



III. LANE UPD FOR 1305  
**Compass2Truth**

1305 8/11/2017

*Citizens Serving God in Truth and Liberty*

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

August 11, 2017

To: El Dorado County Board of Supervisors, Dist. #1, 2, 3, 4 & 5  
EDC Clerk to the Board  
EDSO CFO, John DeVille  
CAO Don Ashton

### CA PUBLIC RECORDS ACT REQUEST

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain the following:

1. Documentation substantiating all government grants applied for, and total dollar amount obtained, to fund the position(s) of EDSO River Patrol as required by the River Management Plan, years 2011 through 2017.
2. Documentation identifying each of the EDSO staff who met the qualifications for the above grants and actually filled the positions of EDSO River Patrol as required by the River Management Plan, years 2011 through 2017.
3. Documentation of all incidents, fines, and SUP citations issued by EDSO River Patrol deputies, years 2011 through 2017.
4. Total dollar amount spent by EDSO on each river search and/or river rescue incident, years 2011 through 2017.

**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 costs of duplication, electronic copies are acceptable and may be emailed directly to [melody.lane@reagan.com](mailto: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)**. If you have any questions, please do not hesitate to contact me immediately.

Thank you for your prompt compliance and timely response.

Sincerely,

Melody Lane  
Founder – Compass2Truth

*Due 8/24*

# **EDSO – MGDG Meeting Agenda**

**August 16, 2011**

1. **Public Safety – Identify “Hot Spots”**  
RMAC – Coloma – MGDG – Cronan – Kanaka Valley
2. **Scope of Agencies/Authority**
  - Need to coordinate services w/needs of citizens
  - DOT – Park – F&G – Cal Fire
3. **Navigating Obstacles to Resolution**
  - RMAC – Brown Act Violations
  - Blacklists?
  - Unresponsiveness of government agencies
4. **Coordination of Code & Law Enforcement**
  - Move to higher level of legislative involvement
  - Fines & Consequences
  - \$150 Fire Fee Repeal
  - Citizen Arrests? – Emergency Preparedness Training?
  - Watchdog Orientation

# **EDSO, MGD, Planning SUP Agenda**

**September 4, 2012**

## **I. RMP Subject to Brown Act – 4 Entities:**

1. Federal – BLM
2. State – CA State Parks, F&G
3. Local – Planning, Env. Mgt., MGD
4. NGOs – ARC, Sierra Conservancy, Chamber of Commerce (AB42)

## **II. 3 Tiers – Planning/Code Enforcement**

1. Restaurants
2. Special Events
3. Campgrounds

## **III. RMAC – SUPs**

1. CA State Parks
2. Environmental Management
3. Planning/Dev. Services – Stonewalling – Fees & Easements

## **IV. Code & Law Enforcement**

1. Restoring Trust & Improving Community Relations
  - a) Retaliation
  - b) Media Manipulation
2. Consequences
3. Transparency & Accountability
  - a) MOUs
  - b) Ordinances
  - c) Documentation
  - d) Planning Commission

## **V. Next Steps & Follow Up Target Dates**

1. EDSO & MGD
2. CAO-DOT/Environmental Management/Planning

Whoever controls the water controls the people. RMAC is, and always has been out of control for decades. They've always used their positions as a bully pulpit. That's why I brought in law enforcement years ago after river residents were threatened for voicing their concerns. Noah Rucker, Vickie Sanders, Roger Trout & RMAC reps have a penchant for falsifying RMP data and other public documents. The following examples from materials entered into the record are all based on truth, fact, evidence & valid law:

Adam Anderson – RMAC business rep Villa Florentina B&B

1. Blatantly LIED @ 9/14/15 RMAC SUP Meeting (accused me of profanity)
2. 3/22/17 Planning meeting for Villa Florentina SUP revocation - falsely targeted my private residence on his PP presentation for two 'competing noise' events.
3. 7/25/17 Special RMAC meeting in MGDG accused me of creating a disturbance.

CSP rep Bill Deitchman was NOT present for the 9/14/15 meeting, but he had approved those minutes. During a subsequent meeting with CSP personnel Bill claimed "*County Counsel told us we don't have to be present.*" WRONG! Mike Ciccozzi is notorious for giving bad counsel.

May 26, 2016 Special Meeting requested by Nate Rangel scheduled to be held at 6:00 PM in the Marshall Gold Discovery Park Museum. The only topic of this special meeting was the RMP Update. By 6:30 there were only three people in the room, including myself and one other member of the public. It was apparent there was no quorum. As soon as I left the building, the meeting commenced, but the minutes and audio later disappeared from Legistar.

Here's another example from a Planning Commissioner:

*"I don't really need to explain to you what I did...I don't need to justify myself to you. You get what I give you!...I suggest you make a complaint to the BOS & have me removed. That would break my heart!...There isn't a 3 strikes policy! I know there's no such policy!...There is nothing in the Brown Act that says you can talk 3 or 5 minutes. One of the unique things about being a Chairman is you don't get to tell me what I can do!...Sounds like you are threatening to take me to court...County Council was right there. I assure you, that if I was in violation of the Brown Act he would have said something."*

During the 7/25/17 Special RMAC meeting held in the MGDG Museum Nate Rangel erroneously claimed RMAC "didn't have to respond" to my questions. That too is

FALSE. Note this KEY excerpt from the Ranalli Affidavit also applies to all public officials, including Committee Reps & Commissioner's Principle Agent Oaths of Office:

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. There is no legitimate argument to support the claim that oath takers 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. All American Citizens, can expect, and have 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.

The minutes for the 7/25th Special RMAC meeting held in the Marshall Gold Discovery Park Museum for the RMP Update contain numerous errors and falsifications. There was no county representative present to maintain order over the mob, and Nate Rangel acting in tandem with Adam Anderson, failed dismally to abide by the Brown Act and Roberts Rules of Order. Karen Mulvaney acted as Mr. Rangel's personally appointed "scribe" during the meeting which was authorized by Parks & Rec Manager, Vickie Sanders. The audio is impossible to understand, let alone transcribe, and the majority of the speakers never identified themselves. Therefore approval of the RMAC minutes, any recommendations, or actions taken by the committee/commissioners is "ultra vires" and in violation of your Principle Agent Oaths of Office.

Note Noah Rucker's comments in Ranalli affidavit obtained via PRA, "River Trust Fund is flat broke." It's a fact that the mgt. of RMP turned over to BLM & CSP - a done deal.

Last, the June 22, 2017 PC workshop/hearing (?) Rangel was permitted to speak and dialog for 16 minutes about the \$20M rafting business. You'll recall his effusive comments re: RMAC formation & Bernard Carlson "good and respected friend." NOT!

Bernard Carlson recent comments after Taxpayers re: Rangel "haven't talked 4-5 years." Generally described Nate as a liberal subversive, and had nothing good to say about him.

Consider carefully the legal ramifications of your decisions about the RMP. Questions?

# AFFIDAVIT/DECLARATION OF TRUTH

To: Supervisor Michael Ranalli, District #4  
El Dorado County Board of Supervisors  
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, 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 or 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 June 27, 2017, I sent you, District #4 Supervisor Michael Ranalli, via USPS certified mail, a letter which you received on June 28, 2017, and which I entered into the public record during the June 27, 2017 Board of Supervisors meeting. That letter, attached hereto and marked **Exhibit A**, was sent to inform you of these events and statements made by you, and also as an inquiry to ascertain whether you, Michael Ranalli, as District #4 Supervisor, 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 June 26th 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 their Constitutional oaths of office, or oppose and violate them. On several occasions you've failed to show up for meetings, or lawfully respond to numerous verbal and written inquiries, including CA Public Record Act requests for information. The purpose of the meeting requests was to establish the facts surrounding your foreknowledge and approval of falsified information submitted by county staff to the Board of Supervisors, specifically concerning the River Management Plan, collusion, and serial meetings which the law specifically prohibits. Any enterprise, undertaken by any public official, such as you, other Board of Supervisors, or county staff, 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. 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 1<sup>st</sup> Amendment Rights. *See United States v. Dial, 757 R2d 163, 168 (7<sup>th</sup> 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.
- 2) You were present to witness the entirety of the September 14, 2015 River Management Advisory Committee meeting when representative, Adam Anderson, falsely accused me of using profanity. In reality, I was seated quietly in the audience audio recording the entire pre-orchestrated charade. During that meeting Planning and Development Director, Roger Trout, and Parks & Recreation Manager, Vickie Sanders, basically took over and proceeded to publicly vilify me. That particular episode was witnessed by four other individuals whom I requested be present and who are willing to testify to the unlawful, unconstitutional actions of you, the RMAC representatives, Roger Trout and Vickie Sanders. During a subsequent meeting you personally witnessed Roger Trout's audio recorded admission that the September RMAC meeting was a collaborative "set up" to discredit and permanently silence me for whistleblowing. Your knowledge of collusion and failure to lawfully respond to constituent concerns, or take corrective measures, permits the continuation 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 oath.

