
From: Mark Edwards <mark@markdedwards.com>
Sent: Tuesday, May 05, 2020 2:40 PM
To: BOSComments
Subject: Non-Agenda Item for County Board of Supervisors 5/12/2020 Meeting

Follow Up Flag: Follow up
Due By: Monday, May 11, 2020 4:00 PM
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Dear County Board of Supervisors,

I respectfully request that the following be added to the non-agenda segment of the scheduled 5/12/2020 meeting and that a meeting on the Order referenced below be scheduled for further public comment:

The purported emergency under Governor Newsom's Executive Order N-33-20 ("Order") has ceased to exist (Cal. Gov. Code Section 8558(b)). As such, Governor Newsom has failed to terminate the Order per Gov. Code §8629. The Governor has exceeded his authority under Gov. Code §8627 as neither the California Constitution nor the Health & Safety Code Sections referenced in the Order permit the Governor to force healthy citizens to stay home. California courts, in ruling on Health and Safety Code Sections 120145 & 120175, have held that only the sick or those who have come into contact with those known to be sick, are to be quarantined at home *upon a showing of probable cause*. As such, healthy citizens may file unlawful quarantine lawsuits as they are presently being unlawfully imprisoned in their homes. Said Constitution (Article 1, Section 1) guarantees the inalienable right to acquire, transfer and possess Property. California courts hold that an occupation, calling, or profession *constitutes Property* under Article 1, Section 1. As such, all businesses should be allowed to immediately operate with reasonable protections. Finally, the Order, as applied, violates habeas corpus and due process/equal protection under said Constitution. Those enforcing said Order risk litigation as the order violates numerous fundamental rights under said Constitution. The County should not follow or enforce the Order. There's no compelling reason for the Order, it is not narrowly tailored to achieve its stated purpose, and it isn't drawn up by the least restrictive means so as to maximize infringed freedoms.

Sincerely,

Mark D. Edwards, JD, Esq., a resident of Fresno County
559.283.1011 *tel.*
877.745.7007 *fax.*

From: Wendy Duncan <wduncan@chsu.edu>
Sent: Thursday, May 07, 2020 11:43 AM
To: BOSComments
Cc: Wendy Duncan
Subject: Item 10 comment, May 12, 2020

Follow Up Flag: Follow up
Due By: Monday, May 11, 2020 4:00 PM
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Gates and no trespassing signs were placed on a small section of privately owned land in the "Dry Creek Preserve" blocking use by walkers and bicyclists, essentially bifurcating a wonderful trail. Alternatives are unsafe, as there are no sidewalks or bike lanes on Shepherd, Fowler, Teague, or Sunnyside in this area.

People have been using this area – on both sides of the canal for a long time: I have one person who quoted 15 years. I myself have used it almost 5 years. Is this not a prescriptive easement? <https://homeguides.sfgate.com/law-california-property-easements-7838.html> If so, then the gates should be removed.

Thank you,
Wendy

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"We need a coat with two pockets. In one pocket there is dust, and in the other pocket, there is gold. We need a coat with two pockets to remind us who we are."

Parker Palmer

From: Chris Flatmoe <cioandsurf@gmail.com>
Sent: Tuesday, May 12, 2020 8:56 AM
To: BOSComments
Subject: for the May 12th Board meeting - please help us reopen Lake Millerton to recreational boating

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Hello Fresno County Board Members,

My Name is Chris Flatmoe and I hope you are well. The purpose of this letter is to ask for your support to reopen Lake Millerton to recreational boating. In short, we the County's support to receive a regional variance. A short time ago I started an online petition asking state and county leadership to please reopen state parks to boating. We are already up to 560 signatures. While 506 signatures may sound small, the recreational boating community is small so relatively speaking, these numbers are big. The URL to this petition is here:

<https://www.change.org/p/governor-gavin-newsom-please-open-california-state-parks-to-boating>

I would ask you to please consider the following when making your decision about how to open state parks with lakes:

- Recreational boaters usually live in the same house (families) drive to the lake in the same car and spend time in a single boat.
- Recreational boating is truly a social distancing activity; families are in their own boats and never come within 10 feet of another boat. In fact, you more likely to pass within 6 feet of a hiker on a trail than you are to come within 10 feet of another boat.
- The supermajority of recreational boats go out with less than 6 occupants.
- As you know first-hand, this is a high stress time for all Californians. Recreational boating is a safe way to spend time out of the house and release some stress. Additionally, for those Californians that are unable to hike, recreational boating is a great alternative allowing all of us to get outside, soak up some sun and breathe in fresh air – all while practicing social distancing.
- There is also a significant economic impact of lake closures on hundreds of small businesses. Small businesses, like local marinas that are just barely hanging and depend on April through September revenue to survive the whole year. Local marina's sell gas and goods from small stores. By following the established standard set by banks, local marinas can easily institute "one customer-at-a-time" protocols that will ensure social distancing while allowing local marinas to operate.
- Masks would gladly be worn at all times anyone at the state lakes is not in their boat. This includes but is not limited to; launching your boat, pulling your boat from the water and using any restroom facilities at the parks.

Finally, I would like to thank Supervisor Magsig for his support with this effort.

Thank you very much,

Chris Flatmoe