

**AGENDA**  
**THE PORT DISTRICT OF SOUTH WHIDBEY ISLAND**  
**REGULAR MEETING**  
LOCATION: Freeland Library Conference Room, Freeland WA  
DATE: December 9, 2009

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. Oath of Office for Commissioner-elect Gordon
- B. Consent Agenda:
  - 1. Minutes on file: Minutes from the Regular Meeting of November 11, 2009.
  - 2. Vouchers: Voucher #4108 through #4144 (as signed today) for a total amount of **\$55,183.69**.
- C. Staff Contracts
  - 1. Port Manager Ed Field
  - 2. Finance Manager Dane Anderson
  - 3. Port Accountant Chuck Edwards / Edwards & Assoc. Office & Accounting Services

3. PUBLIC COMMENT – Including Items not on Agenda.

4. ACCOUNTANT REPORT:

- A. October 2009 Financial Report (mailed earlier)

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

- A. South Whidbey Harbor
  - 1. Expansion Project
    - 1. Design & Permit Prep: Notice of Complete Appl. Rec'd from Langley!
    - 2. Property Issues:
      - 1. Request for Appraisal Cost Sharing from Tony Puma
      - 2. Request for Additional Documentation from DNR
    - 3. Funding Update
    - 4. Phil Simon Park Relocation Project: Sign and Grand Re-Opening Pending
  - 2. Harbor Operations
    - 1. Harbormaster Report
    - 2. Annual Moorage Agreements: To be sent out in Dec. for Jan-Dec 2010
      - 1. Revision of Grace Period from 60 days to 20 days
      - 2. No Other Changes (incl. Monthly Rate), except for PMA provision
    - 3. Preferred Merchant & Vendor Programs: Initial Program Discussion

- B. Freeland Park
  - 1. Request from Lions to Assist with Irrigation Costs
- C. Possession Beach Waterfront Park
  - 1. Cell Tower Siting Proposal from AT&T
- D. Staff & Operations
  - 1. Landscape Maintenance Services: Results of Fee Proposal Solic. (opened 12/8/09)
  - 2. Port Home Office: Initial Evaluation for Possible Relocation

## 6. ACTIVITIES/INVOLVEMENT REPORTS

- A. Economic Development Council (EDC)
  - 1. Concerns re: EDC Goals & Objectives per 11/18/09 Meeting
- B. Council of Governments (COG)
- C. Skagit-Island Regional Transportation Policy Organization (RTPO)
- D. Marine Resources Committee (MRC): Alt. Seitle serving until January 2010
- E. Washington Public Ports Association (WPPA): Reports from attendees:
  - 1. Continuing Legal Education, Seattle, November 17 (Ed)
  - 2. New Commissioner Seminar, Seattle, November 17 (Gordon, Jerome)
  - 3. Personal Services Contract Training, Everett, earlier today (Ed)
- F. Department of Commerce (formerly CTED)
- G. Holmes Harbor Shellfish Protection District
- H. Puget Sound Partnership
- I. National Maritime Heritage Area: Request for Letter of Support

## 7. OLD BUSINESS

- A.

## 8. NEW BUSINESS

- A. Boat Ramp "Fees": Island Co. Request for Consideration
- B. Special Meetings in Early 2010?

## 9. ADJOURNMENT

**PORT DISTRICT OF SOUTH WHIDBEY ISLAND**

Minutes of the Regular Meeting

December 9, 2009

Freeland, Washington

**Present at the meeting were:**

Commissioner Rolf Seitle, Langley  
Commissioner Geoff Tapert, Freeland  
Commissioner Curt Gordon, Clinton  
Ed Field, Port Manager  
Dane Anderson, Port Financial Manager  
Molly MacLeod-Roberts, Port Clerk  
Rick Brewer, Harbormaster

David Andersen, Langley Resident  
Eric Levine, Langley Resident  
Ed Jenkins, Clinton Resident  
Jeff VanDerford, South Whidbey Record  
Ed Young, Whidbey Island Kayaking Co.  
Mynda Myres, The Boatyard Inn  
Mike Rosenberg, Mike's Place  
Tony Puma, The Boatyard Inn  
Bob & Audrey Wimberley, Langley Residents  
Eric Purser, Langley Resident

**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 Wednesday, December 9, 2009, at the Freeland Library Conference Room in Freeland, WA. Commissioner Geoff Tapert, President, called the Regular Meeting to order at 7:30 p.m., followed by the Pledge of Allegiance.

