



Port of Illahee – Minutes of Regular Meeting on September 9, 2020

Port of Illahee

Minutes of Regular Meeting

September 9, 2020

Due to the COVID-19 Virus and Governor Inslee's Proclamation 20-05 the meeting was being held virtually through the ZOOM app (meeting id# 71509975823). Notice of the virtual meeting was posted near the kiosk at the head of the pier and on the Port's website – portofillahee.com.

CALL TO ORDER

Commission Chairman James Aho called the meeting to order at 6:30PM. Also in attendance were Commissioner Jonathan Buesch; Commissioner John Burton; Administrator, Theresa Haaland; John Piccone of Soundwest Engineering; Roy Barton; Ed Seal; and Lee Knapp of TIKAR Services arrived at 6:48PM.

CONSENT AGENDA

Commissioner Buesch moved to approve the consent agenda items: September Meeting Agenda; August 12, 2020 Regular Meeting minutes; September 9, 2020 checks numbering 4651 through 4661 totaling \$7,873.78 as outlined in the attached Voucher Approval; second by Commissioner Burton; approved unanimously.

SIGNING OF DOCUMENTS

Commissioners agreed to individually stop by the Port of Silverdale office on Thursday September 10, 2020 sometime between 10:30AM and 2:30PM to sign the necessary documents.

PUBLIC COMMENT

None.

REPORTS/UNFINISHED BUSINESS

Grants – John Piccone of Soundwest Engineering

Asked the Commissioners if they received the status summary that he sent to them via e-mail this afternoon. They did. Mr. Piccone explained that he typically prepares a summary on projects once they get to the point where numerous things are happening on multiple fronts. He said that the conceptual design has been complete for some time now with some of the excess conceptual design budget being used to further the design to an approximate twenty-five percent level. Mr. Piccone asked the Commissioners to review the current design outside of tonight's meeting and contact him immediately via e-mail and/or phone with any questions and/or concerns. His hope is to have any issues cleared up before moving forward further in the design process. The next step for SoundWest is to bring the design phase up to sixty percent as that is the minimum necessary to begin the permitting process. Mr. Piccone said that the Illahee store design will need to integrate into the Port overlay with details regarding the septic, parking and traffic being addressed. He added that this isn't an urgent item. If it runs parallel with the Waterfront Access Project the preliminary design would be within the November to February timeframe. Most of Soundwest's current efforts is aimed at permitting and working with various regulatory agencies. They completed the initial consultations with the Suquamish Tribe, Washington Department of Fish and Wildlife (WDFW) and Kitsap county. Mr. Piccone said they received good feedback from those meetings. He explained that every regulatory reviewer is coming from a different angle and sees things differently so it is very important to meet with them early on to get their input. He has not met with the Army Corps of Engineers yet, but plans to at least talk to them via phone by the end of this month. The



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County personnel brought up the issue of how fire and emergency response would respond to the site as they see it as a steep, confined space. The County requested Soundwest work directly with the Fire Marshall to further discuss. The new floats will be required to have a dry fight fire system as that is the current code. Mr. Piccone will determine where the closest fire connection is located and plans to work with the Fire Marshall as the design process moves forward. Based on input from the County, WDFW, and the Suquamish Tribe a submerged aquatic vegetation (SAV) survey will be required as it is believed eelgrass is in the area. If eelgrass is found it will be mapped to its exact location. A habitat assessment report will be the end product. The SAV survey can only be conducted in the months of June through September. The survey will be required to proceed with permitting applications, so in order to stay on track the survey is scheduled for September 15, 2020; otherwise the entire project will be delayed a year. The assessment report should be received by mid-October. Mr. Piccone explained that there will be numerous environmental review documents/reports that will need to be prepared after the sixty percent design and prior to submitting the various permit applications. He estimated the County's required permits and the Army Corps Joint Aquatic Resource Permit Application (JARPA) will take approximately a year to be issued from the date the necessary documents are submitted. In order to keep the overall project on schedule, Mr. Piccone suggested the preparation of the permits begin once the design has progressed to sixty percent. The final Recreation Conservation Office (RCO) presentation is scheduled for September 29th. The RCO will provide a preliminary list of awarded projects in

