**Port of Silverdale**

Minutes of Regular Meeting

October 19, 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; Carla Larson of Kitsap Peninsula Water Trails and Whaling Days; Roy Sahali of Sahali Farms; Jackie Bosinger of the Old Town Pub; and Jeff Boggs and Drew Kohlbeck also of the Old Town Pub arrived at 8:24PM.

1.1. Agenda – ***It was agreed to approve the agenda as amended*** (motion by Greaves, second by Scholfield, unanimous).

1.2. Regular meeting minutes of the September meeting were read. Ms. Larson said that the portion of the minutes regarding the County garbage situation is actually true according to a County Parks employee that told her they dump the garbage from Island Lake and Wildcat Lake at the Washington Avenue dumpster. ***The September 21, 2017 meeting minutes were approved as corrected*** (motion by Greaves, second by Scholfield, unanimous).

**2. PUBLIC COMMENT**

2.1. Weekend Market – Mr. Sahali provided a summary of the 2017 season. Saturday, October 21st, will be the last day of the season. He said it was a bit earlier than he had planned because of the early placement of the boat launch handling pier and sailboat float in the vehicle/boat trailer overflow lot. Overall he had a successful season and believes it will grow in 2018. He spent only $150 of the allowed $3,000 the Port approved for the weekend music. He asked that the additional $2,850 be rolled over for next season. The Commissioners agreed and the budget will allow for that. Mr. Sahali said that he agreed with Mr. Trunkey’s comment from last month’s minutes that the Port Host position worked out well. He noticed that there seemed to be a different group of individuals in the area this year and more homeless people. Mr. Sahali refers to the weekend market as the Old Town Weekend Farmers Market. Phil questioned the use of Farmers Market since a lot of what Mr. Sahali is or will be hosting is not necessarily farmers. Tim wanted it noted that the sailboat float and handling pier are not actually being taken out of the water for the season early. Traditionally they are taken out in October. Tim is not comfortable leaving them in the water past mid-October. Mr. Sahali noted that the weekend market season should be May through September. Mr. Sahali thanked the Commissioners for their time.

2.2. 3473 NW Byron Street/Old Town Pub the Port office received an e-mail from Jim Bolger, Assistant Director of Kitsap County Department of Community Development (DCD), dated October 18, 2017. Mr. Bolger informed the Port that due to the building’s structural integrity safety concerns the DCD was initiating a code compliance action, which may require closure of the business and mandatory relocation of the tenants. Jackie Bosinger said that a County employee posted a Dangerous Building Notice on the building this evening and which stated everyone has fourteen days to vacate. She explained that a lot of the upstairs residents have nowhere to go and some have disabilities. Fourteen days to find a new place to live and move is pretty much impossible, especially since the reasonable rent amount all the upstairs tenants have been paying cannot be found anywhere else. Phil said that the County was supposed to provide the tenants with information about lower income housing. Ms. Bosinger said they did provide handouts with names and phone numbers, but upon review she noticed the amount charged for rent for those places are nearly double what the tenants currently pay to Fred Lanouette. Phil explained that Mr. Lanouette has the lease with the Port and subleases to the upstairs tenants; therefore, he is their landlord and they should work directly with him. Commissioner Scholfield said that the Port has made a good faith effort to comply with the permit. Mike has been working on getting things done that the County initially required. He even has $5,000 worth of panic bar hardware and tempered glass on order that cannot be refunded. The work was stalled at the beginning because it took several weeks for the County to issue the permit. Commissioner Scholfield, Phil and Mike met with Mr. Lanouette and County officials today and discussed the situation. Phil provided a letter dated October 19, 2017 addressed to the Port from Jeffrey Rimack, Acting Deputy Certified Building Official DCD. Mr. Rimack explains that the County has deemed the building a Dangerous Building and outlined the conditions as to why the building is considered dangerous and provided two options – either make the repairs or demolish the building. To avoid legal ramifications one of the two options must be commenced within thirty days and completed within sixty. After the meeting Mr. Lanouette told Phil that he plans to contact his own attorney. Mike explained that he believes the County’s main concern is with the upstairs tenants, but in order to meet the requirements outlined in the letter the building would need to be totally vacated. Ms. Bosinger said that if the bar had to be shut down for a while for improvements, she is certain the clientele would come back once it re-opened. She also said that she has many ideas for the pub that she’d be more than happy to share. Phil explained that there are a lot of people who believe the building has historical value and the Advisory Planning Committee has been meeting and discussing the future of the Port-owned properties along Byron Street, which includes the pub. Commissioners recently agreed to hire a consultant to review the committee’s ideas and prepare a plan with several options for the Commissioners to decide. A Request for Qualifications (RFQ) has been sent to several architectural firms with a November 1st deadline. Until a plan has been accepted it is not known if the Port will refurbish the building or demolish it. The letter from Mr. Rimack states that any person having record title or legal interest in the building has twenty-one days to appeal the order by filing written notice. ***It was agreed to appeal the Dangerous Building Order and re-evaluate next month*** (motion by Greaves; second by Scholfield, unanimous). Phil was tasked with preparing an appeal to the County explaining the Port’s position with regards to the building and negotiating an early termination of the lease with Mr. Lanouette. Ms. Bosinger asked if the tenants could be part of that appeal. It was suggested that the tenants prepare their own appeal and it be directed at the 14-day timeline to vacate. Tim suggested the appeal include that the Port hasn’t yet received a complete evaluation of the building and until the Commissioners have a clear understanding of the building’s issues, they would like more time in making such a drastic decision. Ms. Bosinger thanked the Commissioners for their time and asked that she be notified of any changes to the situation.

