



City of McCleary
Home of the McCleary Bear Festival

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February 24, 2025

To: Residents and businesses of the City of McCleary

From: Chris Miller, Mayor, City of McCleary

RE: Open Letter to the City of McCleary Residents and Businesses

Dear Fellow Residents,

I am deeply concerned that the city council continues to divide the city. I am calling out the city council and the continued hostile work environment they have created that only further divides us and does nothing to bring us together. This has been an ongoing personal quest of theirs my entire term in office, and enough is enough.

I've been pushing hard for solid changes needed in our public works. You, the ratepayers and taxpayers, deserve far more than what has been provided for you for the last decade. My administration has worked tirelessly to apply for grants and other funding necessary to make improvements in our city. A few examples of this that we have been awarded are:

- \$2.10 million to finish the lower section of 3rd Street to Simpson Avenue;
- \$495,000 for the Maple Street sidewalk from the Beehive to the transit station;
- About \$550,000 for 2 years for street maintenance funding; and,
- \$2.75 million for a solar grant to create a new revenue stream for power to curve rising rates (that the council has refused to pass for almost a year).

Here are a few more examples of those grants and funding we have applied for and are currently waiting for at the moment:

- \$200,000 planning grant for Summit Road Sidewalk design;
- \$577,000 through the Washington State Legislature for Beerbower Park improvements;
- \$220,000 through the Washington State Legislature for lower 3rd Street project matching funds; and,
- \$50,000 through the Washington State Legislature for design planning for Maple Street.

These are just some examples, along with RCO parks grants, Safe Routes to School, and others that we continue to work towards to improve our community. We will not be successful with every grant, and competitive grants are extremely challenging, but we are consistently working to improve our city.

I have been extremely aggressive in my attempt to repair our city and bring us into the 21st century. Unfortunately, we have a city council that is stuck in the past with phrases like “This is how we’ve always done it.” Frankly, that’s not good enough for you and our city.

We need to demand and deserve more from our city council than to be a body of obstructionists because they fear that any little accomplishment will get ‘the mayor’ reelected. You can watch nearly any city council meeting if you want to see what kind of circus they have created. Disappointing is an understatement; embarrassment is a consistent theme I hear from many of you.

I would encourage you to read through the last two years of utility rate studies done by outside professionals on the state of the city’s power, water, stormwater, and sewers. Though there are some bright spots, the trajectory of most of these enterprise funds is bleak. Without change, future councils and mayors would have no choice but to raise rates significantly to stay afloat.

It’s no secret that the council and I do not like each other. So what? That should not stop us from working together for the good of the city. However, like the latest act in the ring tonight, this current council continues to do nothing but waste time on witch hunts and posturing.

As always, I am there for the many of you who have expressed concerns, frustrations, and fears and offered possible solutions; I will continue to push for a better city on your behalf.

Respectfully,

Chris Miller
Mayor of McCleary

PS: The next several pages are my response to the latest city council attempt to smear me.

Addressing the Council Resolution:

On-Call Overtime

Given the state of the police department in my first year, I was forced into a position to relieve the police chief at that time who was unqualified for the position, and I truly believe should never have been a police officer for any department. Hired in error, I was not willing to risk the liability of the police department and the city. His departure caused another officer who he was close friends to leave, and I understood that. Being limited in the number of officers assigned to the department, it was necessary to have officers that could respond to calls so that residents felt that their concerns were being dealt with.

After a conversation with our City Attorney Chris Coker, we pursued giving the on-call overtime since it was adding to and not taking away from the contract. I did have the authority in my power to ensure that officers were available as much as possible to assist the community, especially when one of the council's friends was repeatedly informing the public when he believed there was no one on duty. It wasn't realistic for two officers to be here in the city 12 hours every day, 7 days a week, for months on end until we could get another police chief and police officer.

I stand by my decision to consult with and adhere to the advice of the city attorney to ensure that I follow everything as legally as possible. The community needs to feel safe and have as much connection as possible with our police department.

Open Public Meetings Act

Again, I consulted the City Attorney Chris Coker, asking what I needed to do to move forward with the Salary commission meeting. My concern was with the hostile environment created by the councilmembers' friends and family members, I wanted to ensure a safe environment for them to meet given previous hostile actions at city council meetings.

There was no personal gain from me as I never sat in the room. I stayed in the clerk-treasurer's office while the Salary Commission met alone without any interference to deliberate the information they were putting together. In the end, as they had submitted to me and forwarded to the council, all elected officials salaries were doubled in accordance with the comparisons of other similar cities of our size.

Mayor and Council Comps (as calculated and provided by the Salary Commission)

	Mayor	Council		Ignoring the outliers of \$0, and \$6,000				Mayor	Council
Tieton	\$1,200	\$50		Average	\$ 900	\$ 157	Average	\$ 1,062	\$ 151
Stevenson	\$600	\$150		Std Deviation	\$ 505	\$ 110	Std Deviation	\$ 1,132	\$ 112
Kettle Falls	\$800	\$100		Min	\$ 400	\$ 40	Min	\$ -	\$ -
Cosmopolis	\$600	\$200		Max	\$3,000	\$ 516	Max	\$ 6,000	\$ 516
Yacolt	\$700	\$50		Median	\$775	\$138	Median	\$ 800	\$ 125
Davenport	\$675	\$160		McCleary	\$ 600	\$ 100			
Long Beach	\$700	\$300							
South Bend	\$900	\$120							
Sumas	\$600	\$150							
Ritzville	\$800	\$300							
Oroville	\$700	\$225							
Royal City	\$600	\$60							
Millwood	\$800	\$75							
Napavine			\$0 for Council	Volunteer					
Coupeville			\$6,000 for mayor	Full time position					
Brewster	\$1,417.50	\$225							
Tenino	\$1,000	\$50							
McCleary	\$600	\$100							
Newport	\$885	\$61							
Bridgeport	\$1,200	\$40							
Cle Elum	\$3,000	\$250							
Westport	\$1,018.30	\$516.37							
Gold Bar	\$1,000	\$100							
Okanogan	\$750	\$125							
Castle Rock	\$400	\$200							
White Salmon	\$655	\$166							

Asphalt Removal

The city council still does not seem to understand that overtime is authorized by the Mayor and does not need the city council's permission. As explained to the council, we had prep work that needed to be conducted as the bulldozer for the extensive work was arriving on that Monday. Staff that worked over the weekend did it voluntarily and were not required or directed to do so.

The council was trying to protect the previous Director of Public Works Todd Baun who illegally buried asphalt that broke the wellhead protection zone of our city water wells. There were enough complaints to the Department of Ecology that my proactive approach saved the city in potentially large fines, as when the Department of Ecology came out to inspect the site of **400 tons of asphalt removed from the well area**, they stated that they were ready to come in and make an example of the city. It was going to be dug up regardless, we would just have the cost of the removal along with the fines associated with it.