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

**A. Oath of Office for Commissioner-elect Gordon:** Commissioner-elect Gordon was sworn into office by Commissioner Tapert. The Notice of Election and Oath of Office for Port of South Whidbey, Commissioner, District #3 was subsequently notarized and a copy was forwarded to the Island County Auditor as required by law. **(EXHIBIT A)**

**B. Consent Agenda:** Commissioner Gordon requested that the agenda be re-ordered to move 2. *C. Staff Contracts* further down the agenda following 4.A. *October 2009 Financial Report*. The Commission agreed to the change.

1. Minutes: Minutes from the Regular Meetings of November 11, 2009.

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 B)**.

**ACTION:** A Motion was made by Commissioner Seitle and seconded by Commissioner Gordon to accept the Consent Agenda, including authorization of Vouchers #4108 - #4144 for a total amount of \$55,183.69. The Motion passed unanimously.

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

**Eric Levine, Langley Resident:** Levine presented the Commission with copies of a proposal for a “Welcome to Langley” sign on the concrete pad on Highway 525 near Campbell Road that was originally to be used for the relocated “Welcome to Whidbey” sign (**EXHIBIT C**). He thanked the Commission for the opportunity to make the proposal, and introduced Ed Jenkins to provide the technical side of the presentation.

**Ed Jenkins, Clinton Resident:** Jenkins also thanked the Commission for the opportunity to present their proposal. He noted they had made some changes to their original proposal, including one suggested by Island County Commissioner Helen Price Johnson – to include the announcement of “Whidbey Visitor Information Center Ahead.” In response to input from Clinton residents, Jenkins explained the design includes the potential for a future sign facing southbound traffic dedicated to Clinton business interests. The Langley sign group would be happy to work closely with a Clinton sign group and share their experience.

Jenkins stated that the total cost of the project (taking into account donations to date, volunteers and material to be purchased) is \$3,026.66. They are fairly certain they can do the job for \$1,500 or less but given the short time frame and the need for specific materials, it can’t be guaranteed. In order to have the sign in place by the first week of February, they asked the Port to grant \$2,500 on a not-to-exceed basis. If they receive more in donations, Jenkins said they would reimburse the Port. He added that, “Virtually every (Langley) merchant that we’ve talked to so far thinks it’s a great idea and is very much in favor of it.”

Commissioner Gordon said he really liked the idea of Clinton also having a sign at the location, and asked if that cost was included in the proposal. Jenkins said it was not, but reiterated that they would be happy to work with anyone who takes it on.

Commissioner Gordon then asked who would be the long-term steward for the proposed Langley sign. Jenkins said there were several possibilities, and noted that Rufus Rose is looking to form a non-profit limited liability company (LLC) for maintenance of the original Welcome to Whidbey sign near the Clinton ferry dock. Jenkins believed a similar LLC could be formed for the Langley sign, with service groups and the Chamber of Commerce involved. He added that the materials used should actually require only minimum maintenance for years to come.

Commissioner Seitle said that he was in favor of it, but stated that the proposed sign should have the appropriate design review. The Commission agreed.

Commissioner Tapert voiced his concern that the Port would get stuck with the maintenance obligation, and suggested another entity such as the Langley Chamber of Commerce should step forward and become the steward until an LLC could be formed. The Commission agreed. Commissioner Tapert said he was in favor of the Langley sign, and noted that the Port had previously allocated \$1,500 for the relocation of the Welcome to Whidbey sign, but no funds were disbursed since the sign was not moved.

