

Fire tax election being challenged

The Aptos fire district's special election in June: Is it on or off?

Members of the Aptos Chamber of Commerce were told last Thursday that the election might be called off or at least postponed because of a protest by one Aptos resident.

Not so, say acting Aptos Fire Chief Al Forbes and Dep. County Counsel Jonathan Wittwer.

Chamber member Cathy Snead, who serves on a citizens advisory committee, told the chamber she believed the election, planned for June 7, was in limbo because of a letter written March 2 by Hap Hasty.

Hasty, who has been at odds for several years with the district over its restrictions on his

burning of slash and other debris, wrote a letter to the district saying he believed a special meeting held by the fire directors on Feb. 24 was "irregular and illegal."

The board passed the basic ordinance following a public hearing on Feb. 22, setting up a special service fee of \$75 for each single-family home in the district, \$50 for each mobile home, and \$200-\$250 for commercial units, the amount depending on the type of use.

Directors told the public then that the fees would be levied only if the state legislation reduced or eliminated the \$600,000 a year "bailout" the district has been receiving in the wake of Prop. 13.

But that wasn't spelled out in the ordinance, and the ordinance didn't make clear that its life, under terms of Prop. 13, could only be for three years.

Those omissions were questioned the following day, Forbes said, and directors decided to hold a special meeting to amend those items into the already adopted ordinance.

Forbes said the amendments were cleared with county counsel Wittwer, who said that the amendments were proper as long as they had been discussed at the public hearing. They were, Forbes said, so the meeting was called for mid-day on Feb. 24, and the ordinance was changed.

Hasty wrote his letter on March 2, challenging the legality of the entire ordinance because of the amendments.

But Wittwer, who was read the letter over the telephone by the fire district secretary, said he knows of no reason today to cancel or postpone the election.

"The election is still on," Wittwer said. "There is nothing to halt it."

Forbes agrees: "The election is on, so far as I know."