At the following council meeting, Councilmember Brycen Huff attempted to pull out a letter from the Grays Harbor County Health Department stating it was unnecessary to do any further investigation. As Councilmember Huff was unfolding the letter, I informed him of the situation with the Department of Ecology. He didn't have a chance to finish opening the letter,

so he refolded and placed it back in his pocket. Another employee close to the former public works director tried to state that sometimes when you transport spoils, a little bit of other materials can be mixed in. Conferring with the Department of Ecology inspector and the Grays Harbor County Health Department who were shocked that we removed 400 tons of asphalt, and that it is impossible to accidentally mix 400 tons of asphalt with the spoils.

The previous administration buried asphalt near our wells, which **broke the wellhead protection zone** violating WAC 246-290, as well as other Department of Ecology and Environmental Protection Agency laws. Instead of admitting to a mistake and correcting it, they provided false and misleading information to the city council and other county and state agencies. Councilmember Huff was also on the city council at the time, which I can only assume he was perfectly fine being presented with false information.

Staff work for the Mayor as the executive and at no time can the council interfere in that direction. Being this has been a long sensitive topic for the city residents regarding the quality of the drinking water, it was imperative that we reassured them that the water was no longer contaminated in any way.

This goes back to the previous administration and the previous Director of Public Works Todd Baun claimed there was no buried asphalt at the **November 18, 2020, council meeting**.

AQUIFER DISCUSSION REGARDING
ASPHALT, INTERLOCAL AGREEMENT,
USAGE/ACCESS

Mayor Orffer knows the council receives questions from the public regarding issues they need to respond to and she wants to make sure they have the information they need to respond. Council has been asked questions regarding asphalt that was dumped or stored near the aquifer, what is our interlocal agreement, and what are our uses and access for that property. She asked Todd to provide insight.

Todd said we had waste material from the 3rd Street Project that was dirt, asphalt, and concrete, that was dumped at our waste site out by the city wells. The asphalt and concrete were specifically held out and separated from everything so we have piles out there. He stated we are not burying anything. The intent is that we are going to crush it and use it for road base, shoulders, and whatever we deem fit for crushed asphalt and concrete.

He added, we've been investigated by the Department of Ecology, Department of Health Drinking Water, ORCCA, L&I, and any other state agency you can imagine and everything has turned out fine. Councilmember Iversen asked if there is a concern with the asphalt leaching into the drinking water from rain and Todd said no, it is a standard practice for cities to do exactly what we are doing and there is no concern at this point.

Mayor Orffer added we are not in violation of any of their codes. She stated, just as Todd just mentioned, over the past six weeks or so, we've been visited by four to six agencies because different reports have been filed from people expressing concerns. To date, everyone that has come out has said everything is fine and in order and we are not in violation and have not received any citations or plans of correction that we would need to implement.

Councilmember Iversen asked where the location is and if people can see it and Todd said it's out by our wells in an area where people cannot see it because our wells are private. He added that it is a federal violation for anyone to do anything by our wells. He said people still walk through there and we allow it. When people are back there, we kick them out. It's not an easy access and is accessed by walking.

Councilmember Miller asked why did the city choose to put this material out by the wells and not somewhere else and Todd said it was because of cost. Mayor Orffer added it is because this is our own property so the cost is less than if it were hauled elsewhere. Todd said we took the design engineers to several sites that the city owns and this is their recommended site. Our biggest concern was the asphalt and concrete and we made sure everything was separate and we've gone out there several times and made sure everything was still separated and stacked. Todd said we are not out there burying anything.

I continued this pursuit for justice of our city drinking water and our residents at the **February 24, 2021, council meeting.**

Councilmember Miller asked who all was out there today and Todd stated Rob King who is an environmental specialist from Grays Harbor County, Jeff Nelson who is an environmental supervisor, Patrick Skillings from Skillings and Connelly, Brenda, and Todd. Councilmember Miller asked why you haven't invited the whistleblowers, who stated they are witness to the buried asphalt, to go out there to the site and point out where they believe it is located and Todd responded, he doesn't know. Councilmember Miller went out there on Monday after talking to the Mayor to look at the holes and the average hole was three feet and the one at the south end was four feet deep. In the investigation, they said the asphalt is 5-7 feet underneath the dirt so we haven't dug far enough down to even show. Todd is saying he doesn't know, which is fine, but based on the investigation, they are saying they were told to cover it with grass seed and trees and in the area he saw the eastern half of the site wasn't even touched. It looks like all of the holes were on the outer perimeter and there weren't any in the middle. He asked Todd why he didn't dig any in the middle and Todd replied he dug six holes that are spread out for a presentation of the site and he asked the county if they wanted additional holes or to dig deeper and the county said no, they were fine and they measured them.

Also, from public comment.

When you have people saying they were standing on the pile of asphalt with Todd Baun as the dirt was being spread over the top of it and this independent investigator doesn't think that warrants anything beyond him saying there isn't anything going on is just absolutely stunning.

Lastly, the city was informed some time ago that the investigation is still open and the actions against those that caused the illegal burial are still an option for the state agencies to pursue. As with other cases, City Attorney Chris Coker was consulted on this action before the asphalt removal began. Remember, the previous administration not only lied to the council and the other government agencies, but they also lied to you, the ones that depend on the city water.





IT Infrastructure Failure

After consulting with the City Attorney Chris Coker, we were authorized under emergency conditions to move forward and repair the IT server and system that had completely failed. This was something this council new was an issue for 18 years. We were actively working on backing up servers before they failed and planning on how to replace everything, something no previous administration seems to have accomplished. Just like everything else in this city, this is just another example of failing infrastructure that we inherited in this administration. This is referenced in more detail on the council's acts to delay repair (**A. Councilmember's Failure to Safeguard the City's Infrastructure, Data and Personnel Information**).

Safety Issue

As is now public knowledge, many city staff members chose to sign a letter specifying that another employee was driving recklessly. Since this would have been the second time something like this happened with this employee and the nature of the letter, it was imperative to determine if the said employee in question did indeed drive recklessly.

After investigating, it was determined the employees who signed the letter potentially provided false information in order to get this said employee into trouble, which could have potentially terminated him from the city if there was not video footage protecting him by displaying his actions were not reckless in any way. We did everything from interviews, to reviewing video footage, to recreating the scene to see what this would look like. The result was the same and the biggest hang up from arbitration was that the public works director didn't interview every single employee that signed the statement, even though they all signed attesting to everything on it. I see no reason to make intentionally lying to terminate another employee a teaching moment. The only reason this is an issue is because of the personal relationships that the council have with the employees that signed the letter.