- 3) On several other occasions too numerous to mention, I have publicly brought to your attention, and to the entire Board of Supervisors, evidence of unlawful and criminal actions by the “River Mafia Mob” and other county officials, including law enforcement. If a public officer, such as you, fails to act and correct the matter, then, he condones, aids and abets criminal actions, and further, colludes and conspires to deprive me and other Citizens of their 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 See also: U.S. v. Guest, Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.*
- 4) In violation of the Brown Act, you refused on numerous occasions to respond publicly to verbal inquiries regarding your jurisdiction, denied the public the right to pull an item from Consent for public dialog, and failed to respond to meeting requests for the purpose of resolving specific River Management Plan issues, Code & Law Enforcement concerns, and Public Record Act requests for information. Anytime 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 14<sup>th</sup> Amendment; thereby vacate their offices and forfeit all benefits. In so doing, I was again harmed by your actions and deprived of due process.
- 5) 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 your own actions, pursuant to your oath, you have violated these First Amendment guarantees. By not responding and/or not rebutting, such as you have demonstrated, you, the oath taker denies the Citizen remedy, thus, denies the Citizen constitutional due process of law, as stated within the Bill of Rights. 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. 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.

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

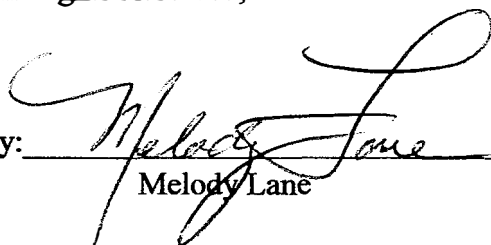


admit to them. Pursuant to that lawful notification, if you disagree with anything stated under oath in this Affidavit/Declaration of Truth, then rebut that with which you disagree, with particularity, within thirty (30) days of receipt thereof, by means of your own written, sworn, notarized affidavit 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 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, Michael Ranalli, as District #4 Supervisor, in any court of law in America, without your protest, objection or that of those who represent you.

Further Affiant sayeth naught.

All Rights Reserved,

By:   
Melody Lane

Date: 8/9/17

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

**(See attached California Notarization)**

*M.G.P*

Attachments:

- Exhibit A – June 26, 2017 Letter to Supervisor Michael Ranalli, District #4

CC: Dist. #1 Supervisor John Hidahl  
Dist. # 2 Supervisor Shiva Frentzen  
Dist. # 3 Supervisor Brian Veerkamp  
Dist. # 5 Supervisor Sue Novasel  
EDC District Attorney Vern Pierson  
Media and other interested parties

# 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 )

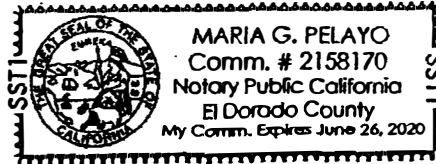
Subscribed and sworn to (or affirmed) before me on this 9<sup>th</sup> day of August, 2017  
Date Month Year

by Melody Lane

Name of Signers

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

Signature: Maria G. Pelayo  
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: 8/9/2017

Number of Pages: 4

Signer(s) Other Than Named Above: \_\_\_\_\_

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

June 26, 2017

Supervisor Michael Ranalli, Dist. #4  
El Dorado County Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667

Supervisor Michael Ranalli,

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 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 multiple violations of the River Management Plan, the California Ralph M. Brown Act, 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.

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.

During two meetings that I audio recorded, specifically on August 4, 2016, and again on May 17, 2017, 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.

*"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..."*

The Board of Supervisors has been regularly apprised that they are routinely receiving falsified information from the River Management Advisory Committee, Parks & Recreation, the CAO, and the Planning Commission. Despite frequent public testimony and evidence submitted into the public record of fraudulent information submitted by the aforementioned public agencies to the BOS, you have failed to take corrective action and the BOS voted unanimously to approve their recommendations. 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.

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.”**

You've publicly stated three times during the January 5, 2016 Board of Supervisors meeting, *“I'll meet with anyone...I've never refused a meeting.”* However, you have refused to respond publicly to verbal inquiries, denied the public the right to pull an item from Consent for public dialog, and failed to respond to my meeting requests for the purpose of resolving specific issues that have been perpetually avoided for years. Concerns have been expressed monthly, and sometimes weekly, particularly regarding the transparency and accountability of the **River Management Advisory Committee, Parks & Recreation Commission, Planning Commission, Code & Law Enforcement, Coloma-Lotus Fire Council, and CA Environmental Quality Assurance (CEQA)**. Additionally CA Public Record Act requests for information have not been responded to as required by law. You have either been unresponsive to communications, relegated your comments to halfway conversations, or you've obfuscated and diverted any meaningful public replies whatsoever. (See U.S. versus Tweel above.)

For example, in 2016 and 2017 the following interrelated public meetings were all **cancelled** by county staff without explanation but with your foreknowledge:

**Parks & Recreation Commission:**

**2016:** January, April, June, August, September, October and December.

**2017:** April and June

**River Management Advisory Committee (RMAC):**

**2016:** February, March, July, August, September.

**2017:** January, February, March, and May. (June minutes not yet posted.)

**Planning Commission:**

**2016:** February, March, April, July.

**2017:** January

One example of your evasion occurred on October 4, 2016. You and Sheriff D'Agostini both failed to show up for a scheduled meeting, without explanation, and instead, CAO Don Ashton and county counsel Paula Franz appeared in your stead and represented you. They have no authority whatsoever to act as your spokespersons. (See Exhibit A)

Another example of evasion is the May 9, 2017 memo from Laura Schwartz, Deputy CAO, posted as Consent Item #6 to the 5/16/17 BOS agenda concerning two new appointments to the River Management Advisory Committee (RMAC). I requested this item be pulled from Consent, but you refused to pull it or dialog as required by the Brown Act, Sections 54954.2(a) and 54954.3:

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**Please pull Item #6 from Consent for public discussion and dialog**

1 message

---

Melody Lane <melody.lane@reagan.com> Mon, May 15, 2017 at 10:18 AM  
To: Michael Ranalli <michael.ranalli@edcgov.us>  
Cc: shiva.frentzen@edcgov.us, brian.veerkamp@edcgov.us, sue.novasek@edcgov.us, john.hidahl@edcgov.us, Jim Mitrisin <jim.mitrisin@edcgov.us>, edc.cob@edcgov.us, Donald Ashton <don.ashton@edcgov.us>, bosfive@edcgov.us, bosfour@edcgov.us, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

Supervisor Ranalli, et al:

There are several issues pertaining to the River Management Advisory Committee that have been perpetually swept under the rug of government bureaucracy. In the interest of public transparency and accountability, and pursuant to Sections 54954.3 and 54954.2(a) of the Brown Act, please pull Item #6 from Consent for public discussion and dialog.

Also ensure the entirety of this message, with attachments, is timely posted via the government distribution system.

In her May 9, 2017 memo Ms. Schwartz states, *"...we recommend that this committee 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."* (See Exhibit B)

Despite sufficient members to constitute a quorum for monthly meetings, all evidence obtained through CA Public Record Act requests indicates that county staff has been colluding in cancelling RMAC meetings in an attempt to stall the River Management Plan updates. In actuality, the RMAC members have not stepped down; rather they have been participating in serial meetings which the law specifically prohibits. In fact, the ACAO's May 9<sup>th</sup> memorandum outlines the county's long range plan for RMAC, thus demonstrating that public meetings and workshops soliciting resident input are nothing more than fraudulent bureaucratic attempts to convince

Citizens that their input makes a difference in the management of the most valuable Sierra watershed.

Yet a third example is the May 26, 2016 Special Meeting requested by Nate Rangel scheduled to be held at 6:00 PM in the Marshall Gold Discovery Park Museum. The only topic of this special meeting was the RMP Update. By 6:30, there were only three people in the room, including myself and one other member of the public. After waiting for a half hour, RMAC Representative Marilyn Tahl announced that she had no idea where everyone was. When it was apparent no meeting was going to take place, I exited the building. I was bid farewell by Chairman Nate Rangel seated outside the Museum casually talking to another individual

Although the RMAC meeting was never officially cancelled, the next day the meeting minutes appeared on the EDC Legistar calendar indicating that the RMAC meeting commenced immediately at 6:30 PM *after I had left the premises*. The stall tactics apparently were a strategic attempt to get me to leave so they could conduct the meeting without me. It is significant that the previously posted minutes have disappeared from the government website and the audio is "unavailable" and cannot be played. "Technical difficulties" appear to be a convenient frequent problem, especially when there are matters concerning government transparency and compliance with the law:

Plan Management | 5/26/2016 | 6:03 PM | Marshall Gold Discovery Park Historic Park Museum Building 3100 Rock St. Colusa, CA | Meeting details | My agenda | Home | Search | Help

Authentic transparency and accountability in the administration of the RMP, and the public's right to address their grievances concerning the RMP, have been blatantly avoided literally for decades by the BOS. This was one of the topics addressed during our 8/3/16 meeting with you, CAO Don Ashton, and Planning Services Director Roger Trout. (See Exhibit C)

Note the specific item addressing the RMP Update was the only topic on the most recent June 12, 2017 RMAC meeting agenda. Significantly, the SOFAR Charter (RMP) was scheduled as Consent Item #9 on the June 20, 2017 BOS meeting agenda, but it was surreptitiously diverted to the June 27<sup>th</sup> BOS meeting Item #50. The same topic was also scheduled for the June 22, 2017 Planning Commission Item #4: **17-0659 WORKSHOP - Chief Administrative Office, Parks Division, requesting a workshop to discuss proposed changes to the El Dorado County River Management Plan (RMP). No action was to be taken by the Planning Commission.** Contrary to the posting made by Nate Rangel to the CL News, that Planning meeting was neither a workshop nor a hearing as Mr. Rangel publicly had communicated. Commissioner Gary Miller, who has a history of violating the Brown Act and abusing his Principal Agent Oath of Office, permitted Nate Rangel to speak for 15 minutes, meanwhile dialoging and asking him numerous questions. Notably, Chairman Miller denied other members of the public the same rights to dialog.

