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Skamania County Auditor

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GARY E. OLSON

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Document Title(s) or transactions contained therein:	
1.	Petition for Review of Emergency Resolution 1999-21
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GRANTOR(S) (Last name, first, then first name and initials)	
1.	Loranger, Jack
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<input type="checkbox"/> Additional Names on Page _____ of Document.	
GRANTEE(S) (Last name, first, then first name and initials)	
1.	Skamania County
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Superior Court of Skamania County -- Petition for Review of Emergency - Resolution 1999-21

To the Honorable Superior Court of the State of Washington, in and for the County of Skamania:

The petition of Jack Loranger respectfully shows:

1. That Skamania County Commissioners on Monday July 19<sup>th</sup>, 1999 passed Resolution 1999-21 to declare an emergency to supplement their budget and loan funds from The Salary, Wages and Benefits Cumulative Reserve Fund (\$2,000,000.00) and the Road Maintenance Cumulative Reserve Fund (\$600,000.00) to the Current Expense Fund, thereafter transferring said funds to The County Facilities and Land Fund Cumulative Reserve Fund.

2. That RCW 36.40.150 states that it is the right of any taxpayer feeling aggrieved by an order of an emergency to petition the Superior Court for a review to determine if an emergency exists.

3. The petitioner is a taxpayer of Skamania County and is feeling aggrieved by the adoption of Resolution 1999-21.

4. The published stated facts constituting an emergency were:

"Whereas, Skamania County is constructing a criminal justice facility and remodeling the existing Sheriff's Office and Jail, and

Whereas, whereas the cost of the project is anticipated to be \$5 million and to date 2.4 million has been placed in reserve funds to pay for the criminal justice facility and remodeling, requiring an additional 2.6 million to complete the project; and

Whereas, the project is being funded from the Current Expense Revenues and the Current Expense Fund will use an interfund loan to fund the remainder of the project and

Whereas, a supplemental/emergency budget is necessary to place Current Expense Funds in the Cumulative Reserve County Facilities and Land Fund to pay for the project and to make an interfund loan to the Current Expense Fund;"

5. A simple desire to spend more money than you have saved for a project does not constitute an emergency.

6. An emergency is normally a situation that threatens life or property.

7. An emergency is always an unforeseen event.

8. Funding for construction of a Criminal Justice Center is not sudden, unexpected, or unforeseen; no life or property is endangered or possibly endangered by inaction; there is time for full deliberation, and to arrange funding without declaration of emergency.

9. RCW 36.33.020 allows county Commissioners to create Cumulative Reserve Funds (CRFs) for specific purposes which must be spelled out in the creating resolution and says that the moneys in the fund are only to be spent for the specified purpose. Provided: That any moneys in said fund shall never be expended for any other purpose or purposes than those specified, without an approving vote by a majority of the electors of the county at a general or special election to allow other specified uses to be made of said fund.

10. RCW 36.33.040 states that no money in any CRF shall be used for any purpose other than that for which it was created unless the specified purposes of the CRF have been accomplished or cease to exist and then a transfer of more than \$50,000 from a CRF requires voter approval.

11. RCW 36.29.020 states: "The county treasurer shall keep all moneys belonging to the state, or to any county, in his or her own possession until disbursed according to law. The county treasurer shall not place the same in the possession of any person to be used for any purpose; nor shall he or she loan or in any manner use or permit any person to use the same"

Wherefore, petitioner asks that this issue be reviewed as per RCW 36.40.150 and if the Court finds that an emergency does not exist an order be issued to void the action taken in Resolution 1999-21.

I, JACK LORANGER, certify that I am a Skamania County tax-payer and that the information contained in this petition is true and correct.

JACK LORANGER

Jack Loranger  
Petitioner/taxpayer

I, GARY M. OLSON, Skamania County Auditor received this petition on July 22, 1999.



Gary M. Olson, Skamania County Auditor