

**AGENDA**  
**THE PORT DISTRICT OF SOUTH WHIDBEY ISLAND**  
**REGULAR MEETING**

LOCATION: Freeland Library, Freeland

DATE: November 14, 2007

7:00 PM – 7:30 PM WORKSHOP

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1. 7:30 PM - REGULAR MEETING

- A. Call to Order
- B. Pledge of Allegiance

2. BUSINESS MEETING

- A. Consent Agenda:
  - 1. Minutes on file: Minutes from Regular Meetings of August 8 and September 12, and Special Meetings of August 29, September 6, and September 17, 2007
  - 2. Vouchers: Vouchers #3218 through #3254 in the total amount of \$71,127,56 as signed today.

3. PUBLIC COMMENT – Including Items not on Agenda.

- A. Whidbey Island Writers Assoc Application for Funds

4. ACCOUNTANT REPORT:

- A. September 2007 Financial Statement (mailed earlier)
- B. 2008 Final Budget
- C. Ordinance/Resolution No. 07-03
- D. Levy Certification
- E. Policy on Commission Review of Applications for Funds (see next page for draft text)

5. PROJECT ACTION ISSUES - Staff Report, Public Comment, Commissioners' Discussion

- A. South Whidbey Marina
  - 1. Breakwater Status: Update
  - 2. InterLocal Agreement Issues, including Possible Amendment Items
    - 1. Park & Ramp Project: Pending IAC Invoice from City
    - 2. Park & Ramp Project: Completion Status and ILA Requirements
    - 3. Marina Equipment Inclusion: Pump-out Barge and other Equipment
  - 3. Design and Master Plan Process:
    - 1. RCO (IAC) Conversion Issues: Uplands grant-acquired in 70's for marine rec.
    - 2. Design Contract: Authorization for AAA to 100% on Task 2.3
    - 3. Breakwater Temporary Storage: Approval of GeoEngineers' \$11,000 Scope Add
    - 4. Master Plan Update Prep: Approval of J. A. Brennan Assoc. proposal (11/13/07)
    - 5. Master Plan Update: Schedule review, incl City Council Presentation on Dec. 19 (tent.)

- B. Bush Pt. Boat Ramp
  - 1. Transfer Negotiations: Status on pending issues
  - 2. Pile Hoop Rework: Proposal from Marine Floats
- C. Possession Beach Waterfront Park
  - 1. Estuary Restoration: Brief Update from SRSC

## 6. ACTIVITIES/INVOLVEMENT REPORTS

- A. Economic Development Council (EDC)
- B. Council of Governments (COG)
- C. Skagit-Island Regional Transportation Policy Organization (RTPO)
- D. Marine Resources Committee (MRC)
  - 1. Interpretive Panels: Status Update and Request for 50% Sponsorship for Mackie Panel
- E. Washington Public Ports Association (WPPA)
  - 1. Report from Annual Meeting (Slinden)
  - 2. WPPA Directory Information for 2008: Listing Confirmation and Trustee Designation
- F. Community Trade & Economic Development (CTED)
  - 1. Report from ITED Regional Listening Session on Oct 24 (Tapert)
  - 2. New CTED Grants Inventory Program for Ports

## 7. OLD BUSINESS

- A.

## 8. NEW BUSINESS

- A. Financial Coordinator Posting: Applications
- B. Whidbey Airpark: Local Airport Aid Program information
- C. Flexcar Possibilities

## 9. EXECUTIVE SESSION (if necessary)

## 10. ADJOURNMENT

Draft Policy for 4.E: Regarding Applications for Funds to the Port for sponsorships, trade fair participation, tourism and similar economic development opportunities, it shall be the policy of the Commission that all such Applications will only be reviewed semi-annually, at the March and September Regular Meetings. Barring exigent circumstances, all Applications shall be submitted to the Port office no less than one week before the Meeting, collected by Port staff, and reviewed by Commissioners at only those two meetings. Disbursement of any approved funding shall be conducted via invoicing at subsequent meetings. To assist Commissioners in their review, applicants may wish to be present provide a 5-10 minute summary of their request at the review Meeting as well as answer any Commission questions.

