

S. Ferry Open Forum BUS 11/15/2022

Good afternoon Board Members

I am Steve Ferry from El Dorado Hills, representing myself only.

I will play a short tape of Kamala Harris and then explain my resignation as the EDC Library Commissioner District II.

Video

You have a copy of my resignation and I have not heard from any of the members of this Board of Supervisors. Therefore I will explain again so that the citizens of EDC can know the facts.

The commission voted on July 21, 2022 to accept the ALA Bill of Rights, aka Critical Race Theory, as a governance policy for your library system. I voted NO and believe, without question, that this is a violation of the US Constitution.

I believe this is a serious enough violation that you, the Board of Supervisors should convene a workshop, including members of the public to discuss and decide whether or not any part of EDC's administration or workplace should endorse the Woke policy called Critical Race Theory which is defined by Diversity, Inclusion and Equity. Vice President Harris just told you that Equity is not Equality in answer to a question about where's the money for the Hurricane Ian issue.

We the People of EDC have the right to know if the victims of the Caldor Fire were denied financial help by FEMA because of Equity, ie, not enough minority people living in the forest.

I conclude with asking as politely as I know how that you convene a workshop on this issue.

Thank you!!

During last week's BOS the Youth Commission heard how I have personally witnessed blatant **Brown Act violations** by the Planning Commissioners and experienced retaliation for exposing their unlawful collusion with county staff under the full knowledge and directive of County Counsel and the Board of Supervisors. Case in point was when I submitted un rebutted affidavits addressed to Todd White, Kris Payne, and Andy Nevis into the public record during the October 13th Planning Commission meeting. For the record, **Mr. Nevis is a public employee whose openly arrogant smirk at my factual statements did not go unnoticed by others in the audience.**

The Taxpayers Association, led by Andy Nevis and Kris Payne, has become a political bully pulpit for government bureaucrats. They hypocritically profess the same transparency and accountability expected of the BOS, meanwhile violating their own Bylaws, policies, and procedures which requires them to abide by state and federal laws to ensure the "blessings of freedom are forever perpetuated."

For example, during the October 10th meeting John Clerici, David Yarborough and Dennis Thomas were the candidates for City Council. Planning Commissioner Andy Nevis avoided any public input with his own prearranged questions. While the candidates were speaking Jon Albano captured on camera a Kodak moment when Kris Payne was on full screen with his finger up his nose vigorously "digging for gold." Since that meeting Andy Nevis has blacked out the screen so we have no idea of who is participating.

Then on October 27th I received [**this blatantly libelous letter**] from directors of the Taxpayers Association who include Planning Commissioners Andy Nevis and Kris Payne, Tax Assessor Karl Weiland, George Turnboo's admin Todd White, and several other BOS appointees to committees, commissions, and boards. That was the same day the Todd White "press release" appeared in the Mtn. Democrat <https://www.mtdemocrat.com/news/turnboos-assistant-in-limbo/>. The letter was in retaliation and nefarious collusion with county staff to deprive me the blessings of freedom when they have **no authority whatsoever** to do so.

During the November 7th Association business meeting Andy Nevis and Kris Payne made another concerted effort to unlawfully cancel me when I addressed BOS **Closed Session Items #33, #34 and #36** with respect to Cheryl Bly-Chester's lawsuit against David Livingston and the Board of Supervisors for her unlawful removal from the Planning Commission for whistleblowing.

During yesterday's Taxpayers meeting Comrade Parlin and Karl Weiland addressed three elected officials from behind a blackened screen regarding the Charter Review Committee. Therein lies a big part of the problem. Good Governance, transparency, and accountability to voters needs to begin at the top, starting with the BOS.



Taxpayers' Association of El Dorado County

DATE: October 27, 2022
TO: Melody Lane
FROM: Taxpayers Association of El Dorado County Board of Directors
RE: Termination of Membership and Prohibition on Participation at Association Meetings and Events

The Taxpayers Association of El Dorado County Board of Directors met in closed session on October 24, 2022 to consider termination of your associate membership in accordance with the procedures in Article III of the Association's bylaws. You were notified that this meeting would occur and of the charges against you in our September 26, 2022 letter to you. You were provided an opportunity to respond to the charges in writing. You did not do so, nor did you take responsibility for your actions. Instead, you made comments about association leadership at various public meetings.

After providing you with many opportunities to correct your behavior, the Directors passed by the required two-thirds vote a motion to terminate your associate membership effective immediately. Further, the motion included direction to the President to not recognize you to speak or participate during the Association's meetings and events.

Accordingly, this memo is formal notification to you that your membership is terminated effective immediately, and you are no longer welcome to participate in our events. This includes but is not limited to our weekly Monday morning meetings.



Taxpayers' Association of El Dorado County

DATE: September 26, 2022
TO: Melody Lane
FROM: Taxpayers Association of El Dorado County Board of Directors
RE: Potential Termination of Membership

On January 9, 2021 we issued you a formal reprimand for your behavior at the Association's November 16, 2020 meeting. The notice of reprimand informed you that further disruption of meetings and/or disrespect to your fellow members or guests would cause the Directors to consider further legal options, including potential termination of your membership.

