

8/31/2020

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Public Comment #29

DATE Rec'd 8/31/2020

BOS 9/1/2020  
EDC COB <edc.cob@edcgov.us>



**Please publicly distribute & post to 9/2/20 BOS Item #29 - Parks & Rec Projects Update**

1 message

Melody Lane <melody.lane@reagan.com>

Mon, Aug 31, 2020 at

To: edc.cob@edcgov.us, lori.parlin@edcgov.us, brian.veerkamp@edcgov.us, sue.novasel@edcgov.us, john.hidahl@edcgov.us, shiva.frentzen@edcgov.us  
Cc: Donald Ashton <don.ashton@edcgov.us>, david.livingston@edcgov.us, Vickie Sanders <vickie.sanders@edcgov.us>, "Sweeney, Trish" <Trish.Sweeney@asm.ca.gov>, barry.smith@parksbosfive@edcgov.us, bosfour <bosfour@edcgov.us>, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

Please ensure the entirety of this correspondence is publicly distributed via Legistar and posted to the 9/2/20 BO Item #29 – Parks & Rec Projects Update.

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

**Sent:** Thursday, August 20, 2020 6:13 PM

**To:** edc.cob@edcgov.us; 'trish.sweeney@edcgov.us'; 'Donald Ashton'; Vickie Sanders (vickie.sanders@edcgov.us); lori.parlin@edcgov.us; john.hidahl@edcgov.us; sue.novasel@edcgov.us; shiva.frentzen@edcgov.us; brian.veerkamp@edcgov.us

**Cc:** 'jmharper2@comcast.net'; PRC@edcgov.us; david.livingston@edcgov.us; Frank Bigelow (Frank.Bigelow@asm.ca.gov); 'bosfive@edcgov.us'; bosfour (bosfour@edcgov.us); 'bosone@edcgov.us'; 'bosthree@edcgov.us'; 'bostwo@edcgov.us'

**Subject:** 8/20/20 PRC Agenda Item #2 - Public Comments

Compass2Truth is a whistleblower organization, in particular as it involves Parks and Recreation, both on the local and state levels.

With that being said, Trish Sweeney has a glaring conflict of interest, as does Julia McIver who is a member of American River Conservancy, in particular as it affects Chili Bar which was a p topic of our 2018 meeting with Assemblyman Frank Bigelow. Jack Sweeney's letter to the BOS concerning the Wade's lawsuit versus the American River Conservancy and EDC was one of 1 reasons we requested our meeting be held at Bigelow's Capitol office *without* Trish Sweeney being present.

Jack's letter to the BOS is an exhibit within the attached affidavit addressed to Assemblyman Bigelow. The purpose of that meeting was to address blatant threats, retaliation and government corruption, but Frank Bigelow jeopardized our safety and security after he betrayed our trust. The Bigelow affidavit is the first essential of due process of law, and was entered into the public r during the 8/14/18 BOS meeting. You are responsible to read the sordid facts and evidence contained in both the Frank Bigelow and Kris Payne affidavits. Consequently when you have know of wrong doing, but fail to take corrective action, then you become complicit and liable.

The development of the Chili Bar property, and that of other properties along the American River, have been the topics of our meetings with CA State Parks staff as well as with Vickie Sander other county staff. Kris Payne has been present during related meetings and has actively participated in a fraudulent manner, and in so doing compromised his position as PRC Chair and vic his principal agent oaths of office.

In closing, Kris has fraudulently repeated the government *lie* that Commissioners are "not supposed to go back and forth" or respond to public inquiries. The Brown Act section 54954 clearly indicates that the public has broad Constitutional rights, and it is indeed within the First Amendment rights of Citizens to publicly dialog (albeit briefly) with government representatives/delegat expect them to respond publicly. Failure to lawfully comply demonstrates that government has something to hide and you have no intention of being transparent or accountable as per the EDI Values. Refer also to *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.*"

The entire PRC meeting was conducted like a confusing four-ring circus. Even Vickie Sanders remarked that the PRC didn't seem to know what their priorities are, or understand the basics c Brown Act and Roberts Rules of Order thereby causing the meeting to run overtime by nearly an hour at tax payers expense. Chairman Kris Payne again proved he is out of control and he st have been removed from the PRC months ago. It was apparent that public input was totally irrelevant, and that the outcome of the PRC recommendations were artificially tailored towards the Commissioners special interests and influence with the BOS.

*Melody Lane*

Founder – Compass2Truth

As history teaches us, if the people have little or no knowledge of the basics of government and their rights, those who wield governmental power inevitably wield it excessively. After all, a citi can only hold its government accountable if it knows when the government oversteps its bounds. ~ John Whitehead ~

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

**Sent:** Thursday, August 20, 2020 5:46 PM

**To:** 'edc.cob@edcgov.us'; 'brian.veerkamp@edcgov.us'; 'Vickie Sanders'; Chelsea Edman (chelsea.edman@edcgov.us); 'Donald Ashton'; 'lori.parlin@edcgov.us'; 'trish.sweeney@edcgov.us'; 'david.livingston@edcgov.us'; 'bosfive@edcgov.us'; 'bosfour'; 'bosone@edcgov.us'; 'bosthree@edcgov.us'; 'bostwo@edcgov.us'; 'sue.novasel@edcgov.us'; 'john.hidahl@edcgov.us'; 'shiva.frentzen@edcgov.us'; 'jmharper2@comcast.net'

**Subject:** 8/20/20 PRC Consent item #1

The fraudulent manner in which this item was handled raises multiple concerns about PRC Bureaucratic Shenanigans (BS). Approval of the minutes was divided into two separate motions in apparent tactic to circumvent the issues raised in my emails. Furthermore, Lori Parlin never responded to my phone call or emails when she knows it is her moral and legal duty to address constituent concerns.

