

# Port of Silverdale – Minutes of Regular Meeting on August 15, 2019

**Port of Silverdale**  
Minutes of Regular Meeting  
August 15, 2019

## 1. CALL TO ORDER

Commission Chairman Ed Scholfield called the meeting to order at 7:01 PM in the Port office. Also present were Commissioner Henry Aus; Commissioner Caleb Reese; Attorney Phil Best; Administrator Theresa Haaland; Mike Vasquez of MTV Home Repair; Marvel Hunt; Carla Larson; Jack West; and Tim Knapp of TIKAR Services arrived at 7:10PM.

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

## 2. CONSENT AGENDA

2.1. *The July 18, 2019 Regular meeting minutes were approved as submitted* (motion by Reese; second by Aus, unanimous).

## 3. PUBLIC COMMENT –

3.1. Eagle Scout Project – Jack West submitted his Life Jacket Loaner Station Eagle Scout Project Proposal. He explained that he has received all of the required signatures except for the Port. *Commissioner Aus moved to accept the proposal as presented; second by Commissioner Reese.* Discussion: the financial plan within the proposal was discussed. Mr. West explained that he failed to update that portion of the plan as it states \$55 for lumber, but Tim Knapp has generously offered to donate the Chemonite lumber for the project. *The motion carried unanimously.*

## 4. UNFINISHED BUSINESS –

### 4.1. Port Programs

a. Sailing – nothing to report.

b. Rowing – an e-mail dated August 5, 2019 from Bridget Burke of Clam Island Rowing (CIR) was reviewed. She was hoping the Old Town Pub's (OTP) outdoor kitchen would be removed by the end of August so that

they can smoothly transition from the alley on the side of the Port office building to that area behind the OTP before the weather turns. Tim explained that August is the fish window, so he is busy with in-water work. He plans to remove the outdoor kitchen sometime between September 1<sup>st</sup> and 15<sup>th</sup>. Once that is complete Mike will work on installing a couple of electrical outlets.

### 4.2. Port Facilities

a. No Wake Buoy Project – Tim reported that he is waiting for a shipment of foam, which is taking longer than expected. Reflective decals and orange tape will be on the buoys.

b. Department of Natural Resources (DNR) – Phil reported that he is working with the surveyor to get the legal description of the area.

c. Sailboat (WN6823JF) – Phil reported that the owner of the boat has until August 28<sup>th</sup> to appeal. After that the Port can go through the process of selling it. Commissioner Scholfield added that the parameters of the sale need to be set; such as, upon purchase it is required to be removed from the water or purchaser must have readily available moorage for the boat.

d. Benches – Phil provided a Request for Quotations (RFQ) for the benches. Tim provided the specs which were attached to the RFQ. Phil said that he would use the Small Works Roster (SWR) to reach out to companies that might be interested in bidding the job. If there are not many companies that specialize in such work, Phil will perform some research and invite other companies to complete a SWR application.

e. Port Rules and Regulations Policy – Phil has reviewed the Port of Brownsville's

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rules and found them to be interesting. Commissioner Scholfield said that the policy should include some sort of fee schedule listing other Port charges, such as the \$75 Impound Fee and \$25 Collection Fee for unpaid moorage. Phil will continue to work on it.

### 4.3. Port Properties

a. 9020 Washington Avenue/Elizabeth's House of Wax – Mike reported that all of the insulation has been removed, but the ant problem continues. The tenant requested that the construction of the ramp wait until the buildings are painted.

b. 9004 & 9020 Washington Avenue/DRC & Elizabeth's House of Wax – Phil reported that he has an RFQ ready, he is just waiting for the paint details which will be attached to the RFQ. Mike said he has a sample for Elizabeth's House of Wax, but the DRC is still deciding on the color.

c. 3330 Lowell/Sugar Studios – at last month's meeting there was much discussion about the gravel that was placed along the right of way leading into the 3330 Lowell Street property, which created easy access to the back of that property. The Port was contacted by the County and informed that they didn't see an issue with the gravel creating an accessway along the right-of-way, but they did request the Port apply for a permit. Phil agreed that having the permit in place was a good idea. He has been working on applying for it. It is now all an on-line application. Phil will continue with the application process.

d. 3473 NW Byron Street/Vacant – the OTP sign was removed by Mike of Action Maintenance Services last month but he didn't

remove the bracket. When Mike of AMS is back in the area he will be asked to remove the bracket since he has the proper equipment to do so.

