



Port of Illahee – Minutes of Regular Meeting on August 11, 2021

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Although the State has recently reopened it was decided to continue to hold the Regular Port of Illahee meeting 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 6:32 PM. Also, in attendance were Commissioner Jonathan Buesch; Commissioner John Burton; Administrator Theresa Haaland; Lee Knapp of TIKAR Services; Roy Barton; and Ed Seal.

Commissioner Aho requested the addition of the Washington Public Ports Association (WPPA) sponsored Environmental Seminar and the Kitsap County Use Zoning Use Table under the New Business section of the Agenda. Lee Knapp requested the dock/pier item on the agenda be discussed early as he has another commitment to attend.

CONSENT AGENDA

Commissioner Buesch moved to approve the consent agenda items: August Meeting Agenda as amended; July 14, 2021 Regular Meeting minutes; July 26, 2021 Kitsap All Ports Meeting minutes; August 11, 2021 checks numbering 4775 through 4784 totaling \$15,336.71 as outlined in the attached Voucher Approval; second by Commissioner Burton; approved unanimously.

SIGNING OF DOCUMENTS

Commissioners will stop by the Silverdale Port office individually by Friday to sign documents.

Dock/Pier – Lee reported that he installed the angled sign and moorage timeframe sign on the light. A box of 100 lag screws have been installed on the dock deck boards and any loose nails have been hammered down. The polyethylene material that is to be installed on the light pole to deter individuals from climbing it has been ordered. Lee explained that he still needs to install another large sign on a light pole, but it must be done via the work boat. He plans to install it when the work boat is launched for another nearby job.

Commissioner Burton reported that the installation of that sign will complete the sign replacements with the exception of the private property sign on the south end of the sea wall access area. The frame for that sign still remains in tact but the sign itself is missing. The sign maker is trying to come up with a better design to secure the actual signage. Commissioner Buesch asked if anti-theft bolts might be used to secure it. Commissioner Burton said that he didn't specify anti-theft bolts as he is pretty sure it wasn't a theft of the sign, but rather someone used a bat to destroy the sign, which anti-theft bolts wouldn't help against.

Commissioner Burton reported, as discussed at the recent Kitsap All Ports meeting, that the derelict boat (WN5787JD) that was moored at the dock has moved on to Silverdale.

Commissioner Burton showed a used syringe/needle. He explained that he had found a few of them in the dock parking lot and it's a growing concern. He reminded everyone that last month he found heroin paraphernalia. The



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Sheriff's Department says that unless they can approach someone in the act, they are unlikely to respond, unless a weapon is involved. There are just not enough sheriff's deputies to accommodate the entire County. Commissioner Burton said that he thinks once security cameras are installed, that will help the entire neighborhood. Commissioner Buesch agreed and said that even having the threat of cameras would probably help. He suggested installing fake cameras, high enough that they cannot easily be removed, with a couple of signs stating something to the effect that the area is under surveillance. It might deter people from doing illegal things in the area. Even if the Port installs live surveillance cameras, the police probably aren't going to do anything unless it is significant illegal activity. Commissioner Buesch said that his thought is not so much that the Port catches people, but rather deters them to move along and he thinks installing cameras and signage will do that. Commissioner Burton said that information such as license plate numbers and possibly faces captured from surveillance affiliated with illegal activity could be turned over to the Sheriff so that they at least can see what's happening and have a description of those involved.

PUBLIC COMMENT – Ed Seal said that he read through the minutes from last month's meeting and he is excited about the grants and interested on how we are going to raise the necessary matching funds.

Roy Barton followed-up on syringe/needle issue that Commissioner Burton brought to light. Mr. Barton said that ever since the Blake decision, where the State's main drug possession statute

RCW 69.50.4013(1) was declared unconstitutional and "void", such issues in Washington State have gone on the back burner. Because of the Blake decision, recently Kitsap County disbanded West Sound Narcotics Enforcement Team (WestNet). Mr. Barton said that this is a problem all over with no answer in sight until new rules/laws are created as the officers' hands are pretty much tied.

