

cheryl-uso@comcast.net

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**From:** Lon Uso <londresuso@comcast.net>  
**Sent:** Saturday, February 18, 2023 8:32 AM  
**To:** Cheryl Uso  
**Subject:** Fwd: Where are ADUs allowed.

Sent from my iPhone

Begin forwarded message:

**From:** ADU <ADU@hcd.ca.gov>  
**Date:** February 16, 2023 at 10:35:06 AM PST  
**To:** Lon Uso <londresuso@comcast.net>, ADU <ADU@hcd.ca.gov>  
**Subject:** RE: Where are ADUs allowed.

Hello,

Thank you for reaching out here. Your understanding is mostly correct (though JADU are not allowed on multi-family residential). Government Code section 65852.2, subdivision (d)(2) states that: "The local agency shall not deny an application for a permit to create an accessory dwelling unit due to the correction of nonconforming zoning conditions, building code violations, or unpermitted structures that do not present a threat to public health and safety and are not affected by the construction of the accessory dwelling unit."

In the future, please direct all inquiries to the ADU Portal on HCD's website.

Best,  
Nick

-----Original Message-----

**From:** Lon Uso <londresuso@comcast.net>  
**Sent:** Thursday, February 16, 2023 9:20 AM  
**To:** ADU <ADU@hcd.ca.gov>  
**Subject:** Where are ADUs allowed.

I have a legal nonconforming residence in el dorado county with a zoning of open space. My understanding was that the law allows an ADU on any residential property. The county is denying my ability to build this ADU to house a low income ranch hand. Could you clarify the law for me please.

Sent from my iPhone

The Taxpayers Association professes to be a voice for El Dorado County taxpayers through advocacy, voter education, and weekly public meetings. They are required to abide by all state and federal laws to ensure the “blessings of freedom are forever perpetuated.” I’d like to share a disturbing incident that transpired during yesterday’s meeting. Planning Commissioner Andy Nevis led discussion about legislative bills which were displayed on the overhead screen which I photographed. A few minutes later Carol Louis walked by and wacked me on the arm sharply remarking, **“No taking pictures!”** That’s when Planning Commissioner Kris Payne created a scene as he loudly began his rant, *“You’re no longer a member!”*

For clarification, I have been a member of the Association since 2008, and Compass2Truth was founded as a whistleblower organization in 2009. The Association is required to abide by all state and federal laws as well as their non-discrimination, whistleblower, and other policies contained in their bylaws.

After the meeting adjourned, I turned to Kris Payne across the table and quietly admonished him, *“Don’t you ever pull that kind of crap with me again!”*

That triggered Democrat Kris into overdrive repeating, *“Don’t point at me. Don’t point at me. Don’t point at me.”* His uncontrolled crazy rant continued, *“You shouldn’t be attacking me. I can’t believe it. I’ve never seen anybody like her that treats us so disrespectfully. You are terrible to us! I’ve worked my ass off for you. You have not worked with me even when I’ve supported you. Oh my god! I’m older than you. I can’t take this! This is terrible! You’re horrible! **I’m a senior and I’m still working for the county.** You’re not working for the county. You won’t work for the county. Why do you treat us so bad? Why don’t you do something for the county? It’s so bad the way you treat us. You don’t respect us. You are terrible. **You’re mad because I wouldn’t let you talk at the Planning Commission meeting, but you wanted to go early and wouldn’t wait till the end.**”*

I responded that Kris was **lying**, and the proof is in the unrebutted affidavits that I entered into the public record. Carol Louis, another Democrat, interjected, *“I’m tired of picking up shit after you Melody.”* Meanwhile Andy Nevis was video recording with his cell phone. That’s not leadership; it’s despotism by government at taxpayers’ expense.

It should be apparent that the county has a history of problems with their Planning Commissioners. I attended the hearing last month involving former Commissioner Cheryl Bly-Chester whom I met while working at the Capitol. It was evident that the county is weaponizing government and retaliating against anyone who dares blow the whistle on government corruption. The question for county counsel is, are you going to do the right thing by taking corrective action against Kris and Andy, or will it take another lawsuit at taxpayers’ expense?