the order they are to be awarded on November 5th. Mr. Piccone said that this is not an official list, but from his experience it is fairly close to the final. The Boating Facility Program (BFP) grant application is due November 1st. The process is similar to the Water Access grants and it concludes with the final presentation in February and the preliminary list published in April. Commissioner Burton said that from past discussion he thought the Port would have an idea of its ranking for the Water Access grants. Mr. Piccone said that there may be some miscommunication. The RCO did push the Water Access grant cycle back two months due to COVID-19. He added that the BFP grant cycle has not changed as applications have always been due by November 1st. Commissioner Burton asked if the issue of the County road that leads to the dock and includes the Port's parking area was discussed with the County. Mr. Piccone said they did broach the subject that part of the right-of-way could be quit claim deeded to the Port. At this point he doesn't see it warranting a lengthy discussion; although, the pros and cons will need to be addressed in the future. Commissioner Buesch asked if Mr. Piccone knows how many other agencies applied for the same grants. Mr. Piccone wasn't sure but said that over the years he has gotten to know RCO representatives pretty well. After the last presentation the Port's grant manger and an RCO department head reached out to him and cautioned him that it is a very competitive year. They thought Illahee was a good candidate, but advised him to put his best foot forward with the final presentation. For this reason, Mr. Piccone plans to give the presentation himself, instead of office staff. The meeting prematurely ended due to the limitations of using the free ZOOM application.



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Everyone rejoined the meeting.

Commissioner Aho asked Mr. Piccone to discuss the three amendments that were on the agenda for approval. Mr. Piccone reminded the Commissioners that the vast majority of these items are reimbursable if the Port is awarded the grants. The first amendment is for the grant assistance task order number three to include efforts for the upcoming Boating Facilities Program (BFP) grant application and the second amendment is for task order number five related to permitting assistance and includes funds for the SAV survey. The third item is actually a new task order (number six) which allows Soundwest to further the conceptual design to approximately the sixty percent level with not only the design but the permitting process as discussed. Mr. Piccone said that there are two options, one is to remain optimistic and move forward with the process so that we are prepared when the funding is awarded or the second option is to stop at this point until we know for sure the grant funding will be awarded. The RCO looks favorably upon projects that are at least at the sixty percent level and moving forward with permitting efforts. He explained that if it decided to stop and wait, he doesn't see the permits being approved until possibly 2022. To stay on schedule, we need to move ahead with the process. **Commissioner Buesch moved to approve Port of Illahee – Agreement to Furnish Engineering Services Task Order Amendment to Task Order No. Three for Grant Assistance, Port of Illahee – Agreement to Furnish Engineering Services Task Order Amendment to Task Order No. Five for Project Permitting Assistance, and Task Order Number**

Six Agreement to Furnish Engineering Services to the Port of Illahee for Design Development; second by Commissioner Burton, passed unanimously.

Mr. Piccone said that he plans to keep working with Commissioner Aho and attend the Port meetings as needed to provide updates. He anticipates reviewing the findings of the SAV survey at the November meeting. He explained that once the permit applications are submitted, he will need a significant amount of time to go over the high-level schedule for the project with the Commissioners. He asked if there were any questions. Roy Barton asked how much money did the three items that were just approved entail. Mr. Piccone broke it down and said it was approximately \$60,000. Ed Seal said that it is quite a lengthy process and it is making him reevaluate his idea to build a stairway from his house down to the beach. Mr. Piccone thanked everyone and left the meeting at 7:05PM

Treasurer's Report

As of August 31, 2020 the General Fund totaled \$16,068.07, Investments totaled \$335,757.88 and the balance of the Good Property Management account totaled \$200.00.

Commissioners' Reports

Website – Commissioner Aho reported that he was able to put the preliminary agenda on the website. The new Content Management System makes it a little inconvenient compared to how he previously did it. He has not yet added the links to the Illahee Creek Watershed Report/Surface Water Management Plan or the County's mussel sampling results, but requested this continue on the agenda.



