



## Resolution Cover Sheet

This form must accompany each resolution.

Name of District: Lewis County Fire Protection District No. 1 (Onalaska Fire Department)

District Address: P.O. Box 100, Onalaska, Washington 98570

Date of Election: February 9, 2021

Contact Person/Title: Brad Flexhaug / Chief

Contact Phone: 360-520-3820 email: chief1cfd1@gmail.com

Attorney for District: Lee Marchisio, Foster Garvey P.C.

Attorney Phone: 206-447-6264 email: lee.marchisio@foster.com

Type of Election (levy, bond, lid lift, sales tax, etc.): lid lift

Pass/Fail Requirements for this measure as determined by your legal counsel:

☒ Simple majority or majority 50% +1 ☐ Supermajority or 60%

Notes:

Validation requirement as determined by your legal counsel: The minimum number of voters "required" to turnout (cast a valid ballot) in an excess levy or bond election.

This issue requires validation: ☐ Yes ☒ No

Notes:

### Questions?

Elections Department  
351 NW North St  
PO Box 29  
Chehalis, WA 98532

Phone: 360-740-1278, 360-740-1164  
Fax: 360-740-1421  
Email: [heather.boyer@lewiscountywa.gov](mailto:heather.boyer@lewiscountywa.gov)  
Website: <http://elections.lewiscountywa.gov>

LEWIS COUNTY FIRE PROTECTION DISTRICT NO. 1  
(ONALASKA FIRE DEPARTMENT)  
LEWIS COUNTY, WASHINGTON

LEVY LID LIFT FOR SUPPORT OF FIRE SERVICES

RESOLUTION NO. 2020-06

A RESOLUTION of the Board of Fire Commissioners of Lewis County Fire Protection District No. 1 (Onalaska Fire Department), Lewis County, Washington, relating to the District's regular property tax levy; providing for the submission to the voters of the District at a special election to be held on February 9, 2021, of a proposition authorizing the District to levy regular property taxes in an amount in excess of the limitations provided in chapter 84.55 RCW; designating the Fire Chief and special counsel to receive notice of ballot title from the Auditor; and providing for related matters.

ADOPTED: November 19, 2020

*This document prepared by:*

*FOSTER GARVEY P.C.  
1111 Third Avenue, Suite 3000  
Seattle, Washington 98101  
(206) 447-6264*

LEWIS COUNTY FIRE PROTECTION DISTRICT NO. 1  
(ONALASKA FIRE DEPARTMENT)  
LEWIS COUNTY, WASHINGTON

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BE IT RESOLVED BY THE BOARD OF FIRE COMMISSIONERS OF LEWIS COUNTY FIRE PROTECTION DISTRICT NO. 1 (ONALASKA FIRE DEPARTMENT), LEWIS COUNTY, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Fire Commissioners (the "Board") of Lewis County Fire Protection District No. 1 (Onalaska Fire Department), Lewis County, Washington (the "District"), takes note of the following facts and makes the following findings and determinations:

(a) RCW 52.16.130, RCW 52.16.140 and RCW 52.16.160 limit the District's aggregate regular property tax levy to a maximum dollar rate of \$1.50 per \$1,000 of assessed value of taxable property within the District. Chapter 84.55 RCW further limits the amount of the regular property tax levy to 101% (or 100% plus inflation, if inflation is less than 1%) of the prior highest lawful levy amount (the "levy lid"). Due to the levy lid and increasing property values within the District, the District's current regular property tax levy is limited to a dollar rate of approximately \$0.60 per \$1,000 of assessed value.

(b) Under RCW 84.55.050(1), the District may submit to its voters at a general or special election, for their approval or rejection, a proposition authorizing the District to increase its regular property tax levy in an amount exceeding the levy lid in a single year (a "levy lid lift"). Under RCW 84.55.050(3) and (4), the proposition may provide that the District will use the regular property tax levy amount so approved for purposes of computing the levy lid for subsequent levies. Under RCW 84.55.050(4), the proposition may set the regular property tax levy at a rate less than the maximum rate allowed for the District. Under RCW 84.55.050(4) the proposition may provide that the exemption for low-income senior citizens, disabled veterans and other people with disabilities authorized by RCW 84.36.381 will apply to the levy of any additional regular property taxes authorized by voters.