	A	B	C	D	E	F	G	H	I
	Facility Address	Size/Parking 750K sq ft	Employee headcount	Warehouse/fulfillment dist center	Year built	Approval process from City/County	Public Hearing	Public Issues	Comments
1	1601 Petrol Rd, Bakersfield, CA		2000	Fulfillment Center	2020	2020 Officials	No	Kern county welcomes distribution centers as it has ample land near its airport.	Amazon says it is 64K' actual size is 2.6 million square feet for the permitting process. Prelim tour was attended by Bakersfield Mayor Karen Cook and several top county administrators, including CAO Ryan Albop, Fifth District Supervisor Leticia Perez, and the woman who deserves much of the credit for making this happen, Kern County Planning Director Lorelei O'Neil — who enticed Amazon to open its 26th California fulfillment center with \$3 million in local tax rebates in exchange for the jobs Amazon would provide. The fulfillment center solidifies Kern County's status as a distribution hub increasingly populated by these mega-warehouses, such as the Hadco metal distribution center right across Meris Haggard Drive from Amazon. 3 M in tax rebates in exchange for the jobs With miles of open land surrounding the airport, that's a direction county officials would love to keep traveling. Already, according to local officials, Kern County is now home to 50 million square feet of logistics space. These aren't high paying jobs, but at \$15 an hour for the rank and file positions they originally said 3000 jobs and went robotic
4	83308 Merle Haggard Drive, Bakersfield, CA	2.6M sq ft	1000	Fulfillment Center	2019	2019 Officials	No	When Amazon was trying to get approval to build a massive distribution center next to Meadows Field Airport, the company's approach was so stealthy that senior Kern County officials reviewing its permit application did not know they were actually dealing with the Seattle-based e-commerce giant. Zoning of M-2-PD went against their own definition of that zoning of Medium Industrial mixed with Residential units. Large Warehouse Project Stalls in Beaumont Following Community Outcry. The proposed project would bring approximately 2.5 million square feet of industrial space to 200 acres along Cherry Valley Boulevard. Several Summit Station opponents said zoning on the site should remain residential, but several commissioners said the nearby Gateway warehouse complex has spoiled the area's aesthetics. "Who would want to live across from that monstrosity?" Commissioner Black asked. The project would employ a "disposable workforce."	
5	1010 W. 4th St, Beaumont CA	640,000 square feet (actual size is 2,608,134 SF)	1000	Fulfillment Center	2020	2020 City Approval	Yes	"Warehouse growth is totally demand-driven," Ms. Phillips said. "Developers and many municipalities do not want any regulation on this, and at this point warehouses are growing at many times the rate of population growth." Since 2020, elected officials in a half-dozen Inland Empire cities, including Riverside, its most populous, have imposed moratoriums on warehouse construction. The moratoriums meant to assess, among other things, the effects of pollution, the appropriate distances between homes and warehouses, and the impact of heavy truck traffic on streets.	An unknown substance seeping from a tractor-trailer parked in a loading dock at an Amazon warehouse in Beaumont today sickened at least six workers and prompted a hazardous materials response. The hazmat emergency was reported about 4:40 p.m. at the warehouse at 36900 Fourth Street, on the extreme west end of the city, according to the Riverside County Fire Department.
6	Distribution Way Beaumont, CA	640,000, actual size is over 1 million square feet	1000	Fulfillment Center	2020	2020 City Approval	Yes		The actual square footage under the roof of Building #1 is 3 million, as it contains multiple levels of platforms inside. Adjacent to I-15 between Cantu-Galleano Ranch Road and Bellegrave Avenue
7	4950 Goodman Rd, Eastvale, CA	1 million square feet	1000	Fulfillment Center	2018	2018 City approval	Yes		
8	5250 Goodman Rd, Eastvale, CA	1 million square feet	1000	Fulfillment Center	2018	2018 City approval	Yes	Nearing the two-year anniversary of a deal to bring a second Amazon facility to south central Fresno, the Fresno City Council on Thursday will weigh the creation of a fund to distribute money that would buffer homes in the area against harms associated with industrial development. In March 2021, the Fresno City Council approved a development proposal from G4 Enterprises — the developer of multiple Amazon distribution facilities — that created a fund to mitigate environmental effects associated with trucks. The \$300,000 fund was designated to upgrade homes with better insulation, air filters, and in the case of homes that need them — air conditioning and double-pane windows, among other upgrades to reduce air, light and sound pollution. Up to \$10,000 will go to homes within a half-mile of North Pointe Business Park, whether they be renters or homeowners. There are 40 homes identified in the half-mile area, according to a staff report. There are 150 homes affected by development, according to a previous interview with Ivanka Saunders, policy manager with Leadership Council for Justice and Accountability, one of the two community groups with which the agreement was made. The South Fresno Community Alliance was also a part of the agreement. Community groups had been opposed to a second Amazon development. Advocates say that without a South Central Specific Plan, the settlement was a way to bring residents' concerns to the negotiating table. California warehouses born comes with health, environmental costs for inland Empire residents. Warehouses are not standalone buildings; they take in goods and move them out again — mostly with trucks, which burn fuel and clog up streets and highways. The 4,000 warehouses that line the region's transportation corridors generate some 600,000 truck trips every day, producing a staggering 50 million pounds of carbon dioxide. "This is really, really scary," she said in an interview, adding that some planners seem not to grasp the problem while others willfully ignore its implications. "They've made the choice not to care about the health impact."	
9	3575 S Orange Ave, Fresno, CA	855,000 square feet	550	Fulfillment Center	2022	2022 City Council	Yes		"Most of their in and out traffic is going to be on Olive, which is already a four-lane with a center turn lane in it, so the infrastructure is there. The Fresno City Council on Thursday unanimously approved a \$30 million incentive package to lure an Amazon e-commerce fulfillment center to town.
10	11263 Oleander Ave, Fontana CA	615,000 square feet		Fulfillment Center		2019 City Council	Yes		

	A	B	C	D	E	F	G	H
11	24208 San Michele Rd, Moreno Valley, CA	1.2 million square feet	2300 Fulfillment Center	2014 City Council	Yes	As online shopping booms, warehouse workers and communities near internet retail logistics centers are demanding solutions to protect their health and environment. In the Inland Empire, a giant logistics hub located an hour east of L.A., residents outside the warehouses regularly choke on the thick, black smoke of diesel emissions wafting from the industry's army of idling trucks. They're kept awake by the constant low rumble of giant semis barreling along the interstate, and the high-pitched whir of cargo planes flying overhead.	Amazon workers at Moreno Valley warehouse file for union election - a first in California	
12	24300 Nardian Ave, Moreno Valley, CA	1.2 million square feet	2000 Fulfillment Center	2014 City Council	Yes	In California's Inland Empire, nearly 9,500 warehouses - many near schools - cloud the air with pollution. Overall, there are about 9,500 warehouses in the region with a footprint above one acre. Each day, more than 1m truck trips out of these warehouses cloud the air with 1.450lbs of toxic diesel particulate pollution and 164,000lbs of nitrogen oxide pollution, which are linked to health problems including respiratory conditions. The trucks also emit just under 100m lbs of carbon dioxide each day. Across the region, about 340 school campuses are located within 1,000ft of a warehouse property line. The new warehouses radiate out from two of the busiest US ports in Los Angeles and Long Beach, along a network of highways and rail lines. The city's location between Los Angeles and San Bernardino makes it an ideal place for companies that need to transport their goods from one place to another quickly and easily.		
13			Industrial Warehouse Robotic	2024 City Council	Yes	Public Outrage and Opposition to mostly robotic Low Employment Ag Land Re-Zoned and General Plan Amended		
14	Ontario, San Bernasfio, CA	4.1 m sq feet	1500 Warehouse	2021 City Council	YES	EIR Warned of emissions, Greenhouse Gasses, Particulate Pollution		
15			Industrial Warehouse	2021 City Council	YES	General Plan Amendment, Height Variance; Buzz Oites lied and said not Amazon more likely bio-tech though open to "talking to them"		
16	Vacaville, CA	618K sq feet	Industrial Warehouse Robotic	2023 City Council	Yes	Nitrox Oxide Emissions as unavoidable result harmful to human/wildlife		
17			Industrial Warehouse Robotic	2022 City Council	Yes	Advertising for Construction says POSTPONED		
18	Glroy Application # 2 Grant Line Road	3.5m sq feet	Industrial Warehouse Robotic	2022 City Council	Yes	Rejected after overwhelming protest from the community		
19	Rancho Cordova # 2	629K sq feet	Industrial Warehouse Robotic	2021 BOS	Yes	Law Suit regarding stopping construction due to outdated EIR		
20	San Diego El Cajon	143K sq feet	Industrial Warehouse Robotic	2023	Yes	Local Codes + EIR Sited by Attorney Craig Sherman Project stopped by Amazon Sites Amazon for unsafe working conditions @ three warehouse		
21			Industrial Warehouse Robotic	2022 BOS	Yes	Federal Probe from workplace safety practices "economic hazards"		
22			Industrial Warehouse Robotic	2022 BOS	Yes	Stopped by a Moratorium by BOS on warehouse development due to community opposition		
23			Industrial Warehouse Robotic	2022	Yes	* We don't need Amazon style poverty jobs" citizen and unions state		
24			Industrial Warehouse Robotic	2021	Yes	Jason Rabinowitz Teamster Representative		
25			Industrial Warehouse Robotic	2021	Yes	10% of children in San Bernardino have been diagnosed with asthma.		
26	OSHA	300K sq ft	Industrial Warehouse Robotic	2021	Yes	People living within 1/2 m. had higher rates of asthma and heart attacks		
27	San Francisco County	300K sq ft	Industrial Warehouse Robotic	2021	Yes	* Tombstones along Family Legacies" Tom Galvin, Businessman, resident		
28			Industrial Warehouse Robotic	2021	Yes	Sold as a "Business Park setting w/ smaller and larger warehouses"		
29			Industrial Warehouse Robotic	2021	Yes	Amazon keeps wanting to add more and more		
30			Industrial Warehouse Robotic	2021	Yes	In response to Amazon punishing workers for "time off tasks" and "quotas"		
31	Consumer Reports Ontario Effort							
32								
33								
34								
35								
36	AB 701: Passed							

