

Port of Silverdale
Minutes of Regular Meeting
September 16, 2021

The Port meeting was held in person and the public was also allowed to attend via ZOOM. The link to the meeting was posted on the Port's website - portofsilverdale.com.

1. CALL TO ORDER

Commissioner Caleb Reese called the meeting to order at 6:00PM. Others who were attending in person were: Commissioner Ed Scholfield; Commissioner Doug Kitchens; Attorney Phil Best; and Administrator, Theresa Haaland. Those attending via ZOOM were: Lee Knapp of TIKAR Services; John Bouck, Julie Jablonski and Greg Jacobs of Kitsap Sailing Foundation (KSF); Ellen Strong of Clam Island Rowing (CIR); Marvel and Randy Hunt; and Carla Larson.

2. PLEDGE OF ALLEGIANCE – those in attendance stood and recited the pledge.

3. CONSENT AGENDA

It was agreed to approve the following Consent Agenda items as submitted: September Meeting Agenda; August 19, 2021 Regular Meeting minutes; Authorization for Electronic Transfer of Payroll Taxes #2021-09 to the U.S. Treasury in the amount of \$2,810.70; the September 16, 2021 Voucher Approval for checks numbering 12830 through 12851 totaling \$52,497.50, which is attached to these minutes (motion by Scholfield; second by Kitchens; unanimous).

4. UNFINISHED BUSINESS

4.1. Waterfront Center Predesign Project/Pump Station #3 – Commissioner Reese reported that the preliminary report of the boring samples has not yet been received. At last

Thursday's weekly meeting with Patano, Leon Environmental, Landau and the County, Commissioner Reese learned that the County will be submitting for permits before the Port. Leon Environmental had suggested that the County attempt to submit as routine maintenance rather than new construction. Since the geo tech report has not yet been received, today's meeting was cancelled. Commissioner Reese explained that once the report is received the Port will need to call a Special meeting with Patano to decide which design out of the five they have provided will be pursued. The Port will directly pay Landau for their work on the geotechnical engineering services. A contract between Leon Environmental and the Port was reviewed. *It was agreed to enter into Contract #21-01-C with Leon Environmental, LLC* (motion by Scholfield; second by Kitchens; unanimous).

4.2. Grants/Projects

- a. Recreation Conservation Office (RCO) - Phil reported that he hasn't heard anything from the RCO yet on the grant agreements.
- b. The Port was successful for the Aquatic Land Enhancement Account (ALEA) grant for the gangway/non-motorized float (\$500,000 grant/\$571,181 match)
- c. The Port was also successful for the Boating Facilities Program (BFP) grant upgrading dock facilities (\$1,000,000 grant/\$250,000 match).
- d. Marina Relocation - The breakdown of dredging costs and estimated mitigation costs associated with the marina relocation has been received. A Special meeting has been scheduled for Wednesday, September 22,

2021 @ 11:00AM here at the Port office to further discuss the marina relocation with Art Anderson Associates (AAA) personnel. This will be an in-person meeting and ZOOM will not be available. Phil said that one of the big issues he sees is that AAA was using the non-motorized float as an extension to the rest of the moorage facility and it has been agreed that will not work. Commissioner Scholfield explained that there was another option provided by AAA that didn't include the non-motorized float as an extension.

e. Dredge - the dredging litigation is scheduled for December 3, 2021.

f. Boat Ramp Access Repair project - Commissioner Scholfield explained that the information needed for the project has been received and will be used if/when funding becomes available. It was agreed this item should be removed from future agendas.

John Bouck asked for more information about the Special meeting being held on the 22nd and questioned if this meeting is something KSF and CIR should plan on attending. Commissioner Reese explained that this is a meeting with AAA, the company that will be designing the sailboat/rowing non-motorized float, but this meeting is to obtain more information and possibly determine if the entire floating moorage facility should be moved south to deeper water in an effort to avoid having to dredge that area in the future. This decision will have an impact on placement of the new non-motorized float. AAA provided an analysis with different designs to do this and one of the designs included using the new non-motorized float as an extender to the floating

moorage facility. The Commissioners are aware that this is not an option as it would create too much traffic on the new non-motorized float. Commissioner Reese told Mr. Bouck that the meeting is open to the public so anyone who want to attend, can.

4.3. County's Bayshore/Washington/Byron project – Commissioner Scholfield said that Ceccanti continues to use a portion of the Port's vehicle/boat trailer overflow lot. The end of Washington is also being used as a laydown area. They are currently working at Bucklin Hill.

