



Port of Illahee – Minutes of Regular Meeting on January 13, 2021

Port of Illahee
Minutes of Regular Meeting
January 13, 2021

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 / Password: Illahee). 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; Lee Knapp of TIKAR Services; John Piccone of Soundwest Engineering; Roy Barton; and Ed Seal.

CONSENT AGENDA

Commissioner Buesch moved to approve the consent agenda items: January Meeting Agenda; December 9, 2020 Regular Meeting minutes; January 13, 2021 checks numbering 4694 through 4707 totaling \$29,235.52 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 Thursday afternoon to sign documents.

ELECTION OF OFFICERS – *Commissioner Burton moved to have each Commissioner continue in their current position (Commissioner Aho - Chairman/Auditor/Webmaster; Commissioner Burton – Secretary/Dock Manager; and*

Commissioner Buesch – Property Manager); second by Commissioner Buesch; approved unanimously.

PUBLIC COMMENT – Roy Barton said that he saw the 60% design plans that are included within tonight's Agenda Packet. He is concerned about the project including a vault toilet as it would have to be pumped regularly and they tend to smell bad. Since the property has an existing septic system, he questioned why it wouldn't be used instead.

REPORTS/UNFINISHED BUSINESS

Grants – Mr. Piccone explained that he sent an email this afternoon to the Commissioners outlining the status of the Waterfront Access Project and the 60% design plans can be found within the Agenda Packet. The screen was shared with Mr. Piccone so that he could show the plans for everyone to see. The upper garage and house will be demolished. Currently the electricity is all overhead, he is proposing that the power pole be decommissioned and removed with the power placed underground to the pier and also to Mr. Knight's house adjacent to the 5500 Illahee Road (Dietch) house. The site's slope was discussed. He said from a grading perspective he thinks it's all figured out now, although it wasn't easy with the slope. The boat ramp that will be accessible for small watercraft is steeper than your normal ramp. Mr. Piccone suggested the Commissioners discuss signage with the Port's attorney when the time comes. Having the ramp accessible to as many users as possible is a high priority as it will help the project score higher with the RCO. Commissioner Aho asked if it is still a viable option for the County to put in a filtration system near where the



Port of Illahee – Minutes of Regular Meeting on January 13, 2021

restroom is located on the plan. Mr. Piccone said, not in that exact location, although it still is an option, but depending on the size it may change things. Commissioner Aho said that that he would like to talk to Michele of Kitsap County Public Works now that we have the sixty percent design, because if the County does decide they want to clean up the water before it goes into the bay in that area, now would be the time for discussion rather than having to dig after the project is complete. It was asked why the Port wouldn't use the current septic system for the restroom. Mr. Piccone said that there just isn't room with the necessary parking area and in addition to a septic system a backup drain field would also be required. He explained that the Illahee Store is going to require a vault toilet system as well, so his thought is that both systems could be coordinated together on a regular maintenance plan. Commissioner Buesch asked if the viewing platform could be enlarged. Mr. Piccone said absolutely. With the boat ramp being steeper than normal boat ramps, Commissioner Buesch is concerned that people may get vehicles stuck down there. He asked if the boat launch could be extended to make it less steep. Mr. Piccone said that it could, but would require the Department of Natural Resources and other agencies to be involved and overall, it would require the upper parking area to be steeper, which would create new problems. Mr. Piccone said there are some deterrents that would be detailed as the design progresses. He said that the most important grant, in his opinion, that is awarded to the Port is the upcoming Boating Facilities Grant (BFP). The funds from this grant are non-refunded boating gas taxes, so to be eligible the project must accommodate motor vessels. He suggested the Commissioners review the plan he

emailed to them and contact him with any questions and/or concerns. He mentioned that he did talk with Commissioner Burton a while back about a concern that the new slips wouldn't accommodate larger vessels. They had discussed the possibility of extending the floats a few feet, but Mr. Piccone determined that this would create a layer of problems during the permit stage. Commissioner Burton asked about the main pier. The plan is for it to remain as is except for a small portion of it being removed along with the second gangway. Commissioner Burton said he was concerned because there is an area of the pier and pilings that need to be included for repair or replacement. Mr. Piccone said that he agrees that the structural integrity of the entire pier needs to be looked at eventually. Commissioner Burton asked Mr. Piccone to review the 2014 structural report of the pier and to keep in mind no major repairs have been completed since that time. Mr. Piccone said that a geotechnical survey will be necessary, which will provide the diameter and thickness of the piles and how far down they are driven. Once that information is received it will be bounced off of the 2014 structural survey. He said that it would be prudent to at least do a visual check prior to the geotechnical survey, although for the sake of the grants and permits this is not a requirement. Commissioner Buesch questioned the length of the gangway on the plan. Mr. Piccone explained that these types of details will be hashed out as the design moves forward. The current plan is adequate for the sixty-percent design. He said that it was his intention not to overspend the Port's budget, but rather just get the necessary information and details to move forward with the grant and permits. Pilings were discussed. Central Kitsap Fire and Rescue has



