



## Port of Illahee – Minutes of Regular Meeting on April 14, 2021

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Minutes of Regular Meeting  
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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 6:32PM. Also in attendance were Commissioner Jonathan Buesch; Commissioner John Burton; Administrator Theresa Haaland; Roy Barton; John Parvis; Ed Seal; and Lee Knapp of TIKAR Services arrived at 7:17PM.

### CONSENT AGENDA

*Commissioner Buesch moved to approve the consent agenda items: April Meeting Agenda; March 10, 2021 Regular Meeting minutes; April 14, 2021 checks numbering 4728 through 4739 totaling \$14,629.63 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 by Friday afternoon to sign documents.

**PUBLIC COMMENT** – None.

### REPORTS/UNFINISHED BUSINESS

Grants/Waterfront Access Improvements – Commissioner Aho explained that within the Agenda Packet are the Recreation Conservation Office's (RCO)

Preliminary Ranking lists for the Aquatic Lands Enhancement Account (ALEA) grant, where the Port ranked eighth and the Boating Facilities Program (BFP) grant, where the Port ranked ninth. If all goes as planned with the State budget the Port will receive funding for both of the grants. Commissioner Aho said that the thought has been that if the Port is awarded at least two grants, we will be able to move forward with the project because one grant can be used as matching funds towards the other. The required match for both grants was right around \$300,000. Commissioner Aho said that some of the money that has been spent on the grant process to Soundwest Engineering can be used towards the Port's matching portion. The good news is that the liability to the Port is lessened by being awarded both grants. He explained that the Port must send the RCO a signed "Certification of Applicant Match" (CAM) that shows that the Port is able to pay the match. Commissioner Aho plans to meet with John Piccone and discuss the required matching funds and look at the Port's budget; then complete the CAM. Once it's complete, Commissioner Aho will email it to the Port and it can be forwarded to the Commissioners individually for review prior to sending it to the RCO. Commissioner Burton asked about one grant being used towards matching funds to the other and if it is certain that can be done because if not the Port doesn't have enough money to pay for the project. Commissioner Aho said that is what he plans to further discuss with Mr. Piccone to make certain that is the way it works. Commissioner Buesch said that Mr. Piccone should have attended tonight's meeting to further discuss. Commissioner Aho replied that he does have a call into Mr. Piccone and it is highly unusual that he hasn't yet returned the call. Commissioner Burton read in the Port's ALEA description of the project that the Port will contribute \$312,000 in a grant from the State Washington Wildlife and Recreation Program (WWRP). The Port did apply for the WWRP grant, but due to budget cuts the amount funded was lessened to the point that the Port was not successful. Commissioner



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Aho explained that at the time of the ALEA write-up that was the plan, but obviously that plan has now changed. The write-up was not actually part of the grant but rather an early description of the Port's plan. Commissioner Buesch asked if Mr. Piccone will write up and send in the certification. Commissioner Aho said that in his experience the certification is a fill-in the blank type document provided by the RCO and it must be signed by a Port representative, so he plans on signing them, but they will first be sent to the others for review. Commissioner Aho said that if the RCO doesn't receive the certifications by the May 10<sup>th</sup> deadline, then the Port would be out of the running to receive the funding.

A call from Washington Public Ports Association (WPPA) Senior Director of Environmental Policy, Gerry O'Keefe, was received. Mr. O'Keefe was getting the word out about the possibility of federal stimulus money being made available to Ports with shovel-ready projects. Mr. O'Keefe asked that if the Port had any upcoming projects an email be sent to him explaining the project title, brief description, estimated costs and estimated start date and he would add it to the list. Commissioner Aho had generated the requested information for the Community Revitalization of 20-Year Abandoned and Contaminated Commercial Property project. He read the description and said that he had estimated the costs to be roughly \$235,000 after the Pollution Liability Insurance Agency's (PLIA) estimated \$540,000 cleanup. He thought the estimate was on the high side, so sent it to Mr. Piccone for review. Mr. Piccone thought it looked good. Mr. Piccone also provided information for a project that he titled the Port of Illahee Community Dock Repair with estimated costs of \$767,000. Both projects were sent to Mr. O'Keefe, who confirmed they were added to the list. Commission Burton asked if Mr. O'Keefe had mentioned a timeline and/or if there are any restrictions with the funding. It was explained that it is unknown of the timeline and/or restrictions. Commissioner Aho said that it sounded like Ports had

been talked about during the stimulus discussion, so nothing is definite and with the number of Ports in Washington State we will just have to wait and see. In the meantime, we will just carry on as we have been.

