

## **of Silverdale**

Minutes of Regular Meeting  
October 15, 2020

Due to the COVID-19 Virus and Governor Inslee's Proclamation 20-05 the meeting was being held virtually through the ZOOM application. The link to the meeting was posted on the Port's website – portofsilverdale.com.

### **1. CALL TO ORDER**

Commission Chairman Henry Aus called the meeting to order at 7:00 PM. Also in attendance were Commissioner Caleb Reese; Commissioner Ed Scholfield; Attorney Phil Best; Administrator, Theresa Haaland; Lee Knapp of TIKAR Services; Bridget Burke of Clam Island Rowing (CIR); John Bouck and Greg Jacobs of Kitsap Sailing Foundation (KSF); Kathleen Byrne-Barrantes of Grant Solutions; Randy Hunt; and Carla Larson.

### **2. CONSENT AGENDA**

*Commissioner Reese moved to approve the Consent Agenda: October Meeting Agenda as submitted; September 17, 2020 Regular Meeting minutes as submitted; the September 30, 2020 Special Meeting minutes as submitted; the October 15, 2020 checks numbering 12545 through 12575 totaling \$72,666.33 as outlined in the attached Voucher Approval; and the authorization for electronic transfer of payroll taxes #2020-10 to the U.S. Treasury in the amount of \$2,055.78; second by Commissioner Scholfield; approved unanimously.*

### **3. SIGNING OF DOCUMENTS**

All three Commissioners plan to individually stop by the Port office tomorrow to sign documents.

## **4. UNFINISHED BUSINESS**

4.1. Waterfront Center Predesign Project/Pump Station #3 – Commissioner Reese and Phil attended a virtual meeting with Steve Rice of Rice Fergus Miller (RFM) earlier today. Phil explained that RFM plans to provide the cost estimates for the design at the November meeting, but the Commissioners need to make a decision on the design and placement. This will probably need to be conducted during a Special Meeting. Commissioner Reese said that during today's meeting, Mr. Rice had offered to prepare a study including graphics of the view and the impact the building placement will or will not have on it. It would cost approximately another \$5,000. Commissioner Reese informed Mr. Rice it would not be necessary. Phil explained that basically the viewing platform on top of the building will be exchanged for a view from Byron Street. The green space will need to be discussed while keeping in mind the County's easement and Recreation Conservation Office (RCO) parking lot restrictions. Commissioner Reese explained that he suggested to Mr. Rice and Phil that a Special Meeting be held so that the Commissioners can narrow down everything and since it will more than likely take well over an hour, he thought a Special Meeting should be scheduled. It was agreed a Special Meeting would be necessary and Commissioners set the meeting for Tuesday, October 20, 2021 at 11:00AM at the Port office. Although this is a public meeting it was agreed that public input will be limited because at this point the Commissioners just need to make a final decision of design and placement. Phil reported that he has been in contact with Dave Tucker of Kitsap County Public Works and is working on the Memorandum of Understanding



(W. J), which may be finalized and ready for approval at the Special Meeting.

4.2. Recreational Conservation Office (RCO) Grants – the preliminary ranking for the Aquatic Lands Enhancement Account (ALEA) shows the Port at number fourteen out of eighteen and number seven out of fourteen for the Washington Wildlife Recreation Program (WWRP) – water access. Kathleen Byrne-Barrantes said that the WWRP looks promising but it all depends on how much the State budgets. She keeps thinking about how we could have scored higher for ALEA, but isn't sure. She said that being awarded a grant through the Boating Facilities Program (BFP) has much better odds. Right now there are fourteen applicants and seventeen million dollars available with a maximum one million per project, so they would all be awarded at this point. The BFP application is due November 1<sup>st</sup>. The match is normally twenty-five percent, but due to COVID-19 they reduced it to fifteen percent although applicants can request a zero-match due to hardship from the virus. She suggested the Port request a zero match because the Port has reduced tenants rent for several months now, which has negatively impacted the Port's finances. She said that she had talked to Phil about including all of the electrical upgrade in the BFP application; although a portion of it was included in the ALEA application. Phil said that since there is more opportunity with the BFP grant, if the RCO agrees, maybe some of the items from the other two grants can be switched to the BFP application. TIKAR's maintenance on the floats can also be included. Phil said that if there are some big maintenance items planned within the next couple of years, it should be included in the BFP application. Lee was asked to provide Ms. Byrne-Barrantes with the estimated costs. Lee explained that this has historically been charged as time and material. It was agreed that would be adequate for the estimate. Ms.