Further, on July 26, 2022 we adopted a Meeting Conduct policy which specified that, "If a member, by their own actions and on more than 3 occasions, continues to disrupt and harass any member or speaker in the organization, their membership shall be revoked under Article IV of the by-laws". This provision affirmed the Board's existing authority under the Bylaws and Policies and Procedures to discipline members who cause disruption and engage in harassment.

Despite these warnings, you continue to disrupt our meetings and harass our guest speakers and your fellow members. As written in your January 2021 reprimand, we have a responsibility to maintain a safe and respectful environment for all meeting guests and attendees by insisting that all attendees maintain proper meeting decorum. When such an environment does not exist, we cannot carry out our mission to educate the citizens of El Dorado County and ensure the responsible use of taxpayer dollars.

Because you have demonstrated your unwillingness to follow proper meeting decorum and have engaged in a sustained pattern of harassment against your fellow members, this Board of Directors will meet in closed session to consider termination of your membership. You have the opportunity to be heard in writing before that meeting takes place. Please send any response or information you would like us to consider via electronic mail to info@taxpayersedc.org no later than Friday, October 14. You will be notified of our decision in writing.

Kim Dawson

From: BOS-Clerk of the Board
Sent: Wednesday, November 16, 2022 8:16 AM
To: Kim Dawson
Subject: FW: 11/15/22 BOS Open Forum Public Comments - BOS/Taxpayers Association Fraud
Attachments: TPA ML v1-9-27-22.pdf; TPA ML Membership Termination.pdf; Brown Act Rights of the Public.docx

Hey Kim,

Did you get this added to Legistar?

--

Kyle Kuperus
Deputy Clerk of the Board of Supervisors
County of El Dorado
330 Fair Lane, Bldg. A
Placerville, CA 95667
(530) 621-5592

From: melody.lane@reagan.com <melody.lane@reagan.com>
Sent: Tuesday, November 15, 2022 7:57 PM
To: Kim Dawson <kim.dawson@edcgov.us>; BOS-Clerk of the Board <edc.cob@edcgov.us>; Lori Parlin <lori.parlin@edcgov.us>; Sue Novasel <Sue.Novasel@edcgov.us>; Wendy Thomas <Wendy.Thomas@edcgov.us>; George Turnboo <George.Turnboo@edcgov.us>; John Hidahl <john.hidahl@edcgov.us>
Cc: David A Livingston <david.livingston@edcgov.us>; Donald Ashton <don.ashton@edcgov.us>; Todd White <Todd.White@edcgov.us>; Richard Esposito <resposito@mtdemocrat.net>; Noel Stack <nstack@mtdemocrat.net>; Krysten Kellum <kkellum@mtdemocrat.net>; Eric Jaramishian <eric@mtdemocrat.com>; BOS-District V <bosfive@edcgov.us>; BOS-District IV <bosfour@edcgov.us>; BOS-District I <bosone@edcgov.us>; BOS-District III <bosthree@edcgov.us>; BOS-District II <bostwo@edcgov.us>; Andy Nevis <Andy.Nevis@edcgov.us>; Daniel Harkin <Daniel.Harkin@edcgov.us>; John Clerici <John.Clerici@edcgov.us>; Jon X. Vegna <JVegna@edcgov.us>; Kris X. Payne <KPayne@edcgov.us>
Subject: 11/15/22 BOS Open Forum Public Comments - BOS/Taxpayers Association Fraud

Please ensure the entirety of this correspondence, and attachments, are entered into the public record under the 11/15/22 BOS Open Forum.

Comrade Parlin did it again when she had another one of her **tyrannical temper tantrums** and ordered Kim Dawson to shut off the mic just as I finished my last sentence. She seems to have forgotten who she works for. Note that under §54954.3 of the Brown Act:

“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...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.”

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Melody Lane

Founder – Compass2Truth

"You need a new Board [of Supervisors]. All of them. Hold their feet to the fire. Mine too. I work for you." Sheriff John D'Agostini – August 16, 2011



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CALIFORNIA BROWN ACT

PREAMBLE:

"The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people do not yield their sovereignty to the bodies that serve them. The people insist on remaining informed to retain control over the legislative bodies they have created."

CHAPTER V.

RIGHTS OF THE PUBLIC

§54954.3 Public's right to testify at meetings. (c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law. Care must be given to avoid violating the speech rights of speakers by suppressing opinions relevant to the business of the body. As such, members of the public have broad constitutional rights to comment on any subject relating to the business of the governmental body.

Any attempt to restrict the content of such speech must be narrowly tailored to effectuate a compelling state interest. Specifically, the courts found that policies that prohibited members of the public from criticizing school district employees were unconstitutional. (*Leventhal v. Vista Unified School Dist.* (1997) 973 F. Supp. 951; *Baca v. Moreno Valley Unified School Dist.* (1996) 936 F. Supp. 719.) These decisions found that prohibiting critical comments was a form of viewpoint discrimination and that such a prohibition promoted discussion artificially geared toward praising (and maintaining) the status quo, thereby foreclosing meaningful public dialog.

54954.2 E (3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3.

Where a member of the public raises an issue which has not yet come before the legislative body, the item may be briefly discussed but no action may be taken at that meeting. The purpose of the discussion is to permit a member of the public to raise an issue or problem with the legislative body or to permit the legislative body to provide information to the public, provide direction to its staff, or schedule the matter for a future meeting. (§ 54954.2(a).)