4.4. Release of Easement – Phil provided two documents: An Order of Vacation, that is already in place, and a draft resolution requesting vacation. *It was agreed to adopt Resolution 2019-01 Requesting Alley Vacation in Block 9 of Silverdale Plat* (motion by Aus; second by Reese; unanimous). Phil will prepare a letter to the County which will include a copy of the Port's resolution.

4.5. Paving of alley – Phil reported that he e-mailed the RFQ to six companies listed on the SWR (Agate Asphalt; Apply-A-line, Inc.; Caseco Associates, Inc.; Granite Construction Company; Lakeside Industries, LLC; and Northern Asphalt, LLC). It was determined Northern Asphalt and Agate Asphalt, the companies that supplied the original bids to Mike, were not on the SWR. Applications were e-mailed to both companies and they have since completed and returned them. Lakeside Industries is the only company that submitted a quote. It came in at \$50,334.15. After the deadline, all of the other companies that did not submit a quote were contacted to ask why they didn't bid. For the most part they just missed the deadline, but said they would be interested if there was an extension. Phil suggested to rescind the RFQ at this time. Mike suggested this be held off until mid-October as all of these companies are extremely busy this time of year. Tim suggested a pre-bid meeting be scheduled and reminders be sent to all of the companies beforehand.

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4.6. Olympic Outdoor Center – Phil plans to write to Mr. Kuntz asking him to remove the 2x4, to be sure that the flags are not a hinderance to the public and to use proper fasteners for the flag poles. The structure on the pier during the off-season will also be discussed.

4.7. Comp Plan – Phil reported that Rice Fergus Miller (RFM) personnel dropped off the draft plan just hours ago. Steve Rice is on the mend from a bicycling accident he had within the month; otherwise he'd be here tonight and Ron Easterday is on leave. Phil pointed out the Executive Summary on page three of the draft plan and said that it was a good idea to have that added. He suggested the Commissioners take their copy of the draft plan home and review it and individually contact him with their thoughts. After that it will need to go to the Port's grant writer, Kathleen Byrne-Barrantes, to make sure it's adequate for possible Recreation Conservation Office (RCO) funding and Phil suggested one more meeting be held with the original Citizen's Advisory Committee before final adoption. RFM is charging the Port \$6,500 for this final draft plan. Commissioner Scholfield said that he thought this was the product the Port would receive from the original amount paid. He said that paying \$6,000 after all of the edits from the grant writer and the committee might be somewhat reasonable, but shouldn't be paid until it is complete and the final product is in hand.

4.8. Grant funding – Phil reported that he hasn't yet contacted the Port's grant writer, Kathleen Byrne-Barrantes, but plans to do so soon. He received a call from Dave Tucker of the Kitsap County Public Works Department.

Mr. Tucker asked where the Port is thinking the pump station should sit. Phil thought as far north as possible and the Commissioners seemed to agree. Mr. Tucker told Phil that he had spoken to the RCO and they didn't seem to have any issues with it being moved. Commissioner Scholfield said that the RCO might have an issue if any of the trees or lights are disturbed.

