



20-0902 A 1 of 1
Public Comment

Fwd: 8/20/20 PRC Consent item #1

1 message

RESCANNED

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

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

Date: Thu, Aug 20, 2020 at 5:46 PM

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

To: <edc.cob@edcgov.us>, <brian.veerkamp@edcgov.us>, **Vickie Sanders** <vickie.sanders@edcgov.us>, **Chelsea Edman** <chelsea.edman@edcgov.us>, **Donald Ashton** <don.ashton@edcgov.us>, <lori.parlin@edcgov.us>, <trish.sweeney@edcgov.us>

Cc: <PRC@edcgov.us>, <david.livingston@edcgov.us>, <bosfive@edcgov.us>, **bosfour** <bosfour@edcgov.us>, <bosone@edcgov.us>, <bosthree@edcgov.us>, <bostwo@edcgov.us>, <sue.novasel@edcgov.us>, <john.hidahl@edcgov.us>, <shiva.frentzen@edcgov.us>, <jmharper2@comcast.net>

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

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

1) The draft minutes of the 6/18/20 PRC meeting do not contain my public comments and the unrebutted notification of legal responsibility addressed to Kris Payne which was submitted into the public record under Open Forum. This is information the public has a right to know, therefore the draft minutes cannot be approved as posted. Why were they removed, and under whose direction?

- 2) Did Vickie and the Commissioners actually **receive and read** my August 18th email and the follow up email this morning regarding failure to comply with the Brown Act 72-hour notification requirements, and if so, who specifically authorized this meeting to proceed *outside of the law*?
- 3) Who specifically prevented that notification from being publicly distributed and posted via Legistar as I requested?
- 4) Lastly, Kris Payne was supposed to be removed from the PRC for violating his Principal Agent Oaths of Office. So why is he still Chairman?

For the record, Vickie refused to respond to my public inquiries and Kris Payne supported her silence when he has no authority to do so. See *U.S. v. Tweel*, 550 F. 2d. 297. "***Silence can 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.***"

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

Melody Lane

Founder – Compass2Truth

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."

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

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

To: edc.cob@edcgov.us; brian.veerkamp@edcgov.us; Vickie Sanders; 'Donald Ashton'; lori.parlin@edcgov.us

Cc: PRC@edcgov.us; david.livingston@edcgov.us; bosfive@edcgov.us; bosfour; bosone@edcgov.us; bosthree@edcgov.us; bostwo@edcgov.us; sue.novasei@edcgov.us; john.hidahl@edcgov.us; shiva.frentzen@edcgov.us

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

Something fishy is going on...

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

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

Melody Lane

Founder – Compass2Truth

"We are fast approaching the stage of the ultimate inversion: the stage where the government is free to do anything it pleases, while the citizens may act only by permission; which is the stage of the darkest periods of human history, the stage of rule by brute force."—Ayn Rand

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

Sent: Tuesday, August 18, 2020 3:29 PM

To: edc.cob@edcgov.us; brian.veerkamp@edcgov.us; Vickie Sanders (vickie.sanders@edcgov.us); 'Donald Ashton'; lori.parlin@edcgov.us

Cc: PRC@edcgov.us; david.livingston@edcgov.us; 'bosfive@edcgov.us'; bosfour (bosfour@edcgov.us); 'bosone@edcgov.us'; 'bosthree@edcgov.us'; 'bostwo@edcgov.us'

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

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

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

Transparency and accountability of all El Dorado County staff and/or their delegates is a vital component of every citizen's Constitutional rights. Note Section 54954.2 of the Brown Act- *"At least 72 hours prior to a regular meeting, the body must post an agenda containing a brief general description of each item to be discussed or transacted at the meeting, including items to be discussed in closed session. (§ 54954.2(a).) The act makes it clear that discussion items must be placed on the agenda, as well as items which may be the subject of action by the body. The purpose of the brief general description is to inform interested members of the public about the subject matter under consideration so that they can determine whether to monitor or participate in the meeting of the body...In 78 Ops.Cal.Atty.Gen. 327, 331-332 (1995), this office concluded that the 72-hour notice requirement mandates local agencies to post their notices in locations which are accessible 24 hours a day for the 72 hours prior to the meeting. Accordingly, notices cannot be placed in buildings which are locked for some portion of the 72 hours immediately prior to the meeting."*

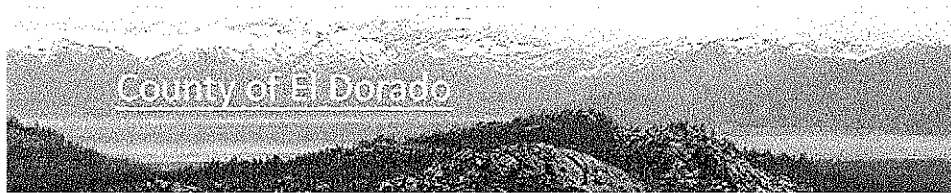
Additionally Parks and Recreation has been operating outside of the law for years, particularly since CAO Don Ashton **unlawfully** restricted my ability to communicate electronically with Parks & Rec staff, and in so doing violated his oaths of office and deprived me of 1st Amendment rights. It is a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

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

*Melody Lane***Founder – Compass2Truth**

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From: El Dorado County [mailto:eldoradocounty@service.govdelivery.com]
Sent: Tuesday, August 18, 2020 11:50 AM
To: melody.lane@reagan.com
Subject: El Dorado County Parks and Recreation Commission Agendas & Minutes Update



The August 20,2020 Parks and Recreation Commission Meeting agenda is now available.

Questions? Contact Us at edcquestions@edcgov.us

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GOVDELIVERY

12. *Chrysomelidae* *Chrysomelidae* includes beetles in the order Coleoptera. Most of the species in this family are leaf beetles, generally of different shades of green, but in this family there are also some that are red and black.

They are not just different colors, they are different!

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

2. 10/1/72 - Peak 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 83

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12. 20-0892

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

This matter was Approved on the Consent Calendar.

Commission Members

Vacant - District V
Wayne L. Loret - District I

Vacant - District I
Mrs. Payne - District III
Jim Melzer - District V

Details

Reports

File #:

20-1086

Version: 1

Type:

Agenda Item

Status:

Department Matters

File created:

8/11/2020

In control:

Parks and Recreation Commission

On agenda:

8/20/2020

Final action:

Title:

Parks Division recommending the Commission receive a presentation on Parks priorities and provide a recommendation for the Board of Supervisors. FUNDING: Various.

History (0)

Text

0 records

Date ▼	Ver.	Action By	Action	Result	Action Details	Meeting Details	Video
No records to display.							

DISCUSSION ITEMS

2. 20-1086

Parks Division recommending the Commission receive a presentation on Parks priorities and provide a recommendation for the Board of Supervisors.

FUNDING: Various.

CALIFORNIA BROWN ACT

PREAMBLE:

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

CHAPTER V.

RIGHTS OF THE PUBLIC

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

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

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

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