:21 AM PST
To: Todd White <toddwhite2006@hotmail.com>
Subject: Taxpayers Association: January 2021 Speakers Schedule

Good morning Taxpayers Association,

HAPPY NEW YEAR!

Attached is the speakers schedule for January 2021.

For those who would like to have breakfast at Denny's Restaurant in Placerville, Association Director Gay Willyard will be broadcasting the meeting via Zoom on Monday (01/04) at 7:30 a.m.

Thank you,

Todd

(530) 417-08074

###

From: Melody Lane [mailto:melody.lane@reagan.com]
Sent: Sunday, January 3, 2021 12:27 PM
To: Todd White; Andy Nevis (andynevis@gmail.com)
Cc: 'Jim Alderink'; Kris Payne (krispayne999@gmail.com); Richard Esposito; 'bosfive@edcgov.us'; bosfour (bosfour@edcgov.us); 'bosone@edcgov.us'; 'bosthree@edcgov.us'; 'bostwo@edcgov.us'
Subject: Taxpayers schedule of speakers...

I have not been receiving the schedule of speakers and other pertinent correspondence from Todd White ever since he assumed the position of Secretary of the Taxpayers Association. If the general public is entitled to this information, then it stands to reason that you have been discriminating against me--a 3rd generation evangelical senior citizen and Constitutionalist--who has been a paid general member since joining the Association in 2008.

Records have established that over the years my Taxpayer Association general membership checks have either been held for several months, refused and returned to me, or they were not properly accounted by the Treasurer. Consequently I have not been entitled to vote as per the Association Bylaws. Then there is also the issue of overt threats made against me by members of the Association in retaliation for whistleblowing.

The directors of the Association have knowledge of wrong doing, yet you've all turned a blind eye and deaf ear, thereby aiding and abetting blatant fraud and discrimination. It's time to clean up your act and abide by the law in order that "the blessings of freedom shall be forever perpetuated." As I've said on numerous occasions before, if Todd is unwilling to lawfully fulfill his duties, then I'll gladly accept the position of Secretary to ensure that all members of the Association are treated equally and with proper respect.

Melody Lane

Founder – Compass2Truth

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

 **ML Affidavit-Andy Nevis.pdf**
7856K

Melody Lane <melody.lane@reagan.com>
 To: Kim Dawson <Kim.Dawson@edcgov.us>, edc.cob@edcgov.us

Tue, Jan 5, 2021 at 12:24 PM

Considering problems in the past with receiving public comments of this nature, please confirm receipt of this correspondence.

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 **ML Affidavit-Andy Nevis.pdf**
7856K

Melody Lane <melody.lane@reagan.com>

Tue, Jan 5, 2021 at 12:36 PM

To: tabetha.smith@edcgov.us, Kim Dawson <Kim.Dawson@edcgov.us>
Cc: edc.cob@edcgov.us

Perhaps third time is the charm...?

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

Sent: Tuesday, January 5, 2021 9:55 AM

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

Cc: 'Donald Ashton'; charles.delgado@waterboards.ca.gov; andrew.nevis@waterboards.ca.gov; eileen.sobeck@waterboards.ca.gov; george.turnboo@edcgov.us; wendy.thomas@edcgov.us; lori.parlin@edcgov.us; john.hidahl@edcgov.us; sue.novasel@edcgov.us

Subject: 1/5/21 BOS Open Forum - Andy Nevis/Taxpayers Association

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ML Affidavit-Andy Nevis.pdf

7856K

Kim Dawson <kim.dawson@edcgov.us>

Tue, Jan 5, 2021 at 12:44 PM

To: EDC COB <edc.cob@edcgov.us>

Please include

[Quoted text hidden]

--

Kim Dawson

Clerk of the Board of Supervisors

County of El Dorado

330 Fair Lane, Building A

Placerville, CA 95667

(530) 621-5393

kim.dawson@edcgov.us

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ML Affidavit-Andy Nevis.pdf

7856K

Melody Lane <melody.lane@reagan.com>

Tue, Jan 5, 2021 at 12:44 PM

To: tabetha.smith@edcgov.us, Kim Dawson <Kim.Dawson@edcgov.us>

Cc: edc.cob@edcgov.us, Melody Lane <melody.lane@reagan.com>

Perhaps third time is the charm...?

Please ensure the Supervisors also receive this correspondence.

From: Melody Lane [mailto:melody.lane@reagan.com]
Sent: Tuesday, January 5, 2021 9:55 AM
To: edc.cob@edcgov.us; bosfive@edcgov.us; bosfour; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us
Cc: 'Donald Ashton'; charles.delgado@waterboards.ca.gov; andrew.nevis@waterboards.ca.gov; eileen.sobeck@waterboards.ca.gov; george.turnboo@edcgov.us; wendy.thomas@edcgov.us; lori.parlin@edcgov.us; john.hidahl@edcgov.us; sue.novasel@edcgov.us
Subject: 1/5/21 BOS Open Forum - Andy Nevis/Taxpayers Association

Please ensure the entirety of this correspondence is entered into the 1/5/21 BOS Open Forum.