4.4. Programs

a. Sailing – Mr. Bouck had provided a note dated September 16, 2021. Commissioner Reese read the note as follows:

1. Fall sailing is underway. We have had strong turnout and interest in the Fall sailing team and quickly filled up our fall roster (23 sailors). There is more interest but this was as many as we felt we could safely handle. We are also planning on hosting a small regional regatta here on **September 25th**. We are also hosting 'open sailing' - which is free sailing for youth that might want to give it a try but not want to commit to the team. One note is that we are starting our season with a paid coach and then transitioning to volunteer coaches as they become available.

2. Community/adult sail. This remains beyond our capacity at the moment.

3. Fleet

a. Fleet - no significant changes to the fleet. Numbering has been completed outside of the El Toros which remain under evaluation.

b. Our board has approved selling the Flattie (Geary 18) to an interested party. Price and details remain to be sorted - we look to make this happen after our open sailing is complete.

c. One powerboat is having problems changing gears - we suspect this is in the shifter handle and are investigating.

4. Facilities. The need for cover for our boats remains - we have not come to a decision/proposal/spend on that topic at this point.

b. Rowing – Bridget Burke had provided a memo dated September 2021. Commissioner Reese read the memo as follows:

1. Inventory. The Irma and the Francis as they are to be painted this month. Stickers will be added after painting. BIR is coming at the end of this month to pick up a boat for painting. Oar Inventory decals are on oars. CIR repaired the Laser and no longer want to sell it. Paperwork dispose of McCurdy, an eight (to be dropped off at Port)

2. Boat Storage. Boat owners were made aware that they needed to add their insurance. I asked my insurance to add my boat but as it is not worth \$2000 they would not specifically add it. Phil Best and I are planning to meet to discuss terms of contract. We are meeting this week.

3. New Rack - CIR is looking for a fabricator for a new metal rack for fours. Plans have been sent out to one fabricator and we are waiting for response. Once we have the new rack, we will be able return the boats from Todd Maas house.

4. Work Party - CIR completed a work party the first week on September. A dozen member put in 35 hours of work cleaning up the boatyard, repairing boats and making improvements on boatyard organization.

5. Programs

- a. Masters Sculling continuing the mornings
- b. Master Sweep - Monday and Thursday nights and now Sunday mornings
- c. Juniors (high school) Practice began on Sept 7th. 8 teen rowers are registered.
- d. Masters participated in the Bill Richards Regatta on BIR.

6. Safety

- a. CIR is requiring proof of vaccination for all rowers, master and juniors.
- b. CIR safety boat is being used for Kitsap Sailing Team Regatta

4.5. Facilities

Restroom overhaul - the Request for Quotations (RFQ) has not yet been prepared for the restroom overhaul. Commissioner

Scholfield requested a blank RFQ be sent to him via email.

Outer-water boundary extension - Phil explained that he did get the survey from AES Consultants He hasn't yet pursued the extension with the Department of Natural Resources (DNR), but doesn't anticipate any issues.

Garbage cans - Commissioner Scholfield reported that several old/worn garbage cans have been replaced with either new ones or repainted ones.

BH dinghy has been removed from the floating moorage facility and impounded in the fenced area across the street from the Port office. No one has contacted the Port about the dinghy. Commissioner Scholfield reminded everyone that this is the dinghy that was sunk at the floating moorage facility and hauled out and left on the dock by a boater.

Embedment testing - an email dated August 24, 2021 from Robert Kiel was received. He explained that the embedment testing had been performed on Port property. The testing confirmed that adjustments to the octo-cylinders is necessary and he will likely submit a future request for additional testing and asked that the Hydraulic Project Approval (HPA) permit be left open, if possible.