**PORT DISTRICT OF SOUTH WHIDBEY ISLAND**

Minutes of the Regular Meeting

November 14, 2007

Freeland, Washington

**Present at the meeting were:**

Commissioner Lynae Slinden, Clinton  
Commissioner Rolf Seitle, Langley  
Commissioner Geoff Tapert, Freeland  
Ed Field, Port Manager  
Molly MacLeod-Roberts, Port Clerk

Don McArthur, SW Yacht Club  
Jeff VanDerford, South Whidbey Record  
Dave Braathen, Clinton Resident  
Rick Brewer, Clinton Resident  
John Martin, Clinton Resident  
Dennis Gregoire, Freeland Resident  
Pam Owen, Whidbey Island Writers Association

**Absent:** None

**1. MEETING CALL TO ORDER:**

The regular meeting of the Port District of South Whidbey Island's Board of Commissioners was convened on November 14, 2007, at the Freeland Library Conference Room in Freeland, WA. Commissioner Tapert, President, called the meeting to order at 7:30 p.m., followed by the Pledge of Allegiance.

**2. BUSINESS MEETING – THE CONSENT AGENDA:**

**A. Consent Agenda:**

1. Minutes: Minutes from the Regular Meetings of August 8 and September 12, 2007, and the Special Meetings of August 29, September 6, and September 17, 2007.
2. Vouchers: Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing which has been made available to the Board, and have been presented to the Board for review. The vouchers so listed and presented are summarized on the attached Voucher Listing (**EXHIBIT A**).

**ACTION: A Motion was made by Commissioner Seitle and seconded by Commissioner Slinden to accept the Consent Agenda, including authorization of Vouchers #3218 - #3254 for a total amount of \$71,127.56. The Motion passed unanimously.**

**3. PUBLIC COMMENT – Including Items not on Agenda:**

There was no public comment other than as noted below on Agenda issues.

**A. Whidbey Island Writers Association – Application for Funds:** Pam Owen of Whidbey Island Writers Association (WIWA) was on hand to present WIWA's Application for Funds in the amount of \$6,200 for the advertising budget for the 2008 Writers Conference. **(EXHIBIT B)**. Owen thanked the Port for its promotion of tourism and economic development. She explained that the majority of the money would be used to purchase one advertisement in the Alaska Airlines magazine, which reaches 190,000 people in one month. Owen mentioned WIWA's new slogan is "Whidbey is the Write Place." Commissioner Seitle said the Port loves the Conference and has always supported it, but this year's request is 6 times greater than the previous year. He said the Port has a tight budget and \$6,200 is too much. Commissioner Slinden noted that the 2007 Budget allotted a total of \$10,000 for sponsorships and \$11,500 had already been spent. She agreed the Port should support the Conference, but felt that \$6,200 was too much and suggested \$2,000 would be more appropriate. After verifying that the Port contributed \$1,000 last year, Commissioner Tapert said he agreed with supporting the Conference, but only in the range of \$1,000 to \$2,000.

**ACTION:** A Motion was made by Commissioner Slinden and seconded by Commissioner Seitle to approve the Whidbey Island Writers Association's Application for Funds in the revised amount of \$2,000 for advertising the 2008 Writers Conference. The Motion passed unanimously.

Owen thanked the Commissioners very much and assured them that WIWA appreciated every penny they get and would use the money wisely. To assist for future planning, Commissioner Slinden informed Owen that in 2008 the Port would only review Applications for Funds twice a year, during their regular meetings in March and September.

**4. ACCOUNTANT REPORT:**

**A. Financial Statement:** The Commissioners accepted the September 2007 Financial Statement which had been mailed to them previously **(EXHIBIT C)**.

**B. 2008 Final Budget, Levy Certification and Ordinance/Resolution No. 07-03:** Commissioner Seitle wondered why the amount listed for the Regular Levy on the Levy Certification (\$439,975) **(EXHIBIT D)** did not match the amount on the 2008 Final Budget **(EXHIBIT E)** under line item #1 for Receipts, Property Taxes (\$445,000), but did match the combined total 2008 levy amount reflected on Ordinance/Resolution No. 07-03 **(EXHIBIT F)**. Port Manager Ed Field and Port Clerk Molly MacLeod-Roberts said they would consult with Port Accountant Chuck Edwards to determine the reason for the apparent discrepancy and ensure the accuracy of the amounts, noting that Edwards was presently vacationing out of town until near the end of the month. Ed indicated that if changes were deemed necessary by Edwards, a Special Meeting could be held prior to the submittal of the referenced documents to Island County as required on or by November 30.

**ACTION:** A Motion was made by Commissioner Slinden and seconded by Commissioner Seitle to approve the 2008 Final Budget. The Motion passed unanimously.

**ACTION:** A Motion was made by Commissioner Slinden and seconded by Commissioner Tapert to conditionally approve the Levy Certification and Ordinance/Resolution No. 07-03 “as is”, subject to verification by the Port Accountant prior to final signing. The Motion passed unanimously.