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Rental Properties

5560 Ocean View Boulevard/Rental Property –

Commissioner Buesch reported that he looked into splitting the reserve drain field lot from the lot that the house sits on to free up the reserve drain field lot allowing the Port to possibly sell it. He read a portion of an e-mail dated September 13, 2018 from Staci McDowell of the Kitsap Public Health District. The e-mail read:

“Attached you will find the records in regards to the subject properties. In the records there is a notice to title that states the undeveloped parcel cannot be sold separately without either a recorded formal drainfield easement agreement, or the replacement of the onsite sewage system components on the onsite sewage system easement property with equivalent Health District approved reserve on the other approved property. This reserve was created in 2006 when a deck was added to the home and the septic system needed to be brought up to code.

In other words, if you would like to sell the parcels separately, the reserve area that was designated on the undeveloped parcel needs to be moved to the parcel with the home. To accomplish this, a Building Clearance Compliance will need to be applied for. A septic designer will determine the new reserve on the developed parcel. A list of the licensed designers can be found on our website. I recommend calling more than a couple for approximate quotes and availability.”

Commissioner Buesch explained that he reviewed the County Assessor’s website and determined that four of the lots just north and northwest of the drain field lot are owned by RCP Construction out of Port Orchard. He decided to call RCP Construction and spoke to Naomi Tollman who

confirmed they do own the lots. He asked Ms. Tollman if she thought RCP might be interested in purchasing the drain field lot but explained that it’s not actually for sale, that he was just on a “fishing” expedition at this point. Ms. Tollman told Commissioner Buesch that at this point they wouldn’t be interested as they have a lot of money tied up in the four lots and the drain field lot is a bit smaller than those four lots although they did build a house and sold it on the lot just south of the drain field lot, which is similar in size.

Commissioner Buesch said that the assessed value on the lot is approximately \$75,000. In talking to Ms. Tollman he was told the average they paid for the four lots was closer to \$65,000 each.

Commissioner Burton said that the 5560 Oceanview lot seems much larger than the drain field lot, so it seems like it would be able to house a reserve drain field area. Commissioner Buesch agreed and said that it is splitable, but it will cost time and money. He would think the costs associated with doing it would be much less than the value of the lot, so it may be worth pursuing in the future. He said that in the past there was discussion about turning the drain field lot into an overflow parking area for the pier, but he doesn’t think that would be a good fit. The main reason is that it would require the public to walk along Illahee Road to get to the Port facility, which isn’t safe.

5500 Illahee Road/Rental Property – Commissioner Buesch has not looked at the wall that caught fire, but plans to do so later this week.

5507 Illahee Road/Illahee Store Property – Commissioner Aho said that as of September 6th the redemption period is over and the Port is now



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the official owner of the property. At this point Commissioner Aho is reluctant to push the Pollution Liability Insurance Agency (PLIA) to begin the cleanup process until Soundwest Engineering with the assistance of Pro Design submits the conceptual design for the building and the Commissioners approve it.

Commissioner Aho said that he has been approached by many people from the Illahee community that have been eager to help clean up around the building. Up until now they have been told that nothing is to be done with it until the Port officially owns it, although John Parvis has performed some weed eating around the building. Commissioner Aho asked if the Port should sponsor some sort of cleanup event and provide a small dumpster. Commissioner Buesch said that because of the COVID-19 pandemic no more than five people could be present for the cleanup. He said that the Illahee Preserve has run into problems when attempting to hold work parties. Another possible issue is that the dumpster might be randomly used by individuals. Commissioner Aho suggested allowing those interested to cut the blackberry bushes and stack them up in an area and then throw the excess vegetation into the Port's garbage receptacle when there is space. Commissioner Burton said that he wouldn't separate the Illhaee Store property from the Port's parking area. His wife just spent several hours last Saturday cleaning up around the parking area. The amount of garbage she gathered would have filled several garbage cans. He said that he thought it would be worthwhile to clean up around the store so that people can see it's being taken care of and it might deter them from littering on the property. He added that he would like to see the orange

plastic fencing doubled in height to make it more difficult for people to access behind the building. Commissioner Buesch offered to call All Lawn Maintenance and request an estimate on cleaning up the lot. Commissioner Aho suggested to allow individuals that have expressed an interest in cleaning the lot up a chance to do so. He could post it on the Port's website asking for volunteers to cut the blackberry bushes and clean up in general at their leisure and if it doesn't get done by next month's meeting Commissioner Buesch can contact All Lawn Maintenance.

