

Port of Silverdale – Minutes of Regular Meeting on April 18, 2019

Port of Silverdale
Minutes of Regular Meeting
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1. CALL TO ORDER

Commission Chairman Ed Scholfield called the meeting to order at 7:00 PM in the Port office. Also present were Commissioner Henry Aus; Attorney Phil Best; Administrator Theresa Haaland; Mike Vasquez of MTV Home Repair; Roy Sahali of Sahali Farms; Kevin Cavanaugh; Mickey Hall; Marcus Hoffman; Marvel Hunt; Carla Larson; Paul Loweecey; Caleb Reese; and Jeanee Renee.

Phil informed everyone that Commissioner Lawrence Greaves officially resigned effective April 17, 2019. Letters informing the public of the vacancy and how to apply were sent to the editors of the CK Reporter and the Kitsap Sun. The Port received five applications from interested individuals, one of which was determined to reside outside of the District 1 boundaries. The term ends on December 31, 2019, although it will be on the November ballot and filing week is in May. Phil explained the structure of the meeting and that at the end of the Public Comment section of the agenda, after the applicants have a chance to introduce themselves and answer questions, the Commissioners will go into Executive Session to further discuss. Once the meeting returns to Regular Session the appointment will be made.

1.1. Agenda – *the agenda was approved as submitted* (motion by Aus, second by Scholfield, unanimous).

2. CONSENT AGENDA

2.1. *The March 21, 2019 Regular meeting minutes were approved as submitted* (motion by Aus; second by Scholfield, unanimous).

3. PUBLIC COMMENT –

3.1. Old Town business expansion – Jeanee Renee is the owner of the Jeanee Renee Salon located at 3636 NW Byron Street. She explained that she is planning to expand the

outside deck on the south side of the building to allow for outdoor seating and is reducing the salon from nine chairs to six to allow room for a coffee shop, which will include a drive-thru window on the west side of the building. Caleb Reese asked if there will be indoor seating. Ms. Renee explained that all the details are not yet determined, but it will possibly have at least some bar seating on the inside. She explained that she had AES survey the property and provided plans for the Commissioners to view. She said that the County and neighboring property owners are all in favor of it. It seems everyone would like to see a standalone espresso coffee shop in Old Town. She said that the recent Silverdale Way Improvement Project was really tough on business and they took several of her parking spaces that were on the south side of the building, but she is very happy with the results of the project, especially the wall with the “beachy” theme. In fact, she plans to continue the beachy theme with her project. Kettle Fish is a new restaurant directly across from her salon and she is happy about that as it embraces the beautiful waterfront area. When she finds an adequate builder for her needs, she will be moving forward with the project and just wanted the Port to know her plans. Phil suggested the Port send a letter of support to the County. The Commissioners agreed. Commissioner Scholfield asked what hours she plans to have the coffee shop open and suggested it be open on Sundays because most businesses in Old Town are not open on Sundays, although it can be a very busy day especially during the warmer months. Ms. Renee agreed and said that if it financially makes sense to be open on Sundays, they will be. She thanked the Commissioners for their support.

3.2. Whaling Days – Gus Housen was scheduled on the agenda, but was not present. Commissioner Scholfield reported that he recently spoke to Mr. Housen and told him that

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if Whaling Days wants permission to use a portion of the Port, they must insure the entire Port including the pier/moorage facility. The two lawsuits that the Port has been a part of involve Whaling Days festival goers that injured themselves at the pier/moorage facility. Commissioner Scholfield also talked to Mr. Housen about the possibility of Whaling Days renting the entire dock from the Port and in turn collecting the moorage for that weekend. Mr. Housen wasn't sure if their insurance company would be in favor of that. The Port has asked Safe Security to provide additional staffing for Whaling Days with two guards planted at the pier and moorage facility from noon until midnight the Friday and Saturday of the festival and Sunday from noon until 8:00PM. Commissioner Scholfield plans to talk to Safe Security personnel about their thoughts on providing wristbands to paid moorage recipients in an effort of monitoring the after dark access to the moorage facility. It was agreed that a map of all the Port properties to be covered by Whaling Days insurance be attached to the Whaling Days Use of Port Property application.

Commissioner District 1 vacancy – four individuals applied to fill the vacancy and it was verified that they each live within the District 1 boundaries. The applicants are: Steven Boe (not in attendance); Mickey Hall; Marcus Hoffman; and Caleb Reese. The Commissioners were provided each of the applications prior to tonight's meeting for review. Phil thanked the three applicants for their willingness to serve and asked each one to introduce themselves and give a statement.

