



Port of Illahee – Minutes of Regular Meeting on April 10, 2019

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Minutes of Regular Meeting
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CALL TO ORDER

Commission Chairman James Aho called the meeting to order at 6:30 PM at Seeds of Grace/Lichen Hollow, 8050 Illahee Road, Bremerton. Also present were Commissioner Jonathan Buesch; Commissioner John Burton; Administrator, Theresa Haaland; Illahee residents: Roy Barton, Cathy Johnson, and John Parvis.

CONSENT AGENDA

Commissioner Burton moved to approve the consent agenda items: April Meeting Agenda; March 13, 2019 Regular Meeting minutes; April 10, 2019 checks numbering 4425 through 4437 totaling \$9,182.59 as outlined in the attached voucher approval; second by Commissioner Buesch; approved unanimously.

PUBLIC COMMENT – Commissioner Burton reported that Tim Knapp of TIKAR Services would not be attending tonight’s meeting due to family illness.

REPORTS/UNFINISHED BUSINESS

Treasurer’s Report

As of March 31, 2019; the General Fund totaled \$158,465.67, Investments totaled \$217,470.67 and the Balance of the Good Property Management account totaled \$150.15.

Commissioners’ Reports

Website - Commissioner plans to contact Parametrix, the company that generated the Surface Water Management Plan (SWMP), to

obtain a link to the document so that it can be added to the Port website.

Rental Properties

5560 Ocean View Boulevard – Nothing to report.

5500 Illahee Road – Commissioner Buesch reported that the deck/roof has not been repaired. In talking with the tenant, he was asked if the Port would allow her and her friend, who is a construction worker, to make the repairs in exchange for a reduction in rent. Commissioner Buesch questioned if the Small Works Roster (SMR) would have to be used or could the Port just offer a reduction in rent equivalent to the costs of material and minimal labor. Commissioner Aho requested this item be addressed under “New Business.”

Dock/Pier - Commissioner Burton reported that TIKAR has finished installing all of the piling hoops and rollers. It was decided to leave the old hoops in place as they may be partially providing structure support to the decking. Commissioner Burton explained that TIKAR is not contracted to complete any additional work. The Port of Brownsville personnel have been very busy with work at Brownsville but have scheduled the gangway project to begin on May 12th. Next week Matt Appleton and his team plan to take a look at the electrical on the dock as there are still issues. Commissioner Burton plans to obtain moorage float replacement estimates. After hearing Tim’s evaluation, he has concerns that they may not be able to be repaired and “as is” they may not last through the summer. He said that replacement versus repair will be much costlier as they will need to be built to current standards. The



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Commissioners agreed that funding for new floats should be included in a Recreation Conservation Office (RCO) grant. Commissioner Buesch questioned how the floats went from repairable to unrepairable within a few months. Commissioner Burton explained that this has been discussed for more than a few months. Brownsville's estimate to repair the floats was dated September of 2018. Commissioner Burton said that he plans to get some of the necessary work completed in order to keep it safely operable for at least a year. Commissioner Buesch suggested Commissioner Burton have Matt provide an updated estimate and if reasonable, it should quickly be approved. Commissioner Burton agreed. He said that he was concerned about being required to use the SWR to bid the job, but since Brownsville's original estimate came in well below the \$40,000 Small Works threshold, he doesn't see that as an issue.

Illahoe Store Property/5507 Illahee Road –

Commissioner Aho reported that there is no update with the Sheriff's sale. He has been in contact with attorney Bagwell and explained to him that the Pollution Liability Insurance Agency (PLIA) may at any time contact the Port to begin the cleanup, but if the property isn't officially owned by the Port at the time of contact the funding could be lost. Commissioner Aho has asked attorney Bagwell to do whatever necessary to expediate the sheriff sale. Commissioner Buesch asked about the \$60,000 that the Port paid to attorney Bagwell. The check cleared and is believed to be in attorney Bagwell's trust account. John Parvis asked if the Port is on the title is the Port liable if something were to happen at the property. Commissioner Aho plans to ask attorney Bagwell. It was agreed that the transaction needs to be finalized as soon

as possible. Commissioner Aho suggested that he draw up a resolution outlining the Port's position so that it is an official document and can be provided to all the parties involved in hopes to move the transaction forward.