Layoff Notices

I will not discuss the current and ongoing situation, other than to point out that this is not targeting just one department. Clearly, these councilmembers and one employee seem to think this is about one group and not the entire city. More so, this is about you as the rate payers that should expect better of your city. This also affects public works as they could also be reduced to 4 personnel, of which the department currently has 3 members. We have real financial challenges with our city utilities and raising rates for no return should not be something placed upon you. I do stand in solidarity with our residents who face financial hardships and need some relief from the overwhelming rise in costs placed upon them.

Staff Departures

This city council takes absolutely no responsibility for the hostile work environment that they have created, causing many employees to seek employment elsewhere. They have created this hostile work environment in conjunction with a handful of employees they work closely with that harass other employees that do not align with their group. I have removed a police chief of great concern, and another position was no longer needed.

City Council Acts and Violations:

A. Councilmember's Failure to Safeguard the City's Infrastructure, Data and Personnel Information in Compliance with City of McCleary Resolution 740 – Mayor and City Council Protocol Manual.

January 2023, the city initiated an IT infrastructure assessment to evaluate the current condition given that the system is eighteen-year-old. A report published in 2012 expressed the need to upgrade the infrastructure, and nothing had been done to date. From the time of the catastrophic IT failure in April 2023 to the present day, the city council has wasted and misappropriated taxpayer funds by spending tens of thousands more to outsource services that could have been accomplished in house by qualified personnel. They also caused repeated delays in approving any funding to move forward on the project, created security risks for the police department by jeopardizing their access to state and federal law enforcement database systems per FBI CJIS security policies (that we are required to be compliant in order to have access to the system), and shortened the contract with a qualified vendor to push for an RFQ to give this to someone they are connected to. Because of these delays, the city IT infrastructure had struggled for well over a year to come into compliance with the required regulations. We did the best we could with what we had.

The following are sequential notes from meeting minutes or discussions from council meetings relating to this issue.

On April 12, 2023, Council Meeting, discussion about the IT infrastructure. In the Council Meeting minutes:

“Chad Bedlington stated our system has been neglected and we haven't invested in our IT infrastructure the way we should have. We got two companies that provided assessments and estimates for us. We estimate the total cost for this is going to be around \$80,000. Right now, we do not have the \$80,000 budgeted in the 2023 budget so what we would have to do is get Council approval for a budget amendment at the May meeting. Councilmember Huff asked if they could see the proposals from these companies so they could have a discussion...”

The \$80,000 referenced was to upgrade the eighteen-year-old hardware infrastructure and update the software security needs and protocols.

On April 26, 2023, Council Meeting, the failure points in the IT Infrastructure were highlighted and that servers were failing. In the Council Meeting minutes:

“Chad Bedlington stated they finished their assessment and found that our failure points in our security and hardware still have not been resolved. This is something that is urgent, it is not a budgeted item. We included the costs in the packet. Councilmember Huff asked if any of these upgrades are going to create issues with losing any Emails. Public Works Assistant Tyson Ryder said no, the only data that is at risk of being lost is

the data that is being housed on site here, due to hardware failure. Councilmember Amsbury had questions about backups and cloud storage. Councilmember Amsbury is in favor of the IT upgrades. Mayor Pro Tem Huff asked if the company along with Aktivov could give a presentation or be here to answer Council Questions at our next meeting so we can get a better understanding of this.”

Approximately April 30, 2023, the IT servers had a catastrophic failure, and the IT system was completely compromised. Three months of data was lost at that time, and staff were not able to perform some of their basic work functions. Some councilmembers at that time blamed staff that the staff intentionally caused the server to crash.

On May 3, 2023, the city held a Special Council Meeting to give an emergency IT briefing and declare said emergency to move forward with repair. For several months, the council was informed that the servers would fail, and we were backing up the information in preparation. From the Special Council Meeting minutes:

“Chad Bedlington stated we have had an IT Emergency. Over the weekend, part of our data server failed which is pretty much all of our operating data. We have backed up data since February, so we've lost about 3 months worth of data... Our goal is to restore our IT infrastructure and our data systems and establishing some of our security protocols. There are a lot of things that have been neglected that we want to move forward with. The costs are significant and unbudgeted, so that's why we are here tonight. Councilmember Huff would like an independent analysis come in to tell us what happened and how it happened so we have a better understanding from the outside... Councilmember Ross asked what their recommendation is moving forward to get the City functioning? Chad stated an IT replacement program would be the approach they'd like to take... Councilmember Iversen wanted to know what it was we lost and if it's going to be recoverable. Chad stated we don't know at this point. We do know its some documents, spreadsheets and anything saved to our network. He isn't sure the extent of our loss yet. It is possible to get some of this data back, but it's at a very large cost... Councilmember Ross asked what the timeline was for getting back on track. We know it'll be at least 2-3 weeks if hardware is ordered tomorrow. Chad stated this is an emergency situation and we need the council aware and we are doing this in the most cost effective way as possible and we need to deploy this as soon as possible... Councilmember Huff suggested still doing a budged modification for this.”

As Director Bedlington mentioned, this is something that could have taken a matter of weeks, but the constant delays and stonewalling from the council created further issues and put the city farther behind and at risk.

On May 10, 2023, Council Meeting, from the Council Meeting minutes:

“Chad Bedlington stated our data server failed. We have data backed up from February and prior. IT system was neglected, held together by shoestrings and ultimately failed. We have worked as quickly as we can to find cost effective solutions. We are not asking for a budget amendment, we are going to try and do some adjustments in the current budget which include postponing the purchase of 3 new vehicles until next year.”

On June 28, 2023, Council Meeting, from the Council Meeting minutes:

“Councilmember Dahl asked for a breakdown of the IT purchases. Chad Bedlington said they provided that initially and they are continuing to purchase that equipment. Dahl asked to know what each purchase was so she can check off from the original list they were provided. Councilmember Dahl asked for an update of what was lost from the data loss, how much we've spent and how much is left? Chad Bedlington said the cost to recover is beyond the means of the City. Our main focus right now is to get our equipment in place and back up and running. Chad Bedlington said we are still waiting on our server and we're hoping to be up and running again by mid July. Councilmember Amsbury explained how this is a very normal purchasing process to go through, with the state contract. They have a list and are bid out properly.”

On July 12, 2023, Council Meeting, from the Council Meeting IT/Building Staff Report:

“Good evening, Mayor, and Council,

The city continues to limp along with our crippled network. All the new hardware and software has been delivered. The new rack and hardware have been installed and power has been installed to support the new system. I am currently waiting for the backup and recovery appliance to be delivered, which is two weeks out... I am going to attempt recovery of the lost data with Stellar's data recovery software tool, but there is no guarantee any of the data can/will be recovered.”