(c) The essential and necessary protection of public health, safety, life and property, the continued operation and maintenance of fire services, equipment and facilities of the District and the increased demands and costs of providing fire protection and emergency medical services to the greater Onalaska community require the expenditure of revenues in excess of the levy lid.

(d) It is therefore in the best interests of the District and its residents to seek voter approval of a levy lid lift proposition authorizing an increase to the District's regular property tax levy for collection in 2022 by a rate of approximately \$0.75 per \$1,000 of assessed value to the maximum aggregate rate of \$1.35 per \$1,000 of assessed value and providing for the exemption authorized by RCW 84.36.381 to apply to such regular property tax levy increase.

Section 2. Description of the Ballot Proposition. The Board seeks voter approval under RCW 84.55.050(1) of a levy lid lift proposition, as follows:

(a) Maximum Aggregate Levy Rate Authorized. The proposition authorizes the District to restore its maximum aggregate regular property tax levy to the amount resulting from a rate of \$1.35 per \$1,000 of assessed value for levy in 2021 and collection in 2022, which represents a rate that is less than the maximum rate allowed for the District.

(b) Computing the Limitations for Subsequent Levies. The District will use the dollar amount of the maximum aggregate property tax levy resulting from a rate of \$1.35 per \$1,000 of assessed value for levy in 2021 and collection in 2022 for the purpose of computing the limitations for subsequent levies under chapter 84.55 RCW.

(c) Exemption. The exemption authorized by RCW 84.36.381 applies to the additional regular property taxes authorized by this proposition.

Section 3. Calling of Election. The Auditor of Lewis County, Washington, as *ex officio* Supervisor of Elections (the "Auditor"), is requested to call and conduct a special election, in the manner provided by law, to be held in the District on February 9, 2021 (the "Special Election"), for the purpose of submitting to the District's voters, for their approval or rejection, the proposition authorizing the District to increase its regular property tax levy in 2021 for collection in 2022 by an amount greater than otherwise permitted under chapter 84.55 RCW and to use the dollar amount of such levy for the purpose of computing the limitations for the District's subsequent levies under chapter 84.55 RCW.

Section 4.     Form of Ballot Title. Pursuant to RCW 29A.36.071, the Lewis County Prosecuting Attorney is requested to prepare the concise description of the aforesaid proposition for the ballot title in substantially the following form:

PROPOSITION 1

LEWIS COUNTY FIRE PROTECTION DISTRICT NO. 1  
(ONALASKA FIRE DEPARTMENT)

LEVY LID LIFT FOR SUPPORT OF FIRE SERVICES

The Board of Fire Commissioners of Lewis County Fire Protection District No. 1 (Onalaska Fire Department) adopted Resolution No. 2020-06, concerning an increase in fire services funding.

This proposition would provide funds for the continued operation and maintenance of fire services, equipment and facilities. It authorizes a maximum regular property tax rate for collection in 2022 of \$1.35 per \$1,000 of assessed valuation. The 2022 levy amount will be used for the purpose of computing the limitations for subsequent levies under chapter 84.55 RCW. Qualifying low-income seniors, disabled veterans and other people with disabilities will be exempt from the levy increase under RCW 84.36.381.