Mickey Hall explained that he lives off of Ioka Way and has been a waterfront property owner for 42 years. He achieved his Electrical Engineering degree and Masters of Business Administration from the University of Washington and worked at the Puget Sound Naval Shipyard for 37 years as a nuclear

engineer and facilities manager. He volunteers and is a board member of the Central Kitsap Food Bank. He was the project manager/coordinator for the food bank's move a couple years ago. He explained that he is interested in Silverdale and is willing to do whatever necessary to further the Port's goals.

Marcus Hoffman explained that he lives on Kearney Road and has owned a business located on Bayshore Drive since 1990, which will be greatly impacted by the County's upcoming Bayshore Drive/Washington Avenue project. He is currently a realtor with John L. Scott and before that he was with Reid Realty. He currently serves as a Silverdale Water District Commissioner and has for nearly 20 years. He explained that he has actually served on a number of local boards and would like to bring that skill set to the Port.

Caleb Reese explained that he lives on Olympic View Road and has lived in Silverdale for the past 48 years. He knew former Commissioner Harry Knapp and always admired his work with the Port. He currently works for Century Link and hopes to retire within the next three to five years. He explained that he is a power boat owner and uses the Port facilities often. He wants to contribute to the community and sees this as a great opportunity to do just that.

Phil read a portion of the law that explained that the Commissioners can discuss personnel matters within Executive Session.

Marvel Hunt asked Mr. Hoffman why he would want to serve on more than one board. Mr. Hoffman said that he's well-versed in serving on boards and feels that all that experience would benefit the Port.

Phil questioned if each of them would be willing to serve after this term is complete – December 31, 2019. There wouldn't be a

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guarantee as they would need to file to be on the November ballot, for which filing week is just next month.

Mr. Hall said that he would want to take the time to really learn the position and if all went well, he would more than likely file to be on the ballot.

Mr. Hoffman agreed that there is a lot to learn serving on a board, so he too would be asking a lot of questions.

Mr. Reese explained that he was aware that the position was scheduled to be on the November ballot as he was planning to file in May. This just allows him to throw his hat in the ring early.

4. EXECUTIVE SESSION

At 7:30PM it was announced the meeting would be going into Executive Session to further discuss the candidates for approximately fifteen minutes.

At 7:45PM the meeting returned to Regular Session and everyone reentered the meeting room.

5. UNFINISHED BUSINESS

5.1. Commissioner District 1 vacancy – Commissioner Scholfield thanked the applicants for their interest in the Port and making the effort to apply. *It was agreed to appoint Caleb A. Reese to fill the Commissioner District 1 vacancy* (motion by Aus; second by Scholfield; unanimous). It was explained that Mr. Reese was chosen because he has shown an interest in the Port by attending the monthly meetings for quite a while now and since he is a power boat owner that regularly uses the Port facility it was agreed that he would be a good asset to the Port.

Mr. Reese took a seat at the meeting table.

Phil administered the Oath of Office and it was signed and notarized. Commissioner Reese was provided the link to the Public Disclosure Commission (PDC) and informed that he is required to file a Personal Financial Statement within two weeks from today. He completed an IRS W-4 form.

4. UNFINISHED BUSINESS –

4.1. Port Programs

a. Sailing – the regatta that was scheduled for April 27th and 28th is going to be held somewhere else.

b. Rowing – the rowing coach requested that the timer for the boat launch restrooms be changed to stay open until 8:30PM as they are out in the water until about 8:00PM and use the restrooms to change out of their wet clothes afterwards. Commissioner Scholfield said he will change the timers to accommodate.

c. Non-motorized boat storage – no status of the space numbers. An individual who pays to store her kayak in the storage area is unable to unlock the padlock to enter the area. Commissioner Scholfield said that he just went over and tried it and it worked for him.

