Public Comment #16

County of El Dorado Clerk of the Board <edc.cob@edcgov.us>

BOS Rcvd. 6-13-2022

Please publicly post and pull Consent Item #16 from the 6/14/22 BOS Agenda for public discussion - appointment of Rusty Sage to CLAC

1 message

Melody Lane <melody.lane@reagan.com> Mon, Jun 13, 2022 at 3
To: lori.parlin@edcgov.us, Kim Dawson <Kim.Dawson@edcgov.us>, edc.cob@edcgov.us, Shelley Wiley <shelley.wiley@edcgov.us>
Cc: Donald Ashton <don.ashton@edcgov.us>, Vickie Sanders <vickie.sanders@edcgov.us>, Vern R Pierson <vern.pierson@edcgov.us>, barry.smith@parks.ca.gov, Jason DeWall <jason.dewall@parks.ca.gov>, CLAC@edcgov.us, bosfive@edcgov.us, bosfour <bosfour@edcgov.us>, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

Lori,

Pursuant to my First Amendment rights, I request BOS item #16 be pulled from Consent for public discussion. I object to the appointment of Mr. Sage to CLAC, but first let's address the root this issue.

The BOS and CAO professes to be committed to Good Governance, transparency and accountability. However it appears you still have a problem with transparency and accountability, in particular with CLAC (formerly RMAC). There still has been no reply from you concerning my initial 5/12/22 email, or my 5/22/22 email with regard to the below errors and irregularities in the 5/5/22 CLAC minutes. What's up with that??

- Are you refusing to provide public services and avoiding accountability to constituents?
- Does the problem still reside with CAO Don Ashton ordering Tonya Digiorno to unlawfully block my ability to communicate with most county staff?
- Perhaps the problem is with David Livingston issuing a directive not to meet or respond to constituents such as he advised George Turnboo?
- Or could it have something to do with me exposing Howard Penn and his minions for kicking me off of CLNews again for no apparent reason?

To be perfectly clear, CLAC does NOT and NEVER has represented the voice of the Coloma Lotus community. CLAC/RMAC represents the liberal River Mafia Mob, and CLNews is run by members of American River Conservancy and CA State Parks. These individuals, many of whom do not even live in the community or El Dorado County, have historically been very hostile toward local residents, in particular conservatives. CLAC/RMAC has never abided by the Brown Act. You are aware it is a fact they have on numerous occasions threatened or intimidated residents from participating in these public meetings necessitating that I involve law enforcement as per the River Management Plan.

Chief Administrative Office

Home > Government > Chief Administrative Office

County Transparency

Transparency is important in government because it allows for learning how decisions are made, contributes to accountability and shapes organizational performance. It's also key component of El Dorado County's Strategic Plan, under the goal of Good Governance.

This page provides El Dorado County residents with information about issues that are important to them and the decisions that affect their lives.

12 Year Budget Analysis

El Dorado County Strategic Plan

Boards, Committees, and Commissions

The El Dorado County Board of Supervisors has established through policy and county ordinances a number of advisory boards, committees, and commissions. Certain boards, committees, and commissions are required by state law. Advisory committees are established to provide advice to the entire Board and reflect their commitment to transparency, engagement of the community, and high quality, evidence based decision making. *Applications for appointment may be completed online* (scroll to bottom of this page).

It should also be noted that during the 5/5/22 CLAC meeting I was questioned by Bob Bradshaw about why I hadn't applied for the Landowner/Resident Representative. The reason is that it just announced that evening. Furthermore, the position wasn't even posted until 5/9/22, nor was any announcement publicly distributed via GovDelivery regarding the below CLAC vacancy:

El Dorado County Committee and Commission Descriptions

Notice of Vacancy: Meyers Advisory Council - Reposted 5-10-2022

Notice of Vacancy: El Dorado County Child Abuse and Prevention Council - Reposted 6-13-2022

Notice of Vacancy: Coloma Lotus Advisory Committee - Posted 5-09-2022

Notice of Vacancy: Local Enforcement Agency Independent Hearing Panel - Posted 4-27-2022

Notice of Vacancy: Community and Economic Development Advisory Committee - Posted 4-19-2022

Notice of Vacancy: Behavioral Health Commission - Reposted 4-12-2022

Notice of Vacancy: Law Library Trustees - Posted 4-06-2022

Notice of Vacancy: El Dorado County Early Care and Education Planning Council - Reposted 4-05-2022

It is evident from the 5/5/22 CLAC audio that this vacancy was "insider" information and that the CLAC members were still operating outside of the law just like RMAC. Rusty Sage had alread been selected as the Landowner/Resident Representative, and it is apparent CLAC had no intention of allowing other applicants into their "inner circle" of serial meetings which the Brown Act strictly prohibits.

Lori, don't forget who you work for. On March 19, 2019 you fraudulently did a bait and switch at the last moment during the RMAC meeting held Coloma Grange Hall by turning it into your personal "community" meeting. I suggest you revisit the mandatory ethics training required under AB1234 for all elected officials.

It is my duty to expose the works of darkness to the light of Truth. CLAC does ***not*** have the best interests in mind for the Coloma Lotus region, and as long as you aid and abet their unlawful activities, then you are abusing the public trust and violating your oaths of office.

Melody Lane

Founder – Compass2Truth

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

From: Melody Lane [mailto:melody.lane@reagan.com]
Sent: Sunday, May 22, 2022 11:16 AM
To: lori.parlin@edcgov.us; bosfour@edcgov.us; Shelley Wiley
Cc: 'Kim Dawson'; kaylee.runkle@edcgov.us; david.livingston@edcgov.us; 'Vickie Sanders'; 'Donald Ashton'; carla.hass@edcgov.us; CLAC@edcgov.us; Noel Stack; Richard Esposito; E Jaramishian; barry.smith@parks.ca.gov; Jason DeWall; Armando Quintero; Kasraee, Parveen@Parks; bosfive@edcgov.us; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.u
Subject: RE: 5/5/22 CLAC meeting minutes ERRORS - Drone Footage of HLP

Lori,

It looks like you and the River Mafia Mob are up to your old tricks again. The Coloma Lotus Advisory Committee (CLAC) is still the same River Management Advisory Commiteee (RMAC), ar you are perfectly aware they have been operating outside of the law for decades. https://www.mtdemocrat.com/news/coloma-lotus-getting-new-voice/

Inquiring minds would like to know why you haven't responded to the below issues, ***as required by law,*** regarding the falsified 5/5/22 CLAC minutes? Also, why has the June 2nd CLAC mee been cancelled without any public notification?

Coloma Lotus Advisory Committee	6/2/2022	6:30 PM	*CANCELLED MEETING NOTICE*

As long as American River Conservancy and State Parks run CLNews, local residents have NO VOICE. You are aware the liberals, in particular your agents Howard Penn, Mike Bean and Na Rangel, have been censoring conservatives. Their illicit bully tactics was a major issue addressed during the 5/5/22 CLAC meeting. That's when Nate Rangel ordered Kaylee Runkle to shut the mic and threatened to adjourn the meeting. I exercised my 1st Amendment Rights and stood my ground at the podium.

Furthermore, you have been complicit with CAO Don Ashton and the Mountain Democrat by promoting false narratives with fraudulent Town Hall meetings held at the Coloma Grange Hall. (I to the attached documents) The FPPC has a lot to say about unethical abuses of the public trust. Voters need to know that you and CLAC appointees are wolves in sheep's clothing.

Sincerely,

Melody Lane

Founder – Compass2Truth

Democracy is two wolves and a lamb voting on what to have for dinner. Liberty is a well-armed lamb contesting the vote.

From: Melody Lane [mailto:melody.lane@reagan.com]
Sent: Thursday, May 12, 2022 4:46 PM
To: lori.parlin@edcgov.us
Cc: Kim Dawson; kaylee.runkle@edcgov.us; david.livingston@edcgov.us; Vickie Sanders; 'Donald Ashton'
Subject: 5/5/22 CLAC meeting minutes errors - Drone Footage of HLP
Importance: Low

Lori,

The county professes to be committed to Good Governance and Core Values, in particular **transparency, integrity and accountability.** Pursuant to your oaths of office, your explanation is i order pertaining to the erroneous 5/5/22 CLAC meeting minutes:

1) I noticed that the minutes of the 5/5/22 CLAC meeting were posted to the Calendar, but the audio is not available. Why has a GovDelivery notice not been distributed about this, and why the audio not yet posted to the calendar?

Coloma Lotus Advisory Committee	5/5/2022	6:30 PM	https://edcgov-us.zoom.us/j/93731196233 *330 Fair Lane, Building A Placerville, CA OR Live Streamed - Click here to view*	Meeting details	Agenda	Minutes	Not available
Planning Commission	4/28/2022	8:30 AM	Building C Hearing Room 2850 Fairlane Court Placerville, CA 95667 Or Live-Streamed	Meeting details	Agenda	Minutes	Video

2) It is a matter of public record that Nate Rangel has a history of falsifying RMAC minutes, and it appears he has been continuing his fraudulent practices as Secretary of CLAC. The Febru 22, 2022 minutes indicate that CLAC passed under Consent the approval of meeting minutes held 11/30/21 and 1/11/22. However the 11/30/21, 1/11/22 and 2/22/22 CLAC meetings do not appear anywhere on the Calendar, nor were any public meeting announcements or minutes distributed as required by law. **This indicates that CLAC has been conducting serial meetings which the Brown Act strictly prohibits, thus the minutes are fraudulent and not in compliance with Good Governance and transparency laws:**

WHERE IS THE 11/30/21 CLAC MEETING POSTING?

Board of Supervisors	12/7/2021	9:00 AM	https://us06web.zoom.us/j/85699635366 *330 Fair Lane, Placerville, CA or live-streamed*	Meeting details	Agenda	Minutes	Video
Community Corrections Partnership	12/2/2021	1:30 PM	3974 Durock Rd. Suite 205, Shingle Springs, CA	Meeting details	Not available	Not available	Not available
Human Rights Commission	11/22/2021	4:00 PM	Virtual Meeting - See Below	Meeting details	Agenda	Minutes	Video
EDC Commission for Youth and Families	11/18/2021	4:00 PM	Virtual *Special meeting for AB 361*	Meeting details	Agenda	Minutes	Not available
Parks and Recreation Commission	11/18/2021	1:30 PM	Meeting has been cancelled. *Meeting has been Cancelled*	Meeting details	Agenda	Not available	Not available

WHERE IS THE 1/11/22 CLAC MEETING POSTING?

Planning Commission	1/13/2022	8:30 AM	Building C Hearing Room 2850 Fairlane Court Placerville, CA 95667 *CANCELLED MEETING NOTICE*	Meeting details	Agenda	Not available	Not availa
Agricultural Commission	1/12/2022	6:30 PM	Zoom ONLY https://us06web.zoom.us /j/81440767114?pwd=TjRaMWwyc0x6eUtrdTNZS2t6eUF2QT09 *https://us06web.zoom.us /j/81440767114?pwd=TjRaMWwyc0x6eUtrdTNZS2t6eUF2QT09*	Meeting details	Agenda	Not available	Not availa
Board of Supervisors	1/11/2022	9:00 AM	https://us06web.zoom.us/j/86758089003 *Live Streamed - Click here to view*	Meeting details	Agenda	Minutes	Video
Board of Supervisors	1/4/2022	9:00 AM	Virtual Meeting - Click here to view meeting https://us06web.zoom.us/j/89616484207	Meeting details	Agenda	Minutes	Video

WHERE IS THE 2/22/22 CLAC MEETING, AND WHERE WAS IT HELD?

Planning Commission	2/24/2022	8:30 AM	Building C Hearing Room 2850 Fairlane Court Placerville, CA 95667 or live-streamed	Meeting details	Agenda	Minutes	Video
Fish and Wildlife Commission	2/23/2022	6:00 PM	Virtual Zoom: https://us06web.zoom.us/j/89609246023	Meeting details	Agenda	Minutes	Video
Board of Supervisors	2/22/2022	9:00 AM	https://us06web.zoom.us/j/86374463004 OR Live Streamed *330 Fair Lane, Building A Placerville, CA OR Live Streamed - Click here to view*	Meeting details	Agenda	Minutes	Video
Parks and Recreation Commission	2/17/2022	3:00 PM	Meeting has been cancelled and will be rescheduled *Meeting has been cancelled and will be rescheduled*	Meeting details	Agenda	Minutes	Not available

3) The 5/5/22 minutes (below) indicate that there were "No Public Comments" under Item #5. This is in error. Nate Rangel invited me to come forward and I remained at the podium engage discussion for the remainder of the meeting. The audio will also reveal that Nate Rangel repeatedly violated the Brown Act by attempting to hold an "informal" meeting and deviating from procedures causing Kaylee Runkle to repeatedly remind Mr. Rangel about the basics of the Brown Act.

County of El Dorado

330 Fair Lane, Building A
Placerville, California
530 621-5390
FAX 622-3645
www.edcgov.us/bos/

MEETING AGENDA

Coloma Lotus Advisory Committee

Robert Bradshaw - Member at Large
Keri Cavin - Non-Commercial Boater Representative
Darin Freeland - Member at Large, Vice Chair
Howard Penn - Member at Large, Chair
Nathan Rangel - Commercial Outfitter Representative, Secretary
Sara Schwartz C.R. Kendall - Landowner/Resident Representative
David White - Landowner/Resident Representative

Thursday, May 5, 2022 **6:30 PM** **https://edcgov-us.zoom.us/j/93731196233**

330 Fair Lane, Building A
Placerville, CA

5. 22-0811 Status of Off Site CLAC Meetings:
A) Grange upgrades
B) Clerk of the Board Office update on equipment status

Attachments: Public Comment CLAC Rcvd 5-6-2022

No Public Comment

Member Penn gave an update on the status of Internet service at the Coloma Grange Hall.

Kaylee Runkle with the Clerk of the Board Office gave an update on status of portable audio and video equipment for off site committee and commission meetings.