The public is entitled to honest services. In the interest of transparency and accountability Section 54954 of the Brown Act states the public has the right to receive **direct answers to specific questions and to be able to dialog briefly** with staff regarding their concerns. My four questions are directed to Vickie Sanders. Please keep the mic open in case clarification is necessary

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- 1) The draft minutes of the 6/18/20 PRC meeting do not contain my public comments and the un rebutted notification of legal responsibility addressed to Kris Payne which was submitted into public record under Open Forum. This is information the public has a right to know, therefore the draft minutes cannot be approved as posted. Why were they removed, and under whose direction?
- 2) Did Vickie and the Commissioners actually receive and read my August 18<sup>th</sup> email and the follow up email this morning regarding failure to comply with the Brown Act 72-hour notification requirements, and if so, who specifically authorized this meeting to proceed *outside of the law*?
- 3) Who specifically prevented that notification from being publicly distributed and posted via Legistar as I requested?
- 4) Lastly, Kris Payne was supposed to be removed from the PRC for violating his Principal Agent Oaths of Office. So why is he still Chairman?

For the record, Vickie refused to respond to my public inquiries and Kris Payne supported her silence when he has no authority to do so. See *U.S. v. Tweel*, 550 F.2d. 297. "Silence can equate with **fraud** where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading."

Lastly, the PRC Meeting Agenda states: "If you choose not to observe the Parks and Recreation Commission meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 4:00 p.m. on the Wednesday prior to the meeting. Please submit your comment to the Parks Division at [Vickie.sanders@edcgov.us](mailto:Vickie.sanders@edcgov.us). Your comment will be placed in the record and forwarded to the Parks and Recreation Commission." It is a matter of public record that CAO Don Ashton has **unlawfully** restricted my ability to communicate electronically with Sanders and most other county staff which is a blatant violation of my Constitutional rights and in essence represents an assault on the liberties of all EDC Citizens.

*Melody Lane*

Founder – Compass2Truth

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

**Sent:** Thursday, August 20, 2020 10:01 AM

**To:** [edc.cob@edcgov.us](mailto:edc.cob@edcgov.us); [brian.veerkamp@edcgov.us](mailto:brian.veerkamp@edcgov.us); Vickie Sanders; 'Donald Ashton'; [lori.parlin@edcgov.us](mailto:lori.parlin@edcgov.us)

**Cc:** [PRC@edcgov.us](mailto:PRC@edcgov.us); [david.livingston@edcgov.us](mailto:david.livingston@edcgov.us); [bosfive@edcgov.us](mailto:bosfive@edcgov.us); bosfour; [bosone@edcgov.us](mailto:bosone@edcgov.us); [bosthree@edcgov.us](mailto:bosthree@edcgov.us); [bostwo@edcgov.us](mailto:bostwo@edcgov.us); [sue.novasel@edcgov.us](mailto:sue.novasel@edcgov.us); [john.hidahl@edcgov.us](mailto:john.hidahl@edcgov.us); [shiva.frentzen@edcgov.us](mailto:shiva.frentzen@edcgov.us)

**Subject:** RE: Please publicly post via Legistar to the 8/20/20 PRC Agenda

Something fishy is going on...

Why has my public comment not yet been publicly distributed and posted to the PRC agenda as required by law?

Also note the error in the 8/20/20 agenda omitting Jeanne Harper as the interim District 5 PRC commissioner approved by the BOS on July 14<sup>th</sup> under Consent:

12. [20-0892](#) Supervisor Novasel recommending the Board make the following District V appointment to the Parks and Recreation Commission:  
Appoint Jeanne Harper, Interim Member District V (Vacant), Term Expiration 1/1/2023.

**This matter was Approved on the Consent Calendar.**

#### **Commission Members**

**Vacant - District V**  
**Wayne Lowrey - District I**  
**Vacant - District II**  
**Kris Payne - District III**  
**Julia McIver - District IV**

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**To:** edc.cob@edcgov.us; brian.veerkamp@edcgov.us; Vickie Sanders (vickie.sanders@edcgov.us); 'Donald Ashton'; lori.parlin@edcgov.us  
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**Subject:** Please publicly post via Legistar to the 8/20/20 PRC Agenda

Please publicly post via Legistar the entirety of this correspondence to the 8/20/20 PRC Agenda:

Pursuant to requirements of the Brown Act agendas must be posted 72 hours in advance. The agenda for this meeting provided only 52 hours advance notice. Furthermore, agenda item #2 intentionally obtuse and void of any presentation/records which the public is entitled to review 72 hours in advance of the meeting. Consequently this meeting is outside of the law and must be cancelled:

## DISCUSSION ITEMS

2. [20-1086](#) Parks Division recommending the Commission receive a presentation on Parks priorities and provide a recommendation for the Board of Supervisors.

FUNDING: Various.

Details	Reports						
File #:	20-1086 Version: 1						
Type:	Agenda Item Status: Department Matters						
File created:	8/11/2020 In control: <a href="#">Parks and Recreation Commission</a>						
On agenda:	8/20/2020 Final action:						
Title:	Parks Division recommending the Commission receive a presentation on Parks priorities and provide a recommendation for the Board of Supervisors. FUNDING: Var						
History (0)	Text						
0 records							
Date	Ver.	Action By	Action	Result	Action Details	Meeting Details	Video
No records to display.							

Transparency and accountability of all El Dorado County staff and/or their delegates is a vital component of every citizen's Constitutional rights. Note Section 54954.2 of the Brown Act- "At *le* hours prior to a regular meeting, the body must post an agenda containing a brief general description of each item to be discussed or transacted at the meeting, including items to be discussed closed session. (§ 54954.2(a).) The act makes it clear that discussion items must be placed on the agenda, as well as items which may be the subject of action by the body. The purpose of brief general description is to inform interested members of the public about the subject matter under consideration so that they can determine whether to monitor or participate in the meeting body...In 78 Ops.Cal.Atty.Gen. 327, 331-332 (1995), this office concluded that the 72-hour notice requirement mandates local agencies to post their notices in locations which are accessible hours a day for the 72 hours prior to the meeting. Accordingly, notices cannot be placed in buildings which are locked for some portion of the 72 hours immediately prior to the meeting."