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ML Affidavit-Andy Nevis.pdf

7856K

AFFIDAVIT/DECLARATION OF TRUTH

Andy Nevis
CA Water Resources Control Board
1001 I Street
Sacramento, CA 95814

I, Melody Lane, the undersigned, make this Affidavit/Declaration of Truth of my own free will, and I hereby affirm, declare and swear, under my oath and under the pains and penalties of perjury under the laws of the United States of America and of this state, that I am of legal age and of sound mind and hereby attest that the statements, averments and information contained in this Affidavit/Declaration are true and correct to the best of my knowledge.

This Affidavit/Declaration of Truth is lawful notification to you, Andy Nevis, and is hereby made and sent to you pursuant to the national Constitution, specifically, the Bill of Rights, in particular, Amendments I, II, IV, V, VI, VII, IX and X, and The Bill of Rights of the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23 and Article 3, section 1, which requires your written rebuttal to me, in kind, specific to each and every point of the subject matter stated herein, within 15 days, via your own sworn and notarized affidavit, using true fact, valid law and evidence to support your rebuttal of the specific subject matter stated in this Affidavit/Declaration.

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. 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."* See also: *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."*

When I use the term "public officer(s)", this term includes you, Andy Nevis, technician for the CA Water Resources Control Board, and President of the Taxpayers Association of El Dorado County. Any act committed by you either supports and upholds the Constitutions, national, and state, or opposes and violates them. Your oath of office requires you to support and uphold the national and state Constitutions, and therefore you are constitutionally mandated to abide by that oath in the performance of your official duties. You have no Constitutional authority, or

any other form of valid, lawful authority, to oppose and violate the very documents to which you swore or affirmed your oath and by which you were delegated by the people the limited authority to conduct the duties of your office. These three above stated positions are true, factual, lawful and constitutionally ordained.

However, despite the above-stated factual, lawful positions, your unconstitutional actions, as described throughout this Affidavit/Declaration of Truth, clearly demonstrate how you, Andy Nevis, have violated all of the above lawful positions, the Constitutions, your oath of office, acted against the public good by violating the public trust and committing sedition and insurrection. Pursuant to your unlawful and unconstitutional actions, you have invoked the self-executing Sections 3 & 4 of the 14th Amendment to the national Constitution, and thereby have lawfully vacated your office and forfeited all benefits thereof, including salary and pension. Please note that, as stated above and below, if you fail to specifically rebut, in kind, any of the charges, claims and positions set forth in this Affidavit/Declaration, by means of your own sworn notarized Affidavit, supported by truth, fact, valid law and evidence, then you tacitly admit to them, and these admissions will be lawfully used against you. The following paragraphs and others throughout this Affidavit/Declaration describe some of your unlawful, unconstitutional actions, which have harmed me and others:

1. You, Andy Nevis, are a public servant employed by the CA Water Resources Control Board and whose salary is paid for via my taxes, therefore you work for me and the other tax paying Citizens of El Dorado County.

*"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, and 242, **treason** under the Constitution at Article 3, Section 3, and intrinsic **fraud**..."*

All actions by public employees whether conducted in the performance of their official duties, or in associated activities such as your role as President of the Taxpayers Association of El Dorado County, either support and defend the national and state Constitutions, or oppose and violate them. All public employees must demonstrate the highest standards of morality and ethics consistent with the requirements of their positions and consistent with the law. You are expected to uphold these principles, being **ever conscious that public office is a public trust**. Any enterprise undertaken by any public employee, such as you, 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. By your actions, you have committed fraud on numerous occasions, as herein described. You have failed on numerous occasions to provide honest public

services relevant to your duties as a public employee and also acting as President of the Taxpayers Association, which actions are described throughout this document. Furthermore, you have conspired with Directors of the Taxpayers Association and other public officials to censor me and maliciously impugn my good name and reputation solely because I have had the temerity to exercise my rights and civic duty to challenge those who brazenly dare to infringe on my God-given liberties and violate rights guaranteed in the state and national Constitutions which are guaranteed to the people, in the instant case, me.

In so doing, you perjured your oath by violating my Constitutionally guaranteed Rights, particularly those secured in the Bill of Rights, including but not limited to my 1st Amendment Rights. By your unlawful actions, you acted in sedition and insurrection against the Constitutions, both national and state, and in treason against the People, in the instant case, me. See: *USC Title 18, § 241- Conspiracy Against Rights*.