**You've been made aware of numerous unlawful government practices within your district, yet you've failed to take any corrective action. In so, doing you've aided and abetted the perpetuation of government fraud, and are therefore culpable, complicit and liable.**

**Mr. Ranalli, you were not elected to maintain the dysfunctional status quo of El Dorado County via bureaucratic obfuscations and diversions. Public Service Ethics training as required by the Political Reform Act and AB1234 is mandatory of all elected officials. The ethics manual published by the Institute for Local Government repeatedly emphasizes the following:**

- Must conduct public hearings in accordance with due process principles.**
- Cannot retaliate against those who whistle-blow.**
- Even though a course of action may be lawful under state law, it may not be lawful under federal law.**
- The law provides only minimum standards for ethical conduct. Just because a course of action is legal, doesn't make it ethical/what one ought to do.**
- Refrain from discussing or voting on a matter**
- Transparency is an important element of public service.**

**By your actions and in some cases, inaction, it is clear that you have violated each and every one of these provisions on numerous occasions.**

**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 too numerous to mention, you've deprived me and other members of the public their rights to address public officers and provide testimony. 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 blatant fraud perpetrated by you and other elected/appointed officers against the people they are required to serve and who pay their respective salaries.**

**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).)**

Anytime 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 14<sup>th</sup> 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. Following are just a few examples:

- 1) On September 14, 2015, I requested four witnesses to accompany me to the meeting of the River Management Advisory Committee (RMAC). One of my witnesses was Parks & Recreation Commissioner, Kris Payne. After consultation with Parks & Recreation Manager Vickie Sanders, and at my request, the planned subject matter of the September RMAC meeting focused on Special Use Permits (SUP) and other violations of the River Management Plan. As is my custom, I personally audio recorded the meeting as I always do. You were present for the entirety of the meeting seated at the back of the room when RMAC business representative, Adam Anderson, falsely accused me of using profanity. As all four of my witnesses can attest, in reality I was quietly seated in the audience. This appeared to be the cue to the audience to launch their attack.

Planning Services Director Roger Trout then actively participated with some members of the community known as the "River Mafia" who then proceeded to take turns at publicly vilifying me.

In violation of the Brown Act and my constitutional secured inherent rights, I was not permitted by Chairman Nate Rangel to respond to any of their fraudulent accusations, nor would Vickie Sanders correct the minutes to reflect what actually transpired as I later requested in writing. You were apprised and requested by me to take action to correct the on-going deception, but you failed to respond to my phone calls or correspondence.

Then, during a meeting held April 1, 2016 in the Marshall Gold Discovery Park, with Superintendent Barry Smith and CSP RMAC representative Bill Deitchman, the issue of the September 14, 2015 RMAC meeting was on the agenda. Of primary concern was the fact that Bill Deitchman was not present for that meeting, yet it appeared he was in collusion with El Dorado County staff and other government agencies to unethically deprive the public of honest services. Contrary to public policy, the minutes of the September 2015 RMAC meeting reflect Mr. Deitchman's approval of the fraudulent meeting when he should have actually recused himself as being absent. Mr. Deitchman responded, "*County Counsel told us we don't have to be present to approve the minutes!*" (See Exhibit D)

**Significantly, on February 18, 2014 @ 3:38 PM, Noah Triplett had distributed to all RMAC representatives the following directive:**

*Ms. Lane submitted a doc. Cc'd to half the County Gov. today. You do not need to pull the minutes from consent and have her 3 three or 5 minutes allowed to speak. It is attached.*

*Whoever is the chair please let her know she can speak after the committee is done discussing whatever agenda item it is during public comment on whatever item she wishes to comment on and you do not have to reply to her if you do not want to.*

**On August 7, 2015 @ 5:20 PM, Noah Triplett distributed an email to RMAC representatives informing them the August 10, 2015 RMAC meeting had been CANCELLED without reason. The following exchange took place between Noah Triplett and RMAC Chairman Nate Rangel:**

**On August 7 2015 @ 6:31 PM, Nathan Rangel wrote:**

*Hi Noah,  
I think it would be both prudent and courteous to at least check in with me prior to cancelling any of our meetings. That's what occurred in the past. Any reason why it didn't this time?*

**On August 7, 2015 @ 7:05 PM Noah Triplett replied:**

*Hi Nate,*

*I was understood that Vickie talked to you about the draft not being done and no need to agendize HLP property issues.*

*There's nothing for the agenda at this time.*

*Melody Lane wants us to put a SUP compliance item on the next meeting agenda for discussion.*

*I will confirm with you before cancelling another meeting.*

**On August 8, 2015 @ 5:21 AM Nathan Rangel responded:**

*Hey Noah,*

*No worries. No, Vickie didn't touch base with me. It's just that when we cancel a meeting I let the other members know the reason. I've got 4 emails asking why....I'll let them know.*

*Melody's item should be interesting! Take care and I'll touch base with you next week.*

It should be noted that in our audio recorded meetings with Parks & Recreation Manager Vickie Sanders and consultant Steve Peterson that we specifically requested confidentiality of these sensitive issues due to the personnel problems associated with Noah Rucker-Triplett and his association with the "River Mafia." It became apparent that Ms. Sanders did not honor her agreement, and thus violated EDC personnel protocols as well as her Oaths of Office. During our 8/3/15 meeting with you, concern was expressed about the history of retaliation, particularly against women in the river community, by the "River Mafia" and Parks & Recreation personnel. In addition to being entered into the public record during several BOS meetings, these frequent breaches in public policy were also brought to the attention of the Human Resources Director and County Counsel. **(See Exhibit E)**

The subject of the 9/14/15 RMAC meeting was also broached again during our 8/3/16 meeting with you, CAO Don Ashton, and Planning Services Director Roger Trout. A major concern was the absence of Roger Trout's "3 Strikes" policy concerning violations of Special Use Permits (SUPs) and the county's reticence to respond lawfully to Public Record Act Requests (CPRAs). No response has ever been forthcoming from you concerning any of these issues.

- 2) Previously mentioned was the Special RMAC meeting requested by RMAC Chairman, Nate Rangel, to be held May 26, 2016 at 6:00 PM in the Marshall Gold Discovery Park Museum regarding updates to the River Management Plan. By 6:30 Nate Rangel had not shown up, there still was no quorum, and it was apparent no meeting would take place, so I left the premises. Although the meeting wasn't officially cancelled, the meeting commenced immediately after I was persuaded to leave. The agenda for that meeting still appears, but the

minutes and the audio of the fraudulent 5/26/16 meeting have since disappeared from the government website

Just prior to the May 26, 2016 Special RMAC meeting I had submitted a CA Public Record Act request for the following information which was due 5/31/16:

- Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I asked to obtain the following:
- Copies of all RMAC representative correspondence pertaining to the River Management Plan Update from January 1, 2016 through May 15, 2016.
  - Copies of all Parks and Recreation correspondence between Vickie Sanders and consultant Steve Peterson from January 1, 2016 through May 15, 2016.
  - Documentation proving the necessary 4/5 BOS vote substantiating the transfer of \$25,000 from the River Trust Fund for the River Management Plan Update.

You, and the entire BOS, were publicly apprised that the CPRA response was received two days late and was incomplete. Furthermore, the entirety of the requested correspondence between the RMAC representatives was never received by me, and what was actually received from Parks & Recreation Manager Vickie Sanders contained primarily blank pages. Contrary to our audio recorded conversations, Vickie's response to the CPRA *denied* her possession of *any* correspondence with consultant Steve Peterson whom she personally authorized and hired to update the RMP. Significantly, she also failed to produce the signed and dated contract with Mr. Peterson. Not surprisingly, the BOS unanimously voted, March 22, 2016, to authorize an expenditure of \$25,000 to pay Mr. Peterson out of the River Trust Fund (RTF), which trust fund Noah Rucker Triplett stated in an email was "flat broke".