Additionally Parks and Recreation has been operating outside of the law for years, particularly since CAO Don Ashton **unlawfully** restricted my ability to communicate electronically with Park Rec staff, and in so doing violated his oaths of office and deprived me of 1<sup>st</sup> Amendment rights. It is a matter of public record that Vickie Sanders, Kris Payne, Brian Veerkamp, and Don Ashtc already received notifications of legal responsibility which is the first essential of due process of law relative to their fraud, overt violations of their oaths of office and rights of the public.

Since the BOS has also been put on notice, therefore they are complicit and liable for maintaining the corrupt PRC status quo.

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Type:	Agenda Item	Status:	Department Matters				
File created:	8/11/2020	In control:	<a href="#">Parks and Recreation Commission</a>				
On agenda:	8/20/2020	Final action:					
Title:	Parks Division recommending the Commission receive a presentation on Parks priorities and provide a recommendation for the Board of Supervisors. FUNDING: Var						
History (0)		Text					
0 records							
Date	Ver.	Action By	Action	Result	Action Details	Meeting Details	Video
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**From:** El Dorado County [mailto:[eldoradocounty@service.govdelivery.com](mailto:eldoradocounty@service.govdelivery.com)]  
**Sent:** Tuesday, August 18, 2020 11:50 AM  
**To:** melody.lane  
**Subject:** El Dorado County Parks and Recreation Commission Agendas & Minutes Update



The August 20,2020 Parks and Recreation Commission Meeting agenda is [now available](#).

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Questions? Contact Us at [edcquestions@edcgov.us](mailto:edcquestions@edcgov.us)


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**2 attachments**

 **Brown Act Rights of the Public.docx**  
16K

 **ML Affidavit-Bigelow.pdf**  
9337K

# CALIFORNIA BROWN ACT

## PREAMBLE:

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

## CHAPTER V.

### RIGHTS OF THE PUBLIC

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

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

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

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

## AFFIDAVIT/DECLARATION OF TRUTH

To: Assemblyman Frank Bigelow  
State Capitol, Room 4158  
P.O. Box 942849  
Sacramento, CA 94249-0005

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 January 11, 2018, another El Dorado County citizen and I met with you, Frank Bigelow, in your Capitol office. The issues we discussed were fire, water, government land acquisitions, threats and retaliation for whistleblowing. You were presented with factual evidence, including photos and other documentation relevant to El Dorado County corruption, particularly those involving the S. Fork American River, the Marshall Gold Discovery Historic State Park, and graphic acts of violence reported to El Dorado County Sheriff John D’Agostini and District Attorney Vern Pierson. As we reported to you, law enforcement has been uncooperative and unresponsive to our concerns. **(See Exhibit A)**

Also discussed were the many similarities to the Cliven Bundy situation that garnered national media attention. Not only did you acknowledge your participation in the Bundy conference calls, you



clearly appeared to understand your moral and ethical responsibility to act upon the issues that were presented to you. Therefore you *voluntarily offered your political leverage* to persuade EDC officials to lawfully respond to CA Public Record Act requests for information. You also invited us to return for another appointment to discuss the issues in greater depth. Subsequently you summoned your Chief of Staff, Katie Masingale, into the room and ordered her to close the door while you gave her specific directions to assist us which were all captured on audio.

Constitutionally secured rights are intended to empower citizens to push back against those who would stifle the ardor of citizens who present their grievances to government, arbitrarily silence critics and impede efforts to ensure transparency in government. These issues have escalated to a crisis level. After you betrayed our trust, on May 21, 2018, I sent you, Assemblyman Frank Bigelow, via USPS certified mail, a letter which you received on June 8, 2018. That letter, attached hereto and marked **Exhibit B**, was sent to inform you of these events and statements made by you, and also as an inquiry to ascertain whether you, Assemblyman Frank Bigelow, 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, *with specificity*, anything contained in the May 21st letter with which you disagreed, within thirty (30) days of receipt thereof. The charges contained therein were about *your own un-constitutional actions, or lack thereof*.

On June 26, 2018. I received from you an obtuse letter, dated June 21, 2018, in which you again diverted and obfuscated the specific purpose of our January 11<sup>th</sup> meeting. However, in your letter, you failed to rebut anything stated in my May 21<sup>st</sup> lawful notification. 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.

Simply put, you are either part of the problem or part of the solution. You were not recently re-elected just to collect a paycheck and to maintain the bureaucratic status quo, nor do your public obligations cease to exist once a constituent walks out of your office with a complimentary copy of the **California and U.S. Constitutions** tucked under their arm. As President Jefferson once said, you are "bound by the chains of your Constitutional Oath of Office."

Your actions demonstrate you to be a fraud and a domestic-enemy-traitor to the national and state Constitutions, to California and to the people. Loyal American public officers uphold their oaths and take the concerns of their constituents seriously and thus respond in kind to constituents' communications, which, clearly, you did not. In your capacity as a legislator, pursuant to your oath, committed "*legislative violence*" upon a constituent by failure to properly and constitutionally use your legislative authority to resolve my complaints and charges, based on violations of the Constitutions committed by members of the El Dorado County Board of Supervisors and other local public officials. Furthermore, your betrayal of our trust encourages the perpetration of EDC *threats and physical acts of violence* against women, senior citizens and conservative political activists such as me. Thus your hypocrisy and abuse of the public trust damaged this constituent and my inherent secured rights.

