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| **From:** | Ron Whalen |
| **To:** | Corcoran, Elizabeth (SAO) |
| **Subject:** | Issues for inclusion to 2023 audit of San Juan County |
| **Date:** | Thursday, June 8, 2023 11:30:36 AM |
| **Attachments:** | County code on Powers and Duties.odt<br>6-28-19 Lincoln-request for appraisal.eml.msg<br>7-8-19 Lincoln-appraisal.eml.msg<br>7-14-19 email to LB Director concerning Zylstra Lake acquisition appriasal.odt<br>7-15-19 Lincolln says no appraisal required (Restored) 09-26-2022 15.11.eml.msg<br>8-1-19 question on code interpretation and enforcement.odt<br>8-1-19 reply on code enforcement.odt<br>8-6-19 email to County Prosecutor.odt<br>8-12-19 Prosecutors office.eml.msg<br>8-12-19..email to county council member Watson.odt<br>8-20-19 357 PM follow up email to county council member Watson.odt<br>8-20-19 444 PM County Council Watson"s reply.odt<br>8-20-19 538 PM reply to county council member Watson.eml.msg<br>8-20-19 539 PM County Council opinion on county code.odt<br>8-20-19 546 PM reply to county council member Watson.eml.msg<br>1-1-20 letter to Prosecuting Atty.odt<br>8-26-22 email to County council member Cindy Wolf regarding contact with prosecuting atty.eml.msg |

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External Email

Elizabeth,

I've been working on the issues I request being 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 two more installments I'm working on. 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 (*copy 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 17 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

8-20-19..5:39 PM..County Council member Watson reply

8-20-19..5:46 PM..email to County Council member Watson arguing Duties equates as a mandate

1-1-2000..letter to San Juan County Prosecuting Attorney

8-26-22..email to County Council member Cindy Wolf regarding contact w/prosecuting atty