



**State of Washington
PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908

(360) 753-1111 • FAX (360) 753-1112

Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

February 24, 2025

Delivered electronically to infohfd8@gmail.com

Subject: Complaint filed by Kathleen Hodge, PDC Case 161316

Dear Officials of Grays Harbor Fire District 8:

Below is a copy of an electronic letter sent to Kathleen Hodge concerning a complaint filed with the Public Disclosure Commission (PDC).

As noted in the letter to Kathleen Hodge, the PDC has dismissed this matter in accordance with [RCW 42.17A.755\(1\)](#) and will not conduct a more formal investigation into these allegations or take further enforcement action in this matter.

However, pursuant to [WAC 390-37-060\(1\)\(d\)](#), this serves as a formal written warning concerning the use of public facilities or resources to support a ballot measure. Staff expects that you will, in the future, comply with all laws and rule and follow PDC guidance for how the statutory prohibition on the use of public facilities or resources impacts campaign activities that may be contemplated by government employees and other persons who may seek to utilize those public facilities, and specifically adhere to all the components cited in the exception in RCW 42.17A.555(1) when taking advantage of this exception. The Commission will consider this formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

Based on this information, the PDC finds that no further action is warranted and has dismissed this matter in accordance with RCW 42.17A.755(1).

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560, toll-free at 1-877-601-2828 or by e-mail at pdcc@pdcc.wa.gov.

Sincerely,

Electronically signed Jennifer Hansen

Jennifer Hansen
Compliance Officer

Endorsed by,

Electronically signed Peter Frey Lavalley

Peter Frey Lavalley
Executive Director



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February 24, 2025

Delivered electronically to Kathleen Hodge at kathleen.m.hodge@gmail.com

Subject: Complaint regarding Grays Harbor Fire District 8 Officials, PDC Case 161316

Dear Kathleen Hodge:

The Public Disclosure Commission (PDC) has completed its review of the complaint you filed on October 12, 2024. The complaint alleged that officials of Grays Harbor Fire District 8, may have violated RCW 42.17A.555 by using public facilities or resources to support a ballot proposition in election year 2024.

PDC staff reviewed the allegations and evidence you submitted; the applicable statutes, rules, and reporting requirements; the response provided by Commissioners John Collum, Vivian Matsen and Thomas Greisamer (the “Respondents”); PDC Interpretation 04-02 Guidelines for Local Government; and other relevant information, to determine whether the record supports a finding of one or more violations.

Applicable Laws & Rules

[RCW 42.17A.555](#) prohibits elected or appointed officials of a public agency from using agency facilities, directly or indirectly, for the purpose of assisting an election campaign or for the promotion of any ballot proposition. The statute, however, also includes an exception saying, in relevant part, action taken at an open public meeting by members of an elected board (including fire districts) to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition, is exempt from the general prohibition, so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the board or members of the public are afforded an approximately equal opportunity for the expression of an opposing view.

[PDC Interpretation 04-02](#) sets forth guidelines to aid compliance with RCW 42.17A.555, and these guidelines state that members of a commission may express a collective decision, or vote upon a motion in support or opposition to a ballot proposition, at an open public meeting, so long as the meeting notice included the title and number of the ballot proposition to be discussed, and members of the commission or members of the public are afforded approximately equal opportunity to express an opposing view.

Background & Findings

Based on staff's review, we found the following:

- Grays Harbor Fire District 8 (GHFD #8), located in Pacific Beach, is made up of three Commissioners currently including Chair John Collum and Commissioners Thomas (Tom) Greisamer and Vivian Matsen. Brian Shelley is GHFD #8's Fire Chief.
- On June 13, 2024, under "Old Business", GHFD's meeting minutes note that Commissioner Collum proposed the need for a strategic planning meeting and Commissioner Greisamer proposed a future tax hike.
- At GHFD's July 18, 2024, meeting, the commissioners voted to submit the initial paperwork for a tax increase effective in 2025. They then voted to sign the Resolution for the 2025 Levy Lid Lift request at a special meeting on July 29, 2024.
- The levy was on the November 5, 2024, general election ballot with the title of "Fire District 8 Property Tax Levy for Fire Protection and EMS" and did not pass.
- The complaint alleged that the public did not receive the normal 24 hour notice of the meeting and one member, Commissioner Greisamer, did not receive proper notice of the proposed actions slated for the July 29, 2024, Special Meeting where two of the three Commissioners were present and voted to approve the levy.
- During the investigation, staff found that the July 29, 2024, meeting identified the agenda item as "sign resolution for 2025 Lid Lift" and included a public comment period.
- The response to the complaint was signed by Commissioners Collum and Matsen and included a declaration from Fire Chief Brian Shelley who also serves as webmaster. The response confirmed the July 29 agenda was posted in the normal manner, specifically on the district's website and on the front of the community center at least 24 hours prior to the meeting. The response also affirms written notice was not provided to Commissioner Greisamer. According to the response, he was told about the meeting verbally.
- In a memorandum submitted by Commissioner Greisamer, he stated he wasn't at the meeting because he didn't know it was happening.

Summary and Resolution

It appears that although notice of the July 29, 2024, Grays Harbor Fire District 8 Special Fire Commissioner's Meeting was timely posted to the district's website and to the front of the community center, the agenda did not include the "full title and number of the ballot proposition", nor were all members of the commission "afforded an approximately equal opportunity for the expression of an opposing view", as one Commissioner was at best given informal, verbal notice of the meeting and did not attend.

After consideration of all the circumstances, further proceedings would not serve the purposes of the Fair Campaign Practices Act. Under WAC 390-37-070, the executive director, at any time prior to consideration by the Commission, may dismiss a complaint which on its face, or as shown by investigation, provides reason to believe that a violation has occurred, but also shows that the respondent is in substantial compliance with the relevant statutes or rules, or shows that formal enforcement action

is not warranted. The executive director must report at each regular Commission meeting all complaints dismissed.

Pursuant to [WAC 390-37-060\(1\)\(d\)](#), however, the officials of Grays Harbor Fire District 8 will receive a formal written warning concerning the use of public facilities or resources to support a ballot measure. The formal written warning will include staff's expectation that the Respondent comply with all laws and rule and follow PDC guidance for how the statutory prohibition on the use of public facilities or resources impacts campaign activities that may be contemplated by government employees and other persons who may seek to utilize those public facilities, and specifically adhere to all the components cited in the exception in RCW 42.17A.555(1) in the future. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

Based on this information, the PDC finds that no further action is warranted and has dismissed this matter in accordance with [RCW 42.17A.755\(1\)](#).

If you have questions, you may contact Jennifer Hansen at 1-360-586-4560, toll-free at 1-877-601-2828 or by e-mail at pdc@pdc.wa.gov.

Sincerely,

Electronically signed Jennifer Hansen
Jennifer Hansen
Compliance Officer

Endorsed by,

Electronically signed Peter Frey Lavallee
Peter Frey Lavallee
Executive Director

cc: Grays Harbor Fire District 8 Officials