On August 23, 2024, at the City Council Meeting IT Staff Report,

“Good Evening Mayor and Council,

Per the Council's request, please find the following breakdown which comprises the new software and hardware purchased to date associated with the necessary reestablishment of our IT infrastructure, following catastrophic failure earlier this year:

Software (yearly ongoing cost)

\$5,897.37 - Sophos EDR platform

\$3,988.09 – Fortinet Firewall Licensing

\$ 295.01 - Cisco Duo MFA platform

\$ 610.80 – TeamViewer Business

Total = \$10,791.27

Software - One Time Purchase (OTP)

\$ 652.31 – Stellar Data Recovery Software

Hardware (OTP)

\$ 4,483.19 - Fortinet Firewalls x4 w/ Licensing

\$48,762.71 - HPE DL360 Gen10+ Servers x2 & HPE MSA 1060

\$11,794.21 - HPE Aruba Switch w/ 3 PoE+ Modules

\$ 1,432.04 - Rack Console

\$22,848.00 - Rubrik backup/recovery appliance with MSP

\$ 3,410.26 - 36u HPE G2 Advanced Rack

Total = \$92,730.41

Grand Total Spent to Date = \$104,173.99

Any additional costs to the I.T. recovery project will be minimal and reported with a final cost report once the project is completed. Our primary cost savings on the project have been accomplished using in-house expertise that would otherwise have been completed by 3rd party consultants at a much higher hourly rate of pay. To date we have projected a project cost savings of nearly \$25,000 using staff expertise in lieu of consultants.”

As you can see above, the city administration was doing everything we could to save money for the taxpayers of the city and reduce the ultimate high cost of this project.

Director of Public Works Chad Bedlington informed the council on the desire for a program manager position to have a fulltime IT person on staff. Councilmember Huff stated he doesn't see the urgency, even though Director Bedlington informed them there was no one

contracted for these services. The council continued to cause harm and liability to the city and its residents.

A motion was made by Councilmember Iversen and seconded by Councilmember Huff to adopt the consent agenda. Councilmember Dahl asked if there were invoices available for the IT purchases included in the Accounts Payables. Chad Bedlington, Public Works Director, stated all invoices are in the binder of materials and Council has been sent a detailed breakdown of the expenses incurred for the IT project.

On September 23, 2023, City Council Meeting Minutes,

“Chad Bedlington, Director of Public Works, explained the request to add a job classification to the IBEW bargaining unit of Program Manager, which includes Network Administration and Urban Planning. He stated the position would not be filled unless the council added it to the 2024 budget. He stated by having an in-house person handle the Network/IT issues there would be cost savings instead of outsourcing. With an in-house position there would be daily operational support for staff and less downtime.

Councilmember Huff stated he does not think we need to approve this now, it should be reviewed after the budget. Councilmember Iversen stated the council would still discuss it at budget, this just adds the position as an option. Councilmember Dahl stated she does not agree with position and thinks it should be outsourced. Councilmember Ross stated that if the council approves the position, Chad could demonstrate the costs for the position and justify the cost during the budget process. The council could then make the decision on whether to fill it or not. Mr. Bedlington stated he can provide estimates for the cost difference. There was discussion on the pay range selected and comparable jobs. No decision or motion was made.”

Councilmembers Huff and Dahl, as shown above, had no intention of approving this and were continuing to delay the maintenance of the IT system. The Program Manager position would be a new position and had to be included in the budget, in which the council knew. Delaying it until after the budget was a tactic to harm the city by ensuring that the position was never considered. Director Bedlington provided the cost estimates to the council and showed the cost savings to the city.

On December 21, 2023, Council Meeting,

“Jenna Amsbury, Clerk-Treasurer, stated the removal of Program Manager position and addition of Professional Services for outsourcing IT services at council’s request. Councilmember Klimek wanted to make sure the service agreement with Aktivov is in place and an extension is allowed in the contract for 2024. Chad Bedlington, Director of Public Works, explained the extension to the contract has not been done yet for 2024, as he is waiting to see what is passed in the budget. There is a contract for 2023 that was approved in 2022.”

On February 14, 2024, at the city council meeting,

Director of Public Works Chad Bedlington informed the council that we have an in-house IT person that can support the city at a fraction of the cost to outsource services. During this meeting, he showed where the cost for an internal position and the Memorandum of Understanding (MOU) with the International Brotherhood of Electrical Workers would **cost \$8,000 per year versus outsourcing services to a third-party vendor for up to \$80,000**. This revised agreement was to allow the internal employee to work out of class for up to 10 hours per week to assist the city in its crippled IT system and to get the city police department back into full compliance. **The police department has many legal restrictions on who can work on their IT system, where they need background checks and have different certifications such as ACCESS**. Councilmember Huff chose to not vote on the MOU at all, causing it to die without a vote.

“Chad Bedlington stated he appreciates Council engagement. It has been a difficult 8-9 months and we're trying to get to a better IT infrastructure. The City had a catastrophic failure in the IT system early last year and this is the backbone of what makes the City work. We have an in-house IT person that can support us at a fraction of the cost. Going out to a 3rd party consultant can be really expensive; \$72,000-\$80,000 per year versus having Tyson do the IT works for \$7000-\$8000 per year. Tyson has done a fantastic job and works hard for the City and community to support us. The job description has been rewritten and an MOU drafter with the Union. We are asking to allow an employee to work Out of Class up to 10 hours per week. This is not intended to a permanent full-time position. Chad Bedlington stated that on the Law Enforcement side, for anyone to work on our police system, there are certain restrictions on who can and cannot access it. Tyson is certified for access and Aktivov is not. Councilmember Klimek said office staff praises Tyson. He asked how Chad came up with the \$7000- \$8000 annual cost. Chad Bedlington said the salary was based off of the AWC (Association of Washington Cities) Salary Survey and figured out the Out of Class criteria with the union in the MOU... Councilmember Huff is concerned about having 1 person in charge of IT. Chief Patrick stated they could be back up but need internal assistance. Councilmember Simmons asked about the position being exempt. Janna Amsbury stated there has been changes to exempt criteria and this position does not qualify. It is not unique for an IT position to be a union covered position.

Motion made by Councilmember Klimek to approve the MOU with IBEW. There was no second. Motion dies.”

Councilmember Huff had no issue while on council during the previous administration, whereas the previous IT contractor was a relative of the previous Director of Public Works who was a single person in charge of all IT. At that time, we had no backup plan or person. This was a personal issue that he took against a great employee and continued to sabotage the city. Director Bedlington has provided numerous options over the year to address this and ensure

cost savings for the city. Not only did the city council continue to reject these proposals, but they also provided no solution whatsoever. The employee that the city has to do the in-house work was (as stated above) already qualified and got the certifications on his own, including the police background checks for access to the police IT systems.

On February 28, 2024, council meeting, a revised MOU was brought before the council to change the rate to a cap of 10 hours a week out of class to get the work done less expensive than having a contractor do the work.

