



Noah Triplett <noah.triplett@edcgov.us>

Fwd: Please post to 1/14/19 RMAC Agenda Item #4 via Legistar

1 message

Jim Mitrison - El Dorado County <jim.mitrison@edcgov.us>

Mon, Jan 14, 2019 at 1:58 PM

To: Chelsea Doyle <chelsea.doyle@edcgov.us>, Noah Triplett <noah.triplett@edcgov.us>

Cc: Vickie Sanders <vickie.sanders@edcgov.us>

Hi Chelsea and/or Noah,

Not sure if you received a copy of Ms. Lane's request below.

Jim Mitrison
 Clerk of the Board of Supervisors
 County of El Dorado
 Ph. 530.621.5390 Main
 Ph. 530.621.5592 Direct
 Email jim.mitrison@edcgov.us

----- Forwarded message -----

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

Date: Sun, Jan 13, 2019 at 2:25 PM

Subject: Please post to 1/14/19 RMAC Agenda Item #4 via Legistar

To: <lori.parlin@edcgov.us>, Donald Ashton <don.ashton@edcgov.us>, Jim Mitrison <jim.mitrison@edcgov.us>, Vickie Sanders <vickie.sanders@edcgov.us>

Cc: <shiva.frentzen@edcgov.us>, <sue.novasel@edcgov.us>, <brian.veerkamp@edcgov.us>, <john.hidahl@edcgov.us>, <barry.smith@parks.ca.gov>, Jason DeWall <jason.dewall@parks.ca.gov>, Mike Howard <Mike.Howard@parks.ca.gov>, <chelsea.doyle@edcgov.us>, <edc.cob@edcgov.us>, <bosfive@edcgov.us>, <bosfour@edcgov.us>, <bosone@edcgov.us>, <bosthree@edcgov.us>, <bostwo@edcgov.us>

Lori Parlin: This agenda item is relevant to District #4. Your two predecessors, Mike Ranalli and Ron Briggs, failed to represent river residents concerning RMAC issues.

Please read thoroughly and take steps to ensure the entirety of this correspondence is timely posted via Legistar to **Item #4 of the 1/14/19 RMAC agenda**.

###

For nearly 20 years I have been active in RMAC especially as it concerns the out of control noise issues within the Quiet Zone of the S. Fork American River. The Coloma region has been a hotbed of contention over code/law enforcement issues for several decades, particularly those involving noise and public safety. Unenforced law is worse than no law at all. Therefore more than 15 years ago it became necessary that I request law enforcement attend RMAC meetings as required by the River Management Plan (RMP) to ensure the proper conduct of the representatives and safety of residents who challenged their bully tactics. Consequently **Compass2Truth** evolved to deal with the issues of public safety and accountability.

Adam Anderson has a conflict of interest concerning the rationale of the Quiet Zone of the S. Fork American River as made evident by the attached documents. Not only is he required to recuse himself from this item, he has admitted to "legal manipulations" that enabled him to unlawfully remain as Business Representative to RMAC. Anderson's SUP became the subject of a hearing before the BOS concerning frequent noise violations for events held at his Villa Florentina B&B located in the Quiet Zone in Coloma. Anderson's next door neighbor, Robin Smay, is the daughter of Rob Smay, the Resident Representative to RMAC. (See attached article)

Compass2Truth has an established reputation for truth, fact, evidence and valid law; everything we do is corroborated by witnesses, video/audio recordings and legal documentation. During the Villa Florentina Planning Commission hearings as well as the BOS hearing for revocation of his Special Use Permit, Anderson took several occasions to attack my character and reputation as a conservative activist. Using a Power Point presentation he targeted me specifically by falsely claiming that I held excessively loud events at my home. In other words, he LIED but I was not allowed to repudiate his claims during the hearing.

Anderson's apparent motive is retaliation for exposing his participation in River Mafia Mob intimidation, harassment, censoring, and bully tactics. The BOS, CAO, State Parks and EDC Parks & Recreation personnel are keenly aware of the facts which have been entered into the public record, making them culpable and liable for aiding and abetting Anderson's unlawful conduct which opens the county wide up to liability.

Mr. Weitzman has witnessed RMAC in action and accordingly mentions the cost to taxpayers in the attached article, a subject that has frequently been discussed during Taxpayer Association meetings:

"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 (noise) complaints. A hearing is scheduled shortly in front of the Planning Commission. Anderson lives somewhere in Placerville, away from the river... 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. 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.

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. But they do tell the board what a boon they are to the county. Yeah, sure.

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."

As Resident Representative to RMAC, Rob Smay has also demonstrated his total lack of cooperation and outright hostility towards river residents and their concerns. During a serial meeting held at the Coloma Grange Hall, Rob Smay defiantly refused to provide his contact information in order for residents to present their concerns, particularly about noise issues in the Quiet Zone. Smay's only interest is in the support of the rafters, not the residents whom he falsely claims to represent. As such Rob Smay is unqualified as Resident Representative to RMAC which should have been disbanded in 2017. He serves no purpose whatsoever other than to perpetuate the illicit conduct of the River Mafia Politics (RMP).

Furthermore, Mr. Smay was present for the court hearing concerning his best friend and neighbor, Robert Palacios, involving a restraining order for stalking after sexually assaulting me. Note the attached letter addressed to Palacios by a consultant who attended many RMAC meetings as a member of the executive staff of Californians Aware whose legal expertise is the Brown Act and Bagley Keene Open Meeting Act. It is notable that Palacios also failed to relinquish his guns as required by law, and later began harassing and threatening me after the RO expired. Palacios and Smay have openly colluded with Anderson during public meetings in an attempt to harass and provoke me and the residents whom **Compass2Truth** represents. For this reason substantiating documentation has been entered into the public record for which the BOS and other county staff are complicit and liable.

Rob Smay, Adam Anderson and Nate Rangel serve only their own interests, acting under the color of law and bad advice of County Counsel. You are reminded that RMAC representatives are not "volunteers"—they are advisors to the BOS, and as such are bound by their Principle Oaths of Office, same as the Planning Commissioners.

Lori Parlin, Sue Taylor, and Kris Payne have also actively participated in the past unlawful RMAC meetings, particularly those concerning the River Management Plan and code/law enforcement issues, thus making them equally culpable. Additionally the facts and legal implications have been discussed extensively during meetings with Vickie Sanders, consultant Steve Petersen, the Sheriff's Office and State Parks personnel. It's high time to demonstrate authentic transparency and accountability to EDC constituents.