**ACTION:** A Motion was made by Commissioner Tapert and seconded by Commissioner Gordon to reallocate the \$1,500 (as previously approved for the relocation of the Welcome to Whidbey sign) to the Langley sign project, for reimbursement of construction costs, to be disbursed upon designation of an acceptable public entity.

Commissioner Gordon suggested including language requiring both the identification of a long-term steward for maintenance of the Langley sign (not the Port) and the required permitting.

**Commissioner Tapert amended the Motion to include, "...contingent upon a long-term steward other than the Port identified as responsible for maintenance, and contingent upon all required permits being in place." Commissioner Gordon seconded the amendment.**

**Commissioner Tapert called for a vote on the Motion, as amended. The Motion passed unanimously.**

Eric Levine read aloud a prepared statement thanking the Port, Senator Haugen, Island County and City of Langley officials, and Island merchants, groups and individuals for their cooperative efforts and donations to the project. Levine said he looks forward to the grand unveiling of the new sign on February 1<sup>st</sup>, and he thanked the Commission once again for their support.

#### **4. ACCOUNTANT REPORT:**

**A. Financial Statement:** The Commissioners acknowledged receipt of the October 2009 Financial Statement, which had been mailed to them previously (**EXHIBIT D**). Commissioner Gordon noted that the 2010 budget projects the Port's cash at the beginning of the year at \$571,000. He asked what that amount is now, based on current projections. Port Manager Ed Field said it is about \$540,000.

#### **B. Staff Contracts:**

- 1. Port Manager Ed Field:** Ed noted his Employment Agreement for 2010 (**EXHIBIT E**) is essentially the same format as the last 6 years, with the same rate of pay, vacation/holiday, and healthcare reimbursement. He added that he, along with the rest of the Port staff, would look forward to the Commission reconsidering providing staff with a healthcare benefits plan rather than the current healthcare reimbursement method. Commissioner Tapert asked if that had been researched before, and Ed explained that several years ago the Port looked into Washington State's Public Employees Benefits Board (PEBB) program but chose the reimbursement means instead since it was less expensive. Commissioner Tapert thought the Port should definitely have Ed look into the PEBB program and get current information, but they would first need to renew Ed's Employment Agreement. Commissioner Gordon pointed out that isn't the case – if a new Agreement isn't signed, the existing Agreement continues as is, so the Commission does not actually have to take action on Ed's Employment Agreement at this meeting. Since there was no urgency, Commissioner Gordon suggested tabling the approval of Ed's Employment Agreement pending further research and potential changes to options for healthcare benefits for Port employees. The Commission agreed, and Ed was directed to conduct the research.
- 2. Finance Manager Dane Anderson:** Ed said that Dane's Agreement with Consultant (**EXHIBIT F**) was also up for renewal. The only changes to the agreement were Dane's updated healthcare reimbursement amount and correction of a discrepancy in dates to

reflect the actual dates of the Port meetings. Unlike Ed's agreement, Dane's will expire if no action is taken.

**ACTION: A Motion was made by Commissioner Gordon and seconded by Commissioner Tapert to approve the Agreement With Consultant for Financial Manager Dane Anderson (effective December 9, 2009 to June 9, 2010). The Motion passed 2-0, with Commissioner Seitle abstaining from voting.**

3. Port Accountant Chuck Edwards/Edwards & Associates Office & Accounting Services: Ed noted that the Engagement Letter for 2010 (**EXHIBIT G**) was unchanged from previous years. At the Personal Services Contract Seminar Ed attended that morning, Ed learned that accounting services fall under the broad category of "personal services", and it is recommended that such services are occasionally re-solicited and investigated. Since the Port office has been located in Edwards & Associates' building for the last 5 years, it would have been impractical to have a different accounting firm. However, if the Port relocates, that would be a naturally opportune time to re-solicit for accounting services.