Byrne-Barrantes explained that a fifteen to twenty percent contingency will be added. Commissioner Scholfield said that the main beams under the pier need to be replaced because the bolts have rusted. Ms. Byrne-Barrantes said that we will have from three to five years to spend the money and can be reimbursed for up to three years back for engineering and architectural work, which consists of twenty-percent of the grant. Commissioner Scholfield said that a survey will need to be conducted to show exactly what needs to be replaced. Commissioner Scholfield said that besides the electrical the water system also needs to be upgraded and should be included in the BFP application. Ms. Byrne-Barrantes said that she needs estimates and project details by November 1<sup>st</sup>. The technical review will take place between November 16<sup>th</sup> and 18<sup>th</sup>. Commissioner Reese asked when the Port will know if it will receive the WWRP grant. Ms. Byrne-Barrantes said it depends on when the State finalizes the budget. ***Resolution 2020-08 Development 20-2142 Silverdale Dock Upgrades & Facility Improvement was adopted*** (motion by Reese; second by Scholfield; unanimous).

Phil explained that approval from the RCO was received for the lingering issue of being able to use a portion of the pier to access a nonmotorized float.

4.3. County's Bayshore/Washington/Byron Street Project – On October 1<sup>st</sup> Ceccanti cut down the tree that was on Port property along Washington Avenue at the Port's vehicle parking lot. It was determined that Ceccanti was following the plan provided to them by the County. Commissioner Scholfield said that at the least the County should reimburse the Port. Phil said that an arborist would need to determine the value of the tree and how much it would cost to replace it. Carla Larson said that the public is not happy about it being gone. Commissioner Scholfield asked if the County



should be contacted to determine what will be done. There is also concern that Ceccanti has not been provided with updated plans because the plans they are using show the Port's property where the utilities are located as County property. At one point the County had approached the Port about purchasing that portion of land as they were wanting it for the project, but the County was told that would not be possible because the Port's utilities are located there. Phil suggested the County's plan be reviewed to determine if there are any other issues so that they can all be addressed at one time. Commissioner Scholfield plans to contact Molly Foster of the Kitsap County Public Works Right-of-Way Department and from there contact will be made with Tina Nelson of Kitsap County Public Works to determine what the County plans to do to regarding the tree issue.

A Use of Port Property Application from Ceccanti to use of the Port's vehicle/boat trailer overflow lot as a staging area through April 30, 2021 was approved. In exchange Ceccanti will resurface and restripe all of the Port's parking lots. There was discussion with Ceccanti that the Port will store the boat launch handling pier and sailboat float in that area, but it was not included in the application. It is thought it won't be an issue. Commissioner Scholfield asked Lee to clean off the floats before storing them to lessen the smell. Lee explained that most of the growth is located on the bottom of the floats and cannot be adequately cleaned, but they will scrape the sides which should help somewhat. Commissioner Scholfield said that the floats need to be stored on 4x4's in case Ceccanti has to move them and should be stored as tightly together as possible. Lee took note.

