

**Port of Silverdale**  
Minutes of Regular Meeting  
October 19, 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; Administrator, Theresa Haaland; Doug Newell, assistant superintendent of the Central Kitsap School District (CKSD); Julie Jablonski of Kitsap Sailing Foundation (KSF); and Carla Larson. Those attending via ZOOM were: Lee Knapp of TIKAR Services; John Bouck and Greg Jacobs of KSF; Bridget Burke of Clam Island Rowing (CIR); and Marvel Hunt.

**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: October Meeting Agenda; September 16, 2021 Regular Meeting minutes; September 22, 2021 Special Meeting minutes; October 12, 2021 Special Meeting minutes; Resolution 2021-03 Reallocation of Budgeted Funds; Authorization for Electronic Transfer of Payroll Taxes #2021-10 to the U.S. Treasury in the amount of \$2,913.56; the October 19, 2021 Voucher Approval for checks numbering 12852 through 12879 totaling \$42,994.30, which is attached to these minutes (motion by Scholfield; second by Kitchens; unanimous).*

**4. ATTENDEES WHO ASKED TO BE PLAED ON THE AGENDA** – Doug Newell with CKSD

introduced himself and explained that he has been with the school district for six years. He handed out a packet titled "CK Schools Update – Fall 2021" to those in attendance. He explained that annually he is out and about talking to a variety of groups to share what is going on in your schools. The renewal of the levy is coming up this cycle, so it's important for the public to see what the tax money supports. He said that it is so great to see the kids back to in-person learning, it's been a long year for everyone. It's harder to do things now adays due to labor shortages. CKSD is focusing on the basics; running the schools and keeping people safe. CKSD lost approximately 1,000 students at the start of the pandemic with many being homeschooled, but the majority have returned less about three hundred. School districts did receive COVID relief funds, which helped in providing additional support to get the kids back to in-person learning. They have been able to hire additional counselors and tutors. A lot is happening, because of the Federal funding. CKSD, which included nineteen schools and 1800 employees, received \$14,000,000 to be used in over a three-year period. They are so very thankful for the funding. CKSD was able to offer free meals for all kids during the shutdown and it has continued since the schools have reopened. During the shutdown, every child was able to receive a Chromebook and there was a team of individuals that helped at the house level to get kids connected to the internet. Every child that needed help to connect to the internet has been connected. Mr. Newell said that over five years ago a lot of bonds were issued and all of the big projects

are finished on time and on budget. The smaller projects are now being worked on. The CK secondary schools and high schools are in great shape. Commissioner Scholfield asked about the concession stand at the CK high school field. Mr. Newell said that the District is investing over \$1,000,000 towards the concession stand. Regarding the Jenne-Wright Administration Center, CKSD continues to work and engage in outreach including with the Washington State Department of Fish and Wildlife (WDFW) and the tribes regarding what to do with Strawberry Creek. He explained that they are talking with nonprofits and will be talking more within the month at public meetings about restoring Strawberry Creek and selling the Jenne-Wright building. He said that the building is currently pretty vacant. A lot of the administrative staff has been relocated to the Barker Creek Community School building located off of McWilliams. Mr. Newell said that he thinks the Jenne-Wright building will be completely empty within a couple of years and the Silverdale library will be moving up to the schools off of Anderson Hill Road. CKSD is negotiating with two different companies right now for the Jenne-Wright building with a focus on restoring Strawberry Creek. Commissioner Scholfield asked if the County has been contacted. Mr. Newell said that there is a beauty salon in the area between Linder field and the Jenne-Wright building and from what he understands the owner of the salon is selling and the County has been in contact with her. Mr. Newell said that he sees the area along Silverdale Way from Anderson Hill north past Linder field being redeveloped within the next ten years. Mr. Newell said that they are planning to sell the Jenne-Wright building