## PROJECT FRONTIER

Hello. I'm speaking today as yet another concerned citizen of El Dorado Hills living a wonderful retiree life in Blackstone who would be directly and negatively impacted by the proposed Project Frontier.

My husband and I bought our home in 2018 and love our neighborhood, meeting new friends and enjoying the surrounding areas. Town Center is a central hub for us to shop, see a movie, take a stroll and enjoy meals and events. Neither of us commutes for work so when we do drive it's nice having open roads with mostly light traffic on Latrobe and traveling either east or west on hwy 50.

We plan on living the rest of our lives here in El Dorado Hills and now all of that is in jeopardy due to the proposed location for this gigantic 'retail' storage and distribution warehouse. I know people who actually live in areas near similar facilities though on a much smaller scale. Even then there is a significant increase in truck traffic with as many as 20 trucks lined up on side roads at any time of day and night waiting to drive into a loading dock while idling their engines and only adding to the congestion and diesel particulate matter polluting the air. I'm fairly confident that the general categorization assigned by the BoS as R&D warehouse, storage and distribution was not meant to cover the proposed size and scope of Project Frontier. Where can we find the original criteria details defining that category?

I'm already starting to see Open House and For Sale signs pop up in Blackstone. This is probably only the beginning of a likely exodus if this project moves forward so property tax revenue will be affected. Also, how many restaurants in Town Center will become disenchanted with their location if customers no longer want to eat at their beautiful outdoor patios when diesel truck noise and fumes are driving by right next to where they eat? My understanding is that the rent for space is pretty high for businesses in Town Center. When they lose a percentage of their customer base because it becomes a traffic hassle to get there will almost certainly have them rethinking their chosen business location. Don't forget how covid affected the very vulnerable restaurant industry!

In closing, I must also emphasize that I am NOT anti development for EDH! I only wish to see small and medium sized businesses added to the business park that actually fit within the zoning parameters without major exceptions. I truly hope that the members of our county leadership take all of this into consideration and realize that they are affecting the quality of life and financial future for thousands of residents, business owners and voters. Thank you for your time and consideration.

Rhonda Journey  
Blackstone resident  
rjourney@gmail.com

**Kim Dawson**

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**From:** melody.lane@reagan.com  
**Sent:** Tuesday, April 18, 2023 7:47 PM  
**To:** BOS-Clerk of the Board; Kim Dawson; David A Livingston; Lori Parlin; George Turnboo; Wendy Thomas; John Hidahl; Brooke Laine; Joseph Carruesco; Tiffany Schmid  
**Cc:** Richard Esposito; Noel Stack; Krysten Kellum; Ana Melendez; BOS-District V; BOS-District IV; BOS-District I; BOS-District III; BOS-District II  
**Subject:** 4/18/23 BOS Open Forum Public Comments  
**Attachments:** ML\_Payne Affidavit.doc; ML\_2Nevis Affidavit.docx

Please ensure the entirety of this correspondence and the attached documents are entered into the public record for today's BOS Open Forum.

Below are my public comments. The recall petition served upon Lori Parlin by the first speaker spoke volumes. It should be apparent by today's large crowd that residents are fed up with the Bureaucratic Shenanigans of the BOS, Planning, and County Counsel.

I couldn't stick around until the end of Open Forum, however Mr. Livingston still owes a public response concerning the obligation of Human Resources to take disciplinary action against **Planning Commissioners Kris Payne and Andy Nevis** for their continued abuse of the public trust, discrimination, retaliation for whistleblowing, and violating their Constitutional oaths of office.



###

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###

*Melody Lane*

**Founder – Compass2Truth**

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

## AFFIDAVIT/DECLARATION OF TRUTH

Kris Payne  
District #3 Parks and Recreation Commissioner  
330 Fair Lane  
Placerville, CA 95613

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, Kris Payne, and is hereby made and sent to you pursuant to the national Constitution, specifically, the Bill of Rights, in particular, Amendments I, II, IV, V, VI, VII, IX and X, and The 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 February 28, 2020, I sent you, Kris Payne, El Dorado County District #3 Parks and Recreation Commissioner and Chairman, via USPS certified mail, a letter which you received on March 4, 2020. That letter, attached hereto, incorporated herein as if fully set forth in this Affidavit/Declaration, 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, Kris Payne, support and uphold them or would rebut them.

My claims, statements and averments also pertain to your actions, committed against me, by which you failed to provide honest public services, pursuant to the oaths



under which you were delegated limited authority to assume your position and conduct duties thereunder. When any public official/principal has knowledge of wrongdoing in his jurisdiction committed by his appointed agent, yet fails to take corrective action, then that public official/principal aids and abets the unlawful action of the agent, thereby maintaining the errant status quo, and thus becomes complicit and liable. As you may know, in some cases, it is the agent who can be held responsible and liable for misconduct, illegal activity, or violations of business standards such as you have committed. Additionally, both principal and agent can be held liable.

