

I'd like to address the transparency and accountability of this Commission and the predetermined outcomes that a French gentleman eloquently described last month as BS (Bureaucratic Shenanigans – politically correct terminology).

RE: 7/26/18 AT&T Cell Towers Agenda Item #3 = Peerman BOS appeal hearing:

"Sheriff D'Agostini was the person at the Kramer's house yesterday. What a joke the whole thing was. You were right about everything. The stunt DAgostini pulled made me more angry than anything else because it was so unjust. It's not even the tower that's the most upsetting, it's the corruption that's the most disturbing. Before this happened I just didn't know any better. Now I will never look at things the same. But I'm not one to want to be in denial even if it's uncomfortable to know the truth. I'm glad I'm not alone in my frustration. Thanks again for all your support and help!"

RE: 7/26/18 RMAC Consent Item #2:

Last year I addressed correspondence to the BOS relevant to your voting rationale and unprofessional conduct during the March 23rd PC hearing for the Villa Florentina SUP owned by Adam Anderson who is also the Business representative to RMAC. RMAC has been operating "ultra vires", or outside of the law, for decades. One example citing Gary Miller's verbatim words from that correspondence was read into the public record during the April 11, 2017 BOS meeting:

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

All the Planning Commissioners received via email a copy of the legal notification concerning specific violations of Gary Miller's Principal Agent Oath of Office, the Brown Act, and due process. It's a matter of public record that Supervisors Mike Ranalli & Shiva Frentzen, Roger Trout, Don Ashton, and Bill Schultz have received similar legal notifications for violating the public's trust and their Constitutional Oaths of Office. Their failure to respond is their agreement with and admission to the fact that everything in those letters is true, correct, legal, lawful, and is fully binding upon them in any court in America, without their protest or objection or that of any lawyer who might represent you.

Madam Clerk: Brown Act Rights of the Public, 7/27/18 @ 11:54 PM email w/PC photo

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

Sent: Friday, July 27, 2018 11:54 PM

To: Michael Ranalli; john.hidahl@edcgov.us; shiva.frentzen@edcgov.us; brian.veerkamp@edcgov.us; sue.novasel@edcgov.us; Vern R Pierson

Cc: 'Donald Ashton'; Roger Trout; gary.miller@edcgov.us; jvegna@edcgov.us; brian.shinault@edcgov.us; James Williams; jeff.hansen@edcgov.us; Char Tim; edc.cob@edcgov.us; Noah Rucker-Triplett; mark.hada@parks.ca.gov; barry.smith@parks.ca.gov; Jason DeWall; Jim Mitrisin; Vickie Sanders; kris.payne@edcgov.us; steve.yonker@edcgov.us; josh.morgan@edcgov.us; john.arenz@edcgov.us; charles.callahan@edcgov.us; bosfive@edcgov.us; bosfour@edcgov.us; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us

Subject: 7/26/18 Planning Commission - RMAC & AT&T Cell Towers

EDC Board of Supervisors:

Maintaining the corrupt status quo at taxpayers' expense is not what you were elected to do. Don't forget, you are **accountable** to the citizens of El Dorado County, and as such, you are hereby advised of your **responsibility** to take the necessary steps to REMOVE **Gary Miller** as a Planning Commissioner for his routinely unlawful conduct and lack of due process. Disciplinary steps also need to be administered against **Noah Rucker-Triplett** and **Char Tim** for their fraudulent roles in the July 26th Planning Commission meeting.

CORE VALUES

ACCOUNTABILITY

Responsible for our decisions and behavior. Creating a safe environment where we are answerable to our citizens, co-workers, superiors, direct reports, and other stakeholders.

There were only three commissioners present (Vegna, Miller and Shinault) during yesterday's Planning Commission meeting to deal with only two agenda items: 1) the RMAC issue that I requested be pulled from Consent, and 2) the seven bundled AT&T cell towers. As you can see, the room was packed.