Melody Lane

Founder – Compass2Truth

"There is no crueller tyranny than that which is perpetuated under the shield of law and in the name of justice." ~ Charles de Montesquieu – a French Judge – 1689 to 1755 ~

4 attachments



Gary Miller Affidavit.pdf

9383K



AOA Letter to BP re ML- RMAC 3-19-10.doc

235K



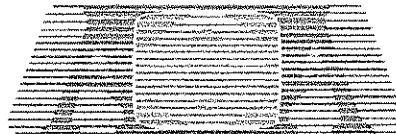
Wasting Money on RMAC 8-23-17 LTE Weitzman.doc

48K



BOS puts kabosh on Villa Florentina 4-13-18 MD.docx

191K



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



Villa Florentina in Coloma will no longer hold events due to noise restriction. Democrat file photo

News

County puts kibosh on Villa Florentina events

By Mackenzie Myers

After more than a year of noise complaints from nearby residents, Coloma venue Villa Florentina will shut its doors to events after June, according to owner Adam Anderson.

Anderson's decision to close the business, with the exception of a selective and unadvertised bed-and-breakfast operation, came after El Dorado County Board of Supervisors meeting on Tuesday.

At the meeting, Anderson and his wife Angela appealed a Feb. 8 Planning Commission decision to modify Villa Florentina's special use permit to limit amplified music on the property, located at 6673 Carvers Road, to 7 p.m. The previous limit, according to county planner Evan Mattis, was 10 p.m.

The Board of Supervisors denied the Andersons' appeal with a 4-0 vote, as District 5 Supervisor Sue Novasel was absent. Though the board's vote also revoked Villa Florentina's ability to hold events, it did allow the venue to hold three final bookings out of consideration for the clients.

Anderson said Wednesday his last scheduled event, a 50th wedding anniversary, will be sometime at the end of June.

The business' special use permit allowing events was approved in 2011, according to the Andersons' appeal letter. The Andersons purchased the business in 2015 but District 2 Supervisor Shiva Frentzen said complaints didn't start coming in until 2016.

Anderson asserted Tuesday that the county issued him a permit knowing that his venue would exceed noise regulations.

"I'm being held to an ordinance that was understood I was exceeding," he said.

According to Mattis, the county received about 23 written comments ahead of Tuesday's meeting, one of which supported the Andersons' appeal. At the meeting, around a dozen residents cited concerns about the venue's noise levels.

Some residents claimed their windows rattled while music played, while another described hearing wedding vows booming throughout the valley near her home. While most complaints focused on noise, some cited traffic and drunk driving concerns on the narrow road near the venue.

Nearby resident Robin Smay sought the help of both a legal professional and a sound engineer. Through the engineer's help and Smay's own decibel readings, she said Wednesday that sound levels were typically within 60 to 70 decibels at her property line, though they did spike up to 90 decibels on occasion. Angela Anderson said at the meeting that noise hit 95 decibels at one point when a guest screamed in excitement, but the sound was short-lived.

According to a chart from Purdue University, 60 decibels compares to a conversation in a public place. Vacuum cleaners typically run at 70 decibels and a motorcycle at 25 feet away is about 90 decibels. Since the unit's scale is logarithmic, 60 decibels is half as loud as 70, while 90 is four times as loud.

Smay said the county's ordinance permits a maximum of 60 decibels between 7 a.m. and 7 p.m., 55 decibels between 7 p.m. and 10 p.m. These levels are further lowered for sounds involving repetitive pulses, music or human speech, she said Wednesday.

Adam Anderson asserted the ordinance is nearly impossible to obey, saying he couldn't have a conversation on his property and still stay below the required noise limit. He also said he and his wife have tried to adjust their business policies to minimize noise, including the exploration of a sound wall, providing language in DJs' contracts to keep music down and banning certain popular songs that excite guests.

"We are not willy-nilly ignoring things," Angela Anderson said. "We are not trying to irritate our neighbors on purpose."

Weddings are loud, asserted Adam Anderson, and while music volume can be controlled, guests' claps, cheers, hoots and hollers aren't as easily regulated.

For some residents, and ultimately the Board of Supervisors, that was the point. District 4 Supervisor Michael Ranalli pointed out the facility is in a rocky valley, a contributing factor to noise reflection and amplification.

Sounds associated with rural environments — such as chain saws, tractors, off-road vehicles and gunshots — also find their way into ceremonies like weddings held at Villa Florentina. District 3 Supervisor Brian Veerkamp pointed out that background noise of rural life shortchanges the clients having a ceremony. Some residents said Tuesday they felt it was unfair to be asked to avoid everyday activities during events, while the venue is permitted to make noise.

"Given the nature of the property, quality events will always be complicated," Veerkamp said.

As of press time Thursday, business review site Yelp listed Villa Florentina as closed.

AFFIDAVIT/DECLARATION OF TRUTH

Gary Miller, District #2 Planning Commissioner
El Dorado County Planning Commission
330 Fair Lane
Placerville, CA 95667

Mr. Miller,

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

This Affidavit/Declaration of Truth is lawful notification to you, and is hereby made and sent to you pursuant to the Federal Constitution, specifically, the Bill of Rights, in particular, Amendments I, IV, V, VI, VII, IX and X, and The Declaration of Rights of the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3 Section 1, and requires your written rebuttal to me, specific to each and every point of the subject matter stated herein, within 30 days, via your own sworn and notarized affidavit, using true fact(s), valid law and evidence to support your rebuttal.

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

Affiant/Declarant hereby affirms that the following actions and events took place:

On May 8, 2017, I sent you, Gary Miller, El Dorado County District #2 Planning Commissioner, via USPS certified mail, a letter which you received on May 9, 2017, and which I entered into the public record during the May 9, 2017 Board of Supervisors meeting. That letter, attached hereto and marked **Exhibit A**, was sent to inform you of these events and statements made by you, and also as an inquiry to ascertain whether you, Gary Miller, as District #2 Planning Commissioner and Chairman, support and uphold them or would rebut them.

Pursuant to the lawful notification contained in that letter, as I originally stated therein, and as cited and included by reference herein, you were required to respond to and rebut anything contained in the attached May 8th letter with which you disagreed, within thirty (30) days of receipt thereof. You failed to respond with specificity and thereby failed to rebut anything stated therein with truth, fact, valid evidence and law. Therefore, pursuant to the referenced lawful notification, you tacitly admit to all of the statements, charges and claims contained therein, fully binding upon you in any court, without your protest, objection or that of those who represent you.