Commissioner Aho had discussed trying to pursue a mitigation credit for the Port's time, effort and money that was utilized towards the grant for the Illahee Creek Watershed Report/Surface Water Management Plan (SWMP) years ago. Commissioner Aho said that he will try to write something up at some point, but it is a struggle because he is unaware of this ever being done before so there is nothing to go by and any review normally just outlines the degradation of a site, not any improvement.

Commissioner Aho reported that he reached out to Shawn Alire, Kitsap County Public Works Stormwater Retrofit and Asset Manager, informing him about the possibility of the Port receiving federal stimulus funds. Ms. Alire responded that once they solidify their budget with the existing projects, they will be in contact to further discuss their ability to participate in installing a filtration system. Commissioner Aho also reached out to Carrie Pederson the Agency Planner with the Pollution Liability Insurance Agency (PLIA) and informed her of the possibility of the Port receiving federal stimulus funds. Ms. Pederson's response was that the Port is currently ranked at number sixteen and the PLIA has reached out to the number fourteen ranked agency. They are actively working on two sites at the moment and sites past number fourteen are based on available funding. She said that if they can get to the Illahee site sooner, she will be in contact. She said her guesstimate is that it could take up to a year or longer. Commissioner Aho said that Ms. Pederson's response reassured him that the Port remains in the que and confirmed what he has been reporting for the past couple of years. Commissioner Aho reminded everyone that when he previously talked with the PLIA Director he was told that many of the other projects are in the



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multi-millions and with Illahee being what they consider a small project at \$540,000 PLIA, they may be able to fit it in sooner.

Commissioner Buesch said that in regards to the filtration system, as much as the Illahee community and Port want this, the County should want it as well. Commissioner Aho agreed and said that the Port, early on, was trying to find a way to clean up the north side of the dock from all of the silt that was entering that area from the County's stormwater drain. The reason the County added some of the monitoring equipment in the area was because they wanted to keep track of contaminants in the area and one of the County's goals is to clean it up. The Port has been pushing for this for so long now. The County has been working on other sites, but they realize they have an issue at Illahee. It wasn't included in the County's capital facilities six-year plan, but they are now trying to work the budget to make it happen. Commissioner Aho said that the filtration unit is prepackaged and he hopes once they see the amount of water going through that drain, that they just get it budgeted. Commissioner Buesch asked if the County can incorporate the filtration system in with the Port's Waterfront Access Improvements. Commissioner Aho said that is the hope, although it wasn't included as part of the grant application. It was thought maybe the costs associated with it could be used as part of the Port's required matching funds. Now that the Port has the two grants lined up, the County is aware that the Port is serious about the development and they know that since the area is going to be dug up, now is the time to act on installing the filtration system.

### Treasurer's Report

As of March 31, 2021 the General Fund totaled \$28,417.02, Investments totaled \$286,631.86 and the balance of the Good Property Management account totaled \$200.00.

### Commissioners' Reports

Website – Commissioner Aho said that he is aware of the need to add a link to the Surface Water Management Plan (SWMP) as well as the mussel sampling results. He continues to add the Port's Agenda Packets to the website prior to the meeting in an effort to allow those planning to attend a chance to review it. He said that the packets contain a lot of information and shows a history of what's been going on with the Port. Having the packet added to the website goes hand in hand with the Port's aim at transparency.

### Rental Properties

#### 5560 Ocean View Boulevard/Rental Property –

Commissioner Buesch reported that Dave's Septic Design has a meeting with County personnel at the Ocean View property to view the site and discuss the possibility of adding a reserve drain field to the property instead of on the nearby Illahee Road lot. Good Property Management was asked to inform the tenants that people will be at outside of the property between noon and 3:00PM on Wednesday, April 21, 2021.

