

**From:** JEFF DAILY  
**To:** Chad M. Enright  
**Subject:** Complaint for Investigation  
**Date:** Wednesday, December 13, 2023 10:23:37 AM Jeff-  
**Attachments:** Complaint to County Prosecutor- 12-06-23.doc

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Mr Enright-

Attached is a complaint regarding the South Kitsap School District and the recent bond initiative. Please read the complaint and consider taking action on it. I will drop a paper copy by your office later today.

Cordially,

J Daily  
360-874-7517

**December 12, 2023**

**Kitsap County Prosecutor's Office  
614 Division St. MS - 35  
Port Orchard, WA 98366  
Attn: Mr. Chad Enright**

Mr. Enright,

This is a documented complaint alleging voter fraud and asking for a formal investigation and the pressing of possible charges against the following individuals: Mr. Jeffrey Wilson, South Kitsap School Board, Mr. Brian Pickard, South Kitsap School Board, Ms. Kate Espy, South Kitsap School Board, Mr. Timothy Winter, South Kitsap School District Superintendent, Mr. Lee Fenton, South Kitsap School District consultant/planner, and Mrs. Amy Miller, South Kitsap School District Communications Officer.

This complaint involves actions taken by the South Kitsap School Board and the district regarding the most recent school bond that was on the voter ballot on November 7, 2023.

The alleged complaint involves voter fraud, misrepresentations of bond information, malfeasance, and misfeasance, untruthful comments meant to sway voters, lack of moral turpitude, collision, and lack of good moral character, deceit, and fraud upon South Kitsap District voters. We allege this involves criminal misrepresentations and intent.

This is important because, had the bond measure passed, this would have implications for voters who thought that what they were approving was actually feasible and going to happen. Each project is fraught with issues, that perhaps solvable, would have huge cost and permit implications endangering the completion of each project.

### **Complaint Background.**

The school board and the district initiated a \$271M bond issue to build/rebuild 5 schools and make repairs to others. The district says this was a 2-year process with community involvement and was fully vetted before going to the voters. This has the normal political issues in our country-embellishing small truths as if they were facts while dismissing the critical issues. While it happens, it isn't right, isn't legal, and doesn't reflect the morals of the entire country.

The most critical issue is that the feasibility of the plan is in question. Below are recordings that various board members and district personnel are saying publically that they have done all the "due diligence" required so that the plan can effectively be built. We have documentation that this is not true. The DCD County Planners (to include Mr. Diener) as well as City of Port Orchard DCD City Planners (to include Mr. Bond) say they were not approached at any time by the school district. In addition, we have a PRR sent to both the city and county that attests that no emails, telephone conversations, meetings, etc., occurred between the district, board, and themselves. Both the city and

county offer this service for a small fee but no record exists that the district or board asked for any assistance in the planning of the bond measure.

The school district has not built a school in over 30 years so the number of changes to the laws, building codes, and environmental requirements has easily increased 10 fold. In addition, many of the agencies who would be involved had the bond passed were also not contacted.

For example, the rebuilding of the Olalla Elementary school involves both wetlands on the current location, a septic system issue, a fire suppression system issue, and a salmon stream issue. This is not to say that the school cannot someday be built, but the cost and compliance with all the new regulations might be prohibitive for many years. Each of the other proposed projects has similar issues that require more research than just an “ok- let’s build it” type mentality.

One board member openly questioned the others at public board meetings as to what was actually done regarding feasibility and was repeatedly told that all issues were resolved. This board member was on the district long range planning committee and knows that this was not done.

### **Background Information.**

The state has the Public Disclosure Commission (PDC), the Secretary of State, the State Auditor’s Office, the Attorney General’s office, Labor and Industries, and other multi-million dollar entities that are tasked to look after voters and consumers. The District Attorney’s office and the County Prosecutor are also a part of this.

The PDC states that the school board and the district may provide information to the public about upcoming bond/levy measures. However, they may not promote the issues to the public. Yet, we have Mr. Wilson and Ms. Miller at the Port Orchard Farmer’s market at a booth saying they support the bond and voters should too. Because the 3 video recordings we have from citizens are not admissible in court, we can only say what people told us. Mr. Winter and Ms. Miller were recorded twice during his “secret” tour of local businesses by citizens saying similar things. We will not argue this point, as we don’t have admissible evidence. However, we do have one individual who is willing to provide a written declaration as to the factual truth to what we say regarding all of Mr. Winter’s comments. Others are afraid to say due to retaliation fears by the district of their kids in the district.