**C. Policy on Commission Review of Application for Funds:** As included in the Agenda, Ed presented the draft wording for the Policy as follows: “Regarding Applications for Funds to the Port for sponsorships, trade fair participation, tourism and similar economic development opportunities, it shall be the policy of the Commission that all such Applications will only be reviewed semi-annually, at the March and September Regular Meetings. Barring exigent circumstances, all Applications shall be submitted to the Port office no less than one week before the Meeting, collected by Port staff, and reviewed by Commissioners at only those two meetings. Disbursement of any approved funding shall be conducted via invoicing at subsequent meetings. To assist Commissioners in their review, applicants may wish to be present and provide a 5-10 minute summary of their request at the review Meeting as well as answer any Commission questions.”

**ACTION:** A Motion was made by Commissioner Slinden and seconded by Commissioner Seitle to approve the draft Policy regarding Applications for Funds. The Motion passed unanimously.

Jeff VanDerford of the South Whidbey Record asked if the \$2,000 approved for WIWA earlier would fall under the 2007 or 2008 Budget. Ed said it would come out of the 2007 Budget and Commissioner Slinden added that in 2008 the amount budgeted for trade fairs and sponsorships is \$15,000.

## **5. PROJECT ACTION ISSUES:**

### **A. South Whidbey Marina:**

**1. Breakwater Status Update:** Port Manager Ed Field said the breakwater has been secured to the Langley Marina timber-pile “stockade”, with “Keep Off” signs posted. Bush Pt. Manager Mike McCarthy is working on getting red and white striped warning buoys to mark steel cables, to address concern regarding the potential for inattentive boaters leaving the stockade and turning north too soon, thereby turning into the “V” between the breakwater and the stockade and the hanging cables in that area. Ed was told a flashing light to warn boaters could be problematic, and a better solution is to place bright buoys that will catch the light. Commissioner Tapert asked if there were lights currently on the breakwater, and Ed said that Coast Guard-required steady-on, solar-powered lights are mounted on the counters.

Ed said the survey results on breakwater positioning came back from Fakkema & Kingsma, and they were immediately forwarded to the Port’s engineers to continue the permitting process and get a temporary extension of the Langley leasehold from the Department of Natural Resources (DNR). Ed added he has not heard of any State Environmental Policy Act (SEPA) problems, so the process appears to moving ahead.

2. InterLocal Agreement (ILA) Issues, including Possible Amendment Items.

1. Park & Ramp Project - Pending RCO Invoice from City: In response to Ed's inquiry, Kammie Bunes of RCO emailed Ed earlier today (**EXHIBIT G**) and said RCO could pay the design fees without encumbering the property further. On that basis, Ed recommended telling the City of Langley to go ahead and submit the invoice to RCO. The Commissioners agreed, and Ed said he would notify the City of the Commissioners' decision and also forward the RCO email to City Administrator Walt Blackford.
2. Park & Ramp Project - Completion Status and ILA Requirements: Ed said Bunes' email and the Commissioners' subsequent action changed the urgency of this issue, but he thinks the Port will still have to amend the ILA to address the fact that the Park & Ramp project will not be completed by the City prior to the turnover date. Additionally, the property descriptions in the original ILA are not proper legal descriptions. At Port request, Fakkema + Kingma has prepared proper legal descriptions, and the Port needs to get that resolved so the ILA is a legally recordable document.
3. Marina Equipment Inclusion (Pump-out Barge and other Equipment): Ed said the original ILA doesn't address the various pieces of equipment that are integral to marina operations and which the City apparently intended to also transfer, so those items need to be listed out in detail and included in the amended ILA. Commissioner Slinden said the Commission should probably set some sort of timeline and suggested if no action had been taken on the amendments to the ILA by March, they would start seriously pursuing it so that it is definitely ready by the end of 2008. Commissioner Seitle said he thought the ILA had already been recorded, and Ed explained that he started to record it but after reviewing it with the Auditor's office, they encouraged him to get it cleaned up first. They told him that the imprecision in the property descriptions could "come back and bite" the Port when it got to bond and legal issues. The Auditor's office had no other objections to the content of the ILA in their initial review.

