

Jones Correspondence

David Doyle

From: daniel jones <danieljones1973@yahoo.com>
Sent: Tuesday, February 25, 2025 10:20 AM
To: Board; David Doyle; Kim Riley
Subject: Request for Hearing
Attachments: mime-attachment.eml

Caution: External email to Deschutes County: If unexpected or unfamiliar, be cautious with links and attachments. Contact your IT Dept if unsure.

County Officials,

I am writing this as a request for a hearing in regards to the response given by Forest View Road District.

I write this due to legitimate concerns over the misguided and misuse of tax dollars that are to be used towards the maintenance and snow removal of our neighborhood. As the rhetoric I have heard regarding the duties of the districts board, they are simply to manage the road maintenance and snow removal and yet they have a history of using our funds to pay attorneys to compile frivolous documents and give unwarranted advise.

Their own response sites they sought legal advise after being contacted by Todd Albert at the Secretary of State. Their correspondence is attached and I would ask that you please take a moment to read through it in its entirety. It depicts that the board used our tax moneys to draw up a Public Record Policy a few years back. Larry LaRue was the chair at the time. The documents they paid an attorney to draft are not in compliance with State public record law, showing an ongoing waste of our funds and also providing proof that the board is not opposed to spending our tax money (meant for road maintenance and snow removal) to fight against members of our district.

I write this to please encourage the county to step in and implement the rules given to manage situations like this, if you do not I will be forced to pay an attorney and the board will hire an attorney to fight me using our tax money given to manage our roads.

The response given is not a valid defense, but more showing a clear understanding and disregard to the rules governing a board of this type.

The bi laws are put in place at the formation as rules for the district to follow, they have nothing to do with its formation. In fact the board shows that they are aware of this when they share how they now intend to change the bi laws to further allow them to reappoint themselves. The second part of their response confirms this when they then claim that the bi laws are to be followed regarding monthly meetings, but not regarding the election portion? They also disregarded the rest of my concerns in my grievance and yet have sent me a partial response to my public record request showing that they are not in compliance with the bi laws not sited in their response.

The Bi Laws are not confusing and the issue is not that they are not clear, they are simply not being followed. I write this as concern that this unelected board continues to mismanage the money & again have not been elected by the tax payers within the district.

Daniel Jones

David Doyle

From: ALBERT Todd * PRA <Todd.ALBERT@pra.oregon.gov>
Sent: Friday, January 24, 2025 3:53 PM
To: Forest View Road District
Subject: RE: Public records requests of Daniel Jones

Hello and thank you for responding to my message.

I appreciate that your office took the time to create a public records policy, despite it's limited staffing. Overall, it is a clear and well spelled out policy. In reviewing it, I nevertheless had some things I wanted to point out:

- On page 1, ORS 192.410 – 505 was updated in 2017 and is now ORS 192.311 – 192.338 (although the law currently extends to ORS 192.431);
- Also on page 1, a public records requester is not required to provide their name or other identifying information. They are only required to provide a way in which to receive records. Of course, if the requester requests a public interest fee waiver, or attempts to argue that a conditional exemption does not apply to them because their request is in the public interest, then you may inquire as to their identify and any other information to the extent necessary to decide for yourself whether they have made an adequate showing of public interest; and
- On pages 2-3, Section V, *Calculation of Fees and Response*, if the district is staffed by volunteers and the public records law only permits a public body to charge fees to recoup up to its actual cost of making records available, what is the basis for the district charging labor costs for those other than its attorney?

As for Mr. Jones and his requests, you are correct that a public body may require a requester to submit their request via the manner spelled out in the public body's policy, as long as that policy is publicly posted. However, your policy merely states in Section III, *How to Make a Request*, "Public record requests may be submitted by mail or by e-mail to forestview.road.district@gmail.com", and in Section IV, *Processing a Public Records Request*, "Public record requests may be submitted by mail or by e-mail to forestview.road.district@gmail.com". Those statements in and of themselves, while requiring submission through a physical or email address, does not state that use of the form is mandatory. Furthermore, if a physical address is an option, it should be included in the policy and on the form, even though it is already on your website.