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

- 1) On multiple occasions you, and all other Parks and Recreation Commissioners, have been publicly apprised by me concerning threats, retaliation, assaults, and slander committed against me, as well as blatant Brown Act violations and fraudulent River Management Plan information submitted to the Board of Supervisors by members of the River Management Advisory Committee (RMAC), Coloma Lotus Advisory Committee (CLAC), and Parks & Recreation staff. Subsequent recommendations made by Commissioners to the Board of Supervisors that are based on fraud affect their decisions, and ultimately adversely impact all EDC citizens. You have obstructed my rightful efforts in pursuit of redress of grievances pertaining to any of the crimes committed against me, you have failed to address, respond to and give due consideration to correspondence and information conveyed to you, thereby you have denied me rights secured in the First Amendment, in violation of the Principal Agent oath and in blatant defiance to the Constitution(s).
- 2) All actions by public officers, or their agents, conducted in the performance of their official duties either support and defend their Constitutional oaths of office, or oppose and violate them. Any enterprise, undertaken by any public official, such as you, who 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.

- 3) The River Management Advisory Committee (RMAC) was officially disbanded in 2017. However, on several occasions, you actively participated as a representative of the Parks and Recreation Commission in serial RMAC meetings and Coloma Lotus Advisory Committees (CLAC) meetings, most of which are held within the Marshall Gold Discovery Park. Although I personally audio record all such meetings, typically there is no county representative at those meetings who is equipped with an audio recording device to ensure transparency, accountability, and adherence to the Brown Act. Consequently, Public Record Act requests for information that I submitted produced evidence that the outcomes of those meetings were *predetermined* via serial meetings which the Brown Act strictly prohibits. Thus, those meetings and their outcomes were and are unlawful, without lawful force and effect, and you and all other public officials who conducted and/or participated in those serial meetings have acted **criminally** and deceptively, in violation of the Public Trust and in perjury of their oaths.
  
- 4) It is significant that you nor any of the Commissioners reside anywhere near the river, so are not adversely affected by the River Management Plan, as are the people who live near it. Your involvement and collusion with county staff to promote special interest groups **to the exclusion of local residents** demonstrates your bias, conflict of interest, and disrespect for the people you theoretically serve, maintains the corrupt status quo and constitutes deceptive, criminal behavior which harms me and other Citizens of Coloma and Lotus. Your active participation in serial RMAC and CLAC meetings represents a conflict of interest, is in violation of the Brown Act and the oaths of office under which you were delegated your limited duties and authority, and is a flagrant violation of the constitutionally secured inherent rights and due process of law guaranteed to me and all American and California Citizens in the national and state Constitutions.
  
- 5) During the December 2019 Parks and Recreation meeting when I attempted to exercise my rights, you became argumentative and falsely accused me of “name calling”, apparently intending to slander me and discredit my statements. However, witnesses and audio recordings prove I did no such thing. Your discrimination against me and repeated attempts to discredit, slander and censor me, and control how I frame my remarks was a direct assault on and violation of my First Amendment rights. You have similarly abused your position and harassed me during Taxpayer Association meetings. Your unconstitutional actions harmed me by obstructing, limiting and denying me the ability to exercise my right, secured in the First Amendment, to freely speak during the referenced December 2019 meeting. At one point Parks and Recreation Supervisor Vickie Sanders specifically warned you to refrain from appearing like a “dictator”, but you persisted in discriminating against me each time I approached the podium.

Again you intensified your verbal assaults and discrimination during the February 3, 2020 Parks and Recreation meeting. This is yet another example of how you have openly violated, denied and deprived me of my rights secured in the First Amendment.

- 6) 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, as well as his delegated agent, is mandated to uphold. You failed this requirement by failing to respond in kind to and/or rebut my lawful notices to you; thus you violated two provisions of the First Amendment, my constitutionally guaranteed rights secured therein, the Public Trust, and perjured the oaths of office taken by your principal, under whose oath-bound authority you hold your position and conduct the duties thereof. Without any authority to do so, Deputy CAO, Creighton Avilla, interrupted to advise you to "close public comments." And instead of upholding the mandates of the Brown Act, which all public officials should fully understand and follow, you unlawfully closed public comments, thus, acted criminally and in violation of my constitutionally guaranteed rights and those of other attendees, secured in the First Amendment.
- 7) During the February 3<sup>rd</sup> meeting when all the commissioners returned to their seats, I commenced my prepared comments, but you again disrespectfully talked over me and refused to permit me to finish my remarks, again violating the Brown Act and flagrantly depriving me of my rights secured in the First Amendment. Before adjourning, Commissioner Wayne Lowery publicly acknowledged that you and the rest of the Commissioners had crossed far over the line, but even then you attempted to defend your unlawful actions without providing any lawful justification for them. Obviously, you could not lawfully justify your actions, because there is NO LAWFUL justification for depriving me, or any Citizen, of rights secured in the First Amendment and protected by the Brown Act.
- 8) Factual documents that I had submitted to all the Commissioners were required to be publicly posted to a specific Parks and Recreation February agenda item concerning the River Management Plan due to the fact they contained relevant evidence of collusion between county staff and CA State Parks personnel involved in government corruption. However, those documents were apparently obfuscated and diverted. When I questioned Vickie Sanders about what happened to my public documents, she replied, "*Because that wasn't how County Counsel wanted to handle it.*" Vickie's reply could imply that County Counsel's handling of this matter was to keep the evidence of collusion contained in those factual documents I submitted away from the public's eyes and ears, which constitutes public deception. Furthermore, the minutes failed to reflect your self-serving "statement" about the suspiciously missing February 3<sup>rd</sup> audio from the EDC government website because it appears that it was obviously prepared for you by county counsel whenever there are liability issues. The public is entitled to honest services. As I stated previously, any obstructive, deceptive enterprise undertaken by any public official, such as you, which tends

to weaken public confidence and undermines the sense of security for individual rights, is against public policy. Fraud, in its elementary common-law sense of deceit, is the simplest and clearest definition of that word.

The requirements of *Tweel*, cited above, are incumbent upon you in both your personal and professional capacities, pursuant to the oath under which you hold and exercise the duties of your position. Fraud is a crime, and when fraud is committed by public officers, pursuant to their oaths, whether directly sworn or under Principal Agent oaths, then that is a Constitutional crime. Furthermore, I asked for your direct official email address, which you refused to give me. By your evasive response to me, it is evident that you do not want to be contacted, nor do you want to be transparent or held accountable to your oaths by the people you purportedly serve. Instead, you have conspired with county staff in multiple acts of obstructionism, fraud, and deprivation of the secured rights of the public, including me, all of which constitute serious crimes. See *USC Title 18, § 241*.