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

- 1) During the March 23rd Planning Commission hearing, I was discriminated against by you, Commissioner Gary Miller. You permitted certain individuals to speak in excess of ten minutes, yet you denied me equal rights when you repeatedly interrupted, harassed, and refused to allow me to respond to blatantly false statements publically made against me, particularly those made by RMAC business representative and Villa Florentina B&B owner, Adam Anderson. Acting as judge, jury and executioner, you conducted the hearing in a manner that demonstrated bias, prejudice, abuse of authority, and your Principal Agent Oath of Office. In so doing, I was harmed by your actions and deprived of due process.
- 2) Audio recorded statements made by you were read verbatim into the public record during the April 11, 2017 Board of Supervisors meeting. **(See Exhibit A)** They substantiated your overt discrimination and violations of the Brown Act. You have no authority whatsoever to arbitrarily engage in dialog with some citizens, or discriminately refuse to dialog with others. Then, during the April 13th Planning Commission hearing, I addressed the aforementioned grievances mandating appropriate dialog, scheduling the topic for a future meeting, and requested remedial action as required by law and specified under the Brown Act, Sections 54954.2(a) and 54954.3. Again you deprived me of the right to due process.
- 3) On multiple occasions the topic of Planning & Development Services Director Roger Trout's "3-Strikes" policy was addressed during Planning Commission hearings. Audio recordings affirm that you, Commissioner Gary Miller, stated, *"There isn't a 3 strikes policy!"* Then on April 13th, you permitted Roger Trout to speak out of turn and provide testimony in defense of his 3-strikes position. *A policy that doesn't exist cannot be lawfully enforced.* Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word. Notably, you refused me the right to respond publicly by foreclosing meaningful public dialog for purposeful cover up of government malfeasance and, thus, maintaining the status quo.

- 4) During the April 13th hearing, I specifically addressed my concerns about malfeasance to you and Commissioner James Williams. Instead of responding directly to my request, you made it a point to defer all responses to Planning & Development Services Director, Roger Trout, and Counsel David Livingston. Neither Roger Trout nor Counsel has any authority to respond on your behalf, nor was it appropriate for Counsel to give his opinion and/or interpretation of the law. In violation of the Brown Act and your Principal Agent Oath of Office, you thus deprived me the right to due process for the purpose of redressing grievances.
- 5) As Chairman for the Planning Commission, it has been brought to your attention on numerous occasions, as well as to the Board of Supervisors, that county staff is habitually submitting erroneous data and/or false information regarding Planning Commission decisions and recommendations made to the Board of Supervisors. This topic was again specifically addressed during the June 22, 2017 Planning Commission RMAC Workshop/Hearing. Decisions made by the Board of Supervisors based on deliberately falsified information and collusion, adversely affect all EDC Citizens, thus, undermining the public trust in local government. Having knowledge of wrong doing, and failure to take remedial action makes you culpable and liable. As such, my claims pertain to your failure to provide honest public services pursuant to your oaths. Depriving the public of honest services is a federal crime. The First Amendment guarantees the Right of free speech and the Right to petition government for redress of grievances, which, the oath taker, pursuant to his oath, is mandated to uphold. You failed this requirement, thus, you violated two provisions of the First Amendment, the Public Trust and perjured your oath.
- 6) By not responding and/or not rebutting, such as you have demonstrated, the oath taker denies the Citizen remedy, thus, denies the Citizen constitutional due process of law, as stated within the Bill of Rights. There is no legitimate argument to support the claim that oath takers, such as you, are not required to respond to correspondence or other public inquiries, which, in this case, act as petitions for redress of grievances, stating complaints, charges and claims made against them by Citizens injured by their actions. All American Citizens, can expect, and have the Right and duty to demand, that government officers uphold their oaths to the Constitution(s) and abide by all Constitutionally imposed mandates of their oaths. This is an un-enumerated Right guaranteed in the Ninth Amendment, which I hereby claim and exercise.

Lawful notification has been provided to you stating that if you do not truthfully and factually rebut the statements, charges and averments made in this Affidavit/Declaration, then, you agree with and admit to them.

Pursuant to that lawful notification, if you disagree with anything stated under oath in this Affidavit/Declaration of Truth, then rebut that with which you disagree, with

particularity, within thirty (30) days of receipt thereof, by means of your own written, sworn, notarized affidavit of truth, based on specific, relevant fact and valid law to support your disagreement, attesting to your rebuttal and supportive positions, as valid and lawful, under the pains and penalties of perjury under the laws of the United States of America and this state of California. An un-rebutted affidavit stands as truth before any court.

Your failure to respond, as stipulated, is your agreement with and irrevocable admission to the fact that everything in this Affidavit/Declaration of Truth is true, correct, legal, lawful, fully binding upon you, District #2 Commissioner Gary Miller, in any court of law in America, without your protest, objection or that of those who represent you.

Further Affiant sayeth naught.

All Rights Reserved,

By: Melody Lane Date: 6/26/17
Melody Lane

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

(See attached California Notarization)

Attachments:

Exhibit A – May 8, 2017 letter to Gary Miller

CC: Dist. #1 Supervisor John Hidahl
Dist. #2 Supervisor Shiva Frentzen
Dist. #3 Supervisor Brian Veerkamp
Dist. #4 Supervisor Michael Ranalli
Dist. #5 Supervisor Sue Novasel
EDC Planning Commissioners Williams, Hanson, Vegna and Shinault
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 Sierravieja }

Subscribed and sworn to (or affirmed) before me on this 26 day of June, 2017
Date Month Year

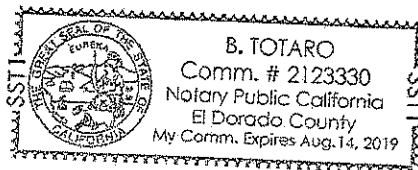
by Y. M. G. J. Lane

Name of Signer

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

Signature: B. Totaro

Signature of Notary Public



Seal

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent attachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Affidavit/Declaration of Truth

Document Date: 6/26/17

Number of Pages: 4

Signer(s) Other Than Named Above: _____

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

May 8, 2017

Gary Miller, District #2 Planning Commissioner
330 Fair Lane
Placerville, CA 95667

Mr. Miller,

This letter is lawful notification to you, and is hereby made and sent to you pursuant to the national Constitution, specifically, the Bill of Rights, in particular, Amendments I, IV, V, VI, VII, IX and X, and the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3 Section 1. This letter requires your written rebuttal to me, specific to each claim, statement and averment made herein, within 30 days of the date of this letter, using true fact, valid law and evidence to support your rebuttal.

You are hereby noticed that your failure to respond within 30 days as stipulated, and rebut, with particularity, everything in this letter with which you disagree is your lawful, legal and binding agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful and binding upon you, in any court, anywhere in America, without your protest or objection or that of those who represent you. Your silence is your acquiescence. See: *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is "the first essential of due process of law." Also, see: *U.S. v. Tweel*, 550 F. 2d. 297. "Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading."