The board and district will argue that this is all just a case of countering “misinformation” about the bond measure. In fact, they will show you that they have many comments from people on their website to substantiate this. However, you will notice a lack of any “opposition” statements as Ms. Miller takes any negative comments about the district off of the district website as soon as she finds them. So, you will never find any negative comments about the board and district on the district website. We find this interesting as the district proclaims that they are truthful and transparent in their dealings with the public. You will need to request those records. We cannot get them as they have individual names on the comments and the district hides behind a variety of individual privacy disclosures to hide what they take down from various individuals. But, somehow, they allow the names of those with positive comments to remain posted.

The issue of “misinformation” is the fault of the board and the district. They lied about the feasibility of the projects. It would have been simple to say that “no, we didn’t check on the feasibility of the projects but we think they could possibly be built. We ask you to trust us”. But, they didn’t come clean, and instead spent an inordinate amount of taxpayer money to hide the truth. They also lied about the implications of the resolution supporting the bond. That resolution states that if a project cannot be built for some reason, three board members have the power to divert the project funds to any other project they desire. This bypasses the will of the voter.

If a project is properly vetted, feasible, planned, disclosed, and explained to the public, then there is no reason a project cannot be completed as advertised. Yes, some minor changes may be necessary due to actual unforeseen issues but those are rare in properly planned projects. But, they denied that this is what the resolution really says. It is very clear and a matter of public record that 3 board members can change the plan at any time. One citizen commented that what this bond really is a slush fund for the district (video clip # 6).

The school district also did not correctly vet the proposed construction of the second HS out in McCormick Woods in 2018 which would have encountered the same issues due to the many changes in codes and environmental laws had it passed. The district has an extensive file on the 2018 proposed construction in McCormick Woods that even mentions permit issues back then, which were disregarded by the board and district at that time.

The district also recently renovated the South Kitsap Community Pool. Voters were told the cost was \$5.4M and the final cost is now approximately \$12.9M. This itself attests to the supposed “due diligence” done by the board and school district as telling the voters one thing to get their money and then delivering a project grossly over budget. Since it was built using capital projects funds, what didn’t get built that the voter was told would get built? The superintendent maintains that the project was poorly conceived by a previous board and he decided to make the changes to improve the pool. Interestingly enough, someone had to approve all of those changes but there are no written authorizations to show that this was done. And, is it not the people who should decide what happens to their tax money given such a gross error?

Also, OSPI was told that the pool building had designated classrooms in order to get \$2.3M+ of COVID relief funds. The building has no classrooms and the OSPI representatives, upon hearing that there were no classrooms, said, “I knew I should have not approved this request”. So again, not disclosing the proper facts to OSPI for construction funds as well as the public for taxpayer funds shows the intent of the district to not only lie, but to distort facts to get funding from various entities for improvements in the name of “the kids”. The district says the money was for the roof improvements which they say is allowed but this differs from OSPI’s account of the conversation.

### **Objective Evidence.**

Below is the video evidence we have gathered to support our case. While there are more, these are the 20 most important clips that demonstrate what the board and district did to mislead voters. An interesting clip regarding the board members is the one (# 1) of Mr. Wilson where he emphatically says that all the work has been done and they are all vetted and ready to go. The other

clips of detailed interest regarding the board and the district will be in the clips of Mr. Fenton where he openly admits that the cost of any feasibility work would have been too expensive (disputed by realtors, county/city fees for assistance, etc.) for the district to do. Mr. Winter admits he knew that the board and district had not done any feasibility studies. Yet, the board, led by Mr. Wilson, and the district, led by Superintendent Winter, continued to state in public meetings that this work had been done and all was “good to go”. Board members Espy, Berg, and Pickard, who were all knowledgeable of the plan, confirmed the same thing at board and other meetings to the public. In other words, instead of standing up for what is right, as is in their oath of office, they merely went along with what they knew was wrong. They are as guilty as those who professed this was fully feasible.

## **Video Evidence #1**

### **1) Jeffery Wilson Utters Feasibility Misrepresentations SKSD Board Meeting of 05-17-23** <https://youtu.be/YZJfCVbZoI0>

Video clip #1 is SKSD Board Chairman Wilson responding to SKSD Board Member Daily’s question about has the board done its due diligence and is the plan feasible. Mr. Daily was on the planning committee so he knows this has not been done. Mr. Wilson says that they hired professionals. He says they talked to state and local officials. There is no evidence to support these statements. Public requests of the district for this information showed that there were no documents (warrants, meeting minutes, etc.) to substantiate this was ever done.

