

Public Disclosure Commission
PDC Case No. 141821
In re: Citizens for Lopez Solid Waste Levy

November 28, 2023

To Whom It May Concern,

Regarding the complaint at hand, I assure you that the Citizens for Lopez Solid Waste Levy (CFLSWL), is in no way intentionally or maliciously “attempting to conceal the truth about political activity from the public”, or “[failing] to accurately describe expenses” for any purpose especially that of concealing information from the public.

Since assuming the Volunteer role of Treasurer for the CFLSWL campaign I have accurately reported the contribution (the levy receives a single contribution each year from SWAP in the amount of \$3,000) and I have accurately reported itemized expenses each year. CFLSWL refunds SWAP all contributions not expended after each campaign sans the minimum amount necessary to keep the CFLSWL bank account open and free of monthly bank service charges. Up until this year that amount has been \$100. As of earlier this year, the bare minimum is now \$800, due to our local bank being bought out by a larger banking institution. I am more than willing, in fact eager, to share all CFLSWL records pertaining to the matter at hand with the PDC - bank statements, photocopies of contribution/expense checks, invoices - to resolve all potential discrepancies that have led Mr. Glen Morgan to accuse the CFLSWL of nefarious action and intentional concealment of records the public is entitled to.

I am aware that there are some discrepancies reflected in some reports. These discrepancies are not due to any attempt to intentionally conceal information regarding the campaign finances, but purely a result of revolving innocent mistakes. Prior to me taking on this role there were some mistakes which I did my best to correct, and I did reach out to the PDC for assistance. I also sought assistance from the PDC at the time of the last complaint made by Mr. Glen Morgan, and that matter was resolved without incident.

There was a period when the ORCA program consistently faltered, failed, and I had to resort to filing reports via USPS. Those reports quite likely were recorded as late, and possibly resulted in the discrepancies that are of matter here, however even if I was able to file using ORCA, that system was a bumbling mess. I can say without a doubt I have always reported to the PDC exactly what money came in, what money went out, and the entities involved in those transactions.

Regarding late filings since the inception of the SAW PDC filing system, I admit I have failed to adhere to the filing date deadlines much to my own chagrin. I certainly will be paying much closer attention to filing deadlines from now on.

I do apologize for having not contacted the PDC within the 90 days with regard to this matter. I was unaware of the complaint until receiving a call from Mr. Phil Stutzman, PDC Compliance Officer, on Monday November 27th. Admittedly I had not been checking the CFLSWL email account regularly, though I have been filing reports through the PDC filing system which is now accessible through SAW. There was no indication through the SAW PDC filing system that a complaint had been filed against CFLSWL, I received no notice or message other than via email, that a matter needed to be tended to. It appears a message notification system is not incorporated into the PDC online account filing system. I strongly encourage the implementation of such a notification system. Personally, I've found it quite essential regarding other state agencies.

I would like to request, if possible, being assigned to a specific individual at the PDC who may be tasked with reviewing the CFLSWL records, has knowledge enough as to educate me as to proper reporting methods with respect to the peculiarities of the CFLSWL, and can directly assist me in amending previous reports to bring CFLSWL into compliance.

As an addendum to this letter, I have included the mailer sent out this year, which succinctly chronicles the rich and meaningful history of the Lopez Solid Waste Disposal District (LSWDD) in which SWAP (Solid Waste Alternative Program) and Citizens for Lopez Solid Waste (levy campaign committee) were created to support.

This year 87% of Lopezian's voted to approve this levy! This levy is an integral and essential part of our small island community and I as the volunteer Treasurer of the levy campaign I will do whatever I need to do to make things right with the PDC.

I appreciate your time taken to address this matter.

Respectfully,

A handwritten signature in cursive script that reads "Marly Schmidtke".

Marly Schmidtke, CFLSWL Treasurer
(360) 591-5013
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PO Box 134
Lopez Island, WA 98261

Celebrating 10 Years of Lopez Dump (LSWDD)

By Rhea Miller

In the Beginning.... Lopezian Neil Hanson had a vision for the Lopez trash facility, fondly referred to as "The Dump." His vision? -- to divert valuable stuff out of our "trash" and recycle it or reuse it. With the Lopez Community Land Trust, Neil launched the Community Nonprofit Recycling program and in 1996, they submitted a proposal to the County Commission that reflected Neil's vision. Sadly, the County turned them down.

Take It or Leave It.... Luckily, Neil's direct boss at The Dump shared his vision and "Take It or Leave It" (aka TIOLI) and self-sorting recycling became established local programs anyway. TIOLI, in particular, was wildly popular almost from the start. In one widely circulated story, a visiting attorney from Germany found a beautiful pair of hand-crafted Italian leather shoes to wear in court. Today many of our school kids get their clothes and toys at TIOLI. As San Juan County includes both the prosperous and those who are in need (over 40% of our school children live in poverty), TIOLI has proved to be beneficial for all islanders.

Award Winning.... Under Neil's management, Lopez's became known as the cleanest trash facility of its kind. In 1998, San Juan County received the Best Small Government Recycling Program, based on the work of Neil and others.