# # #

4) As you are aware Howard Penn and Mike Bean recently banned me from CLNews relative to private correspondence about Howard's acquisition of the old Sierra Nevada House property consequently the below CLNews posting was forwarded to me. For the record, I was the only member of the public present in the room or on Zoom during the 5/5/22 CLAC meeting. The au will reveal that Mr. Rangel **invited** me up to the podium to speak, then he violated the Brown Act when he threatened to shut off the mic and adjourn the meeting after I directed relevant quest to Howard Penn. I specifically asked Howard if the Sierra Nevada House acquisition was going to be annexed to Henningson Lotus Park and the Marshall Gold Discovery Park, and other pertinent questions, but he refused to respond. Nate Rangel backed him up claiming he wasn't required to answer my questions. I corrected Nate and referred him to the attached Brown Act Rights of the Public that were also entered into the public record. Therefore please explain the following statement and why Howard Penn is acting as your agent: ***"If anyone is interested i helping do this, please let me know. This is for the county and Supervisor Parlin's office."***

From:

Sent: Wednesday, May 11, 2022 8:18 AM
To: Melody Lane
Subject: Fw: [CLNews] Drone Footage of HLP

From: clnews@googlegroups.com <clnews@googlegroups.com> on behalf of Howard Penn <howard@lbcomm.com>
Sent: Tuesday, May 10, 2022 7:55 PM
To: clnews@googlegroups.com <clnews@googlegroups.com>
Subject: [CLNews] Drone Footage of HLP

Hi folks,

Does anyone have a drone they know how to fly? We could use some drone footage of HLP beach front during a busy weekend like Memorial Day or other busy weekend this summ We want to capture the use of HLP and how popular that park has become especially during Covid. We have still photos but an aerial video of the beach and the park use would be wonderful.

If anyone is interested in helping do this, please let me know. This is for the county and Supervisor Parlin's office.

Howard

Howard Penn | Managing Director/GM

Howard@LBComm.com | Tel:(530) 626-7373

LB Commercial - Strategic Business & Asset Development

5) The public is entitled to honest services, but it is apparent CLAC has something to hide. The questions that inquiring minds are now asking:

- What is Howard Penn really up to?
- Who else is involved?
- What role does CA State Parks play in this purchase and/or property development?
- Is EDC Planning & Development aware of any plans for this property?
- Why are the circumstances surrounding the SNH arson fire so secretive?
- Why weren't the collected funds distributed to SNH employees as intended?
- Are Howard Penn and the River Mafia Mob retaliating again for daring to expose the evil intentions of the CLNews Steering Committee?
- Why are they so hostile towards conservatives…or are they just afraid of the truth?
- Who really benefits from CLNews, and what are their political motives?
- How can such hate and deceitful tactics possibly be expected to unite the Coloma Lotus community?

###

You are reminded that when you have knowledge of wrong doing, but fail to take remedial action, then you are complicit and liable. See: *U.S. v. Tweel - "Silence can only be equated with **fra** where there is a **legal or moral duty** to speak or where an **inquiry left unanswered** **would be intentionally misleading.**"* Therefore District #4 constituents expect your immediate response these issues in order they may be timely disseminated.

Regards,

Melody Lane

Founder – Compass2Truth

"Resistance to tyranny becomes the Christian and social duty of each individual…Continue steadfast and, with a proper sense of your dependence on God, nobly defend those rights which heaven gave, and no man ought to take from us." ~ John Hancock ~

3 attachments

3-19-19 Parlin RMAC Bait & Switch.docx
24K

5-17-19 RMAC-CLAC Item 33.doc
52K

V Sanders affidavit.pdf
13115K

AFFIDAVIT/DECLARATION OF TRUTH

To: Vickie Sanders
EDC Parks and Recreation Manager
330 Fair Lane
Placerville, CA 95667

I, **Melody Lane,** the undersigned, hereinafter: Affiant/Declarant, make this Affidavit/Declaration of Truth of my own free will, and I hereby affirm, declare and solemnly swear, under oath, before a certified California Notary Public, that I am of legal age and of sound mind and hereby attest that all the information contained in this Affidavit/Declaration is true, correct and admissible as evidence.

This Affidavit/Declaration of Truth is lawful notification to you, Vickie Sanders, and is hereby made and sent to you pursuant to the national Constitution, specifically, the Bill of Rights, in particular, Amendments I, II, IV, V, VI, VII, IX and X, and The Declaration of Rights of the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3 Section 1, and required 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 and 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 March 12, 2019 I sent you, Vickie Sanders, via USPS certified mail #70183090000026510059, a letter which you received on March 18, 2019. That letter was sent to inform you of specific events and statements made by you, and also as an inquiry to ascertain whether you, Vickie Sanders, would support and uphold them or rebut them. Pursuant to the lawful notification contained in that letter, as I originally stated therein, you were required to respond to and rebut ***with specificity*** via a sworn notarized affidavit anything contained in that letter with which you disagreed within thirty (30) days of receipt thereof. You failed to respond or rebut with specificity to each of the factual claims stated therein. **(See Exhibit A)**

Simply put, any act by any public official either supports and defends the Constitutions, or opposes or violates them. 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 and that of those who represent you.

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

1) You were regularly apprised that individuals under your supervision and control have been routinely falsifying information relative to the River Management Plan. Evidence of Noah Rucker-Triplett's collusion with representatives of the River Management Advisory Committee (RMAC), American River Conservancy, Chamber of Commerce Political Action Committee, and State Parks personnel to manipulate public perceptions and obstruct residents' right to participate in public forums were specifically discussed with you during several audio-recorded occasions when I was accompanied by a retired member of law enforcement. You have unequivocally concurred that the River Management Advisory Committee merely serves to organize a faction, to give it an artificial and powerful force to put in place a small but enterprising minority of special interest rafting groups within the community. You further acknowledged that the River Mafia Mob have proven to be extremely hostile, overbearing, and routinely operating outside of the law. The public administration of their self-serving plan mirrors the ill-concerted and incongruous projects of Parks and Recreation, rather than a policy which supports and defends Constitutional principles for all El Dorado County residents. During one of our 2015 audio-recorded meetings with consultant Steve Petersen, you announced the county's plan to "disempower" and disband RMAC, when in fact you have deceptively aided and abetted the perpetration of their unlawful activities and thus denied remedy to Citizens affected by their actions.

2) It is a fact that RMAC members have NOT stepped down; they have regularly continued to conduct serial meetings, and for decades, they have falsified minutes that are routinely approved by Parks and Recreation staff with your full knowledge and consent. Lori Parlin, Sue Taylor, and Kris Payne have participated in many of the RMAC serial meetings, which are strictly prohibited by the Brown Act. Your culpability is made evident by your knowledge of staff misconduct and deliberate failure to take remedial action. Any enterprise undertaken by any public official, such as you, which tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word. My claims, statements, and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths.

3) On several occasions, you have witnessed my public testimony while presenting factual evidence regarding "River Mafia Mob" violent assaults, threats, harassment, slander,

libel, hostility, and collusion with county staff to retaliate--especially against female conservatives. You are aware of numerous EDSO case files that are now a matter of public record. Furthermore, despite being disbanded in 2018, RMAC still regularly conducts illegitimate serial meetings and continues to violate the Brown Act. You have taken absolutely no action whatsoever to control, correct, or to stop their unlawful behavior. By taking no action, you've aided and abetted their unlawful conduct, deprived me of my First Amendment rights, and thus violated your oaths of office.

4) You've acknowledged that you have not received any emails from me since 2018, when CAO Don Ashton unlawfully restricted my ability to communicate electronically with unnamed public employees. Consequently, I've had to request other county staff forward my correspondence to you. Your deliberate unresponsiveness strongly suggests you have something to hide. It is an abuse of your fiduciary, and is in violation of your oaths of office. Furthermore, your collusion with county staff and State Parks personnel to unethically circumvent the law, deny Citizens due process, or reply to CA Public Record Act Requests, is against all public policy. You have been regularly apprised on numerous occasions of your staff's failure to comply with the law and the deliberate strategy to delay and obfuscate financial and other pertinent data, particularly as it concerns the River Management Plan. Your knowledge of deliberate misconduct within your department and your failure to take remedial measures is misprision of crime, a serious Federal offense. When public officials who are notified, yet fail to take remedial action, it condone and perpetuate the misconduct for which they can be held liable. By your actions, you follow neither the letter of the law nor the spirit of the law, and consistently violate the Supreme Law of the Land and the California Constitution to which you have sworn or affirmed your oaths. *(See also USGC Title 18, Sections 241 & 242).*

5) There is no legitimate argument to support the claim that oath takers, such as you, are not required to respond to letters or emails, which in this case act as petitions for redress of grievances, stating complaints, charges and claims made against them by their constituents or by Citizens injured by their actions. ***See: U.S. v. Tweel, cited above.*** 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.

6) When public officers harm the Citizens by their errant actions, as you have done, and then refuse to respond to or rebut petitions from Citizens, as you have also done, then those public officers are domestic enemies, acting in sedition and insurrection to the declared Law of the land and ***must be opposed, exposed and lawfully removed from office.*** By your stepping outside of your delegated authority, you lost any "perceived immunity" of your office and you can therefore be sued for your wrongdoing against me,

personally, privately, individually, and in your professional capacity, as can all those in your jurisdiction, including your supervisors and anyone having oversight responsibility for you, including any judges or prosecuting attorneys and public officers for that jurisdiction, if, once they are notified of your wrongdoing, they fail to take lawful actions to correct it, pursuant to their oaths and their duties.

7) The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which the oath taker, pursuant to his oath, is mandated to uphold. If he fails this requirement, then he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. By not responding and/or not rebutting, the oath taker denies the Citizen remedy and thus denies the Citizen constitutional due process of law, as stated within the Bill of Rights. By your own actions, pursuant to your oath, you have violated these First Amendment guarantees.

8) The public is entitled to honest services. As stated earlier, any enterprise, undertaken by any public official, such as you, that 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 [483 U.S. 372] in the statute. *See United States v. Dial, 757 R2d 163, 168 (7th 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.* My claims, statements, and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths. Whenever constitutional violations are committed by public officers such as you, there are constitutional remedies available to the people. Such remedies make those who violate their oaths accountable and liable for their unconstitutional actions conducted in perjury of their oaths. When public officers take oaths, yet are ignorant of the constitutional positions to which they are bound by their oaths, and then fail to abide by them in the performance of their official duties, this suggests that they may have had no intention of ever honoring their oaths. Their signatures upon the oath documents therefore constitute fraud. ***Fraud vitiates any action.***

9) It is the duty of every Citizen to demand that government employees, such as you, specifically perform pursuant to the constitutional mandates contained within their oaths and, 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. 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, and thereby act as domestic enemies to these Republics and their people. It is apparent the public's input has been reduced to irrelevancy, thereby demonstrating that

public RMAC and Parks and Recreation meetings are little more than staged events with predetermined outcomes designed to falsely give Citizens the impression of government transparency and accountability, while providing neither. This represents blatant fraud perpetrated by you and other elected/appointed officers against the people they are required to serve and who pay their respective salaries. By your actions against me, committed repeatedly on the aforementioned dates and several other occasions, you have deprived me of my inherent rights.

10) **Depriving the public of honest services is a federal crime**. My claims, statements, and averments also pertain to 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 as Parks and Recreation Manager, and in so doing, you have harmed all El Dorado County Citizens and me.

11) The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which the oath taker, pursuant to his oath, is mandated to uphold. If he fails this requirement, then he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. By not responding and/or not rebutting, the oath taker denies the Citizen remedy and thus denies the Citizen constitutional due process of law, as stated within the Bill of Rights. By your own actions, pursuant to your oath, you have violated these First Amendment guarantees.

12) All of the aforementioned facts, claims, and charges previously stated clearly demonstrate that you, pursuant to your oath, acted outside the lawful scope of your limited duties and constitutional authority; therefore, you acted on your own, as a private Citizen and renegade, outside of any governmental protection and/or immunity whatsoever. If government were to protect and defend your unconstitutional actions, then that government becomes complicit in those actions, condones, aids, and abets them. (Refer to Title 18 USGC, Sections 241 & 242)

13) *Compass2Truth* was established in 2009 as a whistleblower organization. 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, and a collaborative "set up" by county officials to discredit and permanently silence me for whistleblowing. *"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.) Your collusion and failure to ***lawfully*** or ***publicly*** respond to constituents, in this case me, or to take remedial action, aids and abets the perpetuation of El Dorado County corruption. The First Amendment guarantees the Right of free speech and the Right to petition government for redress of grievances, which the oath taker, pursuant to his oath, is mandated to uphold. You failed this requirement; thus you violated two provisions of the First Amendment, the Public Trust and perjured your oaths of office.

14) All actions by public officers conducted in the performance of their official duties either support and defend the national and state Constitutions, pursuant to their Constitutional oaths of office, or oppose and violate them. Those oaths are given in exchange for the Public Trust. You have no constitutional authority whatsoever, or any other form of valid, lawful authority, to oppose, contradict, deny, and violate the very documents to which you have sworn your oaths, but as indicated in my previous referenced letter and in this affidavit, this is exactly what you have done. By your own actions, pursuant to your oath, you have flagrantly violated these First Amendment guarantees, betrayed the Public Trust and perjured your oaths of office.

15) As aforementioned, it is the duty of every Citizen to demand that government employees, such as you, specifically perform pursuant to the Constitutional mandates contained within their oaths and thereby uphold and protect the rights of the people, as opposed to upholding and promoting the profits of a rapacious, destructive government that perniciously violates the rights of the people as its apparent routine custom, practice and policy. *See USGC Title 18, § 2071 – Concealment, removal, or mutilation generally. See also USGC Title 18, Sections 241 and 242.* 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.

16) On several occasions, I have publicly brought to your attention and that of other County officials, evidence of blatant lies, retaliation, harassment, threats, assaults, and bully tactics by the "River Mafia Mob", who surreptitiously work in collusion with county staff under your full knowledge, influence, and control. When a public official, such as you, fails to act and correct the matter reported to her, then she condones, aids, and abets criminal actions, and further, colludes and conspires to deprive me and other Citizens of their inherent rights guaranteed in the Constitutions, as a custom, practice, and usual business operation of her office and the jurisdiction for which she 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

herself against treason committed. *See: 18 USC § 241 - Conspiracy Against Rights, and 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.*

17) Once again, when public officers take oaths, yet are ignorant of the constitutional positions to which they are bound by those 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. Their signatures upon the oath documents therefore constitute fraud. Fraud vitiates any action. Any enterprise undertaken by any public official, such as you have conducted, tends to weaken public confidence and undermines the sense of security for individual rights, and is against all 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 oaths by violating my Constitutionally guaranteed Rights, in particular those secured in the Bill of Rights, including, but not limited to my First Amendment Rights.