“Chad Bedlington, Director of Public Works, stated this proposal provides consistency and cost savings for the City. In-house services will provide for law enforcement needs as well. He explained the Spillman Software for the Police Department has a required update that is unable to be done and some systems are unusable because of it. There are a lot of regulatory requirements for the police side and Tyson is the only one certified to work on the system. Aktivov will not be able to work on Police systems. He explained the purpose of the MOU is to detail the work being done and provide compensation for the type of skills the position requires. The MOU would sunset in 2025 so this is a trial period to see if this would work. Right now there is \$54,000 allotted in the budget for IT Services.

It would cost approximately \$11,000 for in-house part time IT services. Aktivov is now quoting \$88,000 and that does not include the police department needs. The City would see substantial savings by having an in-house person do the work...

Councilmember Ross stated the City has someone that is cleared why does the council have a problem utilizing what we already have in place. It is less money and seems to be in the best interest of the City.

Motion made by Councilmember Ross, Seconded by Councilmember Dahl for discussion. Councilmember Klimek stated he is saying no because he felt lied to and can't vote to approve this now.

Voting Yea: Councilmember Ross

Voting Nay: Councilmember Huff, Councilmember Dahl, Councilmember Klimek, Councilmember Simmons

Motion fails.”

On March 27, 2024, at the city council meeting, Councilmember Huff pushed for the limited six-month contract. Councilmember Huff was pushing someone he knew to be the contractor for the city in place of a qualified employee.

The city council continuously delayed, provided no feedback, and attempted to have a known personal friend contracted, and attempted to cripple city government as they would not pass nor provide any solutions to solve this emergency problem. Staff provided effective,

legitimate, legal, ethical and financially sound options that were dismissed with no attempt to provide solutions.

As you can see with this timeline, the council continued to drag this out while putting the city at risk and liability. The city councils wasteful use of city resources and taxpayer funds when better and qualified alternatives is a slap in the face to many of you that struggle to survive on miniscule retirement such as social security.

B. Councilmember’s Failure to Maintain a Separation of Powers as Required by Statue or Law (RCW 35A.12, McCleary City Code 2.20.020, and City of McCleary Resolution 740).

The city council failed to maintain a separation of powers by attempting to have the fire department reassigned to report to the city council, violating McCleary City Code 2.20.020 Fire Chief – Appointment and Compensation by removing the mayor without due process or legal precedence; thereby impairing the function of the city administration and executive, the protections granted in such orders, and exposing the City of McCleary to a substantial risk of liability.

McCleary City Code (MCC) 2.20.020 - Fire chief—Appointment and compensation.

The fire chief shall be appointed by the mayor and shall serve at the pleasure of the mayor. He shall receive for his services such compensation as the city council shall establish.

On October 27, 2021, the McCleary City Council passed a Resolution 740 Mayor and Council Handbook which took effect January 1, 2022. In Chapter 2 – McCleary City Council and Mayor: General Power and Responsibilities, Part A:

A. Council Non-Participation in Administration

In order to uphold the integrity of the Mayor-Council form of government, and to provide proper checks and balances, members of the City Council refrain from becoming directly involved in the administrative affairs of the City. As the Council is the policy making body and the maker of local laws, its involvement in enforcement of ordinances would only damage the credibility of the system. Except for the purpose of inquiry, the Council and its members will deal with City staff solely through the Mayor or designee, and neither the Council nor any committee or member of a committee shall give orders to any subordinate of the Mayor.

The council is responsible for developing and implementing policy and establishing the budget. The Mayor is responsible for supervision of the staff of the city; hire, fire and discipline all city employees; work with staff to develop a preliminary budget and implement the budget adopted by the council.

City Council Non-interference

The City Council is to work through the Mayor when dealing with administrative services of the City. In no manner, either directly or indirectly, shall a Council Member become involved in, or attempt to influence, personnel matters that are under the direction of the Mayor.

The discussion about the Fire Chief appointment in itself was not against policy or law, and very appropriate to the discussion between the two parts of government. The violation occurred when Councilmember Huff attempted to circumvent the executive of the city government and have the fire department reassigned under the authority of the city council as

he wanted to appoint the fire chief. Also, Councilmember Huff was on the city council when Resolution 740 was passed and voted in favor of its passage.

During the April 23, 2023, meeting minutes, the council was weighing the confirmation of the City Clerk-Treasurer, and equal department head position. There was only one applicant at the time.

“Councilmember Huff asked when was Council made aware of this position coming open, because we do confirm our Department Heads, and we didn't know that our current clerk was leaving. He wants to know why they weren't made aware of this. He also wants to know why this wasn't posted externally. Huff said, he isn't saying this person isn't qualified, but how do we know they are the best qualified if we don't have anyone else to compare them to...”

McCleary City Code 2.08.010 – Officials Designated

A. The elected officials of the city shall include a mayor and five councilpersons. Further, the officers of the city may include the following appointive positions: a city administrator, a director of public works, a treasurer and a clerk, which positions may be combined, a municipal court judge, city attorney, chief of police, city engineer, chief of the fire department, assistant to the mayor, and such other officers and officials as may be from time to time established by the city council.

B. The appointive positions designated by action of the council shall have such authority as may be delegated to the position by action of the council through written resolution or as may be granted by the applicable statutory authority.

On December 13, 2023, council meeting, Councilmember Huff orchestrated a gathering of people from outside the city to attend the meeting and complain about the fact that the Mayor would not automatically appoint the retiring fire chief's pick for successor. Councilmember Huff repeatedly violated the city code by attempting to have the fire department reassigned under the authority of the council for his personal friendship with the retiring fire chief, who was determined to take away the lawful authority of the Mayor.

As can be seen from the sequential timeline, the city administration continued making every effort to correct the infrastructure and provide solutions, only to be blocked by the council and receive no helpful feedback in return.

C. Councilmembers discriminating against members of a protected class and threat by attempting to file a false police report violating RCW 9A.84.040 – False Reporting, fabricating a false safety issue with violating RCW 9A.04.110(12) – Malice to create criminal conspiracy among city staff and spread fear when knowing there was no issue in violation of RCW 9A.28.040 – Criminal Conspiracy.

On May 24, 2024, the Mayor sent an email (included in the July 10, 2024, agenda packet as investigation closure) to the council, city attorney and city managers informing them of the current status with the provision of camera logs. In response to this email, Councilmembers Ross, Dahl and Huff coordinated with a couple staff members to invoke a false “unsafe” environment due to the Mayor’s status as a disabled veteran, and that everyone had to go home because the city campus was not safe.

McCleary Police Department Sergeant Randy Bunch was on duty and fielded the call to investigate. He first reached out to Councilmember Max Ross who made the call to Lori Ann Hanson, the Utilities Billing Clerk. Sergeant Bunch made a call before and after meeting Councilmember Ross to McCleary Police Chief Sam Patrick. Councilmember Ross mentioned that he received information from Councilmember Huff and that he did not feel safe from the email that was sent.