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Trouble in Paradise... But in 2001, a new County Public Works Director was hired and eventually he proposed privatizing The Dump and handing management over to an off-island corporation. Neil's supportive boss was terminated and Lopezians realized they were about to lose Neil, the "garbage guru," and TIOLI (sometimes called "Neil's Mall.") Without local control, services might be reduced and costs were likely to rise. A corporate-preferred program of co-mingled recycling, which typically results in half of "recyclables" ending up in a landfill, would likely be imposed.

The Citizens Revolt.... Lopezians organized. First, they asked the Port of Lopez to run The Dump. The Port attorney and the County prosecutor advised against it and the Port Commissioners said "No."

Eventually, concerned Lopezians decided to form a junior taxing district called the Lopez Solid

Waste Disposal District (LSWDD). To make LSWDD a reality, Lopez residents would have to voluntarily tax themselves to support this new venture. As much as Lopezians loved The Dump, would they vote to tax themselves to pay for it? And could they persuade the County Council to contract with LSWDD and not a private hauler?



Five outrageously competent Lopezians stepped up to form the first LSWDD Board of Directors. They included a former head of the Treasury of Alaska; a co-founder of the Burley Bicycles Cooperative; the Executive Director of Lopez Community Land Trust; the manufacturer of the Sea Alert Man-Overboard Alarm system; and a long-time Lopezian who was both a trucker and Port Commissioner, who offered to haul recyclables for free. Impressed with the robust board and deep community support for the Lopez Dump, the County agreed to contract with LSWDD if the tax levy succeeded.

The new LSWDD Board developed a viable budget, incorporating ideas from Neil to expand recycling, and better organize TIOLI. The result -- a proposed budget that would require a tax of 9 cents per \$1,000 of value, or \$23 a year for a \$250,000 home but drop garbage rates from \$12 to \$8 a can. Now came the true test. Could the voters be persuaded that this was a good idea?

Really, the State Constitution? And since the Washington State constitution requires that the tax levy go to the voters annually, Lopezians would have to approve to run a ballot levy election every single year! Would Lopezians support LSWDD year after year?



The non-profit Solid Waste Alternative Project (SWAP) was established to encourage voters to pass the levy and raise money for LSWDD projects. SWAP proved successful in both areas and did it while having fun. They organized an entry for the 4th of July parade and started the tradition of the Fashion/Trashion show - a community hit. They sold "Junk Bonds" at the Farmers' Market and created bumper stickers and newspaper ads that were known for Lopez-style humor.



In November 2012, 84% of the voters were in favor of the first LSWDD! In January 2013, the entire County Council celebrated with Lopezians and Neil at the new Lopez-run solid waste facility.

Running the LSWDD... Under community management for the last 10 years, The Dump has flourished. Volunteers work in all areas, including in TIOLI, recycling, and metal extraction for resale. So many volunteers stepped up that a volunteer coordinator position was added. At 10 years, there are now over 123 volunteers involved with The Dump.

When equipment was needed, LSWDD got creative. Need a specialized garbage truck? They found a used one in Spokane. Can't get a loan from the County for the truck? Private citizens loaned the money. Need a backhoe? They asked SWAP to help out and SWAP raised the money for a used backhoe. No more hefty rental fees!

With this sort of ingenuity, the LSWDD Board has kept The Dump's operation financially stable. In fact, the tax levy has gone up only once in 10 years (an increase of 2 cents per thousand dollars of value) and the garbage fee has increased only once -- \$8 to \$10 per can. Lopezians have rewarded this effort by passing the LSWDD levy every year by a wide margin.



What has changed in the 10 Years? What hasn't changed is that the Dump continues to receive Best Recycling awards. What has changed are the number of people who pass through the postage-stamp sized dump facility and the volume of material they bring. Lopez's population has increased 37.5% to over 3,300. Garbage tonnage has increased 90%! And there are days in almost every week where more than 200 cars come through The Dump. TIOLI is more popular than ever and separate "shop" and "drop" days had to be



established to keep things safe on an increasingly overcrowded site. An upcoming challenge for The Dump is to ensure safety as it expands its footprint.



Kudos... As LSWDD celebrates 10 years of operation, kudos to

- the community for its support at the polls,
- the volunteers, past and present, for their hours and hours of time,
- SWAP for all the support and all the fun,
- the initial courageous Board of Directors,
- and to all the great Dump staff and Directors who have helped The Dump grow in the last 10 years.
- to all who reduce, reuse, recycle, repair, and refuse

Join us as a volunteer! 360.468.2555 www.lopezsolidwaste.org



Lopez has a lot to celebrate!



Photos:
Candy Midkiff in Trashion Fashion Show; Neil Hanson hard at work; Dan Post; Junk Bond; 4th of July Parade; Volunteers; Opening Celebration.



LOPEZ SOLID WASTE DISPOSAL DISTRICT
WORKING TOWARD ZERO WASTE



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RECYCLE, REFUSE
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COMMUNITY FUN!