**ACTION: A Motion was made by Commissioner Gordon and seconded by Commissioner Seitle to approve the 2010 Engagement Letter from Edwards & Associates. The Motion passed unanimously.**

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

### **A. South Whidbey Harbor:**

#### **1. Expansion Project:**

1. Design & Permit Prep – Notice of Complete Application Received from Langley: Ed referred the Commission to their copy of the Determination of Complete Application sent by the City of Langley on December 7, 2009 (**EXHIBIT H**), so the clocks on the various timelines have started ticking. Since there are no fixed dates listed in the letter, Ed and Dane will talk to the staff at the City to find out when the various meetings are scheduled, etc. Ed noted that the letter also contains a few initial review questions. Since most of those questions have underlying policy issues that will be discussed by the Commission in the first part of the year, Ed informed the City that they will wait until the full Commission is on board to provide the technical and the policy-type responses to those questions and any others, rather than providing preliminary responses at this time. Commissioner Tapert said he would definitely prefer that the Port answer all questions at once.

#### **2. Property Issues:**

1. Request for Appraisal Cost Sharing from Tony Puma: Tony Puma, co-owner of the Boatyard Inn, was on hand to request that the Port share in the cost of obtaining an appraisal for the tidelands that he and his co-owner Paul Schell would be gifting to the Port. Puma explained it had been difficult to find a qualified appraiser, but they believe they have finally found one and that appraiser's fee is \$4,900.

**ACTION: A Motion was made by Commissioner Tapert and seconded by Commissioner Gordon to authorize reimbursement of fees for appraisal of tidelands not to exceed \$2,500 to the owners of the Boatyard Inn, upon recording of the transfer of the tidelands to the Port. The Motion passed unanimously.**

2. Request for Additional Documentation from Department of Natural Resources (EXHIBIT I): Dane noted that Port Management Agreements (PMAs) are written into the Revised Code of Washington, but DNR seems to be making it a little more challenging than the RCW would lead us to believe. DNR has asked for additional documentation, most of which they already have. Dane said they will resubmit it and explained that most of it is available as sections of the JARPA (Joint Aquatic Resource Permits Application) and the Biological Evaluation. Ed noted that DNR's request #4 – *“to provide citations and copies of any studies or reports either done or planned addressing 1) sediment conditions, 2) vegetation, 3) use by fish or forage fish”* – is really not what the Port would normally expect to be asked for a PMA, which is a lease document. Dane added that #4 is really related to permit issues and biological evaluations - not PMAs.

3. Funding Update: Nothing new to add to the Financial Manager Report previously submitted.

(Note: At this point in the meeting, Commissioner Gordon recalled that Commissioner-elect Chris Jerome had provided written comments to the Commission as a private citizen of the Port district, and asked Ed to share any comments regarding agenda items already discussed.)

Ed thanked Commissioner Gordon for the reminder and stated that Commissioner-elect Jerome “wanted to express his appreciation and thanks to Rolf Seitle for his services to the District.” Commissioner-elect Jerome also indicated he supported the efforts of the Langley sign group and thought it would be appropriate for the Port to share in the cost.

4. Phil Simon Park Relocation Project: Sign and Grand Re-Opening: Pending/No update

2. Harbor Operations:

1. Harbormaster Report (EXHIBIT J): Harbormaster Rick Brewer was on hand to summarize his November report, and added that Dagmar's Cruising Club has confirmed 16 boats staying January 1-3, 2010, and the Victoria Clipper confirmed a reservation for the Murder Mystery Weekend on February 28, 2010. There are currently 12 confirmed events at the marina in 2010. The U.S. Coast Guard (USCG) asked Rick to work with them on their Spill Response Drills for local marinas. In exchange, a Coast Guard representative will come to the marina in May, during “Boaters Education and Safety Month” at the marina and help Rick by providing boater demonstrations, safety drills, education and training. Rick is a qualified instructor for the Washington State Boating Education Safety course, so boaters will be able to earn their Boating Safety Education Card.