**3. UNFINISHED BUSINESS**

3.1. Port Programs   
 a. Sailing – the transfer of ownership of the 19’ Lightening sailboat is not yet complete. It is believed Greg Jacobs continues to work on it. The sailboat float will be removed on Sunday, October 22nd. The sailboats are currently on the floats, apparently Steve Trunkey thought he had more time to remove the boats. He has been in contact with Tim. Commissioner Aus questioned if Kitsap Sailing and Rowing Foundation (KSRF) will change their name since Clam Island Rowing (CIR) is now a separate entity. Nothing has been heard about this, but it seems logical.

b. Rowing – Commissioner Scholfield has reset the restroom door lock timer to 6:30PM. This should still accommodate evening rowers.

Phil has talked with Dave Gebauer, the auditor with the Washington State Department of Revenue, who conducted the recent Leasehold Excise Tax audit. Phil is awaiting information from KSRF and CIR before being able to determine a value amount on the equipment. Phil said that the limited time of seasonal use should be factored in when determining the value of the equipment.

3.2. Port Facilities   
 a. Dredging – Phil reported that the draft preliminary plan has been submitted to the Army Corps of Engineers and it should be known in a few weeks if it passes their requirements. Phil plans to talk with the County about the beach nourishment on their property.

b. Sailboat Float will be removed on Sunday October 22nd. A meeting with Logan from Marine Floats is scheduled for Monday, October 23rd. Tim will provide Commissioner Aus with more information as he is interested in attending that meeting.

c. Handling Pier is scheduled to be removed also on October 22nd.

d. Ladders – Tim has the materials in place.

e. Security Cameras are up and running.

f. Port Rules – Commissioner Scholfield will contact Fast Signs to determine status.

3.3. Port Properties

a. 9004 Washington Avenue/Dispute Resolution Center (DRC) and 9020 Washington Avenue/Elizabeth’s House of Wax a call was received from the DRC complaining of a sewage smell within the building. It was determined that the pump in the basement of the 9004 Washington property that pumps the sewage from the adjacent building (9020) was backed up again. Robison Plumbing was contacted, but couldn’t get to the job until later in the week so Mike and his crew worked on it and were able to fix the problem. Recently, a “permit action required” notice from the County for the work Robison completed back in November 2016 was received. An e-mail was sent to Robison Plumbing informing them of the notice and asking what is going to be done to finalize the permit. A response from Tom Bozeman was received and he suggested to let the permit expire and connect the sewer line to the new main line the County is planning to install next year. The Commissioners agreed. In the meantime, Commissioner Scholfield has ordered a shredder pump that should alleviate similar issues in the future.