4.2. Port Facilities

a. Dredging – Phil reported that final disposal site is still out for approval.

b. Port Rules/No Wake Buoys – Phil plans to provide Tim with an AES survey that outlines the boundaries. Phil said that he doesn't think the Department of Natural Resources (DNR) will complain if the buoys are placed in the general vicinity.

c. Department of Natural Resources (DNR) expansion of the Port's outer water boundaries – Phil explained that submerged lands in the state are under the control of the DNR. Ports

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that operate facilities above the submerged land enter into a lease with the DNR. The Port currently has two areas under a DNR lease – one around the pier structure and the other extending out from the boat ramp. The Port has since acquired the wetlands property that includes beachfront adjacent to the boat ramp. It is hoped that the DNR will allow the Port to expand the outer water boundary near the boat ramp to cover the water area in front of the wetlands property. Phil explained that he has briefly discussed this with DNR personnel, who didn't seem to have an issue with it.

d. Safe Security was sent an e-mail dated April 17, 2019 confirming the Port Host coverage from Memorial Day weekend through Labor Day weekend (Fri – Sun); additional Whaling Days coverage; coverage the last day of Central Kitsap Schools (CKSD) June 20th; and July 4th coverage. Phil explained that a couple of years ago the Port decided to create a Port Host position. The Port Host assists the public and boaters as well as controlling the parking areas in a non-confrontational way. There was hesitation to hire an employee to fill this position so it was decided to contract it through Safe Security since the Port already has a contract with them. Commissioner Scholfield said that it has really helped cut down on the erratic driving in the parking lots and parking issues. *It was agreed to contract the Port Host position through Safe Security as in years past* (motion by Aus; second by Reese; unanimous).

Commissioner Reese asked if July 3rd coverage is necessary. Commissioner Scholfield said that there are normally no more than five boats moored on the 3rd of July, so it's not necessary. He informed Commissioner

Reese that the Port does order an additional large dumpster and Tim and his crew pass out garbage bags to the public around dusk on the 4th of July asking them to self-monitor their trash. The public are really receptive to it and do a good job in picking up after themselves.

Commissioner Scholfield said that he plans to talk to Safe Security about Whaling Days coverage and the idea of handing out wristbands to paid boaters. The public may be allowed to be on the pier after dark at least on the Friday during the fireworks, but they should not be allowed to go down the gangway onto the moorage facility unless they have a wristband. Carla Larson asked to be included in the meeting with Safe Security.

e. Gangway redesign – Commissioner Scholfield reported that Tim has completed the project. It is included with TIKAR's bill that is set for authorization at tonight's meeting.

f. Sailboat (WN6823JF) has been moored consecutively at the Port facility since December 2018. Phil explained that the owner hasn't paid for so long partly because he has been in jail. Phil researched the law and determined there are two statutes related to abandoned vessels. He also located Port Resolution 98-2, which outlines the process that the Commissioners in 1998 adopted. Phil said that for this circumstance it could be called an abandoned vessel and/or a nonpaying delinquent vessel. Commissioner Scholfield said that it came to the Port as an abandoned vessel. It was anchored out while the owner was first in jail and then a concerned citizen tied it up to the Port's moorage facility. Port staff have since moved it so that it doesn't get damaged or damage the floating moorage

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facility. The DNR asked the Port to process it as an abandoned vessel and that is what Commissioner Scholfield would like to start as soon as possible to insure it is removed prior to Whaling Days. He plans to ask Port of Brownsville personnel during the All Ports meeting, scheduled for April 22nd, about how they process abandoned vessels.

g. Website – Commissioner Scholfield has been working on the new website: <http://portofsilverdale.squarespace.com>. He asked for everyone's feedback. Commissioner Reese said that the camera is down on the main pier. Commissioner Scholfield said that he is aware of that and thinks there is a bad link, but is not exactly sure why. He will continue to work on that.

5.4. Port Properties

a. 9020 Washington Avenue/Elizabeth's House of Wax – There was nothing to report regarding the sewage connection. Ants continue to be a problem in the building. The tenant was notified that within the lease it states that the tenant will assume all costs of extermination and fumigation for any infestation caused by the tenant. The tenant attests that there isn't any food or liquids around to attract the ants. This has been an ongoing issue this time of the year for many years. She did hire an exterminator who informed her that the problem is due to the standing water and debris in the gutters and the fact that the sagging roof is causing water retention, which attracts the ants. The exterminator also suggested that he return in a month to retreat the areas. Ms. Barnes requested reimbursement of \$315.01 the cost of the extermination and that an addendum to her lease be created to insure the gutters are

cleaned at least two times each year with the first cleaning in March. The exterminator's assessment was questioned. Mike explained that the gutters were just cleaned the first of the year and that they are cleaned about once a quarter. He will have his crew clean them again as it's about that time anyway. Commissioner Scholfield said that reimbursement is not warranted because it's just part of nature and a problem all over this time of year. Mike said that the shrubs should be cut back from all the buildings as it may help alleviate the problem. He explained that up until about two years ago he and his crew would cleanup and perform landscaping services to all of the Port's properties just prior to Whaling Days. The Port would then be charged, but in nearly all of the Port's leases it states that the tenants are responsible for landscaping so Mike was asked not to continue with the landscaping unless the tenants want to hire Mike directly.