#### 4.4. Port Programs

a. Sailing – John Bouck reported that KSF sold a sailboat and he will submit the necessary paperwork and the check to the

Port. He explained that it was an old boat that hasn't been used for the fleet for some time now. He checked Craigslist to try and determine the fair market value. Similar boats were listed from free up to \$500. The one that was sold was not in good shape and it was sold for \$100, which is believed to be the fair market value. Mr. Bouck said that KSF has been reopened with sailors on the water a couple times a week. They are wrapping it up since the docks are being removed for the season. They are hopeful and looking forward to the season beginning again in February.

b. Rowing – Ms. Burke reported that kids and adults both continue to be out on the water. Unfortunately, recently a couple of carts that are used to move shells were stolen. She thinks that someone may have accessed the yard by climbing on the jersey barrier that was on the outside of the big fence. She asked if it could be moved. She plans to move the benches that are on the other side of it, which may help as well. Commissioner Aus said that moving the barrier just a couple feet away would probably be all that is necessary. Ms. Burke agreed. Commissioner Reese said that he thought the barrier was placed there in an effort to keep drivers from possibly hitting the fence. Ms. Burke explained that it happened last Monday night and asked if security camera footage might be available. Commissioner Scholfield said that it may be, but will need to be viewed soon, as last Monday's footage will soon drop off. Phil suggested they make sure to contact the Port as soon as possible if there is theft and/or vandalism. Ms. Burke explained that they moved the oar rack within the boat yard. They are hoping to repair the roof that is over the outdoor kitchen as some of the shingles are falling off. It was agreed they could repair it as long as it didn't require a permit and there wouldn't be any issues with workman's compensation if someone was to get hurt during the repair. Ms. Burke said that



it's not a huge job and thought neither would be an issue.

It was agreed that the Port will again pay for the winterization of the chase boats. Commissioner Reese said that he didn't think there would be much that needed to be completed since the boats really weren't used much this season. Ms. Burke said that it seems to be about the same no matter what the use. Mr. Bouck hoped there would be very little repair to the motors as there was much less use of the them this year for KSF. Ms. Burke questioned the October 20<sup>th</sup> Special Meeting/walkabout. Commissioner Reese explained that it is not as much as a walkabout as it is a meeting for the Commissioners to decide on the building design and placement. Mr. Bouck said that he will not be able to attend the meeting, but would be available via phone if there were any questions. Commissioner Reese said that in today's meeting with Phil and RFM it was suggested a Special Meeting be held to decide which building design should be pursued and the placement of the building. RFM was certain that no matter what design is decided upon, CIR and KSF wants/needs are secure. Ms. Burke said that building F was her preference so that CIR members would avoid having to go out into the parking lot to get the shells to the water. Phil explained to Ms. Burke and Mr. Bouck that the RCO had some resistance for the new non-motorized float as the distance from it to the motorized dock was a concern. RCO does not want this new non-motorized float to block use of the motorized dock. It was decided that the area could be dedicated to the program's chase boats since they are motorized. The RCO approved of that idea.

#### 4.5. Facilities

a. Closure – the County continues to be paused in Phase II of the State's Safe Start Plan.

b. Olympic Outdoor Center (OOC) has paid the \$100 off-season rental amount for October. Phil reported that he has an email to John Kuntz drafted based on the discussion at last month's meeting. He is advising Mr. Kuntz to take down the building now although the current lease is good through May 2021.

c. Dredge – Phil said that this continues to be in litigation. Sound Action appealed the Washington State Department of Fish and Wildlife's (WDFW) issuance of the Hydraulic Project Approval (APA) permit as they believe the dredge will adversely affect fish and fish life. There was a motion for summary judgment on five issues. It was argued and a decision was made just yesterday where the WDFW won the summary judgment and only one issue now remains, which will be addressed in November.

d. Utilities – Commissioner Scholfield said that he has done all that he can for the high-speed connection.