2. You have publicly professed your aspirations to run for public office, yet you have used and abused the Taxpayers Association to further your own political platform. As such, your personal interests present a conflict of interest which is against the Bylaws and Policies and Procedures of the Association. Since December 9, 2019, you have presided as President of the Taxpayers Association of El Dorado County. At that time you publicly stated, *"If we are going to be holding government accountable, then we need to make sure our internal process is as tight as possible. My plan was to bring this up at our first Business Meeting in January, but you have my pledge that it will definitely be an important topic."* Mr. Nevis, that internal process requires your own adherence to the following Bylaws and Policies and Procedures:

The Object of the Taxpayers Association of El Dorado County is the creation and maintenance of a forum within which to study the issues of government and the **problems of those who are governed**. This shall occur through an ongoing weekly discourse that will be open to members of the Association, the public and those who govern. These discussions shall be directed by the Association in an effort to educate all taxpayers as to the **current issues**, how they may be affected, how to **reveal** and **understand** the true costs of government, and to encourage awareness of **individual responsibility**. The Association shall monitor and be involved in the process of governance to help insure that the **blessings of freedom** shall be forever perpetuated." [Emphasis added]

The organization shall be governed by its Articles of Incorporation, Bylaws, Policies and Procedures, Standing Rules, Special Rules, and Resolutions. It **shall adhere to and comply with all applicable Federal State and local laws, codes, regulations and ordinances**. The organization shall strive to operate in a manner consistent with nonprofit best practices and shall **maintain all records** required to be **made available for public inspection**. The organization shall maintain a written **Conflict of Interest Policy, Non-Discrimination Policy,**

Records Retention/Destruction Policy, Whistle Blower Policy, and Mid-Term Director Replacement Policy. [Emphasis added]

You are cognizant that I have been a paid General member of the Taxpayers Association of El Dorado County since 2008: You are also aware that prior to retiring, I was employed by Capitol legislators and actively involved in Capitol ministries, as well as founding in 2009 the whistleblower organization, **Compass2Truth**. The Association is open to the general public and frequently attended by public officials, many of whom are the guest speakers. It is a matter of public record that I have been actively holding local officials' "feet to the fire" for violating their Constitutional oaths of office, including but not limited to: Sheriff D'Agostini, Parks and Recreation Commissioner Chris Payne, Sr. Services attorney Al Hamilton, Supervisor Shiva Frentzen, Supervisor Sue Novasel, Supervisor Brian Veerkamp, Commissioner Gary Miller, and Assemblyman Frank Bigelow. All my sworn and notarized affidavits *revealed problems* with public officials in order that the public could *understand* the issues and ensure that the *blessings of freedom shall be forever perpetuated*. But you, Mr. Nevis, by your actions, have apparently chosen to follow in the footsteps of self-proclaimed "dictator" Al Hamilton, the previous President of the Association, who has publicly harassed and threatened to "destroy" me as witnessed by members of the Association including Supervisor Lori Parlin whose notarized sworn affidavit is hereby attached as **Exhibit A**, made part hereof as if fully incorporated herein.

3. It is a matter of public record that the following Directors of the Taxpayers Association have threatened me, discriminated against me, or unlawfully deprived me equal benefits of membership: Sr. Services Attorney Al Hamilton, V.P. Chris Payne, Secretary Todd White, former Supervisor Jack Sweeney, and former Association Presidents Bill George and Bill Carey. You, Mr. Nevis, are demonstrating their same dysfunctional biases by discriminating against me, a well-known third generation evangelical senior citizen and Constitutional activist.

You have been apprised that I've filed two formal complaints against Al Hamilton with the CA State BAR Association. Furthermore, I entered into the public record during a Board of Supervisors meeting an unrebutted Affidavit of Truth relevant to Al Hamilton, which was also submitted to the Secretary of the Taxpayers Association as a *permanent record* to be made available for *public inspection*. It was during the July 28, 2020 Board of Supervisors meeting that you joined V.P. Chris Payne and Secretary Todd White in publicly praising Al Hamilton for his contributions to the Taxpayers Association when you knew full well his notorious reputation for discrimination against women, bully tactics, and failure to abide by the Association Bylaws, Policies and Procedures. It was at that time that I again entered into the public record the factual Affidavit of Truth containing Supervisor Lori Parlin's notarized affidavit documenting Hamilton's threat to "destroy" my reputation. During Al's closing remarks he publicly mocked me, meanwhile effusively encouraging you, Todd, and Chris to continue in his illicit footsteps.