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. Pursuant to your principal agent oath of office, you have a duty to be **accessible** and **responsive**, in kind, to the public. Since you failed this requirement, then you have violated two provisions of the First Amendment, the Public Trust and perjured your principal agent oath. In this way, the public, including me, is deprived of their constitutionally guaranteed rights secured in the First Amendment.

- 9) By not responding to and/or not rebutting Citizens' questions, statements and comments, public officers, holding positions under oath-bound mandates, such as you, Kris, deny the Citizen, in the instant matter, me, remedy. Thus, by your actions you have denied me, the Citizen, constitutional due process of law, as stated within the Bill of Rights. An American Citizen, such as I, can expect, *and has the Right and duty to demand*, that government officials uphold their oaths to the Constitution(s) and abide by all Constitutionally-imposed mandates of their oaths, whether direct or agent principal oaths. This is an un-enumerated Right guaranteed in the Ninth Amendment, which I hereby lawfully claim and exercise.

Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word. Notably, you refused me the right to respond publicly by foreclosing meaningful public dialog for purposeful cover up of government malfeasance and, thus, maintained the status quo. Furthermore, you failed to provide honest public services pursuant to your duties under the referenced Principal Agent oaths, betrayed the Public Trust, and in so doing, you perjured those oaths by violating my constitutionally-guaranteed Rights, in particular those secured in the Bill of Rights, including, but not limited to, my First Amendment Rights. By your unlawful actions, you acted in sedition and

insurrection against the constitutions, both national and state, and in treason against the People, in the instant case, me.

- 10) You have no authority whatsoever to arbitrarily engage in dialog with some Citizens, or discriminately refuse to dialog with others. During the December 19<sup>th</sup> and February 3<sup>rd</sup> Parks and Recreation Commission meetings, I was discriminated against by you, Commissioner Kris Payne. You denied me equal rights when you repeatedly interrupted, harassed, and refused to allow me to respond to blatantly false statements publicly made against me. In violation of the Brown Act and your Principal Agent Oath of Office, you thus deprived me the right to due process for the purpose of redressing grievances.
- 11) As Chairman for the Parks and Recreation Commission, it has been brought to your attention on numerous occasions, as well as to the Board of Supervisors, that Parks and Recreation staff is habitually submitting erroneous data and/or false information regarding recommendations made to the Planning Commission and Board of Supervisors. Having knowledge of wrong doing, and your failure to take remedial action makes you culpable and liable. As such, my claims pertain to your failure to provide honest public services pursuant to your oaths. 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.

By not responding and/or not rebutting, such as you have demonstrated, 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 government officers and their agents, 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.

Pursuant to the constitutional mandates imposed upon them, by and through their oaths, there is no discretion on the part of public officers and their agents, including you, 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 those executing the duties of any public office, at any level, without exception, as they are upon you.

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 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 and fact 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, District #3 Parks and Recreation Commissioner Kris Payne, in any court of law in America, without your protest, objection and that of those who represent you.

All Rights Reserved,

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Melody Lane

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

**(See attached California Notarization)**

Attachments:

Exhibit A – February 28, 2020 letter to Kris Payne

CC: District #1 Supervisor John Hidahl  
District #2 Supervisor Shiva Frentzen  
District #3 Supervisor Brian Veerkamp  
District #4 Supervisor Lori Parlin  
District #5 Supervisor Sue Novasel  
CAO Don Ashton  
Marshall Gold Discovery Historic State Park Superintendent Barry Smith  
CA State Parks Director Lisa Mangat  
Media and other interested parties

**Tracking Number:** 70183090000026510127

Your item was picked up at a postal facility at 9:21 am on  
May 22, 2020 in PLACERVILLE, CA 95667.

**Status**

 **Delivered**

May 22, 2020 at 9:21 am  
Delivered, Individual Picked Up at Postal Facility  
PLACERVILLE, CA 95667

## AFFIDAVIT/DECLARATION OF TRUTH

Andrew Nevis, Dist. #4 Planning Commissioner  
El Dorado County  
330 Fair Lane  
Placerville, CA 95667

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

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

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

When I use the term "public officer(s)", this term includes you, Andy Nevis, El Dorado County District #4 Planning Commissioner and employee of the California Water Resources Control Board. Any act committed by you either supports and upholds the Constitutions, national, and state, or opposes and violates them. Your oath of office requires you to support and uphold the national and state Constitutions, and therefore you are constitutionally mandated to abide by that oath in the performance of your official duties. You have no Constitutional authority, or any other form of valid, lawful authority, to oppose and violate the very documents to which you swore or affirmed your oath and by



which you were delegated by the people the limited authority to conduct the duties of your office. These three above stated positions are true, factual, lawful and constitutionally ordained.

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

### **CLAIMS AND AVERMENTS:**

The Supreme Law and superseding authority in this nation is the national Constitution, as declared in its Article VI. In Article IV, Section 4 of the same Constitution, every state is guaranteed a republican form of government. ALL "laws", rules, regulations, codes, ordinances, and policies which conflict with, contradict, oppose, or otherwise violate the national and state Constitutions are null and void, ab initio. (Refer to *Marbury v. Madison*: "The Constitution of these United States is the supreme law of the land. Any law that is repugnant to the Constitution is null and void of law.") The Constitution is one of the founding documents of this nation and enshrines its underlying religious and personal freedoms based on the 20 centuries of Christian thought and the principles of Biblical Natural Law. 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 oaths.

1. On December 4, 2020 I sent you, Andrew Nevis, an Affidavit/Declaration via USPS certified mail tracking number 7017-0660-0000-5528-1671 which you received on December 7, 2020, and it was entered into the public record on December 15, 2020. Notification of legal responsibility is the first essential of due process of law, and un rebutted affidavits are admissible as factual evidence in any court in America.

That Affidavit was sent to inform you of specific events and statements made by you, and also as an inquiry to ascertain whether you, Andrew Nevis, support and uphold them or would rebut them. Pursuant to the lawful notification contained in that Affidavit, as I originally stated therein, you were required to respond to and rebut anything contained in the Affidavit with which you disagreed, within 15 days of receipt thereof. Your failure to respond, as stipulated, was your lawful, legal, and binding tacit agreement with and admission to the fact that everything in the Affidavit/Declaration is true, correct, legal, lawful, and fully binding upon you in any court in America, without your protest or objection and that of those who represent you.