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. 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.
- 2) The purpose of our January meeting was not to seek your advice. The purpose was to bring to your attention 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.*
- 3) Under FPPC regulations and AB1234, ethics laws are a floor for officials’ conduct, and not a ceiling. Just because a course of action is legal, doesn’t make it ethical or what one ought to do. Your knowledge of collusion and failure to lawfully respond to constituent concerns, or take corrective measures, permits the continuation of government corruption thus encouraging retaliation and bully tactics. 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.
- 4) It was brought to my attention during a recent Taxpayers Association meeting that you are working with Assemblyman Kevin Kiley to assist Dr. Dale Coco concerning similar stonewalling of Public Record Act requests for information involving the El Dorado Irrigation District. Jack Sweeney, father-in-law to your Field Representative, Trish Sweeney, participated in that discussion which has been a subject investigated by the Grand Jury. Your failure to honor your Constitutional Oaths and appropriately respond to the specific concerns we brought to your

attention during our January 11<sup>th</sup> meeting, demonstrates your discrimination and lack of due process. 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.

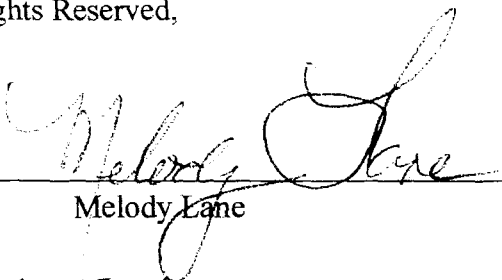
- 5) The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, the oath taker, pursuant to his oath, is mandated to uphold. If he fails this requirement, then, he has violated two provisions of the First Amendment, the Public Trust 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 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, Assemblyman Frank Bigelow, 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: 7/11/18

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

**(See attached California Notarization)**

Attachments:

- Exhibit A – MGDPA Arson fire photos at foot of my property & weapon Case File EG18-0098
- Exhibit B - May 21, 2018 letter received by Frank Bigelow on June 8, 2018

CC: Dist. #1 Supervisor John Hidahl  
Dist. # 2 Supervisor Shiva Frentzen  
Dist. # 3 Supervisor Brian Veerkamp  
Dist. #4 Supervisor Michael Ranalli  
Dist. # 5 Supervisor Sue Novasel  
EDC District Attorney Vern Pierson  
EDC Sheriff John D'Agostini  
CA State Parks Superintendent III, Mark Hada  
Congressman Tom McClintock  
Senator Ted Gaines  
CA DOJ Attorney General Xavier Becerra  
US Attorney General - CA Eastern District, McGregor Scott  
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 }

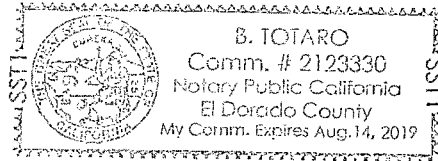
Subscribed and sworn to (or affirmed) before me on this 16 day of July 2018  
Date Month Year

by Melody Jane

Name of Signer

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

Signature: [Signature]  
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 - Asm. Gigelow

Document Date: 7/11/18

Number of Pages: 5 pages + Exhibits

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



Mt. Murphy Phase II Acquisition – A public lands acquisition project managed by the American River Conservancy protecting native fisheries, upland habitat, and the scenic backdrop of Sutter’s Mill and the Marshall Gold State Park – Another project funded by Proposition 50 through the California Resources Agency to improve River Parkways. Arnold Schwarzenegger, Governor & Mike Chrisman, Secretary of Resources.

**EXHIBIT A-1**

EDSO Case File #EG18-0098



EXHIBIT A-2

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

May 21, 2018

Assemblyman Frank Bigelow  
State Capitol, Room 4158  
P.O. Box 942849  
Sacramento, CA 94249-0005

Assemblyman Bigelow,

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 since our January 11, 2018 meeting in your office at the Capitol. When I use the term "public officer(s)", this term includes you.

**EXHIBIT B**



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.

You swore an oath to uphold and support the Constitution of the United States of America, and pursuant to your oath, you are required to abide by that oath in the performance of your official duties. You have no Constitutional or 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. 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 and 242, treason under the Constitution at Article 3, Section 3., and intrinsic fraud..."*

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.

In order for America to survive as a Constitutional Republic, it is imperative that all aspects of government, including you, abide by all Constitutional requirements while conducting your official duties. 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 protections 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.

Officials at all levels of government, including you, have unlawfully insulated themselves from their constituents through the unconstitutional use of tactics that run afoul of the First Amendment's safeguards for free speech, public assembly and the right to petition the government for redress of grievances, as well as all aspects of due process of law. Constitutionally secured rights are intended to empower citizens to push back against those who would stifle the ardor of citizens, arbitrarily silence critics and impede efforts to ensure transparency in government. This was the explicit purpose of our January 11, 2018 meeting in your Capitol office. In that regard you have fraudulently deprived me, and other El Dorado County citizens, of civil liberties, to wit:

On October 25, 2017 Diana Knoles scheduled a one-hour meeting for January 11th at your Capitol office to discuss issues relevant to fire, water, and government land acquisitions. Diana informed me that your Legislative Director, Hannah Ackley, would be joining us. Despite numerous attempts in January to reach anyone in your office by phone, it wasn't until the afternoon of January 10, 2018 that I was finally able to contact your new scheduler, Maria Heredia, to confirm our January 11<sup>th</sup> meeting. However Maria stated our meeting had been inexplicably reduced to only 30 minutes. Since our time was limited, I prepared the attached agenda in order to keep us focused on the most critical issues facing El Dorado County and the site of the historic California Gold Rush that changed the face of our entire nation. **(See Exhibit A)**

While waiting for you to arrive for our 11 AM appointment, Maria encouraged us to help ourselves to complimentary copies of the books lining your shelves which significantly included ***"The Constitutions of California and the United States with Related Documents."***

After brief introductions were initially made, we quickly got down to the purpose of our meeting and related concerns about government retaliation, threats and corruption. As a rural rancher, you quickly grasped the similarities to the government conflict experienced by the Bundy's and what we are perpetually wrangling with in El Dorado County. Having captured your attention, you enthusiastically expressed willingness to schedule another meeting to further discuss the issues in greater detail. Recognizing the serious nature of the situation and the graphic evidence we laid out on the table, you then summoned your Chief of Staff, Katie Masingale, to join us and requested she close the door behind her. Following is a partial transcript of that conversation:

**Bigelow:** I'm actually one of those who understands some of this stuff. So I need to know how far I have to go because now I have to report this. And, uh, I have to figure out which department and where, uh, who's going to be doing what. If the local Sheriff and local District Attorney are on board and they're handling it...