mainly because they can't maintain things that aren't intended for the kids, but he doesn't want to sell without considering the intended uses moving forward. John Bouck of KSF said that in a past presentation he was happy to hear that the intention was to keep the Jenne-Wright property as public property. He asked if it will be going to a development group? Mr. Newell said that sixty feet of Strawberry Creek will be held by a nonprofit group. With the limited money to maintain everything, it was decided to excess it. Bridget Burke of CIR asked if they intend to keep the building for a couple of years and if so, is there potential for people to rent out the vacant rooms in the building? Mr. Newell said that Linder field is currently available for renting. They are currently exploring the idea to allow public access to the building and renting out the rooms. Ms. Burke said that currently CIR rents space from the Kitsap Mall that they use as an exercise room when the weather blows them off the water, so she would be very interested in learning more about the availability of rooms at the Jenne-Wright building. Mr. Newell said that there is some ability for long term use at the building and CKSD could make them a deal. Ms. Burke said that she will reach out to CKSD. Mr. Newell said that the library property is going to be sold and estimated the transaction to be complete within ninety days. He explained that the new library area endeavor is being called the "Silverdale Center" with 12,000 square feet of library space on the ground floor and administrative services upstairs along with some public meetings rooms. It is scheduled to be opened in January if all goes as planned. He said that they are in the design phase to replace Fairview Junior High, but the design is not

resolved. They are holding back on this because they want to make sure when it's done, it is done right. Eighty percent of the funding comes from the State of Washington; ten percent from Federal and ten percent from local levies. The next levy will be going out in February. Without the local funding the education would be very basic, something we wouldn't recognize. The local funding supports transportation for all the kids, all of the extracurricular activities and special education, just to name a few. With the secondary level of education, a direct employee to cover security is required. Commissioner Reese thanked Mr. Newell for attending the meeting and informing the Board on CKSD's plans. Mr. Newell said that they have a 100-year vision for this area with regards to selling their properties and they want to do it right. Phil asked if CKSD will have more discussions about Strawberry Creek with the Port and explained that the Port does have a special authority to work on streams, etc. Mr. Newell said that they have been talking monthly with the Suquamish tribe. Commissioner Reese asked Mr. Newell to include the Port in their discussions. Julie Jablonski explained that KSF and CIR partner with the Port in providing the programs to school aged kids. She asked if there is or could be an activity bus for Klahowya and Olympic high schools to swing through Old Town Silverdale after school. Mr. Newell asked that Ms. Jablonski drop him a note. He realizes that transportation is a barrier for kids to be able to participate. Ms. Jablonski said that the high school sailing and rowing programs are not funded by the school district, but both programs are growing. Mr. Newell said that he was aware they are growing sports and that club sports are important to kids. Mr.

Newell thanked the Commissioners for their time.

Carla Larson explained that finances to hold the annual Christmas Tree lighting are an issue this year. She isn't sure if the tractor rides are going to take place. She will know more after a meeting she has with the County next Thursday. Her hope is to have three tractors in and around Old Town during the day of the tree lighting, but Bayshore is under construction so she isn't sure. If they are allowed to have the rides, she is hoping the Port would provide a bonfire and offer hot chocolate and cider as in years' past. She explained that she would provide the beverages. The event is scheduled to start at noon on November 27<sup>th</sup>, always the Saturday after Thanksgiving. Marvel Hunt asked if there are going to be new lights on the tree. Last year she noticed that when the lights cycle through there was an entire section that was not working. She suggested that if new lights aren't installed, they just be kept on steady. Ms. Larson said that they are planning to have a work party and hoping to install some new lights. She asked if the Port would make a donation towards the event. *It was agreed to donate \$500 in support of the annual Silverdale Christmas tree lighting celebration* (motion by Scholfield; second by Kitchens; unanimous). Ms. Larson will provide the name the check is to be made out to and this will continue on the November agenda to determine if the tractor rides are happening because if not the bonfire and beverages will not be needed.

## **5. UNFINISHED BUSINESS**

5.1. Waterfront Center Precdesign Project/Pump Station #3 – Commissioner Reese explained

that we are still waiting on the geo tech report of the borings. Patano has been asked to provide a breakdown of costs associated with the building alternatives once the boring information is received. Commissioner Reese said that he thought Eric Barr of Patano was going to meet with us to set a date for next week to decide where the building would be built.