Sergeant Bunch proceeded to interview Councilmember Huff at his home while being recorded on body camera and was not able to specify anything that would make him feel unsafe.

Councilmember Huff used other councilmembers and coordinated with specific staff to create a chaotic event based on the Mayor’s status as a disabled combat veteran and attempted to use this as a form of coup to create a scenario that would call for a fit for duty situation on the Mayor to intimidate him into resigning from his duly elected position. The Mayor at no time has created a situation to warrant this action, nor does the email have anything threatening in it.

RCW 49.60.030 Freedom From Discrimination – Declaration of Civil Rights

(1) The right to be free from discrimination because of race, creed, color, national origin, citizenship or immigration status, sex, honorably discharged veteran or military status, sexual orientation, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability is recognized as and declared to be a civil right. This right shall include, but not be limited to:

(a) The right to obtain and hold employment without discrimination;

Councilmember Huff, in his actions, violated the Mayor’s right to be free from discrimination in the workplace by creating a hostile work environment and making false claims against him of unsafe acts that were never made when it was publicly known that he was an hour and a half away in another city.

Furthermore,

RCW 9A.84.040 – False Reporting

(1) A person commits false reporting if, with knowledge that the information reported, conveyed, or circulated is false, he or she initiates or circulates a false report or warning of an alleged occurrence or impending occurrence knowing that such false report is likely to cause: Evacuation of a building, place of assembly, or transportation facility; public inconvenience or alarm; or an emergency response.

(2) (a) A person is guilty of false reporting in the first degree if the report was made with reckless disregard for the safety of others, the false reporting caused an emergency response, and death is sustained by any person as a proximate result of an emergency response. False reporting in the first degree is a class B felony.

(b) A person is guilty of false reporting in the second degree if the report was made with reckless disregard for the safety of others, the false reporting caused an emergency response, and substantial bodily harm is sustained by any person as a proximate result of an emergency response. False reporting in the second degree is a class C felony.

(c) A person is guilty of false reporting in the third degree if he or she commits false reporting under circumstances not constituting false reporting in the first or second degree. False reporting in the third degree is a gross misdemeanor.

(3) Any criminal offense committed under this section may be deemed to have been committed either at the place from which the false report was made, at the place where the false report was received by law enforcement, or at the place where an evacuation, public inconvenience or alarm, or emergency response occurred.

RCW 9A.76.175 Making a false or misleading statement to a public servant

A person who knowingly makes a false or misleading material statement to a public servant is guilty of a gross misdemeanor. "Material statement" means a written or oral statement reasonably likely to be relied upon by a public servant in the discharge of his or her official powers or duties.

Councilmember Ross and Huff attempted to file a false report about an emergency with the McCleary Police Department that did not exist.

Councilmembers Huff and Dahl continued to perpetuate this false reporting with friends and family members at the council meeting. Even when the Grays Harbor Sheriff Office finalized an external investigation that confirmed there was no threat, this false narrative continued to persist with the city council.

In response to this, Councilmember Huff orchestrated an effort with other councilmembers to create and report a false safety issue with city staff.

When interviewed with a police camera, he was vague and could not provide any specific reason as to why he was in any sort of fear. His actions mock and ridicules victims that actually experience these types of crimes. The malice in his criminal conspiracy caused staff to be sent home early, wasting staff time and resources, and caused an unnecessary response by the McCleary Police Department having to investigate a false claim.

RCW 9A.08.010(1)(a) Intent states:

INTENT. A person acts with intent or intentionally when he or she acts with the objective or purpose to accomplish a result which constitutes a crime.

RCW 9A.08.010(1)(c) Recklessness states:

RECKLESSNESS. A person is reckless or acts recklessly when he or she knows of and disregards a substantial risk that a wrongful act may occur and his or her disregard of such substantial risk is a gross deviation from conduct that a reasonable person would exercise in the same situation.

RCW 9A.04.110(12) Malice states:

"Malice" and "maliciously" shall import an evil intent, wish, or design to vex, annoy, or injure another person. Malice may be inferred from an act done in willful disregard of the rights of another, or an act wrongfully done without just cause or excuse, or an act or omission of duty betraying a willful disregard of social duty;

RCW 9A.28.040 Criminal Conspiracy states:

(1) *A person is guilty of criminal conspiracy when, with intent that conduct constituting a crime be performed, he or she agrees with one or more persons to engage in or cause the performance of such conduct, and any one of them takes a substantial step in pursuance of such agreement.*

(2) *It shall not be a defense to criminal conspiracy that the person or persons with whom the accused is alleged to have conspired:*

(a) *Has not been prosecuted or convicted; or*

(b) *Has been convicted of a different offense; or*

(c) *Is not amenable to justice; or*

(d) *Has been acquitted; or*

(e) *Lacked the capacity to commit an offense.*

(3) *Criminal conspiracy is a misdemeanor when an object of the conspiratorial agreement is a gross misdemeanor or misdemeanor.*

Furthermore, councilmembers caused threatening behavior towards the Mayor per:

RCW 9A.04.2110(28) Threat. *"Threat" means to communicate, directly or indirectly, the intent:*

RCW 9A.04.2110(28)(e): *To expose a secret or publicize an asserted fact, whether true or false, tending to subject any person to hatred, contempt or ridicule; or*

RCW 9A.04.2110(28)(h): *To take wrongful action as an official against anyone or anything, or wrongfully withhold official action or cause such action or withholding; or*

RCW 9A.04.2110(28)(i): *To do any other act which is intended to harm substantially the person threatened or another with respect to his health, safety, business, financial condition or personal relationships.*

By communicating this malicious criminal conspiracy to others and causing direct and indirect harm to the Mayor, councilmembers has taken wrongful action as a public official against the Mayor in his duly elected position. He took this a step further, by having Councilmember Huff's family member post on Facebook asking about the city closure to stir up support for their conspiracy.

"Marylin Drake we are out of town and heard a rumor that city hall was closed by law enforcement today as a safety precaution. Is that true?"

"Carri Jacobson Comer not a clue!!! Let me check it out!"

On May 25, 2024, at 3:29PM, Councilmember Huff continues this criminal conspiracy action by sending an email to McCleary Police Chief Patrick, McCleary Police Sergeant Bunch and City Attorney Chris Coker titled "Safety" referring to the "incident" on Friday. It reads"

Chief Patrick and Sgt. Bunch,

I know you are aware of the incident on Friday 5/24/24. For safety reasons I am requesting extra patrols around city hall and city offices during business hours . I am also requesting since the mayors email was aimed to bully/ threaten/ intimidate council that more that one officer attends future council meetings.

Thanks for your consideration .

Brycen Huff
McCleary City Council Position 2
McCleary Mayor Pro Tem
McCleary National Night Out Chairman

"Always stay humble and kind" - Tim McGraw

On May 27, 2024, at 10:13PM, City Attorney Coker responded to Councilmember Huff with Police Chief Patrick, Police Sergeant Bunch, City-Clerk Treasurer Jenna Amsbury and I CC'd:

All,

I spoke to Jenna today and I think we have a plan for tomorrow, but we won't know until she meets with the union rep tomorrow.