The meeting prematurely ended due to the limitations of using the free ZOOM application.

Everyone rejoined the meeting.

Commissioner Burton said that he would just be concerned for the public because he has noticed sanitation issues, where the area has randomly been used as a bathroom. Commissioner Buesch said that the main issue are the blackberry bushes, but he would be concerned with individuals climbing up the wall trying to cut them back. He said that he thought it would be better to just get it done by a qualified business and then allow the public to maintain it. He suggested to call All Lawn Maintenance and get an estimate and as long as the estimate is under \$500 move forward with hiring All Lawn to complete the task. Commissioner Aho said that Roy Barton and others have been cleaning up around the dock for years and a lot of the Illahee taxpayers would look at spending \$500 for a task that could be completed by volunteers as a bit lavish. Commissioner Aho suggested a call for volunteers to clean up the blackberry bushes be added to the Port's website and if it is not cleaned



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up by next month's meeting then get a quote from All Lawn. It was agreed that the public will need to be reminded that they must adhere to the social distancing precautions and provide their own personal protective equipment. Mr. Barton suggested spraying glyphosate on it all prior to pulling the sticker bushes out as it will make it more manageable. Commissioner Burton explained that the Parks Department says glyphosate aka Roundup cannot be used, so that may be an issue. Mr. Barton said that the landscaper probably has a license to use it, but since volunteers are going to be asked to help it is a moot point

Dock/Pier - Commissioner Burton asked Lee Knapp of TIKAR Services to provide an update on the work that TIKAR is performing on the pier/docks. Lee reported that he scraped off the ladders and did a full inspection of them which included under the water. He said that since no maintenance has ever been done to the ladders for the past fifteen years, roughly, they really do need to be pulled, sandblasted and repainted. He said that the ladders are more substantial than he originally thought, so it would actually be cheaper to do it this way rather than buying new ladders. He has noticed a tremendous number of swimmers lately, so he would suggest waiting until the swimming season slows down since it will require the ladders being removed for a time. TIKAR also pulled all the failing plywood on the gangways and installed new skid guard decking, so all of the hardware and plywood on the gangways is new. Lee said that instead of buying new treads for the gangways he cleaned up the old treads and reinstalled them. He estimated this to save the Port \$500. Commissioner Burton said that the roller tracks

look like they are missing a couple of fasteners at the bottom of the gangways. He asked Lee to examine them. Lee said that he will see what galvanized hardware they have in the shop and go down to secure the tracks. Commissioner Burton explained that the County provided two COVID-19 awareness signs reminding the public to socially distance and wear masks. He installed the signs on the dock. Commissioner Burton continues to monitor the boats that moor at the facility and ask the owners to move along if he notices they have exceeded the three-day limit. He may get some signs made outlining the Port rules. For the time being he has printed out the Port's Facility Use and Moorage Rules and Regulations Resolution and hands them out to boaters who overstay, but at times they will argue about it. The high use of the facility has gone past 10:00PM and a lot of times there is loud music being played. He along with other nearby neighbors have gone down to the dock after hours and asked individuals to move along. Commissioner Burton said that he has also noticed a rise in vandalism. Several vehicles in the area have had windows broken and just last week someone tried to cut out the catalytic converter from one of his vehicles. He has found hypodermic needles in the area and continues to find the remains of CBD products. He has also been made aware of the public's rise in concern over vandalism. It was suggested to him that the Port install a locking gate at the entrance of the dock. He plans to obtain a cost estimate for that and said it was probably something that will need to be added to the grant proposal. Another idea is to hire a security company to randomly patrol the area. He knows there are several smaller Ports that use Safe Security and he thinks it would be beneficial for Illahee to do the same. Another item



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he asked the Commissioners to think about in case the Port is not successful in the grant funding is the piling and float refurbishment. He doesn't see the floats lasting much more than a couple years and the pilings that are holding the floats in place are deteriorating at an accelerated speed.

Commissioner Buesch asked about Lee's suggestion of running stringers to each of the pilings to make them all more secure. Commissioner Burton said that he would have to go back and review what was talked about but was pretty sure that was discussed before the full extent of the deterioration was known. He said that stringers would help keep some of the motion from moving but action from the waves and tides would still wear out the midsection of the pilings.