4.9. Whaling Days – An e-mail dated August 2, 2019 from Holly Nuckols was reviewed. Ms. Nuckols and her husband had moored their vessel at the Port during Whaling Days. She complained that the Safe Security guards harassed a fellow boater (Lester Burk) by asking him to stern tie his boat, although Mr. Burk was trying to save room for friends that were coming in via boat. There apparently were other boats side tied to the finger piers that were not asked to reposition their boats. According to Ms. Nuckols, the security guard threatened to impound Mr. Burk's boat if he didn't stern tie it. She also complained that boaters were not notified that the docks were going to be closed to foot traffic for the fireworks. Mr. Burk came into the Port office a couple weeks ago to pay his bill. He also had a complaint about being singled out as he was asked to reposition his boat while others seemed to be overlooked. Another complaint Mr. Burk had was that the foot traffic to the boats was closed off to non-boaters prior to 10PM each night. Mr. Burk also said that it didn't seem fair that OOC could have paddle board renters in the water but boaters were not allowed to go in the water. Tim said that according to the State, kayaks and paddle boards are considered vessels which warrants them being in the moorage area water;

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whereas, the floaties and innertubes the boaters like to use are not considered vessels and it's just much too dangerous. Carla Larson reported that a large boat on the last finger pier refused to stern tie, which would have freed up a lot of dock space for boaters. The scouts did another good job on cleaning up Port property during the festival. *It was agreed to pay Boy Scout Troop 1540 \$800 for their cleanup efforts on Port property during the 2019 Whaling Days Festival* (motion by Reese; second by Aus; unanimous).

Commissioner Scholfield reported that oil from the Paradise Entertainment rides was left in the Port's parking lot. They did come back and take care of it when asked. Marvel Hunt said that she noticed there weren't nearly as many cars as there had been in years past. Ms. Larson said that the income was up but she agreed there were less attendees. On Friday night she noticed some road closure barricades were not in place, so she took care of that.

### **5. NEW BUSINESS**

5.1. Sea Plane crash into Dyes Inlet – on August 6<sup>th</sup> a sea plane owned and operated by John F. Gotschall crashed into Dyes Inlet. Thankfully, no one was hurt. Apparently, the tires on the plane were locked in the down position when he tried to make a water landing. Commissioner Scholfield said that the Central Kitsap Fire Department handed the cleanup off to the Port. Several State agencies contacted the Port to ensure it was being taken care of and pollution was at a minimum. The Port incurred \$2,359.34 in costs to clean up and dispose of the debris. A letter has been generated dated August 14, 2019 addressed to Mr. Gotschall informing him of the amount due

to the Port. Commissioner Reese said that the amount owed is minimal. He heard of a boat that recently sunk at the Port of Bremerton and the cleanup costs totaled \$7700.

5.2. Upcoming State Audit – an e-mail dated July 31, 2019 from Melinda Seibert of the Washington State Auditor's Office was reviewed. It was sent to inform the Port that they are putting together the audit schedule for this Fall. They will be contacting the Port in the near future with details of the date and time.

5.3. Westsound Networking Group has requested that Commissioner Reese attend their regular meeting on August 28<sup>th</sup> and provide a brief presentation about the Port. Commissioner Reese plans to use the draft concept use plan that RFM had generated.

5.4. Enduris – an e-mail dated August 14, 2019 from Joe Davis of Enduris was reviewed. They are considering dropping the Marina Operators Liability insurance for the Port since the Port doesn't provide any services where possession of boats is necessary. Enduris will continue to cover the general liability exposures of the marina operations.

5.5. Benefits – Commissioner Scholfield explained that Airlift Northwest offers an Aircare membership that cost approximately \$80 a year per member and covers members and their family members that are under the same medical coverage. Commissioner Scholfield said that a broken leg in Kitsap County can result in an airlift to Harborview Medical Center in Seattle and cost upward of \$20,000 out of pocket. He suggested the Port offer this as a benefit to both Port staff and Commissioners. It was agreed that this may be

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something the Port can offer. A call will be placed to determine if there is a government rate. Retirement benefits for Port staff were also discussed. Since the Port is a municipal corporation, employees would qualify for the State Public Employees Retirement System (PERS). Tim said that employees must work at least eighty hours within a month. It was agreed this should be further looked into and both items will continue onto next month's agenda.