What I say in this letter is based in the supreme, superseding authority of the Constitution for the United States of America, circa 1787, as amended in 1791, with the Bill of Rights, and the California Constitution, to which all public officers have sworn or affirmed oaths, under which they are bound by Law. It is impossible for an oath taker to lawfully defy and oppose the authority of the documents to which he or she swore or affirmed his or her oath. My claims, statements and averments also pertain to your actions taken regarding violations of the California Ralph M. Brown Act and deprivation of my rights pursuant to your Principal Agent Oaths of Office. When I use the term "public officer(s)", this term includes you.

The Supreme Law and superseding authority in this nation is the national Constitution, as declared in Article VI of that document. In Article IV, Section 4 of that

Constitution, every state is guaranteed a republican form of government. Any "laws", rules, regulations, codes and policies which conflict with, contradict, oppose and violate the national and state Constitutions are null and void, *ab initio*. It is a fact that your Principal Agent oath requires you to support the national and state Constitutions and the rights of the people secured therein.

All public officers are required to abide by their oaths in the performance of their official duties. No public officer, including you, has the constitutional authority to oppose, deny, defy, violate and disparage the very documents to which he or she swore or affirmed his or her oath. All actions by public officers conducted in the performance of their official duties either support the national and state Constitutions, or deny them.

As principal, Supervisor Shiva Frentzen has delegated authority to you, Gary Miller, to act on her behalf, as her agent. When any public officer has knowledge of wrongdoing, yet, fails to take corrective action, then, that public officer aids and abets the unlawful action of the agent, thereby maintaining the status quo, and thus becomes complicit and liable. As you have been made aware, in some cases, it's the agent who can be held responsible for misconduct, illegal activity, or violations of business standards such as you have committed.

Your Principal Agent Oath of Office requires you to uphold and support the Constitution of the United States of America, and pursuant to your oath, you are required to abide by that oath in the performance of your official duties. You have no constitutional or other valid authority to defy the Constitution, to which you owe your LIMITED authority, delegated to you by and through the People.

On March 18, 2017, correspondence and accompanying evidence was submitted by me to the Planning Commission, Development Services Director Roger Trout, and the Board of Supervisors regarding the upcoming March 23rd Planning Commission hearing relevant to the revocation of the Villa Florentina Special Use Permit and multiple violations of the River Management Plan. (See Exhibit A)

Prior to the hearing Commissioner Williams and I spoke on the phone. It was agreed that the Commission would ask Roger Trout to produce the SUP revocation "3-strikes policy" in writing. That policy is vitally pertinent to the River Management Plan and El Dorado County Law/Code Enforcement.

During the March 23rd hearing, discrimination was evident when you allowed certain individuals to speak in excess of ten minutes, but denied me due process when you repeatedly interrupted, harassed, and refused to allow me to respond to blatantly false statements publically made against me by RMAC representative and Villa Florentina owner, Adam Anderson. Furthermore, none of the commissioners ever requested that Roger Trout provide the 3 strikes policy in writing, as previously agreed. Acting as judge, jury and executioner, you essentially turned the hearing into a kangaroo courtroom, thus, mocking the Citizens and the constitutions to which you swore an oath of allegiance.

It became evident after the hearing in the course of conversation with you that none of those materials had been read by the Planning Commissioners prior to rubber-stamping their unanimous decisions made during the March 23rd Planning Commission hearing, nor were they properly posted to the government website. Afterwards, I conversed at length with District #4 Commissioner, James Williams, about your hostile attitude and March 23rd hearing anomalies. Mr. Williams concurred with my assessment of the situation by encouraging me to request in writing that the Planning Commission decisions made that day be appealed and reversed for lack of due process.

Subsequently, on March 29, 2017 I addressed a letter to Supervisors Shiva Frentzen and Michael Ranalli. Pursuant to my questioning of your voting rationale and unprofessional conduct during the March 23rd hearing, one example citing your own verbatim words from that correspondence was read into the public record during the April 11, 2017 BOS meeting. (See Exhibit B):

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

All five Planning Commissioners also received via email a copy of the March 29th correspondence concerning specific violations of your Principal Agent Oath of Office, the Brown Act, and due process. It is noteworthy that although the materials had been emailed prior to the April 13th Planning Commission hearing, the said correspondence was not distributed by Char Tim until just moments before said hearing commenced, nor was sufficient time even given to the Commissioners to read the materials before the hearing commenced. (See Exhibit C)

During the April 13th Planning Commission hearing, I addressed the aforementioned grievances which mandates appropriate dialog, scheduling the topic for a future meeting, and remedial action as required under the Brown Act, Section 54954.2(a), which states in part:

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

You were also reminded that the Planning Commissioners and the Board of Supervisors have been regularly apprised that they are routinely receiving false

information from the River Management Advisory Committee, Development Services, Parks & Recreation staff, and the CAO. When I asked if you had any questions or further comments, you audibly replied, "No." It soon became evident by your openly hostile demeanor that you had no intention whatsoever to respond to repeated requests to address the problems, schedule the matter for a future meeting, or to take remedial action.

Such abuse of power and actions against me constitute obstruction of justice and due process. In the course of our dialog, it is significant that you mentioned your fear of being sued. Apparently you were aware that any enterprise undertaken by any public official 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.

Just one example is Roger Trout's fraudulent 3-Strikes policy which you, Commissioner, Gary Miller, referred to on multiple occasions stating, *"There isn't a 3 strikes policy!" A policy that doesn't exist cannot be lawfully enforced.* Then on April 13th, you permitted Roger Trout to speak out of turn and provide testimony in defense of his 3-strikes position. Notably, you refused me the right to respond publicly by foreclosing meaningful public dialog for purposeful cover up of government malfeasance and thus maintaining the status quo.

Collusion between departments is a major factor in depriving Citizens of their right to access public information and due process, topics discussed extensively in meetings with Sheriff D'Agostini and District Attorney, Vern Pierson. Following is Clerk to the Board, Jim Mitrison's, 3/24/17 reply to another constituent's CPRA requesting Mr. Trout's 3-Strikes policy, *"There are no records responsive to your request. I phoned the Planning Department to learn more and was informed the reference to '1,2,3' was made by an applicant and restated by Mr. Trout regarding steps taken to address a use permit issue. You may want to contact Mr. Trout for additional information."*

Additionally, repeated requests that I made to appeal and reverse the aforementioned 3/23/17 Planning Commission decisions were blatantly ignored. During the April 13th hearing, I specifically addressed my concerns of malfeasance to you and Commissioner James Williams. Instead of responding appropriately to my request, you made it a point to defer all responses to Development Services Director, Roger Trout, and Counsel David Livingston. Neither Roger Trout nor Counsel has any authority to respond on your behalf, nor was it appropriate for Counsel to give his opinion and/or interpretation of the law.