Recreation Conservation Office (RCO) funding –

Commissioner Aho reviewed RCO grants and determined that several of them cover docks, pilings, floats, etc. Since that is the case Commissioner Aho suggests that minimal maintenance on the dock, gangways and floats be conducted, just enough to insure public safety. He sent an e-mail to the Port's grant manager, Kim Sellers to further discuss and determine the Port's next steps. Last year the Port was advised to expand the project scope and apply for an additional grant, which could be used as matching funds, so two grants will be pursued.

Commissioner Aho explained that if the RCO grants the Port a Waiver of Retroactivity for the purchase of the store as those funds can also be used as matching funds. He suggested they consider hiring a grant writer to pursue the grants on the Port's behalf. Kathleen Byrne-Barrantes of Grant Solutions has had much success in obtaining RCO grants for many Kitsap public entities. Mr. Parvis said that the Port of Langley obtained floats from another Port that no longer needed them.

Commissioner Burton explained that the Port of Poulsbo was getting rid of some floats, but they looked very worn and the size wouldn't have worked for Illahee anyway. He said that if the Port were to be given floats, he would want them surveyed. It was agreed that material from floating bridges would be beneficial, although hard to find. Commissioner Aho suggested this be further



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discussed with Matt as he would more than likely be aware of anything that is coming available.

Silt buildup at the docks – Nothing to report.

NEW BUSINESS

Small Works Policy – A draft resolution was reviewed and it was determined changes are necessary. Commissioner Aho requested that the Commissioners review it and provide any changes prior to next month's meeting so that it can be on the agenda for adoption at that time.

2018 Annual Report – Has been submitted to the Washington State Auditor pursuant to RCW 43.09.230. Cathy Johnson asked if the report included a Budget to Actual report, which it doesn't. She said she would be interested in seeing such a report.

5500 Illahee Road Deck/Roof Repair – the tenant asked for a reduction in rent if she were to make the repair. Commissioner Aho said that he doesn't see a problem with the Port paying for the material to make the repair, but he is not comfortable with basically offering a blank check for the labor hours. Commissioner Burton added that validating the quality of the work and material used is another issue. The hot tub remains on the deck. It is believed it is still used from time to time. The Commissioners thought that the tenant had been asked not to use it as when it's full of water it puts a lot of excess weight on the deck. Commissioner Buesch said that the soft spots on the deck are actually closer to the house not the hot tub, but agreed it should not be used. Commissioner Aho added that there are big beams holding it up so isn't worried about it falling through, but also

agreed that it should not be used. Removing the hot tub was discussed, but since it is built into the deck that would leave an 8x10 hole that would need to be secured. Disabling the hot tub was discussed. Commissioner Buesch will reiterate to the tenant that the hot tub is off limits. It was suggested that the Port purchase the material and have the tenant make the repair with no reduction in rent since the rent is already at a very reasonable rate. Roy Barton asked who would be liable if there was an injury from an improper repair. Cathy Johnson added that if a licensed and bonded company is hired to complete the repair the liability would be covered by the company's insurance. Commissioner Buesch said that a licensed and bonded company probably wouldn't be willing to perform a repair, but rather would want to replace the entire deck and since eventually the building will be demoed that is just not an option. Mr. Barton suggested the tenant be told not to use the deck or the hot tub. Commissioners Aho and Burton agreed that they were not comfortable with having the tenant make the repair in exchange for a reduction in rent. They might agree to pay for the material, but not an additional reduction. Commissioner Aho asked that Matt be requested to provide an estimate. Commissioner Burton said that he would ask Matt, but said that Brownsville has been very busy so isn't sure if he will be willing to even give an estimate for the repair. Commissioner Buesch asked Commissioner Burton to have Matt give him a call if he wants to further discuss.

Commissioner Buesch explained that the tenant also asked if she could trim some of the overgrown trees on the waterfront side of the house. Commissioner Buesch told her he didn't see a



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problem with it, but wanted to run it past the other two Commissioners first. Everyone agreed this wouldn't be a problem.

PUBLIC COMMENT - None

EXECUTIVE SESSION – None

All Ports meeting scheduled for Monday April 22, 2019 at Brownsville.


ADJOURN

At 7:50PM Commissioner Burton moved to adjourn; second by Commissioner Buesch; approved unanimously.


Approved:



Commissioner



Commissioner



Commissioner