Any act passed by any legislature or any other governing body, and any action committed by any public officer, either supports and upholds the Constitutions, or opposes and violates them. No public officer has the constitutional authority—or any other form of valid authority—to oppose the very documents to which he has sworn or affirmed his oath. IT IS THIS SIMPLE. In my referenced previous letter sent to you and in this affidavit, I have conclusively proven that you have violated these constitutional requirements by your actions as stated herein, and in the previous letter. The Constitution does not restrict or limit rights guaranteed in that Constitution nor any aspect of due process of law. However, pursuant to your oaths, as described herein and in the referenced previous letter sent to you, have violated, restricted, and denied my inherent constitutionally guaranteed rights and due process of law by your own actions as described above. Thus, you have invoked the self-executing Sections 3 and 4 of the 14th Amendment, vacated your office and forfeited all benefits thereof, including salaries and pensions. You have no lawful authority to continue in office, and those other public officers who may collude with, conspire, protect, aid, and abet your actions are complicit in your criminal actions and thereby also invoke the referenced self-executing Sections 3 and 4 of the 14th Amendment. ***A constitutional republic, as is California, requires constitutional remedies for constitutional crimes, and you and the ruling "authorities" in this county are duty bound to provide those constitutional remedies for the unconstitutional actions committed against me by you and referenced others, as described herein.***

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 all of them. Pursuant to that lawful notification, if you disagree with anything stated under oath in this Affidavit/Declaration of Truth, then rebut that with which you disagree, with particularity, within thirty (30) days of receipt thereof, by means of your own written, sworn, notarized affidavit of truth, based on specific and 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 national and state Constitutions, the laws of the United States of America and this state of California. An un-rebutted affidavit stands as truth before any court.

Your failure to respond, as stipulated, is your agreement with and irrevocable admission to the fact that everything in this Affidavit/Declaration of Truth is true, correct, legal, lawful, fully binding upon you, Vickie Sanders, in any court of law in America, without your protest, objection and that of those who represent you.

All Rights Reserved,

By: Melody Lane Date: 5/2/19

Melody Lane

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

(See attached California Notarization)

Attachments:

- Exhibit A – Pre-letter to Vickie Sanders, USPS Certified #70183090000026510059

CC: Dist. #1 Supervisor John Hidahl
Dist. #2 Supervisor Shiva Frentzen
Dist. #3 Supervisor Brian Veerkamp
Dist. #4 Supervisor Lori Parlin
Dist. #5 Supervisor Sue Novasel
CAO Don Ashton
EDC District Attorney Vern Pierson
Media and other interested parties

CALIFORNIA JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }

COUNTY OF El Dorado }

Subscribed and sworn to (or affirmed) before me on this 2 (Date) day of May (Month) 2019 (Year)

by Melody Lynn Lane

Name of Signers

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

Signature: _____
Signature of Notary Public

DIANNA WICKLIFFE
COMM. #2244993
Notary Public · California
El Dorado County
Comm. Expires June 2, 2022

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 - Victim Services

Document Date: 5/2/19

Number of Pages: 8

Signer(s) Other Than Named Above: _____

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

March 12, 2019

Vickie Sanders
EDC Parks & Recreation Manager
330 Fair Lane
Placerville, CA 95667

Ms. Sanders,

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, II, 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 and/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 officials, such as you, 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.

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

EXHIBIT A

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 and uphold the national and state Constitutions and the rights of the people secured therein and all aspects of constitutional due process.

My claims, statements and averments pertain to violations of your oaths, particularly as they pertain to your role as Parks and Recreation Manager in the River Management Plan and with other associated government agencies. When I use the term "public official(s)", this term includes you.

No public official, 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 officials conducted in the performance of their official duties either support and defend the national and state Constitutions, or oppose and violate them.

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

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 have been regularly apprised that individuals under your supervision and control are routinely falsifying information relative to the River Management Plan. Evidence of Noah Rucker-Triplett's collusion with representatives of the River Management Advisory Committee (RMAC), American River Conservancy, Chamber of Commerce Political Action Committee, and State Parks personnel to manipulate public perceptions and obstruct residents' right to participate in public forums were specifically discussed with you during our 8/3/15 meeting, as well as on other audio-recorded occasions when I was accompanied by a retired member of law enforcement. **(See Exhibit A)**

The River Management Advisory Committee and Parks & Recreation Commissioners merely serve to organize faction, to give it an artificial and powerful force to put in place a small but enterprising minority of special interest rafting groups within the community. In reality, these individuals do NOT represent the greater majority of river residents. It is a fact they have proven to be extremely hostile and

overbearing, meanwhile routinely operating outside of the law with the full knowledge and blessing of your staff, the Planning Commissioners, and the Board of Supervisors. The public administration of their self-serving plan mirrors the ill-concerted and incongruous projects of Parks and Recreation, rather than a policy which supports and defends Constitutional principles for all El Dorado County residents. It is nothing short of demagoguery.

In a memo dated May 9, 2017 ACAO Laura Schwartz states, *"...we recommend that this committee [RMAC] be dissolved and that the County encourage interested participants to form an ad-hoc committee...Over the past several months, the majority of RMAC members have stepped down from the Committee resulting in not enough members to reach quorum. Several meetings have been cancelled at the request of RMAC due to a lack of a quorum or no issues to discuss...The Chief Administrative Office recommends that the Board consider filling the vacancies noting that RMAC may be dissolved by the end of the year."*

It is a fact that RMAC members have NOT stepped down; they've regularly continued to conduct serial meetings and for decades have falsified minutes that are routinely approved by Parks & Recreation staff. It is a fact that Lori Parlin and Sue Taylor have participated in many of those serial meetings. As you are aware, serial meetings are strictly prohibited by the Brown Act. We've also discussed Parks & Rec Commissioner Kris Payne's role in RMAC meetings in tandem with Lori Parlin and Sue Taylor, none of whom live anywhere near the S. Fork American River, yet they have actively participated in the RMAC Resolution being used as the format during the upcoming 3/18/19 RMAC meeting in Coloma. Your culpability is made evident by your knowledge of staff misconduct and deliberate failure to take remedial action.

For example, during the January 14, 2019 RMAC meeting Bill Crenshaw and Adam Anderson repeatedly interrupted, harassed, mocked and heckled me while I was specifically attempting to dialog with you. ***Anderson has proven to be a liar and has admitted to "legal manipulations" in order to remain as the RMAC Business rep.*** On several occasions during the two hour meeting Adam Anderson made a distracting spectacle of holding up his cell phone to video record me while I was at the podium presenting factual information about River Mafia Mob assaults, threats, harassment, slander, libel and collusion with county staff. As you'll recall, I testified that RMAC Resident Representative, Rob Smay, was present during the court trial involving the stalking and sexual assault by his best friend and neighbor, Bob Palacios, who has a history of violence. When Palacios was served with a TRO Palacios refused to relinquish his guns to law enforcement as required by law. This too was discussed with you and RMAC consultant Steve Petersen during one of our audio recorded meetings. **(See Exhibit B)**

As you are aware, Palacios was under investigation by EDSO along with Greg Jorgensen, Howard Penn, Mike Bean, Harry Mercado and other extreme left environmentalists known as members of the River Mafia Mob. They have repeatedly demonstrated blatant hostility and retaliation against residents, particularly female

conservatives. Refer to EDSO case files #EG15-5698, EG15-5793, EG18-0098 and EG18-06720 which are now a matter of public record.

During the recent January 2019 meeting you witnessed Ythsta Resovich & Greg Jorgensen identify themselves as members of the River Mafia Mob. When I took my turn at the podium RMAC members falsely claimed that I was out of order, they called a break and walked away from the dais. That's when Adam Anderson approached me in a threatening manner at the rear of the room and he commenced to harass and shout at me. As I discussed with you afterwards, our heated exchange was captured on my audio recorder. When RMAC members returned to their seats you advised that they should have left the room. ***I did absolutely nothing wrong and was perfectly within my First Amendment rights.*** It was the RMAC members who violated the Brown Act, but you took absolutely no action to stop them. In so doing you aided and abetted their unlawful conduct, deprived me of my First Amendment rights and thus violated your oaths of office.

Misprision of crime is a serious Federal offense. When any public official is notified yet fails to take remedial action, it condones and perpetuates the misconduct for which they can be held liable. Any act by any public official that doesn't support and defend the Constitution, opposes and violates it. (See also USGC Title 18, Sections 241 & 242).

The River Mafia Mob is broadcasting throughout El Dorado County their disrespect for women and the law because they know EDSO has a sordid reputation for being tolerant of lawbreakers and unresponsive to constituents. As you are aware, I've been shot at, assaulted, libeled, slandered, hacked, and harassed. At least four other women have already been threatened and run out of EDC by the River Mafia Mob. *It is highly doubtful you would be tolerant of their behavior if it was one of your own family members being harassed or threatened.* Many of these incidents go unreported because women especially fear retaliation, or they know law enforcement will be ***unresponsive***. Consequently the potential exists to escalate into yet another serious act of violence or even civil unrest.

Another example was the 9/14/15 RMAC meeting concerning Code Enforcement and noise violations within the Quiet Zone of the SFAR. Kris Payne, Claudia Wade, Sue Taylor, and a retired member of law enforcement attended the meeting at my request. They all witnessed another setup by the River Mafia Mob with the full knowledge and support of Roger Trout and Supervisor Mike Ranalli who were also present. During that meeting you witnessed Tim Lasko and Adam Anderson create a sudden distraction by falsely accusing me of using profanity. The truth is I was seated quietly in the audience which is proven by the audio recordings. You also witnessed as I took my turn at the podium when Nate Rangle falsely accused me of violating the Brown Act and began admonishing me when it was obvious I did nothing wrong whatsoever. You took no action whatsoever to control or correct their unlawful behavior. In an email I addressed to you dated September 23, 2015 at 4:10 PM I requested the RMAC minutes reflect specific corrections, including a public apology.

You refused to do so making it apparent that meeting was another set-up just like the May 2010 RMAC "Brown Act seminar" conducted by Mike Ciccozzi.

As we discussed with you, one of our legal consultants from **Californians Aware** had laid down the law about the Brown Act during the March 2010 RMAC meeting. Dave Martinez, Steve Lyles, and Martin Harris were so shook up about being exposed for their illicit and despicable conduct that they submitted their resignations from RMAC. During another meeting Steve Lyles and Dave Martinez had made exceedingly offensive anti-Semitic remarks which I captured on audio. I shared the context of the recording on the National Governors Prayer Team conference call to demonstrate how out of control the River Mafia Mob had become, and then it was reported publicly to the Board of Supervisors.

Additional proof has been publicly submitted proving that RMAC habitually operates "ultra vires" (outside of the law) as witnessed by Larry Weitzman. The following excerpts are from columns published in the Mountain Democrat and frequently discussed during Taxpayer Association meetings:

7/31/17:

At a very recent River Management Advisory Committee meeting in the Marshall Gold Discovery Park Museum to discuss the updated County River Management Plan, the rafters want to tell the county how to run the river concessions. Isn't that the tail wagging the dog? **There was no county representative present at a very one-sided meeting that bordered on mob rule. While an official county advisory committee, their actions may have been beyond the law and their authority. It's called an "ultra vires act."**

8/16/17:

"...at the Aug. 10 Planning Commission meeting when discussing item No. 5 regarding the new updated River Management Plan (RMP), **I thought Schwartz had morphed into Nancy Pelosi, when she said, "We need to pass the RMP before we do a financial analysis of its impact." Pelosi said an almost identical statement when she said, "We need to pass Obamacare to see what's in it."**

Are you kidding me? What was the name of that turnip truck I just fell off? Of course, in spite of the objections of certain members of the public who even presented information as to the preliminary sheriff's costs relative to the river totaling about $1 million, there was no analysis or method within the plan of how to recover these taxpayers' costs. Yet, the entire Planning Commission approved the RMP recommending that the Board of Supervisors approve the RMP "as is."

Understand that RMP appears to have been crafted by mostly the commercial rafting industry here in EDC as there are no provisions for cost recovery to the county for costs their industry creates. Sounds like the tail may be wagging the dog.

In fact, one of the ringleaders, **Nate Rangel**, in his column and in his appeal to the Planning Commission at the hearing to pass this updated RMP, attempted to counter facts that with respect to their approximately $30,000 grant for shuttle buses, the money doesn't come from EDC, but comes from some state or local government environmental grant. Hello! Can anybody tell me where any government money comes from? ...It comes from one place and one place only–the taxpayers. All Rangel is saying in his obfuscation of the facts is that the shuttle buses are essentially being paid for by different taxpayers, but paying just the same.

We also have no idea about code enforcement, another huge (cost) issue along the river, and that includes continuing violations of many concessionaire's special use permits. **Inquiring minds want to know, but unfortunately none of these minds reside in the EDC administration and/or the Planning Commission members.**

8/23/17:

Meetings are attended by a few people. At the one I attended on Aug. 14 about 10 interested people were there, mostly from the rafting community.

Adam Anderson is the chair and business representative. His connection is ownership of the Villa Florentino, which is under scrutiny regarding its special use permit because of complaints. A hearing is scheduled shortly in front of the Planning Commission. Anderson lives somewhere in Placerville, away from the river. Also in attendance were our very competent Deputy Chief Administrative Officer Laura Schwartz and **Vickie Sanders of Parks and Recreation.**

The committee meets about 11 times a year, which creates a huge problem for taxpayers. But first I must describe the meeting I attended which lasted nearly two and a half hours. **My time watching Looney Tunes was better spent, it was so unproductive (maybe it was a live action Looney Tunes). Not only did not one panel member understand their charge, they didn't even understand their own agenda which consisted of three items. The first one was the approval of the prior meeting's erroneous minutes and the approval of the agenda for that night.**

I also attended the prior meeting at the Marshall Gold Discovery Park Museum, which seemed to operate **ultra vires.** They were mostly concerned about the county's recommendation that RMAC be disbanded.

After listening to Schwartz's description of the nonfunctioning RMAC, many times not fielding a quorum, not understanding their duty or "job," not understanding their purpose, and certainly not understanding the Brown Act or how to conduct a meeting, it didn't take a rocket scientist to see the writing on the wall.

After two and a half hours, the meeting was done and nothing was accomplished but to set another meeting and perhaps another special meeting before the regularly scheduled meeting. **The only thing I learned from the RMAC meeting was government dysfunction at its worst.**

Attending this meeting were two very highly paid EDC employees. In fact, their total annual cost to EDC including salary and all benefits as reported by Transparent California exceeds $400,000. That's an hourly cost of more than $200 an hour combined...What I am pointing out is the fact that each of these meetings cost the taxpayer a lot of money.