4. You have made it a habit to regularly censor and discriminate against me during Taxpayers Association meetings. One such instance was during the October 12, 2020 District #1 Candidate forum. Because candidate Ron Briggs failed to show up, Democrat candidate John Hidahl had an entire hour solely to himself to answer questions. You then made a point to circumvent the purpose and intent of the submitted question that I ask at every candidate forum:

*"This question has some ambiguities, so just for transparency, I'll read the question as it was submitted and then I'll invite you to, uh, maybe take it into a little more broader form of theater, so it will be more insightful discussion. So I'll read the question, **All elected officials are required to sign an oath of office to protect and support the state and national constitutions. If you are elected, will you sign a Constitutional Affidavit that essentially says that if it is PROVEN that you have violated your oath of office, then you will immediately resign and/or allow the people to remove you from office without your protest or objection?** What I'm going to invite you to do is reflect on, since you have already been supervisor, reflect on taking the oath of office. What does that oath mean to you, and how does it, you know, guide your everyday operations as a supervisor?"*

Mr. Nevis, you have no authority whatsoever to re-word, circumvent, or qualify questions asked of any candidate for public office. Other examples include the June 15, 2020 business meeting when you disrespectfully dismissed me after I raised ongoing issues with Todd White. He has discriminated against me ever since he replaced Bernard Carlson as Secretary of the Association. Todd still refuses to include me in the distribution of monthly speaker schedules and all other Taxpayers correspondence that all members are entitled to receive. Furthermore, you have taken it upon yourself to aid and abet Todd White's refusal to produce records and expenditures which I requested in writing and are lawfully required to be made available for public inspection. Then on July 27, 2020 you repeatedly muted me in midsentence during the Zoom meeting. Again during the October 19, 2020 El Dorado Irrigation District Candidate Forum, you failed to ask my question of the candidates which I provided to you at the very beginning of the forum, and instead proceeded to ask your own questions of the candidates. Your tactics dilute the intent of public participation in candidate forums. You are aware this has been an extremely sensitive issue at all other candidate forums, where the Citizens are denied the First Amendment Right to ask the hard and revealing questions that would enable them to make intelligent voting decisions about the candidates. In so doing you have deprived me of my inherent Rights, violated your oaths and all of the provisions within the Taxpayers Objectives, Bylaws, and Policies and Procedures. *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.*

5. Your established pattern of behavior since you became President of the Association demonstrates that the Taxpayers Association of El Dorado County has no genuine

interest in abiding by the Association policies, bylaws, mission statement, reasonable standards of conduct or applicable state and federal laws. On numerous occasions, I've requested in writing from you and Secretary Todd White copies of records which the bylaws require be made available to the public. As a long standing member, all my requests have been either flatly denied or ignored, further betraying the Association's alleged mission statement "to monitor and be involved in the process of governance to help in order that the blessings of freedom shall be forever perpetuated." The only thing I despise more than being lied to is being lied about. On several occasions you audibly stated during Taxpayers meetings that Todd White would include me in distributions of all monthly schedules of speakers and other Association correspondence. But these were outright lies. Both you and Todd have failed to abide by the Association policies, procedures, and applicable law. By your obstructive actions against me, you demonstrated flagrant bias and discrimination against me in violation of equal treatment under the law.

6. It is a matter of public record that I've predicated statements made during Taxpayers Association meetings and during Board of Supervisors meetings that the federal and state Constitutions are the Supreme Law of the Land which clearly supersede any lesser "laws", statutes, rules, codes, regulations and policies, including the ones upon which the Taxpayers Association alleges to rely. A statute either supports and upholds the Constitutions or opposes and violates them and the due process of law and rights guaranteed therein.

Furthermore, you are aware that Chris Payne, Sr. Services Attorney Al Hamilton, Commissioner Gary Miller, and Supervisors Shiva Frentzen, Sue Novasel, Brian Veerkamp, and Sheriff D'Agostini have all been served with notifications of their legal responsibilities, which is the first essential of due process of law. 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. Again, any enterprise undertaken by any public official, such as you, which 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 one of the meanings that fraud bears.

It is my duty to demand that you and other government officials 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. All of the facts, claims and charges stated herein clearly demonstrate that you, Andy Nevis, pursuant to your oaths, 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. Thus you, as an individual, will be held personally accountable and liable for any and all harm you have inflicted upon me and my inherent, constitutionally secured rights. You acted in sedition and insurrection against the Constitutions, both national and state, and in treason against the People, in the instant case, me.

7. During the November 9, 2020 Taxpayers Business Meeting, you recognized me to speak, but then you pounded your gavel and interrupted me when I commented about your inappropriate conduct, shameful disrespect, and the fact that you censor me during meetings, just as Al Hamilton consistently did to me when I stood up to his bully tactics. I remarked that it was deeply disturbing to hear you, Todd White and Kris Payne during the BOS Retirement Proclamation for Sr. Services Attorney Al Hamilton, actually praising him for his “honesty” and service to the county when it is a matter of public record that Al Hamilton brazenly threatened me and at least five other women during Taxpayers meetings. These facts are backed up by multiple witnesses and by an unrebutted Affidavit of Truth that includes the referenced sworn Affidavit of Supervisor Lori Parlin attached hereto as **Exhibit A**.

