March 2, 2023

*By Electronic Mail*

Public Disclosure Commission (hereinafter "PDC")
pdc@pdc.wa.gov

**Re: PDC Case Number 121366; Complaint of Jeffrey Brittig dated February 8, 2023 (hereinafter "Complaint"); Response of Mason County Fire Protection District No. Six (hereinafter "District")**

Dear PDC:

The purpose of this letter is to respectfully request that the Complaint be dismissed as unfounded and/or frivolous. The District makes this request for the following reasons:

1. RCW 42.17A.555[1] prohibits an elected official or designee of such official from approving the use of public facilities to support or oppose a ballot measure. But neither did the District, nor any of its commissioners or officers, violate this law;

2. Exhibit B, attached to the Complaint, is neutral in tone and tenor, and is not designed to enflame the passions of the voter;

3. The PDC has found that "it is not only the right, but the responsibility of local government to inform the general public of the operational and maintenance issues facing local agencies."[2] Exhibit B, titled "Fire Levy Lid Lift Facts," did nothing more than outline

[1] Any other statute referenced in the Complaint is inapplicable as to the PDC and therefore the District confines this response to its compliance with RCW 42.17A.555 and the PDC regulations.

[2] https://www.pdc.wa.gov/rules-enforcement/guidelines-restrictions/guidelines-local-government-agencies-election-campaigns#:~:text=555%20WAC%20390%2D05%2D271,a%20public%20office%20or%20agency.

operational and maintenance issues facing the District. Exhibit B simply states the following:

A. When the District was formed (1962);

B. Risks posed to the community by COVID-19 and the impacts COVID-19 has had on the District's volunteer workforce;

C. The necessity for the District to re-evaluate its staffing model based upon the burdens imposed by COVID-19;

D. The consequences of passage of the lid lift:

   a. An increase in the District's tax rate to $1.50/$1,000 of assessed valuation of individual properties—objective facts;

   b. The hiring of two fulltime employees—objective facts; and

   c. The amount an individual's taxes would increase if the lid lift passed—objective facts.

E. A final statement indicating that two fulltime employees are needed based on the operational issues faced by the District.

4. The District has customarily communicated the objective facts surrounding its operational needs to District citizens in proximity to a future ballot measure, which has been found by the PDC to be permissible—see link above;

5. At no point did Exhibit B implore voters to vote yes on the lid lift. Exhibit B did nothing more than describe why two fulltime employees would reduce burdens on the District;

**6.** The District has historically and regularly issued one District-wide objective and fair presentation of the facts per ballot measure. Exhibit E is not an exception to that historic practice. Exhibit E does not advocate passage of a ballot measure. Exhibit E, although titled "Fire Levy Lid Lift Facts," merely responds to numerous allegations of wrongdoing by Mr. Brittig set forth in Exhibit C, none of which are true.[3] To that extent, Exhibit E also constitutes a permissible response to specific inquiries made in Exhibit C, and nothing more. By issuing Exhibit E, the District did not veer from its historic practice of issuing one District-wide mailer including an objective and fair presentation of the facts.

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[3] The PDC might take note that Mr. Brittig is a former volunteer of the District who was disgruntled over his separation from the District.

Thank you for your time and consideration in reviewing this response. The District respectfully requests that the PDC dismiss the Complaint as frivolous and/or unfounded.

Very Truly Yours,

Troy Woodard

Troy Woodard
Chair of the District Board of Fire Commissioners

Clint Volk
Fire Chief of the District