There were no feasibility statements done. Mr. Fenton, who was the head of the district’s long range planning committee and later a paid consultant, will state in videos #7 and #8 that none of this was done because it was too expensive. Mr. Wilson, as board chairman, was in contact with Mr. Fenton and Mr. Winter on this every step of the way. He knows what he is saying to the public is a lie and so does Mr. Daily, who has repeatedly questioned him at several prior meetings regarding it.

Mr. Wilson also states that the public was consulted and is in concurrence with the plan. There were a series of public events for the public at various schools. Only about 10 people showed up for perhaps 5 events and only one or two of them at each meeting were not district employees. To say that this plan has extensive community involvement and is backed by the community is false. The district did have a survey open to the public. However, almost all comments received were by district employees or the few highly involved parents that are generally members of PTSO’s, sports team boosters, etc. This is not reflective of the typical voter in South Kitsap.

It is wrong to say that these statements by Mr. Wilson can be misinterpreted, called unclear, or not understood by any person listening to the comments by Mr. Wilson. It is very hard to believe that when this is shown to others that they can call this “misinformation”.

**2) Jeff Daily PO City Council SKSD Bond Presentation  
09-26-23**

[https://youtu.be/ma\\_OpoubxDc](https://youtu.be/ma_OpoubxDc)

Video clip #2 is a presentation to the Port Orchard City Council in opposition to the SK Bond request by Citizen Jeff Daily. While Mr. Daily is a board member, he is acting as the chairperson of a registered political committee and is therefore allowed to disagree with the board due to his status of being the chair of a bond opposition group. In this discussion, which preceded the districts presentation, he clearly states that we know that the district has not been in contact with city, county, and state planners/agencies. It also addresses the issues of the bond resolution which were incorrectly stated to the public by the board.

**Video Evidence #3****3) Dave Kimble 1st Comments PO City Council SKSD Bond 09-26-23**

<https://youtu.be/UVfPwtH0bnw>

Video clip #3 is of a Manchester citizen, Mr. Dave Kimble, speaking to the city council, who brings up issues with the bond and other issues the district has had in the past. One was where a science project renovation went \$555K over budget and then he mentions the pool as previously mentioned being grossly over budget. These reflect the district cannot manage taxpayer money effectively. In addition, he talks about the use of impact fees to fund the purchase of the McCormick Woods property that the public probably has no idea about since the purpose of impact fees is to improve infrastructure at the schools due to increased enrollment versus buying property.

**Video Evidence #4****4) Dave Kimble 2nd Comments PO City Council SKSD Bond 09-26-23**

[https://youtu.be/OL2DkEHZ\\_mY](https://youtu.be/OL2DkEHZ_mY)

Video clip #4 is Mr. Kimble's comments after the bond presentation by Mr. Winter and Ms. Amy Miller at the city council meeting referenced above. Mr. Kimble states that it is he who did the public records requests of the district and the county. He received no documents to substantiate anything that Mr. Wilson or the district said had been done. He also mentions alternatives and alternative funding that were never considered; yet the board and district state that public input was used in the determination of the bond. Finally, he mentions that the public is probably not aware that the board used non-voter approved debt to fund a maintenance project for the HS. Does this sound like the work of a fiscally responsible organization when the public has no idea it is using this legal funding mechanism to pay bills?

**Video Evidence #5****5) Rhonda Edward's PO City Council SKSD Bond Comments 09-26-23**

<https://youtu.be/DSusp09jsyU>

Video clip #5 is Ms. Rhonda Edwards commenting on the bond. She is a lifelong resident, a 33-year realtor and has extensive experience in property management in SK. She mentions that the real cost of the bond will be \$465M versus \$271M the district says, that the Olalla property cannot be expanded and developed due to septic, salmon, wetlands, and other issues. She states that the board is lying and telling folks that it can be without any proof. She states that the county would help the district for \$450 to figure this out but no one even approached them. She cites her research into the feasibility of the bond shows that it is just lies to get money from taxpayers. Finally, she also cites that 3 board members can decide what to do with \$48M if Olalla Elementary cannot be built versus what the taxpayer was told would happen to their money.

### **Video Evidence #6**

#### **6) Mike Gustafson PO City Council Comments SKSD Bond 09-26-23**

<https://youtu.be/M2C44XlmPbk>

Video clip #6 is Mr. Mike Gustafson, a Southworth resident, who states he was a Kitsap County Planning Official for 10 years. He said he is well aware of the environmental and code issues facing the proposed bond measure. He feels it is a huge slush fund for the board and the district as the feasibility of the project is seriously in question.

