

August 11, 2008

Mr. Darrell Flood  
Chief Petitioner  
287 Canyon View Drive  
Lafayette, OR 97127

Re: Prospective Petition for Local Measure

Dear Mr. Flood:

On August 3, 2008, the City Council of Lafayette passed a resolution appointing City Administrator Diane Rinks as the pro-tem Elections Official if and when Elections Official Trena McManus was unable to fulfill the requirements of her job. The resolution further authorized City Administrator Rinks to appoint an acting Elections Official if and when she was unable to fulfill the duties of the pro-tem position. With the filing of your initiative on August 4, Ms. Rinks was placed in a position of potential conflict of interest. She therefore appointed me as acting Elections Official for the purposes of reviewing the initiative and responding to you regarding its constitutionality.

I have completed my review of the initiative and find that it does not violate the requirements of Article IV, section 1 (2) (d) or section (5) of the Oregon Constitution.

Very truly yours,

Candace A. Haines  
McMinnville City Attorney  
Acting Lafayette Elections Official

Cc: Mayor Don Leard  
Lafayette City Council  
Diane Rinks  
Trena McManus  
Andrew Jordan