See: *Connally v. General Construction Co.*, 269 U.S. 385, 391. Also, see: *U.S. v. Tweel*, 550 F. 2d. 297, supra.”

Since receiving that initial affidavit your arrogant conduct and deprivation of my First Amendment rights have not abated. If you disagree with anything in this affidavit, then state your disagreement in writing and prove it with truth, fact, valid law and evidence, which is an absolute impossibility of which both you and I are well aware, as are your superiors who will read this.

2. In addition to serving as El Dorado County District #4 Planning Commissioner, you are also a public servant employed by the CA Water Resources Control Board. Your salary is paid for via my taxes, therefore you work for me and the other tax paying Citizens of El Dorado County. 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:

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

All actions by public employees whether conducted in the performance of their official duties, or in associated activities such as your role as President of the Taxpayers Association of El Dorado County, either support and defend the national and state Constitutions, or oppose and violate them. All public employees must demonstrate the highest standards of morality and ethics consistent with the requirements of their positions and consistent with the law. You are expected to uphold these principles, being **ever conscious that public office is a public trust**. Any enterprise undertaken by any public employee, such as you, which tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word. By your continued unlawful actions, you have committed fraud on numerous occasions, as herein described.

You, Andrew Nevis, have conspired with Directors of the Taxpayers Association, and other public officials, to censor me and maliciously impugn my good name and reputation solely because I have had the temerity to exercise my rights and civic duty to challenge those who brazenly dare to infringe on my God-given liberties and violate rights guaranteed to the people in the state and national Constitutions.

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

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

You are aware that I have been a paid General member of the Taxpayers Association of El Dorado County since 2008. You've also been made aware that I've been the victim of multiple hate crimes, armed intrusions, threats, and acts of violence by individuals who are known to oppose my Christian values and conservative political affiliations with Capitol legislators. Prior to retiring I was employed at the Capitol and am still actively involved in Capitol ministries. It is a matter of public record that I have been holding local officials' "feet to the fire" for violating their Constitutional oaths of office ever since founding the whistleblower organization *Compass2Truth* in 2009.

The Taxpayers Association is open to the general public and frequently attended by public officials, many of whom are the guest speakers. It is also a matter of public record that the following Directors of the Taxpayers Association have threatened me, discriminated against me, or unlawfully deprived me equal benefits of membership: Sr. Services Attorney Al Hamilton, V.P. Chris Payne, Secretary Todd White, Bill George, Bill Carey, Bernard Carlson, and former Supervisor Jack Sweeney. You, Mr. Nevis, are demonstrating their same unlawful actions by your regular censorship and discrimination against me, a well-known third generation evangelical senior citizen and Constitutional activist.

More specifically, you censored me when I attempted to address Assemblyman Frank Bigelow and BOE representative Ted Gaines during Taxpayer Association meetings. On many occasions you've refused to recognize my raised hand, ignored my verbal and written inquiries, or disrespectfully cut me off in mid-sentence. Furthermore, your censorship tactics dilute the intent of public participation in candidate forums. Case in point was during the May 16, 2022 Taxpayers Association candidate forum for Superior Court Judge. You are cognizant this has been an extremely sensitive issue at all other candidate forums where Citizens are denied the First Amendment Right to ask the hard and revealing questions that would enable them to make intelligent decisions prior to voting for candidates. In so doing you have deprived me of my inherent Rights, violated your oaths in addition to all of the provisions within the Taxpayers Objectives, Bylaws, and Policies and Procedures.

4. Under the Political Reform Act, federal anticorruption law broadly guarantees the public "honest services" from public officials. Depriving the public of honest services is a federal crime. Any enterprise undertaken by any public official, such as you, which tends to weaken

public confidence and undermine the sense of security for individual rights, is against public policy. Fraud, in its elementary common law sense of deceit, is one of the meanings that fraud bears.

On several occasions you audibly stated during Taxpayers meetings that Todd White would include me in distributions of all monthly schedules of speakers, but it is evident you lied. You are aware that Mr. White has been unresponsive to my requests to examine records, refuses to provide me public services, and has spewed vulgarities at me in the presence of public officials. Furthermore you have aided and abetted Mr. White's unlawful conduct.

It is apparent you have an ax to grind since you have consistently deprived me of honest services and the exercise of my equal right to access Taxpayers Association records as outlined in the Bylaws/Policies and Procedures. The Association is required to abide by all local, state and federal laws. Despite numerous demands, neither you nor Todd White ever provided me with specific documents and meeting minutes which the Bylaws clearly state the public has a right to examine. By your obstructive actions against me, you demonstrated flagrant bias and discrimination against me in violation of equal treatment under local, state and federal laws. *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.*

All of the facts, claims and charges stated herein clearly demonstrate that you, Andy Nevis, pursuant to your oaths, acted outside the lawful scope of your limited duties and constitutional authority; therefore, you acted on your own, as a private Citizen and renegade, outside of any governmental protection and/or immunity, whatsoever. You acted in sedition and insurrection against the Constitutions, both national and state, and in treason against the People, in the instant case, me. Thus you, as an individual, will be held personally accountable and liable for any and all harm you have inflicted upon me and my inherent, constitutionally secured rights.

5. It is my duty to demand that you and other government officials uphold their oaths to the Constitution(s) and abide by all constitutionally-imposed mandates of their oaths. This is an unenumerated Right guaranteed in the Ninth Amendment, which I hereby claim and exercise.

Additionally the public is entitled to honest services. Any deceptive, obstructive enterprise undertaken by any public official that tends to weaken public confidence and undermines the sense of security for individual rights is against public policy and against the Supreme Law of the land. 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 USC Title 18, § 2071 - Concealment, removal, or mutilation generally. See also: United States v. Dial, supra, - Any enterprise undertaken by the public official who tends to weaken public confidence and undermine the sense of security for individual rights is against public policy. See also: Morrison v. Coddington, 662 P.2d. 155, 135 Ariz. 480 (1983) - Fraud and deceit may arise from silence where there is a duty to speak the truth, as well as from speaking an untruth.* [Emphasis added]

6. On November 16, 2020 you posted on Facebook and distributed a 1.08 minute video clip of me silently serving Sheriff D'Agostini two affidavits. Taking the video clip out of context, you then tagged Sheriff D'Agostini, Supervisor Shiva Frentzen, Supervisor Brian Veerkamp,

Supervisor Sue Novasel, Supervisor John Hidahl, District Attorney Vern Pierson, Commissioner James Williams, and Commissioner Gary Miller in a deliberately malicious and defamatory attack upon my character. It is a matter of public record that each of those individuals received notarized affidavits exposing their roles in government corruption.