At this point, you have heard from SK residents who all agree that there is a problem with what the district is saying and proposing. If the board and district have community input and buy-in, why are these people willing to address the city council regarding the proposed plan. Each one of these people have some expertise in what they say. Yet, the board and district continue to say otherwise. Is it not reasonable to assume that if the board and district was hearing from these people and their comments, they would embrace versus challenge their statements and make adjustments?

### **Video Evidence #7**

#### **7) Lee Fenton 1st Comments Chamber of Commerce Claims of Due Diligence 10- 10-23**

[https://youtu.be/MxBYRq7\\_PDA](https://youtu.be/MxBYRq7_PDA)

Video clip #7 is Mr. Lee Fenton, making comments in regards to questions at a forum hosted by the Chamber of Commerce at Whiskey Gulch. Mr. Fenton was the chairman of the SK Capital Projects committee for 2 years until it was dissolved and then became a paid consultant to the district regarding the bond. He worked as a school architect for BLRB until his retirement.

Mr. Fenton clearly states that the real work, including feasibility work, is done after you have the money for the project. This is counter to almost any project development that is done anywhere. The cost is known, feasibility is resolved, other costs are considered, and THEN, you ask for the money. He states that the project costs are heavily overestimated to cover issues that may occur, when in reality, doing work upfront eliminates some of the need for padding the estimates. He also addresses the HS project as renovation. This project was to be done inside the current HS. Yet, Labor and Industries was never consulted to see what the regulations are concerning an active

construction/demolition site within a school with students present. Therefore, he admits that no feasibility has been done thus far as it is part of the process after the funds are received. Yet, the board and superintendent say exactly the opposite to the taxpayer. The Bremerton School District is doing this differently. They are working in concert with engineering firms to develop their capital projects bond proposal. If there is only one way to do things, as mentioned by Mr. Fenton, then why are they doing it another way and apparently finding the money to do so?

### **Video Evidence #8**

#### **8) Lee Fenton 2nd Comments Chamber of Commerce Rhonda Edward's Questions 10-10-23**

<https://youtu.be/ZGzs1CRtvrM>

Video clip #8 is Mr. Fenton responding to a question by Rhonda Edwards at the Whiskey Gulch forum. Ms. Edwards states that for \$400 the district could have a good idea from the county where the projects feasibility would stand. Mr. Fenton then talks about all the high-level studies that have been done and all is fine. Then Mr. Kimble asks were the studies are if they were done. Mr. Fenton then says that the cost for the feasibility details folks are asking about would be prohibitively expensive. So, on one hand Mr. Fenton says the studies have been done and on the other hand he says they are prohibitively expensive. The bottom line is that there is no evidence that the studies were ever done as Mr. Kimble made PRR's for the documents and the district says they don't exist. This is a lie.

Mr. Fenton then tries to make the "feasibility" issue one of "degree". No reasonable taxpayer would expect to have something done on their property without having some type of an estimate and if it was feasible. Trying to make the argument that feasibility has different degrees of feasibility is just wrong. It is either feasible or it is not. The average taxpayer is being led to think that the projects can be built when, in reality, they admit they haven't done the feasibility work.

There is more discussion where Mr. Wilson states an opinion regarding Olalla. This is tainted as his wife works there and would benefit from a new school. Also, one person asks why we need a \$48M school for 270 kids which is 10 classrooms of 27 kids. Again, where is the community buy in that the board and district say was crucial to the development of the plan and is approved by the community? This is the misinformation that the board and district accuse others of being a part of. They didn't get any community buy in and there was no community support as they say there is.

### **Video Evidence #9**

#### **9) Gena Cole Comments SKSD Issues SKSD Board Meeting 11-14-23**

<https://youtu.be/FVEov5vYkAM>

Video clip #9 is from Ms. Gena Cole who states that the district and Mr. Winter continue to say that due diligence has been done regarding feasibility, transparency, and community input. Ms. Cole has asked for but never received any engineering or environmental information regarding what the board and district says have been done. She flags Mr. Winter's honesty as to why the bond measure



did not pass. As stated before, everyone just sits there but we know that Mr. Winter and Mr. Wilson, along with Mr. Berg, Mr. Pickard, and Ms. Espy know that there have been no feasibility studies done.

### **Video Evidence #10**

#### **10) Holly Cruz Comments SKSD Issues SKSD Board Meeting 11-14-23**

<https://youtu.be/ES4OEVN0bDE>

Video clip #10 is from Ms. Holly Cruz who states that discusses several issues but one is the fact that Mr. Wilson has erroneous information about himself on his web page regarding his employment and also refers to himself as “Jefe” which is commonly known as how cartel bosses refer to themselves. This sets the tone for how some of the public perceive Mr. Wilson. She discusses Mr. Winter and the lack of transparency in the previous levy for calling a host of social workers as part of the function of educating the students in the district which is primary job.