REPORTS/UNFINISHED BUSINESS

Grants/Waterfront Access Improvements –

Commissioner Aho reported that he signed the RCO Grant Agreement today. He said that he had trouble signing into the State's new electronic sign-in system, so he went to SoundWest Engineering's office for assistance. Commissioner Aho explained that the Port is going to have to discuss the budget and determine how the Port is going to come up with the \$611,000 matching funds for the project. At the recent Kitsap All Ports meeting, Commissioner Aho talked with Port of Waterman Commissioner Jeff Reynolds, who suggested the Port contact Kitsap Bank to discuss the possibility of obtaining a low interest government loan. He said that the Port shouldn't sell any properties that are providing a positive cashflow. After the recent Kitsap Sun article about the Port receiving grants and needing to come up with the matching funds, Commissioner Aho was approached by a couple of Illahee residents who also encouraged the Port not to sell the property at this time as they likened it to money in the bank. Commissioner Burton asked if the Port would still move forward with separating the reserve drain field lot along Illahee Road from the 5560 Ocean View property as has been discussed. Commissioner Buesch reported that he met with Dave of Dave's Septic Services. They discussed the septic situation at the Illahee Store



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and the possibility of installing a sewage holding tank in place of the underground fuel storage tanks that the Pollution Liability Insurance Agency (PLIA) will be removing. Dave said that it could be done, but he highly recommended that the Port actually install a septic system at the Store property and have the effluents pumped to an off-site drainfield. He explained that if this was a new construction project a holding tank would only be allowed for short term use, but since the Port would just be trying to make the old building usable again a waiver is possible with a good chance of it being allowed, but Dave then said that the Port would be better off by installing a regular septic system and pipe it down to the Illahee Road lot to be used as the drainfield or even an area at the 5500 Illahee Road lot. Dave ultimately recommended that the Port hold onto the Illahee Road lot until it is decided exactly what is to be done with the Illahee Store septic. Commissioner Buesch was told by Dave that they drill under roads, so that wouldn't be a problem. Dave estimated that the costs would be less than \$30,000 to put in the effluent line from the Store property to either the Illahee Road lot or the 5500 Illahee Road property. Commissioner Buesch said that John Piccone of SoundWest Engineering needs to be provided this information. Dave said that the septic tank could be placed where the existing underground fuel tanks currently sit. He explained to Commissioner Buesch that by having an actual onsite septic system at the Store opens up the possibilities for the building to be used for just about anything. A septic holding tank would greatly limit the building's use. Commissioner Buesch said that it makes total sense to him. Commissioner Aho said that there is a 200-foot shoreline buffer that might affect this. It was thought that Illahee Road is right

at the 200 foot mark from the water. Commissioner Buesch said that Dave has been doing this type of work for some time now and he didn't mention the 200-foot buffer, but Mr. Piccone should be able to shed some light on this. Commissioner Aho said that he will inform Mr. Piccone of Dave's suggestions and ask him to prepare some plans and attend the August meeting for further discussion. Commissioner Buesch said that he will contact Brad Gitch of Kitsap Bank regarding the Port applying for a loan. He explained that he briefly read over the bond agreement and although it does list the 5560 Ocean View property, he doesn't believe it was used as collateral for the bond, but rather the bond is backed by the Port. He asked how much money the Port would need to borrow. Commissioner Aho explained that some of the money paid to SoundWest Engineering will be used towards the matching funds, possibly upwards of \$75,000. Commissioner Burton suggested Mr. Piccone be asked how much of the money that they Port has paid to his company can be used as matching funds. Commissioner Aho said that he will talk to Mr. Piccone about that as he should be able to provide that information. Commissioner Buesch asked about the Waiver of Retroactivity for the Illahee Store property that was granted by the Recreation Conservation Office (RCO). Commissioner Aho will look for that paperwork. Everyone agreed every dollar matters. Commissioner Buesch said that he would rather the Port borrow a little more than what is needed rather than falling short. It was agreed that the amount to be borrowed should be \$450,000.

Commissioner Aho met with County Commissioner Ed Wolfe at the dock during a low tide.



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Commissioner Wolfe was amazed at the amount of sediment coming down from Illahee Creek, which has created a large delta. Commissioner Aho explained to Commissioner Wolfe the Port's plans and how important it would be to get the County to install a filtration system at the same time the Port is developing the area and at the very minimum to have the planning completed by the time the Port is working on the project.

Commissioner Wolfe basically acknowledged he heard and understood Commissioner Aho's request, but was non-committal. Commissioner Wolfe ended up going to the Port of Brownsville initially, until he was given direction to the Illahee dock.

Treasurer's Report

As of July 31, 2021 the General Fund totaled \$20,950.18, Investments totaled \$286,937.46 and the balance of the Good Property Management account totaled \$200.00.

Commissioners' Reports Website – Commissioner Aho regularly updates the Port's website. He said that he was approached by an architect wanting to know how to access tonight's meeting. Commissioner Aho was hoping to see her on tonight's meeting as well as Monica Wood, a local surgeon.