However, I am very confused about the request below? I was cc'ed on the email sent by the Mayor with the "options" outlined. However, nothing in the email appeared to be of a physical or even a verbally threatening nature? I've gotten bits and pieces of what occurred on Friday which resulted in the closing of the city. Honestly I have never seen anything like what is occurring in my years of practicing. We have an individual council member reach out to a staff on Friday, then, from my understanding an employee expresses safety concerns about the Mayor that I don't believe were ever conveyed to the employee's supervisor or other city department heads.

Now we have an another individual councilmember referencing an "incident" that occurred on Friday, May 24th, which results in the councilmember requesting increased police patrols and an increase of the number of officers at council meetings? While I am not a city department head per se I am very cognizant of safety related issues and the significance thereof and take them very seriously. In my role as the city prosecutor for the city of McCleary, I would like to know what the exact nature was of any "incidents" or threats of any kind that occurred on Friday? I received and reviewed the email that seemed to trigger these events and I while I may not agree with its contents or analysis, I also do not read into the email any threat of physical violence.

As full disclosure the only information to date I have that would potentially warrant increased police presence at city council meetings are allegations of members of the public verbally accosting city staff after council meetings, both in council chambers and in the parking lot. I have been reluctant to recommend increased police at council meetings due to the potentially chilling effect that could have on the public's ability to legally express views, good and bad, supportive of city admin or not supportive of city admin, at council meetings.

If physical threats or threats of violence were made to staff, council, elected officials or any member of the public, then said events must be reported to the police and they would be investigated from a criminal perspective.

Councilmember Huff was not able to provide any incidents that the City Attorney requested because there was no such incident. Since the City Attorney, the Grays Harbor County Sheriff Office and the Grays Harbor County Prosecutor demonstrated that there was no threat, he along with his co-conspirators changed direction and started claiming extortion by Lisa Jo Johnson Saila, another member of their group, on May 30, 2024, Facebook posts and continues to falsify the true nature to the public.

"EXTORTION, unsafe work environment in which employees were dismissed from work on 5/24/24 at 1:00 due to a threatening email from the mayor..."

On May 31, 2024, Councilmember Dahl sent an email to the Grays Harbor County Sheriff's Office to further the false claims that they perpetrated with the false police report.

Good morning,

I am reaching out to the Sheriffs Office to report an email I received as a councilmember from the City of McCleary mayor that I believe is in violation of RCW 9A.76.180 - intimidating a public servant and/or RCW 9A.56.130 - extortion 2nd degree.

The email was sent to our 5-member council, CCd department heads (clerk/treasurer, public works director, police chief) and city attorney last Friday. I have waited 1 week to see if McCleary PD would investigate but am not confident an investigation can/will be done without bias or direction from the mayor so I am escalating this complaint to you.

Other councilmembers included are: Brycen Huff, Max Ross, Jacob Simmons, Keith Klimek.

I can be reached at 360- [REDACTED] or this email.

Please let me know if you have any questions or need additional information.

Thanks,
Andrea

Chief Patrick knew ahead of time this would go in this direction because these councilmembers are so predictable. They responded back to her.

Andrea,

I appreciate you reaching out. I did receive an initial investigation last week from the McCleary Police Department along with a request asking the Sheriff's Office to investigate possible criminal charges. That complaint was forwarded to our investigations department, Detective Sergeant Steve Beck, for review and was later sent to the prosecutor's office for a final determination of charges.

If you have any questions, don't hesitate to call myself or Sgt. Beck.

Thanks

Jason Wecker
Chief Criminal Deputy
Grays Harbor County Sheriff's Office

D. Councilmember's failure by conducting serial meetings in violation of RCW 42.30.020(3).

RCW 42.30.020(3) provides that:

(3) "Action" means the transaction of the official business of a public agency by a governing body including but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, evaluations, and final actions. "Final action" means a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance.

Resolution 740 Mayor and Council Handbook (Exhibit 3)

Serial communications

Councilmembers should use care when communicating amongst each other via email or text message concerning any substantive issues of City business. E-mail or text communications shared among four or more Councilmembers, whether concurrently or serially, may constitute a "meeting" in violation of the Open Public Meetings Act. If the e-mail or text includes or lead to deliberations, discussions, considerations, reviews, evaluations, or taking a collective positive or negative decision, such communications must be held at an open meeting rather than via electronic communication.

The city council continues to violate the Open Public Meetings Act by meeting in person or by phone with other councilmembers to plan and coordinate votes. It has been apparent in meetings when votes happen to vote against an action without any discussion. Councilmembers Huff, Dahl and Klimek have been witnessed gathering with each other, three of them present constituting a quorum, by residents of the city at various locations. This is an illegally formed quorum.

E. Actions by the city council by coordinating a hostile work environment in violation of RCW 9A.76.180 Intimidating a Public Servant.

Elected officials are generally expected to represent the interests of their constituents, who are the residents within the jurisdiction they were elected to serve. Representing nonresidents isn't typically a legal issue, but it can raise ethical concerns and potentially lead to political consequences if the official's actions are perceived as not aligning with the interests of their constituents.

For example, if an elected official were to prioritize the interests of nonresidents over those of their constituents, it could result in dissatisfaction among the electorate and impact the official's chances of re-election. In some cases, if the actions of the official violate specific laws or ethical guidelines, it could lead to formal censure, penalties, or even removal from office.

This council, along with their friends and family members, have relentlessly attacked the Mayor and staff, thereby continually creating a hostile work environment. Some of these individuals have made threats during public meetings and the council has never said a word against them. The only time they had an issue was when a city resident was harassed and used by someone from outside the city they are associated with, and they used foul language. None of them have stepped in to stop the threatening actions of their friends or family members. The city council continues to create a hostile work environment.

F. City councilmembers committing unprofessional conduct when trying to prevent the removal and buried asphalt inside the Wellhead Protection Zone for our city wells and attempting to protect the alleged criminal actions of previous employees and the additional detriment of whistleblower retaliation pursuant to RCW 42.41.045 and violating RCW 9A.76.180 Intimidating a Public Servant.

On August 23, 2024, at the city council meeting:

Director of Public Works Chad Bedlington gave an update on the removal project at the city well head site and exclusion zone, which at the time was estimated to be about 60 tons of asphalt (at that time), pipe and concrete illegally buried within the exclusion zone. Councilmember Huff attempted to bring up an old email from the Grays Harbor County Department of Health about whether there was a need to further dig and remove additional material. The GHC Health Department believed that there was not much material in ground as that is what they were told. The Mayor informed the council that final permission was given by the Washington State Department of Ecology that oversees this type of work.