Then, during the March 22, 2016 BOS meeting, I reminded you, and the other Supervisors, of their fiduciary responsibility to the citizens of El Dorado County, and the fact that Steve Peterson had been meeting behind closed doors with county representatives, BLM and CA State Parks long before the item had been put on the BOS agenda or the contract officially entered into with the consultant. Ms. Sanders and Mr. Peterson both confirmed during one of our audio recorded meetings that the county's plan was to take control away from RMAC and turn it over to CA State Parks and BLM who work in conjunction with American River Conservancy and other unaccountable non-government organizations (NGOs.)

We discussed during our 8/3/16 meeting that evidence obtained via CA Public Record Act requests reveals collusion with county staff to deprive the public 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. See USC Title 18, § 241 Conspiracy Against Rights. For example:

**In an 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."*

**In yet another 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 I 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."*

- 3) It has also been brought to your attention during BOS meetings, and on numerous other occasions, that county staff is habitually falsifying reports and conducting what California Sunshine Laws and the Brown Act describe as "serial meetings", particularly as it affects the River Management Advisory Committee, Parks & Recreation Commission, and the Planning Commission:

*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.)***

***Serial meetings are explicitly prohibited. A serial meeting is a series of communications, each involving less than a quorum, but which taken as a whole involves a majority. Serial meetings may occur in various ways. Examples include members of the body communicating with each other and a staff member communicating with members of the body, to orchestrate a consensus. Unlawful serial meetings may occur through oral, written or electronic communications.***

By your own actions and the actions of other public officers, it is clear that you have violated all of these requirements in letter and spirit, thus, you have violated the law, the rights of the people and have perpetrated ongoing fraud as your usual custom, practice and policy of you and that of the other public officers.

- 4) Primary concerns that have been publicly addressed but ignored by you, and the BOS, regard to the topics of public safety and retaliation, particularly as it pertains to the River Management Plan, and the lack of SUP code and law enforcement. As you have been made aware, Public Record Act requests for information pertinent to the River Management Plan have been ignored, are late, or are insufficiently responded to as required by law. Just one example, as cited above, is Roger Trout's fraudulent "3-Strikes" policy which has been the topic of meetings with you, the Planning Commission and other county staff. You've been apprised that Commissioners Gary Miller and James Williams both stated in May 2017 that Roger's "3-Strikes" policy **does not exist**. *A policy that does not exist cannot be lawfully enforced.*

***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.***

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 (7<sup>th</sup> 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.*

On one occasion, October 4, 2016, your attendance was required at a meeting, but you and Sheriff D'Agostini both failed to show up. The topics included inconsistencies in responding to CA Public Record Act Requests as required by law, ethics issues, Brown Act violations and lack of Code/Law Enforcement in the Coloma-Lotus region of the South Fork American River.

Another example entailed a recent meeting request. Since you and your Administrator, Brenda Bailey, have been reluctant to respond to correspondence or meeting requests, I asked Marshall Gold Discovery Park Superintendent, Barry Smith, to coordinate a meeting to include you and DOT Director, Bard Lower. The meeting request made in my email dated March 19, 2017 specifically stated:

*"You are required to be responsive to constituent grievances and provide a method of resolution pursuant to your Constitutional Oaths of Office. The purpose of summoning you to this one-hour meeting is to transparently address inter-related issues and a viable plan of action to achieve resolution. Your personal participation is mandatory, not optional. That means no substitutes or additional personnel are permitted—not the CAO or Counsel—as has been the past practice."*

The day of the meeting, May 17, 2017, Mr. Lower failed to show up, but despite the conditions set forth in the initial meeting request, you were accompanied by two representatives from the CAO's office. Consequently we found it necessary to terminate the meeting before it began. You were provided a copy of the prepared agenda which included the topics of *Public Safety and Retaliation*. (See Exhibit F)

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 his 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 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.

Supervisor Ranalli, your choice is very simple. 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 14<sup>th</sup> 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.



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



Melody Lane

**Attachments:**

- Exhibit A – 10/4/16 Meeting Agenda**
- Exhibit B – 5/9/17 CAO Dissolve RMAC Memo**
- Exhibit C – 8/3/16 Ashton/Ranalli/Trout Meeting Agenda**
- Exhibit D – 4/1/16 MGDG Meeting Agenda**
- Exhibit E – 11/12/14 & 8/3/15 Meeting Agendas**
- Exhibit F – 5/17/17 Meeting Agenda**

**Cc: Supervisor Brian Veerkamp  
Supervisor Sue Novasel  
Supervisor Shiva Frentzen  
Supervisor John Hidahl  
D.A. Vern Pierson**

**Tuesday October 4, 2016 @ 2:30 PM**

**Don Ashton, Mike Ranalli, Paula Franz**

*ABSENT*

- 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**

5/16/17 JAS JA 6



# County of El Dorado

**Chief Administrative Office**

**Parks Division**

330 Fair Lane  
Placerville, CA 95667-4197

Phone (530) 621-5360  
Fax (530) 642-0301

Don Ashton, MPA  
Chief Administrative Officer

DATE: May 9, 2017  
TO: Board of Supervisors  
FROM: Laura Schwartz, Deputy Chief Administrative Officer  
RE: River Management Advisory Committee

## Background

In 2001, the Board adopted Resolution number 065-2002 establishing the River Management Advisory Committee (RMAC). The committee consists of seven members appointed by majority vote of the Board of Supervisors. The RMAC was formed to provide a forum for the discussion of river use issues, ideas or conflicts among persons or groups with an interest in the South Fork of the American River. The committee is advisory to the Board of Supervisors.

El Dorado County Chief Administrative Office, Parks Division entered into a contract with Environmental Stewardship and Planning on July 28, 2014. The purpose of this contract was to prepare a redlined revision of the River Management Plan (RMP). This plan has not been updated since 2001 and since that time the County has fifteen years of data to support the recommendations made in the redlined version. One of the recommendations from the consultant was specifically related to the River Management Advisory Committee (RMAC). The recommendation was as follows:

### **5. Dissolve the RMAC.**

The most significant change that we propose is to dissolve the RMAC. This committee has done some very good and dedicated work since its inception in 1984, but has evolved into more of a community-focused, rather than River-focused organization. Because of the lack of substantive issues that require deliberation and the wide-ranging interests of the RMAC, we recommend that this committee be dissolved and that the County encourage interested participants to form an ad-hoc committee. This committee could be supported by the County in same manner as the Rubicon Oversight Committee that has successfully conducted ad-hoc meetings for over 10 years.

**EXHIBIT B**

The draft Redlined Version of the RMP was posted to the County website on February 10, 2016 for public comments. On February 18, 2016 a public meeting was held at the Coloma Grange with the consultant present to answer any questions. The recommendation for the dissolution of RMAC had the most comments from the public as they were not in support of this recommendation.

Staff concurs with the recommendation of the consultant. RMAC was formed by Resolution of the Board and not by the RMP; therefore all references to RMAC have been removed from the plan. The reporting structure and recommendations are addressed in the revised plan.

Timeline

The timeline for the Redlined Version of the RMP has changed many times. The public comment period was extended from March 18, 2016 to April 15, 2016. RMAC then requested that they have a separate deadline as they wanted to review the public comments before they made their comments. RMAC's comment period was extended to May 26, 2016. It was requested that the deadline be extended again. It was extended to June 14, 2016, giving RMAC an opportunity to discuss at their June 13, 2016 meeting.

Comments were received during the busy river season and staff did not review the comments until the river season was complete. Staff compiled the draft plan and sent the Administrative Draft to County departments for comment on January 13, 2017. Staff received comments from Roger Trout of the Community Development Agency and Jim Byers of the Sheriff's Department. Staff met with County Counsel on April 18, 2017. Their comments were addressed and incorporated into the draft.

This is the proposed schedule to complete this project.

* Planning Commission Workshop	June 24, 2017	* 6/22/17
Planning Commission Project Description & Initial Study Approval	July 2017	
Board of Supervisors-Project Description & Initial Study Approval	July 2017	
CEQA Document Prepared	August 2017	
30 Public Comment Period for CEQA Document	September 2017	
Prepare Final Document	October 2017	
Planning Commission Approval	November 2017	
* Board of Supervisors Approval	November 2017	

Issue and Recommendation

Until the new River Management Plan is approved and adopted, RMAC is still an advisory committee to the Board of Supervisors and the Planning Commission. Over the past several months, the majority of RMAC members have stepped down from the Committee resulting in not enough members to reach to quorum. Several meetings have been cancelled at the request of

**RMAC due to a lack of a quorum or no issues to discuss. Per the resolution, the County posted notices of vacancies and received applications to fill the vacancies.**

**The Chief Administrative Office recommends that the Board consider filling the vacancies, noting that RMAC may be dissolved by the end of the year.**

**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 C**

**4/1/16 MGDPA Agenda  
Barry Smith**

- I. EDSO & CSP
  - A. Public Safety meeting w/Mike Ranalli, Roger Trout, CSP, Sheriff D'Agostini
  - B. Notice & Demand
  - C. Mt. Murphy Road
    - 1) DOT
    - 2) Fencing repairs
    - 3) No Parking signs
    - 4) Hang gliders
    - 5) Trespassers
  
- II. Coloma Lotus Fire Safe Council
  - A. Tim Kulton & Deborah Kruze
  - B. Bill Deitchman – Project Manager
  - C. CPRA – County Counsel
  - D. Coloma Resort
    - 1) Annual fireworks
    - 2) Code/law enforcement
    - 3) Mt. Murphy Bridge egress
  
- III. RMAC
  - A. No EDSO representative
  - B. Bill Deitchman – approval of 9/14/15 minutes
    - 1) No response
  
- IV. Citizen Complaints
  - A. Jeremy McReynolds
  - B. Suzie Matin
  - C. Bill Deitchman (?)
  