3. Design and Master Plan Process:

1. RCO (IAC) Conversion Issues and Acquisition-Grant Encumbrances: To address questions regarding the public-use encumbrances on the marina properties related to their original IAC-assisted acquisition in the late 1970's, Ed said that he met with RCO Project Manager Kammie Bunes last week and made major progress. Ed showed Bunes the proposed layout and explained that although the transient moorage might be a little farther from the restrooms, the moorage would still be fully protected and would actually have additional services. Bunes did suggest that the Port designate one "close in" space as an Americans with Disabilities Act (ADA) space. Ed thinks that after viewing the scope of the project, Bunes was able to note the "greater good" for the public, particularly with the full public access along the waterfront. Ed was also able to point out to Bunes a major discrepancy in the original documents: while the legal descriptions indicate that the original \$9,500 acquisition grant was for only 2 small parcels (currently the two parcels co-owned by Port and City), the eventual Deed of Public Trust also encumbered the 6 lots in the back and the tidelands out to the harbor area for "the complete recreational experience." Ed said there is a considerable justification for further discussion with RCO as to how they managed to encumber that much with the original grant. Ed thinks Bunes was impressed with the proposed layout, and she was very impressed with the Port's plan to keep the marina open in the

summer while the major improvements are done. Commissioner Slinden asked if Bunes was at all receptive to the Port coming back to RCO for money for other projects. Ed said she actually encouraged the Port not to seek additional RCO money at this stage of the project, given the existing layers of encumbrances and the fact that RCO is almost exclusively focused on recreational, non-commercial use. Bunes recommended that the Port find funds elsewhere for the permanent slips and the economic development projects that the Port is proposing. Ed said that as far as their big permanent boater grants, there is a total of \$95,000 available in this state that can go for design work, and there is a \$1 million or more available from the Boating Facilities Grant (BFG) program. The BFG program is a national competition and is awarded to marinas of national significance. Commissioner Slinden said that Community Trade and Economic Development (CTED) sounds like the best option and Ed agreed.

2. Art Anderson Associates (AAA) Contract Status: Ed requested that the Commissioners address authorization for AAA for continuing design work, as summarized in AAA's recent letter (**EXHIBIT H**). Ed said AAA's Conceptual Design (Task 2.3) has been authorized to 50% right now, and AAA is requesting authorization for the remaining 50% of Conceptual Design. Ed said that full Task 2.3 authorization would cover the submittal of the Master Plan Update by the end of the year, and AAA would be able to shift some money within subconsultant tasking to get marine feasibility modeling done within existing Task budgets. Commissioner Seitle asked for the total amount of Task 2.3 and asked if the work on the Master Plan was included. Ed said the Task 2.3 total of \$102,000 included the Master Plan Update design, engineering and management, with the exception of J. A. Brennan Associates' work. Commissioner Tapert asked if the additional bathymetry to the south of the marina was included, and Ed said it was not. Commissioner Slinden asked if any modifications resulting from the City's response would be an additional charge. Ed said the remaining 50% for Task 2.3 just gets AAA to the end of the calendar year and the submittal of the Master Plan Update. In the referenced letter, Ed noted that AAA has provided a proposal for Tasks 3.1.1 – 3.1.5 to take the Concept Design (Master Plan Update) to a 25% level of design development including major permit submittal, but that next Task authorization it is not on this meeting's Agenda since the Commissioners have not had time to review it.

**ACTION: A Motion was made by Commissioner Slinden and seconded by Commissioner Seitle to authorize Art Anderson Associates to proceed with the remaining 50% of Task 2.3 – Conceptual Design. The Motion passed unanimously.**

3. Additional Breakwater Temporary Storage/Permit Work by GeoEngineers: Ed referenced the recent (undated) proposal from subconsultant GeoEngineers (**EXHIBIT I**) addressing the additional work scope which has resulted from the extended temp storage site selection process, particularly the Holmes Harbor and Langley issues. The proposal from subconsultant GeoEngineers is for \$10,000, plus the usual AAA mark-up, for a total of \$11,000. Ed explained that much of the extra work is associated with the unexpected permitting efforts, first for Holmes Harbor, and now for simply securing the breakwater to the outside of the Langley marina.

**ACTION: A Motion was made by Commissioner Seitle and seconded by Commissioner Slinden to approve GeoEngineers' additional scope. The Motion passed unanimously.**

4. Master Plan Update Preparation Work by J. A. Brennan Associates (JAB): Ed requested Commission action on the Fee Proposal from JAB for their work to prepare graphics and presentation materials for the Master Plan Update (**EXHIBIT J**). Ed explained that this second proposal was about ½ of the first proposal, and AAA and Ed hope to keep Brennan's cost to a bare minimum with close supervision and tight tasking. Commissioner Slinden suggested authorizing \$15,000. Commissioner Tapert suggested going with a "Not To Exceed" amount. Commissioner Seitle said Brennan has already revised their proposal and suggested authorizing the \$17,758 as the Not To Exceed amount. After discussion, the Commissioners agreed with Commissioner Seitle, noting the importance of timely completion in 2007.

**ACTION: A Motion was made by Commissioner Seitle and seconded by Commissioner Tapert to approve J. A. Brennan Associates' Fee Proposal in the Not To Exceed amount of \$17,758. The Motion passed unanimously.**

Ed said he would strongly encourage Brennan to work toward \$15,000.

