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April 14, 2023

Mayor and Town Council
Town of Elmer City
P. O. Box 179
Elmer City, WA 99124

Re: Waste Water Treatment Plant Issues

Dear Mayor and Council:

I am writing to you as the Attorney for the Town of Coulee Dam. The Town of Coulee Dam held a workshop to discuss the past, present and future operations of the Coulee Dam Treatment Plant, focusing primarily on the town's relationship with Elmer City.

One item discussed was the past due invoices remaining unpaid by Elmer City, some of which date back three years, with a total unpaid balance of $36,249.27. A spread sheet showing the dates and amounts past due was recently mailed to you by the town.

Also discussed was the State Auditor's criticism of the Town of Coulee Dam for not pursuing collection action to recover these past due amounts. In the eyes of the Auditor, this amounts to a "gifting" which is prohibited by Article 8, Section 7 of the Washington State Constitution.

Nonpayment by Elmer City means that Coulee Dam residents have had to cover your default.

The Council also discussed the fact that the condition of the sewage flowing from Elmer City is requiring use of excessive amounts of chemicals for treatment and, furthermore, and more importantly, the sewage is causing significant corrosion to the new plant and is shortening the life of the plant significantly.

After mulling these issues over, the Council, at their regular meeting on Wednesday, April 12, moved to direct me to inform you that the Town of Coulee Dam has decided that the current Sewage Disposal Contract that expires 12/31/24 will not be renewed and you will need to make alternate arrangements.

LAW OFFICE OF MICHAEL D. HOWE



Michael D. Howe
Coulee Dam Town Attorney

MDH/wmh
pc: Town of Coulee Dam