When I replied about your shameless hypocrisy, you again interrupted me by furiously pounding your gavel and stating: *“I have met Al Hamilton maybe three or four times. Other than that Board of Supervisors meeting you referenced, I just called to congratulate him on his retirement, and I have not spoken to Al Hamilton in at least three years. So that's just crazy.”*

Not only was your remark disrespectful, it was a blatant lie. My records reveal Al Hamilton was still a Director of the Association in 2019, but he only occasionally attended meetings. Furthermore, my audio recordings revealed you actively engaged in conversation with him. However, when Hamilton stopped showing up at meetings altogether without submitting his resignation as required in the bylaws, Chris Payne announced to the group that the Elections Committee had opted to wait until the end of the year to replace Hamilton as a Director. It should be noted that Al Hamilton had also previously refused to accept the written resignation of Bernard Carlson and allowed him to remain a “placeholder” and an “absentee” Director of the Association, who is confined to an assisted living facility.

The public is entitled to honest services. You have consistently deprived me of honest services and the exercise of my right to access Taxpayers Association records as provided in the Policies and Procedures. As previously stated herein, any deceptive, obstructive enterprise undertaken by any public official, such as you, that tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy and against the Supreme Law of the land and any other laws which comply with the national Constitution. 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*. See also: *United States v. Dial, supra*, - *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*. See also: *Morrison v. Coddington*, 662 P.2d. 155, 135 Ariz. 480 (1983) - *Fraud and deceit may arise from silence where there is a duty to speak the truth, as well as from speaking an untruth*. [Emphasis added]

8. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths which violated due process of law. The American people, including me, are constitutionally guaranteed the rights of life, liberty and property that cannot be taken from us except through due process of law. Since due process is a sworn duty of any action committed by any public official, in the instant case you, by your violations of due process of law nullify your actions. You extended absolutely no due process of law whatsoever to me, yet, by your unconstitutional actions, as described herein, you harmed me, and others, in direct violation of your oaths. As stated previously, any enterprise undertaken by any public official, such as you, which tends to weaken public confidence in the law, undermines the sense of security for individual rights, and is against public policy. Your repeated deprivations of my right to lawfully access records and your discriminatory actions against me, a law-abiding American Citizen dwelling in El Dorado County, are a direct assault upon my due process rights secured in the national and state Constitutions, including those secured in the First Amendment. Thus, your egregious violations of due process of law render you personally responsible and liable for your actions, because you have stepped outside the lawful scope of your limited duties and authority, usurped authority not possessed, and act as a renegade.
9. On November 16, 2020 I entered the Taxpayers Association meeting and silently handed Sheriff D'Agostini three (3) Affidavits addressed to **Deputy Jaime Toney**, and Senior Sheriff Technicians **Angela Sterling** and **Steve McCallum**, for depriving me of public services, violating their oaths of office, conspiracy against rights, and deprivation of rights under color of law.

Notification of legal responsibility is the first essential of due process of law, and un rebutted affidavits are admissible as factual evidence in any court in America. However, Sheriff D'Agostini tossed the legal documents onto my table as if to refuse them. When I retrieved the documents and again silently placed them on the table in front of the sheriff, he again tossed the documents towards two unidentified women seated on the opposite side of my table. The blonde woman interfered with due process of law by snatching the legal documents and then placing them on the chair beside her. I silently walked around the table to retrieve them, but that's when the blonde and the sheriff created a public spectacle. Then as if on cue, Chris Payne intensified the scene by loudly shouting that I was disrupting the meeting when, in fact, the sheriff had maliciously retaliated against me for publicly holding his feet to the fire—**exactly as he encouraged me to do when he first took office**--and which is my duty as an American Citizen.



It was later brought to my attention that the blonde woman is a retired member of the sheriff's clerical staff who was accompanied by her daughter seated next to her. She had no lawful authority to interfere with due process of law. From the appalling indifference and incompetence I have directly experienced from EDSO personnel, it is evident that the sheriff and the rest of his staff do not want to be contacted by any member of the public, nor do they want to be transparent or held accountable to their oaths by the people they purportedly serve. Instead, the sheriff has conspired with county staff, including members of the Taxpayers Association, in multiple acts of obstructionism, fraud, and deprivation of the secured rights of the public, all of which constitute serious Federal CRIMES. The transcript of my brief interaction with Sheriff D'Agostini and the two women is attached hereto as **Exhibit B**, incorporated herein and made part hereof.