In violation of the Brown Act and your Principal Agent Oath of Office, you thus deprived me the right to due process, to testify and address the Planning Commission specifically for the purpose of redressing grievances, 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."

It further states:

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

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

It has been brought to your attention on numerous occasions by *Compass2Truth* that county staff is habitually submitting erroneous data and/or false information regarding interrelated issues to the Board of Supervisors. Consequently, decisions made by the Supervisors that are based on deliberately falsified information will ultimately adversely affect all EDC tax payers, thus, undermining the public trust in local government.

It is apparent that the public's input has been reduced to irrelevancy by how the Planning Commission votes unanimously, and/or rubber-stamps Consent items, thereby demonstrating that public meetings are little more than dog and pony shows with predetermined outcomes designed to falsely give the public an impression of government transparency and accountability.

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.

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.

Additionally, 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. An American Citizen, such as I, can expect, and has the Right and duty to demand, that his government officers uphold their oaths to the Constitution(s) and abide by all Constitutionally imposed mandates of their oaths. This is an un-enumerated Right guaranteed in the Ninth Amendment, which I hereby claim and exercise.

Furthermore, there is no legitimate argument to support the claim that oath takers, such as you, are not required to respond to letters, 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, and then refuse to respond to or rebut petitions from Citizens, then, those public officers, as are you, are domestic enemies, acting in sedition and insurrection to the declared Law of the land and ***must be opposed, exposed and lawfully removed from office.***

You perjured your oath by violating my constitutionally guaranteed Rights, in particular those secured in the Bill of Rights, including but not limited to my 1st Amendment Rights. 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.

Anytime public officers, such as you, pursuant to their oaths, violate Rights guaranteed to Citizens in the Constitutions, they act outside their limited delegated authority, thus, perjure their oaths, and by their own actions, invoke the self-executing Sections 3 and 4 of the 14th Amendment; thereby vacate their offices and forfeit all benefits thereof, including salaries and pensions.

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 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.

If they 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 People, 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. See also: U.S. v. Guest, Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.

Pursuant to the constitutional mandates imposed upon them, by and through their oaths, there is no discretion on the part of public officers, including you, to oppose the Constitutions and their oaths thereto, nor to be selective about which, if any, mandates and protections in the Constitutions they support. The mandates and protections set forth in the Constitutions are all encompassing, all-inclusive and fully binding upon public officers, without exception, as they are upon you.

If you disagree with anything in this letter, then, rebut that with which you disagree, in writing, with particularity, to me, within 30 days of the date of this letter, and support your disagreement with evidence, fact and law.

Your failure to respond, as stipulated, is your agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful, and is your irrevocable agreement attesting to this, fully binding upon you, in any court in America, without your protest or objection or that of those who represent you.

Sincerely,



Melody Lane
Founder - **Compass2Truth**

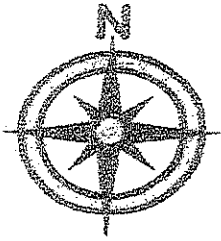
Attachments:

Exhibit A – March 18, 2017 Villa Florentina Evidence

Exhibit B - March 29, 2017 SUP/RMP Planning Commission Hearing letter

Exhibit C – 4/12/17 Request to pull items from Consent for discussion & action

CC: District #1 Supervisor John Hidahl
District #2 Supervisor Shiva Frentzen
District #3 Supervisor Brian Veerkamp
District #4 Supervisor Ranalli
District #5 Supervisor Sue Novasel
Planning Commissioners, Districts 1, 3, 4 & 5
Development Services Director Roger Trout



Compass2Truth

Citizens for Constitutional Liberty

P.O. Box 598
Coloma, CA 95613

March 18, 2017

El Dorado County Planning Commission
C/o Development & Planning Services
2850 Fairlane
Placerville, CA 95667

RE: Villa Florentina Bed & Breakfast SUP #S10-0009 Violations & Revocation

Dear Commissioners,

I have been a resident of Coloma for nearly 20 years living close to the intersection of Carvers and Mt. Murphy Roads located within the Quiet Zone of the S. Fork American River. Not only can we hear excessively loud events emanating from Villa Florentina, residents are frequently bombarded simultaneously by multiple amplified events at the Coloma Resort and other surrounding campgrounds. (See Exhibit A)

Egress in the event of an emergency is also cause for concern frequently expressed by neighbors on the north side of the Mt. Murphy Road Bridge. This becomes a public safety issue when large events create traffic jams.

The Quiet Zone as described in the River Management Plan (RMP) begins at Indian Creek above Coloma, and ends at Greenwood Creek below Rivers Bend. RMP noise restrictions apply to the river rafters as well as to campgrounds, business establishments, and private property owners. The majority of residents moved to Coloma for the peace and quiet of the rural lifestyle. The purpose of the Quiet Zone is to respect the rights and reasonable expectations of adjoining landowners.

The specifics of SUPs and requirements are delineated in Sections 4 through 8 of the RMP. Section 8.2 of the RMP states only the County Sheriff's Department has the authority to fine and enforce County Code violations involving private campgrounds and private land owners. Should a resident desire to obtain a Temporary Use Permit (TUP) for a special amplified music event, they would be required to pay a fee to obtain a permit through the Sheriff's Department. To date, Public Record Act requests for information reveal there have only been about a dozen TUPs issued by EDSO over the course of more than 15 years, most of them held at Henningson-Lotus Park. None have ever been issued for Villa Florentina.

Significantly excessively noisy events, such as those emanating from Villa Florentina, have negative impacts not only upon the quality of life of residents living within this stretch of the river, but also upon the value of neighboring homes. The historic failure of the county to apply consequences for SUP violations as per the RMP exacerbates the problem of unacceptable levels of noise. The campgrounds, businesses, and event

coordinators expect Code and Law Enforcement to turn a blind eye and deaf ear to resident's complaints; hence business continues as usual in EDC.

Noise violations within the Quiet Zone have been a bone of contention in our community long before I even moved here. Once it was realized what a problem SUP violations actually were, I joined others in circulating petitions for SUP revocations and volunteered as secretary for the Community Clamor Committee (CCC). The purpose of the CCC was to mitigate the frequent SUP violations, lack of appropriate monitoring within the Quiet Zone, and to develop a plan of action to bring the offending parties into compliance. Because these meetings could get very contentious, I invited law enforcement to actively participate as per the RMP. Note it is not necessary to have a decibel meter or hire a professional to determine the level of noise. (See Exhibit B)

The minutes of the CCC meetings were integrated into the RMP, but in essence the county failed to recognize and/or take any remedial action. Consequently bully tactics were applied against anyone who dared complain about disturbances of the peace. Ultimately the Sheriff's Department and Code Enforcement failed miserably to abide by the requirements of the RMP. Again, business continued as usual.