Last month it was agreed to accept Leon Environmental's Contract #21-01-C, but it has been determined that since Leon Environmental is a subcontractor to Patano this will be added to the Port's contract with Patano and the contract will need to be amended.

## 5.2. Grants/Projects

a. Recreation Conservation Office (RCO) - Phil plans to talk to the RCO about moving the floating moorage facility out to deeper water and asking how that will impact the grant.

Phil said that he is working with Amy Lietman of Marine Surveys and Assessments (MSA) about the dredge and Ms. Lietman wants to know if there is going to be any dredging at the floating moorage facility area or if it is all just going to be completed at the boat launch. Ms. Lietman is starting the process and will be contacting the Army Corps of Engineers about the changes. Commissioner Reese said that until we know that the RCO will allow the dredging portion of the grant to be used to move the moorage facility out into deeper water, we want to continue to move forward with pursuing the dredging permit. Phil said that we already have the permit, we are just waiting confirmation from National Oceanic and Atmospheric Administration (NOAA). Phil said

that Ms. Lietman told him that she thought that she could just clean up the drawings and data, but if there is going to be a modification, she needs to know that also. Phil questioned why this is dependent on the RCO as the Commissioners have authorized AAA to move forward on the 2a design they proposed. Commissioner Schofield said that it all comes down to funding though. Commissioner Reese said that we need to determine if the grant funds for the dredging can be instead used to move the marina out to deeper water. If the marina isn't going to be moved then the dredge will still need to take place. Phil likened it to a chicken and an egg problem. Commissioner Scholfield clarified that it's a funding problem. If we can't afford to move the facility out, then it will stay where it is and we will dredge. Commissioner Reese said that the RCO grant had \$400,000 earmarked for dredging and we want to know if that money can instead be used to move the facility. Ms. Jablonski said that it is her understanding that the RCO bucket of money is intended for environmental projects. Commissioner Reese said that it is hoped to use the \$400,000 towards moving the facility out into deeper water, which will alleviate the need to dredge in that area in the future. If it is determined that the grant money can be used to move the facility then maybe, for bargaining purposes regarding the dredge litigation, it could be agreed that the Port will not dredge under the floating moorage facility, if allowed to dredge the boat launch.

AAA held a stakeholders meeting for the non-motorized float design. Commissioner Reese attended the meeting.

An email dated September 27, 2021 from grant writer, Kathleen Barrantes, had been received. Ms. Barrantes had forwarded an email from the RCO regarding the 2020 RCFB Cultural Resources Review and Consultation Status. Ms. Barrantes asked if the Port needs help with this step and said that she will send a draft addendum to renew her contract for another year because it has expired. Renewing Ms. Barrantes contract was discussed. Commissioner Reese said that he had asked Phil if the Port would have to exclusively use Ms. Barrantes or can the Port contract with someone else for similar work. Phil mentioned that he would have to look at the contract. It was thought that Ms. Barrantes should be asked to work on the RCO's cultural resources requirement.

b. Marina relocation - AAA is working on a proposal for the marina relocation project.

c. Dredge - Phil reported that the responding brief for the dredge litigation is due in early November. He said that he hoped the Commissioners don't want to invest all of this attorney time, if it is decided not to dredge under the floating moorage facility. All three Commissioners agreed this should be taken all the way to court. Phil clarified that he should proceed with what is needed for the litigation, regardless that there is discussion about moving the facility. He said that he disagreed with it, but will move it forward. Commissioner Reese questioned why Phil disagreed. Phil said that the litigation is regarding the dredging around the floating moorage facility and if that is not needed the lawsuit will be settled. If the Commissioners are wanting to move forward with the lawsuit for spite, they can find another

attorney. Commissioners Reese and Scholfield said that it is not being done for spite and that it wasn't brought on by the Port. There is a possibility that the floating moorage facility will not be moved; therefore, the dredge will be needed. Phil explained that with litigation there is always a risk. Commissioner Reese said that the Port asked to dredge all of the area including the boat ramp and Sound Action is fighting all of it. Phil said that the risk is that they could win in court and the Port could be responsible to pay for the legal fees. Ms. Jablonski asked if the litigation will delay things. Commissioner Scholfield said that the Port first needs to know what the RCO is willing to do with the funding. Phil asked that this be further discussed during Executive Session.