Finally, I would welcome a meeting if you believed it would be helpful to your work addressing Mr. Jones' requests or public records in general. As a two person state agency, and with the Deputy Advocate currently on leave, I certainly understand the need to work around everyone's schedules, and would be happy to find a time that works for everyone. Your attorney and/or anyone else you believe should be part of the conversation is welcome to join too.

Thanks,

Todd

Todd Albert

Public Records Advocate

Office of the Public Records Advocate

mobile: (503) 871-9036

www.oregon.gov/pra

From: Forest View Road District
Sent: Tuesday, January 21, 2025 11:51 AM
To: ALBERT Todd * PRA
Subject: Fwd: Public records requests of Daniel Jones

You don't often get email from forestview.road.district@gmail.com. [Learn why this is important](#)

Good morning Mr. Albert,

We have responded to Mr. Jones letting him know we are working on his records request and hope to have a response to him in the next several days.

Thank you,

Forest View Road District

P.O. Box 101

La Pine, OR, 97739

----- Forwarded message -----

From: Forest View Road District <forestview.road.district@gmail.com>

Date: Sat, Jan 18, 2025 at 1:08 PM

Subject: Re: Public records requests of Daniel Jones

To: ALBERT Todd * PRA <Todd.ALBERT@pra.oregon.gov>

Dear Mr. Albert,

Several years ago in a special meeting in October 2021, the board voted to hire an attorney to draw up an official records request policy and form and to represent the board in legal matters. The board brought up the finished policy and form at the December 2021 public meeting and voted to implement the policy. Since that meeting it has been posted to our website and is available to anyone. At no time has Mr. Jones submitted that form for a records request that we are aware of. We have pointed him to it on more than one occasion and his reply was that he is a member of the district and therefore does not have to comply with the records request policy. His latest reply is that he's unaware of any such website or records request policy. We replied to one of his emails with the link you see below. The policy and form is available in the upper right hand corner of the website.

<https://sites.google.com/view/forestviewsrd/home>

We believe this policy is in line with other policies in place with cities and counties. None of the public records request policies we are aware of provide for records to be copied and provided to the requestor for free as there are time and materials involved and our policy is the same.

We could set up a time to meet with you to discuss further if you would prefer. All three board members are volunteers with full time jobs so we would need to coordinate around those commitments.

Thank you,

Forest View Road District
P.O. Box 101
La Pine, OR, 97739

On Thu, Jan 16, 2025 at 5:35 PM ALBERT Todd * PRA <Todd.ALBERT@pra.oregon.gov> wrote:

Dear members of the Forest View Special Road District,

My name is Todd Albert and I am the director of the state agency known as the Office of the Public Records Advocate. Our duties include assisting public records requesters and records custodians, such as yourself, mediate disputed public records request. We also offer guidance and advice, as well as free training, on the requirements of and best practices under the public records law. In addition, we assist public bodies create or update public records policies required by [ORS 192.324\(7\)](#). Records custodians, as well as requesters, are welcome to reach out to us at anytime for public records-related aid.

I am writing to you now because we were contacted by Mr. Daniel Jones, regarding his public records requests to your district. Mr. Jones is concerned about the district's response, and I was hoping to learn more about the status of his request from your perspective.

Thank you for your time and consideration in this matter. I look forward to your request. Finally, please note that I will be out of the office tomorrow, returning on Tuesday.

Regards,

Todd

Todd Albert

Public Records Advocate

Office of the Public Records Advocate

mobile: (503) 871-9036

David Doyle

From: daniel jones <danieljones1973@yahoo.com>
Sent: Tuesday, February 25, 2025 2:05 PM
To: David Doyle
Subject: Communication

Caution: External email to Deschutes County: If unexpected or unfamiliar, be cautious with links and attachments. Contact your IT Dept if unsure.