2. Annual Moorage Agreement (EXHIBIT K):

1. Revision of Grace Period from 60 days to 20 days:

2. No Other Changes (incl. Monthly Rate), except for PMA provision:

**ACTION: A Motion was made by Commissioner Tapert and seconded by Commissioner Seitle to approve the two changes to the Annual Moorage Agreement as proposed. The Motion passed unanimously.**

3. Preferred Merchant & Vendor Programs – Initial Program Discussion: Ed explained that the preferred vendor list would consist of businesses committed to responding to boaters' needs (restaurants, boat repairs, etc.). The vendor program would be Port district-wide, not just Langley, whereas the merchant program would be more centered in Langley.

Dane explained that the Preferred Vendor Program (**EXHIBIT L**) would be a compiled list of Island vendors who would be able to provide needed services to marina visitors. The Port would provide feedback to those merchants about how they are perceived by their customers. There are some minimum service levels that the Port expects from the preferred vendors – responsiveness, price per service or product, shipping services, etc.

Commissioner Gordon asked who would qualify those vendors, and Dane said that Staff would do it. Commissioner Gordon asked if such a program was a common practice at other harbors, and Rick said it is. He added that it is basically a concierge service and helps brand the marina as a quality customer service marina.

Commissioner Tapert suggested the vendors and merchants could advertise with a flyer in the marina info/map brochure, and that would pay for the cost of printing those brochures. Rick thought that would work in the future.

Ed explained that merchants on the list would be notified in advance of groups coming in the next weekend, and could make accommodations to stay open later or offer a discount, etc.

The Commission agreed the Preferred Vendor & Merchant Programs are a good idea, and Commissioner-elect Jerome previously indicated he supported the concept as well. Staff was directed to continue to develop the programs.

#### **B. Freeland Park:**

1. Request from Lions to Assist with Irrigation Costs: Ed said he spoke with the Freeland Water District and was informed that they do not have a public assistance program. Commissioner Gordon said, "I can't believe they can't find a way to give that park water." Ed explained that the water district is a public agency and therefore cannot give donations. Commissioner Tapert thought it wouldn't cost very much to pay the water bills for one summer. Commissioner Gordon said he would like to see the Port "get out from under" any ongoing costs and focus instead on capital improvements that have some kind of net effect toward economic development or even water recreation.

Ed noted that the Port's InterLocal Agreement with Island County clearly spells out that maintenance at Freeland Park is the responsibility of the County, not the Port. Commissioner Gordon wanted to table the discussion for a month. Commissioner Tapert pointed out that irrigation wouldn't be needed until June at the earliest, and the Port is scheduled to award Applications for Funds at the regular March meeting. He suggested the Lions should be encouraged to submit an Application for Funds at that time. Ed said he would also point out that any applications submitted that include shared costs with other agencies are better received.

#### **C. Possession Beach Waterfront Park:**

1. Cell Tower Siting Proposal from AT&T: Ed referred the Commission to the unsolicited email he received from Steven Berke of Goodman Networks (**EXHIBIT M**), indicating



AT&T's interest in building a cell tower at Possession Park and asking if the Port is interested in such a project. Commissioners Gordon and Seitle pointed out that additional details would need to be provided such as the size of the footprint, the access requirements, the setback radius, etc. Commissioner Gordon noted that other cell phone companies could later be added and they end up paying the original cell phone company, so it would be important for the Port to have a negotiated fee any time a new carrier is added. Commissioner Tapert said Possession is a prime location for a cell phone tower, and Ed agreed and pointed out that the proposal is not for "a bounce tower." The Commission agreed they were very interested in the proposal and would like to have additional information and a presentation at a meeting early in 2010. Commissioner Seitle said if they get to the point of negotiating an agreement, there are consulting firms that specialize in negotiating cell tower agreements.

#### **D. Staff & Operations:**

1. Landscape Maintenance Services – Results of Fee Proposal Solicitation (opened 12/8/09): Ed reported the ad for landscape maintenance at Clinton Beach Park, Humphrey Road Lot and Phil Simon Park ran for the previous two weeks, with bid opening yesterday at 10 a.m. Four Fee Proposals were received, and Ed presented the Commission with the results (**EXHIBIT N**). The highest monthly fee proposal was \$1,387 and the lowest was \$620, submitted by the current Port landscaper, Cascade Natural Landscaping.