Additionally you had no lawful authority whatsoever to hold a subsequent tribunal at Ponderosa High School on January 9th, 2021 for the purpose of taking “disciplinary action” against me pertaining to the delivery of those affidavits to the Sheriff which is the first essential of due process of law. You know perfectly well that I did absolutely nothing appropriate in the exercise of my Constitutional rights. It is evident your actions have been retaliatory in nature for my whistleblowing. On numerous occasions I have requested the minutes of that meeting identifying the participants which I have reason to believe included public officials, but my demands to access those records have been met with silence indicating that you have something to hide. In fact, since you assumed leadership the Association is run more like a secret society.

Furthermore, I do not appreciate Mr. White’s disrespectful slurs while in your presence, especially when he called me a “f\*\*\*ing bitch” and told the other members of the Association to “just ignore her”—all captured on audio. You need to be reminded that you are not an agent or spokesperson for Mr. White, the Sheriff, or any other public official. In so doing, you egregiously harmed me by conspiring with county officials and other individuals to suppress my inherent right of free speech, preventing and/or restricting my access to government officials, and depriving me of information or services necessary to assist my efforts for redress of grievances—all lawful actions on my part that fall under the protections of the First Amendment. See *Miller v. U.S.*, 230 F.2d. 486,489 “*The claim and exercise of a Constitutional right cannot be converted into a crime.*” See also USC 18 § 241 and USC 18 § 242, respectively, *Conspiracy Against Rights and Deprivation of Rights Under Color of Law*.

7. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths which violated due process of law. The American people, including me, are constitutionally guaranteed the rights of life, liberty and property that cannot be taken from us except through due process of law. Due process is a sworn duty of any public official. You extended absolutely no due process of law whatsoever to me, yet by your unconstitutional actions, as described herein, you deprived me the blessings of freedom and harmed me in direct violation of your oaths. Your repeated deprivations of my right to lawfully access records and your discriminatory actions against me, a law-abiding American Citizen dwelling in El Dorado County, are a direct assault upon my due process rights secured in the national and state Constitutions, including those secured in the First Amendment. Thus, your egregious violations of due process of law render you personally responsible and liable for your actions, because you have stepped outside the lawful scope of your limited duties and authority, usurped authority not possessed, and act as a renegade.
8. You are aware that I have been a paid member of the Taxpayers Association since 2008. The public is welcome to attend Taxpayers meetings, but it is apparent I am not afforded equal treatment, benefits of membership or the blessings of freedom. Constitutionally-secured inherent rights and due process of law are guaranteed to me and all American Citizens. By conspiring with other government officials to deprive me the blessings of freedom, you have denied me due process of law as stated within the Bill of Rights. Constitutionally-compliant due process of law clearly requires that ALL Constitutionally-secured rights and ALL aspects of

due process of law be upheld. Your repeated attempts to bully, discredit, defame, and censor me are in defiance of the Constitution(s), and your discriminatory actions are a direct assault upon my due process rights in the Constitutions, including rights secured in the First Amendment. The requirements of *Tweel*, cited above, are incumbent upon you in both your personal and professional capacities. By your own actions, pursuant to your oaths, you have violated these First Amendment guarantees, betrayed the Public Trust, and perjured your oaths of office, to wit:

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

By stepping outside of your delegated authority, you lost any "perceived immunity" and you will be sued for your wrongdoing against me, personally, privately, individually and in your professional capacity, as can all those in your jurisdiction, including your supervisors and anyone having oversight responsibility for you, including any judges or prosecuting attorneys and public officers for that jurisdiction, if, once they are notified of your wrongdoing, they fail to take lawful actions to correct it, pursuant to their oaths and their duties, thereto.

9. As described herein, you have discriminated and retaliated against me, a retired law-abiding American Citizen and third generation evangelical. Therefore disciplinary actions are in order for violating the following sections of the State of California Ethics Policies under Government Code 19572 [emphasis added]:

(m) Discourteous treatment of the **public** or other employees.

(t) Other **failure of good behavior either during or outside of duty hours** which is of such a nature that it causes discredit to the appointing authority or the person's employment.

(w) **Unlawful discrimination**, including harassment, on the basis of race, religious creed, color, national origin, ancestry, physical handicap, marital status, sex, or age, against the public or other employees while acting in the capacity of a state employee.

(x) **Unlawful retaliation** against any other state officer or employee or **member of the public** who in good faith reports discoes, divulges, or otherwise brings to the attention of, the Attorney General, or any other appropriate authority, any **facts or information relative to actual or suspected violation of any law of this state or the United States occurring on the job or directly related thereto.**"

10. You are a Planning Commissioner appointed by District #4 Supervisor Lori Parlin. As such, you have repeatedly violated the below EDC Code of Ethics, thus your unethical actions are a direct assault upon my rights secured by the First Amendment and are grounds for termination, to wit:

301. CODE OF ETHICS The County has adopted a Code of Ethics to guide County officers and employees in the performance of their duties. The Code of Ethics, in effect as of the date of adoption of these Rules, reads as follows:

(f) Treat all individuals encountered in the performance of your duties in a respectful, courteous, and professional manner.

(i) Faithfully comply with all laws and regulations applicable to the County and **impartially apply them to everyone.**

(j) Promote the public interest through a responsive application of public duties.

(k) **Demonstrate the highest standards of personal integrity, truthfulness, and honesty in all public activities.**

(l) Uphold these principles being ever conscious that **public office is a public trust.**

302. RESPONSIBILITIES OF PUBLIC SERVICE County officers and employees serve for the benefit of the public. **They shall uphold and adhere to the Constitution of the United States, the Constitution of the State of California, and the El Dorado County Charter,** as well as all County rules, regulations, and policies, and **shall carry out impartially the laws of the nation, state, and County. In their official acts, they shall faithfully discharge their duties, recognizing that the public interest is paramount. All County officers and employees must demonstrate the highest standards of morality and ethics consistent with the requirements of their positions and consistent with the law.**

303. DEDICATED SERVICE County officers and employees shall adhere to work rules and performance standards established for their positions. The County requires all County officers and employees to be courteous and considerate, to be accurate and truthful in statement, and to exercise sound judgment in the performance of their work.

304. CONFLICT OF INTEREST During their assigned work hours, County officers and employees shall devote all their time and efforts to their assigned duties. No County officer or employee shall:

(a) Engage in any business or transaction or have a financial or other personal interest or association that is inconsistent, incompatible, in conflict with, or adverse to the proper discharge of official duties, or would tend to **impair their independence of judgment** or the performance of their official duties.