- V. CL News
  - A. CF15-5698 & CF15-5793
  - B. Censoring Committee

**EXHIBIT D**

**Wednesday November 12, 2014 @ 10:00 AM**

**Robyn Drivon/Paula Franz / *Amela Suor***

- I. CPRAs - FOIA
  - A. CAO - Ross Branch
  - B. Process - Coordination, logging, tracking
  - C. Spreadsheet Discrepancies
  - D. EDSO
  
- II. Brown Act – Bagley Keene Act Violations
  - A. BOS Agendas
  - B. Censoring/minimizing info.
  - C. Technical Difficulties
  
- III. Obstacles - Bureaucratic Shenanigans
  - A. Communication breakdown
  - B. Resolution 113-95 v. AB1234
  - C. Fees - Paper v. electronic copies or CD
  - D. Code/Law Enforcement inconsistencies
  - E. Diverted responses/lack of response
  
- IV. Solutions – Follow up
  - A. 10/21 CPRA presentation – publish CPRAs to government website?
  - B. Transparency/Accountability
  - C. Right-to-know v. media blackout

**EXHIBIT E-1**



## **8/3/15 RMAC Meeting**

### **Parks & Recreation – Vickie Sanders**

#### **I. Personnel Issues**

- A. Noah Rucker**
- B. RMAC minutes/Brown Act violations/Audio recordings**
- C. Conspiracy/harassment/discrimination**
- D. Remedial action**

#### **II. Next RMAC Meeting**

- A. Rescheduled Date?**
- B. May 2010 Brown Act – Ciccozzi/Briggs/Mtn. Demo**
- C. Wording of agenda > Bullying**
- D. EDSO**

**May 17, 2017**

**Michael Ranalli, Bard Lower, Barry Smith (MGDP)**

- I. Coloma Lotus Fire Safe Council**
  - A. Bill Deitchman, Tim Kulton, Deborah Kruse**
  - B. CL News**
    - 1) Media**
    - 2) Rural Communities Coalition**
  
- II. Public Safety**
  - A. Trespassing**
  - B. Hang gliders**
  - C. Egress**
  - D. DOT – Cal Trans**
    - 1) Mt. Murphy Road maintenance**
    - 2) Hwy 49**
  
- III. River Management Plan (RMP = River Mafia Politics)**
  - A. RMAC representation**
    - 1) EDC Parks & Recreation**
    - 2) Falsified reports & data**
  - B. MGDP – BLM – American River Conservancy**
  - C. SUPs – Code & Law Enforcement**
  - D. Jurisdiction**
  - E. Retaliation**
  
- IV. Remedial Action**
  - A. Oaths of Office – Principle Agent Oaths of Office**
  - B. Accountability**
  - C. Follow up**

**EXHIBIT F**

- 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

D. Dunning Open Forum BOS 8/15/2017

## Board of Supervisors 08/15/2017

By David M. Dunning, SW IV, HHSA David.Dunning@edcgov.us

Choose how to spend the resources

General Fund: We provide safety for the community too

El Dorado County Social Workers in CPS:

Over half of our case carrying social workers have less than 3 years of experience in CPS

- 40 case carrying social workers
  - 13 have less than 1 year experience in CPS
  - 6 have 1-2 years of experience
  - 3 have 2-3 years of experience
  - 3 have 3-5 years of experience
- 8 supervisors (+1). Over half of our supervisors have less than 5 years of experience in CPS
  - 1 has 2 years in CPS
    - Leaving in December
  - 4 have 5 years in CPS
    - 1 leaving in September
    - 1 Team has no workers with more than 6 months CPS experience
  - 1 has 10 years of experience in CPS (Elaine?)
  - 1 has 18 years of experience in CPS
  - 1 has 30 years of experience in CPS
    - Leaving next year
  - (+Herb)
    - Leaving next year

How does that impact the most vulnerable children and families in El Dorado County?

- Social work for CPS is perhaps the most complex in social work because workers are legally mandated to protect children who are often in families affected by substance abuse, mental illness, violence, incarceration, homelessness and poverty.
- Unlike nearly every other public services agency, CPS serves involuntary clients. We are perhaps the only agency that serves their clients almost exclusively in their homes. This adds not only complexity but cost and concerns for worker safety.

- Typically it takes about two to three years for new CPS social workers to learn what needs to be done in their jobs and develop knowledge, skills, abilities and disposition to do their work independently.
- Attrition of experienced workers is especially devastating in CPS social worker as clinical competence comes from years of experience.
- One of the most important factors in achieving positive outcomes for children and families is consistency and continuity of social workers managing their cases. With 30% turnover rates in El Dorado County there is no consistency. When managing 25 to 30 cases social workers do not spend the time necessary with each child and parent to build the relationships that create lasting change.
  - The chance of a child achieving permanence (return home, adoption, guardianship) is 74% with 1 social worker in 12 months. It drops to 17% with just 2 workers and 5% with 3 social workers. More often than not in El Dorado County there are at least 2 workers in that period due to turnover of staff.
    - The cost of social worker turnover goes beyond the negative impact on children and their families. They also result in unnecessary foster care expenditures. The US Department of Labor estimates the cost of employee turnover to be one third of their annual salary. The loss of productivity and impact on the remaining workers is not calculated in this figure. Others estimate the actual cost to be twice the annual salary when the cost in time and money of recruiting and developing new staff as well as the impact of the vacancy on ongoing activities and the work of remaining staff.
  -

#### Causes of burnout/turnover

- Commonly cited causes of turnover include:
  - Low salary
    - Social Service jobs consistently rank among the five worst paying professional jobs according to the US Bureau of Labor Statistics. Social services pays its workers less than any other sector that hires similarly qualified people in similar jobs.
    - Average CPS case workers earn 48% less than registered nurses who are similarly training and professional, 29% less than public school teachers.
    - Inadequate pay is cited as one of the top five reasons for employees leaving work at CPS.



Individual efforts are also being made to increase moral and support workers who are struggling.

- Training is being addressed. Unfortunately it is being addressed by supervisors who have more to do than they can possibly get done. Retention of employees is key.
- Supervision. We have great supervisors. They need to have time to support and train their workers. They cannot do this when they don't have the staff to do the work. We are back to retention here.

# **A qualitative study of 369 child welfare professionals' perspectives about factors contributing to employee retention and turnover**

By Alberta Ellett, Jacquelyn Ellis, Tonya Westbrook and Denise Dews 2006

Selective Summary by David M. Dunning, SW IV

## Introduction

- Historically, and throughout the United States, child welfare has been neither adequately funded nor adequately staffed. This situation has resulted in employing well-intentioned staff, many of whom have no formal social work education or requisite skills, to work with vulnerable children and families.
- The child welfare work context is perhaps the most complex in social work because employees are legally mandated to protect children who often are in families affected by substance abuse, mental illness, mental retardation, violence, adolescent parenthood, incarceration, homelessness and poverty.
- Child welfare personnel are expected to serve growing numbers of children in foster care with increasingly complex needs. Thus, the increasing need for competent child welfare professionals seems rather clear.
- This changing and deteriorating work context is exacerbated by child welfare staff regularly entering dangerous neighborhoods to make home visits and entering homes where violence has become a factor in living (drugs, domestic and gang violence).
- Unlike nearly every other public and private services agency, child welfare agencies serve involuntary clients and are perhaps the only agencies that serve clients almost exclusively in their home.
  - Note that in practice CPS workers in El Dorado County routinely enter these dangerous situations alone because there are not enough workers to go together regularly and still be able to complete the work that needs to be done in a timely manner.
- Working under duress complicates a worker's assessments of children's safety and the decisions to allow children to remain in the home or to reunify children with their families once they have been removed from the home.
- Media attention and accompanying child welfare staff dismissals have created a work environment of public mistrust and negative views of child welfare staff. This makes it difficult to recruit and retain qualified child welfare professionals.
- The negative public perception of the environment in which child welfare staff work, the complex nature of the work in child welfare, large and often unmanageable caseloads, years of low pay, lack of public and administrative support are all believed to contribute to excessively high turnover of child welfare staff.
- Typically, it takes about two years for new child welfare employees to learn what needs to be done in their jobs and develop the knowledge, skills, abilities and dispositions to work independently.



- The majority of staff turnover occurs within the first 1 to 3 years of employment.