**Melody:** They're NOT on board. That's the problem. We've met with...

**B:** They have a case file. You should have a number.

**M:** Yes.

**B:** Actually you should have two case numbers.

**M:** I've got SEVERAL cases. They were not only provided to the Grand Jury and the District Attorney, but to the Department of Justice, and I'll even go so far as to say to the FBI.

**B:** OK.

**M:** There have been twelve of us who've gone down to the FBI about El Dorado County corruption. That's basically what we're here to let you know about the issues, but it's going nowhere. What IS happening is the retaliation. Carol, would you like to put your two cents in about the...?

**C:** Well my issues about the land acquisitions...(Katie Masingale enters room)

**Bigelow:** Katie, help us out here. *Close the door real quick.* Um, we need to have some follow up with both ladies. They've both had crimes that have been committed that are violent in nature. One, she had a weapon found on her property, and the second was an actual gun, uh, she had bullets fired at her, or in the vicinity of her property, uh, or towards her.

**Katie:** OK.

**Bigelow:** So we have to report crimes committed, um...

**Katie:** Have you guys contacted the local law enforcement?

**M & C (simultaneously):** Oh yeah. Yes! You better believe it.

**B:** They have cases and made documentations, but we're supposed to, at least when I was Supervisor we were supposed to report all of that, uh, when people make that to us. Second issue that they have that we need to help identify, and we've got some information here, they've made Public Information Requests to state agencies but they've not responded...

**M:** State AND local agencies.

**B:** State and local. So what we can do to assist them is, just, we send a letter saying, hey, we've met with, we're aware they've made an information request, can you please follow up on it. That's a simple letter and so that kind of rocks their boat a little bit.

**M:** Thank you!

**B:** But if you can do that, by the way Katie is my Chief of Staff, Hannah is my Legislative Director. But if you can follow up with the letter aspect then, I don't know because I've not had this in the five years while I was supervising, but here I don't know. So I need you to find out who we have to report this to and how it's to be handled, uh, because these are serious.

**K:** OK. Uh, can you make sure you get their contact information, and I'll get in touch with you guys. (Katie exits)

**M:** Yeah, sure. I'm going to leave this with you too. This is from Jack Sweeney that, uh, has to do with a former El Dorado County public employee who has since left to work in Placer County, Claudia Wade, over a lawsuit with American River Conservancy. That's also about retaliation as well, to the tune of over \$60,000 but that's another one you can read. I'm just going to leave this with you too as the documentation. I think you'll find that helpful when you have time to look into it. **(See Exhibit B)**

**B:** (Looking at the documentation) Sure. Some of the innuendos about, and allegations at the Republican Central Committee, you know, that there was just a little snippet about, uh, just kinda going out there but not enough to, uh, but yeah, I heard it.

###

On January 12, 2018 I mailed you a letter via USPS in follow up to our January 11<sup>th</sup> meeting which included photographs and other pertinent information relevant to the subjects discussed with you, Hannah Ackley, and Katie Masingale. **(See Exhibit C)**

Then on February 5<sup>th</sup> @ 5:54 PM I emailed additional substantiating documents to you which included this pertinent excerpt:

"The government was out to bury Cliven Bundy and his sons for daring to challenge the all-powerful federal government...Before the rise of radical environmentalism and the passage of the National Environmental Policy Act in 1969, other federal environmental acts in the early 1970's and UN's Agenda 21 in 1992, the BLM had a symbiotic relationship with ranchers and farmers... This all sounds benign and friendly, except that their actions on the ground don't comport with their mission and gloss over their hidden radical environmental agenda and evil intent. If the BLM doesn't comply with strict environmental law or the FLPMA, wealthy, powerful environmental groups sue them. Who pays when environmentalists win? The taxpayer. And environmentalists win all the time... Today, ranchers and farmers are in a constant battle almost to the death with the BLM, the Environmental

Protection Agency, the U. S. Fish and Wildlife Agency and the Department of the Interior. Many landowners are driven out of business. Many have committed suicide. (That's right, suicide)... Ladies and gentlemen, all this is why we formed the National Association of Rural Landowners in 2005 to act as advocates for the beleaguered rural landowner. We provide products and services to the landowner to defend against government abuse and illegal trespassing. Over 7,000 of our powerful, legally intimidating 18" x 24" No Trespassing signs have been installed on rural lands all across America, blunting trespassing by government agents and law enforcement."

Due to the sensitive nature of the confidential information we would be sharing, I had specifically requested that Diana Knoles schedule our meeting with you at the Capitol in order to bypass your Field Representative, Trish Sweeney. As you are aware, former Supervisor Jack Sweeney is Trish's father-in-law. Jack Sweeney figured predominantly in our discussions with the FBI about El Dorado County corruption. Needless to say, we were appalled to see Katie Masingale responded on your behalf and included Trish on the February 5<sup>th</sup> email correspondence. What Katie stated was totally contrary to the purpose of our January 11<sup>th</sup> meeting and how you directed her to assist us. In so doing you violated your Oaths, betrayed our trust and further jeopardized our safety by setting us up for more government retaliation. **(See Exhibit D)**

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. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths.

You've been made aware of numerous unlawful government practices within your district, yet you've failed to take any remedial action as you professed to do. You have been unresponsive to communications and/or relegated your responsibility to staff that obfuscated and diverted any meaningful replies whatsoever. (See U.S. versus Tweel above.) Consequently you've aided and abetted the perpetuation of government fraud, and are therefore culpable, complicit and liable.

