

Good morning,

I live in the PSARD and want to make you aware of the actions of your appointed SRD commissioners/directors. The Board voted yesterday to impose a nearly \$6000 lump sum assessment on each lot in PSARD but have not held a SRD levy vote, nor has an LID been formed. Instead, the Board rejected those options and instead conducted an election of *property owners*, both resident and non-resident, to the exclusion of district voters.

It is well-settled that an SRD assessment must be approved by SRD electors (not out-of-district property owners); it must be an ad valorem assessment, and it must be collected by the County in its normal property tax collection process. None of these legal requirements have been met.

The Board has now presented each property owner with a demand for payment of a lump sum of about \$5600, to be paid by July 14, 2021. The Board intends to collect and hold the property tax collections itself in apparent violation of ORS sections which prohibit them from doing so. Many property owners are refusing to pay without a levy vote or a notice of assessment from the Deschutes County Assessor and/or Tax Collector.

Nonetheless, the Board intends to begin construction today, but it does not have the funds to pay for the contract. The Board is unlikely to collect those funds without litigation. It is unclear whether the contractor is aware that we do not and are not likely to have the money to pay. This is extremely unfair to the owners and the contractor (if the contractor even knows.) All of this is being done under the umbrella of your oversight authority and supervision. At the end of the day, you are responsible to supervise your appointed commissioners and keep them between the lines. We need some of that from you right now. Specifically, the construction needs to be stopped until a review of the election process and contracting details shows that the election was valid, the assessment is legal, and that there is a budget that ensures the work will be completed and the contractor paid. It is likely going to require new commissioners, the present Board has made it clear they have no intention of complying with the requirements of a district elector levy election, an LID, or an ad valorem assessment. Please hit the pause button on this fiasco immediately for all of our benefit. In particular the Contractor needs to be notified in writing that it is unclear at best if PSArD has or will have the money to pay for the work. (I am trying to identify the contractor to notify them myself. Either way, this simply cannot be left to just see what happens.

Sincerely,

Glenn Brown

17007 Buck Horn Drive

Sisters, OR 97759

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Good morning,

I am following up on my email from yesterday with a little more information and renewed concerns. I received this report this morning from the Board meeting.

"-----" who was at board meeting said one had been filed, not knowing who did , with scheduled contingent plans to go before a judge in two month's time , without knowing if that will get rescheduled potentially as cases often are.

She said they were surprised and concerned lender would get nervous and potentially back out if this doesn't get settled quickly."

That is some fairly specific information reported from the meeting from a trusted, long-time resident. The Board has now gone quiet, refusing to answer questions or tell us what is going on until next week. Meanwhile I'm being blamed for the lawsuit on the District website. The Board is taking no action to correct it.

I'm no longer looking at this as simply a few rogue commissioners playing store with our district funds. I believe this is a Constitutional voting rights violation by 3 county officials conspiring to illegally deprive me of a Constitutionally guaranteed voting right, mispending district funds to do so, and doing so for their own financial gain. Even if their voting and financing scheme would be otherwise legal, if used for the purpose of suppressing Constitutional voting rights it is a violation of those voting rights, it's illegal and exposes the District and the County to potentially expensive claims.

That might sound a little overblown at first, but I strongly encourage each of you to at least consider these comments before dismissing them out of hand. There are 50 to 100 electors in the District who could assert such a claim. I'm asking you again to not dismiss this possibility out of hand, it could happen. It is time to at least take some mitigating actions to minimize the likelihood of such a claim being filed.

I am also concerned that the law firm representing the Board against those excluded electors has potential and actual conflicts if representing the District in litigation over a financing plan the firm has opined on and is assisting in implementing. For example, the firm issued two opinion letters to the Board on the financing plan. If sued, the Board will rely on that opinion, they already are in public statements. The law firm must make a written disclosure of those conflicts and must withdraw if there are actual conflicts. None of that has happened to my knowledge, the Board isn't talking.

That makes the law firm a witness that will be examined and cross examined on that opinion. The firm cannot also serve as counsel.

Yet here they are trying to assist the Board settle some undisclosed claim on the very subject of their opinion. The District needs separate counsel right now to protect our interests and those of the County. The Board won't do it. We need your help.

We in Panoramic need answers to these questions now, not a week from now when a potentially damaging settlement has already been reached and cannot be undone.

Thank you,  
Glenn Brown  
17007 Buck Horn Drive  
Sisters, OR 97759

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