Every resident has a right to live in peace and safety. Therefore in 2010 we began meeting with Sheriff D'Agostini as well as County and CA State Parks personnel to further develop a plan of action to mitigate the RMP noise problems and associated concerns that have plagued our community for decades.

It is significant that Adam Anderson, owner of Villa Fiorentina, is the Business Representative for the River Management Advisory Committee (RMAC). I was accompanied by four individuals to the September 14, 2015 RMAC meeting. Supervisor Ranalli was also present. The purpose of the agenda item I'd specifically requested was to address RMP violations and recommend revocation of the SUPs to the Planning Commission. In addition to multiple audio recordings, my four witnesses can attest Adam Anderson falsely accused me of using profanity while I was quietly seated in the audience. Adam has failed to demonstrate integrity, and in fact, has a conflict of interest as delegate to RMAC. (Please refer to Consent Item #2 for the RMP to be pulled & removed.)

Using RMAC as a bully pulpit, it became evident RMAC delegates had colluded with county personnel to set up and publicly discredit me and the organization, *Compass2Truth*. Consequently that incident became the subject of meetings with County Counsel, Supervisor Ranalli and other EDC staff. (See Exhibit C)

Please ensure that the Planning Commission REVOKE the SUP for Villa Fiorentina Bed & Breakfast.

Sincerely,


Melody Lane
Founder *Compass2Truth*

Attachments:

Exhibit A – Trout letters to American River Resort & Coloma Resort
Exhibit B – EDSO Examples of Sound Levels
Exhibit C – 11/14/16 RMP Public Comments

CC: Roger Trout
Supervisors Districts #1, 2, 3, 4 & 5



Compass2Truth

Citizens for Constitutional Liberty

P.O. Box 598
Coloma, CA 95613

March 29, 2017

TO: District #4 Supervisor Mike Ranalli
District #2 Supervisor Shiva Frentzen

CC: EDC Planning Commissioners
CAO Don Ashton
Supervisor Brian Veerkamp
Supervisor Sue Novasel
Supervisor John Hidahl

RE: 3/23/17 Planning Commission Hearing – RMP & Villa Florentina

Dear Supervisors Frentzen & Ranalli,

Please ensure the entirety of this correspondence is posted to Public Comments for Villa Florentina SUP scheduled for the August Planning Commission hearing. The following comments apply to the 3/23/17 Planning Commission Consent Item #2 – RMP Update & Implementation, and Item #5 – Villa Florentina SUP hearing:

Note I did not address Mike Ciccozzi during the 3/28/17 Open Forum. My purpose in specifically addressing Supervisor Ranalli and Chair Frentzen was to briefly dialog, as permitted under the Brown Act, and receive a public response as to scheduling the item on the BOS calendar for public dialog and remedial action by the BOS.

Refer to the Brown Act § 54954.2(a) and § 54954.3 (c) which state in part,

“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...These decisions found that prohibiting critical comments was a form of viewpoint discrimination and that such prohibition promoted discussion artificially geared toward praising and maintaining the status quo, thereby foreclosing meaningful public dialog... The purpose of the discussion is to permit a member of the public to raise an issue or problem with the legislative body or to permit the legislative body to provide information to the public, provide direction to its staff, or schedule the matter for a future meeting.”

Additionally, based upon the BOS knowledge of falsified data submitted by Parks & Recreation staff member Noah Rucker-Triplet and CSD Director Roger Trout, and the subsequent denial of the public's due process, I

also submit this request to appeal and reverse the 3/23/17 Planning Commission Consent Item #2 unanimous vote to:

- 1) Approve 2016 Annual Report to implementation of RMP; and
- 2) Recommend continued implementation of the River Management Plan as currently prescribed

Prior to the hearing sufficient evidence was submitted for the #5 Villa Florentina SUP and request to pull from Consent Item #2 RMP Update. Apparently those materials were not read by the commissioners or properly posted to the government website. My records indicate one of the emails I had submitted was NOT posted to #5 Villa Florentina SUP. Lucky I had those materials with me which I presented three times to Char Tim during the hearing before she finally accepted them into the public record. *Also significantly omitted was Adam Anderson's power point presentation that falsely targeted my home as a "noise hot spot" on a map of the river.*

You, our elected officials, are responsible to deal directly and transparently with the constituents whom you profess to serve. *Counsel has no authority whatsoever to respond on behalf of the BOS or any other EDC employee, nor is it appropriate for Counsel to give his opinion and/or interpretation of the law.* Mike Ciccozzi's comment to post missing documents *after the public hearing* is a typical form of discrimination artificially geared toward praising and maintaining the status quo, thus *denying the public their right to due process.* As such Mike Ciccozzi's reply was unacceptable.

Adam Anderson is not an exception to the law or any of the RMP restrictions in the Quiet Zone of the S. Fork American River. Adam has an apparent conflict of interest with RMAC, and in the presence of Supervisor Ranalli, Adam has proven his lack of integrity. Mr. Anderson has abused the authority delegated to him by you, the entire Board of Supervisors.

Furthermore, The Mountain Democrat article was a blatant misrepresentation of the 3/23/17 Planning Commission hearing orchestrated by the Chamber Political Action Committee (CPAC). Commission Chairman Gary Miller turned the Villa Florentina hearing into a biased kangaroo courtroom. The Channel 13 public relations stunt, plus special considerations given to Adam during the 3/21 BOS Open Forum, perpetrated sympathy and certainly generated profitable revenues in support of his plight.
<http://sacramento.cbslocal.com/tag/villa-florentina/>

Supervisor Frentzen, you especially need to be aware that District #2 Commissioner Gary Miller violated the Brown Act in addition to being discriminatory, disrespectful and arrogant during the 3/23/17 Commission hearing. I was the *only person whom he harassed*, demonstrating exactly the same unacceptable behavior as Ron Mikulaco while he was Chairman of the BOS. Gary's mocking attitude while we spoke Tuesday evening was bizarre, abrasive and unreasonable. This is just a sampling of some of his comments when I questioned his voting rationale and unprofessional conduct during the hearing:

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

It is troubling that Commissioner Miller remarked about his fear of being sued. Similar comments were made by Kim Kulton during the February 15th CL Fire Safe Council. Some of the same community members at the CL FSC meeting addressed the 3/23/17 Planning Commission hearing as mentioned in the Mtn. Democrat.

article concerning the Villa Florentina SUP. This is an issue that Supervisor Ranalli and Roger Trout have taken great pains to avoid addressing, particularly as it involves the RMP, SUP violations, Code & Law Enforcement, and related public safety issues in Coloma.