And now there is an outcry that the CAO staff, and Parks and Rec staff has recommended that RMAC be disbanded. Why did it take this long**? To add some gasoline to the fire, RMAC has been nothing more than to protect the interests of the commercial rafting industry, the concessionaires along the river and other related enterprises**. Have they solved any problems? No. **The noise, crime, vandalism, and pollution are as big as ever. Have they ever told the board that it's many times out of control? Of course not.**

Let's determine what the "industry" really costs the county, sheriff, emergency response, environmental management, code enforcement, and SUP violations. We need to know the whole nine yards and then the causation needs to pay their way. Not the taxpayers. Disbanding RMAC is a great start.

During another RMAC meeting both you and Mr. Weitzman witnessed Laura Schwartz get up from her seat, walk across the room, and turn off the microphone while I was speaking merely because she objected to my observations about RMAC's

unlawful conduct. The Brown Act makes it clear she had no authority to deprive me of the right to testify or seek redress of grievances. The Brown Act specifically states:

> §54954.3 **Public's right to testify at meetings.** (c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law. **Care must be given to avoid violating the speech rights of speakers by suppressing opinions relevant to the business of the body.**
>
> **As such, members of the public have broad constitutional rights to comment on any subject relating to the business of the governmental body.** Any attempt to restrict the content of such speech must be narrowly tailored to effectuate a compelling state interest. Specifically, the courts found that policies that prohibited members of the public from criticizing school district employees were unconstitutional. *(Leventhal v. Vista Unified School Dist. (1997) 973 F. Supp. 951; Baca v. Moreno Valley Unified School Dist. (1996) 936 F. Supp. 719.)* **These decisions found that prohibiting critical comments was a form of viewpoint discrimination and that such a prohibition promoted discussion artificially geared toward praising (and maintaining) the status quo, thereby foreclosing meaningful public dialog.**

You acknowledged that you haven't received any emails from me since Don Ashton distributed an email on 8/17/18 restricting my ability to communicate electronically with unnamed public employees. Apparently you and other Park & Rec staff are among those public employees who have collaborated to deny my First Amendment rights. Consequently I've requested Supervisor Lori Parlin's admin, Shelley Wiley, to forward specific emails to you concerning RMAC and related Parks & Rec issues. **(See Exhibit C)**

The public is entitled to honest services. Your deliberate unresponsiveness suggests you have something to hide, is an abuse of your fiduciary and in violation of your oaths of office. Despite frequent public testimony and evidence submitted into the public record of fraudulent data and misinformation submitted by Parks & Rec staff, you have failed to take any corrective action. Consequently the Planning Commission and BOS will typically vote unanimously to approve any recommendations RMAC may make concerning the River Management Plan. Following are just a few examples we've specifically brought to your attention, but you've remained unresponsive:

- The 5/26/16 Special RMAC meeting was requested by Nate Rangel to be held in the MGD Park Museum at 6:00 PM. Although nobody showed up, it was never officially cancelled; however the next day the meeting minutes appeared on the EDC Legistar calendar indicating that the RMAC meeting commenced immediately at 6:30 PM ***after*** I had left the premises. The stall tactics apparently

were a strategic attempt to get me to leave so they could conduct the meeting without me. Since then the previously posted minutes have disappeared from the government website along with the audio. "Technical difficulties" appear to be a convenient and frequent excuse especially when there are issues concerning government transparency or RMAC's compliance with the law.

- The July 2017 RMAC meeting was held in the Marshall Gold Discovery Park Museum but there was no representative from the county present to ensure they adhered to the Brown Act. It was chaotic and bordered on mob rule. When I addressed a question, Nate Rangel claimed that counsel told them they "didn't don't have to answer my questions." Larry Weitzman was present to inform RMAC they were "ultra vires", or acting outside of the law.

- On numerous occasions it has been brought to your attention that corrections were never made to RMAC minutes, yet they were approved unanimously under Consent even though it was apparent none of the RMAC members actually read them.

- Adam Anderson had requested that the Whitewater Park item be added to the January RMAC agenda, but the issue was tabled until February when the item was only meant to be discussed. In violation of the Brown Act, in February RMAC took action on a discussion item to approve funding for a feasibility study. It was apparent that in the interim a decision had already been made behind closed doors to transfer money to the River Trust Fund to fund a feasibility study with Anderson's out of state consultant. It is significant that Anderson's resignation from RMAC was twice announced in 2018 but Anderson still remains as the Business Representative to RMAC due to his admitted "legal manipulations" and blatant lies.

- The 6/22/17 Planning Commission Agenda Item #4 was posted on Legistar as a RMAC workshop and falsely promoted by Nate Rangel as a hearing, when in actuality there was no discussion or action taken by the Planning Commission. It was nothing more than a government charade, obstructionism, and another waste of taxpayer's money.

- You've never responded to the following 9/4/15 @ 4:56 PM inquiry - *"I would appreciate an update on developments in addition to our discussion with you and Steve Peterson a couple months ago about "disempowering" the RMAC bullies. This is also relevant to the last Parks & Rec Commission meeting, item #2 concerning Chili Bar litigation."* (Wade vs. EDC & ARC – eminent domain and harassment involving Noah Rucker.) You were made aware of the circumstances surrounding this particular case were also discussed during our meeting with Assemblyman Frank Bigelow relative to the EDC retaliation and threats by the River Mafia Mob. **(See Exhibit D)**

Any enterprise, undertaken by any public official, such as you, that 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 [483 U.S. 372] in the statute. *See United States v. Dial, 757 R2d 163, 168 (7th 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.* 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 apprised on numerous occasions that River Supervisor Noah Rucker-Triplett has colluded with county staff and State Parks personnel to unethically circumvent the law, deny Citizens due process, or reply to CA Public Record Act Requests. Your knowledge of deliberate misconduct within your department, and failure to take remedial measures, does not demonstrate transparency or "Good Governance" by any stretch of the imagination. Furthermore, it is against all public policy. For example in an email sent October 5, 2015 @ 1:58 PM to CA State Park RMAC representatives, Noah Triplett wrote:

> *"We received a public records request from Melody Lane which requests copies of correspondence between RMAC representatives and me.*
> *I am seeking an opinion from County Counsel on whether I can I include the emails between you to because there is a confidentiality statement with your emails so she may have to request them from the State."*

In another email dated April 28, 2014 @ 3:21 PM, Noah Triplett informed all RMAC representatives:

> *"Vickie informed the committee that the County is looking at starting a more comprehensive update to the RMP beyond what was identified in the 5 year summary reports next year (July 2014). This update would include the River Rescue proposal and Institutional Proposal and anything else. The goal being to not piecemeal updates but to try and do it all at once.* ***This is also going to cost money since the County wants to use the consultant who did the 2001 RMP and as you know the RTF is broke.***
> *The floodplain litter ord. was tabled indefinitely.*
> *The alternate RMAC representative proposal was also continued.*
> *Maybe Stephen and Keith could get together and come up with a proposal since it sounds like there may be differences?*
> ***Please do not respond to all as that could be considered a violation of the Brown act."***

Ms. Sanders, you have been regularly apprised on numerous occasions of your staff's failure to comply with the law and the deliberate strategy to delay and obfuscate financial and other pertinent data, particularly as it concerns the River Management Plan. By your actions, you follow neither the letter of the law, nor the spirit of the law, and consistently violate the Supreme Law of the Land and the California Constitution to which you have sworn or affirmed your oath.

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

It is the duty of every Citizen to demand that government employees, such as you, specifically perform pursuant to the constitutional mandates contained within their oaths, thereby uphold and protect the rights of the people, as opposed to upholding and promoting the profits of a rapacious, destructive association that perniciously violates the rights of the people as its apparent routine custom, practice and policy.

Any enterprise, undertaken by any public official, such as you and other county staff which tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths.

Another example emanating from a memo dated May 9, 2017 wherein ACAO Laura Schwartz states, *"...we recommend that this committee [RMAC] be dissolved and that the County encourage interested participants to form an ad-hoc committee...Over the past several months, the majority of RMAC members have stepped down from the Committee resulting in not enough members to reach quorum. Several meetings have been cancelled at the request of RMAC due to a lack of a quorum or no issues to discuss...The Chief Administrative Office recommends that the Board consider filling the vacancies noting that RMAC may be dissolved by the end of the year."*

It is a fact that RMAC members have NOT stepped down; they've regularly continued to conduct serial meetings at Camp Lotus and the Marshall Gold Discovery Park. As you are aware, ***serial meetings are strictly prohibited by the Brown Act***. This has been discussed with you on several occasions when we met with you and Steve Petersen. The public's objections to fraudulent data and the recurring pattern of staff misconduct have demonstrated that meetings and public input are nothing more than bureaucratic charades to falsely and fraudulently convince Citizens that their input makes a difference. Subsequently such actions and omissions by you and staff directly under your supervision have caused the BOS to vote to approve staff's predetermined recommendations, thus demonstrating the policy, practice, and custom of deliberate indifference to the liberty, will, consent and inherent rights of Citizens, to wit:

> The preamble of the Ralph M. Brown Act states, "The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people do not yield

their sovereignty to the bodies that serve them. The people insist on remaining informed to retain control over the legislative bodies they have created."

54952.2. (b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, **use a series of communications of any kind, directly or through intermediaries,** to discuss, deliberate, or **take action** on any item of business that is within the subject matter jurisdiction of the legislative body.

The issue of serial meetings stands at the vortex of two significant public policies: first, the constitutional right of citizens to address grievances and communicate with their elected representatives; and second, the Act's policy favoring public deliberation by multi-member boards, commissions and councils. ***The purpose of the serial meeting prohibition is not to prevent citizens from communicating with their elected [or appointed] representatives, but rather to prevent public bodies from circumventing the requirement for open and public deliberation of issues****. The Act expressly prohibits serial meetings that are conducted through direct communications, personal intermediaries or technological devices for the purpose of developing a concurrence as to action to be taken. (§ 54952.2(b); Stockton Newspapers, Inc. v. Redevelopment Agency (1985) 171 Cal.App.3d 95, 103.)*

Additionally falsified minutes are routinely approved by your staff. Your culpability is made evident by your knowledge of staff misconduct and deliberate failure to take remedial action. As we discussed, evidence reveals your collusion with other county staff to deprive Citizens of their right to public information, obstructionism, refusal to engage in dialog, or participate in the deliberation of public policy. Consequently, the decisions made by Parks and Recreation, the Planning Commission and Board of Supervisors that are based on collusion and deliberately falsified information will ultimately affect all EDC tax payers through unnecessarily expensive litigation, thus undermining the public trust in local government.

By your actions and in some cases, inaction, it is clear that you have violated on numerous occasions each and every one of the above provisions. You've been made aware of unlawful government practices within your department, yet you've failed to take any corrective measures. In so, doing you've aided and abetted the perpetuation of government fraud, and are therefore culpable, complicit and liable.

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 government and their corporate allies, and not for the people they theoretically serve.

You have no constitutional or any other valid authority to defy the Constitution, to which you owe your LIMITED authority, delegated to you by and through the People, and to which you swore your oath. Yet, by your actions against me, committed repeatedly on the aforementioned dates and several other occasions, you've deprived me of my inherent rights.

It is apparent the public's input has been reduced to irrelevancy, thereby demonstrating that public RMAC meetings are little more than predetermined outcomes designed to falsely give Citizens the impression of government transparency and accountability, while providing neither. This is blatant fraud perpetrated by you and other elected/appointed officers against the people they are required to serve and who pay their respective salaries.

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 as Parks and Recreation Manager.

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 (7th 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.*

The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, the oath taker, pursuant to his oath, is mandated to uphold. If he fails this requirement, then, he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. By not responding and/or not rebutting, the oath taker denies the Citizen remedy, thus, denies the Citizen constitutional due process of law, as stated within the Bill of Rights. By your own actions, pursuant to your oath, you have violated these First Amendment guarantees. An American Citizen, such as I, can expect, and has the Right and duty to demand, that government officers uphold their oaths to the Constitution(s) and abide by all constitutionally imposed mandates of their oaths. This is an un-enumerated Right guaranteed in the Ninth Amendment, which I hereby claim and exercise.

Furthermore, there is no legitimate argument to support the claim that oath takers, such as you, are not required to respond to letters or emails, which in this case act as petitions for redress of grievances, stating complaints, charges and claims made against them by their constituents or by Citizens injured by their actions. When public officers harm the Citizens by their errant actions, as you have done, and then refuse to respond to or rebut petitions from Citizens, as you have also done, then those public officers are domestic enemies, acting in sedition and insurrection to the declared Law of the land and ***must be opposed, exposed and lawfully removed from office.***

As stated previously, actions by a public officer either uphold the Constitutions and rights secured therein, or oppose them. By your stepping outside of your delegated authority you lost any "perceived immunity" of your office and you can be sued for your wrongdoing against me, personally, privately, individually and in your professional capacity, as can all those in your jurisdiction, including your supervisors and anyone having oversight responsibility for you, including any judges or prosecuting attorneys and public officers for that jurisdiction, if, once they are notified of your wrongdoing, they fail to take lawful actions to correct it, pursuant to their oaths and their duties, thereto:

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

If those superiors referenced above fail to act and correct the matter, then, they condone, aid and abet your criminal actions, and further, collude and conspire to deprive me and other Citizens of their Rights guaranteed in the Constitutions, as a custom, practice and usual business operation of their office and the jurisdiction for which they work. This constitutes treason by the entire jurisdiction against the Citizens of El Dorado County, in the instant case, 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.*

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 14th Amendment.

The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, the oath taker, pursuant to his

oath, is mandated to uphold. If he fails this requirement, then he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. By not responding and/or not rebutting, the oath taker denies the Citizen remedy, thus, denies the Citizen constitutional due process of law, as stated within the Bill of Rights. By your own actions, pursuant to your oath, you have violated these First Amendment guarantees. An American Citizen, such as I, can expect, and has the Right and duty to demand, that 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.

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 and uphold. The mandates and protections set forth in the Constitutions are all-encompassing, all-inclusive and fully binding upon public employees, without exception, as they are upon you. All of the facts, claims and charges stated herein clearly demonstrate that you, pursuant to your oath, acted outside the lawful scope of your limited duties and constitutional authority; therefore, you acted on your own, as a private Citizen and renegade, outside of any governmental protection and/or immunity, whatsoever. If government were to protect and defend your unconstitutional actions, then, that government becomes complicit in those actions, condones, aids and abets them. (Refer to Title 18 USGC, Sections 241 & 242)

If you disagree with anything in this letter, then rebut that with which you disagree, in writing via a notarized affidavit *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 and that of those who represent you.