Port of Illahee – Minutes of Regular Meeting on January 13, 2021

asked that the Port install a new fire hydrant on the dock side of Illahee Road. Mr. Piccone has asked if the Port could avoid that additional expense since there is a hydrant fairly close. Commissioner Aho asked if removal of the underwater tire reef barrier needed to be included in the plan. Mr. Piccone said that he plans to mention it in the environmental report, but doesn't plan to state that the Port will remove it, as he doesn't want the Port stuck with anywhere from \$75,000 to \$100,000 in remedial work and removing the entire reef will sure to be an excess to mitigation credit and additional expense to the Port. Commissioner Aho said that in talking with the fishermen on the dock he heard that they get aggravated at losing their lures on the tire reef. Mr. Piccone reminded that the fishermen will be located on the new dock, which will alleviate that issue. The diver that completed the dive survey was a qualified marine biologist and his determination about the reef was that it wasn't supporting marine life of any kind. Once geotechnical data is received the tire reef will be addressed. Commissioner Burton asked to receive a copy of the survey. Mr. Piccone took note. He asked Commissioners to contact him via email or phone with any questions or concerns as they arise.

Mr. Piccone explained that there are numerous permits that will be needed for this project, some are quickly received; whereas, others take much longer. The Joint Aquatic Resource Permit Application (JARPA) issued by the Army Corps of Engineers, the Shoreline Substantial Development permit issued by Kitsap County and a Nationwide permit are three permits that have proven to take a very long time. Mr. Piccone said that If the Port plans to begin construction in 2022 then permit

applications for at least these permits should proceed now.

Regarding the grants, Mr. Piccone reminded everyone that the ALEA and WWRP grant application process is complete. At this point we are not sure if we will be awarded a grant until the RCO publishes its budget, which is contingent upon the State's final budget. Mr. Piccone said that he thinks the Port has a fairly good chance to receive ALEA funding and a not so good chance to receive WWRP funding. The final presentation for the BFP grant is mid-February. He is somewhat confident about the Port's chance at BFP funding as he received some really good feedback after the preliminary presentation. He said that the amount of information that is necessary to keep moving forward is pretty amazing. Next month he will be asking for budget amendments for the tasks. He explained that a couple of the tasks have run overbudget; whereas, others were underbudget leaving a \$7,700 surplus. He explained that overall, we are fairly underbudget, although there is a bit more work to complete including the remaining grant work for the BFP grant presentation and moving forward with the three permits, if the Commissioners agree to that. Commissioner Aho said that looking at the drawings he is happy with the sixty-percent level we are at and with the time it takes to be issued the necessary permits, he is in favor with moving forward with the three permits. He would like to see Mr. Piccone get started on them prior to the February meeting and since we are underbudget to this point the approved funding is there for him to dig in and get a good start. Commissioner Burton said that he has bought into this process and project thus far and believes getting started sooner rather than later



Port of Illahee – Minutes of Regular Meeting on January 13, 2021

with the necessary permits is a good idea. Commissioner Buesch concurred but added that since we don't know for sure if we are going to receive any grant money, he would like to have an idea of how much money we are talking to move forward with these three permit applications. It's nice to be prepared and proactive, but if the money isn't there, for whatever reason, where would we go from there – could it be saved for the next grant cycle. Mr. Piccone said the last thing he wants to do is overspend at an early stage to only find out that there is no grant money available. He said at this point we can pause things and wait until the budgets are published, but he is ninety-five percent certain that if these permits are not moving forward now, construction in 2022 will not be possible. If funding isn't received this cycle you can again apply during the next cycle in 2022. The permits are good for five years with a possible two-year extension, so once the permits are issued you shouldn't lose that money you have invested to get them. Commissioner Buesch questioned if we would need to get all three permits in order to proceed or could we just proceed with the JARPA since it seems to take the longest. He said that he understands it's a necessity with the 5500 Illahee Road house being in disrepair and the facility also in disrepair, but he doesn't want the Commissioners to spend the people's money in vain. Commissioner Burton said that at this point if we don't receive any grants we have to get going on repairs. He doesn't see things lasting another two, four, five years. Commissioner Buesch said that he is just hesitant to spend more money if the grants aren't going to be there and thought maybe just spend the money on the JARPA since it sounds like it's the one that is the bottleneck. Commissioner Aho said that he has been working