Should this proposition be approved:

Yes .....☐

No.....☐

Section 5.     Authorization to Deliver Resolution to Auditor and Perform Other Necessary Duties. The Fire Chief of the District (the "Fire Chief") or his or her designee is authorized and directed to: (a) present a certified copy of this resolution to the Auditor no later than December 11, 2020; and (b) perform such other duties as are necessary or required by law to submit to the District's voters at the Special Election, for their approval or rejection, the proposition authorizing the District to increase its regular property tax levy in 2021 for collection in 2022 by an amount greater than otherwise permitted under chapter 84.55 RCW and to use the dollar amount of such levy for the purpose of computing the limitations for the District's subsequent levies under chapter 84.55 RCW. If after submitting this resolution to the Auditor, the Fire Chief, in consultation with the Chair of the Board and the Auditor, determines it is not in the District's best interests to submit the proposition authorized in this resolution to the District's voters at the Special Election due to circumstances regarding the coronavirus disease 2019 (COVID-19), the Fire Chief is authorized to request and direct the Auditor to remove the proposition from the Special Election ballot without further Board action.



Section 6. Notices Relating to Ballot Title. For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080, the Board hereby designates (a) the Fire Chief (Brad Flexhaug), telephone: 360.520.3820; email: [chiefcfd1@gmail.com](mailto:chiefcfd1@gmail.com); and (b) special counsel, Foster Garvey P.C. (Lee Marchisio), telephone: 509.447.6264; email: [lee.marchisio@foster.com](mailto:lee.marchisio@foster.com), as the individuals to whom the Auditor shall provide such notice. The Fire Chief is authorized to approve changes to the ballot title, if any, determined necessary by the Auditor or the Lewis County Prosecuting Attorney.

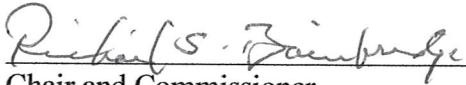
Section 7. General Authorization and Ratification of Prior Acts. The Fire Chief, the Secretary, the Chair of the Board, other appropriate officers of the District and special counsel, Foster Garvey P.C., are severally authorized and directed to take any action and to execute any document as in their judgment may be necessary or desirable to effectuate the provisions of this resolution. All actions taken prior to the effective date of this resolution in furtherance of and not inconsistent with the provisions of this resolution are ratified and confirmed in all respects.

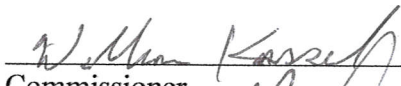
Section 8. Severability. If a court of competent jurisdiction, all appeals having been exhausted or all appeal periods having run, holds any provision of this resolution invalid or unenforceable, then the offending provision is null and void, is separate and severable from the remaining provisions of this resolution and in no way affects the validity of the other provisions of this resolution or of the levy or collection of the regular property taxes as so authorized herein.

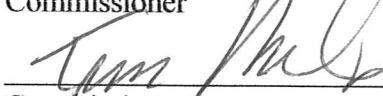
Section 9. Effective Date. This resolution takes effect from and after its adoption.

ADOPTED by the Board of Fire Commissioners of Lewis County Fire Protection District No. 1 (Onalaska Fire Department), Lewis County, Washington, at a regular open public meeting held this 19<sup>th</sup> day of November, 2020, the following Commissioners being present and voting in favor of the resolution.

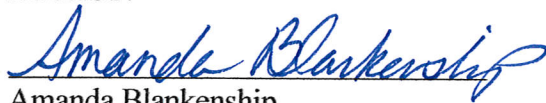
LEWIS COUNTY FIRE PROTECTION DISTRICT NO. 1  
(ONALASKA FIRE DEPARTMENT)  
LEWIS COUNTY, WASHINGTON

  
Chair and Commissioner

  
Commissioner

  
Commissioner

ATTEST:

  
Amanda Blankenship  
Secretary of the District

### CERTIFICATION

I, Amanda Blankenship, Secretary of Lewis County Fire Protection District No. 1 (Onalaska Fire Department), Lewis County, Washington (the "District"), certify as follows:

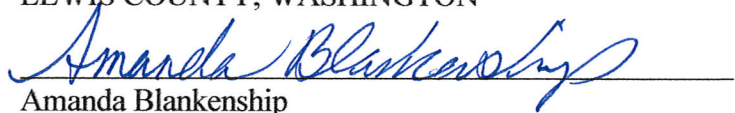
1. The foregoing Resolution No. 2020-06 (the "Resolution") is a full, true and correct copy of the Resolution duly adopted at a regular meeting of the Board of Fire Commissioners of the District (the "Board") held on November 19, 2020 (the "Meeting"), as that Resolution appears on the minute book of the District, and the Resolution is now in full force and effect;

2. Pursuant to various proclamations and orders issued by the Governor of the State of Washington, (a) the Meeting was conducted in person in accordance with such proclamations and orders and the requirements applicable to counties under Phase 3 of the Safe Start Washington Phased Reopening County-by-County Plan and (b) options were provided for the public to attend the Meeting remotely, including by telephonic access and, as available, internet access, which options provided the ability for all persons attending the Meeting remotely to hear each other at the same time; and

3. The Meeting was duly convened and held in all respects in accordance with law, the public was notified of the access options for remote attendance, a quorum was present throughout the meeting through telephonic and/or internet means of remote access, and a sufficient number of members of the Board so present voted in the proper manner for the adoption of the Resolution.

DATED: November 19, 2020.

LEWIS COUNTY FIRE PROTECTION DISTRICT NO. 1  
(ONALASKA FIRE DEPARTMENT)  
LEWIS COUNTY, WASHINGTON



Amanda Blankenship  
Secretary of the District



## Lewis County Prosecuting Attorney's Office

345 W. Main Street, 2<sup>nd</sup> Floor  
Chehalis, WA 98532  
Phone: (360) 740-1240  
Fax: (360) 740-1497  
TDD: (360) 740-1480

To: The Auditor's Office  
From: Amber D. Smith, Civil Deputy Prosecuting Attorney  
Subject: Approval of Ballot Language  
Date: December 1, 2020

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Our office has reviewed the proposed levies for [Fire Protection District No. 1](#). The ballot titles and explanatory statements are impartial, written in clear and concise language, avoid the use of legal and technical terms whenever possible, and do not exceed statutory word limits.

Our office approves as to form.

Sincerely,

A handwritten signature in black ink that reads "Amber D. Smith".

Amber D. Smith  
Civil Deputy Prosecuting Attorney  
Lewis County Prosecuting Attorney's Office

**It is the Mission of the Lewis County Prosecutor's Office to zealously seek justice in all criminal matters, consistently promote public confidence in the legal system, and diligently represent county government while adhering to the highest ethical and moral standards.**



Lewis County Fire Protection District No. 1  
(Onalaska Fire Department)

Explanatory Statement for Proposition 1  
Election Date: February 9, 2021  
Word Count: 195 out of 250 maximum.

PROPOSITION 1  
LEVY LID LIFT FOR SUPPORT OF FIRE SERVICES

Lewis County Fire Protection District No. 1 (Onalaska Fire Department) provides fire protection, rescue and emergency medical services to the greater Onalaska community.

The maximum regular levy rate for Washington fire districts is \$1.50 (per \$1,000 of assessed value). Due to the statutory 1% limitation on property tax increases, the Onalaska Fire Department's current levy rate in 2021 is under \$0.60.

The Board of Fire Commissioners has determined that the continued operation and maintenance of fire services, equipment and facilities of the District and the increased demands and costs of providing fire protection and emergency medical services to the greater Onalaska community require the expenditure of revenues in excess of the current limit.

Proposition 1 will restore the District's regular property tax levy to \$1.35 in 2022, which is \$0.15 below the maximum rate allowed by law. The 2022 levy amount will be used to calculate subsequent levy limits. The estimated increase would equal approximately \$12.50 per month for a \$200,000 home. Proposition 1 includes the property tax exemption for qualifying low-income seniors, disabled veterans and other people with disabilities under RCW 84.36.381. For more information, please call the Lewis County Assessor's Office: (360) 740-1392.