Waste Management was requested to begin servicing the dumpster just once a week again – every Wednesday.

e. Curbs in boat launch parking lot – Lee reported that he patched five areas. There were two really bad areas that are now fully repaired.

f. Preventative maintenance - TIKAR provided a preventative maintenance list for the waterfront and the Port buildings. Lee said that preventative maintenance programs can be extremely pricey. He explained that he created this document in an Excel spreadsheet and believes it would be adequate to track maintenance items. Lee said that even the Silverdale Water District uses Excel for their preventative maintenance. The way he set the spreadsheet up was to spread out the maintenance so that it isn't so heavy laden in



the summer months. He said that TIKAR's invoices reference what has been completed, but they could begin a more formal monthly summary of what was completed as well as a summary of what is planned to be completed for the upcoming month. Lee said that he prepared this in an effort to show the Commissioners there are other options for a preventative maintenance program rather than spending a lot of money on a specific program. There would be costs associated with TIKAR preparing the monthly reports. Commissioner Scholfield said that he will look through the excel spreadsheet that Lee provided and possibly create something in Access. Lee explained that it is not a completed list, it was meant more as an example at this point.

Greg Jacobs requested Item 4.9. Boats anchored in Dyes Inlet be moved up in the agenda and discussed now. Commissioners agreed. He is concerned about the boats anchored out in the inlet. He is surprised they are still hanging on with the recent weather. He asked what the Port's protocol is for boats in distress in Dyes Inlet. Commissioner Scholfield said that the Port has no jurisdiction beyond the Department of Natural Resources (DNR) leased area. The fire department knows that they could be charged the moorage fees if they tie them up to the Port, so they don't want to touch them. The County used to take care of them, but soon ran out of money for the derelict boat program. One of the boats has been out there for two years now and people live on it. They don't come in to use the pump out, so obviously they are dumping sewage in the water. Commissioner Scholfield said the Health Department used to go around and check on vessels, but they don't want to take responsibility going out chasing them. The Coast Guard says let the boats ground, then the Army Corps gets involved. Commissioner Scholfield has talked with Commissioner Sean Nye of the Port of Brownsville about this issue as they have

similar concerns about boats anchored out. Commissioner Nye said that they trespass individuals that anchor out and overstay the State's allowed limit. This keeps them from being able to dinghy into the Port of Brownsville and use the facilities and/or purchase supplies. It's basically an effort to make it inconvenient in hopes the vessels will move along. Commissioner Reese said that one of the vessels out in Dyes Inlet dinghies to the Old Mill Park. Mr. Jacobs said that since people are living on these boats it needs to be known if they become in distress. He realizes it is not the Port's responsibility, but finds it very concerning. Commissioner Scholfield said that the Kitsap County Sheriff's Office (KCSO) was out there once in the summer and were verbally accosted. Some of the individuals on those vessels also were verbally abusive to some of the KSF sailors. Commissioner Scholfield said that he doesn't want anyone associated with the Port approaching them. He does plan to take one of the chase boats out in an effort to get close enough to be able to note the WN#'s so that he can report them to the DNR. Currently, the DNR has five or six vessels listed as derelicts anchored in Dyes Inlet. Commissioner Reese asked if the Port reports them, is then the Port somehow responsible. Commissioner Scholfield said that no it's DNR's responsibility unless it's tied to the pier. Phil suggested the Port create a list of point-of-contacts that includes KCSO, DNR, Coast Guard, etc. so that we can easily pass on the information to people who may be concerned and may be willing to make a call. Commissioner Scholfield said that he was contacted by a person from New Life Church a couple weeks ago, who was asking about the Port's showers being closed because she was trying to help a family that lives on one of the boats anchored out. Commissioner Scholfield suggested they contact the YMCA as they are opening up showers to the homeless prior to 8:00AM. He also encouraged her to warn the people on the



boat about how choppy the water gets during stormy weather and suggested she urge them to move along as they may also be reported to the DNR if they are anchored out in one place for a significant amount of time.

g. Boat launch handling pier – is scheduled to be removed for the season on October 19<sup>th</sup>.

h. Pump out – Commissioner Scholfield reported that the pump out needs to be replaced. He had the motor worked on recently and was informed it doesn't have many more hours on it. He estimates it to cost \$500. The State's Clean Vessel Program through State Parks is becoming a competitive program as they cannot afford to award everyone the seventy-five percent reimbursement of costs associated with pump-out service, repair and maintenance. So, there is a chance we will not be reimbursed for the new pump out.