5.6. Safe Security – an e-mail dated August 1, 2019 from Christine Scott of Safe Security was reviewed. Ms. Scott explained that she is considering offering a day-time patrol, which would include three site checks each day and a response as quickly as possible to any request for support with a specific issue.

Commissioner Scholfield suggested looking into the costs of having an on-site security guard that patrols just the Old Town area. He thinks several of Old Town businesses may be interested in supporting this and if everyone pitched in it would cut down on the costs. Ms. Scott will be asked to provide a cost estimate for the on-call guard as outlined in her e-mail and also a cost estimate for a guard to patrol Old Town similar to the Port Host position, but during the week.

### **6. SAFETY** – nothing to report.

Commissioner Scholfield explained that the power at the far finger pier needs to be repaired. At the last All Ports meeting the following electricians were highly recommended; Bronco Electric; Bainbridge Island Electric; and George's Electric. Tim said that he had a recommendation and would provide that information to the Port. Small

Works Roster applications will be sent to those businesses. Commissioner Scholfield said that it's a maintenance repair and should cost no more than \$10,000 so an RFQ would not be necessary.

Tim provided the special keys for the water faucet near the boat launch restrooms. A key will be provided to Steve Turnkey of Kitsap Sailing and Rowing Foundation (KSRF) and also to Bridget Burke of Clam Island Rowing (CIR).

Ms. Hunt asked why the Port is no longer working with the Central Kitsap School District (CKSD) in regards to the future of Old Town. She said that the Port representatives did attend meetings with CKSD when RFM was first hired to complete the comp plan, but since that time there is no longer Port representation at the CKSD meetings and she feels it could possibly be a missed opportunity. Phil explained that when RFM was first hired the request was for them to create a Waterfront Comprehensive Plan. RFM was already working with the CKSD and they had ideas to combine the efforts, which was beyond the scope of what the Port had hired them to do. Phil said that he has sat in on a few of the meetings regarding the future of Strawberry Creek and that is a project the Port can be part of and support. Ms. Hunt understood the Port's stance, but said that she feels it's so important for the Port and CKSD to keep the lines of communication open, keep in touch and work together wherever possible. Commissioner Scholfield said that the Port was basically trying to stop the bleeding with RFM as there were costs for every meeting. Ms. Hunt understood, but urged the



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Commissioners to stay in contact with Doug Newell, CKSD's Executive Director.

Ms. Hunt asked what the Port's plans are in replacing Phil as legal counsel as she has heard that he plans to retire at the end of the year. Phil said that he has contacted another local attorney who is interested in taking over his position with the Port. Commissioner Reese said that someone would need to be on retainer. Tim said that there are a handful of local attorneys with understanding in municipal law. Ms. Hunt said that four months goes by fast and this is something the Commissioners need to be discussing.

**7. APPROVE EXPENDITURES & ELECTRONIC TRANSFER**

*The attached voucher approval totaling \$37,306.26, checks numbering 12158 through 12185 and Electronic Funds Transfer 2019-08 to the U.S. Treasury in the amount of \$2,018.52, were approved* (motion by Aus; second by Reese; unanimous).

**8. EXECUTIVE SESSION – None**

Phil reported that attorneys from both sides of the Bayer claim are planning to come over after hours to view the site where the accident took place.

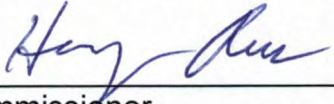
Tim reported that he is currently working on the dredge under the boat ramp during the August fish window.

Phil said that the Army Corps of Engineers contacted him to let him know they had received the Joint Aquatics Resource Permit Application (JARPA).

**9. ADJOURN**

*At 8:42PM the meeting adjourned* (motion by Reese; second by Aus; unanimous).

Approved:

  
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Commissioner

  
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Commissioner

  
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Commissioner