5. Master Plan Update Presentation to City Council on December 19: Ed reported that he had a good discussion with City Administrator Walt Blackford. Ed emphasized that the Update needs to be carefully presented in the right light. The Port is bringing the final draft Master Plan Update proposal to the City for discussion, review and development of a mutually agreeable Plan under which to proceed jointly. The City Council's last meeting of the year is on December 19<sup>th</sup> and Ed had initially planned on submitting the final draft on December 12<sup>th</sup>. However, Ed reported that Blackford said it is unlikely any action will be taken at the December 19<sup>th</sup> meeting, and suggested the Port's presentation should be a brief "movie trailer" version. Ed proposed a Power Point presentation of the highlights with handouts. He also noted that the City's first meeting in 2008 is January 2<sup>nd</sup>, so it will most likely not be very productive for new issues either since it is right after the holidays. Ed thinks that if the draft Master Plan Update can be formally submitted to the City in December, then the Port should schedule a Public Hearing in Freeland for the 4<sup>th</sup> Wednesday in January. Commissioner Slinden said if there is nothing of consequence to come out of the Public Hearing, then the Port should submit the final Master Plan and formally propose it to the City as soon as possible. Ed said it is essential that the Port be as open as possible to what the City may propose. It will need to be technically and economically evaluated, but the Port absolutely needs to be inclusive and considerate of the City's concerns. Commissioner Slinden pointed out that the City would have the draft Master Plan Update six weeks before the Public Hearing and that is a substantial period of time. Dennis Gregoire of Freeland said he thought the Port should start the SEPA process prior to presenting the Update to the City of Langley. After extended discussion, the Commissioners unanimously disagreed with his opinion. The Commissioners stated that they consider the City to be the Port's partner and they will wait to start the SEPA process until after the City has provided input and reached agreement.

Jeff VanDerford of the South Whidbey Record asked if he could go public with the proposed marina layout (Option 2) that weekend. Commissioner Tapert was concerned that the City Councilmembers would be upset to see it in the newspaper before they see it in their Meeting. Commissioner Slinden said if VanDerford wanted to run it, he



could. Ed added that at this point it is certainly still in the draft or concept stage. VanDerford said he would write a story with the proposed marina layout as the basis and describe some of the options for the uplands. VanDerford said he didn't understand why there were not any Council Members present at the meeting. Commissioner Slinden said VanDerford should "go for it" and publish the story, but asked him to please be sure to use the word "draft" in doing so.

(Re-ordered for clarity.) Regarding the release of information on the plans for the South Whidbey Marina, Commissioner Seitle asked if it would be appropriate to inform the Washington Public Ports Association (WPPA) at the earliest time. Commissioner Slinden said she would like to talk about it tomorrow at the WPPA Annual Meeting she would be attending. She said she had also discussed it in concept with someone from CTED at the WPPA seminar in Spokane. Commissioner Seitle agreed that Commissioner Slinden should discuss the plan at the WPPA meeting, and added that he would like to have CTED knowledgeable about the Port's plans as soon as possible. Commissioner Slinden said that they needed to wait until they actually have a tangible product before talking with CTED, and since the Port is close to that, she suggested that they meet with CTED sometime in January or February of 2008. The Commissioners agreed.

VanDerford asked if the Commissioners had an official vote to rename the Langley Marina as the South Whidbey Marina, or is that just what the Port is calling it for the time being. Commissioner Tapert said there had not been a vote, and Commissioner Seitle pointed out that the Port has no legal authority to name it anything until ownership is transferred in January of 2009. Commissioner Slinden explained they were simply trying to get across their intention of it becoming a broader-based ownership. Ed added that the South Whidbey Marina would serve as an effective project name, but as with many construction project names, did not necessarily reflect the final and/or formal name of the facility under construction.