Sincerely,

Melody Lane

Attachments:
Exhibit A – 8/3/15 Agenda - Vickie Sanders
Exhibit B – AOA letter to Palacios re: RMAC
Exhibit C – Don Ashton email restricting my email
Exhibit D - Wade vs EDC & ARC – Sweeney letter to BOS

CC: District #1 Supervisor John Hidahl
District #2 Supervisor Shiva Frentzen
District #3 Supervisor Brian Veerkamp
District #4 Supervisor Lori Parlin
District #5 Supervisor Sue Novasel
CAO Don Ashton
Barry Smith, Superintendent Marshall Gold Discovery State Historic Park

8/3/15 RMAC Meeting

Parks & Recreation – Vickie Sanders

I. Personnel Issues

   A. Noah Rucker

   B. RMAC minutes/Brown Act violations/Audio recordings

   C. Conspiracy/harassment/discrimination

   D. Remedial action

II. Next RMAC Meeting

   A. Rescheduled Date?

   B. May 2010 Brown Act – Ciccozzi/Briggs/Mtn. Demo

   C. Wording of agenda > Bullying

   D. EDSO

EXHIBIT A

Alfa Omega Associates
Management Consulting • Public Relations • Publicity
Specializing in Environmental Organizational Management
P.O. Box 7171 • Auburn, CA 95604-7171
Tel/Fax: 530-888-1523 · Cell: 530-308-2689
E-mail: drdalesmith@aoaconsult.net
Dr. Dale Smith, H.H.D., General Manager

March 19, 2010

PRIORITY MAIL DELIVERY CONFIRMATION

Mr. Robert Palacios
P.O. Box 545
Coloma, CA 95613

Mr. Palacios,

After seeing you once before at an RMAC meeting and hearing your odious recorded outbursts against Melody Lane, under such circumstances, your request of Ms. Lane certainly will not be fulfilled. I have advised her NOT to send anything to you from *COMPAS* or have any contact whatsoever with you.

Because of the past, it would not be prudent for you to speak to Ms. Lane at any time by any means or for any reason.

If you want to find out about *COMPAS*, you can read the newspapers or make your request to me and I will consider it.

Any kind of harassment of Ms. Lane by you at any time or location would be especially irresponsible. To be sure, not only is *AOA* watching and listening very carefully but also other organizations which monitor the actions of public agencies have been appraised of this unacceptable state of affairs in a number of departments in El Dorado County.

Sincerely yours,

Dr. Dale Smith

Cc: Bill Deichtman, RMAC Chair & Employee, Marshall Gold Discovery Historic State Park
Greg Stanton, El Dorado County, Environmental Management
Noah Rucker-Triplett, El Dorado County River Recreation
Bill Salata, Public Safety & Enforcement – CA State Parks
Melody Lane, President, *COMPAS*
Area media and other interested parties

EXHIBIT B

From: Donald Ashton [mailto:don.ashton@edcgov.us]
Sent: Friday, August 17, 2018 3:45 PM
To: Melody Lane
Cc: AD-Department-Heads-m; The BOSONE; The BOSTWO; The BOSTHREE; The BOSFOUR; The BOSFIVE
Subject: Email Access

Good afternoon Ms. Lane,

Over the last few months, you have sent numerous emails, sometimes including lengthy email chains and/or attachments along with your communication. These emails have included in their distribution numerous staff members in addition to Department Heads, my office, the offices of the Board of Supervisors and their assistants.

The County's email system is designed to make County operations more effective and efficient. In furtherance of that objective the County has a practice of limiting certain types of email traffic. The County has never by policy or practice opened its email system for indiscriminate use by the general public.

The County takes seriously its obligation to provide the constituents of the County with access to their local government, however, the County's email system is not a traditional public forum nor has the County designated it as such. As a nonpublic forum, the County can impose reasonable regulations on the use of its email system. In fact, even where a public forum is involved, the law allows reasonable time, place, and manner restrictions upon the use of that public forum. As has been noted "Freedom of expression does not mean that everyone with opinions or beliefs to express may do so at any time and place..." It has also been recognized that the government and the taxpayers its serves have a substantial interest in avoiding unnecessary drains upon the public resources. By sending these lengthy emails with extensive attachments to numerous County employees and officials, public resources are diverted from other important tasks when those employees and officials must open and review the email and attachments.

This is to let you know that effective immediately the County is restricting your ability to email County staff. In order to ensure you continue to have access to your local government, you will still be permitted to email all Board of Supervisors members, their assistants, County Department Heads as well as edc.cob@edcgov.us and planning@edcgov.us. You remain free to express any opinions, requests, or other comments in your emails as the County has no interest in restricting your ability express your viewpoint on matters of County governance.

We appreciate your interest in the operation of your local government and trust you understand that we share your desire to ensure that the County operates effectively and efficiently for all of the citizens of the County.

EXHIBIT C

J. Sweeney Open Forum BOS 5/5/15

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 PC20120264 = Eminent Domain & Harrassment

James R Sweeney

1 of 1

EXHIBIT D

Compass2Truth
Citizens for Constitutional Liberty

P.O. Box 598
Coloma, CA 95613

May 17, 2019

TO: Board of Supervisors Districts #1, 2, 3, 4 and 5
CAO Don Ashton
Parks and Recreation Manager Vickie Sanders
Barry Smith, MGDP Superintendent
Jason DeWall, Gold Fields District Superintendent

RE: 5/21/19 BOS Agenda Item #33 – RMAC/CLAC Resolution #078-2019

For decades the River Management Advisory Committee (RMAC) has operated outside of the law, including but not limited to violations of the Brown Act, falsification of data, and threats against residents to prevent them from participating in public meetings. RMAC merely serves to organize faction, to give it an artificial and powerful force to put in place a small but enterprising minority of special interest rafting groups within the community. Most of their materials and data have been prepared for them by American River Conservancy.

It is important to distinguish that RMAC members are NOT volunteers; they are appointees by the Board of Supervisors, and as such they are bound by their Principle Agent Oaths of Office. These individuals do NOT represent the greater majority of river residents or the Coloma Lotus community. It is a fact they have proven to be extremely hostile and overbearing, meanwhile routinely operating outside of the law with the full knowledge and blessing of past and present Board of Supervisors who've sanctioned their fraudulent and unlawful actions. The public administration of their self-serving plan mirrors the ill-concerted and incongruous projects of Parks and Recreation, rather than a policy which supports and defends Constitutional principles for all El Dorado County residents.

Lori Parlin and Larry Weitzman have accompanied me to audio recorded meetings with the CAO and County Counsel concerning Brown Act violations and non-compliance with CPRAs, the details of which are outlined in the attached notarized affidavit addressed to Parks and Recreation Manager Vickie Sanders. Ms. Sanders has taken no action whatsoever to remedy the situation, and in so doing she is complicit in aiding & abetting RMAC's unlawful actions. CAO Don Ashton, Michael Ranalli, and Planning Commissioner Gary Miller have also received similar notifications of their legal responsibilities which is the first essential of due process of law. It is well established that an unrebutted affidavit stands as fact and truth before the court.

Any enterprise undertaken by any public official that tends to weaken public confidence and undermines the sense of security for individual rights is against public policy. 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.***

Lori Parlin, Sue Taylor, and Parks and Recreation Commissioner Kris Payne have colluded with county staff and actively participated in serial RMAC meetings in order to hone the wording of Resolution 078-2019. None of them live anywhere near the river, or for that matter, anywhere near the Coloma Lotus community. Essentially this Resolution empowers the River Mafia Mob and American River Conservancy to represent the Coloma Lotus community.

On May 9, 2017 a memo was distributed by the Chief Administrative Office announcing that RMAC would be dissolved by end of 2017 by stating, *"…over the past several months, the majority of RMAC members stepped down from the Committee resulting in not enough members to reach to quorum. Several meetings have been cancelled at the request of RMAC due to a lack of a quorum or no issues to discuss."* The truth is the RMAC members did NOT step down. They continued to conduct serial RMAC meetings which are strictly prohibited by the Brown Act at Camp Lotus and the Marshall Gold Discovery Park.

On March 18, 2019 Lori Parlin announced during an RMAC meeting held at Coloma Grange Hall that RMAC was ***"officially disbanded in early 2018."***

However on Saturday March 16th at 8:55 AM Lori Parlin's appointee to the Parks & Rec Commission, Julia McIver, had distributed on CLNews a message which states in part, *"Noah and Nate have posted here, and it's worth reiterating a headsup. While it's billed as an RMAC meeting so all the RMAC members could legally attend, the meeting promises to be more comprehensive of Lotus Coloma Valley concerns…While the future of RMAC needs to be determined, CLNews has seen recent posts on other issues, including residents losing our homeowners and fire insurance, the Lotus Fire Station, the art project at the intersection of Lotus and 49, the mobility plan, etc."*

But then on March 18, 2019 at 10:12 AM Noah Triplett distributed the following message via the CLNews: *"**Tonight's RMAC meeting is a public meeting. It is a Brown Act posted meeting**. If you have not done so already I would recommend signing up for notifications from the County through the govdelivery system."* CLNews is run by American River Conservancy and their affiliates in the River Mafia Mob, ultra-liberals who have a penchant for censoring conservatives. It is also vitally important to recognize that CLNews and RMAC do NOT represent the greater Coloma Lotus community.

After Howard Penn announced his sponsorship of the COMMUNITY meeting, then Lori took the floor and announced that ***"…not enough RMAC members showed up for a quorum to have a Brown Act meeting."*** Then she asked, *"Does everybody know what a quorum is? No quorum means everybody can **speak freely** since it is now a **community** meeting."* There wasn't any county staff or even an audio recorder in the room. It was apparent by Lori's handouts before the meeting started that her bait-and-switch was deliberately set up so the River Mafia Mob could conduct themselves *outside the restrictions of the Brown Act without any transparency or accountability.*

During another serial RMAC meeting held April 8, 2019 at Coloma Grange Hall Lori Parlin retracted her previous statement about RMAC having been officially disbanded when she announced, ***"RMAC WILL BE dissolved when the BOS approves the RMAC resolution."*** Lori then publicly stated that she wants to empower the Mob, ***"I will support you with the help of county counsel. You can do anything. ANYTHING!"*** Furthermore it was disturbing when she added, *"You can try it and change it a few months later **if you want to**."*

It is significant that the CLNews Steering Committee is comprised of American River Conservancy members Mike Bean, Howard Penn, Greg Jorgensen, and Karen Mulvaney to name just a few. Lori is familiar with their sordid history of bully tactics, libel, slander, threats, assaults, antisemitism, harassment, and lies as a means of intimidation and preventing certain members of our community from expressing concerns and exercising their 1st Amendment Rights. They were also responsible for composing the extremely biased "community" survey Lori distributed *only to certain individuals*. It is significant that the majority of the replies came from *outside* of El Dorado County. Lori's advocacy of CLNews and the River Mafia Mob calls into question her personal and political motives.

It was during the May 6, 2019 CL Fire Safe meeting held at Coloma Grange Hall when Lori Parlin announced to a packed room that RMAC ***will become CLAC*** (Coloma Lotus Advisory Committee) as soon as the BOS adopts the Resolution they had all been working on over the past year. It was during that meeting that 80% of the room walked out early in disgust when Chief Lloyd Ogan was the guest speaker.

The Board of supervisors is hereby reminded that you are required to abide by your oaths of office and core values, in particular ***Integrity: Doing what is right legally and morally at all times regardless of whether or not someone is watching.*** Be assured, we are watching. It is apparent Lori Parlin has a conflict of interest by working on behalf of the rafters and American River Conservancy rather than representing the greater majority of our community, in particular those represented by ***Compass2Truth.***

CLAC embodies the same problems that RMAC always had, only under a different name. We therefore request that you REMOVE this item from the 5/21/19 BOS agenda and reconsider the negative legal repercussions of adopting Resolution #078-2019 which would only empower American River Conservancy and the River Mafia Mob thus enabling them to continue their illicit business as usual.

Sincerely,

Melody Lane

Founder – ***Compass2Truth***

AFFIDAVIT/DECLARATION OF TRUTH

To: Vickie Sanders
EDC Parks and Recreation Manager
330 Fair Lane
Placerville, CA 95667

I, **Melody Lane,** the undersigned, hereinafter: Affiant/Declarant, make this Affidavit/Declaration of Truth of my own free will, and I hereby affirm, declare and solemnly swear, under oath, before a certified California Notary Public, that I am of legal age and of sound mind and hereby attest that all the information contained in this Affidavit/Declaration is true, correct and admissible as evidence.

This Affidavit/Declaration of Truth is lawful notification to you, Vickie Sanders, and is hereby made and sent to you pursuant to the national Constitution, specifically, the Bill of Rights, in particular, Amendments I, II, IV, V, VI, VII, IX and X, and The Declaration of Rights of the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3 Section 1, and required 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 and 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 March 12, 2019 I sent you, Vickie Sanders, via USPS certified mail #70183090000026510059, a letter which you received on March 18, 2019. That letter was sent to inform you of specific events and statements made by you, and also as an inquiry to ascertain whether you, Vickie Sanders, would support and uphold them or rebut them. Pursuant to the lawful notification contained in that letter, as I originally stated therein, you were required to respond to and rebut ***with specificity*** via a sworn notarized affidavit anything contained in that letter with which you disagreed within thirty (30) days of receipt thereof. You failed to respond or rebut with specificity to each of the factual claims stated therein. **(See Exhibit A)**

Simply put, any act by any public official either supports and defends the Constitutions, or opposes or violates them. 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 and that of those who represent you.

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

1) You were regularly apprised that individuals under your supervision and control have been routinely falsifying information relative to the River Management Plan. Evidence of Noah Rucker-Triplett's collusion with representatives of the River Management Advisory Committee (RMAC), American River Conservancy, Chamber of Commerce Political Action Committee, and State Parks personnel to manipulate public perceptions and obstruct residents' right to participate in public forums were specifically discussed with you during several audio-recorded occasions when I was accompanied by a retired member of law enforcement. You have unequivocally concurred that the River Management Advisory Committee merely serves to organize a faction, to give it an artificial and powerful force to put in place a small but enterprising minority of special interest rafting groups within the community. You further acknowledged that the River Mafia Mob have proven to be extremely hostile, overbearing, and routinely operating outside of the law. The public administration of their self-serving plan mirrors the ill-concerted and incongruous projects of Parks and Recreation, rather than a policy which supports and defends Constitutional principles for all El Dorado County residents. During one of our 2015 audio-recorded meetings with consultant Steve Petersen, you announced the county's plan to "disempower" and disband RMAC, when in fact you have deceptively aided and abetted the perpetration of their unlawful activities and thus denied remedy to Citizens affected by their actions.