Properties

5560 Ocean View Boulevard/Rental Property – Commissioner Buesch said that Dave with Dave's Septic informed him that the paperwork to change the reserve drainfield location from the Illahee Road lot to the 5560 Ocean View lot would be submitted to the necessary entities. From what Commissioner Buesch was told it might cost an additional \$200 to have the County separate the

two lots. It was agreed that appraisals on the properties are not needed at this time. The amount owing on the bond is approximately \$147,000, although it is thought the bond wouldn't necessarily have to be paid off if the property was to be sold.

5500 Illahee Road/Rental Property – nothing to report.

5507 Illahee Road/Illahee Store Property – Commissioner Buesch reported that he had a call into attorney Bagwell regarding the property taxes shown owing on the tax statement. Attorney Bagwell has not yet returned the call. Commissioner Buesch plans to make a follow-up call.

The septic situation/opportunity at the store, as previously discussed, will be brought to Mr. Piccone's attention.

Commissioner Aho reported that he recently received an email alerting him that one of PLIA's engineers retired. He was positive about the email as it shows that PLIA is keeping in contact with the Port.

Dock/Pier – already previously discussed.

Surveillance – already previously discussed.

Administrative - the Interlocal Agreement between the Ports of Illahee and Silverdale is being reviewed by Silverdale. It should be on next month's agenda for approval.



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Meetings – the Seeds of Grace point-of-contact, Tedre, was contacted about the Port hoping to use their Linchen Hollow building again starting in October. Tedre replied that ever since COVID they haven't held insurance on the building, so they wanted to make sure that if the Port continues to use the building that the Port's insurance would cover any possible injury someone may sustain while on the property attending the meeting. Joe Davis with the Port's insurance company, Enduris, was contacted. Mr. Davis informed that any damage to the general public would basically be on a case-by-case basis, but if it were a matter of the property owner's liability, they would be included in a claim. He would expect everyone involved would be included in a claim. He cautioned that for the property owners, being uninsured is a danger zone. Commissioner Buesch said that the Port always has the Illahee Store, where some temporary lights could be installed and tables and chairs set up for meetings. Another option would be to use a meeting room at the library or possibly use the Port of Silverdale office space, if allowed. Commissioner Aho suggested the Port continue to use Zoom until something else is definite. Although, the September meeting will be held outside of the Illahee Store in preparation for Illahee Day. Mr. Barton suggested the Commissioners meet in the garage at 5500 Illahee Road. Commissioner Burton explained that the way the electrical is in the garage would be a liability to the Port, unless the Port upgraded it. Mr. Barton said that all that would be needed for the meetings is a light, tables and chairs. Commissioner Burton said that it's a hazard. Commissioner Buesch said that since the garage at 5500 Illahee Road will eventually be demolished as part of the Waterfront Access Improvements

project, it would be a waste of money to upgrade anything on those buildings. He said we would be better off getting temporary power to the Illahee Store building since we will need to get power to that building in the future anyway. And from there the Port could purchase a couple LED hanging lights from Costco. There is no restroom available at the Store property, but the restrooms at the Seeds of Grace building seemed to be rarely used. If people are made aware of that ahead of time, it should be fine as a temporary meeting space. Commissioner Burton agreed that it made sense to get power to the Store. This will continue as an agenda item.

Illahae Day – Commissioner Aho said that he has talked to quite a few people about Illahee Day and everyone seems to agree it's an important event for the community and they seemed positive about holding it on September 11th from noon to 3:00PM. Some suggested having food trucks or having it catered by Ambrosia, a local catering business. Commissioner Buesch said that he would not be able to attend the event. He said that Ambrosia catering is very good, but also very expensive. They are good at what they do. He suggested a food truck as it will be less mess and less costs to the Port. Commissioner Aho asked what about a couple of six-foot long Subway sandwiches and then just have someone wearing gloves distribute the food to the public. Commissioner Buesch said that the Kitsap Health Department needs to be contacted to make sure it is allowable these days. Commissioner Burton added that most recommendations for serving food is very restrictive. It does need to be taken into account. He said that he's not really in favor of the food truck idea, but maybe it's a sign of the times of what will actually work. Commissioner Aho said



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that it's short notice for food trucks. He will contact the Kitsap Health Department to find out what options the Port may have. He will plan to use the sandwich board signs to get the word out about Illahee Day. The canopies will be used for our September meeting and it was agreed they should not be left out overnight, but maybe partially disassembled and stored in the store building until the following Saturday for Illahee Day. Commissioner Burton said that he wouldn't leave anything up at night around that area, vehicles were recently egged.

Kitsap Sun article was a nice write-up about the Port. Commissioner Aho said that Josh Farley did a really good job of taking the information and putting it all together. Commissioner Aho posted the document on the kiosk and added it to the Illahee community update.

Commissioner Buesch said that if the Port is in need of a little generator to have some lights for the next meeting at the Store, he has one that can be used.