David,

I'm unsure if my comment regarding having an attorney waiting to see what happens might be confused that I have retained an attorney. I have not. I was told that legal has advised commissioners to not communicate with me, possibly this email might resolve that topic?

I am waiting to allow the county to address this matter prior to addressing this legally. I think it is clear that we have unelected board members spending our tax money currently. Pretty clear issue, but a pretty serious matter.

Daniel

David Doyle

From: Kim Riley
Sent: Wednesday, February 26, 2025 10:49 AM
To: David Doyle
Subject: FW: Communication

FYI: I will not be engaging any further with him.

Kimberly Riley

Sr. Assistant Legal Counsel
Deschutes County Legal Counsel
1300 NW Wall Street, Suite 205
Bend, OR 97703
Telephone: (541) 388-6597
Facsimile: (541) 617-4748
Email: kim.riley@deschutes.org

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-----Original Message-----

From: daniel jones <danieljones1973@yahoo.com>
Sent: Wednesday, February 26, 2025 10:48 AM
To: Kim Riley <Kim.Riley@deschutes.org>
Subject: Re: Communication

Caution: External email to Deschutes County: If unexpected or unfamiliar, be cautious with links and attachments. Contact your IT Dept if unsure.

Kim,

I find that very interesting. I think it's concerning that there is a deliberation on "if" the commissioners will be holding a hearing when it was just confirmed that they have been appointing board members in our special district with no election confirmation and now that they have confirmed that our board members have been self appointing themselves as if we live in a dictatorship, they want to determine "if" a hearing shall be held. Especially after the special district board claim to be intending to change the bi laws when they were never actually elected to hold their position.

I'm sure you're aware of the liability the county now holds once they have become aware of this fraud. I believe the commissioners were unaware that our board has been appointing themselves without district input, but now that has all changed.

I write this as I am not a fly on the wall and the communication I have received from David Doyle yesterday sparked concern. Then possibly poor choice in terms in your email co firms my concern.

The Rhetoric in the Special District response is not a valid explanation or defense on any of the issues in my grievance. It actually shows the lack of understanding they have regarding an entity they insist to maintain control of.

If the County does not remedy this the unelected board will continue to spend our districts tax money to pay attorneys to defend their mis appointed positions. I hope the County does not allow this to transpire.

Daniel Jones

> On Feb 26, 2025, at 8:19 AM, Kim Riley <Kim.Riley@deschutes.org> wrote:

>

> Mr. Jones,

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> Given that there is a pending decision for the Board on whether or not to hold a hearing in this matter, it is important that they not have any additional communication with either you or the special road district board.

>

> Kimberly Riley

>

> Sr. Assistant Legal Counsel

> Deschutes County Legal Counsel

> 1300 NW Wall Street, Suite 205

> Bend, OR 97703

> Telephone: (541) 388-6597

> Facsimile: (541) 617-4748

> Email: kim.riley@deschutes.org

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> -----Original Message-----

> From: daniel jones <danieljones1973@yahoo.com>

> Sent: Wednesday, February 26, 2025 7:18 AM

> To: Kim Riley <Kim.Riley@deschutes.org>

> Subject: Communication

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> Caution: External email to Deschutes County: If unexpected or unfamiliar, be cautious with links and attachments. Contact your IT Dept if unsure.

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> Kim,

>

> I'm writing this email to hopefully gain some understanding to where my involvement with the county commissioners is at?

>

> A month ago I was in communication with Phil Chang via email and Patti Adair via text. Both commissioners seemed very eager to assist in the issue with my local road district, both were helpful in pointing me towards a remedy through the county.

>

> Tony DeBone even had called my private cell phone multiple times after I attended the public meeting although it seemed his intent was to hope I would drop the matter.

>

> The point I am getting at is yesterday I was informed that legal had told the commissioners to no longer speak to me. I am not understanding why? I followed a process suggested by the Commissioners and do not understand why I would be excommunicated by doing so.

>

> Could you please help me understand why the Commissioners who seemed so eager to help are now being told to no longer communicate with me?

>

> Daniel Jones

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