Commissioner Aho said that he is hopeful that the grant funding will be a success. Commissioner Burton said that at some point the design needs to be all laid out to the public because he is concerned about the amount of space between the four floats not accommodating a larger vessel. He is aware that the Boating Facility Program grant is aimed at boats twenty-six feet and lower, but there are many Illahee residents that have boats larger than twenty-six feet and he sees that could become an issue. He knows of neighbors up the road that have a fifty-foot boat and they use the facility regularly. Commissioner Aho said that Illahee isn't equipped to accommodate fifty-foot boats. He reminded everyone of the problem when that tug tied up to the facility. Commissioner Burton said that the tug was actually a one-hundred-foot vessel and definitely shouldn't have been tied to the Port as it was heavier than the entire facility. The problem is that it cannot be policed at all times. Commissioner Burton said that he just sees future issues with the current design.

Commissioner Aho asked Commissioner Burton to contact John Piccone of Soundwest Engineering directly to discuss his concerns.

Illahae Day 2020 – Commissioner Aho requested this be removed from the agenda as a get together cannot take place with the COVID-19 pandemic and the County's continuation of being on pause in Phase II of the State's Safe Start Reopening.

Parking Lots – Commissioner Buesch hasn't contacted Chico Towing for signs yet.

Enduris – Commissioner Buesch reported that he has been playing phone tag with Joe Davis of Enduris. He did contact Melanie of Insurance Services Group to discuss a quote. Melanie advised Commissioner Buesch to continue with Enduris at this point because it was past the policy renewal date. He told her the amount of the premium the Port was paying and she didn't seem to think it was out of reason. Commissioner Buesch will continue to reach out to Mr. Davis and inquire as to why the Port had over a \$1,000 increase from last year.

NEW BUSINESS

Small Ports Seminar will be virtual on October 29th – 30th this year. The WPPA will be sending out an email with more information in the near future.

PUBLIC COMMENT – Mr. Barton said that in listening to John Piccone it sounds like nothing is going to happen with the store property for quite a while. He asked if, in the meantime, it would be given a paint job or would it just sit as is until the spring. Commissioner Aho said that the plan is that everything be worked concurrently and Soundwest Engineering along with Pro Design will be working



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on the conceptual design of it. Commissioner Aho explained that when he tried to attend the County's ZOOM meeting, he had trouble connecting at the beginning of it and that is when Mr. Piccone was discussing the store property. As far as he is aware, they are moving forward on all fronts.

Mr. Seal said that he echoed Mr. Barton's response concerning the store and listening to Commissioner Burton's concerns over the condition of the facility, a realistic person has to make sure that the facilities are able to last at least the next two years. He suggested the Port have work parties where needed and volunteered himself. He agreed that while waiting for the funding to hopefully come through everything must continue to be maintained.

EXECUTIVE SESSION

None

ADJOURN

At 8:01PM Commissioner Burton moved to adjourn the meeting; second by Commissioner Buesch; approved unanimously.

Approved:

Handwritten signature of Commissioner Aho in black ink, written over a horizontal line.

Commissioner

Handwritten signature of Commissioner Burton in black ink, written over a horizontal line.




Commissioner

Handwritten signature of Commissioner Seal in black ink, written over a horizontal line.

Commissioner



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VOUCHER APPROVAL		
We, the undersigned Board of Commissioners of the Port of Illahee, Kitsap County, Washington, do hereby certify that the merchandise and/or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of <u>\$7,873.78</u> and from the General Fund, this <u>9th</u> day of <u>September, 2020</u> .		
 Port Auditor	 Port Commissioner	
	 Port Commissioner	
Number	Name	Amount
4651	JAMES AHO	\$256.00
4652	JOHN BURTON	\$256.00
4653	JONATHAN BUESCH	\$256.00
4654	CASCADE NATURAL GAS	\$5.00
4655	HONEY BUCKET	\$93.00
4656	PUGET SOUND ENERGY	\$43.37
4657	WASTE MANAGEMENT	\$22.60
4658	BANK OF AMERICA	\$46.91
4659	POSTMASTER	\$326.00
4660	TIKAR SERVICES, LLC	\$6,028.90
4661	THERESA HAALAND	\$540.00