5.3. County's Bayshore/Washington/Byron project – Commissioner Scholfield said that Ceccanti might be done using the Port property by next month.

#### 5.4. Programs

a. Sailing – Mr. Bouck had provided a note dated October 18, 2021. Commissioner Reese read the note as follows:

1. Fall sailing is wrapping up shortly. Last formal day of practice October 21. It is much easier to move boats out with the handling pier - last I heard it was scheduled to come out that same day. As requested via email, one extra day would be a big help.

Remaining regattas:

- a. Regional regatta on October 23 - Bainbridge
  - b. Portland Fall Ranking Regatta possible Nov 6-7
- We have had strong showings in the regattas that we have participated in and earned the top two spots in the last regatta (Port Angeles).

2. Winterization - heads up that would like to take the motors back to AquaTech for annual maintenance after the end of the season.
3. Community/adult sail. This remains beyond our capacity at the moment.
4. Fleet - no significant changes to the fleet since the last meeting. We expect to sell the Flattie and our board has authorized purchasing additional boat(s). We are investigating FJ's to grow the competitive fleet as well as Lasers, a second Lightning, and possibly other models that would fit in with adult and/or competitive sailing in our region.
5. Facilities. The need for cover for our boats remains -we are investigating more thorough coverings for the winter.

Commissioner Reese asked if Mr. Bouck had anything else to add. Mr. Bouck said that they were hoping the handling pier could remain in place until October 22<sup>nd</sup>. Lee said that it is scheduled to be removed on October 21<sup>st</sup> and Tim had talked to Kathy Ozimek, who had originally requested it be removed on the 22<sup>nd</sup>.

b. Rowing – Bridget Burke had emailed the monthly report earlier today, but it wasn't received in time to be added to the agenda packet. Ms. Burke explained that the high school rowing team went to regionals last week. The big thing for CIR is that the Boston Whaler chase boat caught fire and was totaled. CIR is planning a work party to take care of the boats and equipment. They are winding down for the winter. The high school member's last day of rowing is scheduled for November 4<sup>th</sup>. They have one more regatta to go before the end of the season. Ms. Burke asked if there was any update from the Port's insurance company about the Boston Whaler. It was explained that the insurance adjuster came out and viewed the totaled boat and the damage of

the docks. The Port hasn't received any information since then.

### 5.5. Facilities

a. Restroom overhaul – Commissioner Scholfield said that he is working on the Request for Quotations (RFQ) and anticipates this being a spring project.

b. Outer-water boundary extension - Phil said that he needs to contact the Department of Natural Resources (DNR).

c. BH dinghy has been impounded across the street from the Port office for over a month. No one has contacted the Port about it. *It was agreed to have the dinghy disposed* (motion by Scholfield; second by Kitchens; unanimous).

d. Boat launch handling pier – as previously discussed the handling pier is scheduled to be removed on October 21<sup>st</sup>.

e. Leveling the docks – Lee reported that once TIKAR personnel are available the project will begin.

### 5.6. Port Properties

a. Painting of Port-owned buildings is a weather dependent project.

b. 3425 Byron/Kitsap Art – Lee reported that the sink has been installed.

c. 3330 Lowell/Sugar Studios – the tenant had requested her building be painted. Commissioner Scholfield said that it will be painted next year.

d. 3295 Lowell/Abeel Studios – the tenant reported electrical problems. Commissioner

Scholfield said that he has ordered equipment that will help locate the problems.

e. Road vacation between 3255 and 3215 Phil said that he hasn't received any feedback from the County.

5.7. Redistricting – Phil reported that he continues his efforts on redistricting and is currently awaiting information from the County.

