

PDA RECORDS INSPECTION REQUEST

October 4th 2005

FROM:

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TO:

Mason County Fire Protection District Number 8, also known as
Tahuya Fire District Number 8 (TFDN8)
Board of Commissioners (Commission)
P.O. Box 299
Tahuya, WA 98588

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This Document Transmitted By:

US Mail:
Certified Mail Return Receipt Requested: **X**
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Request That This Document be Referenced in the Minutes of the **10/13/05** Tahuya Fire District Number 8 Public Meeting and Attached Thereto. **X**

Ladies and Gentlemen:

Subject: Public Disclosure Act (PDA) Request - RCW 42.17 – **Request to Inspect the Records**

Authority:

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

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

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Christine Gregoire goes on to say, and I quote:

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

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 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 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.”

REQUEST:

Notice:

This PDA inspection request is to inspect TFDN8 records and files as they exist October 4th 2005. Requestor is trying to accurately determine the state of TFDN8’s affairs at the date and time of the request, not after TFDN8 has had an opportunity to read the content of this request, educate itself, and then “manufacture” that what does not exist, or complete “manufacturing” of that what only partially exists, so that when requestor’s inspection finally takes place, reality (the true state of affairs), has been altered or concealed.

The last request to inspect the records and files of TFDN8 (September 6th 2005) was alleged by TFDN8’s attorney to be too broad – “overbroad”.

Today’s PDA inspection request is very specific. If any item listed is thought to be something the public should not see, then I want the law followed and my rights protected. For example, on my last records request (May 12th 2005),

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requesting copies of documents, commonsense dictated that much of said request could have been filled in 5 days and given to me. TFDN8 chose to delay giving me anything until it had everything ready to release. That decision, on the part of TFDN8, added approximately 60 additional days to the time before I had access to any item of my request. That TFDN8 decision caused excessive delay and goes to the question of whether or not TFDN8 was working in good faith. Much mischief could potentially have taken place during that period of time. For example, mischief such as the creation of Drill Roster records that may not have existed at the time I submitted my request, etc.

Clearly, in this PDA inspection request of October 4th 2005, the majority (if not all) of items requested are items the public has the right to inspect. If however, TFDN8, in good faith, has read the laws that apply to my request, and if in good faith TFDN8 believes it needs to get a legal opinion on one or two of the items upon which inspection is being requested, then good faith would dictate my inspection of the rest of the items should proceed immediately. That is what I expect. I believe that is what the law expects. It is important for the TFDN8 Commission to remember that a ny request made by the public, unless specifically excluded by law, is construed in favor of the public.

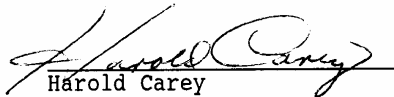
Inspection of all records and files related to:

1. A current copy of the policy utilized, including criteria, by TFDN8 to determine that an individual firefighter qualifies as a member in good standing for the very first time with TFDN8.
2. A current copy of the policy utilized by TFDN8 to determine that an individual firefighter, once a member in good standing, continues to be a member in good standing. For example, the criteria periodically used to determine that an individual firefighter continues to be a member in good standing.
3. A current copy of TFDN8's policies and procedures related to non monetary gifts and donations to TFDN8 including policies and procedures for the disposal of said gifts and including policies and procedures for retention and internal TFDN8 utilization of said gifts.
4. The 2005 budget plus year to date income and expenditures by budget category as of the latest information or report.
5. All off budget expenditures, if any, for fiscal 2005.
6. The projected budget for 2006 together with projected off budget expenditures, if any.

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7. The formal TFDN8 Commission charge and authority given the Citizens Advisory Committee; a committee that was authorized and created to do work related to the destiny of the "Store".
8. The minutes of all public TFDN8 meetings from May 2005 through today's date.
9. The date, time, location and those present at each CAC meeting and the minutes thereof of each said CAC meeting.
10. TFDN8's index of records and files, as required by law, or TFDN8's formal explanation as to why TFDN8's records and files are too complex for an index to be created and thereby making it too burdensome for TFDN8 to have to comply.
11. Inventory of TFDN's rolling stock and location – fire trucks, tankers, ambulances, etc.
12. TFDN's inventory system.
13. By computer, a list of every application, by name, utilized on each said computer.
14. Keys - key management policy and system.
15. TFDN8's records control policies and procedures.
16. TFDN8's records retention and destruction policies and procedures.
17. TFDN8's records backup policies and procedures.

Thank you,


Harold Carey