b. 9004 Washington Avenue/Dispute Resolution Center (DRC) – An e-mail dated April 17, 2019 from the DRC was received. There is an electrical issue with two of the upstairs outlets. There was a question if it may have been caused by a space heater they were using. Mike explained that one issue is that the building has old electrical wiring and was wired as a residence, yet now there is need for a lot of computers and printers. Mike was tasked with checking on the upstairs outlets and fix any issues. Mike reported that the DRC seems to be at a standstill regarding the renovation project they were asking from the Port. Possibly because the cost of it all, including the design they must provide upfront, is much more than they anticipated.

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c. 3215 Lowell, Suite 231 – Remains vacant.

Phil questioned why all the fire extinguishers are in the Port office. Commissioner Scholfield explained that all the Port buildings have the minimal required extinguishers. Those that are in the Port office are surplus and will be swapped out if/when necessary.

d. 3473 NW Byron Street/Vacant – Mike reported that the deck on the water side of the building has a deteriorated broken beam. Commissioner Scholfield added that one of the deck posts is no longer on the concrete block; thankfully there is no access to the building and/or the deck. Commissioner Scholfield asked Phil if he knew the name of the individual that was interested in salvaging material from the Old Town Pub. Phil explained that he had received two calls from individuals inquiring about it, but that was several months ago. He doesn't have their contact information. Commissioner Aus asked if the Port should pay for a cost estimate report, which is believed to be anywhere between \$3,000 and \$5,000. Commissioner Scholfield said that it is already known that just to fix the foundation will cost approximately \$100,000 and removing all of the exterior wood and adding plywood would cost upwards of another \$50,000. Commissioner Aus said that it will definitely cost a lot more to fix it rather than replace it. Commissioner Scholfield said that he talked to Gunnar Fridriksson the Kitsap County planner about his thoughts on renovating the building. Mr. Fridriksson likened the Old Town Pub building to the old Girl Scout building that was on the corner of Warren Avenue and 11th Street in Bremerton. It had so

much remodeling done to it through the years that there was very little originality to the building. It just wasn't feasible to renovate it.

Salvaging some of the original material and using it in a new building as a memorial to the old Emel's Livery and Hall was discussed. Commissioner Scholfield said that on the upper level is the old wooden dance floor, but it has a lot of cuts in it. Ms. Larson thought some of the wall structure would have historical value. Commissioner Reese said that the outer siding might be something to salvage. Mike asked where all this salvaged material will be stored. Phil said that to the extent it actually has some historical value it would be worth storing it. A list would need to be generated with all of the items the Port would want to keep prior to having a salvage company begin work. Commissioner Reese said that there is a salvage company in Seattle that might be interested. He will make contact with them prior to next month's meeting. Phil offered to publish the request in the State's system and prepare a Request for Proposals (RFP). This will continue on next month's agenda.

5.5. Eagle Scout Service Project – Nothing to report.

5.6. Paving of alley – Mike plans to contact Luethe's Grader Service once the weather improves. Commissioner Reese said that he recently saw Luethe's truck broken down on Olympic View Road.

5.7. Port Waterfront Plan Update – Kathleen Byrne-Barrantes of Grant Solutions was contacted regarding the possibility of hiring her to apply for grant funding through the Recreation Conservation Office (RCO). Phil

