

Please Elect Carey & Carey Your Write – In Candidates

Thank you!!!

October 31st 2005

Dear Voter:

We (Brad Carey and Harold Carey) are each running for fire commissioner of Tahuya District 8 – also known as Mason County Fire Protection District Number 8 (MCFPD#8). Brad Carey is running for position # 2 and Harold Carey for position # 3. **We are write-in candidates.** This means our names will not appear on your ballot and will have to be written in **by you**. This is the **fourth** of several letters you will be receiving from us. We believe that upon receipt and review of these letters, you will want to write our names on your ballot thereby ensuring **positive change** for **your** Tahuya Fire Department.

Why are we running?

We are running, because like the Port of Tahuya, MCFPD#8 is a mess.

We are running because we have the experience that is required to clean up the MCFPD#8 mess. This experience includes our professional experience predating the Port of Tahuya as well as our successful experience in going about the business of cleaning up the mess at the Port of Tahuya.

And like the Port of Tahuya, MCFPD#8 it is also a far bigger mess than anyone realizes. And like with the Port of Tahuya, the more we investigate, the bigger the mess becomes. And like the Port of Tahuya, by and large, the same people are responsible for creating the mess. And like the Port of Tahuya, Commissioners Dodd, Gall and Wampold have made, and are making, the same or similar mistakes that Port of Tahuya Commissioners Olsen and Gilbert made.

Simply put, we are running as candidates to replace Commissioners Dodd and Gall and thereby have the majority vote of the Commission that is necessary to take the actions required to clean up the mess.

Why are we running?

In the previous three letters we have identified and discussed some of the problems existing in MCFPD#8. In this **fourth** letter, we are going to take one problem area and list, and briefly discuss, some of the changes we will implement if elected. The area we will address in this letter is the area of **Tahuya Fire Department meetings and records requests**. This is an area where our current commissioners are breaking the law - RCW 42.30 – Washington State's Open Public Meetings Act – (OPMA) and RCW 42.17 – Washington State's Public Disclosure Act - (PDA) – also known as the Washington Freedom of Information Act (WFOIA). If you recall, we briefly addressed this area in

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our first letter - October 19th 2005. In that letter we stated several reasons we were running to replace Fire Commissioners Dodd and Gall. Two of the reasons were:

“To bring the Commission, and the Tahuya Fire Department, into compliance with local, State and Federal law.”

“To return the control of the Tahuya Fire Department back to the people as defined in the law by the Washington State Legislature.”

In that same letter – October 19th 2005 - we asked and answered several questions including the following:

“Are our current commissioners obeying the Washington State Open Public Meetings Act?”

“Ans. **No.** See www.tahuya.org “Election Campaign Issues regarding TFD#8”.

“Are our current commissioners obeying the Washington State Public Disclosure Act?”

“Ans. **No.** See www.tahuya.org “Election Campaign Issues regarding TFD#8”.

First, what are your rights as a Washington State citizen regarding public meetings and public records requests; meetings and public records requests such as the Commissioners of MCFPD#8 are required to respectively hold and make available by law?

Public’s Authority and Right to Know:

On July 25th 2004 Christine Gregoire stated, and we quote:

“Citizens can control their government only if they can remain informed about the decisions their government officials are taking.”

Christine Gregoire goes on to say, and we quote:

*“That important principle underlies Washington’s open public records and meeting laws. The laws, which are now more than two decades old (actually more than three decades old – inserted by authors), are intended to give us (**the People** – inserted by authors) an informed electorate which can evaluate the performance of our elected officials and provide us with an honest, competent and responsive government.”*

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Continuing to quote Christine Gregoire who goes on to quote **RCW 42.30 Open Public Meetings Act; RCW 42.30.010 - Legislative declaration:**

Here is how the Legislature stated the purpose of these two laws:

*“The legislature finds and declares that all **public commissions, boards, councils, committees, subcommittees, departments, divisions, offices, and all other public agencies of this state and subdivisions thereof exist to aid in the conduct of the people's business. It is the intent of this chapter that their actions be taken openly and that their deliberations be conducted openly.**”*

“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 insist on remaining informed so that they may retain control over the instruments they have created.”