18-1011 Chief Administrative Office, Parks Division-River Program, submitting request to consider the transfer of River Use Permits #01 and #50 from Adventure Connections, Inc. to Tributary Whitewater Tours, LLC dba RaftCalifornia.com, which holds River Use Permit #11; and staff recommending the Planning Commission take the following actions: 1) Approve the transfer of River Use Permits #01 and #50 to Tributary Whitewater Tours, LLC dba RaftCalifornia.com and retain River Use Permits #01 and #50 as secondary (component) permits in addition to River Use Permit #11. Public Comment: M. Lane

A motion was made by Commissioner Shinault, seconded by Commissioner Vegna, to Approve staff's recommended actions.

The attached **Brown Act Rights of the Public** were distributed to the commissioners prior to making the following public comments concerning RMAC's unlawful conduct, falsified records, and serial meetings which the Brown Act strictly prohibits. As of 6 PM today, the Planning minutes reflect that I made public comments, but they do not show any of the other material evidence or pertinent correspondence prior to handing them to Char Tim to enter into the public record.

Supervisor Ranalli: Your explanation is in order why Char Tim failed to enter those materials into the public record as I instructed her to do. You never answered the 5 questions directed to you pertaining to this Consent item, in particular the person who was responsible for the directive. Roger Trout circumvented the questions. You are reminded that County Counsel, Don Ashton, Roger Trout, Noah, etc. have no authority to answer on your behalf.

I announced that the River Mafia Mob (RMAC in association with county staff) has a decades-long reputation for retaliation and acts of violence, especially against women. As per the attached CAO memo, RMAC was supposed to have been disbanded by the end of 2017, yet Nate Rangel has continued to conduct serial RMAC meetings at the Marshall Gold Discovery Park, ARC and Camp Lotus with his good buddy, Adam Anderson. Twice last year Nate publicly announced Anderson's resignation from RMAC, but by his own confession Anderson remains as the Business rep due to his "legal manipulation." There never has been any legitimacy to RMAC as required by the River Management Plan (RMP), also known as River Mafia Politics. As Larry Weitzman pointed out, they routinely operate "ultra vires", outside the law.

This was the only item on the 7/9/18 RMAC meeting agenda, but it also was publicly posted as a Consent item on the 7/26 Planning Commission agenda. Shortly after my objections were submitted to staff and publicly posted, the RMAC meeting was suddenly cancelled the same afternoon of the meeting. It was evident the Planning Commission agenda reflected the approval of the Consent item without a RMAC meeting ever taking place as required by the Brown Act!!! Surreptitious business as usual!!!

Gary Miller was visibly upset when I referred to the legal notice he had received last year involving RMAC/Adam Anderson.. In the affidavit I quoted Miller:

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

Everyone was apprised that it is a matter of public record that **Supervisor Ranalli, Shiva Frentzen, Don Ashton and Roger Trout** have received similar notifications for violations of their Constitutional Oaths of Office and failure to lawfully respond to specific CPRAs involving RMAC.

Having read to the Commissioners the above Values/Accountability statement that was posted on the BOS monitors last week, I stated that NO ONE, not even County Counsel, has the authority to speak on behalf of an elected official or any other public employee. The BOS and all other committees & commissions have routinely demonstrated their lack of transparency or accountability to citizens and arrogant disrespect for the law. ***EDC is beginning to wake up to the fact that all the decisions have been made behind closed doors before the public has had any input, thus EDC has set a new Standard for CA Corruption.***

I asked if anyone had questions or comments, to please make them while I was at the podium. Gary Miller glared menacingly at me and refused to speak. I repeated my question to the commissioners. The silence was l-o-o-n-g and deafening, and their glares defiant. Finally I stated, ***"Your silence indicates your consent that everything I just said is the truth, based on facts, evidence and valid law."*** I handed Char my materials, which included two overdue CPRAs and associated correspondence to enter into the public record before returning to my seat.

In what appeared to be a pre-arranged tactic, Noah Rucker-Triplett spoke up in response to my comments and in defense of RMAC. In essence Noah LIED and colluded with staff in yet another act of FRAUD. The Commissioners blatantly defied the law by approving staff's falsified RMAC recommendations. (Refer to USGC Title 18, Sections 241 & 242)

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During the public comments for the first Cool cell tower Assessor's Parcel Number 071-032-15, a gentleman with a ponytail and heavy French accent approached the podium. Despite the language barrier, he was very respectful and articulate as he began to describe staff's blatantly illicit conduct, and then very appropriately called it all ***"bullshit."*** There were a few snickers, but nearly everyone agreed with the exercise of his 1st Amendment rights.

