**Port of Silverdale**

Minutes of Regular Meeting

September 21, 2017

**1. CALL TO ORDER**

Commission chairman Henry Aus called the meeting to order at 7:00 PM in the Port office. Also present were Commissioner Lawrence Greaves; Commissioner Ed Scholfield; Attorney Phil Best; Administrator Theresa Haaland; Mike Vasquez of MTV Home Repair; Tim Knapp of TIKAR Services; and Steve Trunkey of Kitsap Sailing and Rowing Foundation (KSRF)

1.1. Agenda – ***The agenda was approved*** (motion by Greaves, second by Scholfield, unanimous).

1.2. Regular meeting minutes ***of the August 17, 2017 meeting were approved as read*** (motion by Scholfield, second by Greaves, unanimous).

**2. PUBLIC COMMENT**

2.1. Weekend Market – It was thought Roy Sahali was going to attend tonight’s meeting. Phil said that Mr. Sahali had called the Port office and asked if he was on tonight’s agenda. Phil didn’t realize that he was so told Mr. Sahali that he wasn’t. Commissioner Scholfield reported that there was some sort of conflict with the wedding that was scheduled to take place on the grassy area on August 26, 2017. An individual claimed to have been granted permission from the Port ‘director’ to use the area for a picnic. Thankfully, they were able to work together and accommodate everyone with little to no impact on the wedding. It was thought the individual must have been confused with the Waterfront park property.

**3. UNFINISHED BUSINESS**  
3.1. Port Programs   
 a. Sailing – Greg Jacobs continues to work on the transfer of ownership of the 19’ lightening sailboat to the Port.

b. Rowing – Clam Island Rowing (CIR) is now a separate entity from KSRF. The date of the separation of the entities is in October of 2016.

Dave Gebauer with the Washington State Department of Revenue conducted the scheduled Leasehold Excise Tax audit, which is scheduled every five years. He concluded that personal property leasehold/excise tax was not collected from KSRF or ClR for the lease of the sailboats, shells, and all the equipment. He further concluded that the annual $5 per boat lease fee was not equivalent to fair market value. A more adequate fee must be determined and implemented and the 12.84% personal property tax added. The tax must also be collected retroactively back three years. Phil is looking into this and has been in contact with Kitsap County Prosecuting Attorney, Jacqueline Aufderheide as she was instrumental in the Port taking over the program from the County years ago.

c. Non-motorized boat storage area – nothing to report

3.2. Port Facilities   
 a. Dredging – Phil reported that the second half of the dive for soil test sampling will take place on September 25th. Commissioner Scholfield voiced his concern about not getting the dredge done until 2019 because there has been no contact made with a contractor that will actually do the work and since the window of opportunity to do in-water work is limited to the month of August a lot of contractors are already booked for 2018. Phil explained that the amount of material and soil tests need to first be determined, but he will plan to reach out to contractors to determine who has availability and possibly draw up a contract contingent on the Port obtaining the permit. Tim suggested that once the material yardage and where it will be dumped is determined get it out to bid.

b. Moorage Facility – Tim reported that the Anode Replacement Project is complete.

c. Sailboat Float – will be removed for the season on October 21st. Tim is meeting with Logan from Marine Floats on October 23rd. They will discuss what needs to be done to beef up the floats and take a look at the hinge that is believed to be defective.

Tim voiced his concern about leaving the sailboat float in the water until the 21st, but is trying to accommodate KSRF. Mr. Trunkey was reminded that the sailboat float will be removed early when the dredge takes place, hopefully next August.

d. Handling Pier – is scheduled to be removed also on October 21st. Dredging under the boat launch took place within the month. A lot of debris was removed. Bolts were replaced on the handling pier. Tim showed a sample of one of the 20-year old deteriorated bolts that had been replaced. Steve Trunkey complemented the work done on the handling pier.