on grants for the Illahee Preserve for sometime now and it is almost like a gamble, but because they kept moving forward and pushed things it helped them to be successful. Commissioner Aho said that to him, there is no other choice. Commissioner Buesch said that he is in no way suggesting we stop, but rather move forward in stages as necessary in an effort to spend less money in case it doesn't pan out. Mr. Piccone said that it makes sense to move forward with the permit that takes the longest first, but all three are actually very interrelated with two main parts, the biological evaluation and a mitigation report. Each agency requires a version of each of the reports and from there the Army Corps starts notifying all of the other agencies. He said that from his experience applying for all three permits at the same time is the best way to proceed. He added that if all the necessary grant funding isn't received this cycle and the Port moves forward with improvements due to the disrepair of the facility, it will be necessary to have these permits in place in order to perform the needed maintenance. And if the Port does pay for improvements a request to the RCO for a Waiver of Retroactivity can be made, so that if a future grant is awarded some of those costs may be used as matching funds and reimbursed. Mr. Barton asked Mr. Piccone how much more he thinks the Port will be spending. Mr. Piccone said that there is a lot of work that goes into applying for the permits. He said that a good rule of thumb is about twenty percent of construction costs will be spent on permitting, but he thinks it will be closer to seventeen percent, he is going to keep it as low as possible. Commissioner Buesch said that he was comfortable knowing that the costs for the permits can be used for possibly up to two more grant cycles if the Port



Port of Illahee – Minutes of Regular Meeting on January 13, 2021

is not successful in being awarded funding this cycle. Commissioner Aho said that the costs were looked at early on and the amount of reimbursement, if successful, was also considered. Commissioner Buesch asked Mr. Piccone if he thought the Port should move forward with all three permits. Mr. Piccone responded, yes, he would like to keep the ball rolling and continue to move forward with more of the planning work and getting things ready in the next few weeks and with the surplus in budget, things won't be too much different financially in February. All three Commissioners agreed for Mr. Piccone to move forward with the three permit applications.
on all the tasks

Treasurer's Report

As of December 31, 2020 the General Fund totaled \$28,672.26, Investments totaled \$311,319.95 and the balance of the Good Property Management account totaled \$310.00.

Commissioners' Reports

Website – Commissioner Aho will add the links to the Illahee Creek Watershed Report/Surface Water Management Plan or the County's mussel sampling results when he is able to do so. He reported that he posted the Facility Use and Moorage Rules and Regulations to the kiosk and they are still there.

Rental Properties

5560 Ocean View Boulevard/Rental Property – Commissioner Buesch reported that he received a call from Rob of RCP Construction, the company that is developing lots along Illahee Road. Rob is planning to have a consultant look at the 5560 Ocean View property to determine if there is room for the reserve drain field, which would free up the

Port's lot along Illahee Road, which RCP Construction may be interested in purchasing.

5500 Illahee Road/Rental Property – nothing to report.

5507 Illahee Road/Illahee Store Property –

Commissioner Buesch reported that the orange fencing continues to be fastened to the building, so as far as he can tell it isn't being moved. An email dated January 7, 2021 from the property owner adjacent to the south of the Illahee store property, Robin Wilcox, was reviewed. Commissioner Buesch reported that he had called Ms. Wilcox, but didn't receive a returned call yet. Within the email Ms. Wilcox outlines her concerns about people sleeping in their cars and/or leaving their cars overnight at the store parking lot and the theft in the area. Ms. Wilcox requested a "No Over-Night Parking" sign be posted in the store parking area. She also said that they are looking to install large concrete blocks with a chain link fence on top between the store and their property, which would not only provide a clear boundary but also keep people from being able to climb and gain access to the roof of the store. She asked if the Port would be willing to pay for a portion of the blocks. She finished the email by stating that she is not considering selling any part of her property to become a parking lot for potentially more issues. Commissioner Buesch said that if he doesn't get a returned call from Ms. Wilcox within a couple of weeks, he will give her another call. He said that he didn't think it would be in the best interest of the Port to just put up a fence, but there may be other avenues that prove more beneficial to both parties. Posting a no overnight parking sign conflicts with the seventy-two hours allowed for