When I went up to the podium I stated that I would only be speaking once because I didn't have time to spend the whole day there. I commended the Frenchman for his articulate expression, but informed them that "Bureaucratic Shenanigans" is the politically correct terminology for BS. I then proceeded to relate my past experience concerning the 120 foot cell tower that was planned to be erected just 250 feet from my front door on historic Mt. Murphy. ***It was emphasized that my first notification of the project wasn't from the Planning Department, but rather my first knowledge of the project was announced during an RMAC meeting held at the Lotus Fire House!!!***

Shortly thereafter the project manager, Tom Doherty, asked for permission to come out to my home to do a site inspection. But instead of inspecting the cell tower site, he revealed his intentions were actually to inspect ME!!! Tom remarked, ***"Don't get mad at me when I submit a negative EIR."*** Through some very disturbing emails it became evident that the decisions had already been made to approve the cell tower *long before* the 2010 Planning Commission hearing. The day of the hearing the room was packed with CA State Parks personnel and the River Mafia Mob, including Bill Center who locals referred to as "The Godfather." (His American River Conservancy cohort, Alan Ehr Gott, is referred to as "god" of the river.) The mob was there to support my neighbors, the Robinsons, who would have received \$1,200/month for the tower on the farthest end of their property. That's quite an impressive incentive!

Miraculously I prevailed, but that's when the retaliation by the Mob began in earnest and community relations deteriorated. I took great pains to document the worst of the retaliation with EDSO, meanwhile concentrating my efforts on assisting others in their fight against corruption.

Then I related one particularly disturbing incident involving the Peerman's appeal to the Board of Supervisors on February 13th of this year. Like me, the Peerman's had already been subjected to unbelievable threats and harassment for objecting to the cell tower and its detrimental effects. I was informed Sheriff D'Agostini had met the day before with the owners of the proposed cell tower site. During the February 13th BOS cell tower

appeal Sheriff D'Agostini made a spectacle of his entourage of lawyers and IT professionals, insisting that HE MUST HAVE that particular 5G tower erected opposite the Peerman property. He didn't give a damn about the Peermans, or anyone else for that matter. It was just a political power play. The BOS decision had already been made before any of the Peerman supporters even had a chance to voice their appeal. This is what Brandi Peerman emailed to me later the evening of 2/13/18:

“What a joke the whole thing was. You were right about everything...The stunt DAgostini pulled made me more angry than anything else because it was so unjust. It's not even the tower that's the most upsetting, it's the corruption that's the most disturbing. Before this happened I just didn't know any better. Now I will never look at things the same. But I'm not one to want to be in denial even if it's uncomfortable to know the truth. I'm glad I'm not alone in my frustration. Thanks again for all your support and help!” (The Peerman's were so upset that they sold their property and moved out of the county.)

Ken Greenwood voiced what many others were thinking about the likelihood of many lawsuits that will be filed as a result of what transpired yesterday. After the last person had made public comments, Gary Miller permitted the applicant and the young AT&T representative to rebut the public comments. We had seen staff orchestrate this same charade too many times before. When the Frenchman couldn't constrain himself any longer, he stood up to briefly express his justified anger. Pointing his finger, Gary Miller shouted at him, “YOU BE QUIET!!!” The Frenchman stormed out of the building and didn't return.

Then the young AT&T representative focused his attention on discrediting my testimony about the Peerman episode. I wanted to throttle him, and by the rumbling in the audience, it appeared many others felt the same about the audacious display of unbridled corruption. I left the building after the commissioners voted on the first predetermined outcome. It was evident the remaining cell tower projects would be orchestrated in the same illicit manner.

This matter is not closed, nor are any of the RMAC CPRAs referred to and submitted to Char Tim.

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.

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.

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).)