4.6. Port Properties

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a. Paint prep of properties – Lee reported that the paint prep is complete and the siding that was replaced on the 3425 Byron Street building has been primed.

b. Painting – T&J Painting was notified that their bid was not accepted. Commissioner Scholfield reported that he talked to TIKAR about painting the buildings, but they are not interested in doing it due to the pressure from the community. Commissioner Scholfield said that all of the bare wood is now covered with primer. Commissioner Reese said that he didn't want to spend over \$50,000 on buildings that are eventually going to be torn down, but it was thought the painting could be completed in house for a lot less. He questioned the contract the Port holds with TIKAR. Commissioner Scholfield said that the Port does have a contract with TIKAR and Tim has over thirty years of experience, but with the recent letter the Port received TIKAR doesn't want their name being drug around publicly. Marvel Hunt said that the Port purchased all of these buildings and the Commissioners need to bring them up to the best they can be and from there, maintain them. Yes, there may be plans to tear them down, but who knows how many years that might take. She added that the Old Town area is starting to look pretty dang ratty. Randy Hunt said that there is still bare wood on the buildings and many areas of the buildings will need to be caulked and re-caulked. Commissioner Scholfield explained that within the Request for Quotations (RFQ) it outlined everything that needed to be completed including caulking, which jacked up the costs and with everyone being so busy right now the costs are pricey. Ms. Hunt said that everyone might be busy right now, but it's not due to a paint shortage as Commissioner Scholfield indicated last month. Commissioner Scholfield said that the Port's maintenance contractor was willing to paint the buildings, but decided against it once they heard about the letter the Port received, which will be addressed later in the meeting. Basically, the contractor decided to bow out as they don't want their name being drug through the mud. Ms. Hunt said that the Commissioners need to either go out for new bids or accept T&J

Painting's bid because when you buy buildings and don't keep them up or bring them up to a decent standard, it ticks off Port District taxpayers. She explained that she doesn't mind paying her Port taxes, but wants everything to be well maintained. Commissioner Scholfield said that he can go back and talk to TIKAR. Commissioner Reese said that they are required to provide maintenance to the Port as outlined within the contract. Lee said that if the Port requests TIKAR to complete the painting of the properties, they will charge by time and material and complete the work to the best of their ability. Ms. Hunt said that would include all the caulking and everything else that was included on the original RFQ. Commissioner Scholfield agreed and said that would include additional prep work such as pressure washing the entire buildings, seal up the caulking and windows, and prime any bare wood prior to painting. Commissioner Kitchens said that TIKAR should be able to provide the Port with an estimate so that we have an idea of how much this will entail since it is going to be charged as time and material. Lee asked about the roof at the 3215 Lowell Street (brick building) as he had heard that within the letter that was received it was mentioned the roof should be replaced prior to painting. Commissioner Scholfield said that the roof is maybe just ten years old on that building. Mr. Hunt said that if you look at it, the three tab is falling off and there are rotten boards on the soffits. He said he would imagine we would want to replace that rotten wood prior to painting, which could be part of a new roof. Lee said that whatever the Commissioners want them to do, they will do it. Lee was asked to provide an estimate, which will be reviewed during the upcoming Special meeting on September 22nd.

c. 3425 Byron/Kitsap Art – Commissioner Scholfield reported that due to the sinks unique

size and design, it is going to be pulled and sent to be refinished.

d. Road vacation between 3255 and 3215 Lowell Street properties is being pursued by Phil.

4.7. Redistricting – Phil reported that he has spent quite a bit of time on this effort so far. He has downloaded all of the necessary census data and maps. It is a very time-consuming project.

4.8 Interlocal Agreements – an email dated September 10, 2021 was sent to the Commissioners. It explained that the Port's insurance through Enduris includes employee's errors and omissions, which would cover the Port if one of its employees made a mistake for another Port through the Interlocal Agreements. The email also provided a breakdown of costs associated with the work for the additional Ports. Commissioner Reese said that it seems the \$50 per hour will cover the Port's costs. *It was agreed to accept the Interlocal Agreement as submitted and offer the Ports' of Illahee and Tracyton to enter into it.* (motion by Scholfield; second by Kitchens; unanimous). From here the agreements will be presented to the Commissioners of the Ports' of Illahee and Tracyton for acceptance.

4.9. Hiring additional Port staff – Commissioner Reese said that there is need to hire additional administrative support. There was discussion about the Port possibly hiring a Port Manager. Commissioner Scholfield said that in the past Commissioners would all take on certain responsibilities. One would be the emergency point-of-contact, while the others would be responsible for parking, buildings, etc. He said to hire a Port Manager would cost the Port upwards of \$100,000 when you consider salary with all the benefits. Commissioner Reese reminded everyone that although Phil is the Port's attorney, he does much more than legal