## Core Findings

### 7.2.1. Organizational factors contributing to employee turnover

- Extremely large case/workloads resulting in front line workers and supervisors working 50–60 hours per week (in some cases more than 70 hours per week).
- An atmosphere and organizational culture of tension and fear (e.g., most employees are hired into unclassified positions without Merit System protections; criticism from the media, courts, public, other professionals, and clients; second guessing case decisions of child safety; fear for personal safety; fear of dismissal and of criminal and civil liability for doing their jobs).
- Salaries are not competitive with other social and human service agencies, and comparable professions (e.g., teaching, nursing), few promotional opportunities (i.e. no clear career path within DFCS child welfare).
- Employees are not valued by DFCS, policy makers, or the general public.
- Inadequate client resources (particularly inadequate numbers of foster and adoptive families for children in DFCS custody).
- Inadequate selection and hiring processes (too many staff are hired for child welfare positions without the requisite knowledge, skills, abilities, and dispositions to be successful with this population).
- The court system creates many impediments to child welfare (e.g., great variety in the quality of working relationships with judges and attorneys).
- Communication structure in DFCS is problematic, especially around policy development and Interpretation.
- Too much paperwork (50–75% of work time).
- Training provided to new hires was of mixed quality, and mentoring and professional development opportunities were insufficient.
- Unstable central leadership in DFCS with leadership changes driven by adverse publicity and politics.

### 7.2.2. Personal factors contributing to employee turnover.

- Intrusion of DFCS work responsibilities into one's family and personal life (many staff were on call 24/7).
- Fear and anxiety related to legal liabilities and ruining one's personal and professional reputation and career in high profile cases.
- Lack of fundamental knowledge, skills, abilities, and dispositions for the job.
- Inflexible thinking and behavior and inability to adapt to frequent, unanticipated changes.
- Lack of personal interest in and professional commitment to child welfare.
- Feeling personally or professionally undervalued by the organization.

### 7.2.3. Organizational factors contributing to employee retention.

- Job benefits including retirement if an employee works long enough to become vested in the retirement system
- Flexibility in work hours to attend to personal emergencies, unexpected events, etc. (colleagues are allowed to work cooperatively with one another in these situations).
- Exciting, challenging, unpredictable, constantly changing work environment.
- Important and meaningful work.
- Supportive, quality supervision, consultation, mentoring, and leadership that values employees (not in all offices).

#### 7.2.4. Personal factors contributing to employee retention.

- Requisite knowledge, skills, abilities, self-efficacy, and dispositions for child welfare work.
- Personal and professional commitment to child welfare and clients, and a desire to make a difference.
- Realistic rather than idealistic about the work, open-minded, non-judgmental, flexible and adaptable.
- Good organizational and time management skills.
- Do not take things personally.
- Have a sense of humor.
- IV-E program or internship experiences or an internship before employment in DFCS.
- Willingness to listen and learn from others.
- Good professional judgment and self-reflective learning.

As a general note, these interviewees were able to more easily identify many more organizational and personal factors related to employee turnover than to employee retention. After our discussions of factors related to employee turnover, we were rather struck by the pause, silence, and time for reflection needed by these interviewees to identify factors related to employee retention. This was particularly the case when identifying and discussing organizational factors related to retention.

#### Discussion

While there have been many studies focused on child welfare client interventions, it is only recently that studies have begun to address employee retention, turnover, pre-employment preparation, and related workforce issues. Researchers and child welfare leaders are beginning to recognize that the workforce may be the most important variable over which agencies and policy makers may have some control. Concern for workforce issues in child welfare has been recently highlighted by national foundations, and recent research findings show that worker turnover rates in child welfare are negatively related to achieving permanency for children. The agency has little control over the nature of clients served, and even less control over the external environment in which the agency is embedded. However, the agency does have an important role to play in increasing the holding power of the organization for employees. Thus, an agency focus on the careful selection, subsequent mentoring and support, and retention of child welfare staff is a particularly important concern during the early years of employment where employee turnover rates are typically the highest. Considered collectively, our findings support the importance of an agency focus on workforce issues related to employee retention and turnover in child welfare, and as well, they add to a continuing line of inquiry documenting the importance of child welfare workforce issues and concerns.

Core personal and organizational factors that child welfare staff identified in this study as contributing to employee turnover and retention in public child welfare in Georgia are described in this article. We believe it is important to reference findings from other workforce research in child welfare that places the current study in a larger context that will further inform child welfare leaders, policy makers, and professional level staff. Findings from some of the most important and/ or recent of these studies document the following issues and concerns.

Large caseloads, duties associated with cases, and accountability paperwork overwhelm many new and unprepared workers in child welfare

Turnover rates are high among child welfare staff, especially in the first 3 years of employment (Cyphers, 2001; Ellett, 1995; USGAO, 2003).

- The strongest correlates of child welfare employee turnover in Texas are inadequate supervision and bureaucratic distractions (Kern et al., 1993).
- States that minimally require a BSW or MSW degree, experience far lower turnover and vacancy rates than other states (Russell & Hornby, 1987).
- MSW professionals who were mentored or served as mentors have higher salaries, career success, and satisfaction than MSW professionals without these mentoring experience(s) (Collins, 1994).
- It takes approximately 2 years for new workers to learn their job, policy, law, and resources to be able to work somewhat independently (Louisiana OCS Job Task Force, 2000). MSWs require less training and supervision than other child welfare staff and for this reason requiring the MSW for practice is cost effective (Abramczyk, 1994).
- Individuals with degrees in social work are better prepared than others for work in child welfare (Albers, Reilly, & Rittner, 1993; Dhooper, Royse, & Wolfe, 1990; Leiberman, Hornby, & Russell, 1988; Pecora, Briar, & Zlotnik, 1989).
- “Overall performance of MSWs was significantly higher than non-MSWs, and education, specifically holding the MSW, appears to be the best predictor for overall performance in child welfare work” (Booze-Allen & Hamilton, Inc. 1987, p. iii).
- Higher ratings on the Coping Strategies Inventory are associated with intent to remain even in the presence of high levels of emotional exhaustion (Anderson, 1994).
- Individuals with commitment, investment, and sense of mission are more likely to stay employed in child welfare than others (Bernotavicz, 1997; Ellett et al., 2003; Ellis, 2005; Harrison, 1995; Reagh, 1994; Rycraft, 1994).
- Working conditions, organizational support, and administrative policies are rated the lowest of all factors related to job satisfaction (Midgley et al., 1994; Vinokur-Kaplan, 1991).
- IV-E students scored significantly higher on competency measures (than other CW employees) (Fox, Burnham, Barbee, & Yankeelov, 2000; Jones, 2002).
- Graduates of IV-E programs have higher levels of skills, confidence, and sensitivity to clients (than other CW employees) (Hopkins, Mudrick, & Rudolph, 1999).
- Graduates of IV-E programs are more likely to remain employed in child welfare than other employees (Harrison, 1995; Jones, 2002; Robin & Hollister, 2002) and are more satisfied (Vinokur-Kaplan, 1991).
- “Job satisfaction and organizational and occupational attachment are distinct but related constructs that are influenced by structural features of the workplace, job stressors, and professional identification” (Landsman, 2001).
- Public agency staffing problems impact the safety and permanency of children and families (Cohen, 2003; USGAO, 2003).
- Most turnover among child welfare workers and supervisors is preventable, i.e. for reasons other than retirement, death/health, spouse transferred, marriage/parenting, return to school (Cyphers, 2001).

Findings from these studies and the current study well document the complexity and importance of a host of personal and organizational factors that contribute to child welfare employee retention and turnover and to the quality and equity of services provided to clients as well.

- Findings suggest that there is no elixir or quick fix that will resolve the many work context and personal factors that contribute to retention and turnover of staff in Child welfare. Rather a number of strategies that need to be applied to the particular needs of the organization.
- Attrition of experienced workers is especially devastating to a field in which clinical competence appears to come from years of experience.

- Note that in El Dorado County most workers, including supervisors, have less than 5 years of experience. Most line workers have less than 2 years of experience.

When our findings are integrated with the findings and recommendations from other research studies and the knowledge base in which our study was grounded, a variety of important recommendations for enhancing the quality and effectiveness of professional child welfare policy, practice, and services to clients are apparent. Most immediately, we believe these include increasing both national and state efforts to:

- make child welfare a national priority by providing better funding to prepare and retain professional staff;
- provide adequate funding to greatly reduce staff caseloads and worker/supervisor ratios to current standards recommended by the CWLA;
- redesign the child welfare profession through the development of a professional career model that includes vertical and horizontal work options, credentials-based and performance-based pay, and clear, differentiated qualifications for different work tasks and responsibilities (e.g., BSW vs. MSW);
- revise higher education curricula and field experiences in view of the core knowledge, skills, abilities, and dispositions needed to more adequately prepare child welfare professionals to adapt to the difficulties of this important work;
- develop and implement better employee selection protocols that focus on important personal characteristics identified through research that can enhance employee retention (e.g., a degree in social work, professional commitment to child welfare, strong self-efficacy beliefs about capabilities to accomplish child welfare work tasks, individual persistence and resilience, a strong sense of caring about others);
- identify and utilize high profile individuals and groups that will champion the importance of child welfare and help explain the difficulties of child welfare work to the media, the general public, and particularly to policymakers (we call these individuals strategic champions);
- clearly explain policies, procedures, and legal liabilities and protections to child welfare staff (particularly direct services staff) to reduce the constant personal and professional fear and anxiety that permeate critical decisions that must be made when working with vulnerable children and families;
- develop strong mentoring and support programs for new employees, particularly during the first 2 years of employment, that include reduced and gradually increasing caseloads;
- increase the holding power of the child welfare organization and work environment for staff by strengthening elements of professional culture; and
- clarify roles and responsibilities and better coordinate work with other agencies (e.g., law enforcement, mental health, juvenile justice, the courts) to develop a sense of professional community to better meet the needs and strengthen the quality of services for children and families.

