

## H-24-273 Contact Information

**Hotline ID:** H-24-273  
**Date of Submission:** 6/18/2024  
**Submission Method:** Web  
**Submission Type:** Citizen  
**Staff:**  
**Author (Last, First):** Whalen , Ron  
**Address:** 3597 San Juan Valley Road  
**City:** Friday Harbor  
**State:** WA  
**Zip:** 98250  
**Home Phone:** 360-378-0144  
**Work Phone:**  
**Mobile Phone:**  
**Email:** whaleeoni@gmail.com  
**Can Contact:** Yes  
**Contact Preference:** Email  
**Anonymous:** No  
**Waived**  
**Confidentiality:** Yes

## H-24-273 Details Information

### What state or local organization is involved?

#### Please identify the specific concerns you are hoping the audit will address.

Misuse of excise tax by San Juan County Land Bank

#### Please provide a detailed description of the assertion or outstanding achievement, including who, when, where, what, how and how much.

RCW 82.46.070 Additional excise tax—Acquisition and maintenance of conservation areas. (1) Subject to subsection (2) of this section, the legislative authority of any county may impose an additional excise tax on each sale of real property in the county at a rate not to exceed one percent of the selling price. The proceeds of the tax shall be used exclusively for the acquisition and maintenance of conservation areas. Pursuant to the statute below, RCW 42.17A.555, no public agency may use the facilities of a public agency to assist to promote or oppose any ballot proposition. Facilities include: stationary, postage, machines, equipment, employees, vehicles, office space, publications of the agency and more. RCW 42.17A.555 Use of public office or agency facilities in campaigns—Prohibition—Exceptions. \*\*\* CHANGE IN 2024 \*\*\* (SEE 5857-S.SL) \*\*\* No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency. However, this does not apply to the following activities: (1) Action taken at an open public meeting by members of an elected legislative body or by an elected board, council, or commission of a special purpose district including, but not limited to, fire districts, public hospital districts, library districts, park districts, port districts, public utility districts, school districts, sewer districts, and water districts, to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view; (2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry; (3) Activities which are part of the normal and regular conduct of the office or agency. (4) This section does not apply to any person who is a state officer or state employee as defined in RCW 42.52.010.

**How did this issue come to your attention?**

Notice of a marketing contract signed by Director of the San Juan County Land Bank dated 7-18-23 and Review of RCW 82.46.070. Copy of noted contract available.

**What employee(s), contractors, etc., were involved in the assertion or achievement?**

**Please include employee titles if possible.**

Besty Daniels-Co-President- Triangle Associates INC Amy Vira-San Juan County Prosecuting Atty. Mike Thomas-San Juan County Manager Lincoln Bormann-Director of San Juan County Land Bank

**Please provide the names of any witnesses to the assertion or achievement, if possible.**

Rami Amaro

**Please provide any additional details or comments that would help us understand your assertion or achievement.**

Copy of the noted marketing contract is available. I saw no place to attach it in the above form. If you can provide an email contact I can reply with an attached copy.

## H-24-273 Referral Information

**Hotline ID:** H-24-273  
**Date of Submission:** 6/18/2024  
**Entity Type:** Local  
**Entity Category Type:** County  
**Entity:** San Juan County  
**Sub Entity Name:**  
**Category:** Accounting/Financial Reporting  
**1-2 sentence description of concern:** Misuse of excise tax by San Juan County Land Bank  
**Report Issued:** No  
**Reporting Type:** --  
**Report Number:**  
**Investigation Contracted:** No  
**Contract Number:**  
**Contract Name:**  
**Billing Time Code:**  
**Costs:**  
**Public Records Request:** No  
**Flag for Annual Report:** No  
**Substantiated:** No  
**ARRA:** No  
**Action:** Referred to Audit Team - Consider Next Audit  
**Audit Team:** Bellingham  
**Audit Team Contact:** garzad@sao.wa.gov  
**cc:** #CC1#  
**cc:** #CC2#  
**cc:** #CC3#  
**cc:** #CC4#  
**Referral Date:** 6/18/2024  
**Action Taken:** No  
**Response Date:**  
**Report Date:**  
**Follow Up Date:**  
**Date Closed:**

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**Report Number:**  
**Investigation Contracted:** No  
**Contract Number:**  
**Contract Name:**  
**Billing Time Code:**  
**Costs:**  
**Public Records Request:** No  
**Flag for Annual Report:** No  
**Substantiated:** No  
**ARRA:** No  
**Action:** Referred to Audit Team - Consider Next Audit  
**Audit Team:** Bellingham  
**Audit Team Contact:** garzad@sao.wa.gov  
**cc:** #CC1#  
**cc:** #CC2#  
**cc:** #CC3#  
**cc:** #CC4#  
**Referral Date:** 6/18/2024  
**Action Taken:** No  
**Response Date:**  
**Report Date:**  
**Follow Up Date:**  
**Date Closed:**

## H-24-273 Activity Log

**06/20/2024**

called citizen gave email so he can send contract mentioned in submission will attach to submission when received --corcorae

**06/18/2024**

Referral updated by 'JEANA Gillis (gillisj)'.

**06/18/2024**

Task assigned to 'garzad@sao.wa.gov'. Team notification email sent to: garzad@sao.wa.gov,corcorae@sao.wa.gov

**06/18/2024**

Referral updated by 'JEANA Gillis (gillisj)'. Action changed from (not set) to Referred to Audit Team - Consider Next Audit.