The basis from which RCW 42.17 Public Disclosure Act (PDA) was formulated into law is spelled out in RCW 42.17.251 and follows:

*“The people of this state do not yield their sovereignty to the agencies that serve them. 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 insist on remaining informed so that they may maintain control over the instruments that they have created. **This chapter shall be liberally construed and its exemptions narrowly construed to promote this public policy.**”*

The above quotations, taken from then Attorney General Christine Gregoire, and current Washington State law, specify certain rights we, the People, retain over those we, the People, elect to public office. Please reread the above quotations of Gregoire and the law several times and then consider the following questions.

How can we, the People, maintain control over our elected public officials (fire commissioners) if they meet and/or communicate in secret? We can't.

How can we, the People, maintain control over our elected fire commissioners if we, the People, are denied our right to remain informed about the decisions our fire commissioners are taking and how they arrived at such decisions? We can't.

How can we, the People, maintain control over our elected public officials (fire commissioners) if we, the People, are denied full and timely access to the records of MCFPD#8? We can't.

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How can we, the People (electorate), evaluate the performance of our elected public officials to ensure we are being provided with an honest, competent and responsive government, if various aspects of the OPMA and PDA laws of the State of Washington are being violated by MCFPD#8 – specifically Commissioners Dodd and Gall? We can't.

Our current elected commissioners cannot legally deny the Public these rights; the rights spelled out in Washington State Law RCW 42.30 and RCW 42.17. Unfortunately, our current elected commissioners are illegally denying the Public these rights. Unfortunately, when confronted with this reality, Commissioners Dodd, Gall and Wampold refuse to acknowledge, let alone correct their illegal conduct and behavior. Their refusal is creating an ever-increasing potential legal and monetary liability against the People's governmental institution (the Tahuya Fire Department).

Current Situation – Illegal Meetings. Our current commissioners discuss Mason County Fire Protection District Number 8 (MCFPD#8) business and/or Tahuya Fire District Number 8 (TFDN8) business outside of scheduled and/or publicly advertised meetings. These illegal Tahuya Fire Commissioner communications between commissioners are taking place in person, by phone, through third parties and potentially by mail and/or e-mail. These communications (including secret meetings) are illegal per RCW 42.30. For example, whenever two commissioners of a three member Commission communicate as defined above, a quorum legally exists and that constitutes a meeting – in this case, an illegal meeting. Regarding meetings taking place through a third party, whenever a commissioner uses MCFPD#8's Secretary, the Fire Chief or other individuals to relay MCFPD#8 and/or TFDN8 information to a second or third commissioner – this also constitutes an illegal meeting.

The OPMA law has remedies for illegal communications (meetings).

Except for exceptions spelled out by law, the public has the absolute right to know the content of all communication (in whatever form) between two or more commissioners regarding anything directly or indirectly related to the public's public institutions. Therefore, except for the exceptions spelled out by law, the public's right to know trumps the Commissions' and the commissioners' desire for secrecy.

Consequences – Illegal Meetings. The public ends up with its business being done somewhere and somehow other than during public meetings. This approach fosters the culture of secrecy. The culture of secrecy in turn fosters the culture of special privilege. The culture of special privilege in turn fosters the culture of special rights. The culture of special rights in turn fosters the culture of corruption. The culture of corruption in turn fosters a culture wherein the violation of law is accepted as the standard operating procedure (SOP) by those in power (the commissioners) and by their supporters. This is where MCFPD#8 and its commissioners are today.

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Solution – Legal Meetings. Follow the law. If elected, we (Brad Carey and Harold Carey) **will not** communicate or meet and discuss Mason County Fire Protection District Number 8 (MCFPD#8) business and/or Tahuya Fire District Number 8 (TFDN8) business outside of scheduled and/or publicly advertised meetings. The current commissioner’s unscheduled and/or not publicly advertised meetings will no longer be allowed once we are elected. We **will not** engage in illegal communications and/or meetings in person, by phone, through third parties, by mail and/or by e-mail.