You are also cognizant that Public Service Ethics training is mandatory of all elected officials as required by the Political Reform Act and AB1234. The ethics manual published by the Institute for Local Government repeatedly emphasizes the following:

- Public officials cannot retaliate against those who whistle-blow.
- Prohibitions deter betrayals of the public's trust by creating penalties for such betrayal.
- Ethics laws are a floor for officials conduct, not a ceiling.

- 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.
- Transparency is an important element of public service.

By your actions it is clear that you have violated each and every one of these provisions. 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.

Yet, by your actions against me, you've deprived me and other Citizens their rights to address public officers, provide testimony or allow due process. It is apparent the public's access to elected officials and their input has been reduced to irrelevancy, thereby demonstrating that our meeting served little more than to portray a false impression of government transparency and accountability, while providing neither. Thus you and associated staff have perpetrated fraud against the people who pay your salary and who you are required to serve.

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.

*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.*

It is the duty of every Citizen to demand that elected officials, 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.

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 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.

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

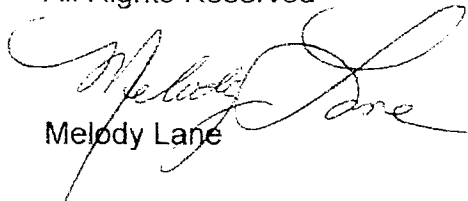
and protections in the Constitutions they support. The mandates and protections set forth in the Constitutions are all-encompassing, all-inclusive and fully binding upon public officers, without exception, as they are upon you.

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 – 1/11/18 Bigelow Meeting Agenda

Exhibit B – 5/5/15 Jack Sweeney letter to BOS re: Wade v. ARC & EDC

Exhibit C – January 12, 2018 letter to Bigelow

Exhibit D - February 5<sup>th</sup> & 6<sup>th</sup>, 2018 email correspondence



**January 11, 2018 @ 11 AM**  
**Assemblyman Bigelow**  
**Legislative Director, Hannah Ackley**

- I. BLM Land Acquisitions
  - A. American River Conservancy
  - B. CA State Parks, Recreation & Historical Resources
  
- II. Sierra Watershed
  - A. American River Corridor
  - B. River Management Plan
  - C. Department of Natural Resources
  
- III. CA Fires - Public Safety
  - A. Causes
  - B. Legal Issues
  - C. Fire Marshall – Fire Safe Councils
  
- IV. Other Issues

***EXHIBIT A***

J. Sweeney OPEN FORUM BIS 4/15/15

Statement to Board of Supervisors at Open Forum by James R. "Jack" Sweeney Date May 5, 2015

Subject: County Property at Chili Bar

On March 12, 2015 the American River Conservancy (ARC) advertised that they were seeking a Park Aide to work at Chili Bar. This raised my curiosity and prompted the following remarks. It also raises the question as to whether the ARC disregards the authority of the County and if they will continue to get away with such disregard?

When the American River Conservancy sold the property to the County all previous reserved rights merged and no rights were reserved upon that sale. Hence, the ARC retained absolutely no authority nor authorization to remain on the property. Since that sale, the ARC has been squatting on the Public Property owned by the County. ARC refused agreements for occupancy offered by the County.

Unless there has been an agreement made between the County and ARC since January 2013, they are still squatters and should not be offering employment on County Property. I have not seen any such agreement on the open public agenda! The County should immediately stop ARC from using Chili Bar or reach an appropriate agreement that is considered through the public agenda process.

While this matter was rising to the filing of a lawsuit, the County DOT Staff had reached a solution that would have been amicable to all parties; the Board was not given that solution!

The County is already involved in one lawsuit over the ARC misuse of Chili Bar and has countersued for use of an easement to which the County has absolutely no rights.

The County should withdraw the countersuit for the easement; I consider that action to be inappropriate and/or illegal!

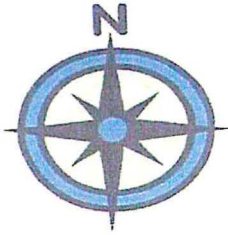
The County should settle the original suit out of court.

I would be willing to work with the County to seek these solutions!

The case is Wade v. County of El Dorado and American River Conservancy PC20120254 -  
Eminent Domain & retaliation

James R. Sweeney

EXHIBIT B



# Compass2Truth

*Citizens for Constitutional Liberty*

Melody Lane  
P.O. Box 598  
Coloma, CA 95613  
(530) 642-1670

January 12, 2018

Assemblyman Frank Bigelow  
State Capitol Room 4158  
P.O. Box 941849  
Sacramento, CA 94249-0005

Dear Assemblyman Bigelow,

Thank you for the time and concern that you and Legislative Director, Hannah Ackley, afforded us during our brief meeting yesterday. It was encouraging to see the complimentary copies of *The Constitutions of California and the United States* and other related books lining your bookshelves. They tied in perfectly to the purpose of our meeting. You'll recall our topics focused primarily on government land acquisitions, water and fire issues along the S. Fork American River, and El Dorado County's lack of compliance with government transparency laws and due process requirements described under AB1234, specifically the Brown Act and CA Public Record Act requests for information.

As I mentioned, the Marshall Gold Discovery Historic State Park and the South Fork American River are the heart and lifeblood of El Dorado County. BLM, CA State Parks and American River Conservancy are major components of the River Management Plan (RMP) aka 'River Mafia Politics.' The materials we left with you provide only a few examples of their highly unethical, unconstitutional, and aggressive legal tactics employed against Citizens living adjacent to or near rural public lands. The acts of retaliation we described speak volumes about local government corruption.