Then on November 16, 2020, a concerned individual sent me a 1.08-minute video clip of the aforementioned incident that was apparently posted on Facebook and distributed by you, Andy Nevis, in which you tagged Sheriff D'Agostini, Supervisor Shiva Frentzen, Supervisor Brian Veerkamp, Supervisor Sue Novasel, Supervisor John Hidahl, District Attorney Vern Pierson, Commissioner James Williams, and Commissioner Gary Miller. All except one of the aforementioned individuals have received from me notifications of legal responsibility for violating their Constitutional oaths of office, which were accordingly entered into the public record during Board of Supervisors meetings in the form of unrebutted Affidavits of Truth. The video you posted to Facebook generated considerable controversy and negative comments about me, including a false complaint made to you by the blonde woman who *unlawfully* grabbed the legal documents. After the meeting adjourned, the blonde woman exacerbated the situation with her unnecessarily melodramatic order to "Back up! Back up!" It is a fact that I never even approached her because I was on the opposite side of the table when I asked her to identify herself. Then she falsely claimed that I committed a crime by "touching" her when it was evident she interfered with due process of law by apparently acting as an unauthorized agent on behalf of the sheriff to impede my lawful actions protected in the First Amendment with my right to redress my grievances to

government. Government is the SERVANT of the people, not the belligerent master of the people.

10. Your Facebook posting and distribution of the one-minute video clip is a malicious and defamatory attack on my character. Furthermore, the subsequent email you sent on November 11, 2020 subject title of "Notice of Potential Taxpayers Association Disciplinary Action" has no merit or lawful standing. You state that the Board of Directors will be meeting in closed session (date to be determined) to review the allegations against me and determine any disciplinary action. **See Exhibit C**, attached hereto, made part of hereof, as if fully incorporated herein.

You have no lawful authority to hold a tribunal at an undisclosed time, to take disciplinary action against me, or to act as judge, jury and executioner when I have done nothing other than to appropriately exercise my Constitutional rights. I have been a paid member of Taxpayers for over 12 years in addition to being a candidate for Director of the Association. You have no legal standing to make your demands, or to discriminate against me by refusing to recognize me at upcoming public meetings. It is you, Andy Nevis, who have violated your oaths of office and maliciously maligned my good name in an attempt to "destroy" my reputation by evidently picking up the gauntlet that Al Hamilton laid down. In fact, your email appears to be written by a lawyer who has an axe to grind. Exercise of rights cannot be converted into a crime. Pursuant to your oaths, as described herein, by your own unlawful actions you have violated, restricted, and denied my inherent constitutionally guaranteed rights and due process of law. Furthermore, you egregiously harmed me by conspiring with county officials and other individuals to suppress my inherent right of free speech, preventing and/or restricting my access to government officials, and depriving me of information or services necessary to assist my efforts for redress of grievances—all lawful actions on my part that fall under the protections of the First Amendment. See *Miller v. U.S.*, 230 F.2d. 486,489 "The claim and exercise of a Constitutional right cannot be converted into a crime." See also USC 18 § 241 and USC 18 § 242, respectively, *Conspiracy Against Rights and Deprivation of Rights Under Color of Law*.

11. By conspiring with other government officials, you have denied me due process of law as stated within the Bill of Rights. Constitutionally-compliant due process of law clearly requires that ALL Constitutionally-secured rights and ALL aspects of due process of law be upheld. Your repeated attempts to bully, discredit, defame, and censor me are in defiance of the Constitution(s), and your discriminatory actions are a direct assault upon my due process rights in the Constitutions, including rights secured in the First Amendment. Constitutionally-secured inherent rights and due process of law are guaranteed to me and all American Citizens. The requirements of *Tweel*, cited above, are incumbent upon you in both your personal and professional capacities. By your own actions, pursuant to your oaths, you have violated these First Amendment guarantees, betrayed the Public Trust, and perjured your oaths of office.

"Personal involvement in deprivation of constitutional rights is prerequisite to award of damages, but defendant may be personally involved in

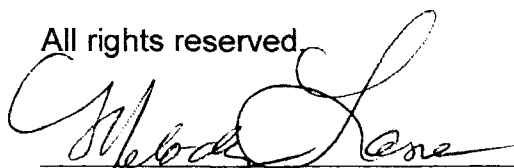
constitutional deprivation by direct participation, failure to remedy wrongs after learning about it, creation of a policy or custom under which unconstitutional practices occur or gross negligence in managing subordinates who cause violation." (Gallegos v. Haggerty, N.D. of New York, 689 F. Supp. 93 (1988).

By your stepping outside of your delegated authority, you lost any "perceived immunity" and you will 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:

Lawful notification has been provided to you stating that if you, Andy Nevis, do not rebut the statements, charges and averments made in this Affidavit/Declaration, then you tacitly 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 to me that with which you disagree, with particularity, within fifteen (15) days of receipt thereof, by means of your own **written, sworn, notarized affidavit of truth, based on specific, true, 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 laws of the United States of America and this state of California. An un rebutted affidavit stands as truth and fact before any court. Your failure to respond, as stipulated, is your tacit agreement with and admission to the fact that everything in this Affidavit/Declaration of Truth is true, correct, legal, lawful, and is your irrevocable admission attesting to this, fully binding upon you in any court of law in America, without your protest, objection and that of those who represent you.

