



COUNTY COMMISSIONERS

John Hutchings
District One

Gary Edwards
District Two

Tye Menser
District Three

BOARD OF COUNTY COMMISSIONERS

September 4, 2019

Mr. Jon Pettit
9725 Rich Road SE
Olympia WA 98501

Dear Mr. Pettit,

On behalf of the Board of County Commissioners (BOCC), thank you for your letter dated August 25, 2019.

You allege that Ordinance #2019-15757 is void because Ms. Neraas, the County's contracted bond counsel, allegedly has a conflict of interest and/or is not authorized to approve "as to form", the ordinance.

After consultation with the Thurston County Prosecuting Attorney's Office, we believe the BOCC's adoption of the Levy Lid Lift Election Ordinance, with or without an approved "as to form" sign off by a County attorney or a contracted bond attorney, is in compliance with the applicable statutes.

The BOCC held a public hearing to consider this matter on April 23, and a majority of the Board adopted Ordinance No. 2019-15757 on April 30, 2019 pursuant to its authority under RCW 84.55.050 to call for an election for a property tax increase. Contrary to your assumptions, there is no requirement in RCW Chapter 84.55 or the election statutes (RCW Chapter 29A), which requires an attorney to approve an election ordinance prior to adoption by a local taxing district, such as the County. While we understand you have concerns about Ms. Neraas, her signature on the ordinance does not invalidate the BOCC's action of asking the voters to determine whether or not to approve a property tax increase.

Sincerely,

Ramiro Chavez, PE, PgMP

County Manager

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