Port of Illahee – Minutes of Regular Meeting on January 13, 2021

pier parking, so this may need to be further discussed. Commissioner Aho reported that a car was parked at the store parking lot for three to five days with the windows down and it looked abandoned with no current license. The Kitsap County Sheriff contacted Commissioner Aho about it because they had received complaints. The deputy told Commissioner Aho that the Port needs to do something about it and informed him that a notice would need to be posted on it before the Port could tow. Within two hours of the phone call Commissioner Aho posted a notice on the car, warning that it would be towed if it was not moved within twenty-four hours. By the next day the car was gone. Commissioner Burton said that he normally posts the Port's Rules and Regulations on boats that overstay the authorized timeframe and/or provides copies to individuals that are not following the rules. He said that as far as the community is concerned, he isn't sure if the vehicle that was at the store parking lot for days is solved as it seems the car was just moved down Illahee Road a bit. Commissioner Burton said that at one point there were three vehicles parked at the store parking lot. If this continues the Port may need to enforce towing. He said that the Port's Rules and Regulations should also be posted on the Illahee store. If vehicles stay parked past the seventy-two-hour allowance they should be towed, unless they have received permission from the Port to remain longer. Commissioner Buesch said having a couple seventy-two-hour parking signs posted would at least let the people know in advance that there is a timeframe. Commissioner Burton said he would have a sign made to post at the store. Commissioner Buesch suggested a couple of extra signs be ordered to post at the Illahee store property. He said that placing the notice on the car

is the reasonable thing to do and so is posting the rules. An email dated January 8, 2021 from Steve Vargas was reviewed. Mr. Vargas informed the Commissioners that he has seen suspect activity at the end of All View and Illahee Road. According to Mr. Vargas the individuals seem to be relentlessly loitering, vandalizing and participating in drug activity. He has contacted the Sheriff, but wanted to make sure the Port Commissioners were aware. Commissioner Burton said that he has made mention in the past of other neighbors informing him of basically the same thing. He would like to go back and discuss the possibility of Safe Security performing random patrols of the area. He sees strange activity at 6:15AM as he and others wait for the work bus. He believes the Port properties are being used as a weigh station for negative behavior. He suggested that once the power to the store is back on surveillance cameras be purchased and installed and any information affiliated with negative behavior be forwarded to the Sheriff. This way it isn't just hearsay. Commissioner Aho agreed that cameras are a good deterrent. He recently talked to Port of Waterman Commissioner, Jeff Reynolds, about video surveillance. Waterman has installed cameras and have had good results.

Dock/Pier - Commissioner Burton asked Lee Knapp if there was anything to report on this month. Lee said that an invoice was submitted for work that was done the previous month. At this point TIKAR is on standby until the Commissioners ask for additional work. Commissioner Burton said that it is about time to again power wash the deck boards of the docks. He said it should be completed twice a year. Lee said he will talk to Tim and get it on TIKAR's schedule although it might not happen in



Port of Illahee – Minutes of Regular Meeting on January 13, 2021

January as they have been busy with sunken boats, etc. at other locations.

Commissioner Aho had provided a copy of the Port of Waterman's sign they have posted on their pier. Everyone seemed to like the format of Waterman's sign. Commissioner Burton said that he has surveyed all the signs that are posted at the dock and compared them with the Port's Rules and Regulations. He determined that for the most part the signs that are posted are correct although there is the sign that states the dock is just for the Illahee residents, which is not true and will be changed. Most of the signs are very faded. He was planning to make three sets of the Rules and Regulations signs and post one at the head of the pier and one at each of the floats, but since the signs will also be posted in the parking areas, he will adjust the wording to make them a little more generic to both boats and vehicles while keeping in accordance with the wording of the Rules and Regulations. He now plans to order a total of five signs. Adding a Port phone number to the signs was discussed. It was agreed adding the Port's email address would be sufficient. Commissioner Aho said that allowing people to park at the store for seventy-two hours isn't appropriate. Once the building is being used as a community center, random cars will not be allowed to park in the limited parking area for up to seventy-two hours. Allowing them to do so now would set a bad precedent and may cause confusion later. Commissioner Buesch agreed. Commissioner Burton said that the Rules and Regulations, which includes parking have already been adopted. The intent is to keep someone from parking a derelict vehicle and/or camping for long periods of time, this provides them a reasonable amount of time