b. 3295 NW Lowell Street/Abeel Studios – tenants asked permission to install a washer and dryer. They were informed that they would most likely have to pay for it. Mike will provide them with the plumbers name and ask them to provide the Port with an estimate. The Commissioners agreed that it would be okay, if the tenants paid for it

c. 3473 NW Byron Street/Old Town Pub see 2.2. Public Comment

3.4. Pump Station 3 Upgrade – there has been no information regarding the design.

Robert McGinley of Kitsap County Public Works called the Port office to inform that the County’s Project Manager, Gunnar Fridricksson, would be the point-of-contact regarding the easement questions the Port has regarding the Bayshore Drive Project. Commissioner Scholfield recommended not allowing the easement along Washington Avenue near the vehicle/boat trailer overflow lot because it interferes with the Port’s electrical, irrigation and network systems. Ms. Larson expressed her interest in this matter as well because it will affect Whaling Days electrical also. Mr. Fridricksson will be invited to attend the November meeting to further discuss.

3.7. Citizen’s Waterfront Advisory Committee – the RFQ was mailed to several architectural firms. They have until November 1st to reply. Phil explained that he will miss the November meeting and questioned if a special meeting should be held after the 1st but before he leaves to open and review the received RFQ’s. It was decided to hold a Special Meeting on November 9, 2017 at 4:00PM at the Port office.

3.6. Olympic Outdoor Center summer 2017 report was reviewed. Owner, John Kuntz, asked that the information within the report remain confidential.

3.7. Vessel #7415JD is no longer moored at the Port facility. The outstanding balance for the unpaid moorage totals $462.00.

3.8. Enduris Claims Analyst, Carrie Miller, contacted the Port regarding the incident with Mr. Fajardo where he wanted a claim for damages form from the Port because his truck was damaged when he ran it into the Port’s flower pot that sits between two disabled parking stalls. Ms. Miller informed the Port that since no claim for damages had been received she was closing out the file.

**4. NEW BUSINESS**

4.1. 2018 Preliminary Budget was reviewed. Commissioner Greaves questioned if the Leasehold/Excise Tax KSRF/CIR issue was considered when preparing the budget. It wasn’t, but it is believed KSRF/CIR will be responsible to pay it, not the Port.  ***The 2018 Preliminary Budget was approved as submitted*** (motion by Scholfield, second by Greaves, unanimous). Notice will be published in the CK Reporter accordingly.

4.2. 3550 NW Byron – the upstairs tenant in suite B brings his dog with him to work. Periodically he would allow the dog to be in the hallway when no one else it there. One morning when the Suite A tenant was going into her office the dog ran towards her and was barking. This caused her to question if the Port has a policy regarding dogs in their buildings. The tenants talked and Suite B said he would no longer allow for the dog to be left unattended in the hallway. The Commissioners agreed that the dog should not be in the hallway and as long as the barking is kept to a minimum it would be allowed at this point.

4.3. E-mail dated October 3, 2017 from Stephanie Nielson requesting changes be made to the current parking designation near the boat launch was reviewed. Ms. Nielson asked the Commissioners to begin granting cars with kayak racks permission to park in the vehicle/boat trailer stalls. Since the funds used to create that parking lot were partially paid for by a grant from the Recreation Conservation Office (RCO)/non-refunded motorized boat gas tax, it is not possible to comply with Ms. Nielson’s request.

4.4. Water Trails meeting is scheduled for November 15th at the County Administrative Building. Ms. Larson explained that she will be attending that meeting. She said that the County did not budget any money for the 2018 Water Trails Festival, so there are lots of questions that should be answered during it. Commissioner Greaves suggested Ms. Larson be designated to attend that meeting on the Port’s behalf and provide a recap at a future meeting. The other Commissioners and Ms. Larson agreed.

4.5. State Audit is scheduled to begin the week of October 30th.

**5. SAFETY** – nothing to report.

**6. APPROVE EXPENDITURES & ELECTRONIC TRANSFER**

***The attached voucher approval totaling $44,687.17, checks numbering 11567 through 11593 and Electronic Transfer 2017-10 to the U.S. Treasury in the amount of $1,875.52, were approved*** (motion by Greaves, second by Scholfield, unanimous).

**7. EXECUTIVE SESSION** - None

Ms. Larson reported that the Silverdale Christmas Tree Lighting Ceremony is scheduled for November 25th this year and she is hoping the Port will provide a fire pit and treats in the Old Town area. Commissioners agreed and Commissioner Scholfield offered to prepare and man the fire pit.

**8. ADJOURN  
*The meeting adjourned at 9:37PM*** (motion by Scholfield, 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