The situation that is unfolding in El Dorado County parallels the BLM vs Bundy situation, and we are fearful it will soon escalate into a similar legal nightmare for many of us: <https://www.lewrockwell.com/2018/01/roger-roots/nevada-bundy-prosecution-collapses-the-federal-government-spent-a-quarter-billion-dollars-but-couldnt-convict-the-bundys-of-a-single-crime/> ***"For two years, more than a thousand FBI agents combed through Facebook comments, posed as supporters or journalists, or surfed the internet to concoct a case against the Bundys."***

I failed to mention that I lost my beloved golden retriever in the 2007 Mt. Murphy arson fire that was ignited at the foot of my property by third generation firefighter Ben Cunha. He was sentenced under \$10 million bail bond, same as the King Fire arsonist. State Parks made sure the media obfuscated the facts of the matter. It is significant that I was either contacted on the job at Sacramento City Hall, or I received personal calls at home and letters from each of the legislators and other agencies on the enclosed 2007 letter, including one signed by Governor Schwarzenegger. I'm confident you'll agree the mainstream media cannot be relied upon to honestly

Page 1 of 2

**EXHIBIT C**

address these politically-charged and financially-driven topics. Consequently the public cannot vote intelligently unless they are truthfully informed about the real issues behind the news and the candidate's Constitutional position on legislative matters.

We are soon approaching the anniversary of James Marshall's January 24, 1848 discovery of gold in Coloma that changed the face of our entire nation. (See the enclosed **2009 COMPAS News Release**) Little has changed since the Gold Rush, except the issues have become much more sophisticated and litigious. As 2018 is also an election year, we're hopeful your proactive support of our concerns will help garner the media attention and potentially spark a 'revival fire' of Constitutional governance in El Dorado County, and perhaps ignite like 'wildfire' across the rest of California...

Your recognition of the serious nature of the topics we discussed, and more importantly your willingness to leverage your authority to apply pressure to El Dorado County officials to comply with the CA Public Record Act, is a giant step in the right direction. In that regard, please refer to the attached documents which should prove helpful in addressing your correspondence to EDC public officials as we discussed on Thursday.

Thank you again for your pledge to support El Dorado County concerned citizens and adherence to Constitutional governance. Should you have any questions, or wish to schedule another appointment to discuss these issues in greater depth, please feel free to contact me, (530) 642-1670.

Sincerely,

Melody Lane  
Founder, *Compass2Truth*

CC: Hannah Ackley, Legislative Director

Attachments:

- 1) CAO Don Ashton Affidavit
- 2) 10/7/07 Cal Fire Grijalva/Coleman State Parks letter & photos
- 3) 1/9/18 BOS Open Forum presentation/CPRAs
- 4) COMPAS News Release

**From:** Melody Lane [mailto:melody.lane@reagan.com]  
**Sent:** Tuesday, February 6, 2018 10:36 AM  
**To:** 'Masingale, Katie'; Frank.Bigelow@asm.ca.gov  
**Cc:** 'Ackley, Hannah'; 'Sweeney, Trish'  
**Subject:** RE: Follow up to BLM/Fire/Water meeting with Asm. Bigelow last week

Katie,

Apparently you still don't get it. We came to the Capitol office in confidence that the Assemblyman could be trusted to do the right thing and abide by his Constitutional Oaths of Office.

I will reiterate again that we did NOT expect your office to handle public record act requests on our behalf!!! Assemblyman Bigelow VOLUNTARILY OFFERED to use his influence by writing a letter to the appropriate local entities urging them to COMPLY WITH THE LAW concerning CPRAs. That is his duty as an elected official.

We explained the more serious issue was the RETALIATION we have been experiencing at the hands of local government. It was further explained that District Attorney Vern Pierson and Sheriff D'Agostini have made it clear they will NOT protect and defend citizens from such retaliation and breach of the public trust.

Instead of being part of the solution, you exacerbated the problem. By forwarding the specific information you were provided to EDC government representatives you seriously compromised the safety of ALL the individuals whom we represent. In so doing we were betrayed by your office and set up for even more government retaliation.

With help like that, who needs enemies???

*Melody Lane*

*Founder - Compass2Truth*

*"Government is not reason. it is not eloquence, it is force. And force like fire, is a demanding servant and a fearful master. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest instead of warming it should consume. Never for a moment should it be left to irresponsible action." ~ George Washington ~*

**From:** Masingale, Katie [mailto:Katie.Masingale@asm.ca.gov]  
**Sent:** Tuesday, February 6, 2018 9:53 AM  
**To:** Melody Lane  
**Cc:** Ackley, Hannah; Sweeney, Trish  
**Subject:** RE: Follow up to BLM/Fire/Water meeting with Asm. Bigelow last week

Melody,

I want to reiterate my sincerest apologies for not being able to do more. As I said, after looking into this situation and going over our options, it seems that you have done the due diligence necessary to move this along. Unfortunately, it is our office policy to not handle public records requests on behalf of our constituents. Outside of that, our hands are tied. We have forwarded your information to the appropriate local entities and they are aware that we have been working with you.

Assemblyman Bigelow will always work on behalf of his constituents, and will always do everything in his power to facilitate their needs and the needs of the 5<sup>th</sup> Assembly District. With this specific situation, our contacts at State Agencies will not be able to facilitate any assistance as this is a local issue.

**EXHIBIT D**

Thank you, and please let us know if we can ever be of assistance in the future.

Katie Masingale, Chief of Staff

Office of Assemblyman Frank Bigelow

916.319.2005 | Capitol Office 4158

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

**Sent:** Monday, February 05, 2018 5:12 PM

**To:** Masingale, Katie; Bigelow, Franklin

**Cc:** Ackley, Hannah; Sweeney, Trish

**Subject:** RE: Follow up to BLM/Fire/Water meeting with Asm. Bigelow last week

Hi Katie,

Thanks for responding. We are disappointed to learn that the Assemblyman has rescinded his voluntary offer of support to write a strong letter influencing EDC government officials to lawfully respond to CPRAs.

On January 11th we carefully described the serious nature of the issues on our prepared agenda and subsequent retaliation many EDC citizens have been experiencing for whistleblowing. Assemblyman Bigelow clearly understood his duty to report the retaliation and to act upon it. It was for that reason you were summoned into the room and asked to close the door behind you.

California, and our entire nation for that matter, is at a point of crisis in government transparency and accountability. As I'm sure you are aware, AB1234 involves mandatory ethics training for public officials. However just because something may be legal doesn't mean it is ethical. 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. Virtually all government officials rely on an army of lucratively paid and publicly funded lawyers to defend them against the citizens to whom they are accountable.