NEW BUSINESS

Small Ports Seminar – the Commissioners have made their room reservations. The Washington Public Ports Association (WPPA) has not yet opened up the registration.

Commissioner Aho explained that the WPPA is sponsoring an Environmental Seminar on September 23rd and 24th at the Alderbrook Resort. He asked if anyone would have an issue with him attending the seminar. He explained that he has attended one in the past and found it well worth attending. Commissioner Aho explained that he

wouldn't need overnight accommodations as he will drive home on the 23rd and return on the 24th. The Port would just be paying for the WPPA registration fee, which is normally around \$50 per person. Commissioner Buesch said that he would like to attend also. Commissioner Burton was invited to attend as well. There was no objection.

Commissioner Aho said that during the recent Kitsap All Ports meeting, Greg Englin, the Executive Director with the Port of Kingston, approached him and explained that he has been working with the County on the zoning codes, which will allow the Ports to do more as it includes some sort of Port overlay. Ports are required to promote economic development, which can be a number of things. Some Ports, such as Silverdale, have many commercial properties they rent out, other Ports run airports, marinas, golf courses, all types of things that aren't necessarily part of a body of water. Mr. Englin recommended to Commissioner Aho that the Port of Illahee be involved with the County's matrix documents. The County recently sent out an email informing of the release of the public draft zoning table-use update and also informing of two upcoming planning commission study sessions. Commissioner Aho would like the Port of Illahee to be involved in this as he would like to see how it might benefit the Port of Illahee. The County thinks they are helping the Ports, he would like to find out how and what that looks like. Commissioner Buesch said that the Port is mainly residential, but if we ever wanted to acquire more property, there is a large plot of commercial land off of highway 303. Also, the Rolling Hills golf course was donated to Kitsap County Parks other than that we are limited in commercial real estate. Commissioner Aho said that Eastside Auto



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Wrecking is a contaminated site, but the Port could possibly get PLIA funding to clean it up; whereas, private parties don't necessarily apply for PLIA because there it can still be costly and take a long time to get it cleaned up. Those types of properties normally stay contaminated until they can get cleaned up and the Port may be the entity to get something done, similar to the Illahee Store. Commissioner Burton said that he can see learning what the possibilities are and what the opportunities might be, but for the next several years the Port will be really cash strapped until the Waterfront Access Improvement project and the Store are complete. Commissioner Aho agreed and said that nothing would happen overnight and that he just wants to figure out what is possible due to these zoning changes. It is basically just expanding the vision of fostering economic development. The Port of Illahee is so small with only the dock, but ports are designed to promote economic development and maybe some good things could be done like cleaning up more contamination.

PUBLIC COMMENT

Mr. Seal said that he sides more with Commissioner Burton with realizing that the Port is cash strapped and any additional funds at this point need to go towards fixing the dock, but he does realize Ports were designed to promote economic development.

Mr. Barton said that as Commissioner Burton refers to the Port as cash strapped, he recalls years ago feeling that the Commissioners were going about things the wrong way as they didn't have actual estimates for costs on items although they had big plans and now there is a substantial amount of money to do something with, but still no real

estimates. He realizes Mr. Piccone comes up with anticipated costs, but it doesn't seem to be backed up with actual estimates so it's a bit unnerving. Now we are talking about septic systems and some guy says it will be about \$30,000, but that's just word of mouth nothing concrete. Mr. Barton went on to say that now might be the time to get rid of the house and the lot along Illahee Road and put the proceeds into the Illahee dock and store. He said talking to a banker, of course, he will want to sell you a loan. \$300,000 in the bank isn't a lot in the scheme of it all, it won't go that far. He agrees the Port has come a long way, but feels we are going to fall short to get it all done. He said that he realized the meeting would be going into Executive Session to discuss property acquisition. He cautioned the Commissioners to consider if any type of acquisition needs to be done right now and if so, where is the money going to come from unless the property is donated to the Port.

Mr. Seal and Mr. Barton were thanked for their input.

EXECUTIVE SESSION

At 8:09PM it was announced that the meeting would be going into Executive Session for approximately ten minutes to discuss property acquisition.

The meeting returned to Regular Session at 8:39PM. It was over the anticipated ten minutes, but was noticed no one had tried to reenter the meeting or remained in the Zoom meeting room.



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ADJOURN

At 8:40PM Commissioner Burton moved to adjourn the meeting; second by Commissioner Buesch; approved unanimously.

Approved:

Three handwritten signatures in blue ink, each followed by a horizontal line and the word "Commissioner" printed below it. The signatures are: 1. J. Buesch, 2. [Illegible signature], and 3. [Illegible signature].

Commissioner

Commissioner

Commissioner