### **Video Evidence #11**

#### **11) Superintendent Tim Winter on Bond Failure - Truth, Falsities, and Distortions 11-14-23**

<https://youtu.be/YmBqkcM0ers>

Video clip #11 is Mr. Winter stating that the district always deals in honesty and integrity. Yet, he was aware and admitted that he knew that the feasibility studies were never done. He, Mr. Wilson, and Mr. Fenton were together on every step of the process. Mr. Winter was the person who brought in the district lawyers for the resolution and he brought in his friend for the financial bond briefing. There is no misunderstanding that he knew what was in the resolution and what the actual costs of the bond were as well as the rest of the board. How can you lie like that to the public, except to protect your own ego and job? His comment about misinformation, information spins, and misinterpretations are all a cover for honesty issues with the district and the board. As was discussed earlier; it is obvious that the information issue was with the board and the district, not the public. The board and district have a mistrust have a trust issue of their own making.

### **Video Evidence #12**

#### **12) Superintendent Tim Winter & SKSD Board Chairman Jeffery Wilson's Denials of Fund(s) Mismanagement SKSD Board Meeting 11-14-23**

<https://youtu.be/0wyyDbaxpUQ>

Video clip #12 is a "staged tag team" event between Mr. Wilson and Mr. Winter where Mr. Wilson asks leading questions to the superintendent so that both can effectively divert attention from mismanagement of funds to, “well that was part of the plan.” It is meant to diffuse comments made earlier by concerned citizens during the public comment period. It is interesting that this

conversation is coming out now to rationalize what the public had been saying for over a year. Mr. Winter's statements about the ESSER (COVID) money for the pool may be true but that is not the issue that was given to OSPI. It was about classrooms versus roofs and HVAC systems. The rationale was changed to fit the discovery of what was allowable and what was not.

Nowhere was the public ever informed about the pool changes, despite several board meetings where rationale for the cost overrun was asked about. This is just rationalization to blame the project on the last board. The last board did not perform due diligence regarding the pool estimate. But, for Mr. Winter to arbitrarily commit the districts capital projects funds to cover a \$7M cost overrun is an abuse of power and not what the voters were told.

He also said all of the projects were completed in spite of the massive pool cost overrun. If the capital projects bond was approximately \$26M, a \$7M reduction to fund the pool overrun is a 27% reduction in funds. If the district was able to build all of the projects as briefed to the public as he stated, then this is also malfeasance as the estimates for the projects were grossly overstated and the public essentially funded a \$7M slush fund for the district to do as they pleased. Please note that all of these exchanges are between Mr. Wilson, board chairman, and Mr. Winter. The rest of the board members have no comments, which is disturbing as they all apparently think alike.

Mr. Wilson has been board chairman since he came to the board two years ago. For him to suddenly begin to deny that he is unaware of things that happened in the past is untrue. Many of the issues he "discussed" with Mr. Winter have been the subject of numerous previous board meetings in which Mr. Wilson seemed to have had a remarkable understanding of them and usually dismissed the other board member who brought them up as "confused". Yet, now Mr. Wilson seems to be playing to the public his misunderstanding of the funding issues in the district. Conveniently left out of these discussions was the multitude of projects that came in over budget to include the science rooms, the roofs on three schools, and the tracks currently being built that are both over budget. Yet, somehow, the district is finding money to complete them.

### **Video Evidence #13**

#### **13) Superintendent Tim Winter Presents E P&O Levy Info & Resolution Claims of Transparency, Solvency, Honesty of District 11-14-23**

<https://youtu.be/YLUe-Pzwx-s>

Video clip #13 is a discussion about the levy that the voters passed three years ago to help fund the district. Mr. Winter called the approximately \$5M deficit a "roll back" to taxpayers as if this is a good thing for taxpayers. This is a result of enrollment decreases, not taxpayer action. Had the taxpayer known this fact, they would not have approved the amount of the levy. The district is trying to portray this action as benevolence from the district. It is not, untrue, and misleading.

In addition, the subject of the district being bankrupt comes up. The SKSD is a taxing authority; therefore, it will not ever run out of money as it can always raise taxes, as desired to fund its operations. The issue is that mismanagement by the board and district has allowed the reserves to decrease to the absolute minimum. The other factor is that the board and district have over 200

additional employees above what OSPI thinks they need that is funded strictly by local taxpayers; which we are sure they do not know about. The levy in 2019 was for “learning” and to fund student activities. Yet, Mr. Winter said it funded nurses, custodians, and other personnel things. None of these have anything to do with learning as Ms. Cruz discussed in video # 10 above. Eight percent pay raises and increased employee perks to district employees has helped bring funds down to the minimum level. As these are must pay items, money is diverted from student needs by cancelling programs, delaying the science curriculum, delaying routine maintenance, and reductions to student needs.