We concluded our study and this article with the following general statements that reflect our impressions of the current status of the child welfare work context, the important problem of child welfare employee retention and turnover, the core results of this study and other studies, and the resultant impact of employee turnover on the quality and equity of services to vulnerable children and families. Those that choose to remain employed in child welfare are individuals who: (a) are professionally committed to child welfare, are efficacious in their beliefs about work, and demonstrate deep-seated caring about others; (b) believe the larger organization cares about them as both employees and individuals; (c) find personal challenge and meaning in the work; (d) function best in a professional organizational culture of collegiality and strong supervisory, leadership and administrative support; and (e) believe the external environment (policy makers, general public, courts) care about them and the children and families they serve.

Alternatively, our core findings strongly suggest that deficits in any of these factors are predictors of child welfare employee's decisions to leave employment in public child welfare, a decision clearly not in the best interest of children and families we serve.

# **Review of Turnover in Milwaukee County Private Agency Child Welfare Ongoing Case Management Staff (2005)**

By Connie Flower, Jess McDonald and Michael Sumski

Selective Summary by David M. Dunning, SW IV

## **Executive Summary**

Contributing factors to the problem include low salary and benefits; perceived low regard for the work of ongoing staff, and of them specifically; inadequate training and career opportunities; and an organizational and system culture that is perceived to be unsupportive and punitive.

Major strategies recommended for addressing this problem include establishing a salary and benefit package for ongoing staff that reflects that of the BMCW intake and assessment staff, requiring full social work certification for all staff, upgrading training programs, targeting staff recruitment activities and the development of stronger agency based quality improvement programs.

## **Review of Turnover of Milwaukee County Private Agency Child Welfare Case Management Staff**

Upon early exploration it was determined that turnover rates for Intake and Assessment staff, private agency adoption staff, and foster care (licensing) staff were all under 10%. Conversely, ongoing case management staff all employed by private agencies experienced a 34% to 67% turnover in 2003 and 2004.

- Note that the ongoing case management staff were paid less and had lower quality benefits as compared to those with 10% turnover.

## **Is turnover of ongoing case managers a continuing problem in Milwaukee County?**

One of the most important factors in achieving positive outcomes for children and families is consistency and continuity of case managers. This may most aptly be illustrated by a comment contained in the WCCF report, which highlighted a comment by a worker who indicated they were a child's tenth worker within a five-year period. At that time the child did not want to know the worker's name and instead elected to refer to the worker as "Number Ten." Changes in case managers force clients to start over with new workers often resulting in a lack of trust and delays in moving ahead with required service plan activities to achieve permanency.

- In El Dorado County a few weeks ago a similar incident occurred. A child confronted the newest worker, one in a string of several in six months, saying something to the effect of he was "suppose" to get to know the new worker, tell the worker his story so the worker could leave like the rest of them had. He refused to talk to the worker.

## **Does turnover of ongoing case manager impact permanency for children?**

For those children who entered care in calendar year 2003 through September of 2004 and exited to permanency within the same time period, ***increases in the number of worker changes were correlated to lessening the chance of permanency achievement*** (See Graph Below). Children entering care during the time period who had only one worker achieved permanency in 74.5% of the cases. As the number of case managers increased the percentage of children achieving permanency substantially dropped, ranging from 17.5%, having two case managers to a low of 0.1% having six and seven case managers.

The cost of case manager turnover goes beyond the negative impact on clients. Those impacts delay permanencies for children in foster care and result in unnecessary foster care expenditures. The Bureau and the partner private agencies experience direct costs as a result of turnover. The U.S. Department of Labor (DOL) estimates the cost of employee turnover to be approximately one-third of their annual salary. This includes cashing out benefits, additional recruitment costs, investing in training new staff, and other related costs. Loss in productivity is not included in the DOL estimate, but may translate into agencies experiencing holdbacks or penalties should their quantitative performance fall below acceptable levels. A raw estimate of the cost of turnover of ongoing case managers who have left LaCausa, IFPI (now WCSN), and WCSN in the last eighteen months exceeds \$1.4 million. Since the agencies are required to maintain caseloads at a given level, replacing exiting case management staff must occur. This high turnover results in morale problems and potential deficient budgets.

## **What are some of the factors contributing to turnover?**

**Salary Concerns:** The starting salary for ongoing staff is less than that offered state BMCW staff performing similar, yet time limited, duties such as Intake and Assessment (IA) staff. IA staff start at \$31,825 annually while ongoing staff at LaCausa start at \$30,171, IFPI (now WCSN) staff started at \$27,000, and WCSN staff start at \$27,789. This difference becomes more disparate with tenure since the private agencies do not offer salary adjustments comparable to the BMCW.

## **Possible Strategies: Addressing Ongoing Case Manager Turnover**

The initial strategies we would recommend are fairly basic. Hire the right staff, pay them a fair salary and train and support them the right way. All the evidence points to this as the right direction. Unfortunately, the right strategies often seem out of reach or too costly. In this case the evidence strongly suggests that not addressing this issue costs more than leaving it alone, both in human and financial terms. The following are our suggested steps. They are viewed as a package rather than a menu from which one might select one step, perhaps a necessary step but by itself not a sufficient step.

The inadequate salary and benefits of ongoing staff are a significant factor in ongoing staff's job satisfaction and probably contribute to the higher than desirable worker turnover.

Steps should be taken immediately to improve the professionalism of the ongoing workforce. Ongoing staff should be required to be certified social workers.

Training programs should be intensely reviewed in order to ensure staff is prepared to take on the difficult work of ongoing services.

### **Additional Considerations**

Although there are no simple solutions, it is recommended that there be a greater focus on outcomes for children and families. Such a focus might lead to discussions about obstacles to reunification and adoption.

### ***A Lot of Good Work is Being Done Here So Solve This and Move On.***

There is so much good work going on by hundreds of very committed individuals that there should be reason to celebrate the improvements. There are communications issues that every large system experiences. Solve these issues by sitting down with the advocates and private agencies as full partners in changing the child welfare system. There is richness here in Milwaukee County and you need to tap it.

The opportunity to resolve the issue of case worker turnover is more positive in Milwaukee County than perhaps any other jurisdiction in the country. Caseloads are already at reasonable levels. The Governor is committed to addressing the issue. The court settlement requires the issue to be resolved. Strategies as discussed in this paper exist to resolve this issue. The cost of not resolving this issue is enormous in terms of permanency for children and families. The cost to resolve the issue is reasonable and affordable given the resources committed to the system. The time to act is now.

- This is also true in El Dorado County...there is a lot of good work being done. Improvements are being made. We have momentum on our side. Now we need fuel to continue to improve. The fuel is enough pay and benefits to get quality social workers to apply and then stay once they are trained.

### **Appendix – B**

#### **Example of Salary Schedule Approach that Encourages Staff Retention and Professionalization**

A major challenge to solving the ongoing case manager turnover problem is to establish a salary and benefits package that encourages staff to stay in this pressure laden and critical job. A common theme in focus groups reflected that salary issues were a major concern of staff. Additionally, national reviews of child welfare workforce turnover report inadequate salaries as being a major contributor to the problem. Often the problem is



viewed as intractable due largely to the cost of proposed remedies. Failure to address the salary issues, which contribute significantly to turnover, actually results in higher costs due to the poor and more costly performance of the child welfare system.

### **Potential Impact of Utilizing the “Sample Discussion Only” Step Salary System**

The “discussion only” step based salary schedule demonstrated above has a cost of implementation, as would any salary solution. It is, however, an increasingly important strategy to address this critical problem. Recently the governor of Texas announced a \$349 million child protection reform initiative designed to respond to a number of child protection tragedies. A key problem was worker turnover. The Texas initiative includes a \$5,000 salary adjustment for all CPS employees in order to bring their salary base closer to other professions such as teachers. Addressing the salary issue is the most fundamental step in managing the turnover issue.

