



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION

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April 27, 2017

glenmorgan89@gmail.com

Subject: Complaint regarding Nicole Hill, PDC Case 14697 (45-Day Citizen Action Notice)

Dear Mr. Morgan:

The Public Disclosure Commission (PDC) has completed its initial review of the complaint you filed on March 2, 2017. Your complaint alleged that Nicole Hill may have violated RCW 42.17A.700 by failing to timely file her Personal Financial Affairs Statement (PDC form F-1) covering 2015, and RCW 42.17A.710 by failing to include, on her F-1 reports covering 2015 and 2016, her PERS retirement account, her earnings from serving as a Tumwater City Council member, and the position she holds on the entity LOTT, a regional water authority.

PDC staff reviewed your allegations, and as a result of staff's initial review, we found the following:

- Allegation 1 - Ms. Hill acknowledged that she filed her F-1 covering 2015, 27 days late on May 12, 2016. In early July 2016, staff sent warning letters to annual F-1 filers who had not filed their report. The letter reminded filers of their filing requirement, and informed them that if they failed to file the required report, they could face an enforcement action and monetary penalties. Those who did not file in response to the warning letter were sent hearing notices with an offer to file the missing report, stipulate to a violation, and pay a \$100 penalty to avoid an enforcement hearing. Although Ms. Hill filed her annual F-1 27 days late, she filed nearly two months before staff sent warning letters to delinquent filers.
- Allegation 2 – Ms. Hill said she did not realize her PERS retirement account needed to be listed on the F-1. She became an employee of Pierce County on December 1, 2014. On April 6, 2017, Ms. Hill amended her F-1 reports covering 2015 and 2016 to include her PERS retirement account.
- Allegation 3 – Ms. Hill became an officer of LOTT on February 8, 2017. Therefore, she had no requirement to report her position as an officer of LOTT on

her F-1 reports covering 2015 or 2016. However, after learning from PDC staff that serving on the LOTT board, even if not an elected officer, must be disclosed on an F-1 Supplement, Ms. Hill filed an amended F-1 Supplement for 2016, disclosing her LOTT Board member position.

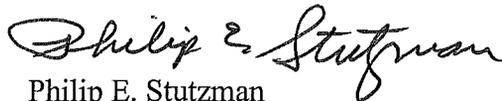
- Allegation 4 – Ms. Hill said she did not realize she needed to report her Tumwater City Council income, in addition to the income she reported for being a planner for Pierce County. On April 6, 2017, Ms. Hill amended her F-1 reports for 2015 and 2016 to show the income earned as a Tumwater City Council person.
- Ms. Hill does not have previous warnings or violations of PDC requirements.

Based on these initial findings, PDC staff has determined that in this instance, failure to timely file her annual F-1 report covering 2015, failure to include her Tumwater City Council earnings and PERS retirement account on her F-1 reports covering 2015 and 2016, and not listing her position on the Board of LOTT for 2016, do not amount to a material violation warranting further investigation. Pursuant to WAC 390-37-060(1)(b), Nicole Hill will receive a formal written warning concerning her failure to comply with the filing requirements noted above. The Commission will consider the formal written warning in deciding on further Commission action if there are future violations of PDC laws or rules.

The PDC has closed the matter, and will not be conducting a more formal investigation into your complaint or pursuing further enforcement action in this case.

If you have questions, you may contact Phil Stutzman, Compliance Officer, at 360-664-8853, or toll-free at 1-877-601-2828, or by e-mail at phil.stutzman@pdc.wa.gov.

Sincerely,



Philip E. Stutzman
Compliance Officer

Endorsed by,



Evelyn Fielding Lopez
Executive Director

cc: Nicole Hill