305. NON-DISCRIMINATION IN DELIVERY OF SERVICES In the course of their employment, no County officer or employee shall grant any special consideration, treatment, or advantage to any person beyond what is available to every other person in similar circumstances.

308. POLITICAL ACTIVITY In the performance of official duties, all County officers and employees shall support County governmental policies and objectives established by the Board of Supervisors or by an appointing authority, as well as County programs developed to attain these policies and objectives. Outside of official duties, County officers and employees may express otherwise lawful opinions on all political subjects

while off duty, without recourse against them, unless the employee is in a **sensitive or policy-making position in a department where speech and political activities may have an adverse effect on working relationships or the efficient operation of the department.** Under these unique circumstances, the law authorizes limiting First Amendment rights as a requirement for the job, and employees may be subject to adverse consequences for engaging in such activities.

309. ABUSIVE CONDUCT IN THE WORKPLACE The County is committed to maintaining a work environment in which all individuals are treated with respect and dignity. The County is committed to providing a work environment that is free of abusive conduct and will take reasonable steps to promptly correct abusive conduct. As a general guideline, abusive conduct can be avoided if employees act professionally and treat each other with respect. The following further defines the County's policy and complaint procedures related to abusive conduct in the workplace. **The County has zero tolerance for any conduct that violates this policy. Therefore, any violation of this policy may lead to disciplinary action, up to and including termination from County employment. The County encourages all employees, applicants, candidates, elected or appointed department heads, volunteers, and members of the public to report any conduct that they believe violates this policy as soon as possible.**

309.2 Examples of Abusive Conduct The County considers the following types of behavior examples of abusive conduct: County of El Dorado Personnel Rules Adopted February 26, 2019 3-5:

**(I) Spreading malicious rumors, gossip, or innuendo that is untrue. Such conduct can also occur via use of electronic or telephonic communications, such as the internet/social media, email, chat room, a threatening text message or telephone call, or cameras or video equipment.**

309.4.1 Investigation of Complaints The appointing authority, Director, and/or the Personnel Review Committee will be responsible for determining whether a complaint of abusive conduct should be addressed under this Rule 309 or the Board of Supervisors Policy E-5, **Policy Prohibiting Discrimination, Harassment, and Retaliation**, and Reporting and Complaint Procedures. The results of the investigation (i.e., whether the evidence establishes a violation of this Rule 309, but not the nature of any discipline) **shall be disclosed to the complainant and the accused employee(s).** If, in its sole discretion, the County determines that abusive conduct occurred, the appointing authority shall **take prompt and effective remedial action commensurate with the severity of the offense(s) which may include** coaching, mediation, counseling intervention, other required training for the employee(s) determined to have violated this Rule 309, **and/or disciplinary action up to and including employment termination.**



1502. CONDUCT All County employees are expected to **render the best possible service that will reflect credit upon the County**. The highest standard of conduct is essential to the proper operation of the County service. The County has the right and authority to establish work standards for all officers and employees. Any officer or employee may be dismissed, suspended, or reduced in rank or compensation for cause.

1503.1 Discipline - The appointing authority may suspend without pay, reduce in pay, demote, or **dismiss** any employee who has attained post-probationary status for reasonable cause, including but not limited to:

(d) **On-duty or off-duty conduct, including, without limitation, crimes that do not fall within paragraph (c) above, that**

(i) **tends to bring the County service into disrepute, or**

(ii) **is a direct hindrance to the effective performance of County functions;**

(e) Disorderly or immoral conduct;

(k) **Violation of any of the provisions of applicable law, regulation, these Rules, or County policies;**

(p) **Dishonesty or theft;**

(q) **Violation of the County's Code of Ethics;**

(t) **Discourteous treatment of the public; County of El Dorado Personnel Rules Adopted: February 26, 2019 15-3**

(w) **Unlawful harassment, unlawful discrimination, or retaliation** against another employee, an applicant for employment, or **anyone using County services;** and

(x) **Any other conduct of equal gravity with the above.**

11. When public officers harm Citizens by their errant actions, and then refuse to respond to or rebut petitions from Citizens, as you have also done, then those public officers 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**. Any actions by a public officer either uphold the Constitutions and rights secured therein, or oppose them. By stepping outside of your limited 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 personal and professional capacities, as can all those in your jurisdiction, 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. *See Gallegos v. Haggerty, N.D. of New York, 689 F. Supp. 93 (1988).*

Public officers who so act would commit malfeasance of office, dereliction of duties, collusion and conspiracy to deprive me of my constitutionally guaranteed inherent rights, and misprision of any and all crimes you have committed against me through your unconstitutional actions which I reported to those referenced public officers.

Lawful notification has been provided to you stating that if you, Andrew Nevis, do not rebut the statements, charges and averments made in this Affidavit/Declaration, then you tacitly agree with and admit to them. Pursuant to that lawful notification, if you disagree with anything stated under oath in

this Affidavit/Declaration of Truth, then rebut to me that with which you disagree, with particularity, within fifteen (15) days of receipt thereof, by means of your own **written, sworn, notarized affidavit of truth, based on specific, true, relevant fact and valid law** to support your disagreement, attesting to your rebuttal and supportive positions, as valid and lawful, under the pains and penalties of perjury under the laws of the United States of America and this state of California. An un rebutted affidavit stands as truth and fact before any court. Your failure to respond, as stipulated, is your tacit agreement with and admission to the fact that everything in this Affidavit/Declaration of Truth is true, correct, legal, lawful, and is your irrevocable admission attesting to this, fully binding upon you in any court of law in America, without your protest, objection and that of those who represent you.

Affiant further sayeth naught.

All rights reserved,

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

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Date

**(See attached California Notarization)**

CC: Ana Melendez, CA Water Resources Control Board  
Eileen Sobek - Executive Director, CA Water Resources Control Board  
Lucia Neri, CA Water Resources Control Board Human Resources Director  
Joseph Carruesco, El Dorado County Human Resources Director  
Taxpayers Association of EDC, Secretary Todd White  
District Attorney Vern Pierson  
Dist. #1 Supervisor John Hidahl  
Dist. # 2 Supervisor George Turnboo  
Dist. # 3 Supervisor Wendy Thomas  
Dist. #4 Supervisor Lori Parlin  
Dist. # 5 Supervisor Sue Novasel  
Media and other interested parties

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