Affiant further sayeth naught.

All rights reserved.



Melody Lane, Affiant/Declarant
Founder, Compass2Truth
P.O. Box 598
Coloma, CA 95613

12/4/20
Date

(See attached California Notarization)

Attachments:

Exhibit A – Lori Parlin notarized affidavit – Al Hamilton
Exhibit B – 11/3/20 Taxpayers/D'Agostini Transcript
Exhibit C - Andy Nevis – Disciplinary Action email

CC: Charles DelGado, CA Water Resources Control Board
Eileen Sobeck - Executive Director, CA Water Resources Control Board
Taxpayers Association of EDC, Secretary Todd White
Sheriff John D'Agostini
District Attorney Vern Pierson
Dist. #1 Supervisor John Hidahl
Dist. # 2 Supervisor Shiva Frentzen
Dist. # 3 Supervisor Brian Veerkamp
Dist. #4 Supervisor Lori Parlin
Dist. # 5 Supervisor Sue Novasel
Media and other interested parties

BELOW IS THE SWORN AFFADAVIT OF FACT BY LORI PARLIN,
THE WRITTEN RECORD OF EVENTS CONCERNING THE
TAXPAYERS ASSOCIATION OF EL DORADO COUNTY MEETINGS
ON NOVEMBER 7 AND 14, 2016

I, Lori Parlin, the undersigned, do solemnly swear, declare and depose:

- 1) That I am over the age of 18 years and competent to state to the matters set forth herein;
- 2) That I have personal knowledge of the facts stated herein
- 3) That all the facts stated herein are true, correct, and certain, admissible as evidence, and if called upon as witness, I will testify to their veracity.

On Monday, November 7, 2016, at the conclusion of the weekly Taxpayers meeting held at Denny's in Placerville, California, I was talking to Melody Lane while seated across the table from her. Out of the corner of my eye I noticed that Al Hamilton, the President of the Taxpayers Association, was approaching us from behind Ms. Lane. My first thought was that Mr. Hamilton was coming over to talk to me about the Association's refusal to give me an application for membership. Instead, Mr. Hamilton leaned forward, over Ms. Lane's shoulder, and gestured with his hand toward her purse. He then asked if her audio recorder was on, inside her purse. She replied no, it was off because the meeting was over and it was inside her purse. Mr. Hamilton proceeded to tell Ms. Lane that she could not record the meetings without announcing to the entire room that she was recording the meeting. Ms. Lane replied that the law was very clear that no such announcement is necessary when public officials are speaking. Ms. Lane then got up out of her chair to address Mr. Hamilton face to face. There was arguing between them about the audio recordings. At some point during the arguing Mr. Hamilton said that he would call the Sheriff and have Ms. Lane removed from the building for causing a disturbance. Finally, Mr. Hamilton threatened Ms. Lane by saying that he would see to it that her reputation was destroyed in the county. I was shocked to hear him make such a threat, especially his use of "I" and "destroy" in his language. Ms. Lane then asked if Mr. Hamilton was threatening her. He said, no, that was not a threat. I then asked what exactly he meant by those words because it also sounded like a threat to me. Mr. Hamilton then backpedaled from his original statement and said that Ms. Lane's own actions would ruin her reputation in the county. I don't remember exactly how the conversation ended because I was shaken up by Mr. Hamilton's threatening words and tone.

At the beginning of the weekly Taxpayers meeting on Monday, November 14, 2016, Mr. Hamilton made an announcement that Ms. Lane was audio recording the meeting. He went on to say that at the prior meeting he had simply stated that he would call the Sheriff if Ms. Lane causes a disturbance during meetings. At some point during the meeting, Mr. Hamilton jokingly asked the group if he should take a vote to decide whether Ms. Lane was causing a disturbance. Given his threats the week prior, Mr. Hamilton's suggestion to call the Sheriff to remove Ms. Lane from the room appeared to be an intimidation tactic.

#

EXHIBIT A

I, Lori Parlin, the Undersigned Affiant, depose and certify being first duly sworn on oath according to law, deposes and says that I have written the forgoing with intent and understanding of purpose the 2 page Affidavit above and that the matters stated herein are true, correct, complete and just to the best of my information, knowledge and belief.

Lori Parlin

Lori Parlin

11-28-16

Date

Notary Public for California

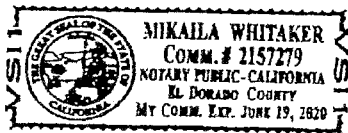
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California


County of EL DORADO

Subscribed and sworn to (or affirmed) before me on this 28th day of NOVEMBER, 2016, by LORI A. PARDIO

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



(Seal)

Signature 

11/16/20 Taxpayers Association Meeting – Sheriff D’Agostini

Entering the 11/16/20 Taxpayers Association meeting, I SILENTLY hand the Sheriff a letter addressed to him clipped to three Affidavits of Truth concerning EDSO staff misconduct. Before I could take my seat, the Sheriff tosses them onto the table next to me as if to refuse them. I SILENTLY pick them up and place them on the table next to where he is standing addressing the group. Again, the Sheriff picks up the documents off the table and tosses them towards a large blond woman seated across the table from me.