At a recent Citizen’s Advisory Committee meeting, there was a complaint about the Port storing and spreading out the handling pier in the vehicle/boat trailer overflow lot. Monica Downen said that the smell from the dead sea life has a negative effect on her business. Commissioner Scholfield plans to spray down the sides of the floats really well. That won’t completely take care of the smell as a lot of sea life is attached to the bottom, but it should help considerably. Commissioner Aus questioned if the floats will be blocking off the lot again. Commissioner Scholfield said that yes, he plans to spread them out again in the overflow lot as it helps alleviate the reckless driving issues.

e. Ladders – Tim has ordered the material for the ladders. Once they are constructed he will install them. He plans to place one at the end of each finger pier and also one by the gangway.

f. Security Cameras are up and running. Commissioner Scholfield continues to work on getting them both viewable via the website.

g. Port Rules – Commissioner Scholfield submitted the wording for the signs to Fast Signs. He will also order “No Wake” signs and post them on the steel piling. Tim suggested that the Whaling Days banner with Port rules listed on it be removed for the season. The Commissioners agreed.

Mr. Trunkey said that the Port Host position worked wonderfully this year.

3.3. Port Properties

a. 9004 Washington Avenue/Dispute Resolution Center (DRC) - the meeting is on hold until the DRC contacts the Port to schedule.

b. 9020 Washington/Elizabeth’s House of Wax – Mike reported that he contacted the County about the open emergency sewer permit. They didn’t seem too concerned about it not being finalized yet. Robison Plumbing would like to wait to connect 9020 Washington’s sewer line directly to the County’s new main line that will be installed next year along Washington Avenue.

c. 3255 NW Lowell Street – the fence that caught fire has been repaired.

d. 3215 NW Lowell Street - Suites 231 and 261 - remain vacant. The rooms are small and harder to rent.

Suite 161/Ace Professional Service’s

employee was not happy that the Port installed locks on the cleaning supply cabinet. It seems he took it personally, which was not the intention.

e. 3473 NW Byron Street/Old Town Pub –

Mike reported that an upstairs shower is leaking and the subfloor is rotting. He said the repair is intensive and will be pricey. He questioned if the shower should just be posted off-limits to the upstairs tenants. Phil reviewed the lease between the Port and Fred Lanouette, which is through October 2018. It states that Mr. Lanouette accepts the building in its present condition. Mike provided pictures of the building’s crawl space. There is definitely a lot of structural work that needs to be completed. The engineer even cautioned Mike not to be under the building without emergency rescue equipment. Phil suggested that he and Mike meet to review the Fire Marshall’s report and determine what the Port is responsible to complete and what has already been fixed. Phil will then prepare a letter to Mr. Lanouette explaining the situation. Mike explained that he has already ordered and paid for the tempered glass and panic bar. Commissioner Scholfield asked that he finish those jobs. The safety of the building was discussed. Although, it’s in disrepair it is believed that the building is actually safe for the tavern patrons and those who live upstairs. The Commissioners agreed that Mr. Lanouette should pay to have the upstairs shower repaired, if he wants it fixed. Spending a lot of money on the building when its future is unknown isn’t in the Port’s best interest.

3.4. Owed to the Port – nothing to report.

3.5. Bike Night at Cash Brewery was held on August 30th. It is apparently a regular event now being held on the last Wednesday of each month. Commissioner Scholfield was in contact with County Commissioner Ed Wolf because the July Bike Night created a lot of chaos in the area. Commissioner Wolfe requested additional sheriff support in the area during the August event. The Port’s parking lots were closed off to avoid any issues. One motorcyclist did go through the barrier and drove recklessly as viewed on the surveillance footage. Unfortunately, he was unidentifiable. Commissioner Scholfield returned a call from Tommy Cash the owner of the business. A message was left, but no return call was received.

3.6. Pump Station 3 Upgrade aka the Bayshore Drive Project – Commissioner Scholfield has

Concerns about the County’s proposed easements on Port property, but until an official request is received from the County there is little that can be done.

3.7. Citizen’s Waterfront Advisory Committee – the recent focus has been turning a portion of Byron Street and Lowell Street into One-Way streets. Commissioner Scholfield has heard that some tenants are concerned that they will lose their parking spots along Byron Street if the road was turned into a one-way. This is something that will be addressed, if/when necessary. Commissioner Scholfield heard that the County was told that the Port Commissioners are upset at the County because they believe the County is taking advantage of the Port with regards to the dumpster on Washington Avenue. This was some sort of communication error because that is not true. There was talk during one of the committee meetings that the County brings all the garbage from Island Lake and Wildcat Lake to their dumpsters on Washington, but not the Ports. Commissioner Scholfield said that is bad information as it’s not true anyway. Phil explained that the committee has been meeting regularly since the end of May. A lot of good thoughts and ideas have been discussed. The committee members believe it is time to include the expertise of a consultant to prioritize and prepare a plan for the Commissioners’ review. Phil provided a proposed Request for Qualifications (RFQ) – Planning and Architectural Services with a November 1st submittal deadline. The Commissioners reviewed the RFQ and agreed Phil should move forward with it.