work for the Port. Phil said that he is retiring at the end of this year. He suggested the Commissioners plan a retreat to talk through where we are and where we want to be in the next ten years or so and how we get there. Phil added that at one point everyone had a role as Commissioner Scholfield mentioned, but things have changed a lot with the Port through the years. Many properties have been acquired and the tax base has grown significantly. Commissioners taking on different roles is difficult due to the Open Public Meeting Act as Commissioners are not able to communicate outside of a public meeting. Commissioner Scholfield said that the Commissioners would have an agreed amount of money to be able to make decisions to get things completed and then report back at the meetings. Commissioner Kitchens said that this was a conversation that would need to take place over many hours of discussion and agreed that a retreat would be an adequate time for that. Phil said that a lot of work that he is and has been completing for the Port, is typical work of a Port Manager and that in a way, he has been acting as both a lawyer and Port Manager through the years. When the Port hires another lawyer, they aren't necessarily going to complete any work outside of legal work.

Ms. Hunt asked Phil to speak up and/or move closer to the microphone as she was having a hard time hearing him.

Commissioner Reese said that he is concerned that when Phil leaves, the void is going to make it very difficult for the Port especially with all of the work that is set to take place. Commissioner Kitchens suggested a date be set for either a Special meeting and/or retreat for further discussion about replacing Phil and the duties that he supplies for the Port. Phil agreed that there is a need for a meeting of the Port Commissioners either facilitated or not, but a structured meeting where they talk about what they are going to do in the future. Ms.

Hunt agreed that the process needs to start sooner rather than later and asked that the Commissioners consider hiring additional administrative support. Phil suggested he contact the Washington Public Ports Association (WPPA) and possibly get a couple of representative Ports to attend a meeting and discuss what they have done. Commissioner Scholfield suggested the Port of Kingston be contacted. Phil agreed and said that the Port of Kingston Commissioner Mary McClure actually has experience in facilitation. He said that he will contact Commissioner McClure to see if she would be interested in facilitating. Dates for a retreat were discussed. Port staff will work on a list of duties for administrative support.

4.10. Port Rules and Regulations – Phil said that he hasn't worked on the update.

5. NEW BUSINESS

5.1. Budget vs. Actual report as of August 31, 2021 was reviewed.

5.2. 2022 Preliminary Budget will need to be approved next month with the 2022 Final Budget adopted in November.

5.3. Email dated August 25, 2021 from former Commissioner Randy Hunt was received. Commissioner Reese asked Mr. Hunt if he wanted to address the email. Mr. Hunt said that it outlines his view of how the Port is functioning and areas that he believes needs attention. He said that whoever decides what needs to be done for maintenance is struggling. Commissioner Reese said that the budget for maintenance will need to be increased because we are already over for the year and have four more months to go. Mr. Hunt said that proper maintenance will cost the Port less in the long run. Waiting for everything to break down before fixing it doesn't make sense and isn't prudent. He said that the whole intention of this email was to

shed light on the issues at hand and make some positive changes to make things better. He said that he gets the impression from tonight's communication that TIKAR is not happy with his outline. He said that he doesn't fault TIKAR, they work for the Port and they do the best that they can. Lee said that TIKAR is completely neutral on this subject. Commissioner Reese asked if he should read the email line for line. Commissioner Scholfield said that a number of items that are within the email have been completed. Such as, new gravel has been placed on Lowell Street. Regarding the nails that are sticking up on the dock, they aren't driven down deep but rather just nailed above the surface to accommodate for the swelling of the wood during the rainy season. He agreed that the nails sticking out are particularly bad this time of year from dryness. In regards to the pump out station, it is available Fridays – Sundays during May through October. There is also a phone number available on it for boaters to call if they need to use the pump out during the week. Washington State Parks is fine with the Port having it opened just on the weekends during the boating season. It was shut down for a few days when Ceccanti hit a line, but other than that it has been working and available on the weekends all season. During Whaling Days the Port's restrooms are closed because they generally aren't used by the boating community and maintaining them during the festival proved to be too much in the past. It was agreed that notice of Special meetings should be sent to those that have requested to be provided agendas prior to meetings, as well as posted on the website. Commissioner Scholfield said that prior to becoming a Commissioner, he worked for many years with former Commissioner Harry Knapp where he obtained distinct knowledge of the Port and the general area. Ms. Hunt said that the Port has and is changing and the Port is in need of someone who has expertise in many areas. She urged the Commissioners to

hire additional Port administrative staff and not drag it on month after month. Commissioner Reese reassured Ms. Hunt that the Port will be taking steps to hire additional staff once all of the details are determined. He asked if there were any more comments regarding the email. There were none.

