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4 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
5 **OF THE STATE OF WASHINGTON**

6 In the Matter of Enforcement Action
7 Against:

8 Ted May,

9 Respondent.

PDC CASE NO. 07-040

STIPULATION AS TO FACTS,
VIOLATIONS AND PENALTY

10 The parties hereto, the Public Disclosure Commission Staff, through its Executive
11 Director, VICKI RIPPIE, and the Respondent TED MAY submit this Stipulation as to Facts,
12 Violations and Penalty. The parties agree that pursuant to RCW 42.17.360 and WAC 390-37-
13 090, the Commission has the authority to accept, reject, or to suggest modifications to this
14 Stipulation.

15 **I. JURISDICTION**

16 The Public Disclosure Commission has jurisdiction over this proceeding pursuant to
17 Chapter 42.17 RCW, the Public Disclosure Act; Chapter 34.05 RCW, the Administrative
18 Procedure Act; and Title 390 WAC.

19 **II. FACTS**

20 1. On February 1, 2001, Darrell Haglund left the Thurston County Assessor's
21 Office, where he was employed as a real estate appraiser, and accepted an appointment to the
22 position of Grays Harbor County Assessor. In September 2001, he ran for election to complete
23 the final year of the unexpired term of the Assessor's position, but lost the election to Ed Prkut.
24 He then returned to the Thurston County Assessor's office where he has been employed as a
25 real estate appraiser since January 1, 2002. In 2006, when incumbent Ed Prkut decided not to
26 run for re-election, Mr. Haglund again ran for the position of Grays Harbor County Assessor.

1 2. Cherri Rose-Konschu is a real estate appraiser for the Grays Harbor County
2 Assessor's office. She was a candidate for Grays Harbor County Assessor in the 2006
3 election. Ms. Rose-Konschu defeated Darrell Haglund in the Democratic Primary election
4 held September 19, 2006. There was no Republican challenger in the general election, and Ms.
5 Rose-Konschu was elected as the Grays Harbor County Assessor on November 7, 2006.

6 3. Ted May was employed for 30 years by the Thurston County Assessor's Office
7 as a Residential Real Estate Appraiser. For the past two years, Mr. May has been employed by
8 the Grays Harbor County Assessor's Office as a Senior Residential Real Estate Appraiser. He
9 resigned his position with the Grays Harbor County Assessor's Office following the September
10 19, 2006 Primary Election.

11 4. Claudia Kalles is employed by the Grays Harbor County Assessor's Office as
12 Chief Deputy Assessor. She has been employed by the Assessor's Office for 34 years and has
13 been the Chief Deputy Assessor since November 2001.

14 5. Ms. Kalles served as the Campaign Manager for the Cherri Rose-Konschu
15 campaign. Ms. Kalles and Ms. Rose-Konschu were the only names listed on the campaign
16 bank account. Campaign contributions were received and deposited by Ms. Kalles who
17 recorded the contributor information in a notebook and gave the relevant information to the
18 campaign treasurer who recorded the information on C-3 reports. Ms. Rose-Konschu signed
19 all C-3 and C-4 reports, disclosing the campaign's contribution and expenditure activities.

20 **A. \$1,000 Contribution Made on July 11, 2006**

21 6. On July 10, 2006, Cherri Rose-Konschu filed a Candidate Registration (PDC
22 form C-1) as a candidate for Grays Harbor County Assessor. On July 11, 2006, Ted May
23 contributed \$1,000 to the Rose-Konschu campaign. He wrote a check in the amount of \$1,000,
24 payable to Claudia Kalles, the Campaign Manager. Mr. May made the check payable to Ms.
25 Kalles because he did not want Ms. Rose-Konschu's name to appear on the check. Ms. Kalles
26 deposited the check in the campaign bank account.

1 7. Ms. Kalles said she offered to report the \$1,000 contribution in her name
2 because she knew Mr. May wanted to remain anonymous. Mr. May said he did not want Mr.
3 Haglund, who he had worked with at the Thurston County Assessor's Office, to know he had
4 contributed to Ms. Rose-Konschu's campaign because he feared there would be repercussions
5 if Mr. Haglund won the election and knew of his contributions. Mr. May said he told Ms.
6 Kalles to show his contribution as anonymous if it was allowable to report his contribution in
7 that manner.

8 8. Ms. Kalles recorded her name in the contributor notebook as the source of the
9 May contribution and provided this information to the treasurer who reported Claudia Kalles as
10 contributing \$1,000 on July 11, 2006.

11 **B. \$1,000 Contribution Made on July 31, 2006**

12 9. On July 31, 2006, Ted May made a second \$1,000 contribution to the Rose-
13 Konschu campaign. He again wrote a check in the amount of \$1,000, payable to Claudia
14 Kalles, the Campaign Manager. Ms. Kalles deposited the check in the campaign bank account.
15 Mr. May said he did not discuss with Ms. Kalles how the second contribution would be
16 reported. He said he assumed it would be reported in the same manner as the first contribution.

17 10. Ms. Kalles recorded the name of her husband, Ken Kalles, in the contributor
18 notebook and provided this information to the treasurer who reported Ken Kalles as
19 contributing \$1,000 on July 31, 2006.

20 **III. VIOLATIONS**

21 Based on the facts stipulated to above, the Respondent agrees that he committed two
22 violations of RCW 42.17.120.

1 IV. PENALTY

2 Based upon the stipulated facts and the agreement regarding violations set forth above,
3 the Respondent agrees to pay a penalty of \$7,500. Of the penalty amount, \$5,000 will be
4 suspended on the condition that the Respondent commits no further violations of RCW 42.17
5 for four years from the date of the entry of the Commission's Final Order in this matter.
6 Payment of the non-suspended portion of the penalty (\$2,500) is due within 90 days from the
7 date of entry of the Commission's Final Order in this matter.

8
9 Stipulated to and dated this ^{27th} ~~22nd~~ of November 2006.

10
11 Vicki Rippie's
12 VICKI RIPPIE, Executive Director
13 Public Disclosure Commission

11/27/06
Date Signed

14 Ted May
15 TED MAY, Respondent

11-22-2006
Date Signed