The Port was notified by North Perry Avenue Water District that the backflow prevention assembly was due for the annual testing. It lists two sites. One being 5560 Ocean View Boulevard NE and the other Illahee Road/Ocean View Boulevard. Commissioner Buesch said that the notification was sent to Jeff of Bremerton Backflow for inspection. The Illahee Road/Ocean View Boulevard backflow prevention assembly was discussed. Commissioner Buesch said that he had previously asked Jeff where the assembly is for the Illahee Road/Ocean View Boulevard site and Jeff told him it was in the little island. Commissioner Burton said that there



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is not a separate water source for the dock, but he has seen a spigot in that island. Commissioner Buesch thought that spigot is probably what the backflow assembly is tied to. It was thought that the assembly might be removed as we move forward with the Waterfront Access Improvement Project. It was agreed to seem foolish to have three or four backflow prevention assemblies where they really aren't needed. Commissioner Buesch said that is why he questioned Jeff about the one in the island, but he figures it would probably cost more to tear it out and get rid of it at this point and we are just waiting to begin development.

5500 Illahee Road/Rental Property – Commissioner Buesch explained that he hasn't talked with the tenant since last month when he asked here where the water turn-off valve for the property was located. He said that he wasn't sure if TIKAR was going to be needing to use the water. Commissioner Burton explained that at this point TIKAR is not tasked with any projects on the dock. Commissioner Buesch said that if/when the water is needed the main valve will need to be turned back on. He said that he doesn't see a need to call a plumber to repair the spigot, since it will be destroyed within a year or two.

5507 Illahee Road/Illahee Store Property – Commissioner Buesch reported that he was at the property last week and weeded the ivy coming down the wall. He noticed that someone took a knife to the orange plastic netting so they could easily access the back of the store. Commissioner Buesch tried something that he learned from doing volunteer work with the Illahee Preserve. He weaved blackberry bush vines into the orange

netting. He checked this morning and it's all still intertwined. He's hoping it will work as a deterrent. Commissioner Burton said that he thought that was a very inventive solution. He said that a neighbor that can see down into the back of the store told him that the graffiti back there is progressing, so it seems those wanting to get back there are still able to. Commissioner Buesch said that he had noticed paint on the shingles a number of months ago. Commissioner Burton said that the neighbor indicated it was new spray paint.

Commissioner Buesch reported that he talked with Ken Bagwell about the outstanding taxes showed owing on the tax statement. According to Mr. Bagwell it appears everything is complete and he has asked the County to confirm. Since the Port is a governmental entity and exempt from paying property taxes, it seems the taxes owing would be dropped. This will continue to be monitored.

Commissioner Aho said that he plans to invite Mr. Piccone to attend the May Port meeting and further discuss the grants and PLIA. By that time, we should know for sure about the grant funding because the State legislature ends soon with the budget being finalized.

Dock/Pier – Commissioner Burton said that there hadn't been a lot of work on the dock this past month. He has met with the sign maker at the facility and discussed where each sign is to be placed. He expects the signs to be posted by the next meeting. Lee said that he has not been to Illahee this past month, so nothing has been done with the deck boards yet. Commissioner Burton said that one of the lights was damaged some time



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ago from people using it to climb up on to jump into the water. It is just one of the motion-sensor lights. Lee was tasked with fixing it. Commissioner Burton explained that he readjusted the lights timer after daylight savings time. He said that there isn't nearly the usage of the facility compared to last year around this time, but now that the weather is starting to get nicer, it is bound to get busy.

Commissioner Burton said that he continues to receive complaints from neighbors about drug activity around the store and the pier parking areas. Trying to coordinate with the sheriff to catch anything is not easy. He said that he is not ready to push for hiring Safe Security at this time, but as the weather warms and activity in general increases his stance may change. Although Safe Security would not be onsite continually through the night, having them patrol the area may be a good deterrent to unfavorable activity.

Public Disclosure Commission filing for Commissioners is due April 15<sup>th</sup>.

### **NEW BUSINESS**

Washington Trust for Historic Preservation – an email invite for Commissioner to attend a virtual meeting tomorrow from 4:00PM to 5:00PM was received. Commissioner Aho said that anyone who may be interested in attending as an observer on behalf of the Port of Illahee can find the information within the agenda packet.

Port of Brownsville sent notice that they recently had a ransomware attack on their server. It is thought they were informing their customers, tenants and anyone they have done business with

and since the Port has been a customer of the Port of Brownsville the notice was received. Within the notice it stated that they were unaware of any actual misuse of the information. They were notified that their files were being held ransom until they paid \$10,000 in Bitcoin. Thankfully, they had taken precautions against these kinds of attacks with backups and monitoring in place, which allowed them to reset their files and not be held ransom. The Port of Illahee did not have any confidential or financial information listed with the Port of Brownsville, so there shouldn't be any issue to that respect. Commissioner Burton said that he has a boat moored at the Port of Brownsville, so he too received the notice. It is thought some of Brownsville's moorage tenants may list their financial information for payments and would be more affected.