## **B. Bush Point Boat Ramp:**

1. **Transfer Negotiations - Status on Pending Issues:** Ed reported that he had a good, productive talk with Kye Iris, Lands Agent for the Washington Department of Fish and Wildlife (WDFW). Iris said that the WDFW Commission met and agreed in concept to the transfer of ownership of the Bush Point Boat Ramp to the Port of South Whidbey, subject to final negotiations. Ed said one piece of the puzzle is in place: the proposal from Marine Floats to rework the pile hoops and get them ready for next year (**EXHIBIT K**). The proposal is for \$4,030, and Ed recommended proceeding right now while things are slow in the off season. He reported that he had not been able to connect with a local marine contractor yet on the other big issue: a permittable approach on how to improve the ramp grid structure. Bush Pt. Manager Mike McCarthy had reported that last week's storm did not damage the grid any further, and Ed said the grid seems to have stabilized. Ed said the next step is to get contractor and permit input on the fix for the ramp grid, and at that point the Port can sit down with WDFW and discuss how much money they have and how much the fix will cost the Port and see if a deal can be made. Ed said everything seems favorable to proceed with the transfer, and Iris said the WDFW Commission agrees with the transfer. VanDerford asked if the transfer would take place before or after the grid was fixed, and Ed said that, given that the paperwork for the actual transfer could take a year or two, it would probably finalize after the grid is fixed. The Commissioners agreed that the hoop repairs should be authorized, and said that Ed should proceed with contractor evaluation of the ramp grid repair and permitting issues.

2. Pile Hoop Rework Proposal from Marine Floats. Commissioner Tapert asked Ed if he needed formal authorization, and Ed said that since the amount was slightly above his general authorization level, he did.

**ACTION: A Motion was made by Commissioner Seitle and seconded by Commissioner Slinden to approve Marine Floats' proposal to modify the Bush Point pile hoops for \$4,030. The Motion passed unanimously.**

**C. Possession Beach Waterfront Park:**

1. Estuary Restoration Update from Skagit River System Cooperative (SRSC): Ed said that Aundrea McBride from SRSC has been out sick for the last 1 ½ months. She has advised Ed that the feasibility evaluation is moving ahead, but McBride does not have the results from Battelle Northwest's bathymetry modeling. She is still waiting for the hydrodynamic modeling and a compilation of fish data. Realistically, she said she will probably not be ready to present to the Commission until the regular meeting on January 9, 2008. Ed learned from McBride that relocating the ramp at the South Whidbey Marina could trigger a great deal more in additional costs. The SRSC represents two or three tribes, and at the WPPA Environmental Seminar Ed attended, one of the biggest recommendations was that "as soon as you've got a Plan, **go to them.** Don't just send the Plan to them for a SEPA comment, but physically go to them and provide a presentation to work toward formal response and agreement." Ed also said that McBride suggested that if the estuary restoration is viable, there are two potential scenarios: one is with Port properties only, and the other is with the adjacent properties included. McBride said the initial results indicate that the adjacent properties will be needed to make it work optimally. Ed said that acquisition of additional properties could also assist with mitigation issues for the proposed South Whidbey marina project. Ed noted that Kammie Bunes at RCO had said that if the Port purchases any additional property anywhere near a boat ramp, the Port should get a Letter of Retroactivity, because acquisitions adjoining boat ramp facilities may be applicable for the Marina as far as trading the property out with the parking issues. Ed summed up the status of the estuary restoration as going in the right direction, but no news yet so no action required.

**6. ACTIVITIES/INVOLVEMENT REPORTS:**

**A. Economic Development Council (EDC):** Commissioner Slinden said the only thing she had to report was that EDC would now be totally paid for with .09 Rural Economic Development money and the Port would not be asked for contributions.

**B. Council of Governments (COG):** Nothing new to report.

**C. Skagit-Island Regional Transportation Planning Organization (RTPO):** Nothing new to report.

**D. Marine Resources Committee (MRC):**

1. Interpretive Panels - Status Update and Request for 50% Sponsorship for Mackie Panel: **(EXHIBIT L)** Regarding the MRC Interpretive Panel project and Maxwellton Community Club's request for the Port to co-sponsor a panel for Maxwellton Park, Commissioner Seitle urged the Port to go along with it, even though he said Island County should also

participate. Commissioner Slinden said she thinks a formal request should be made first, and the Maxwellton Community Club should at least look at Island County as being part of the equation as well. She said she would also like to see the MRC help the Port with the Possession estuary situation; the Port needs their endorsement. Commissioner Seitle said it should be a joint effort by the Port and the MRC, and if the SRSC presents the information at the January meeting, he could then take it to the MRC. At the direction of the Commission, Ed said he would respond to Dan Pedersen and Nancy Waddell of the Maxwellton Community Club that they should send the same request to the County, and they would need to make a formal request for funds to the Port. The Commissioners were in favor of providing assistance, but no action was required at this time. Commissioner Slinden said Ed could also give them a verbal endorsement.

**E. Washington Public Ports Association (WPPA):**

1. Report from Annual Meeting (Commissioner Slinden). Commissioner Slinden attended the Annual Meeting earlier that day. She explained that an attorney from Fox and Company had provided the attendees with a booklet containing protocol, policies and processes that would be helpful to have in place prior to audits. The Commissioners agreed that it appeared to be a good starting point, but they did not want to formally adopt it at this time. Email policy was also discussed at the seminar. Slinden learned that Ports can actually delete their emails, but that must be outlined in a policy format first. She noted that the Port of Benton has the policy of deleting sent emails after 90 days and received emails after 30 days, except for those they wish to retain. The emails they select to keep are then copied electronically into a separate file. As long as a Port has a policy in place, it does not violate the Freedom of Information Act.

