

OJALA LAW

INC PS

PETER C. OJALA
TANNER J. HOIDAL

PO Box 211
SNOHOMISH, WASHINGTON 98291

TELEPHONE: (360) 568-9825
peter@ojalalaw.com

November 19, 2025

Snohomish County Council
Robert J. Drewel BLDG | 8 Floor
3000 Rockefeller Ave., M/S 609
Everett, WA 98201

SNOHOMISH COUNTY COUNCIL
SCANNED AND RECEIVED

DATE: 11/24/25 Time 1:00 p.m.

Re: Diking Improvement District No. 5 | Mr. Charlie Bauman -Position 2

Dear Clerk of the County Council,

The Diking Improvement District No. 5 requests the County Council appoint Charlie Bauman of Dagmars Investors LLC to fill the vacancy caused by the resignation/ retirement of Victor Loehrer, of Dagmars Marina LLC, Diking Improvement District No. 5 Commissioner Position 2 (held by a Dagmars Marina representative). For reference, please see Snohomish County Council Motion No. 05-152 (Appointing Dagmar's Marina LLC to the Diking District No. 5 Board of Commissioners, Position No. 2, April 13, 2005).¹

RCW 85.38.070(5) provides: "Whenever a vacancy occurs in the governing body of a special district, the legislative authority of the county within which the special district, or the largest portion of the special district, is located, shall appoint a district voter to serve until a person is elected, at the next special district general election occurring sixty or more days after the vacancy has occurred, to serve the remainder of the unexpired term. The person so elected shall take office immediately when qualified as defined in RCW 29A.04.133."

Mr. Vic Loehrer, after years of faithful service, provided notice of his retirement in September of 2025, enclosed here. He officially resigned at the end of the October 7, 2025 district public meeting. Anticipating this resignation, please find the corporate Resolution of Dagmars Investors LLC, the successor to Dagmars Marina LLC's property within the District, appointing Charlie Bauman, dated 8/28/2025. Mr. Charlie Bauman

¹ The Council similarly appointed a person after Mark Hecker's retirement from Buse Timber. See enclosed letter from Clerk of the Council Kathryn Bratcher, to Will Miller, dated June 26, 2013..

Page 2

has expressed willingness and capability to serve, and stands ready to take the oath of office.

Accordingly, under RCW 85.38.070(5), the District respectfully requests the Snohomish County Council appoint Dagmars Investors LLC and its representative Mr. Charlie Bauman as the commissioner for Position No. 2 for the remaining term of the position vacated by Mr. Loehrer's resignation.

If you are in need of any additional information, please let me know.

Very truly yours,

OJALA LAW INC., P.S.

A handwritten signature in dark ink, appearing to read "P. C. Ojala", is written over a horizontal line.

Peter C. Ojala, Lawyer

cc: Diking Improvement District No. 5 c/o Naeem Iqbal, Chair
Charlie Bauman, Dagmars Investors LLC
Grant Moen, City of Everett Public Works
Brian Dorsey, Snohomish County Legal Counsel

Encl.

Dagmars Corporate Resolution, dated 8/28/2025;
Vic Loehrer Letter of Resignation/Retirement;
Snohomish County Council Motion No. 05-152;
Bratcher Letter, June 26, 2013

**GENERAL APPOINTMENT FOR
NOMINATION OF DIKING IMPROVEMENT DISTRICT No. 5
Commissioner/Supervisor**

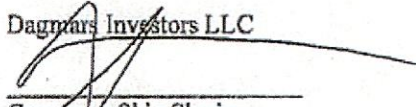
I, Skip Slavin, the governor of Dagmars Investors LLC, a Washington limited liability company, as a landowner of property including commonly known as 1871 Ross Ave, Everett, Washington, Snohomish County Tax Parcel No. 29050900300100 and 29050900200900, within Diking Improvement District No. 5 of Snohomish County ("District"), given the vacancy created by the retirement and resignation of Victor Loeherer from Position No. 2, and do hereby nominate, constitute and appoint **Charlie Bauman**, to be my proxy agent and representative with full discretion to be the candidate for **POSITION NO. 2** of said District, and should he be elected or appointed to the next Term by the voters entitled to vote or Snohomish County, **Charlie Bauman** is hereby appointed to take any and all action with respect to all matters submitted to the members of the Governing Body of said District at all regular and general meetings of the District, or any adjournments thereof.

This appointment shall begin immediately and continue from this date until the end of the next Term, and during said period, my appointment and proxy shall have all of the power that I would possess if personally present with respect to the voting my ownership interests and the granting of my consent in matters before the Governing Board as a Commissioner/Supervisor. I hereby ratify and confirm all acts that my proxy/appointment shall do or cause to be done by virtue of and within the limitations set forth in this proxy/appointment.

IN WITNESS WHEREOF, I have executed this nomination and appointment on

8/21, 2025.

Dagmars Investors LLC


Governor, Skip Slavin

September 23, 2025

Diking Improvement District No. 5
c/o A-1 Landscaping & Construction
20607 SR 9 S.E.
Snohomish, WA 98296-8316

Attn: Asif Iqbal, Commissioner
Naeem Iqbal, Commissioner

RE: VICTOR M. LOEHRER RESIGNATION

Gentlemen:

I, Victor M. Loehrer, given my upcoming retirement, hereby notify Diking Improvement District No. 5 that I am retiring and will no longer be working for or owning Dagmars Marina. I therefore resign my position as a Commissioner from the Diking District Board.