Comments made by Roger Trout during the Villa Florentina hearing raised several red flags, particularly his evident reluctance to respond to numerous requests for the written "3-strikes" Special Use Policy. How can a policy be enforced if it doesn't even exist?

Over the years we had met with Roger Trout, Sheriff D'Agostini, Supervisor Ranalli, Supervisor Briggs, Don Ashton and County Counsel on several occasions to discuss the 3 strikes policy and related code and law enforcement matters. However all meetings proved to be exercises in futility primarily because Roger Trout and Supervisor Ranalli remained unresponsive to constituent concerns about SUP enforcement affecting the entirety of El Dorado County.

Finally a District #4 constituent who couldn't be present for the hearing submitted a CPRA for the 3 strikes policy. It wasn't until 3/28/17 that I received the following response to the CPRA:

There are no records responsive to your request. I phoned the Planning Department to learn more and was informed the reference to "1, 2, 3" was made by an applicant and repeated by Mr. Trout regarding steps taken to address a use permit issue. You may want to contact Mr. Trout for additional information.

Thank you,
J. - Martin -
Clerk of the Board

Special Use Permits are a major component of the RMP, particularly restrictions put upon business establishments within the Quiet Zone of the S. Fork American River.

During the hearing when District #4 Commissioner James Williams addressed concerns discussed prior to the hearing, Noah Rucker-Triplett made some disturbing comments and revealing admissions concerning the River Management Plan. Noah stated RMAC isn't required to respond to the public, nor had the RMAC held any meetings since the Annual November 2016 RMAC. That meeting was in reality less than 25 minutes in duration with only three members of the public present, me included. Additionally there was no Annual RMP Update submitted to the Planning Commission for the year 2015.

Commissioner Williams made the astute observation that the RMAC can't advise the BOS if they aren't meeting or the RMAC issues aren't publicly vetted. However Chairman Miller recommended approval of the RMP as submitted by staff. Subsequently the Commission unanimously approved the RMP despite the apparent discrepancies which had been brought to their attention. Apparently the facts didn't matter; business as usual. Thus the public was denied due process in violation of the Brown Act and legal mandates within the RMP.

The BOS has been made aware of the frequent RMP violations and safety aspects affecting the quality of life for river residents within District #4. Yet your failure to effectively address and remedy these issues is dereliction of duty making you complicit in their perpetuation.

Accordingly, you've been reminded on more than one occasion of AB1234 Mandatory Ethics Training for Public Officials, wherein it states in part:

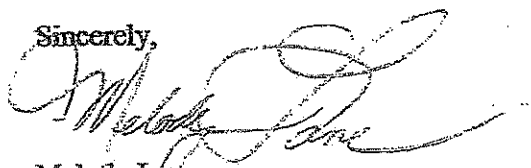
- The law provides only minimum standards for ethical conduct. Just because a course of action is legal, doesn't make it ethical/what one ought to do.

- Because of the breadth of federal anticorruption law, avoid any temptation to walk closely to the line that divides legal from illegal conduct under state law. Even though a course of action may be lawful under the state law, it may not be lawful under federal law.
- Conduct the public's business in open and publicized meetings, except for the limited circumstances when the law allows closed sessions.
- Allow the public to participate in meeting, listening to the public's views before decisions are made.
- Cannot retaliate against those who whistle-blow.
- Must conduct public hearings in accordance with due process principles.
- The law is aimed at the perception, as well as the reality, that a public official's personal interests may influence a decision. Even the temptation to act in one's own interest could lead to disqualification, or worse.
- Cannot simultaneously hold certain public offices or engage in other outside activities that would subject them to conflicting loyalties.
- Violating the conflict of interest laws could lead to monetary fines and criminal penalties for public officials. *Don't take that risk.*

Included as an attachment is the Ron Mikulaco Declaration-Affidavit referenced above. It should serve as a wake-up call to all public officials to take their Constitutional Oaths seriously. Don't forget, you work for us.

In anticipation of your cooperation and in accordance with Constitutional principles I look forward to your prompt response.

Sincerely,



Melody Lane
Founder – *Compass2Truth*

Attachments:

1. 3/27/17 Villa Florentina Mtn. Democrat article
2. Ron Mikulaco Declaration-Affidavit

Melody Lane

From: Melody Lane <melody.lane@reagan.com>
Sent: Wednesday, April 12, 2017 3:35 PM
To: shiva.frentzen@edcgov.us; Michael Ranalli; James Williams; gary.miller@edcgov.us
Cc: 'Donald Ashton'; jeff.haberman@edcgov.us; jeff.hansen@edcgov.us;
brian.shinault@edcgov.us; planning@edcgov.us; 'Roger Trout'; 'Roger Niello';
brian.veerkamp@edcgov.us; sue.novasel@edcgov.us; john.hidahl@edcgov.us; Jim
Mitrishin; bosfive@edcgov.us; bosfour@edcgov.us; bosone@edcgov.us;
bosthree@edcgov.us; bostwo@edcgov.us
Subject: Please pull from 4/13/17 Planning Commission Consent Item #1 for public discussion
Attachments: RMP Villa Florentina SUP 3-29-17.pdf
Importance: High

Please ensure the following Item #1 is pulled from the 4/13/17 Planning Commission Consent Agenda for public discussion and appropriate action as required under the Brown Act, § 54954.2(a) and § 54954.3(c):

1. 17-0380 Clerk of the Planning Commission recommending the Commission approve the MINUTES of the regular meeting of March 23, 2017.

As per the attached letter, the public has been denied due process as required by law. This topic was addressed to the BOS & Planning Commission on 3/30/17, but in violation of your Constitutional Oath of Office, was again ignored and diverted during yesterday's 4/11/17 BOS meeting.

Melody Lane
Founder – Compass2Truth

Any act by any public officer either supports and upholds the Constitution, or opposes and violates it.

Exhibit 1 C

<http://www.laketahoenews.net/2017/08/opinion-edc-wasting-money-river-committee/>

<http://www.mtdemocrat.com/opinion/the-balancing-act-disbanding-river-management-advisory-committee/>

Opinion: EDC wasting money on river committee

PUBLISHED: AUGUST 23, 2017 BY: ADMIN, IN: VOICES, NO COMMENT

By Larry Weitzman

In case you are wondering, RMAC is the acronym for the River Management Advisory Committee, a committee set up in the early 1980s by the Board of Supervisors to help advise them on river and nearby land use issues. It is composed of more than five members who have a vested interest in the river: an outfitter, a commercial rafter, a resident land owner, two members of State Parks, a business representative, a private boater, and two members at large.

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. I can't tell you the names of the four other members in attendance. 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. But there is more.

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. I am not begrudging the fact that they are paid a lot of money. I am sure they work hard; I know Schwartz does. What I am pointing out is the fact that each of these meetings cost the taxpayer a lot of money.