Benefits. The public’s right to know will no longer be frustrated. Back room deals will be eliminated. The public’s business will be conducted in public. The dialog that is essential to and precedes decision-making will be conducted in public rather than in secrecy. As required by law, the public will be given unencumbered access to all meetings and to all information it needs to evaluate the performance of its publicly elected officials (Tahuya Fire Commissioners) and public employees and thereby be able to make sure it (the Public) is being provided with an honest, competent and responsive government. The only information that will not be made available is the information the Commission must keep private as specified by law.

Part of the solution also involves, as commissioners, our reviewing, studying and discussing the law during certain public meetings known as “Work Shops” – something our current commissioners have never done. These “Work Shops” will typically run from two to four hours and occur at least once per month in addition to the regularly scheduled commissioners’ meeting. Not only will these Work Shops keep our knowledge of these laws up to date and current, but equally important, for those in the public that wish to attend, we will provide them with the knowledge to make sure that we, as their commissioners, follow the law!

Current Situation – 1 public Meeting of 1 Hour Duration Per Month.

Problem – Minimal public dialog takes place between commissioners, and between commissioners and Fire Chief and supervisory staff of the Fire Department. It is clearly evident that issues are being discussed and agreements and/or decisions are being made by our commissioners outside of regularly scheduled meetings. As stated before, this is illegal and these illegal acts have consequences. See <http://www.tahuya.org> under the title “The Issues” and the letter dated October 10th 2005 to Fire District 5. This letter provides a documented example of an illegal meeting involving our MCFPD#8 commissioners.

For an additional example, earlier this year, and on the same day that Brenda Hill resigned as Secretary of MCFPD#8, the MCFPD#8 Commission hired her replacement (Betty Matthews) during a public meeting. Brenda Hill resigned at approximately 10 AM just 9 hours before MCFPD#8’s monthly 7 PM commissioners’ meeting. Allegedly, without any commissioner breaking the law, Betty Matthews arrived at the 7 PM meeting

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fully prepared to take over the duties of Brenda Hill and began the process the moment the meeting was convened.

How could that happen without the prior knowledge and approval of the commissioners?

Once the meeting was convened, one of the first items of business was the acceptance of Brenda Hill's resignation. Once that action was completed, the hiring of Betty Matthews as the Secretary/Treasure of MCFPD#8 took place.

From start to finish the entire hiring process of Betty Matthews took a total of **24 seconds**. (Betty Matthew's husband is the brother of Commissioner Dodd's wife. Commissioner Dodd did not recuse himself and voted to hire Betty Matthews. Is this a potential conflict of interest? Is this potentially nepotism?) Not discussed within the 24 seconds were the definition and duties of the position of Secretary/Treasure, her qualifications, her salary, or anything else. There quite simply was no job interview. Clearly, since the subject of hiring Betty Matthews to this paid position had never been previously discussed in any prior meeting, our commissioners had to have discussed this matter before the public meeting! Based on **what did not take place during the 24 second hiring process**, to have not **illegally met** and agree to hire Betty Matthews would have been lack of due diligence – also a potentially recallable offence.

Why was the position of Secretary/Treasurer not publicly advertised? Even if not required to by law, would it not have been the fair thing to do? Would it not have been the proper thing to do?

Not to make a play on words, it was especially "galling" to see Betty Matthews awarded this paid position when she had, previous to being hired, rarely attended MCFPD#8 meetings.

Minutes. RCW 42.32.030

Regarding minutes, the law states the following:

"The minutes of all regular and special meetings except executive sessions of such boards, commissions, agencies or authorities shall be promptly recorded and such records shall be open to public inspection."

Problem. Minutes are not promptly being recorded and made open to public inspection in a timely manner. Typically it takes 30 days before an unapproved set of minutes is available to the public and then only during the current MCFPD#8 meeting. This is not "promptly". "Promptly" is defined as "at once", "immediately", "quickly" – per Webster. Thirty days is not "at once", "immediately" or "quickly".