As the blond pulls the documents towards her, Sheriff D’Agostini steps in front of me.

Sheriff D’Agostini: Thank you Melody. Have a seat.

Melody Lane: Special delivery. You just refused due process of law.

Before I can take my seat, I notice the blond woman places the legal documents on the chair next to her, so I SILENTLY walk around the end of the table and reach to retrieve them from the chair.

Simultaneously the following occurred:

D’Agostini: “Wait a minute!”

The blond quickly snatches the documents from the chair out of my reach; and in the process she firmly grabbed my right wrist while exclaiming, “Don’t touch me!”

D’Agostini: Whoa! Hey! Hey! Hey!

Melody Lane (addressing the large blond): You have no authority to take that.

D’Agostini: You served this on me, is that what you’re saying?

Melody: Special delivery.

Chris Payne (loudly): That’s inappropriate! You’re interrupting the meeting!

D’Agostini: Is that the purpose? I have it. You served that on me?

Melody: Special delivery.

D’Agostini: Served! Thank you. OK. Staffing...we are doing pretty good...

###

After the adjournment of the meeting I am gathering my belongings on the opposite side of the table from the Sheriff and the two large women:

Melody Lane: I don’t know who you are, but you have no authority to take...

Blond (who is now standing on opposite side of table and extending her palms across the table towards me): Back up. Back up! Back up!

Melody: You have no authority...

D’Agostini: She’s not going to talk to you Melody. Go!

Melody: Is that your daughter?

EXHIBIT B

D'Agostini: No.

Blond: No.

Melody (addressing the blond): Who are you?

Blond: As soon as you touched me you committed a crime.

Melody: No, YOU committed a crime.

Blond: You grabbed my arm first. (She again melodramatically extends her palms across the table towards me) Back up!

Melody: Listen...

Blond: Back up! Back up! (I was NOT approaching her)

Melody: You need to...

Blond: (hands still melodramatically extended across the table) Back up! Back up!

Melody: No. I'm just standing right here. (We are still on opposite sides of the table.)

Blond and her daughter now both extending their arms melodramatically: Back up! Back up!

Melody: You had no authority to interfere with due process of law.

Blond: Go!

Melody: You just interfered with official business...

Blond & daughter: You need to go. You need to go!

Melody: You had no authority to do what you did; either of you girls. You have violated the law, and you know it too, John.

D'Agostini: No, you have.

Melody: No I have not. You have been served.

D'Agostini: Have a nice day. Have a nice day.

###

EXHIBIT B

From: Andy Nevis [mailto:andynevis@gmail.com]
Sent: Sunday, November 22, 2020 2:41 PM
To: Melody Lane
Subject: Notice of Potential Taxpayers Association Disciplinary Action

Ms. Lane,

The purpose of this e-mail is to notify you of an accusation which could result in disciplinary action against your Taxpayers Association of El Dorado County (Association) membership.

The complaint regards your behavior at the Association's meeting on November 16, 2020. As documented by video, you disrupted the guest speaker's presentation, did not desist when requested, and physically grabbed the arm of a fellow attendee. Following the meeting, you once again engaged the attendee you grabbed and failed to back away despite repeated requests.

As a Taxpayers Association member, you are expected to abide by the Association's Policies and Procedures (attached). Among these procedures, attendees are expected to refrain from speaking unless called upon by the moderator, treat each speaker and fellow attendees with respect, and avoid personal attacks.

Pursuant to Section III(9) of the Bylaws, violation of the Policies and Procedures can be grounds for discipline, up to termination of membership. The Board of Directors will be meeting in closed session (Date to be determined) to review the allegations against you and determine any disciplinary action.

Prior to this meeting, you have the opportunity to respond to the above allegations. Your response is required within 14 days of this e-mail, by December 7, 2020. As part of the response, I encourage you to express whether you agree to abide by the Association's Policies and Procedures and avoid disruptions at future Association meetings. Your response will be shared with the Directors and you will be notified of their decision.

In the meantime, pursuant to my duty outlined in the Policies and Procedures to maintain decorum, I have determined that based on the above allegations there is fair reason to believe you will not follow our meeting conduct policies. If you choose to attend our upcoming public meetings, you will not be recognized. I will reevaluate this determination when I receive your written reply.

Please let me know if you have any questions about what is written above.

Sincerely,
Andy Nevis
President, Taxpayers Association of El Dorado County

Exhibit C