By the end of the project, the city had removed over 400 tons of asphalt, pipe and concrete that was illegally buried by the previous Director of Public Works, who then stated to several agencies that no asphalt was buried. Subsequently, four employees signed whistleblower agreements to attest that asphalt was buried at the wellhead site as they were part of the burial that was directed by the former public works director. The whistleblowers were harassed and retaliated against, and this continued even after the asphalt was being removed during the summer of 2023.

On October 25, 2023, council meeting minutes about consent agenda approval:

“Councilmember Huff asked about the money spent on the asphalt cleanup, and it was \$25,716.81...”

Motion made by Councilmember Dahl, Seconded by Councilmember Simmons to approve the consent agenda

Voting Yea: Councilmember Simmons, Councilmember Ross, Councilmember Dahl

Voting Nay: Councilmember Huff”

The city council, especially Councilmember Huff attempted to stop the removal of this illegal dump site, even after knowing that the burial was in fact true, knowing that the city was facing potential lawsuits from both private businesses and public agencies, and that the Washington State Department of Ecology was receiving numerous complaints about the burial. They were more interested in protecting their personal friend than the residents of the city who rely on the water source and have been concerned of our water quality.

The Councilmembers refusal to protect whistleblowers from those that allegedly committed whistleblower discrimination by assisting with the prevention of asphalt removal and contributing to those that did commit retaliation as a Councilmember or employee falls under RCW 42.41 Local Government Whistleblower Protection.

RCW 42.41.045 Prohibition on intimidation of whistleblower

Nondisclosure of protected information. (1) A local government official or employee may not use his or her official authority or influence, directly or indirectly, to threaten, intimidate, or coerce an employee for the purpose of interfering with that employee's right to disclose information concerning an improper governmental action in accordance with the provisions of this chapter. Whistleblower retaliation is illegal in any form and should not have been tolerated by the past administration.

G. The city council intentionally created a shortfall in the general fund of the city budget by taking \$50,000 that from the general fund to pay for fire department equipment that the fire levy lid lift was designated to pay for, knowing it would create further issues in the general fund current expense in violation of RCW 35A.33.075;

RCW 35A.33.075 Budget adoption.

Following conclusion of the hearing, and prior to the beginning of the fiscal year, the legislative body shall make such adjustments and changes as it deems necessary or proper and after determining the allowance in each item, department, classification and fund, and shall by ordinance, adopt the budget in its final form and content.

Appropriations shall be limited to the total estimated revenues contained therein including the amount to be raised by ad valorem taxes and the unencumbered fund balances estimated to be available at the close of the current fiscal year. Such ordinances may adopt the final budget by reference: PROVIDED, That the ordinance adopting such budget shall set forth in summary form the totals of estimated revenues and appropriations for each separate fund and the aggregate totals for all such funds combined.

A complete copy of the final budget as adopted shall be transmitted to the state auditor, and to the association of Washington cities.

It was expressed to the council that there are other grant funding opportunities for fire truck purchase, which they are insisting they need the funding for, but the fire department stated at that time the truck currently is in good condition and is serviceable.

The allocation of \$50,000 from the current expense to the fire department was not “necessary or proper” as the Fire Levy Lid Lift Fund has \$224,000 available. This Fire Levy Lid Lift included the purchase of bunker gear and still would have left plenty of funds available for other future purchases. The decision of the city council to sacrifice the general fund for the fire department had an impact on the police and other general fund reliant departments and continues several budget challenges well into 2024 and 2025. As listed in the meeting minutes below, the city council chose to create a further deficit than use the funds in a proper manner.

On November 29, 2023, council meeting minutes:

“Jenna Amsbury noted that using the \$50,000 out of the Current Expense Fund would create a \$160,000 deficit for next year instead of the \$110,000. Councilmember Simmons stated that since the purchase was over by \$14,000 that could come from the Fire Levy Lid Lift since it wasn’t budgeted from Current Expense. There was further discussion on the funds and expenditures for fire gear. Council agreed they want the \$50,000 to come from Current Expense and the \$14,000 from the Fire Levy Lid Lift Fund.

Motion made by Councilmember Ross, Seconded by Councilmember Simmons to approve Ordinance 885 adopting the 2023 budget amendment.

Roll Call Voting Yea: Councilmember Simmons, Councilmember Huff, Councilmember Ross, Councilmember Dahl and Councilmember Klimek.”

At the December 21, 2023, council meeting, the council had the opportunity to reverse the decision and correct an egregious financial mistake to properly balance the budget. They chose not to. From the council meeting minutes:

“Motion made by Councilmember Ross, Seconded by Councilmember Klimek to adopt Ordinance 889 for the 2024 budget with the addition of \$10,000 from the ARPA funds for a forensic audit of 2022 and 2023. Voting Yea: Councilmember Simmons, Councilmember Huff, Councilmember Ross, Councilmember Dahl, Councilmember Klimek.”

The Council continues their path towards wasteful spending to cripple the general fund and to create financial issues for the administration for personal friendships, not serving the residents and business of the city.

H. Actions and omissions by Brycen Huff resulting in a failure to maintain proper conduct of the city by threatening to stopping city business from moving forward until receiving a document that did not exist, then voting against city ordinances that would have ensured the city was in legal compliance with state laws in violation of RCW 9A.76.180 Intimidating a Public Servant and RCW 9A.04.110(28)(h) Threat.

On May 18, 2024, Councilmember Huff sent an email to the Mayor and CC'd the City Clerk-Treasurer, the Director of Public Works, the Chief of Police, and the City Attorney stating:

Subject: Re: Cameras/Access Information Request

The sooner the better . This is a pretty simple request . The city had no problem providing the logs when it was requested during litigation to publicly shame Chief Blumer. We are requesting a document that already exists within the camera system. I'm prepared to hold on city business until council gets what they asked for to make business decisions.

Brycen Huff
McCleary City Council Position 2
McCleary Mayor Pro Tem
McCleary National Night Out Chairman

"Always stay humble and kind" - Tim McGraw

It has already been explained to the entire council that the document has been made and does not exist. The document also has nothing to do with city business at hand such as passing laws, policy and budget. Councilmember Huff intended to shut down city government in order to gain a document that does not exist. After not receiving the document that does not exist, Councilmember Huff voted against the passage of the signs ordinance that would get the city in legal compliance. Councilmember Klimek concurred the same sentiments as Brycen's email.

I do, and I want the police chief to know how to use them before they are turned back on.
Keith Klimek
Sent from my iPhone

On May 20, 2024, at 8:25 AM, Chris Miller <chrism@cityofmcclary.com> wrote:

Good morning Keith,

Do you feel the same as Brycen?

The city councils attempt to stop city government for personal friendships over city needs is ridiculous and self-serving. Three of your council members do not serve you, the city residents and businesses. They serve their own personal relationships and special interests.