5.8 Interlocal Agreements – the Ports of Illahee and Tracyton asked that the “termination” paragraph within the agreement be amended from thirty day to sixty day. It was agreed to amend the Interlocal Agreements with the Ports of Illahee and Tracyton from a thirty-day termination to a sixty-day termination and for it to begin on January 1, 2022.

5.9. Hiring additional Port staff – it was agreed that the work with Mary McClure should help lead to the next steps in hiring additional Port staff.

5.10. Port Rules and Regulations – Commissioner Scholfield said that he continues to work on the update.

5.11. Hiring legal counsel to begin in 2022 – it was agreed that the work with Mary McClure should also help lead to the next steps in hiring a new attorney as Phil is resigning as of December 31, 2021. Commissioner Kitchens asked Phil if he has any recommendation for a new attorney for the Port. Commissioner Scholfield said that he inquired with John San Fellipo, who subleases an upstairs office from the Port. Commissioner Reese said that we may need to send out an RFQ. Phil said that he will be talking with Mary McClure and separate out the legal duties and then send something out to several attorneys and see if anyone applies.

## **6. NEW BUSINESS**

6.1. 2022 Preliminary Budget was reviewed. *It was agreed to accept the 2022 Preliminary Budget as submitted* (motion by Kitchens; second by Scholfield; unanimous).

6.2. Resolution 2021-04 Port Commissioner Compensation. Commissioner Reese explained that he read through an email from the WPPA regarding the need to adopt this resolution. They also included a sample resolution. Phil explained that the law was amended incorrectly. It would make it to where newly elected officials would be paid at a lower rate. Commissioner Reese explained that since both Commissioners Kitchens and Scholfield are on the November ballot this would have affected their Commissioner Compensation. *It was agreed to adopt Resolution 2021-04 Port Commissioner Compensation* (motion by Scholfield; second by Kitchens; unanimous).

## **7. SAFETY/SECURITY**

7.1. Boat/dock fire – Commissioner Scholfield reported on the boat/dock fire. It is believed to have been set around 3:20AM on Monday, October 4, 2021. At 4:22AM a Safe Security guard alerted the police of the fire. The boat was a Boston Whaler used by CIR. The engine was retrieved and is located in the Port's shop, undamaged, but the boat was a total loss. The boat was tied to the floating moorage facility and Tim estimates the damage to the dock at approximately \$10,000. Commissioner Scholfield said that the fire is under investigation as it was found to be suspicious. It looks as if someone poured gasoline, from the gas can that was in the boat, all over the boat with a stream of gas along the dock leading to the gangway. Commissioner Scholfield said that the surveillance on the docks is offline due to the construction in the area, but the surveillance in the Port's parking lots showed several cars coming and going around the estimated time of the fire. It is an

ongoing investigation so the police report is not available at this time. It is believed the boat was on fire for over an hour before Safe Security witnessed it. Commissioner Scholfield said that when TIKAR replaces the tubs they will also replace the tubs in that area. Commissioner Reese asked Lee to make sure that anything affiliated with the fire be billed separately. Lee explained that it will be on the same bill, but the description will show the amount charged related to the fire. Commissioner Scholfield told Lee for future reference the insurance company will need a more detailed breakdown of charges for an estimate.

7.2. Complaint – on October 5<sup>th</sup> a gentleman came into the Port office inquiring about the Port and how it is funded. He said that at one time he was on Port property and was listening to his music very loud and was approached by a Safe Security guard who told him that he was on private property and had to leave. The man said that he didn't think at the time that the guard was correct in telling him it was private property, but complied and left. More recently, he apparently was told again that he had to leave and that it was private property. He said since the property is taxpayer funded, it is technically public property. An email was sent to Safe Security explaining the situation and asking that the guards be made aware that Port property is not private property but public property. A response from Jason said that there are two new guards on patrol and that he will insure they are aware of the difference. The man called the Port office about a week later as he was interested in how many trespasses the Port had issued this year. Upon review of the file, it was realized that the most recent trespass was issued in 2019, with only one for that year and just two in 2018. He was glad to hear there weren't many and said that he was just checking to make sure there wasn't a large amount of people being trespassed. He was thankful for the

information and said that nothing seemed to be out of sorts.