and the information of the timeframe allowed. Commissioner Buesch said that once the water access project is complete and the store becomes a community center with a sandwich shop or something in it, he doesn't think that people who will be using the dock will actually park at the store as there will be adequate parking in the vicinity of the dock. He sees it as a short-term issue and now questions if additional signage would need to be added to the store since towing signs are already posted. Over the years there haven't been too many instances where cars are parked for long periods of time. He thinks, until the development of the properties is complete, if they just keep up on it, by posting towing notices on cars that are blatantly abusing the parking, that should be adequate. Commissioner Burton said we have to have the Port's Rules and Regulations posted on Port properties and it is even recommended by other Ports. There is just concern that if it is announced that seventy-two-hour parking is allowed it will encourage people to park there for up to three days. Commissioner Burton clarified that it is okay to post the rules signs on the dock but not the parking areas. Commissioner Aho said that he doesn't see the store as an extension of the dock. It even has the physical boundary of Illahee Road. It will eventually become a community center and the Port just recently got control of it. Commissioner Burton said that he talked with Port of Brownsville personnel and they post their rules and regulations on all of their properties. Commissioner Aho questioned that vehicles would be allowed to park in front of the deli at the Port of Brownsville for three days. Commissioner Buesch said that the Illahee Preserve has the same issues and it has been alleviated just by talking to people with vehicles. Currently, people see the Illahee



Port of Illahee – Minutes of Regular Meeting on January 13, 2021

store as an abandoned vacant building, which has been that way for over twenty years, so parking there for long periods of time was probably never a big deal. Commissioner Burton said that he will order the signs for the docks but no extras.

Commissioner Buesch suggested Commissioner Burton have an extra sign made and place it on the building. He doesn't see the extended parking problems, but he's not down in that area every day like the other Commissioners.

NEW BUSINESS

None

PUBLIC COMMENT

Mr. Barton said that the tow notice that Commissioner Aho posted on the car only listed the Port's PO Box; maybe it's time for the Port to buy a cell phone for these types of things or hire an answering service. Mr. Barton suggested that the future design of the Illahee store property be kept in mind when discussing cement blocks and a new fence with Ms. Wilcox. He said it would be nice for Mr. Piccone to provide an estimate for the permitting costs. Commissioner Aho said that Mr. Piccone did provide information early on, we just don't have that information on hand.

Commissioner Buesch said that Mr. Piccone has worked on so many projects and you would think he would know the figures off the top of his head, but in reality, no two projects are the same, there are just too many variables. Commissioner Buesch commended Mr. Piccone's work thus far because everything he has provided has been top notch. Mr. Barton said that he is just concerned that Mr. Piccone is going to come back next month with a

request for more money. At this point the Port is in too deep to change course and there is confidence moving forward that grand funding will be awarded.

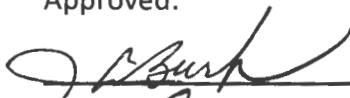
EXECUTIVE SESSION


None


ADJOURN

At 9:10PM Commissioner Burton moved to adjourn the meeting; second by Commissioner Buesch; approved unanimously.

Approved:





 Commissioner


 Commissioner


 Commissioner



Port of Illahee – Minutes of Regular Meeting on January 13, 2021

VOUCHER APPROVAL		
<p>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>\$29,235.52</u> and from the General Fund, this <u>13th</u> day of <u>January, 2021</u>.</p>		
 Port Auditor	 Port Commissioner	
	 Port Commissioner	
Number	Name	Amount
4694	JAMES AHO	\$256.00
4695	JOHN BURTON	\$256.00
4696	JONATHAN BUESCH	\$256.00
4697	CASCADE NATURAL GAS	\$5.00
4698	HONEY BUCKET	\$93.00
4699	PUGET SOUND ENERGY	\$126.37
4700	WASTE MANAGEMENT	\$22.60
4701	WASHINGTON STATE DEPARTMENT OF REVENUE	\$1,213.38
4702	WASHINGTON PUBLIC PORTS ASSOCIATION	\$300.00
4703	KENNETH W. BAGWELL, INC., P.S.	\$266.00
4704	SOUNDWEST ENGINEERING ASSOCIATES	\$24,775.00
4705	ALL LAWN MAINTENANCE	\$270.00
4706	TIKAR SERVICES, LLC	\$754.17
4707	THERESA HAALAND	\$610.00