

BONNET SHORES FORE DISTRICT
TAX ASSESSORS REPORT
JULY 11, 2024

Good evening, the following report is from the three elected FD Tax Assessors: Nancy Cordy, Denise Sellon and Katarina Wrin.

The responsibility of the Tax Assessors is to examine, approve and certify the list of qualified voters provided by the FD Tax Collector for the BSFD Annual Meeting in accordance with the FD By Laws.

In the documents provided to the Tax Assessors and the Community two days ago by the Council, it is proposed that several categories of people be deemed eligible to vote at the upcoming Annual Meeting. It also includes a memorandum from Thomas Dickinson, attorney for the FD, but does not include any opposing opinions.

Attorney William Conley, who was an independent attorney not involved in the litigation, and who was hired by this Council to advise on the Charter Revision process, previously supplied two memoranda that also addressed voter eligibility in all elections following the end of the litigation. In those memos, Attorney Conley stated, "At this juncture, to hold an election which includes the entire current electorate would be to hold an election including persons without a substantial interest in the results of that election, contrary to the United States Constitution".

And here you have two opposing opinions by two hired attorneys. The Tax Assessors are reiterating our adamant request for outside, independent counsel to advise us on what constitutes a valid list of qualified voters based on Judge Taft-Carter's ruling and the Consent Judgement where the Council Chair and the rest of the Council agreed that there is "Unconstitutional Dilution of Votes" by nonresidents. The dilution issue continues to exist under the guidelines published by the Council. We also do not have an approved new Charter to include or exclude voters.

We are very aware of the conflicting opinions on this topic and commit to approaching this objectively and we will not be forced to decide between the two and accept one while rejecting the other.

The Council has no authority to prepare or certify the list of Qualified Voters. As stated earlier, that list needs to be "examined, approved and certified" by a majority of the Tax Assessors, as per the FD By Laws. If we fail to do this, we are vulnerable to litigation for failing to uphold our elected duties and possibly complicit in contempt of court. We will not subject ourselves to that. Thank you.