Commissioner Aho said that he will be undergoing six weeks of radiation treatment beginning soon to combat a Squamous Cell Carcinoma that was found located deep in his neck area, behind his ear. He said that he is uncertain as to the extent the radiation may have on his physical appearance and so just wanted everyone to be aware. All positive thoughts, good vibes and vigilant prayers being sent for Commissioner Aho.

### **PUBLIC COMMENT**

Roy Barton said that in regards to Safe Security and the neighbors complaining about the selling of drugs and/or usage of drugs in and around Port property, it happens everywhere. He recalled a time when he looked down his driveway and witnessed a kid selling drugs. Hiring a security guard to maybe catch something doesn't seem feasible. It's just like with any public parking lot,



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there is no way to control everything.

Commissioner Aho said that there was a business in Manette, and once the business closed for the day the parking area became the grounds for drug activity. It all stopped very quickly once surveillance cameras were installed. Mr. Barton said that now with the law for possession of drugs not being anything more than a slap on the wrist, it's just not a priority. Commissioner Buesch said that the Governor recently commuted the sentences of thirteen individuals convicted of drug-related crimes, so yeah not a priority at all.

Apparently, there are more things to worry about than drugs anymore. Commissioner Burton agreed that once the electricity is available at the Illahee Store property, the Port will need to look into having surveillance equipment installed as it will be an effort to help and improve the whole neighborhood. Commissioner Buesch said that in his opinion surveillance equipment is a better choice and money better well spent than hiring a security guard to perhaps catch something, although nothing much can be done about it other than informing the sheriff and possibly showing a need for more sheriff's presence in the area.

Ed Seal said that he was excited about the grants and happy as a future long-term resident of the Illahee community. He was able to view the taxes owing on the store property and said that they were the back taxes for 2019 and 2020 totaling just over \$1,600. Mr. Seal was thanked for looking into it. Commissioner Buesch plans to contact Mr. Bagwell.

Commissioner Aho said that he plans to invite Mr. Piccone to the May meeting to make a presentation and answer questions about the

grants and the Waterfront Access Improvement Project.

Commissioner Burton asked if there needed to be an interim meeting, so that the certification of the match for the grants can be signed, since the deadline for that is May 10<sup>th</sup> and the next regular Port meeting isn't scheduled until May 12<sup>th</sup>. Commissioner Aho said that he didn't think there needed to be a Special meeting to approve the certification. It was suggested that a motion be made giving Commissioner Aho the authority to sign it. Commissioner Burton said that as long as the match certification is among the various grants, because at this point the Port doesn't have enough funds to provide the match. Commissioner Aho said that he agreed and that there are different ways of going about it, of which Mr. Piccone would be best qualified to determine. Commissioner Aho plans to meet with Mr. Piccone and further discuss. Once the proposed certification match is generated, he will send it to the Port's email address at which time it will be forwarded to Commissioners Buesch and Burton for review. Mr. Barton said that at this point it is all contingent upon the State's budget. Commissioner Aho agreed, but said that both the House and the Senate's budgets are in agreement and it coincides with the Governor's budget, so it's looking pretty good. The session ends the end of April at which time it will be final. Commissioner Burton asked that once the proposed certification match is prepared that it be emailed, giving him and Commissioner Buesch enough time to review it. Commissioner Buesch moved to authorize Commissioner Aho to sign the certification of the match once reviewed by all. Commissioner Aho explained that it is just signed by one



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Commissioner and is basically a formality. The RCO just wants to make sure that the agency that is due to receive grant funds is aware that matching funds are required. Commissioner Burton said that he is concerned that it will obligate the Port for money it does not have. Commissioner Aho explained that part of the match has already been paid for by the Port within the sixty percent design costs paid to Soundwest Engineering. This is something Mr. Piccone will help determine.

**EXECUTIVE SESSION** – None.

### ADJOURN

*At 7:40PM Commissioner Burton moved to adjourn the meeting; second by Commissioner Buesch; approved unanimously.*

Approved:

  
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Commissioner

  
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Commissioner

  
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Commissioner