3.8. Event Recap

The VFW Annual Friendship Bathtub Races were cancelled; apparently, there was an emergency situation with a couple boats during the races in Canada.

3.9. Jetski – on August 18th Gerald Bernier came into the Port office and said that he did sell the jetski to Paulette Fosmo. Later that day Ms. Fosmo came in to retrieve her keys. On August 22nd Commissioner Aus witnessed a woman driving a jetski recklessly near the Port’s floating moorage facility. She seemed impaired. It is thought to have been Ms. Fosmo on her jetski because the August 22nd nightly boat report lists her jetski. Commissioner Scholfield said that the sheriff deputies requested that if Ms. Fosmo is seen in the area they be contacted.

3.10 Office desk is in place and looks good.

**4. NEW BUSINESS**

4.1. Bill’s Fire Extinguisher Service – Jason Matthews, the owner, came into the Port office explaining that his business had been hijacked. Apparently, an ex-employee used Mr. Matthews customer list and started her own business, called Fire Solutions NW. In fact, the Port has recently done business with Fire Solutions NW who told the Port via phone that they purchased the business. It was agreed to begin using Bill’s Fire Extinguisher Service again.

4.2. Vessel #WN7415JD has been moored at the Port facility since August 27, 2017. Early on the owner, Darian Watkins, came into the Port office explaining that the boat wasn’t running, but he had a plan to get it towed soon. He paid for several nights of moorage, but it has been awhile since he last came in and now it looks as though the vessel is taking on water. Mr. Watkins sent the Port an e-mail on September 15, 2017 explaining that he wouldn’t be able to get the boat towed from the Port’s facility until September 20th. A reply was sent asking Mr. Watkins to provide proof of insurance for the vessel. Nothing has been received and he is now $242 in arrears. Tim said that the boat is actually popping some of the dock plates loose. If the weather turns it could be bad. Tim suggested the Port have a buoy installed for such instances. Commissioner Scholfield requested that an e-mail be sent to Mr. Watkins informing him that on Monday, September 25, 2017 if the vessel remains at the facility, the Port will begin processing it as a derelict vessel. Phil will review the process.

4.3. 2018 Preliminary Budget will need to be adopted at next month’s meeting. It was agreed to include $50,000 for a planning consultation for waterfront improvement.

4.4. Small Ports Conference is scheduled for October 26th – 27th in Leavenworth. Commissioner Aus has attended the conference in the past and encouraged the other Commissioners to attend it. Commissioners Greaves and Scholfield will check their scheduled and will attend if possible.

Commissioner Scholfield reported that the Department of the Navy had a large gathering at the Waterfront Park. Apparently, they told the County there would be approximately eighty people in attendance, but it was estimated to be closer to four hundred. This created a major parking issue. It was agreed that the County should not allow for gatherings over one hundred people at the Waterfront Park and should inform the Port in advance of any scheduled gatherings in which more than fifty attendees are expected.

**5. SAFETY** – nothing to report.

**6. APPROVE EXPENDITURES & ELECTRONIC TRANSFER**

***The attached voucher approval totaling $76,960.40, checks numbering 11539 through 11566 and Electronic Transfer 2017-09 to the U.S. Treasury in the amount of $1,840.68, were approved*** (motion by Scholfield, second by Greaves, unanimous).

**7. EXECUTIVE SESSION**

At 9:05PM it was announced that the meeting would be going into Executive Session for approximately five minutes to discuss real estate matters.

At 9:10PM the meeting returned to Regular Session.

Phil was tasked with preparing a letter in response to the real property discussed in Executive Session.

**8. ADJOURN  
*The meeting adjourned at 9:11PM*** (motion by Greaves, second by Aus, unanimous).

Approved:

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Henry Aus, Commissioner

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Lawrence Greaves, Commissioner

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Ed Scholfield, Commissioner