This is not what voters were told when they voted for the levy. In fact, over 65% of the levy goes to fund personnel; not student programs as is advertised to the public. This level of reserves and excessive personnel costs will become a factor as the district will have to pass a credit check should a bond measure ever pass. The district solution will be to ask for more money versus make budget cuts.

Again, these are just Mr. Wilson and Mr. Winter tag teaming to diffuse comments made during the public comment period versus actually researching what they are saying and getting back to the public with verifiable numbers. Mr. Winter’s comments about “watching the budget” do not agree with how a budget is executed. This is just rationalization of how we can move money to avert issues versus stick to what we said in the budget and tell the public why we are not doing as we said we would when the budget was approved and passed. The phrase “winging it” comes to mind and is not professional money management of public funds.

Mr. Winter mentioned that the district had a “clean” audit. The district had two items noted in the SAO’s report. Whether or not they are significant is a matter for financial people to determine. Mr. Winter is not qualified to speak on audits so his comment regarding a “clean” audit is misleading and one of many pieces of misinformation that come from the district on a regular basis.

#### **Video Evidence #14**

##### **14) SKSD Board Chair Jeffery Wilson's Utterances of Funding Being Complicated with So Many Different Buckets of Money SKSD Board Meeting 11-14-23**

<https://youtu.be/mPAYCjGu7ew>

Video clip #14 is Mr. Wilson suddenly trying to tell people how complicated funding is to the “average” person. Interestingly enough, Mr. Wilson, on numerous occasions has “told” everyone how well he understands the district funding even though he has no educational experience or even looks at the districts funding documents. The district has a very highly paid business office of 10 employees who are employed to know where every dollar of public money is and where it is spent. Now, he seems to forget about how he was telling members of the public at open houses, the Port Orchard Farmers Market, and at Whiskey Gulch about “complex” funding issues. This is just a ruse for him to back pedal and allow Mr. Winter to say that we are doing fine. Again, a staged event due to comments made earlier from concerned citizens asking questions but being dismissed by Mr. Winter and Mr. Wilson.

Mr. Wilson, as board chairman meets with Mr. Winter on an almost daily basis. It is inconceivable that he is not aware of all issues in the district and his portrayal of "Mr. Winter, what do you think about this" is just to allow the district and Mr. Winter to defend anything they do as "for the kids". This type of banter does nothing to instill confidence in the board or district and shows that transparency is just staged for the public at board meetings.

### **Video Evidence #15**

(15) Discussion of Pre-Assessments of Schools before Next Bond SKSD Board Mtg. 12-06-23  
[https://youtu.be/MYahqe\\_sXGI](https://youtu.be/MYahqe_sXGI)

This is a discussion among the new board members on what to do. All of a sudden the tone changes and we are caught in our own lies. Mr. Wilson asks about more money to "do more assessments" and he is trying to cover his comments regarding whether they were done or not. If you need more money, then why wasn't it done right the first time? The answer is because it was never done. Yet earlier (recording #1), Mr. Wilson said it was all done and "perfect".

Mr. Winter then talks about how other districts did their bond preparation. Mr. Fenton, the primary district consultant says he was in the business for 34 years and this is how it is done. Yet, we now find that other districts hired engineering consultants to work with them along the way. So, which is it? Where did they find the money if it is so prohibitively expensive to do. If other districts have done it a different way, then why was their preparation "ok" if the district expert says there was only one way to do it.

All of a sudden, Mr. Winter is now mentioning that other funding options are available; yet previously, the only way to fund buildings was with bonds. Now the story is we have options. What is the real story since the public was told "this is the only way". Obviously, we are now changing our tune. Sadly, this was all mentioned to them by a former board member and some concerned citizens but ignored as "they didn't know anything". As they talk, it becomes clearer that the public was not aware of any of these options during the bond presentations.

### **Video Evidence #16**

(16) Megan Higgins Wants Data on Conditions of All School SKSD Board Mtg. 12-06-23  
<https://youtu.be/XzhZq7sqJ4>

Ms. Higgins is a brand new board member who ran on a platform of supporting the bond. Yet she says she didn't know much about it as a candidate for office. If she didn't know much, the public certainly didn't know much either. Then she wants to see proof of the schools' conditions. Yet, Mr. Wilson and Mr. Winter were previously adamant with the South Kitsap School Supporters PAC and the long range planning committee that the conditions and priorities are as they say. What does this say about the community understanding of the bond that Mr. Wilson and Mr. Winter said that the plan was "thoroughly vetted through the community" and that "they (community) was fully on board? She mentions transparency being paramount yet Mr. Wilson and Mr. Winter have talked at

the Port Orchard Farmers Market and Mr. Winter on his “secret” speaking tour telling people of a plan that is now questioned by a new board member.

