**From:** Ron Whalen
**To:** Corcoran, Elizabeth (SAO)
**Subject:** 1st Installment 1-WA State Auditor-Issues for inclusion to 2023 audit of San Juan County
**Date:** Monday, June 26, 2023 12:01:20 PM
**Attachments:** 2.120.050 Powers & Duties.odt
6-28-19 Lincoln-request for appraisal.eml.msg
7-8-19 Lincoln-appraisal.eml.msg
7-14-19 email to LB Director concerning Zylstra Lake acquisition appriasal.odt
7-15-19 732 am reply from director on requirement for appraisal.odt
8-1-19 question on code interpretation and enforcement.odt
8-1-19 reply on code enforcement.odt
8-6-19 email to County Prosecutor.odt
8-12-19 Prosecutors office.eml.msg
8-12-19..email to county council member Watson.odt
8-20-19 357 PM follow up email to county council member Watson.odt
8-20-19 444 PM County Council Watson"s reply.odt
8-20-19 546 PM reply to county council member Watson.eml.msg
1-1-20 letter to Prosecuting Atty.odt
8-26-22 email to County council member Cindy Wolf regarding contact with prosectuting atty.eml.msg

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External Email

Elizabeth,

Here is the 1st installment and attachments;

To Washington Sate Auditors office:

I request the following issues be included in the 2023 audit for San Juan County. It's a lengthy list of issues. I've separated them into installments and subject . This is the 1st installment concerning compliance of code. I anticipate three more. After all installments have been submitted I'd like to meet to discuss them.

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## Issues for inclusion to 2023 audit of San Juan County

Questions of compliance of code, misrepresentation, conflict of interest, and ethics violations:

### Compliance of County code 2.120.050

Creation of the San Juan County Conservation Land Bank (LB) in 1990 authorized the acquisition of properties for conservation purposes. County code 2.120.050 established the *Powers and Duties* prescribed for the acquisition process (c*opy attached).* Paragraph G states "*To obtain real property appraisals*"

Inquiry about the appraisal for a LB acquisition known as the Zylstra Lake in 2015 revealed

no appraisal was done. That then lead to a protracted inquiry as to *Why not* and *wasn't it required* by county code. Paragraph G of County code 2.120.050 is a five word sentence that prescribes a duty of the Land Bank "***To obtain real property appraisals"***. The language is unambiguous. It's not a discretionary provision. There's no addendum that allows for arbitrary interpretation. The base question here is **Has there been compliance of par. G of San Juan County code 2.120.050?** This question involves multiple departments of San Juan County including the Land Bank, County Council, and County Prosecuting Attorneys office.

Attached are 15 documents relevant to this question. Perspectives were offered on the question of compliance but no authoritative/definitive answer was made on par. G of county code 2.120.050. I then direct the following questions to Washington State Auditor's office in association with the Washington State Attorney Generals office;

1. Did San Juan County satisfy the compliance requirements of County code

   2.120.050 relative to the Zylstra Lake acquisition in 2015?

2. If not, ... is there a question of;

. Failure of over-site by county council

. Malfeasance--*wrongdoing, especially by a public official.*

. Misfeasance--*a transgression, especially the wrongful exercise of lawful authority*.

. Non-feasance--*failure to perform an act that is required by law.*

3. How many of the other LB acquisition purchases by the San Juan County Land Bank are

remiss of County code requirements for appraisals per County code 2.120.050?

Attachments;

San Juan County Code code 2.120.050

6-28-19..email to LB Director requesting copy of appraisal

7-8-19..email from LB Director with copy of appraisal done for a grant proposal

7-14-19..email to LB Director asking about appraisal for Zylstra Lake acquisition

7-15-19..email reply from LB Director to 7-14-19 email

8-1-19..email to county clerk questioning code enforcement

8-1-19..email reply on code enforcement

8-6-19..email to county Prosecutors office

8-12-19..email reply from Prosecuting attorneys office

8-12-19..email to County Council members

8-20-19..3:57 PM..follow up email to County Council member Watson

8-20-19..4:44 PM..reply from County Council member Watson

8-20-19..5:38 PM..reply to County Council member Watson

1-1-20..letter to San Juan County Prosecuting Attorney

8-27-22..email to County Council member Cindy Wolf regarding contact w/prosecuting atty