2) It is a fact that RMAC members have NOT stepped down; they have regularly continued to conduct serial meetings, and for decades, they have falsified minutes that are routinely approved by Parks and Recreation staff with your full knowledge and consent. Lori Parlin, Sue Taylor, and Kris Payne have participated in many of the RMAC serial meetings, which are strictly prohibited by the Brown Act. Your culpability is made evident by your knowledge of staff misconduct and deliberate failure to take remedial action. Any enterprise undertaken by any public official, such as you, which tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word. My claims, statements, and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths.

3) On several occasions, you have witnessed my public testimony while presenting factual evidence regarding "River Mafia Mob" violent assaults, threats, harassment, slander,

libel, hostility, and collusion with county staff to retaliate--especially against female conservatives. You are aware of numerous EDSO case files that are now a matter of public record. Furthermore, despite being disbanded in 2018, RMAC still regularly conducts illegitimate serial meetings and continues to violate the Brown Act. You have taken absolutely no action whatsoever to control, correct, or to stop their unlawful behavior. By taking no action, you've aided and abetted their unlawful conduct, deprived me of my First Amendment rights, and thus violated your oaths of office.

4) You've acknowledged that you have not received any emails from me since 2018, when CAO Don Ashton unlawfully restricted my ability to communicate electronically with unnamed public employees. Consequently, I've had to request other county staff forward my correspondence to you. Your deliberate unresponsiveness strongly suggests you have something to hide. It is an abuse of your fiduciary, and is in violation of your oaths of office. Furthermore, your collusion with county staff and State Parks personnel to unethically circumvent the law, deny Citizens due process, or reply to CA Public Record Act Requests, is against all public policy. You have been regularly apprised on numerous occasions of your staff's failure to comply with the law and the deliberate strategy to delay and obfuscate financial and other pertinent data, particularly as it concerns the River Management Plan. Your knowledge of deliberate misconduct within your department and your failure to take remedial measures is misprision of crime, a serious Federal offense. When public officials who are notified, yet fail to take remedial action, it condone and perpetuate the misconduct for which they can be held liable. By your actions, you follow neither the letter of the law nor the spirit of the law, and consistently violate the Supreme Law of the Land and the California Constitution to which you have sworn or affirmed your oaths. *(See also USGC Title 18, Sections 241 & 242).*

5) There is no legitimate argument to support the claim that oath takers, such as you, are not required to respond to letters or emails, which in this case act as petitions for redress of grievances, stating complaints, charges and claims made against them by their constituents or by Citizens injured by their actions. ***See: U.S. v. Tweel, cited above.*** 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.

6) When public officers harm the Citizens by their errant actions, as you have done, and then refuse to respond to or rebut petitions from Citizens, as you have also done, then those public officers are domestic enemies, acting in sedition and insurrection to the declared Law of the land and ***must be opposed, exposed and lawfully removed from office.*** By your stepping outside of your delegated authority, you lost any "perceived immunity" of your office and you can therefore be sued for your wrongdoing against me,

personally, privately, individually, and in your professional capacity, as can all those in your jurisdiction, including your supervisors and anyone having oversight responsibility for you, including any judges or prosecuting attorneys and public officers for that jurisdiction, if, once they are notified of your wrongdoing, they fail to take lawful actions to correct it, pursuant to their oaths and their duties.

7) The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which the oath taker, pursuant to his oath, is mandated to uphold. If he fails this requirement, then he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. By not responding and/or not rebutting, the oath taker denies the Citizen remedy and thus denies the Citizen constitutional due process of law, as stated within the Bill of Rights. By your own actions, pursuant to your oath, you have violated these First Amendment guarantees.

8) The public is entitled to honest services. As stated earlier, any enterprise, undertaken by any public official, such as you, that 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 [483 U.S. 372] in the statute. *See United States v. Dial, 757 R2d 163, 168 (7th 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.* My claims, statements, and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths. Whenever constitutional violations are committed by public officers such as you, there are constitutional remedies available to the people. Such remedies make those who violate their oaths accountable and liable for their unconstitutional actions conducted in perjury of their oaths. When public officers take oaths, yet are ignorant of the constitutional positions to which they are bound by their oaths, and then fail to abide by them in the performance of their official duties, this suggests that they may have had no intention of ever honoring their oaths. Their signatures upon the oath documents therefore constitute fraud. ***Fraud vitiates any action.***

9) It is the duty of every Citizen to demand that government employees, such as you, specifically perform pursuant to the constitutional mandates contained within their oaths and, 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. 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, and thereby act as domestic enemies to these Republics and their people. It is apparent the public's input has been reduced to irrelevancy, thereby demonstrating that

public RMAC and Parks and Recreation meetings are little more than staged events with predetermined outcomes designed to falsely give Citizens the impression of government transparency and accountability, while providing neither. This represents blatant fraud perpetrated by you and other elected/appointed officers against the people they are required to serve and who pay their respective salaries. By your actions against me, committed repeatedly on the aforementioned dates and several other occasions, you have deprived me of my inherent rights.

10) **Depriving the public of honest services is a federal crime**. My claims, statements, and averments also pertain to 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 as Parks and Recreation Manager, and in so doing, you have harmed all El Dorado County Citizens and me.

11) The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which the oath taker, pursuant to his oath, is mandated to uphold. If he fails this requirement, then he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. By not responding and/or not rebutting, the oath taker denies the Citizen remedy and thus denies the Citizen constitutional due process of law, as stated within the Bill of Rights. By your own actions, pursuant to your oath, you have violated these First Amendment guarantees.

12) All of the aforementioned facts, claims, and charges previously stated clearly demonstrate that you, pursuant to your oath, acted outside the lawful scope of your limited duties and constitutional authority; therefore, you acted on your own, as a private Citizen and renegade, outside of any governmental protection and/or immunity whatsoever. If government were to protect and defend your unconstitutional actions, then that government becomes complicit in those actions, condones, aids, and abets them. (Refer to Title 18 USGC, Sections 241 & 242)

13) *Compass2Truth* was established in 2009 as a whistleblower organization. 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, and a collaborative "set up" by county officials to discredit and permanently silence me for whistleblowing. *"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.) Your collusion and failure to ***lawfully*** or ***publicly*** respond to constituents, in this case me, or to take remedial action, aids and abets the perpetuation of El Dorado County corruption. The First Amendment guarantees the Right of free speech and the Right to petition government for redress of grievances, which the oath taker, pursuant to his oath, is mandated to uphold. You failed this requirement; thus you violated two provisions of the First Amendment, the Public Trust and perjured your oaths of office.

14) All actions by public officers conducted in the performance of their official duties either support and defend the national and state Constitutions, pursuant to their Constitutional oaths of office, or oppose and violate them. Those oaths are given in exchange for the Public Trust. You have no constitutional authority whatsoever, or any other form of valid, lawful authority, to oppose, contradict, deny, and violate the very documents to which you have sworn your oaths, but as indicated in my previous referenced letter and in this affidavit, this is exactly what you have done. By your own actions, pursuant to your oath, you have flagrantly violated these First Amendment guarantees, betrayed the Public Trust and perjured your oaths of office.

15) As aforementioned, it is the duty of every Citizen to demand that government employees, such as you, specifically perform pursuant to the Constitutional mandates contained within their oaths and thereby uphold and protect the rights of the people, as opposed to upholding and promoting the profits of a rapacious, destructive government that perniciously violates the rights of the people as its apparent routine custom, practice and policy. *See USGC Title 18, § 2071 – Concealment, removal, or mutilation generally. See also USGC Title 18, Sections 241 and 242.* 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.

16) On several occasions, I have publicly brought to your attention and that of other County officials, evidence of blatant lies, retaliation, harassment, threats, assaults, and bully tactics by the "River Mafia Mob", who surreptitiously work in collusion with county staff under your full knowledge, influence, and control. When a public official, such as you, fails to act and correct the matter reported to her, then she condones, aids, and abets criminal actions, and further, colludes and conspires to deprive me and other Citizens of their inherent rights guaranteed in the Constitutions, as a custom, practice, and usual business operation of her office and the jurisdiction for which she 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

herself against treason committed. *See: 18 USC § 241 - Conspiracy Against Rights, and 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.*

17) Once again, when public officers take oaths, yet are ignorant of the constitutional positions to which they are bound by those 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. Their signatures upon the oath documents therefore constitute fraud. Fraud vitiates any action. Any enterprise undertaken by any public official, such as you have conducted, tends to weaken public confidence and undermines the sense of security for individual rights, and is against all 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 oaths by violating my Constitutionally guaranteed Rights, in particular those secured in the Bill of Rights, including, but not limited to my First Amendment Rights.

Any act passed by any legislature or any other governing body, and any action committed by any public officer, either supports and upholds the Constitutions, or opposes and violates them. No public officer has the constitutional authority—or any other form of valid authority—to oppose the very documents to which he has sworn or affirmed his oath. IT IS THIS SIMPLE. In my referenced previous letter sent to you and in this affidavit, I have conclusively proven that you have violated these constitutional requirements by your actions as stated herein, and in the previous letter. The Constitution does not restrict or limit rights guaranteed in that Constitution nor any aspect of due process of law. However, pursuant to your oaths, as described herein and in the referenced previous letter sent to you, have violated, restricted, and denied my inherent constitutionally guaranteed rights and due process of law by your own actions as described above. Thus, you have invoked the self-executing Sections 3 and 4 of the 14th Amendment, vacated your office and forfeited all benefits thereof, including salaries and pensions. You have no lawful authority to continue in office, and those other public officers who may collude with, conspire, protect, aid, and abet your actions are complicit in your criminal actions and thereby also invoke the referenced self-executing Sections 3 and 4 of the 14th Amendment. ***A constitutional republic, as is California, requires constitutional remedies for constitutional crimes, and you and the ruling "authorities" in this county are duty bound to provide those constitutional remedies for the unconstitutional actions committed against me by you and referenced others, as described herein.***

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 all of them. Pursuant to that lawful notification, if you disagree with anything stated under oath in this Affidavit/Declaration of Truth, then rebut that with which you disagree, with particularity, within thirty (30) days of receipt thereof, by means of your own written, sworn, notarized affidavit of truth, based on specific and 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 national and state Constitutions, the laws of the United States of America and this state of California. An un-rebutted affidavit stands as truth before any court.

Your failure to respond, as stipulated, is your agreement with and irrevocable admission to the fact that everything in this Affidavit/Declaration of Truth is true, correct, legal, lawful, fully binding upon you, Vickie Sanders, in any court of law in America, without your protest, objection and that of those who represent you.

All Rights Reserved,

By: Melody Lane Date: 5/2/19

Melody Lane

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

(See attached California Notarization)

Attachments:

- Exhibit A – Pre-letter to Vickie Sanders, USPS Certified #70183090000026510059

CC: Dist. #1 Supervisor John Hidahl
Dist. #2 Supervisor Shiva Frentzen
Dist. #3 Supervisor Brian Veerkamp
Dist. #4 Supervisor Lori Parlin
Dist. #5 Supervisor Sue Novasel
CAO Don Ashton
EDC District Attorney Vern Pierson
Media and other interested parties

CALIFORNIA JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }

COUNTY OF El Dorado }

Subscribed and sworn to (or affirmed) before me on this 2 (Date) day of May (Month) 2019 (Year)

by Melody Lynn Lane

Name of Signers

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

Signature: _____
Signature of Notary Public

DIANNA WICKLIFFE
COMM. #2244993
Notary Public · California
El Dorado County
Comm. Expires June 2, 2022

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 - Victim Services

Document Date: 5/2/19

Number of Pages: 8

Signer(s) Other Than Named Above: _____

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

March 12, 2019

Vickie Sanders
EDC Parks & Recreation Manager
330 Fair Lane
Placerville, CA 95667

Ms. Sanders,

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, II, 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 and/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 officials, such as you, 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.

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

EXHIBIT A

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 and uphold the national and state Constitutions and the rights of the people secured therein and all aspects of constitutional due process.

My claims, statements and averments pertain to violations of your oaths, particularly as they pertain to your role as Parks and Recreation Manager in the River Management Plan and with other associated government agencies. When I use the term "public official(s)", this term includes you.

No public official, 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 officials conducted in the performance of their official duties either support and defend the national and state Constitutions, or oppose and violate them.

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

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 have been regularly apprised that individuals under your supervision and control are routinely falsifying information relative to the River Management Plan. Evidence of Noah Rucker-Triplett's collusion with representatives of the River Management Advisory Committee (RMAC), American River Conservancy, Chamber of Commerce Political Action Committee, and State Parks personnel to manipulate public perceptions and obstruct residents' right to participate in public forums were specifically discussed with you during our 8/3/15 meeting, as well as on other audio-recorded occasions when I was accompanied by a retired member of law enforcement. **(See Exhibit A)**

The River Management Advisory Committee and Parks & Recreation Commissioners merely serve to organize faction, to give it an artificial and powerful force to put in place a small but enterprising minority of special interest rafting groups within the community. In reality, these individuals do NOT represent the greater majority of river residents. It is a fact they have proven to be extremely hostile and

overbearing, meanwhile routinely operating outside of the law with the full knowledge and blessing of your staff, the Planning Commissioners, and the Board of Supervisors. The public administration of their self-serving plan mirrors the ill-concerted and incongruous projects of Parks and Recreation, rather than a policy which supports and defends Constitutional principles for all El Dorado County residents. It is nothing short of demagoguery.