### **Video Evidence #17**

(17) Jay Villars Fewer Students Now - Wilson Cedar Heights Students Get Less Board Mtg. 12-06-23  
<https://youtu.be/NbgbJcAkd-k>

This is new board member Jay Villars who also ran on a platform of supporting the bond but critical of former board member Jeff Daily for saying the same things regarding that the other schools have higher enrollments yet Cedar Heights remains at the top of the list. Then Mr. Wilson changes his mind again and supports Cedar Heights now based on the educational experience versus the age and condition of the building. Mr. Wilson knows nothing of educational experiences and he was among the primary drivers of Cedar Heights being a high priority compared to others. Now, the story just begins to change with every comment made by Mr. Wilson. Exactly what is the real story here?

### **Video Evidence #18**

(18) Wilson Clams Cedar Heights Could Possibly Be Condemned In Future Board Mtg. 12-06-23  
<https://youtu.be/kH1X1ERjgFE>

Mr. Wilson makes two erroneous claims. Cedar Heights was at the top of the list due to supposed building needs based on that criteria; not the educational experience for kids. That was never discussed by the committee or the board. The analysis was originally to be based on “facts” regarding building renovation/construction issues. The committee was not assembled and qualified to discuss the “educational experience for kids”. This is just new rhetoric to help him pass off the original claims he made regarding the needs of the building to justify the plan of the long range committee which he wholly supported. He said numerous times “we trust the committee” so this is all new justification based on criteria that was never part of the original discussions. The public certainly would not have heard this prior to this discussion.

Mr. Wilson then talks about a notice of inhabilitability possible for Cedar Heights. A board member spoke with both of the Fire Marshals long ago during the process. He was assured by the Fire Marshalls (one in Port Orchard Planning and one in Kitsap County DCD) that they were in close contact with the district, OSPI, and other agencies tasked with monitoring the condition of the buildings of the school district. They both indicated no potential problems with the buildings at that time and it would take a major structural issue (i.e. earthquake) to cause them to consider building inhabilitability issues.

Mr. Wilson, again, is speaking about something he knows nothing about, not talked with the experts, and is just starting fear mongering among the new board members to influence their

thinking and vote. No facts support any comments on what his is saying. Yet, he speaks and the public may now fear the Cedar Heights building integrity for no valid reasons. This is not transparency with the voters.

Mr. Winter is also aware of the discussions with the Fire Marshalls as he was told of the discussions long ago but said nothing to counter Mr. Wilson's fear mongering comments. This is not being truthful with the voters. This is inventing a new story to take to voters which, without facts again, will be a repeat of the last bond measure and not instill any confidence again with the voters as the same people talking are just inventing another story to fool the voters.

### **Video Evidence #19**

(19) Wilson Cries Sky Is Falling On Our Older Schools Board Mtg. 12-06-23

[https://youtu.be/2p8EI\\_Q-wa8](https://youtu.be/2p8EI_Q-wa8)

This is Mr. Wilson now talking about issues that never came up as he thought they were not important considerations at the time. Others, who broached these issues, were told they were not important as the capital projects committee had done all their work and they had the best plan. Once again, now he wants to say the sky is falling on our buildings. No district information confirms any of this and OSPI, the Fire Marshalls, and SKFR all follow the condition of the buildings. Now the excuse is the boiler might go out. Perhaps possible, but what has the district done with all the money it has received from the state to support building maintenance? Why did the district have to fund a \$2M chiller for the SKHS with non-voter approved debt? The answer is because the district has 200 extra employees and pay raises average 8%, well above what the average person in Port Orchard gets. That is why the district is unable to convince people of the needs.

Now, he says that the community doesn't know this information. What happened to his statements that this was vetted through the community, vetted through proper city and county offices/officials, had community blessing, they knew all the issues, and this is what the community wanted? It was all a bunch of lies as shown here. Now, he addresses the issues he told the community previously that they were non-issues. He implies renovation when he himself told others that this was not possible as the building were falling apart as we speak.

