

**Residents for Preserving Quality of Life
On Hood Canal**

P.O. Box 205
Tahuya, WA. 98588
(360)-275-2098
www.tahuya.org

July 27th, 2004

RE: Update on Port of Tahuya

Dear Resident and/or Taxpayer,

We have excellent news to report. First we wish to express our deep appreciation for your tremendous moral and financial support. Since our letter of May 17th, our organization's membership has nearly doubled to over 150 families and financially we are doing well.

Item #1) Trial of June 18th, 2004 (Public Disclosure Act Violation)

Mason County Superior Court Judge Sawyer ruled the Port Commissioners had failed to comply with this law. The Judge awarded our organization reasonable attorney fees of \$13,275.00 and a penalty of \$1040.00. With this ruling, the Port Commissioners have cost the taxpayers over \$50,000.00 for the creation and defense of this unwanted Public Access Plan (PAP).

Item #2) Resignation of Commissioner Gilbert

Chairman Gilbert resigned on July 11th, 2004 which was one day prior to his scheduled recall hearing in Mason County Superior Court. Before his resignation, Chairman Gilbert during the March 17th, 2004 public meeting agreed, made a motion, and then voted to remove the (PAP) from our Port's Comprehensive Plan. The formalities of two public hearings were advertised and attended by a majority of citizens opposed to the (PAP). Unfortunately, Gilbert failed to remove the (PAP) as he stated he would. This Plan is still in effect until a majority of the Port Commission votes to suspend it.

Item #3) Port of Tahuya Special Meeting (July 9th, 2004)

This meeting was advertised with only 24 hours notice and was held at the Belfair library at a difficult hour of 3:00pm on Friday afternoon. All three commissioners and the Port's attorney were present. The purpose of the meeting was to adopt Resolutions to indemnify Commissioners Gilbert and Olsen and their spouses for not only current litigation and damages, but all future legal actions and judgments that may be filed by anybody against them pertaining to their conduct as a Commissioner. (This means the Port of Tahuya taxpayer pays all their legal bills) The motions were written by the Port's attorney Gordon Walgren. He appeared to instruct Commissioner Gilbert and Olsen to read the motions aloud, date and sign them, and then vote in favor. Commissioner Christen voted against the motions and objected stating, "for Commissioner's Gilbert and Olsen to vote on motions which clearly benefits them, constitutes a conflict of interest". Both our attorney who attended the meeting and the State Auditors Office agree this act violated State Ethics Laws. As a result of this violation, our attorney Tom O'Hare immediately prepared a Recall Petition for Commissioner Olsen based on Commissioner Olsen's malfeasance in voting on a matter in which she had a direct financial interest. This was filed in Mason County Superior Court on July 14th, 2004. **The Port's attorney, Gordon Walgren has now resigned as the Port's attorney.**

Item #4) Our Plan of Action

In order to fulfill our goals of removal of the (PAP), replacing the Commission with responsible Commissioners, and recovering monies spent, we recommend the following:

- 1) Request the appointment of a responsible candidate to fulfill the vacancy created by Gilbert's resignation. We have interviewed and recommend Daniel McPhee for this position. He meets all qualifications required. He very much believes in a democracy where the majority rules. He will bring ethics to the commission just as Commissioner Christen has done. He is also opposed to the (PAP) and the manner in which it was created and adopted. Daniel McPhee has been the resident Camp Ranger and the property manager for the Boy Scout Camp Hahobas for the past nine years. Camp Hahobas consists of over six hundred acres within the Port District and can manage up to five hundred scouts

on any day. He manages all aspects from financial to physical. He graduated with a degree in education and law enforcement. Dan has brought a great improvement and respectability to the camp as well as cultivated excellent working relationships with the community.

It is crucial for you to inform our Port Commission of your support for Daniel McPhee's appointment. Please fill out the enclosed Post Card and mail promptly to the Port.

- 2) Continue to move forward with the recall of Commissioner Cynthia Olsen. We believe our recall petition will be certified by the Superior Court and ready for voters to sign by mid-August 2004. **(Recall hearing date is August 9th, 2004 Mason County Superior Court 9:00am).**
- 3) Continue to try to reach a monetary settlement of the Open Meetings Act Violation suit filed against ex-Commissioner Robert Gilbert and Commissioner Cynthia Olsen. This lawsuit was filed in April 2004, against the two Commissioners, personally. The lawsuit alleges the commissioners conducted Port business between themselves outside of the open meetings. This conduct clearly violates the law.

In summary, we are very pleased with Judge Sawyer's ruling, Robert Gilbert's resignation, Daniel McPhee's volunteering to serve as commissioner, and Gordon Walgren's resignation. We have always felt Gordon was representing the Commissioners at the taxpayers' expense rather than the Port Commission itself. The Port of Tahuya is **not** being sued and therefore should not be incurring large amounts of legal bills. Within the last twelve months the residents and taxpayers of the Port District of Tahuya have spoken loud and clear by;

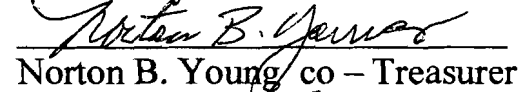
- A) Voting in Commissioner Christen with a 66% turnout and a 74% margin against the incumbent.
- B) Responding to our organizations survey of the (PAP) with a 24% response for which 92% of the responses were absolutely opposed to the (PAP).
- C) Attending Port meetings and hearings in record numbers! Some of the Port meetings had as many as 140 people of which approximately 95% showed up to protest the (PAP) and the Commissioners conduct. The ratio in opposition has always been consistent and attendance would rival any large city. The People

have made their wishes clear and we hope Commissioner Olsen will support Dan McPhee's suggested appointment. Our Port is in a critical state and if it is to exist, it needs public officials who are dedicated to do the will of the people as well as develop **procedures and bylaws** for guidance. We must not delay! This Port is the peoples Port and not the Commissioners personal Port. We are dedicated to staying the course and feel our goals are very close to being accomplished thanks to all your moral and financial support.

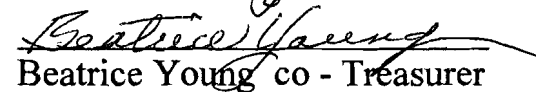
Thank you,



Brad Carey Director



Norton B. Young co - Treasurer



Beatrice Young co - Treasurer

Ps. Please remember to enjoy Tahuya's annual Salmon Bake on Sunday August 15th, 2004 (1-5pm) at the Tahuya Fire Hall.