In a memo dated May 9, 2017 ACAO Laura Schwartz states, *"...we recommend that this committee [RMAC] be dissolved and that the County encourage interested participants to form an ad-hoc committee...Over the past several months, the majority of RMAC members have stepped down from the Committee resulting in not enough members to reach quorum. Several meetings have been cancelled at the request of RMAC due to a lack of a quorum or no issues to discuss...The Chief Administrative Office recommends that the Board consider filling the vacancies noting that RMAC may be dissolved by the end of the year."*

It is a fact that RMAC members have NOT stepped down; they've regularly continued to conduct serial meetings and for decades have falsified minutes that are routinely approved by Parks & Recreation staff. It is a fact that Lori Parlin and Sue Taylor have participated in many of those serial meetings. As you are aware, serial meetings are strictly prohibited by the Brown Act. We've also discussed Parks & Rec Commissioner Kris Payne's role in RMAC meetings in tandem with Lori Parlin and Sue Taylor, none of whom live anywhere near the S. Fork American River, yet they have actively participated in the RMAC Resolution being used as the format during the upcoming 3/18/19 RMAC meeting in Coloma. Your culpability is made evident by your knowledge of staff misconduct and deliberate failure to take remedial action.

For example, during the January 14, 2019 RMAC meeting Bill Crenshaw and Adam Anderson repeatedly interrupted, harassed, mocked and heckled me while I was specifically attempting to dialog with you. ***Anderson has proven to be a liar and has admitted to "legal manipulations" in order to remain as the RMAC Business rep.*** On several occasions during the two hour meeting Adam Anderson made a distracting spectacle of holding up his cell phone to video record me while I was at the podium presenting factual information about River Mafia Mob assaults, threats, harassment, slander, libel and collusion with county staff. As you'll recall, I testified that RMAC Resident Representative, Rob Smay, was present during the court trial involving the stalking and sexual assault by his best friend and neighbor, Bob Palacios, who has a history of violence. When Palacios was served with a TRO Palacios refused to relinquish his guns to law enforcement as required by law. This too was discussed with you and RMAC consultant Steve Petersen during one of our audio recorded meetings. **(See Exhibit B)**

As you are aware, Palacios was under investigation by EDSO along with Greg Jorgensen, Howard Penn, Mike Bean, Harry Mercado and other extreme left environmentalists known as members of the River Mafia Mob. They have repeatedly demonstrated blatant hostility and retaliation against residents, particularly female

conservatives. Refer to EDSO case files #EG15-5698, EG15-5793, EG18-0098 and EG18-06720 which are now a matter of public record.

During the recent January 2019 meeting you witnessed Ythsta Resovich & Greg Jorgensen identify themselves as members of the River Mafia Mob. When I took my turn at the podium RMAC members falsely claimed that I was out of order, they called a break and walked away from the dais. That's when Adam Anderson approached me in a threatening manner at the rear of the room and he commenced to harass and shout at me. As I discussed with you afterwards, our heated exchange was captured on my audio recorder. When RMAC members returned to their seats you advised that they should have left the room. ***I did absolutely nothing wrong and was perfectly within my First Amendment rights.*** It was the RMAC members who violated the Brown Act, but you took absolutely no action to stop them. In so doing you aided and abetted their unlawful conduct, deprived me of my First Amendment rights and thus violated your oaths of office.

Misprision of crime is a serious Federal offense. When any public official is notified yet fails to take remedial action, it condones and perpetuates the misconduct for which they can be held liable. Any act by any public official that doesn't support and defend the Constitution, opposes and violates it. (See also USGC Title 18, Sections 241 & 242).

The River Mafia Mob is broadcasting throughout El Dorado County their disrespect for women and the law because they know EDSO has a sordid reputation for being tolerant of lawbreakers and unresponsive to constituents. As you are aware, I've been shot at, assaulted, libeled, slandered, hacked, and harassed. At least four other women have already been threatened and run out of EDC by the River Mafia Mob. *It is highly doubtful you would be tolerant of their behavior if it was one of your own family members being harassed or threatened.* Many of these incidents go unreported because women especially fear retaliation, or they know law enforcement will be ***unresponsive***. Consequently the potential exists to escalate into yet another serious act of violence or even civil unrest.

Another example was the 9/14/15 RMAC meeting concerning Code Enforcement and noise violations within the Quiet Zone of the SFAR. Kris Payne, Claudia Wade, Sue Taylor, and a retired member of law enforcement attended the meeting at my request. They all witnessed another setup by the River Mafia Mob with the full knowledge and support of Roger Trout and Supervisor Mike Ranalli who were also present. During that meeting you witnessed Tim Lasko and Adam Anderson create a sudden distraction by falsely accusing me of using profanity. The truth is I was seated quietly in the audience which is proven by the audio recordings. You also witnessed as I took my turn at the podium when Nate Rangle falsely accused me of violating the Brown Act and began admonishing me when it was obvious I did nothing wrong whatsoever. You took no action whatsoever to control or correct their unlawful behavior. In an email I addressed to you dated September 23, 2015 at 4:10 PM I requested the RMAC minutes reflect specific corrections, including a public apology.

You refused to do so making it apparent that meeting was another set-up just like the May 2010 RMAC "Brown Act seminar" conducted by Mike Ciccozzi.

As we discussed with you, one of our legal consultants from **Californians Aware** had laid down the law about the Brown Act during the March 2010 RMAC meeting. Dave Martinez, Steve Lyles, and Martin Harris were so shook up about being exposed for their illicit and despicable conduct that they submitted their resignations from RMAC. During another meeting Steve Lyles and Dave Martinez had made exceedingly offensive anti-Semitic remarks which I captured on audio. I shared the context of the recording on the National Governors Prayer Team conference call to demonstrate how out of control the River Mafia Mob had become, and then it was reported publicly to the Board of Supervisors.

Additional proof has been publicly submitted proving that RMAC habitually operates "ultra vires" (outside of the law) as witnessed by Larry Weitzman. The following excerpts are from columns published in the Mountain Democrat and frequently discussed during Taxpayer Association meetings:

7/31/17:

At a very recent River Management Advisory Committee meeting in the Marshall Gold Discovery Park Museum to discuss the updated County River Management Plan, the rafters want to tell the county how to run the river concessions. Isn't that the tail wagging the dog? **There was no county representative present at a very one-sided meeting that bordered on mob rule. While an official county advisory committee, their actions may have been beyond the law and their authority. It's called an "ultra vires act."**

8/16/17:

"...at the Aug. 10 Planning Commission meeting when discussing item No. 5 regarding the new updated River Management Plan (RMP), **I thought Schwartz had morphed into Nancy Pelosi, when she said, "We need to pass the RMP before we do a financial analysis of its impact." Pelosi said an almost identical statement when she said, "We need to pass Obamacare to see what's in it."**

Are you kidding me? What was the name of that turnip truck I just fell off? Of course, in spite of the objections of certain members of the public who even presented information as to the preliminary sheriff's costs relative to the river totaling about $1 million, there was no analysis or method within the plan of how to recover these taxpayers' costs. Yet, the entire Planning Commission approved the RMP recommending that the Board of Supervisors approve the RMP "as is."

Understand that RMP appears to have been crafted by mostly the commercial rafting industry here in EDC as there are no provisions for cost recovery to the county for costs their industry creates. Sounds like the tail may be wagging the dog.

In fact, one of the ringleaders, **Nate Rangel**, in his column and in his appeal to the Planning Commission at the hearing to pass this updated RMP, attempted to counter facts that with respect to their approximately $30,000 grant for shuttle buses, the money doesn't come from EDC, but comes from some state or local government environmental grant. Hello! Can anybody tell me where any government money comes from? ...It comes from one place and one place only–the taxpayers. All Rangel is saying in his obfuscation of the facts is that the shuttle buses are essentially being paid for by different taxpayers, but paying just the same.

We also have no idea about code enforcement, another huge (cost) issue along the river, and that includes continuing violations of many concessionaire's special use permits. **Inquiring minds want to know, but unfortunately none of these minds reside in the EDC administration and/or the Planning Commission members.**

8/23/17:

Meetings are attended by a few people. At the one I attended on Aug. 14 about 10 interested people were there, mostly from the rafting community.

Adam Anderson is the chair and business representative. His connection is ownership of the Villa Florentino, which is under scrutiny regarding its special use permit because of complaints. A hearing is scheduled shortly in front of the Planning Commission. Anderson lives somewhere in Placerville, away from the river. Also in attendance were our very competent Deputy Chief Administrative Officer Laura Schwartz and **Vickie Sanders of Parks and Recreation.**

The committee meets about 11 times a year, which creates a huge problem for taxpayers. But first I must describe the meeting I attended which lasted nearly two and a half hours. **My time watching Looney Tunes was better spent, it was so unproductive (maybe it was a live action Looney Tunes). Not only did not one panel member understand their charge, they didn't even understand their own agenda which consisted of three items. The first one was the approval of the prior meeting's erroneous minutes and the approval of the agenda for that night.**

I also attended the prior meeting at the Marshall Gold Discovery Park Museum, which seemed to operate **ultra vires.** They were mostly concerned about the county's recommendation that RMAC be disbanded.

After listening to Schwartz's description of the nonfunctioning RMAC, many times not fielding a quorum, not understanding their duty or "job," not understanding their purpose, and certainly not understanding the Brown Act or how to conduct a meeting, it didn't take a rocket scientist to see the writing on the wall.

After two and a half hours, the meeting was done and nothing was accomplished but to set another meeting and perhaps another special meeting before the regularly scheduled meeting. **The only thing I learned from the RMAC meeting was government dysfunction at its worst.**

Attending this meeting were two very highly paid EDC employees. In fact, their total annual cost to EDC including salary and all benefits as reported by Transparent California exceeds $400,000. That's an hourly cost of more than $200 an hour combined...What I am pointing out is the fact that each of these meetings cost the taxpayer a lot of money.

And now there is an outcry that the CAO staff, and Parks and Rec staff has recommended that RMAC be disbanded. Why did it take this long**? To add some gasoline to the fire, RMAC has been nothing more than to protect the interests of the commercial rafting industry, the concessionaires along the river and other related enterprises**. Have they solved any problems? No. **The noise, crime, vandalism, and pollution are as big as ever. Have they ever told the board that it's many times out of control? Of course not.**

Let's determine what the "industry" really costs the county, sheriff, emergency response, environmental management, code enforcement, and SUP violations. We need to know the whole nine yards and then the causation needs to pay their way. Not the taxpayers. Disbanding RMAC is a great start.

During another RMAC meeting both you and Mr. Weitzman witnessed Laura Schwartz get up from her seat, walk across the room, and turn off the microphone while I was speaking merely because she objected to my observations about RMAC's

unlawful conduct. The Brown Act makes it clear she had no authority to deprive me of the right to testify or seek redress of grievances. The Brown Act specifically states:

> §54954.3 **Public's right to testify at meetings.** (c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law. **Care must be given to avoid violating the speech rights of speakers by suppressing opinions relevant to the business of the body.**
>
> **As such, members of the public have broad constitutional rights to comment on any subject relating to the business of the governmental body.** Any attempt to restrict the content of such speech must be narrowly tailored to effectuate a compelling state interest. Specifically, the courts found that policies that prohibited members of the public from criticizing school district employees were unconstitutional. *(Leventhal v. Vista Unified School Dist. (1997) 973 F. Supp. 951; Baca v. Moreno Valley Unified School Dist. (1996) 936 F. Supp. 719.)* **These decisions found that prohibiting critical comments was a form of viewpoint discrimination and that such a prohibition promoted discussion artificially geared toward praising (and maintaining) the status quo, thereby foreclosing meaningful public dialog.**

You acknowledged that you haven't received any emails from me since Don Ashton distributed an email on 8/17/18 restricting my ability to communicate electronically with unnamed public employees. Apparently you and other Park & Rec staff are among those public employees who have collaborated to deny my First Amendment rights. Consequently I've requested Supervisor Lori Parlin's admin, Shelley Wiley, to forward specific emails to you concerning RMAC and related Parks & Rec issues. **(See Exhibit C)**

The public is entitled to honest services. Your deliberate unresponsiveness suggests you have something to hide, is an abuse of your fiduciary and in violation of your oaths of office. Despite frequent public testimony and evidence submitted into the public record of fraudulent data and misinformation submitted by Parks & Rec staff, you have failed to take any corrective action. Consequently the Planning Commission and BOS will typically vote unanimously to approve any recommendations RMAC may make concerning the River Management Plan. Following are just a few examples we've specifically brought to your attention, but you've remained unresponsive:

- The 5/26/16 Special RMAC meeting was requested by Nate Rangel to be held in the MGD Park Museum at 6:00 PM. Although nobody showed up, it was never officially cancelled; however the next day the meeting minutes appeared on the EDC Legistar calendar indicating that the RMAC meeting commenced immediately at 6:30 PM ***after*** I had left the premises. The stall tactics apparently

were a strategic attempt to get me to leave so they could conduct the meeting without me. Since then the previously posted minutes have disappeared from the government website along with the audio. "Technical difficulties" appear to be a convenient and frequent excuse especially when there are issues concerning government transparency or RMAC's compliance with the law.

- The July 2017 RMAC meeting was held in the Marshall Gold Discovery Park Museum but there was no representative from the county present to ensure they adhered to the Brown Act. It was chaotic and bordered on mob rule. When I addressed a question, Nate Rangel claimed that counsel told them they "didn't don't have to answer my questions." Larry Weitzman was present to inform RMAC they were "ultra vires", or acting outside of the law.

- On numerous occasions it has been brought to your attention that corrections were never made to RMAC minutes, yet they were approved unanimously under Consent even though it was apparent none of the RMAC members actually read them.

- Adam Anderson had requested that the Whitewater Park item be added to the January RMAC agenda, but the issue was tabled until February when the item was only meant to be discussed. In violation of the Brown Act, in February RMAC took action on a discussion item to approve funding for a feasibility study. It was apparent that in the interim a decision had already been made behind closed doors to transfer money to the River Trust Fund to fund a feasibility study with Anderson's out of state consultant. It is significant that Anderson's resignation from RMAC was twice announced in 2018 but Anderson still remains as the Business Representative to RMAC due to his admitted "legal manipulations" and blatant lies.

- The 6/22/17 Planning Commission Agenda Item #4 was posted on Legistar as a RMAC workshop and falsely promoted by Nate Rangel as a hearing, when in actuality there was no discussion or action taken by the Planning Commission. It was nothing more than a government charade, obstructionism, and another waste of taxpayer's money.