7.3. Damage to restroom door – Safe Security reported that one of the boat launch restroom doors was damaged. Commissioner Reese said that he went down and looked at the door and the hinges had been sprung. Lee reported that it has since been repaired.

## 8. PUBLIC INPUT

Ms. Jablonski explained that she had a discussion with Marguerite Austin of the RCO. She found out that all of the grants and information are available online. Ms. Jablonski was happy to see that there are grants that KSF may qualify for, so potentially they will be able to apply. She said that in talking with Ms. Austin she has a concern that the RCO sees KSF and CIR as non-profit clubs, but they are not clubs. It's a unique relationship the programs have with the Port. Since Silverdale doesn't have a Parks and Recreation department, they are basically filling the gap. They are not clubs as they don't charge a membership fee or anything like that. Ms. Jablonski said that she doesn't see KSF any different than many of the other entities that received grant funds, which is encouraging. Ms. Austin did bring up the public access to the non-motorized dock, which will need to be figured out.

Greg Jacobs said that repositioning the motorized dock might be beneficial. Commissioner Scholfield said that if the positioning was too extreme it would lose the breakwater affect. Mr. Jacobs agreed that positioning it a certain way would allow for more access to the non-motorized float. Commissioner Reese suggested this be brought up with AAA at the next meeting with

them. Mr. Jacobs said that he is just trying to figure a way to get the most use as possible out of the lineal footage of the non-motorized dock.

Ms. Jablonski said that she sent some information to the Port's email. If boats have to be rigged at the boat launch that will cause an issue to motorized boaters trying to launch. Something to consider.

**9. EXECUTIVE SESSION**

At 7:48PM it was announced that the meeting would be going into Executive Session for approximately fifteen minutes to discuss litigation.

At 8:02PM the meeting returned to Regular Session. There was no public waiting to reenter the meeting.

The Commissioners were busy signing documents.

**10. ADJOURN**

*At 8:14PM the meeting adjourned* (motion by Scholfield; second by Reese; unanimous).

Approved:

  
Commissioner

  
Commissioner

  
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

\$42,994.30 and from the General Fund, this 19th day of October, 2021.

  
Auditor

  
Port Commissioner

  
Port Commissioner

  
Port Commissioner

Number	Name	Amount
12852	CALEB A. REESE	\$825.64
12853	DOUGLAS G. KITCHENS	\$348.86
12854	ED SCHOLFIELD	\$430.37
12855	THERESA R. HAALAND	\$3,850.00
12856	LOWE'S	\$105.55
12857	VISA	\$532.39
12858	CASCADE NATURAL GAS	\$40.69
12859	KITSAP COUNTY PUBLIC WORKS	\$666.72
12860	CRYSTAL SPRINGS	\$50.44
12861	PUGET SOUND ENERGY	\$481.29
12862	SILVERDALE WATER DISTRICT	\$3,597.37
12863	WASTE MANAGEMENT - BREM AIR DISPOSAL	\$172.44
12864	VERIZON WIRELESS	\$60.61
12865	WAVE BROADBAND	\$330.20
12866	WAVE BROADBAND.	\$112.15
12867	WASHINGTON STATE EMPLOYMENT SECURITY DEPT	\$55.22
12868	WASHINGTON STATE DEPARTMENT OF REVENUE	\$3,225.21
12869	WASHINGTON STATE DEPARTMENT OF L & I	\$285.38
12870	TACOMA SCREW PRODUCTS	\$176.48
12871	MITCHELL LUMBER, CO.	\$67.14
12872	SAFE SECURITY	\$3,253.00
12873	MARINE SURVEYS & ASSESSMENTS	\$1,107.70
12874	HIS HANDS LAWN CARE & SERVICES	\$1,036.05
12875	SIMONS FAMILY LIMITED PARTNERSHIP	\$3,546.88
12876	TERI ORR	\$250.00
12877	TIKAR SERVICE, LLC	\$15,724.48
12878	ED SCHOLFIELD -	\$187.04
12879	PHIL BEST, ATTORNEY	\$2,475.00