Hiring an attorney as you suggested is out of the question. Too many citizens are systematically victimized by the *corporate law and injustice system*. Nobody—not even the Bundy's—have the financial resources to fight these governmental Goliaths in the legal arena.

The First Amendment guarantees the Right of free speech and the Right to petition government for redress of grievances, which, the oath taker, pursuant to his oath, is mandated to uphold. If he fails this requirement, then, he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. One of the purposes of the oath is that it is given in exchange for the Public Trust, which essentially was the purpose of our January 11<sup>th</sup> discussion. We recognize the futility of legal assistance, but we did expect the Assemblyman to exercise his influence on our behalf as he promised.

During this morning's lively Taxpayers Association meeting former Supervisor Jack Sweeney agreed with comments I made. In essence, *"Corporate law is not the same as Constitutional law. However our government is run by corporate legal bureaucrats with no apparent intention of honoring their Constitutional Oaths of Office. Just recently the Board of Supervisors suspended the 1<sup>st</sup> Amendment during public meetings. Their intent was to silence public input. The solution to our problems is to restore Constitutional governance and accountability to the people where it belongs."*

In case you are interested in Constitutional methods that have proven successful throughout the nation, more information is available this site: <http://citizensoftheamericanconstitution.net/>

Respectfully,

*Melody Lane*

**Founder – Compass2Truth**

As history teaches us, if the people have little or no knowledge of the basics of government and their rights, those who wield governmental power inevitably wield it excessively. After all, a citizenry can only hold its government accountable if it knows when the government oversteps its bounds. ~ John Whitehead ~

**From:** Masingale, Katie [<mailto:Katie.Masingale@asm.ca.gov>]  
**Sent:** Monday, February 5, 2018 12:40 PM  
**To:** [melody.lane@reagan.com](mailto:melody.lane@reagan.com)  
**Cc:** Ackley, Hannah; Sweeney, Trish  
**Subject:** RE: Follow up to BLM/Fire/Water meeting with Asm. Bigelow last week

Hi Melody,

Thank you for providing support and background information on your situation. After looking into this a bit further, it seems that there isn't much our office can do moving forward.

Unfortunately, it seems that you have reached out to the same entities we would have typically forwarded your request to. It is our office protocol to have constituents handle public records requests themselves, as they are coming from you, not the Assemblyman. Your situation is very focused, and should be handled by the appropriate local entities. It doesn't seem that there is an opportunity for us to help you at the State level.

Further, if you need assistance beyond local law enforcement, we would recommend hiring an attorney. We are unable to provide legal counsel from this office.

I'm sorry we are not able to be of more assistance for your situation.

Katie Masingale, *Chief of Staff*

Office of Assemblyman Frank Bigelow  
916.319.2005 | Capitol Office 4158

**From:** Melody Lane [<mailto:melody.lane@reagan.com>]  
**Sent:** Wednesday, January 17, 2018 5:44 PM  
**To:** Ackley, Hannah  
**Cc:** Assemblymember Bigelow  
**Subject:** Follow up to BLM/Fire/Water meeting with Asm. Bigelow last week

Hi Hannah,

A hard copy of the attached letter and associated documents should have already reached your office. For the purposes of a follow up letter pressuring lawful compliance with CA Public Record Act requests for information, you will find the names of the EDC public officials listed on the CAO Don Ashton Affidavit to whom Asm. Bigelow's letter should be addressed. I would appreciate receiving a copy for my records.

To date there are numerous outstanding CPRAs that the County and State Parks refuse to respond to involving the River Management Plan, code and law enforcement. Since we met last Thursday, Sheriff D'Agostini has directed staff NOT to pick up the weapon found on my property, view additional evidence of retaliation, or to complete investigation of several related incidents. The goal is to run anyone who dares to challenge the

government out of the county. Consequently I addressed the subject of EDSO cover up during Monday's Taxpayers Association meeting when District Attorney Vern Pierson was the guest speaker. Pierson's response was less than satisfactory causing the meeting to be abruptly adjourned.

In that regard I believe you will find this related article to be of interest. It will better help to connect the materials we left with you concerning the similarities to the Bundy situation and that of other El Dorado County rural residents: <https://newswithviews.com/just-how-bad-is-the-blm/> (also attached as a Word.doc)

Excerpts: "The government was out to bury Cliven Bundy and his sons for **daring to challenge** the all-powerful federal government... Before the rise of radical environmentalism and the passage of the National Environmental Policy Act in 1969, other federal environmental acts in the early 1970's and **UN's Agenda 21 in 1992**, the BLM had a symbiotic relationship with ranchers and farmers... This all sounds benign and friendly, except that their actions on the ground don't comport with their mission and gloss over their hidden radical environmental agenda and evil intent. If the BLM doesn't comply with strict environmental law or the FLPMA, wealthy, powerful environmental groups sue them. **Who pays when environmentalists win? The taxpayer. And environmentalists win all the time...** Today, ranchers and farmers are in a constant battle almost to the death with the BLM, the Environmental Protection Agency, the U. S. Fish and Wildlife Agency and the Department of the Interior. Many landowners are driven out of business. Many have committed suicide. (That's right, suicide)... Ladies and gentlemen, all this is why we formed the **National Association of Rural Landowners** in 2005 to act as advocates for the beleaguered rural landowner. We provide products and services to the landowner to defend against **government abuse and illegal trespassing**. Over 7,000 of our powerful, legally intimidating 18" x 24" **No Trespassing signs** have been installed on rural lands all across America, blunting trespassing by government agents and law enforcement."

Should you have any questions or wish to discuss these issues in greater depth, please do not hesitate to contact me.

Best regards,

*Melody Lawe*

**Founder – Compass2Truth**

**(530) 642-1670**

*"Government's first duty is to protect the people, not run their lives." ~ Ronald Reagan ~*