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Solution. Unapproved Minutes will produced in 7 or less days and then posted on the Internet and/or e-mailed to every citizen residing and/or owning property in MCFPD#8 that requests to be on such an e-mail list. Benefits of this approach are numerous.

A Sample of Additional Problems.

Official minutes are being “sanitized”.

The Commission refuses to answer public questions regarding MCFPD#8 matters. Business of MCFPD#8 is conducted throughout the monthly meeting with minimal to no dialog between Commissioners.

Business of MCFPD#8 is conducted with minimal to no explanation or background briefing.

Meeting agenda is not known until the meetings are convened.

Commissioners encourage their supporters to harass and intimidate members of the public that are not a part of their “gang”. Objective being to make attendance so uncomfortable for non-supporters of commissioners’ conduct and actions that said non-supporters ultimately decline to attend said meetings.

Commitments made by commissioners and staff during previous meetings are rarely tracked. Hence, during any given current meeting, said commitments fall through the “cracks”; i.e. are not discussed, acted on etc.

Violating various additional aspects of RCW 42.30 – Open Public Meetings Act.

Violating executive sessions as defined by RCW 42.30 – Open Public Meetings Act.

Minutes are never publicly read before they are approved, not even a summary, therefore the public hasn’t a clue as to what they contain or don’t contain, whether said minutes are accurate or inaccurate, etc.

Prior to Commissioners’ approval of minutes, commissioners rarely discuss any aspect of said minutes. This either means that the Secretary did a perfect job in creating the minutes, or it means that the commissioners discussed the minutes before the meeting and had changes made if needed before the meeting, or it means that the commissioners are just approving minutes regardless of their accuracy and completeness.

The Fire Chief’s report, and the reports of those individuals under his supervision, is grossly inadequate.

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Commissioners and fire department personal are often difficult for the public to hear and/or understand. This difficulty is due to speakers not wanting to clearly and loudly project their speech and is also is due to the failure to have and utilize any audio amplification equipment.

Not utilizing Roberts Rules of Order or some derivative thereof.

Violations of Title 52 Law – Fire Protection Districts.

Year to date budget information is not being provided at each meeting.

No By Laws exist so there are none to follow. Because there are none to follow, the Commission's decisions are often unfair, arbitrary, inconsistent, partial rather than impartial, etc.

Solutions to A Sample of Additional Problems.

The solutions to many of the above problems under this category are fairly evident. We will therefore not take the time to present solutions to these problems.

Conclusion. MCFPD#8 is a mess. Commissioners Dodd and Gall not only do not have a plan for cleaning up the mess, they think everything is just perfect the way it is. We don't. Fundamentally, either Commissioners Dodd and Gall are right – everything is perfect, or we are right – MCFPD#8 is a mess. Our effort has been, is and will continue to be the articulation of what most of you already know. Until now these problems have usually been swept under the rug (silenced) because of the hostility directed toward anyone pointing out the obvious.

If you want the required changes made from within to the Commission, to the Tahuya Fire Department and to the Tahuya fire Fighters Association, – **[vote for write in candidates Brad Carey and Harold Carey.](#)**

Enclosed is a Xerox copy of the write-in portion of the Mason County punched card ballot. Please review and write our names in on your official ballot, when you vote, as illustrated. **[You need to write in nothing more than our names.](#)** Do not punch out the chad for Dodd or Gall when you vote for us as this will invalidate your vote.

Thank you for your support in beginning the process of cleaning up the mess!

With kind regards,

Brad Carey (son)

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Thank you!!!

Harold Carey (father)

PS

Please refer to <http://www.tahuya.org> for additional information and examples of problems with your fire department. If you don't have access to the Internet, please contact us at 360-372-2600 for printed copies of material on the Internet.

If you did not receive via US Mail Letters 1 and/or 2 and/or 3 preceding this letter, you will also find on the Internet web site a copy of Letter 1 dated October 19th 2005, Letter 2 dated October 21st 2005 and Letter 3 dated October 25th 2005.