

File a Formal Complaint - Glen Morgan

[Glenmorgan89](#) reported 6 days ago (Thu, 18 May at 2:17 PM) via Portal Meta

To whom it may concern,

I am writing to inform you that Kitsap County has violated **RCW 42.17A.570**. Unfortunately, the process of this violation appears to have also created violations of this same statute for 17 additional jurisdictions as well. Specifically, 12 ports, 4 cities, and a public utility district (see attached - *Exhibit A - PDC Ref#4564563*)

RCW 42.17A.570 reads as follows:

After January 1st and before April 15th of each calendar year, the state treasurer, each county, public utility district, and port district treasurer, and each treasurer of an incorporated city or town whose population exceeds one thousand shall file with the commission:

(1) A statement under oath that no public funds under that treasurer's control were invested in any institution where the treasurer or, in the case of a county, a member of the county finance committee, held during the reporting period an office, directorship, partnership interest, or ownership interest; or
(2) A report disclosing for the previous calendar year: (a) The name and address of each financial institution in which the treasurer or, in the case of a county, a member of the county finance committee, held during the reporting period an office, directorship, partnership interest, or ownership interest which holds or has held during the reporting period public accounts of the governmental entity for which the treasurer is responsible; (b) the aggregate sum of time and demand deposits held in each such financial institution on December 31; and (c) the highest balance held at any time during such reporting period. The state treasurer shall disclose the highest

*balance information only upon a public records request under chapter **42.56 RCW**. The statement or report required by this section shall be filed either with the statement required under **RCW 42.17A.700** or separately. (emphasis added)*

The statement required by the **RCW 42.17A.570** is also referred to by the PDC as form "T1".

Description of Violation #1

Kitsap County appears to have violated **RCW 42.17A.570** by failing to submit the statement required for the calendar year 2016 under **RCW 42.17A.570**. This statement was due between 1/1/2017 and 4/15/2017, but it **still has not been submitted to the PDC**. Currently, this document is **33 days past the statutory deadline**.

Description of Violation #2

The statute clearly states that “each county,” and “each utility district” and “each city,” and “each port district” needs to submit their own document to comply with RCW 42.17A.570. However, in the case of the 14 port districts, 4 cities and one public utility district listed in Exhibit A attached, they have attempted to avoid complying with this statute by allowing the Treasurer for Kitsap County to do so on their behalf.

This clearly does not comply with the law as written, and it is a clear attempt to shift responsibility for following **RCW 42.17A.570** to Kitsap County by all these independent jurisdictions. So far, I am unable to find any other county that takes this illegal approach to this statute.

It is possible that some claim by these local jurisdictions may be made that the Kitsap County Treasurer is the “treasurer” for these

local political entities, however, this plainly is false. Let's look at some examples. The City of Bremerton clearly has their own treasurer and treasurer department:

<http://www.ci.bremerton.wa.us/Directory.aspx?did=42>

The City of Poulsbo clearly has their own finance department:

<https://cityofpoulsbo.com/finance/>

The City of Port Orchard clearly has their own treasurer as explained in this Secretary of State report from 2014:

<http://portal.sao.wa.gov/ReportSearch/Home/ViewReportFile?isFinding=false&arn=1015696>

In the event that some of the ports or smaller political districts in Kitsap County can argue that the Kitsap County Treasurer is the “treasurer” of record as required in **RCW 42.17A.570**, then the treasurer must file independent, separate T1 forms for each legal entity. There are legal and logical reasons for doing so. Each government entity is independently and separately liable for complying with this statute. Lumping this “compliance” effort into one collective form exposes every other jurisdiction to liability for false representation of a T1 form, if the form was accurate for them, but not for another political entity.

In addition to being illegal and a clear violation of the statute, this just appears to be lazy and sloppy accounting which has unnecessarily exposed a variety of political jurisdictions to unnecessary legal liability..

Please investigate Kitsap County about this failure to comply with state public disclosure law immediately.

In the process of doing so, rather than file independent PDC complaints against every jurisdiction listed in Exhibit A, it would appear that proper compliance could be achieved by separate notification to each legal political entity on this list so that the PDC and the 17 local jurisdictions can resolve compliance independently. This would seem to be the most efficient use of public resource to achieve full compliance with this statute.

This has been submitted as a PDC complaint only.

Best Regards,

Glen Morgan

1 Attachment

- **PDF**
[4564563.pdf](#)
(50.3 KB)



Meredith R. Green, CPA

Kitsap County Treasurer

614 Division Street, MS-32 • Port Orchard, WA 98366-4678

DATE FILED PDC

APR 12 2016

April 11, 2016

Public Disclosure Commission
711 Capitol Way, Room 206
PO Box 40908
Olympia, WA 98504-0908

Enclosed is my Treasurer's Annual Report required by RCW 42.17.245 that covers the period January 1 to December 31, 2015.

Please contact me if you have any questions.

Regards,

A handwritten signature in cursive script, appearing to read "Meredith R. Green".

Meredith R. Green, CPA



Meredith R. Green, CPA
Kitsap County Treasurer

614 Division Street, MS-32 • Port Orchard, WA 98366-4678

DATE FILED PDC

APR 12 2016

TO: Public Disclosure Commission
711 Capitol Way, Room 206
PO Box 40908
Olympia, WA 98504-0908

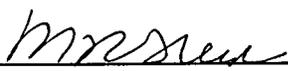
FROM: See Attached List

Address: 614 Division Street, Port Orchard, WA 98366

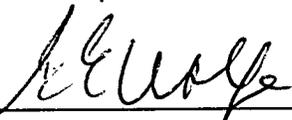
Email address: mgreen@co.kitsap.wa.us

STATEMENT

I certify under penalty of perjury under laws of the state of Washington that during the period of January 1, 2015 through December 31, 2015, no public funds under my control were invested in any institution in which I held an office, directorship, partnership interest, or ownership interest.



Signature of treasurer



Signature of finance committee member
(counties only)



Signature of finance committee member
(counties only)

To: Public Disclosure Commission

This disclosure statement is for Kitsap County and the following cities, ports, and public utility districts:

Port of Bremerton
Port of Brownsville
Port of Eglon
Port of Illahee
Port of Indianola
Port of Keyport
Port of Kingston
Port of Manchester
Port of Poulsbo
Port of Silverdale
Port of Tracyton
Port of Waterman
Public Utility District No 1
City of Bainbridge Island
City of Bremerton
City of Poulsbo
City of Port Orchard