



9/22/20 BOS Open Forum public comments

1 message

Melody Lane <melody.lane@reagan.com>

Tue, Sep 22, 2020 at 9:38 AM

To: edc.cob@edcgov.us

Cc: lori.parlin@edcgov.us, sue.novasel@edcgov.us, john.hidahl@edcgov.us, shiva.frentzen@edcgov.us, brian.veerkamp@edcgov.us, Donald Ashton <don.ashton@edcgov.us>, Vickie Sanders <vickie.sanders@edcgov.us>, PRC@edcgov.us, Frank Bigelow <Frank.Bigelow@asm.ca.gov>, "Sweeney, Trish" <Trish.Sweeney@asm.ca.gov>, trisha.sweeney@edcgov.us, Richard Esposito <resposito@mtdemocrat.net>, bosfive@edcgov.us, bosfour <bosfour@edcgov.us>, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

The Brown Act requires 72 hours advance notice to the public. Both the 8/20 and 9/17 PRC meetings gave little more than 48 hours advance notice. Consequently both meetings proceeded outside of the law despite the fact that I gave the county multiple notices. An article about the unlawful August PRC meeting appeared in the Mtn. Democrat on September 4th. Since there was no audio recording of the 8/20 PRC meeting (other than my own) that meant the ***Mtn. Democrat article was based on fraudulent information honed by county staff.***

<https://www.mtdemocrat.com/news/park-plans-in-the-works-countywide/>

I was informed on 9/4 by Kyra Scharffenberg that it was **Trish Sweeney's** responsibility to provide 72 hour advance notice of PRC meetings as required under the Brown Act, and also to post the audios/minutes to the government calendar. Notification of the 9/17 PRC was distributed on 9/15, but the Gov Delivery System **fraudulently** indicated it had been posted to the calendar on 9/11

The BOS, CAO and the Parks and Rec staff/commissioners are aware that both the 8/20 and 9/17 PRC meetings should never have proceeded without ample notification as required by law, yet they arrogantly did so anyway.

The commissioners were reminded that they are NOT volunteers as Kris Payne repeatedly insists; they are bound by their Principal Agent Oaths of office, i.e. the commissioner is the Agent appointed by the Principal Supervisor and approved by the BOS.

When I inquired, Vickie Sanders reported that **Trish Sweeney resigned her PRC position at 10 AM on 9/17.** However neither Vickie Sanders, Trish Sweeney, nor Lori Parlin responded to my previous inquiries concerning the reason why the 8/20 audio had never been posted to the calendar as required by law.

My audio proves Kris Payne once again showed his disrespect while I was making public comments, and he failed to abide by the Brown Act. The entire PRC meeting was under the direction of Vickie Sanders. In so doing the commissioners demonstrated that the Brown Act and the broad Constitutional Rights of the Public are irrelevant. ***In other words, ZERO government transparency, and ZERO accountability to the public who are entitled to honest services.***

Tyra Stout from the CAO's office facilitated the 9/17 PRC Zoom meeting. Per Vickie Sanders, the 8/20 PRC audio was not posted because it "did not record", but neither Vickie Sanders, Trish Sweeney, or Lori Parlin responded to multiple inquiries I made in that regard. Vickie blamed minutes/audio discrepancies on "technical difficulties" and staff turnover. **THAT'S THE SAME BALONEY STAFF ALWAYS USES WHEN THEY'VE DONE SOMETHING ILLEGAL, WHEN IN REALITY IT IS DELIBERATE GOVERNMENT CENSORSHIP!!**

Confusion ensued concerning my public comments submitted pertaining to the 6/18 and the 8/20 PRC meetings. I explained the glaring omissions and messed up public documents. Therefore the meeting minutes were incorrect and could not be lawfully approved without making necessary corrections. Tyra Stout and Vickie Sanders witnessed when the Commissioners disregarded the evidence and unanimously approved the fraudulent minutes when they knew it was unlawful to do so.

Excerpts from the Brown Act about the Rights of the Public to ask questions and receive responses have been distributed several times to the PRC members before, but they blatantly continue to ignore the law and the rights of the public ***with the full knowledge and consent of the BOS, CAO and county counsel***. Since county counsel and the BOS are permitting these meetings to proceed outside of the law, then they become complicit and liable for fraud. You are reminded that fraud is a federal crime under USGC Title 18, sections 241 & 242.

It baffles me why you use terminology describing yourself as "tolerant" of my "continuing diatribes" causing "many to become disinterested in our system of government." It appears you are actually referring to the disintegration of the Taxpayers Association.