Many homes and buildings in Port Orchard are much older than some of the schools. He is trying to blame the community for the lack of progress on this issue. The real issue, for the last 30 years, is trust in the district and transparency. Why does the board not understand that people living in a 50 year old home don't get a new one because it's old and might need some work? They are perfectly habitable as are many older buildings downtown. Citizens think they have given the district what they can even if it isn't perfect. The use of "it's for the kids" is running empty with people as they don't agree. Isn't it what they want for the kids; not 3 board people who want it their way?

<https://youtu.be/SsSiTdgymI0>

This is another interesting group of comments from Mr. Winter. Again, now we seem to recognize that other options exist. Mr. Wilson continues to be fixated on the issue of buildings falling down while the issue discussed here is academic needs. Various community members mentioned closing schools or consolidating them. Others mentioned renovation versus rebuilding. Yet, none of this was considered but the message from Mr. Wilson and Mr. Winter to the public was “we are doing what you told us you wanted done”. This just continues to show that this was never properly vetted, the few items from the little public comment they received were disregarded by the board and district, and now, it suddenly seems important to consider them. If these were so important, why was the public not informed about them, asked for their thoughts, and included in the process as both Mr. Wilson and Mr. Winter said they were?

### **Additional Information.**

The three other board members, Mr. Pickard, Mr. Berg, and Ms. Espy are also accused of malfeasance. Each one of them knew that the information was not true but said nothing. Mr. Pickard is the board vice chair so he and Mr. Wilson chat often and it doubtful that he does not have the same level of understanding of the bond issues as Mr. Wilson. Mr. Pickard was in the district for 35 years, both as a principal and at the district office so he is very aware of how the district operates and probably advises Mr. Wilson along with Mr. Winter. Mr. Pickard wrote an article for the newspaper supporting the bond knowing that the information he was passing along was incorrect.

Mr. Berg ran an illegal website for over two years that went unchallenged by the board. It is the subject of an outside lawsuit. He was on the capital projects committee and knows first-hand that the feasibility was never done but refused to say anything in public and to the public.

Ms. Espy often commented at board meetings how she met her neighbors, discussed the bond issue with them, and applauded herself that she had convinced several to vote for the bond. This is in direct violation of PDC law. She also talks often to the other board members and Mr. Winter and knew that no feasibility studies were done. Yet, she too said nothing to the public and probably failed to mention that fact when talking to community members.

Ms. Miller is an employee of the district and the communications officer. Her involvement in this is due to her position and probably from direction from her supervisor, Mr. Winter. Nonetheless, when district information is changed, embellished, distorted, explanations omitted, and comments deleted from either public records, public recordings, or district websites, Ms. Miller is responsible for these items. Her constant comments about “misinformation” are a direct attempt to make the public believe that the lies come from outside the district, not from within as shown in numerous video clips. She was with Mr. Wilson when he was at the Port Orchard Farmers Market and with Mr. Winter on his “secret” trip to various businesses and organizations so she was perfectly aware of what was being passed on to the public as “the truth”.

### **Summary.**

In summary, we have provided ample evidence that members of the SK School Board and the district Superintendent mislead voters in the most recent SK bond initiative by telling them that project feasibility studies had been done but were not. We have Mr. Wilson outright misleading

voters, Mr. Fenton, and Mr. Winter confirming that they were not done but well after all community hearings had been done, voter pamphlet statements were written, and board members were in the community along with the superintendent promoting the bond to voters who had no idea of the alleged voter fraud involved. Parts of this issue have been sent to the SAO, PDC, OSPI, and ESD 114 for their action in the parts applicable to them.

We have provided examples of citizens who made comments to the board and superintendent asking for information and verification to which none was provided; yet the board and superintendent continued to perpetuate the lies told to the public. There was no misinformation or misunderstandings by the public. They were deliberately misled to vote for a \$271M bond that had not been properly vetted nor was due diligence done by the district and the school board.

The new members on the board show that that even they, candidates, who should be somewhat knowledgeable about the bond since they supported it, knew little of it, and instead just went along with the board to get elected. Their comments show that what they heard and were told was not the truth. The most recent board meeting comments from Mr. Wilson and Mr. Winter show that their focus was not on the welfare of the students and their learning but on constructing buildings thinking that new buildings will fix the failure of the district to show academic progress in the district. Mr. Wilson's comments are not valid as other interested parties (OSPI, District facilities, SKFR, local Fire Marshalls) are not sending out the same message to alarm the public about the safety of the building. We have many buildings in Port Orchard that are much older and do not have inhabitability concerns. All of this is just covering up for the issues they have caused by lying to the public.

We are asking you to investigate and press charges against the board members and the superintendent Mr. Winter for alleged voter fraud by deliberately misleading the public to pass a school bond issue.

Cordially,

J Daily