#### 4.6. Port Properties

a. Reduction in Rent – eight out of the Port's fourteen tenants continue to take advantage of the reduction in rent. Three tenants provided input as to how their businesses continue to be negatively affected by COVID-19. *Commissioner Reese motioned to continue to offer a fifty percent rent reduction for November to tenants that qualify; Commissioner Scholfield second the motion; the motion carried unanimously.*

b. 3295 Lowell/Abeel Studios – Lee reported that the outside of the wall is complete. There was extensive damage to the right side of the building. All the rotting internal beams were replaced with pressure treated wood. The interior work starts tomorrow as TIKAR is working around the taekwondo's schedule. They will replace a portion of the inside wall with a nice heavy painted plywood. It was determined that the wall damage was all

created from a vent that had no flashing. The current repair will allow the wall to last as long as the building.

c. 3215 Lowell Street, upstairs closet – Rick Wells paid \$100 for the rent on the upstairs closet. He now owes \$65 to get caught up through October. The address that was listed in a previous lease was for a P. O. Box in Silverdale. He now lives in Georgia. The certified letter to the Silverdale P. O. Box was returned undeliverable. His cell phone number is no longer in service, but he apparently is still receiving emails, although he hasn't replied to them.

d. Paving of Alley – Lakeside Industries has completed the paving of the alley. Lee reported that Lakeside just needs to stripe it and the job will be complete. The contract did not include any finishing and/or edge work, so TIKAR graveled it out, transitioning from the gravel to the pavement. Some more finish work is needed so that there isn't such a steep drop off in some areas. Commissioner Scholfield asked that TIKAR also drop the wheel blocks back into position.

e. 3473 Byron – TIKAR has not yet removed the lower roof of the Pub.

f. 3330 Lowell (should be 3332 Lowell) – a new dehumidifier has been purchased for under the house. The main floor was buckling due to the moisture in the basement.\

g. 9004 Washington – minor electrical repair performed by TIKAR.

4.7. Small Claims has been postponed until January as the defendant has medical issues. as reviewed.

4.8. Ledget Chapman – the individual who crashed his vehicle in the Port's vehicle lot on July 25, 2020 did not respond to the Port's



letter informing him that he owes the Port \$145.40 the amount the Port incurred for cleanup costs of the accident. A letter mailed certified return receipt was sent. The Port has not yet received the receipt showing it was received.

4.9. Boats anchored in Dyes Inlet – already discussed.

## 5. TABLED ITEMS

### 5.1. Port Facilities

- a. Department of Natural Resources (DNR)
- b. Benches

### 5.2. Benefits

## 6. NEW BUSINESS

6.1. 2021 Preliminary Budget – *Commissioner Reese moved to approve the 2021 Preliminary Budget as submitted; second by Commissioner Scholfield; unanimous.*

6.2. All Ports Meeting – Commissioner Reese suggested we wait until the first of the year to hold the next All Ports meeting. Everyone agreed.

6.3. WPPA Small Ports Seminar – Commissioner Reese has signed up for the seminar. He said that one of the topics is redistricting and suggested Phil attend that one. Phil said that he is pretty well acquainted with the redistricting process, but he may look into it. Redistricting is required every ten years and conducted after the census is complete.

## 7. SAFETY/SECURITY

Commissioner Scholfield said that when he was down in Ceccanti's construction area a safety inspector checked his hard hat and informed him that his it was outdated according to newer Occupational Safety and Health Administration regulations. So, he purchased a new hard hat. Hard hats are required for individuals in the area of the crane when it is carrying a load. Ms. Larson said she is

concerned about the crane. On a recent particularly windy day she saw it swaying quite a bit.

Lee asked if TIKAR should plan to replace decking on the pier this year or will this be delayed due to a possible grant. Commissioner Scholfield confirmed that the allowed amount of decking should be replaced this year and enough should be ordered to complete the allowed amount for next year, with it being installed early in the year.