## Recruiting & Retaining Talent: Working Your Way Upstream

By Phil Basso, Deputy Director, American Public Human Services Association, & Angela Pittman, Senior Consultant at the Public Consulting Group. Policy & Practice June 2017

Selective Summary by David M. Dunning, SW IV

### Challenges:

- “It is common to find unwanted turnover rates higher than 20%, and much higher for staff that has been with an agency less than two years”
  - Unattributed
- “Moreover, turnover is very expensive-up to twice a role’s annual salary when considering the time and money involved with not only recruiting and developing a new hire, but also the impact of the vacancy on ongoing activities and on the work of other staff.”
  - Unattributed
- “An agency that is experiencing high turnover is not likely to build a high-performing workforce.”
  -
- “An increase in the number of direct practitioners decreases the chances of timely permanence for children.”
  - “Children with one direct practitioner achieved permanency 74.5% of the time, with the percentage dropping all the way to 17.5% for children with two workers.”
  - Flower, McDonald, and Sumski (2006)

### Retention/Job Satisfaction Factors:

Attracting & Retaining Staff			
Compensation & Benefits	Work-Life Balance	Work Environment	Organizational Environment
Base Salary	Work Hours	Supervisor Quality	Firm Reputation
Bonuses & Incentives	Workload Reasonableness	Co-Worker Quality	Firm Performance and Sustainability
Pay Equity	Work Flexibility	An Empowered, Teaming Culture	Senior Team Reputation
Health Benefits	Vacation Time/Time Off	Project Responsibility	Strategic Partnerships
Retirement Contributions	Business Travel	Challenging Work	Staff Development Reputation
	Work Location	Cutting-Edge Work	Entrepreneurialism
	Telecommuting	Recognition	Technology Level
	Child Care	Role Clarity and Alignment	

		Internal Mobility	
		Serving Good Cause	

Most of the above are self-explanatory. A few are explained to ensure nuances are clear.

- Supervisor Quality: “Having a boss that supports and guides you the way you need.”
  - Empowered Culture: “One where clear direction is set and then staff operates with a high degree of discretion, not one where little direction and guidance is provided.”
  - Challenging Work: “Assignments that test the limits of one’s skills.
  - Cutting Edge Work: “Assignments in areas that are the most innovative within one’s field.
  - Reputation: “How your agency is perceived on the outside- with clients, within the community, in the media, and with one’s own friends and family.”
- 
- “You need to stand out from your competition for talent, for a meaningful number of these factors, perhaps 8 to 10 of the 30.”
  - “Employees will make a decision to actively seek another employer if they are distracted by 10 or more ‘push factors.’ These would be negatively perceived factors out of the 30, regardless of the number of those positively perceived.”
  - “We also know that of the four general categories in this model, the compensation and benefits category is the most highly correlated to staff retention.”
  - “The single most important factor for highly valued staff is the quality of their supervision.”

Work Life Balance:

- “Human services agencies that address the impact of secondary or cumulative trauma on the workforce also experience increased retention.”
- “As secondary trauma begins to increase the stress response, executive function and job performance are negatively affected, not to mention the secondary impact on the staff’s personal lives. This may be the single most overlooked workforce issues within Health and Humans Services today.”
- By addressing secondary trauma “thoughtfully and proactively, agencies can mitigate secondary trauma, and staff can stay longer, perform better, and be confident that the organization cares about them.”

Placer County:

About 15% higher wages with contract for Cost of Living Increases of 4% 2017, 3% 2018, 2% 2019 and 2020. Lake Tahoe differential increase from \$775/month to \$825/month in 2018 and \$875/month 2019.

Yolo County:

About 15% higher wages. Incentive to seasoned workers to apply offered 2.5 at 55 retirement formula.

## The Causes and Consequences of Turnover-Research Findings

By CPS Human Resource Services

Selective Summary by David M. Dunning, SW IV

### Magnitude of the Problem

- “A stable and highly-skilled child welfare workforce is necessary to meet the critical needs of vulnerable children and their families. High turnover of child welfare workers is a major contributor to the failure of child welfare organizations to meet state and federal goals.”
  - “In 2003 ... turnover of child welfare staff was between 30 and 40 percent annually nationwide, with the average tenure being less than 2 years.”
    - U.S. General Accounting Office (GAO) 2003

### Causes of Turnover

- “Low Salary”
- “High Caseloads”
  - Effected by high turnover which is effected by low salary.
- “Lack of supervisory support”
  - Effected by being stretched by other work responsibilities leaving them unavailable to staff.
- “Unavailability of training and/or insufficient time to participate in training.”
  - Effected by high caseloads/workload demands.

### Low Salaries:

- “Social services jobs consistently rank among the five worst-paying professional jobs tracked by the U.S. Bureau of Labor Statistics for both men and women. In fact, ‘social services pays its workers less than any other sector that hires similarly qualified people for similar jobs.’”
  - Annie E. Casey Foundation 2003
- “Average salary of Children’s Protective Services Workers was \$35,553. As a comparison, US Department of Labor, Bureau of Labor Statistics data for November 2003 show the average annual salary for registered nurses was 48.5% higher (\$52,810) and 29.7% higher for public school teachers (\$46,123).”
  - American Public Human Services Association (2005)
- States “lose current workers in fields which pay higher wages and offer safer and more predictable work such as education.”
  - United States General Accounting Office (GAO) 2003
- “Inadequate pay was cited as one of the top five reasons for employees leaving.”
  - United States General Accounting Office (GAO) 2003

- “Low pay may be a contributing reason for an employee’s decision to leave rather than the primary motivation.”
  - “Inadequate compensation may indirectly result in more vacancies, and consequently higher caseloads. The stress and ‘burnout’ resulting from high caseloads are consistently cited as being one of the more common reasons for high turnover.”

#### High Caseloads:

- “High caseloads often drive good employees from their positions because of the stress and frustration that results from not being able to do the job as it should be done.”
- “The Child Welfare League of America recommends that caseloads be between 12 and 15 children per worker, and the Council for Accreditation for Children and Family Services suggests they not exceed 18 children per worker. The APHSA survey reported that caseloads average 24 children per worker for Children’s Protective Services Workers.”
  - This is data circa 2005. In the past decade the time required to provide services and documentation requirement has increased significantly.
  - Caseloads in El Dorado County are in the mid to high 20s and above for most workers.
  - The most senior members of some teams in El Dorado County, those looked up to to help with training and support, have less than two years of experience in CPS.
- “High caseloads lead to increased turnover, which in turn leads to even higher caseloads and further increases turnover.”

#### Quality of Supervision

- “Good supervision is key to reducing turnover.
  - “Even good supervisors become ineffective when they are so stretched with other responsibilities that they are unavailable to their staff.”
  - “Inexperienced supervisors who lack appropriate and timely training are sometimes simply incapable of providing the needed staff support.”
    - In Eldorado County four of the six supervisors have about five years’ experience in child welfare.
  - “States ranked ‘quality of supervision’ as one of the most important factors in retaining staff.”
  - “Seventy eight percent of [states] indicated that ‘problems with quality of supervision’ was somewhat to highly problematic in their agency.”

#### Evening and/or Weekend Hours

- Employees are required to be on call in evenings and weekends. “However, employees are involved in difficulty situations at the end of the work day and simply cannot walk away because it’s quitting time. Many child welfare workers simply choose to put in long hours, without the authorization or expectation of overtime pay, because they find it necessary in order to keep up with their heavy workloads.”

## Morale

- “Eighty four percent of responding state administrators believes ‘workers feel undervalued by the agency’ is either somewhat or highly problematic.
- “Not feeling valued” is “one of the most consistently identified top three reasons for child welfare workers leaving their jobs. Many of the other reasons offered for high turnover – low pay, heavy workloads ... contribute to worker feelings of being undervalued. From the child welfare workers’ perspective, an agency’s failure to pay a fair wage, set manageable workload standards, provide basic equipment and supplies, and de-bureaucratize policy are regarded as a failure to address employee needs.”
  - Source Annie E. Casey Foundation
  - In El Dorado County manager approval is required prior to working overtime even when in the field on important matters.
  - To be paid for mileage when personal vehicles are used workers must use Mapquest, which is consistently wrong, and must use the shortest distance based on Mapquest regardless of what is fastest or most palatable route to the worker (highway miles vs winding county roads for several hours for example). Any deviation requires a memo to be written. It takes two months and longer to be reimbursed.

## Consequences of Turnover

- “The GAO study found significant evidence that workforce instability and high turnover result in child welfare workers having less time to:
  - Conduct frequent and meaningful home visits in order to assess children’s safety.
  - Establish relationships with children and families. Trust between the children’s services worker and child is essential to obtain the necessary information to develop and manage the child’s case. When that trust is disrupted by turnover, it becomes more difficult for the new worker to reestablish a relationship with both the child and the family.
  - Make thoughtful and well supported decisions regarding safe and stable permanent placements. When turnover results in remaining workers assuming the responsibility for the departed employee’s cases, the ability to ensure the safety of the children involved is compromised. Furthermore, transitioning cases from one worker to another can result in delays or changes to permanency decisions. Decisions reached hurriedly or without adequate investigation can result in placement disruptions, foster care re-entry, or continued abuse and neglect.

## Failure to attain Federal Child Welfare Outcomes

- Health and Human Services explicated cited workforce deficiencies – high caseloads, training deficiencies, and staffing shortages – as a factor affection the attainment of at least one assessment measure in each of the completed CFSR (Child and Family Services Review). CFSR

reviewers specifically cited staff turnover and vacancies as affecting worker responsiveness and decreasing ability to help children achieve permanency (GAO 2003)