Regarding the Freedom of Information Act, Commissioner Seitle asked about the status of the public records request the City of Langley had received. Ed said that last Friday (11/5/07), the City had met with the individual who had requested about 200 specific documents. They are currently being copied, and the Port will also pay for and receive one set. Ed thought the individual's last name was Karowsky, and he is an Anacortes dive shop owner who has been very focused on the diving issues around the Marina. Ed added he had initial discussions with another member of the diving community regarding the possible relocation and establishment of a designated diving area, and he seemed very enthusiastic and thought that approach was very reasonable.

Returning to the conversation regarding Port emails, Commissioner Slinden said the Department of Information Services will be coming up with some policy for the State and when they get that in place, that might be the time for the Port to adopt an email policy. They also suggested that ports should have an actual Human Resources Policy.

Commissioner Slinden reported that the attendees at WPPA unanimously thought the ports shouldn't do anything regarding the levy increase issue and leave the 1% alone this year.

Regarding policy, Ed said the Municipal Research and Services Center (MRSC) now has authorization to work openly with ports. Ed received an email from an individual at MRSC who wanted to know what the Port's policies and documents were regarding the authority and direction given to the Port Manager, since they don't have any of those kinds of documents in their files. Ed said, "That's pretty much my contract." Commissioner Tapert said it was also in the Minutes and Commissioner Seitle added the job description would also satisfy the request.

2. WPPA Directory Information for 2008 - Listing Confirmation and Trustee Designation:  
The Commissioners made the necessary updates and changes to the Listing Confirmation. Ed said the discussion regarding who would be the WPPA Trustee in 2008 would be placed on the Agenda for the Port's next regular meeting, in December.

**F. Community Trade & Economic Development (CTED):**

1. International Trade & Econ. Dev. Regional Listening Session: Commissioner Tapert was one of only three ports represented at the Session, along with the Ports of Bellingham and Coupeville. He said it was frustrating because it was not a Question and Answer Session, only Listening. When asked to come up with one phrase that would really underline the importance of CTED, an individual from Snohomish County responded, "Keep the money rolling." Commissioner Tapert said that the Port of South Whidbey definitely needs to connect with CTED and learn about their programs. He learned that CTED does not have applications available on their website; they prefer that people come talk to them first in order to explain the programs. Commissioner Tapert said once the Port comes up with the marina expansion plan, the Commissioners should then arrange to meet with CTED and ask them how they can help fund the project. Commissioner Slinden agreed and added they should meet with CTED in January or February. She said she would talk to the CTED representatives the following day at the WPPA Annual Meeting.
2. New CTED Grants Inventory Program for Ports: An email from Pat Jones of WPPA dated November 6, 2008, was provided to the Commissioners (**EXHIBIT M**).

**7. OLD BUSINESS:**

There were no Old Business items.

**8. NEW BUSINESS:**

- A. Financial Coordinator Applications:** Ed reported the Port had received four applications in response to the Financial Coordinator job posting (**EXHIBIT N**). He recommended an Executive Session be held to discuss the qualifications of the individuals, and the Commissioners agreed.
- B. Whidbey Airpark: Local Airport Aid Program Information:** Referring to Commissioner Tapert's proposed request to WSDOT for assistance as described in their email (**EXHIBIT O**), Commissioner Seitle said he would like to go for it, but wondered if the Port could apply for something like that when it doesn't have ownership. Commissioner Tapert said yes, according to the Washington State Department of Transportation (WSDOT). The WSDOT representative that he spoke with was "extremely encouraging to look at having a publicly owned airfield on Whidbey Island." The representative said WSDOT could provide 95% matching funds for the Port to explore the feasibility of the Port owning the Airpark. A study would probably cost not-to-exceed \$30,000 and the Port would have to provide up to \$1,500 in matching funds to do it. WSDOT is very interested and Commissioner Tapert thinks for \$1,500, it should be done. He pointed out that the Comp Scheme states the Airpark issue will be revisited. The Port's last Master Plan update for an airfield was completed 20 years ago. He thinks it is timely and appropriate to spend \$1,500 to get a \$30,000 study done, and said WSDOT will provide help throughout the process. Commissioner Seitle agreed the Port should do it. Commissioner Slinden said it is in the Comp Scheme and they should probably do it at some point in time, but