People are indeed disgusted with the proliferation of public officials who are complicit in the corruption of our system of government. Everyone knows they have no intention of being transparent, accountable, doing what is lawful, or honoring their oaths of office. I'm the only one who has the cajones to call it what it really is: ***Taxpayers is a fraudulent GOBs club.***

Compass2Truth was initially founded in 2009 as a whistleblower organization, so the very nature of our mission is to expose government corruption. *Everything Compass2Truth does is based upon truth, fact, evidence and valid law.* As its founder, you know perfectly well that I've been subjected to plenty of government retaliation, assaults, intimidation tactics, and overt threats. So have the Wades at Chili Bar. That was one of the purposes of our January 2018 meeting with Assemblyman Bigelow and his Legislative Director Hannah Ackley. Bigelow knew he was required *by law* to take action on the crimes we reported to him. That's why he summoned his Chief of Staff, Katie Masingale, and promptly ordered her to shut the door.

Bigelow betrayed our trust and violated his Constitutional oaths of office. Essentially he committed *"legislative violence"* upon constituents by failure to properly and constitutionally use his legislative authority to resolve our complaints and charges. He instigated Don Ashton's unlawful order to block my ability to communicate electronically with county staff. You, of all people, should know that political bigotry and abuse of the public trust damages *all* citizens and their inherent secured rights.

Notarized affidavits serve as notifications of legal responsibility which is the first essential of due process of law. An un rebutted affidavit stands as truth in any court in America. As far as communicating the issues, you received a courtesy copy of the un rebutted affidavit received by Bigelow and his staff members. It was entered into the public record during the 8/14/18 BOS meeting in case you need to refer to it. You also received courtesy copies of un rebutted affidavits addressed to **Al Hamilton, CAO Don Ashton, Supervisor Brian Veerkamp, Sheriff D'Agostini, Vickie Sanders, Kris Payne**, and several other public officials. You had plenty of opportunity to say something if you had any issues pertaining to those documents, but you didn't.

To fully understand my remarks during the 9/1 BOS agenda Item #29 concerning the Parks and Rec presentation made by Vickie Sanders, you would need to watch the August 20th PRC video and read the ***factual evidence*** entered into the public record which included the ***Asm. Bigelow and Kris Payne affidavits***. However, the video and the draft minutes from the 8/20 PRC meeting *still have not yet been posted* to the EDC calendar ***as required by law***. Consequently the BOS voted 4:1 to approve the CA State Parks grant-funded item #29 when they had no legal authority to do so.

Regarding Trish's *temporary position* working for EDC Parks and Rec, your daughter-in-law was a witness to the illegitimate August 20th Parks & Rec Commission meeting. Trish knows the PRC failed to lawfully abide by requirements of the Brown Act. Staff informed me that Trish is responsible for posting the PRC minutes/video to the calendar. She also has direct knowledge of what transpired relative to our meeting with Bigelow. It's a conflict of interest that makes Trish complicit in government fraud. The Rules Committee should know that.

Everyone knows I am intolerant of dishonesty and intimidation tactics by bully-bureaucrats who would attempt to deprive me of my God-given liberties. You are not a lawyer, nor are you Trish's mouthpiece, yet you ambiguously alluded to "public diatribes and attacks" against *both* of you. Then you intimated "repercussions" for something I didn't do. That sure sounds like a threat to me.

Since you raised the challenge in writing, please make your specific charges against me *in writing* and include a detailed explanation of the type of "repercussions" you referred to. Trish is a big girl, so she can speak for herself without any help from you.

BTW...more Bureaucratic Shenanigans from Bigelow's office:

x.Hannah.Ackley_ASM20200720@asm.ca.gov

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Melody Lane

Founder – Compass2Truth

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

From: JAMES SWEENEY [mailto:jamesweeney@comcast.net]
Sent: Wednesday, September 2, 2020 4:02 PM
To: melody.lane@reagan.com
Subject: Innuendos!

Melody:

From time to time I have attempted to help you. I have also been tolerant of your continuing to speak as though you are the only person in this county that can judge what others are doing. Your continuing diatribe are causing many to become dis-interested in our system of government.

As for me and for my family you must stop castigating us! If you believe there is a problem with anything we are doing or have done, you should communicate that issue to us and we could respond.

All that you suggest I have done has been public and correct.

Trish has received the approval of the Rules Committee to take on the County job as she only works part time for the State.

If you have some challenge to make to either of us, please do so in writing. Otherwise you must stop your public diatribe about us. And, by the way, I left office at the end of 2012 and am no longer a public figure that you can attack without there being repercussions.

Best for all if you just leave us alone; Please.

Jack

Melody



Brown Act Rights of the Public.docx

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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).)