Sincerely,



Victor M. Loehrer
Commissioner, Position No. 2

Cc: Ojala Law Inc., PS
Attn: Peter Ojala
P.O. Box 211
Snohomish, WA 98291



Snohomish County

County Council

M/S #609

3000 Rockefeller Avenue

Everett, WA 98201

(425) 388-3494

FAX (425) 388-3496

TTY/TDD (425) 388-3700

June 26, 2013

Will Miller
Buse Timber & Sales, Inc.
3812 28th Place NE
Everett, WA 98201

Dear Mr. Miller,

On April 29, 2013 the Snohomish County Council received a letter from Mark Hecker that Buse Timber & Sales, Inc. has nominated a replacement designee for the Diking District No. 5 Board of Commissioners, Position No. 3.

According to his letter, he would soon be retiring from Buse Timber and will no longer be involved in the company's day-to-day operations. He noted that you, Will Miller, serve as the Resource Manager for Buse Timber and are familiar with the diking district and its improvements on Smith Island and would therefore be the replacement designee.

Through its approval of Administrative Matters Motion 13-250 on June 26, the Snohomish County Council acknowledged that Buse Timber & Sales, Inc., the Commissioner for Diking District No. 5, Position No. 3, has designated Will Miller as its designee to act on its behalf, effective June 1, 2013.

Thank you for your willingness to serve in this capacity.

Sincerely,

Kathryn Bratcher
Clerk of the Council

CC: Garth Fell, Snohomish County Election Manager



SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

MOTION NO. 05-152

APPOINTING DAGMAR'S MARINA L.L.C TO THE DIKING DISTRICT NO. 5
BOARD OF COMMISSIONERS, POSITION NO. 2

WHEREAS, Diking District No. 5 (hereinafter District) has a vacancy on the Board of Commissioners in Position No. 2 due to the death of James S. Rhodes on January 6, 2004; and

WHEREAS, RCW 85.38.070 (5) states that the legislative authority of the county within which the District is located shall appoint a district voter to serve until a successor is duly elected when such a vacancy occurs; and

WHEREAS, Dagmar's Marina L.L.C. is one of seven property owners within the District and has owned land located within the District for more than 60 days; and


WHEREAS, under the provisions of RCW 85.38.010 (3), Dagmar's Marina is a qualified voter of a special district and is, therefore, eligible to serve on the governing board of the District, and;

WHEREAS, Dagmar's Marina has appointed its managing agent, Victor M. Loehrer, as its initial designee to act on the governing board of the District.

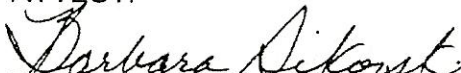
NOW, THEREFORE ON MOTION, the Snohomish County Council hereby appoints Dagmar's Marina L.L.C., to serve as Commissioner of Diking District No. 5, Position No. 2, for a term of office ending February 28, 2010. The Council acknowledges that Dagmar's Marina L.L.C has designated Victor M. Loehrer as its initial designee to act on its behalf.

PASSED this 13th day of April, 2005.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Chairperson

ATTEST:


Asst. Clerk of the Council



CO00013918

SNOHOMISH COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

MOTION NO. 05-153

APPOINTING BUSE TIMBER & SALES, INC.
TO THE DIKING DISTRICT NO. 5
BOARD OF COMMISSIONERS, POSITION NO. 3

WHEREAS, Diking District No. 5 (hereinafter District) has a vacancy on the Board of Commissioners in Position No. 3 due to the resignation of David R. Buse on January 14, 2005; and

WHEREAS, RCW 85.38.070 (5) states that the legislative authority of the county within which the District is located shall appoint a district voter to serve until a successor is duly elected when such a vacancy occurs; and

WHEREAS, Buse Timber & Sales, Inc. is one of seven property owners within the District and has owned land located within the District for more than 60 days; and

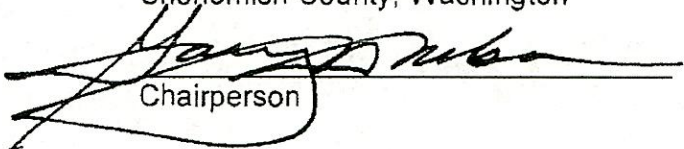
WHEREAS, under the provisions of RCW 85.38.010 (3), Buse Timber & Sales is a qualified voter of a special district and is, therefore, eligible to serve on the governing board of the District, and;

WHEREAS, Buse Timber & Sales has appointed Steve Fogg as its initial designee to act on its behalf in all matters coming before the governing board of the District.

NOW, THEREFORE ON MOTION, the Snohomish County Council hereby appoints Buse Timber & Sales, Inc. to serve as Commissioner of Diking District No. 5, Position No. 3, for a term of office ending February 28, 2006. The Council acknowledges that Buse Timber & Sales, Inc has designated Steve Fogg as its initial designee to act on its behalf.

PASSED this 13th day of April, 2005.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington


Chairperson

ATTEST:


Asst. Clerk of the Council

D-19

OJALA LAW INC., P.S.
P.O. Box 211
SNOHOMISH, WA 98291

SEATTLE WA 980

22 NOV 2025 PM 4 L



UNITED STATES
OF AMERICA

UNITED STATES
OF AMERICA

5

FOREVER/USA

FOREVER/USA

Snohomish County Council
Robert J. Drewel BLDG, 8 Floor
3000 Rockefeller Ave., M/S 609
Everett, WA 98201

98201-406099