## 8. PUBLIC INPUT VIA EMAIL

Randy Hunt said that last month Jim Knapp had suggested the Port begin a preventative maintenance program and Commissioner Aus mentioned that Mr. Knapp was used to working with large scale maintenance requirements. Mr. Hunt said that Commissioner Aus was right and he knew this because he worked with Mr. Knapp. Mr. Hunt said that maybe the Port should take Mr. Knapp up on his offer to help implement a preventative maintenance program on a smaller scale. It would be very feasible for the Port and there may be a program other than an excel spreadsheet that could assist in keeping up with the preventative maintenance tasks. Lee said that just to be clear he is not building a preventative maintenance program but rather providing the Port with the information so that the Commissioners can decide what path they want to take moving forward. Commissioner Aus said that maybe Mr. Knapp could come up with a smaller system or just modify the information Lee has provided. Commissioner Scholfield said that with the information provided by Lee he plans to create an Access database, which should be adequate.

Phil explained that there may need to be an Executive Session during the Special meeting scheduled for October 20, 2020 to possibly discuss terms of a settlement in regards to the dredging litigation.

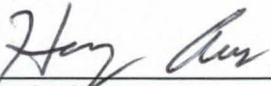
**9. EXECUTIVE SESSION**


None

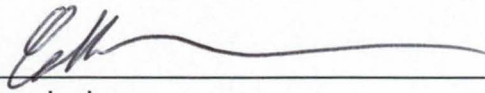
**10. ADJOURN**

*At 9:06PM the meeting adjourned* (motion by Scholfield; second by Reese; unanimous).

Approved:

  
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Commissioner

  
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Commissioner


  
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Commissioner

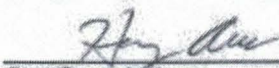


**VOUCHER APPROVAL**

We, the undersigned Board of Commissioners of the Port of Silverdale, Kitsap County, Washington, do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of

\$72,666.33 and from the General Fund, this 15th day of October, 2020.

  
Auditor

  
Port Commissioner

  
Port Commissioner

  
Port Commissioner

Number	Name	Amount
12545	CALEB A. REESE	\$353.83
12546	ED SCHOLFIELD	\$1,311.87
12547	HENRY AUS	\$235.89
12548	THERESA R. HAALAND	\$3,800.00
12549	LOWE'S	\$186.43
12550	WAVE BROADBAND	\$71.35
12551	CASCADE NATURAL GAS	\$39.00
12552	CRYSTAL SPRINGS	\$21.58
12553	KITSAP COUNTY PUBLIC WORKS	\$629.44
12554	MARINE SURVEYS & ASSESSMENTS	\$380.00
12555	PUGET SOUND ENERGY	\$401.12
12556	SILVERDALE WATER DISTRICT	\$3,634.30
12557	VERIZON WIRELESS	\$56.56
12558	WASTE MANAGEMENT - BREM AIR DISPOSAL	\$297.60
12559	WAVE BROADBAND	\$143.56
12560	VISA	\$1,787.47
12561	WASHINGTON STATE DEPARTMENT OF REVENUE	\$3,114.74
12562	WASHINGTON STATE EMPLOYMENT SECURITY DEPT	\$56.70
12563	WASHINGTON STATE DEPARTMENT OF L & I	\$348.75
12564	RICE FERGUS MILLER	\$15,293.75
12565	TERI ORR	\$200.00
12566	KEN STORM	\$175.00
12567	PENINSULA FIRE INC.	\$304.06
12568	HIS HANDS LAWN CARE & SERVICES	\$1,005.88
12569	ART ANDERSON ASSOCIATES, INC.	\$4,952.50
12570	SAFE SECURITY	\$3,253.00
12571	SIMONS FAMILY LIMITED PARTNERSHIP	\$3,163.84
12572	THERESA HAALAND -	\$342.15
12573	TIKAR SERVICE, LLC	\$24,438.32
12574	ED SCHOLFIELD -	\$192.62
12575	PHIL BEST, ATTORNEY	\$2,476.00