You can be sure, with prep time, travel time, post mortem time after the meeting and actual meeting time, this meeting cost you and me at least \$1,000 or more for each one of these county dysfunctions. And they do this 11 times a year and have done so for years. You can do the math, but this RMAC thing is no free ride.

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. But they do tell the board what a boon they are to the county. Yeah, sure. So is Walmart, Big O Tires and every other business in the county, especially the hotels and motels. We get a special 10 percent tax off that tourist industry.

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. That alone will save the county over \$10,000 a year, more money that can be used for potholes and senior legal. Now let's get an accounting of and for everything.

Larry Weitzman is a resident of Rescue.

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

Sent: Sunday, January 13, 2019 2:24 PM

To: lori.parlin@edcgov.us; 'Donald Ashton'; Jim Mitrisin; Vickie Sanders

Cc: shiva.frentzen@edcgov.us; sue.novasel@edcgov.us; brian.veerkamp@edcgov.us; john.hidahl@edcgov.us; barry.smith@parks.ca.gov; Jason DeWall; Mike Howard; chelsea.doyle@edcgov.us; edc.cob@edcgov.us; bosfive@edcgov.us; bosfour@edcgov.us; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us

Subject: Please post to 1/14/19 RMAC Agenda Item #4 via Legistar

#4

Lori Parlin: This agenda item is relevant to District #4. Your two predecessors, Mike Ranalli and Ron Briggs, failed to represent river residents concerning RMAC issues.

Please read thoroughly and take steps to ensure the entirety of this correspondence is timely posted via Legistar to **Item #4 of the 1/14/19 RMAC agenda.**

###

For nearly 20 years I have been active in RMAC especially as it concerns the out of control noise issues within the Quiet Zone of the S. Fork American River. The Coloma region has been a hotbed of contention over code/law enforcement issues for several decades, particularly those involving noise and public safety.

Unenforced law is worse than no law at all. Therefore more than 15 years ago it became necessary that I request law enforcement attend RMAC meetings as required by the River Management Plan (RMP) to ensure the proper conduct of the representatives and safety of residents who challenged their bully tactics. Consequently **Compass2Truth** evolved to deal with the issues of public safety and accountability.

Adam Anderson has a conflict of interest concerning the rationale of the Quiet Zone of the S. Fork American River as made evident by the attached documents. Not only is he required to recuse himself from this item, he has admitted to "legal manipulations" that enabled him to unlawfully remain as Business Representative to RMAC. Anderson's SUP became the subject of a hearing before the BOS concerning frequent noise violations for events held at his Villa Florentina B&B located in the Quiet Zone in Coloma. Anderson's next door neighbor, Robin Smay, is the daughter of Rob Smay, the Resident Representative to RMAC. (See attached article)

Compass2Truth has an established reputation for truth, fact, evidence and valid law; everything we do is corroborated by witnesses, video/audio recordings and legal documentation. During the Villa Florentina Planning Commission hearings as well as the BOS hearing for revocation of his Special Use Permit, Anderson took several occasions to attack my character and reputation as a conservative activist. Using a Power Point presentation he targeted me specifically by falsely claiming that I held excessively loud events at my home. In other words, he LIED but I was not allowed to repudiate his claims during the hearing.

Anderson's apparent motive is retaliation for exposing his participation in River Mafia Mob intimidation, harassment, censoring, and bully tactics. The BOS, CAO, State Parks and EDC Parks & Recreation personnel are keenly aware of the facts which have been entered into the public record, making them culpable and liable for aiding and abetting Anderson's unlawful conduct which opens the county wide up to liability.

Mr. Weitzman has witnessed RMAC in action and accordingly mentions the cost to taxpayers in the attached article, a subject that has frequently been discussed during Taxpayer Association meetings:

"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 (noise) complaints. A hearing is scheduled shortly in front of the Planning Commission. Anderson lives somewhere in Placerville, away from the river... 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. 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.

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. But they do tell the board what a boon they are to the county. Yeah, sure.

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."

As Resident Representative to RMAC, Rob Smay has also demonstrated his total lack of cooperation and outright hostility towards river residents and their concerns. During a serial meeting held at the Coloma Grange Hall, Rob Smay defiantly refused to provide his contact information in order for residents to present their concerns, particularly about noise issues in the Quiet Zone. Smay's only interest is in the support of the rafters, not the residents whom he falsely claims to represent. As such Rob Smay is unqualified as Resident Representative to RMAC which should have been disbanded in 2017. He serves no purpose whatsoever other than to perpetuate the illicit conduct of the River Mafia Politics (RMP).

Furthermore, Mr. Smay was present for the court hearing concerning his best friend and neighbor, Robert Palacios, involving a restraining order for stalking after sexually assaulting me. Note the attached letter addressed to Palacios by a consultant who attended many RMAC meetings as a member of the executive staff of Californians Aware whose legal expertise is the Brown Act and Bagley Keene Open Meeting Act. It is notable that Palacios also failed to relinquish his guns as required by law, and later began harassing and threatening me after the RO expired. Palacios and Smay have openly colluded with Anderson during public meetings in an attempt to harass and provoke me and the residents whom **Compass2Truth** represents. For this reason substantiating documentation has been entered into the public record for which the BOS and other county staff are complicit and liable.

Rob Smay, Adam Anderson and Nate Rangel serve only their own interests, acting under the color of law and bad advice of County Counsel. You are reminded that RMAC representatives are not "volunteers"—they are advisors to the BOS, and as such are bound by their Principle Oaths of Office, same as the Planning Commissioners.

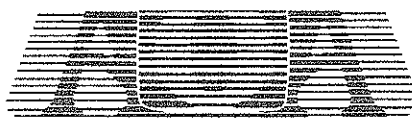
Lori Parlin, Sue Taylor, and Kris Payne have also actively participated in the past unlawful RMAC meetings, particularly those concerning the River Management Plan and code/law enforcement issues, thus making them equally culpable. Additionally the facts and legal implications have been discussed extensively during meetings with Vickie Sanders, consultant Steve Petersen, the Sheriff's Office and State Parks personnel. It's high time to demonstrate authentic transparency and accountability to EDC constituents.

Melody Lane

Founder – Compass2Truth

"There is no crueller tyranny than that which is perpetuated under the shield of law and in the name of justice." ~ Charles de Montesquieu – a French Judge – 1689 to 1755 ~

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#4

Alfa Omega Associates

Management Consulting • Public Relations • Publicity
Specializing in Environmental Organizational Management

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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

CALIFORNIA BROWN ACT

PREAMBLE:

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

CHAPTER V.

RIGHTS OF THE PUBLIC

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

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

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