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explained that the comp plan is a prerequisite for most grant money and it needs to be approved by the RCO prior to adoption. It was suggested that Ms. Byrne-Barrantes or another grant writer take a look at the Port's comp plan update prior to the RCO's review of it. She also made it clear that the comp plan needs to include items/projects that aren't necessarily on the Port's radar, but might be if the opportunity presented itself as items/projects not listed within the comp plan will not be eligible for RCO funding. The Port of Waterman had that issue where they had funds left over from their pier project and wanted to use the left-over funds to add a covered shelter to the pier, but since that was not listed within Waterman's comp plan it was denied by the RCO. Phil said that restoration of Strawberry Creek should be included in the plan in case there is an opportunity to partner with the Central Kitsap School District (CKSD) to restore it. This would include earmarking potential properties for acquisition that would be of benefit to the restoration of the creek. Phil explained that Randy Biegenwald, a certified public accountant (CPA) that owns the building kitty-corner to the Port office building, asked him if the Port might be interested in eventually purchasing his property as he plans to retire. In order to possibly be granted RCO funding for the acquisition of that property, it has to be listed within the comp plan. An apartment building along Shore Place was briefly discussed during the comp plan meetings. At that time, it was suggested that the Port purchase the apartment building, demo it and turn it into additional parking as this particular apartment building is known to attract negative activity to the area. It was thought not to be a bad idea and it should

probably be added to the comp plan in case the opportunity arises. Phil suggested the comp plan be reorganized to read more like a comp plan instead of the history of the development of the comp plan. It might comprise of six pages total and be easily read and understood by anyone interested. Once that is complete the Silverdale Waterfront Advisory committee members could be contacted for a final meeting to review the draft. Then the Port could present the final draft at a Central Kitsap Community Council meeting and have it advertised well inviting the public. From there it could be handed off to a grant writer and submit it to the RCO for final approval. All of this prior to adoption at a regular Port meeting. Phil said that by next meeting the Port should have received Ms. Byrne-Barrantes' proposal. He plans to determine the requirements of a washdown area. Kingston and Port Townsend both offer washdown stations so it must be doable. Commissioners Scholfield thought Kingston and Port Townsend were probably grandfathered in because the Central Kitsap fire station was required to have a covered washdown area. He suggested the Kitsap County Department of Community Development – Surface Stormwater Department be contacted.

5.8. Pump Station 3 – Phil reported that he has been exchanging e-mails with Andrew Nelson the Director of Kitsap County Public Works. According to Mr. Nelson the RCO has agreed that the pump station could be moved to the agreed upon area. Now agreement from the National Park Service needs to be granted. The County is working through the process.

5.9 Strawberry Creek Restoration –

Commissioners Aus and Scholfield both attended the March 27th site walk along with County and CKSD representatives. The Commissioners were sure to be in compliance with the open public meetings act and did not discuss Port business amongst themselves. County personnel asked if certain properties became available, such as the old fire station building or the Bay Shore restoration shop, that the Port be willing to partner on acquiring them. It was agreed that the comp plan should include such an endeavor as part of the Strawberry Creek Restoration project.

6. NEW BUSINESS

6.1. Commissioner Greaves served nineteen years as a Port Commissioner. Honoring him for his service to the community was discussed. Ms. Hunt suggested a nice article be placed in the newspaper outlining his history with the Port. Installing a bench on Port property with a plaque recognizing Commissioner Greaves was discussed. Mike said that he had wanted to donate towards a bench recognizing former Port Commissioner Harry Knapp who served from 1976 through 2008, a whopping 32 years of service. It was agreed that something should be done for Commissioner Knapp also. Commissioner Scholfield said that he will order bench frames from Lee Fabricators so that benches honoring both Commissioners can be placed on Port property. Once the bench is installed a celebration could be coordinated possibly this summer. A plaque with the Commissioners' names and dates of service will be attached to the benches. *It was agreed to place an article in the local newspaper honoring Commissioner Greaves' and his nineteen years of service to the*

Port (motion by Aus; second by Reese, unanimous). Tyler Shuey a reporter with the CK Reporter had attempted to contact Commissioner Greaves. Mr. Shuey will be contacted and asked about publishing an article. Commissioner Scholfield offered to talk to Mr. Shuey.

7. SAFETY – Nothing to report.

8. APPROVE EXPENDITURES & ELECTRONIC TRANSFER

The attached voucher approval totaling \$35,904.51, checks numbering 12056 through 12081 and Electronic Funds Transfer 2019-04 to the U.S. Treasury in the amount of \$1,998.90, were approved (motion by Aus, second by Reese, unanimous).

9. EXECUTIVE SESSION – At 9:32PM it was announced the meeting would be going into Executive Session for approximately five minutes to discuss potential litigation.

At 9:35PM the meeting returned to Regular Session. No one from the public was waiting outside the door.


10. ADJOURN

At 9:37PM the meeting adjourned (motion by Aus, second by Reese, unanimous).


Approved:



Commissioner



Commissioner



Commissioner

