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LEWIS COUNTY

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SUPERIOR COURT
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Affidavit in Support
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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR LEWIS COUNTY

23 200253 21

CITY OF WINLOCK, a Washington Municipal Corporation,

Case No.

Petitioner,

DECLARATION OF DAVID K. TOYER IN SUPPORT OF PETITION

v.

STATE OF WASHINGTON BOUNDARY REVIEW BOARD FOR LEWIS COUNTY, et al.,

Respondents.

I, DAVID K. TOYER, do declare or certify under the laws of the state of Washington that the following is true and correct:

1. I am the President of Toyer Strategic Advisors, Inc., a land use and economic development consultancy in Lake Stevens, Washington.
2. I have over 20 years of experience in land use and economic development, which experience includes consulting on annexations.
3. In personally consulting on six (6) annexations since 2018, I have been responsible for preparing and submitting Notices of Intent to Annex ("NOI") on five (5) occasions, which NOIs have been filed with boundary review boards in King, Snohomish, and Lewis counties. And on

Declaration of David K. Toyer in Support of Petition
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ORIGINAL



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1 two (2) occasions, I substantively contributed to the preparation of each NOI prior to each NOI
2 being filed by other parties in Snohomish and Lewis counties.

3 4. The triggering event for commencement of the 45-day review period in which jurisdiction
4 of a boundary review board may be invoked, is the establishment of an Effective Filing Date. Once
5 a boundary review board establishes the Effective Filing Date and the 45-day review period
6 commences, a boundary review board should route the NOI to other governmental units, special
7 purpose districts, etc.
8

9 5. Of the four (4) annexations completed within King and Snohomish counties, the average
10 time elapsed between submission of the NOI to a boundary review board and establishment of the
11 Effective Filing Date was approximately thirteen (13) days—nine (9) days for the Fagerlie
12 annexation; ten (10) days for the Pellerin annexation; fifteen (15) days for the 320th Street
13 annexation, and nineteen (19) days for the Rhodora annexation.
14

15 6. In all four (4) annexations described above, the time elapsed included: (i) deeming the NOI
16 “legally sufficient”; (ii) establishing the Effective Filing Date which commences the 45-day review
17 period (in which jurisdiction of the Boundary Review Board may be invoked); and (iii) routing the
18 NOI to other governmental units, special purposes districts, etc.
19

20 7. Of the two (2) annexations I’ve been involved with in Lewis County, the time elapsed
21 between the initial submittal of the NOI and establishment of an Effective Filing Date was: (i)
22 approximately eighty (80) days for the City of Centralia West Reynolds annexation; and (ii) sixty-
23 five (65) days for the City of Winlock annexation (NOI filed on September 28, 2022, and Effective
24 Filing Date established on December 1, 2022).
25

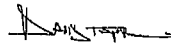
26 8. In each of the Lewis County annexations, the Boundary Review Board did not acknowledge
27 the requirement of commencing the 45-day period (in which jurisdiction may be invoked) upon
28



1 establishment of the Effective Date of Filing. Rather, for the City of Centralia West Reynolds
2 annexation, an additional thirty-seven (37) days elapsed before the Boundary Review Board
3 “declared” commencement of the 45-day period. And, for the City of Winlock annexation, an
4 additional forty-two (42) days elapsed before the Boundary Review Board “declared”
5 commencement of the 45-day period.
6

7 9. In each of the Lewis County annexations, the total time elapsed between the filing of the
8 NOI and the Boundary Review Board “declaring” commencement of the 45-day review period was:
9 (i) one hundred seventeen (117) days for the City of Centralia West Reynolds annexation; and (ii)
10 one hundred seven (107) for the City of Winlock annexation.
11

12 DATED this 17 day of March, 2023. Signed at Lake Stevens, Washington.
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14

15 

16 DAVID K. TOYER
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DECLARATION OF DAVID K. TOYER IN SUPPORT OF PETITION

Final Audit Report


2023-03-17

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ELECTRONIC AFFIDAVIT

AMANDA K. BERG, being first duly sworn upon oath under penalty of perjury under the laws of the State of Washington, deposes and states that:

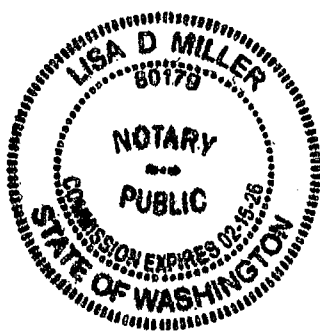
1. I am a Legal Assistant for the office of BUZZARD O’ROURKE, P.S.
2. The document entitled “Declaration of David K. Troyer in Support of Petition” consists of three (3) page. I have examined the document and certify that it is complete and legible.
3. I am the individual who received the signature page in ".pdf" format from David K. Troyer by email transmission to reception@buzzardlaw.com.

Dated this 17th day of March, 2023.

Amanda Berg
 AMANDA BERG

STATE OF WASHINGTON)
) ss.
 COUNTY OF LEWIS)

Sworn to before me by the above-named affiant and GIVEN UNDER MY HAND AND OFFICIAL SEAL this 17th day of March, 2023.



Lisa D Miller
 Notary Public in and for the State of Washington
 Residing at: Centralia
 My Appointment Expires: 02/15/2026
 Printed Name: Lisa D. Miller