- You've never responded to the following 9/4/15 @ 4:56 PM inquiry - *"I would appreciate an update on developments in addition to our discussion with you and Steve Peterson a couple months ago about "disempowering" the RMAC bullies. This is also relevant to the last Parks & Rec Commission meeting, item #2 concerning Chili Bar litigation."* (Wade vs. EDC & ARC – eminent domain and harassment involving Noah Rucker.) You were made aware of the circumstances surrounding this particular case were also discussed during our meeting with Assemblyman Frank Bigelow relative to the EDC retaliation and threats by the River Mafia Mob. **(See Exhibit D)**

Any enterprise, undertaken by any public official, such as you, that 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 [483 U.S. 372] in the statute. *See United States v. Dial, 757 R2d 163, 168 (7th 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.* 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 apprised on numerous occasions that River Supervisor Noah Rucker-Triplett has colluded with county staff and State Parks personnel to unethically circumvent the law, deny Citizens due process, or reply to CA Public Record Act Requests. Your knowledge of deliberate misconduct within your department, and failure to take remedial measures, does not demonstrate transparency or "Good Governance" by any stretch of the imagination. Furthermore, it is against all public policy. For example in an email sent October 5, 2015 @ 1:58 PM to CA State Park RMAC representatives, Noah Triplett wrote:

> *"We received a public records request from Melody Lane which requests copies of correspondence between RMAC representatives and me.*
> *I am seeking an opinion from County Counsel on whether I can I include the emails between you to because there is a confidentiality statement with your emails so she may have to request them from the State."*

In another email dated April 28, 2014 @ 3:21 PM, Noah Triplett informed all RMAC representatives:

> *"Vickie informed the committee that the County is looking at starting a more comprehensive update to the RMP beyond what was identified in the 5 year summary reports next year (July 2014). This update would include the River Rescue proposal and Institutional Proposal and anything else. The goal being to not piecemeal updates but to try and do it all at once.* ***This is also going to cost money since the County wants to use the consultant who did the 2001 RMP and as you know the RTF is broke.***
> *The floodplain litter ord. was tabled indefinitely.*
> *The alternate RMAC representative proposal was also continued.*
> *Maybe Stephen and Keith could get together and come up with a proposal since it sounds like there may be differences?*
> ***Please do not respond to all as that could be considered a violation of the Brown act."***

Ms. Sanders, you have been regularly apprised on numerous occasions of your staff's failure to comply with the law and the deliberate strategy to delay and obfuscate financial and other pertinent data, particularly as it concerns the River Management Plan. By your actions, you follow neither the letter of the law, nor the spirit of the law, and consistently violate the Supreme Law of the Land and the California Constitution to which you have sworn or affirmed your oath.

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

It is the duty of every Citizen to demand that government employees, such as you, specifically perform pursuant to the constitutional mandates contained within their oaths, thereby uphold and protect the rights of the people, as opposed to upholding and promoting the profits of a rapacious, destructive association that perniciously violates the rights of the people as its apparent routine custom, practice and policy.

Any enterprise, undertaken by any public official, such as you and other county staff which tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths.

Another example emanating from a memo dated May 9, 2017 wherein ACAO Laura Schwartz states, *"...we recommend that this committee [RMAC] be dissolved and that the County encourage interested participants to form an ad-hoc committee...Over the past several months, the majority of RMAC members have stepped down from the Committee resulting in not enough members to reach quorum. Several meetings have been cancelled at the request of RMAC due to a lack of a quorum or no issues to discuss...The Chief Administrative Office recommends that the Board consider filling the vacancies noting that RMAC may be dissolved by the end of the year."*

It is a fact that RMAC members have NOT stepped down; they've regularly continued to conduct serial meetings at Camp Lotus and the Marshall Gold Discovery Park. As you are aware, ***serial meetings are strictly prohibited by the Brown Act***. This has been discussed with you on several occasions when we met with you and Steve Petersen. The public's objections to fraudulent data and the recurring pattern of staff misconduct have demonstrated that meetings and public input are nothing more than bureaucratic charades to falsely and fraudulently convince Citizens that their input makes a difference. Subsequently such actions and omissions by you and staff directly under your supervision have caused the BOS to vote to approve staff's predetermined recommendations, thus demonstrating the policy, practice, and custom of deliberate indifference to the liberty, will, consent and inherent rights of Citizens, to wit:

> The preamble of the Ralph M. Brown Act states, "The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people do not yield

their sovereignty to the bodies that serve them. The people insist on remaining informed to retain control over the legislative bodies they have created."

54952.2. (b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, **use a series of communications of any kind, directly or through intermediaries,** to discuss, deliberate, or **take action** on any item of business that is within the subject matter jurisdiction of the legislative body.

The issue of serial meetings stands at the vortex of two significant public policies: first, the constitutional right of citizens to address grievances and communicate with their elected representatives; and second, the Act's policy favoring public deliberation by multi-member boards, commissions and councils. ***The purpose of the serial meeting prohibition is not to prevent citizens from communicating with their elected [or appointed] representatives, but rather to prevent public bodies from circumventing the requirement for open and public deliberation of issues****. The Act expressly prohibits serial meetings that are conducted through direct communications, personal intermediaries or technological devices for the purpose of developing a concurrence as to action to be taken. (§ 54952.2(b); Stockton Newspapers, Inc. v. Redevelopment Agency (1985) 171 Cal.App.3d 95, 103.)*

Additionally falsified minutes are routinely approved by your staff. Your culpability is made evident by your knowledge of staff misconduct and deliberate failure to take remedial action. As we discussed, evidence reveals your collusion with other county staff to deprive Citizens of their right to public information, obstructionism, refusal to engage in dialog, or participate in the deliberation of public policy. Consequently, the decisions made by Parks and Recreation, the Planning Commission and Board of Supervisors that are based on collusion and deliberately falsified information will ultimately affect all EDC tax payers through unnecessarily expensive litigation, thus undermining the public trust in local government.

By your actions and in some cases, inaction, it is clear that you have violated on numerous occasions each and every one of the above provisions. You've been made aware of unlawful government practices within your department, yet you've failed to take any corrective measures. In so, doing you've aided and abetted the perpetuation of government fraud, and are therefore culpable, complicit and liable.

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 government and their corporate allies, and not for the people they theoretically serve.

You have no constitutional or any other valid authority to defy the Constitution, to which you owe your LIMITED authority, delegated to you by and through the People, and to which you swore your oath. Yet, by your actions against me, committed repeatedly on the aforementioned dates and several other occasions, you've deprived me of my inherent rights.

It is apparent the public's input has been reduced to irrelevancy, thereby demonstrating that public RMAC meetings are little more than predetermined outcomes designed to falsely give Citizens the impression of government transparency and accountability, while providing neither. This is blatant fraud perpetrated by you and other elected/appointed officers against the people they are required to serve and who pay their respective salaries.

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 as Parks and Recreation Manager.

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 (7th 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.*

The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, the oath taker, pursuant to his oath, is mandated to uphold. If he fails this requirement, then, he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. By not responding and/or not rebutting, the oath taker denies the Citizen remedy, thus, denies the Citizen constitutional due process of law, as stated within the Bill of Rights. By your own actions, pursuant to your oath, you have violated these First Amendment guarantees. An American Citizen, such as I, can expect, and has the Right and duty to demand, that government officers uphold their oaths to the Constitution(s) and abide by all constitutionally imposed mandates of their oaths. This is an un-enumerated Right guaranteed in the Ninth Amendment, which I hereby claim and exercise.

Furthermore, there is no legitimate argument to support the claim that oath takers, such as you, are not required to respond to letters or emails, which in this case act as petitions for redress of grievances, stating complaints, charges and claims made against them by their constituents or by Citizens injured by their actions. When public officers harm the Citizens by their errant actions, as you have done, and then refuse to respond to or rebut petitions from Citizens, as you have also done, then those public officers are domestic enemies, acting in sedition and insurrection to the declared Law of the land and ***must be opposed, exposed and lawfully removed from office.***

As stated previously, actions by a public officer either uphold the Constitutions and rights secured therein, or oppose them. By your stepping outside of your delegated authority you lost any "perceived immunity" of your office and you can be sued for your wrongdoing against me, personally, privately, individually and in your professional capacity, as can all those in your jurisdiction, including your supervisors and anyone having oversight responsibility for you, including any judges or prosecuting attorneys and public officers for that jurisdiction, if, once they are notified of your wrongdoing, they fail to take lawful actions to correct it, pursuant to their oaths and their duties, thereto:

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

If those superiors referenced above fail to act and correct the matter, then, they condone, aid and abet your criminal actions, and further, collude and conspire to deprive me and other Citizens of their Rights guaranteed in the Constitutions, as a custom, practice and usual business operation of their office and the jurisdiction for which they work. This constitutes treason by the entire jurisdiction against the Citizens of El Dorado County, in the instant case, 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.*

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 14th Amendment.

The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, the oath taker, pursuant to his

oath, is mandated to uphold. If he fails this requirement, then he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. By not responding and/or not rebutting, the oath taker denies the Citizen remedy, thus, denies the Citizen constitutional due process of law, as stated within the Bill of Rights. By your own actions, pursuant to your oath, you have violated these First Amendment guarantees. An American Citizen, such as I, can expect, and has the Right and duty to demand, that 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.

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 and uphold. The mandates and protections set forth in the Constitutions are all-encompassing, all-inclusive and fully binding upon public employees, without exception, as they are upon you. All of the facts, claims and charges stated herein clearly demonstrate that you, pursuant to your oath, acted outside the lawful scope of your limited duties and constitutional authority; therefore, you acted on your own, as a private Citizen and renegade, outside of any governmental protection and/or immunity, whatsoever. If government were to protect and defend your unconstitutional actions, then, that government becomes complicit in those actions, condones, aids and abets them. (Refer to Title 18 USGC, Sections 241 & 242)

If you disagree with anything in this letter, then rebut that with which you disagree, in writing via a notarized affidavit *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 and that of those who represent you.

Sincerely,

Melody Lane

Attachments:
Exhibit A – 8/3/15 Agenda - Vickie Sanders
Exhibit B – AOA letter to Palacios re: RMAC
Exhibit C – Don Ashton email restricting my email
Exhibit D - Wade vs EDC & ARC – Sweeney letter to BOS

CC: District #1 Supervisor John Hidahl
District #2 Supervisor Shiva Frentzen
District #3 Supervisor Brian Veerkamp
District #4 Supervisor Lori Parlin
District #5 Supervisor Sue Novasel
CAO Don Ashton
Barry Smith, Superintendent Marshall Gold Discovery State Historic Park

8/3/15 RMAC Meeting

Parks & Recreation – Vickie Sanders

I. Personnel Issues

   A. Noah Rucker

   B. RMAC minutes/Brown Act violations/Audio recordings

   C. Conspiracy/harassment/discrimination

   D. Remedial action

II. Next RMAC Meeting

   A. Rescheduled Date?

   B. May 2010 Brown Act – Ciccozzi/Briggs/Mtn. Demo

   C. Wording of agenda > Bullying

   D. EDSO

EXHIBIT A

Alfa Omega Associates
Management Consulting • Public Relations • Publicity
Specializing in Environmental Organizational Management
P.O. Box 7171 • Auburn, CA 95604-7171
Tel/Fax: 530-888-1523 · Cell: 530-308-2689
E-mail: drdalesmith@aoaconsult.net
Dr. Dale Smith, H.H.D., General Manager

March 19, 2010

PRIORITY MAIL DELIVERY CONFIRMATION

Mr. Robert Palacios
P.O. Box 545
Coloma, CA 95613

Mr. Palacios,

After seeing you once before at an RMAC meeting and hearing your odious recorded outbursts against Melody Lane, under such circumstances, your request of Ms. Lane certainly will not be fulfilled. I have advised her NOT to send anything to you from *COMPAS* or have any contact whatsoever with you.

Because of the past, it would not be prudent for you to speak to Ms. Lane at any time by any means or for any reason.

If you want to find out about *COMPAS*, you can read the newspapers or make your request to me and I will consider it.

Any kind of harassment of Ms. Lane by you at any time or location would be especially irresponsible. To be sure, not only is *AOA* watching and listening very carefully but also other organizations which monitor the actions of public agencies have been appraised of this unacceptable state of affairs in a number of departments in El Dorado County.

Sincerely yours,

Dr. Dale Smith

Cc: Bill Deichtman, RMAC Chair & Employee, Marshall Gold Discovery Historic State Park
Greg Stanton, El Dorado County, Environmental Management
Noah Rucker-Triplett, El Dorado County River Recreation
Bill Salata, Public Safety & Enforcement – CA State Parks
Melody Lane, President, *COMPAS*
Area media and other interested parties

EXHIBIT B

From: Donald Ashton [mailto:don.ashton@edcgov.us]
Sent: Friday, August 17, 2018 3:45 PM
To: Melody Lane
Cc: AD-Department-Heads-m; The BOSONE; The BOSTWO; The BOSTHREE; The BOSFOUR; The BOSFIVE
Subject: Email Access

Good afternoon Ms. Lane,

Over the last few months, you have sent numerous emails, sometimes including lengthy email chains and/or attachments along with your communication. These emails have included in their distribution numerous staff members in addition to Department Heads, my office, the offices of the Board of Supervisors and their assistants.

The County's email system is designed to make County operations more effective and efficient. In furtherance of that objective the County has a practice of limiting certain types of email traffic. The County has never by policy or practice opened its email system for indiscriminate use by the general public.

The County takes seriously its obligation to provide the constituents of the County with access to their local government, however, the County's email system is not a traditional public forum nor has the County designated it as such. As a nonpublic forum, the County can impose reasonable regulations on the use of its email system. In fact, even where a public forum is involved, the law allows reasonable time, place, and manner restrictions upon the use of that public forum. As has been noted "Freedom of expression does not mean that everyone with opinions or beliefs to express may do so at any time and place..." It has also been recognized that the government and the taxpayers its serves have a substantial interest in avoiding unnecessary drains upon the public resources. By sending these lengthy emails with extensive attachments to numerous County employees and officials, public resources are diverted from other important tasks when those employees and officials must open and review the email and attachments.

This is to let you know that effective immediately the County is restricting your ability to email County staff. In order to ensure you continue to have access to your local government, you will still be permitted to email all Board of Supervisors members, their assistants, County Department Heads as well as edc.cob@edcgov.us and planning@edcgov.us. You remain free to express any opinions, requests, or other comments in your emails as the County has no interest in restricting your ability express your viewpoint on matters of County governance.

We appreciate your interest in the operation of your local government and trust you understand that we share your desire to ensure that the County operates effectively and efficiently for all of the citizens of the County.

EXHIBIT C

J. Sweeney Open Forum BOS 5/5/15

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 PC20120264 = Eminent Domain & Harrassment

James R Sweeney

1 of 1

EXHIBIT D