was concerned that it would seem that the Port was choosing another project to “put on the front burner.” She said she was a little apprehensive of having a study done unless they have the intention of actually acting upon it. Commissioner Seitle said it would be nice to know if it is even feasible to do something. Commissioner Tapert said he looks at it as a “back door entrance” into the industrial properties – the AP zoned properties that allow light industrial use. He said, “They really play one against the other. If you lose the airstrip, I think you’re going to lose use of the AP zoned property and vice versa.” His priority is not towards an airstrip, it’s more for the industrial property, and the FAA and WSDOT will not fund the acquisition or infrastructure to promote industrial properties. Commissioner Slinden asked Ed for his opinion, and Ed responded that as evidenced by his office he is extremely busy. He said he can probably squeeze that application in sometime next year, but not this year. He added that if the Port decides to have an airport operation, they would need to hire an Airport Manager because it won’t be him. Commissioner Slinden asked if there was a deadline for the application. Commissioner Tapert said the only time issue is the fact that the Airpark is on the market right now. WSDOT has the money available and the only requirement is filling out the form. He said he would fill out the application himself, and he is asking for authorization to expend \$1,500 for a study or at least approval to move forward in filling out the application and submitting it to WSDOT. Commissioner Slinden said she agrees that it is in the Comp Scheme and they do need an update, but she has issues with it being a priority. After further discussion, the Commissioners agreed to support Commissioner Tapert in his efforts to pursue the grant application with WSDOT. He said he would fill out the application and bring it to the next regular meeting of the Port.

**C. FlexCar Possibilities:** Commissioner Tapert received said he had received an email from Eric Kocaja at Flexcar dated November 2, 2007 (**EXHIBIT P**). Although the Port District is well outside of their geographical area, Flexcar does allow Flexcars for general use sponsored by any entity for \$1,800 per month, per vehicle with a reimbursement based on usage. Commissioner Tapert responded to Kocaja via email and asked what the cost would be if the Port bought the cars, but has not yet received a reply. He said he is making headway and sees it as being a valuable thing at some point, but it is going to require some coordination with other entities and advertising. Commissioner Slinden agreed that it is a great idea. Commissioner Tapert said he would continue looking at options.

## **9. EXECUTIVE SESSION:**

The Board of Commissioners went into Executive Session to discuss possible property acquisition issues and Financial Coordinator candidates’ qualifications at 9:30 p.m. The Executive Session concluded at 9:53 p.m.


## **8. NEW BUSINESS (Continued):**

**A. Financial Coordinator Applications:** Based on their review of applications and subsequent discussions, the Commissioners agreed to narrow the field of candidates and selected two of the four individuals (Anderson, Gardner) for further evaluation. Ed was directed to contact them and schedule interviews, with Anderson initially considered to be the preferred candidate.

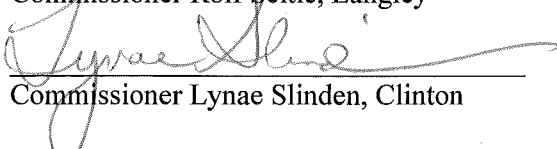
**10. ADJOURNMENT:**

The meeting was adjourned 9:55 p.m.


Approved:

  
Commissioner Geoff Tapert, Freeland

  
Commissioner Rolf Seitle, Langley

  
Commissioner Lynae Slinden, Clinton

Minutes prepared by:

  
Edwin S. Field, Port Manager

- Exhibit A: Voucher Listing
- Exhibit B: Letter and Proposal from Whidbey Island Writers Association, dated 11/8/2007
- Exhibit C: September 2007 Financial Statement
- Exhibit D: Levy Certification, signed by Chuck Edwards and dated 11/14/107
- Exhibit E: 2008 Final Budget
- Exhibit F: Ordinance Resolution 07-03
- Exhibit G: Email from Kammie Bunes, RCO dated 11/14/07
- Exhibit H: Letter from AAA dated 11/13/07
- Exhibit I: GeoEngineers proposal (File #16102-001-01, undated)
- Exhibit J: Fee Proposal from J. A. Brennan Associates, PLLC dated 11/13/07
- Exhibit K: Proposal letter from Marine Floats dated 10/5/07
- Exhibit L: Email from Dan Pedersen, Maxwelton Community Club dated 10/31/07
- Exhibit M: Email from Pat Jones, WPPA dated 11/6/07
- Exhibit N: Financial Coordinator applicants' resumes
- Exhibit O: Email from Commis. Tapert with WSDOT Local Airport Aid message, dated 10/31/07
- Exhibit P: Email from Eric Kocaja, Flexcar dated 11/2/07