5.4. Kitsap Regional Library Foundation sent a letter dated September 1, 2021 to the Port. The library is trying to raise \$100,000 through a community campaign and was hoping for sponsorship from the Port. It was agreed not to contribute to the campaign.

6. SAFETY/SECURITY

An email dated September 8, 2021 from Jason of Safe Security was received. Jason asked if Safe Security could trespass an individual that repeatedly refuses to leave Port property after hours. The police have been called on two occasions. Jason was asked to provide all of the incident reports related to this individual. He responded that it wasn't easy to search the reports, but did provide a written response from Gary, the night time patrol officer explaining the issues. Phil questioned if that would warrant a trespass. Commissioner Scholfield explained that he thinks he might know the individual through the Central Kitsap Fire Department (CKFD) and asked to talk to Safe Security and request they contact him the next time the individual is causing issues. Everyone agreed.

7. PUBLIC INPUT

Ellen Strong explained that she arrived a little late to the meeting and asked if the Commissioners had any questions for CIR. Commissioner Reese explained that he read Ms. Burke's memo she sent to the Port and there were no questions. Ms. Strong said that they have a new master's group so there is an eight-man shell out on the water twice a week.

Julie Jablonski offered for KSF to help the Port with a capital fundraising campaign if and/or when ready. She explained that in order to get the message out to the public the plan is needed and in order to get people excited and willing to donate money we have to be able to show them a somewhat detailed plan of where their money is going to go. Commissioner Reese encouraged KSF to raise money because the Port didn't receive the matching grant for the non-motorized float. Ms. Jablonski explained that it wouldn't be KSF's capital campaign but rather the Port's and a plan is needed to start fundraising. Phil suggested a citizen's advisory group be created to further discuss a capital fundraising campaign. Ms. Jablonski agreed that might be the right avenue to take to get it started. Commissioner Scholfield said that we need to first get with Art Anderson Associates (AAA) and decide if we are going to move the floating moorage facility out into deeper water as this will affect the new non-motorized float. Ms. Jablonski said that the story that supports why we are asking for money is key; otherwise, it is extremely hard to get people to donate, understandably so. Commissioner Scholfield agreed and said that we need to get the drawings to get people excited about the project.

Commissioner Scholfield said that TIKAR asked if the Port wants them to work on leveling the dock by working on the tubs underneath the floating moorage facility as well as the cross-bracing. The timeframe for this project is October. TIKAR questioned it because it hasn't yet been decided if the floating moorage facility is going to be moved. Commissioner Reese said that no matter what the Port's facilities need to be maintained, so

yes TIKAR should plan to complete that work. Lee explained that there are currently twenty tubs in the side-yard adjacent to the Port office building, which they will use to replace the failed tubs. They will also replace any failing cross members and bolt them to the top of the deck. And while under the dock they will also replace any failed water spigots. He said that there is plenty of faucet material in the shop and enough hose to do that. Commissioner Scholfield said that the facility will also need to be pressure washed and sealed, which will take place at the end of September through the first week of October. The facility will be closed during that time. He plans to post it on the website. Lee said that there is one sunken dinghy under the pier along with several tubs. He asked if these items should be left alone and used for mitigation in the future or should they be removed. Commissions Reese said that since the tubs are actually from the Port, more than likely they will not be able to be used for mitigation, so he suggested any tubs be removed. It was agreed the dinghy can remain. Lee said that he will document everything they remove and email it to the Port in case it proves beneficial in the future.

8. EXECUTIVE SESSION

At 7:22PM it was announced that the meeting would be going into Executive Session for approximately thirty minutes to discuss real estate matters.

At 8:10PM the meeting returned to Regular Session. There was no public waiting to reenter the meeting.

A motion was made for Phil to counter the offer that was discussed during Executive Session as follows: \$375,000 with the agreement that the current tenant would remain in one of the units for one year at the \$500 per month rate (motion by Kitchens; second by Scholfield; unanimous)

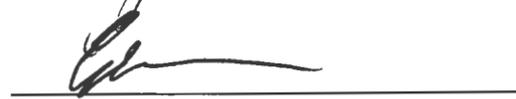
9. ADJOURN

At 8:12PM the meeting adjourned (motion by Scholfield; second by Kitchens; unanimous).

Approved:



Commissioner



Commissioner



Commissioner