Commissioner Tapert said he was concerned with the amount of weeds he has noticed at Clinton Beach, and felt that Cascade Natural Landscaping should do a better job. Commissioner Seitle agreed. Ed noted that it is challenging to do full-blown weed control with non-toxic products and it involves a lot of labor to remove the weeds manually.

The Commission agreed to award the landscape maintenance services contract for 2010 to Cascade Natural Landscaping.

2. Port Home Office – Initial Evaluation for Possible Relocation: Ed reported that the Port office at Edwards & Associates has worked very well, but it is getting pretty crowded and now seems an opportune time to explore options. He asked for Commission approval to evaluate the costs of relocating, including staffing (direct hire for Port Clerk), rent, overhead (copiers, equipment), employee benefits, etc. He and Dane proposed setting up an evaluation matrix, initially for possibilities that are currently on the table (co-locating with South Whidbey Parks & Rec and the Asli Arts Building), while acknowledging there are other possibilities out there. The Commission agreed Staff should definitely look into it further and present at least preliminary information to the Commission some time in January. Commissioner Seitle thought the Port should acquire real estate in the harbor area that could later be used in a public/private partnership for development, because it would be a good investment for the Port.

Ed noted that Commissioner-elect Jerome expressed support for the investigation of a cell tower at Possession as well as the development of the decision matrix for the Port office facilities.

#### **6. ACTIVITIES/INVOLVEMENT REPORTS:**

##### **A. Economic Development Council (EDC):**

1. Concerns re: EDC Goals & Objectives per 11/18/09 Meeting: Ed referred the Commission to their copy of the draft Notes listing the concerns regarding the EDC (**EXHIBIT O**)

shared by Dane, Rene Neff (Councilwoman, City of Langley) and Sherry Mays (Executive Director, Langley Chamber of Commerce). Ed noted that Commissioner-elect Jerome had indicated he "...is willing to serve as the 2010 Commissioner Representative of the EDC and otherwise become involved in issues related to EDC. However, if another Commissioner has an interest in this role, they can have it." Commissioners Gordon and Tapert said that was fine.

Since Dane had to leave the meeting early, Ed summarized the issues with the EDC and Staff's view that the Port could accomplish some of the same counseling-type operations that the EDC does, with possible revenue for the Port to do that. Commissioner Gordon asked how that would work. Ed explained that there is a fair amount of overlap between what EDC is tasked with by the Legislature and what port districts are authorized to do with economic development, counseling assistance to businesses, etc. Dane would be capable of providing businesses with that assistance, and there is a mechanism for the Port to be paid for doing that just like EDC is paid – directly through \$.09 funds (NOT through a grant). The EDC is funded about \$75,000 annually from \$.09 funds. There is concern that the South Whidbey is not being well represented by the EDC and its activities, and if the Port could take care over some of those responsibilities, it would be reasonable for the Port to be compensated for it. The feeling is that the Port could provide additional services to south end businesses that are currently not being provided by EDC. Commissioner Tapert said that in his opinion the EDC was dysfunctional and doesn't really have a lot of interest in South Whidbey. Whether the Port gets any of the \$.09 money or not, he would like to see the Port do whatever it can to take on roles that are not being addressed by the EDC on the south end. The Commission strongly and unanimously agreed.

**B. Council of Governments (COG):** Commissioner Seitle reported that the Minutes and the materials from COG are on file at the Port office. The COG will not meet in December.

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

**D. Marine Resources Committee (MRC):** Nothing to report. Minutes are available on their website: <http://www.islandcountymrc.org/>

**E. Washington Public Ports Association (WPPA) – Reports from Attendees:**

1. Continuing Legal Education, Seattle, November 17: Ed reported that it was an excellent seminar on contract, contract law, bidding, responsive vs. responsible and criteria. He said, "It was a good primer for putting bids on the street later this year."
2. New Commissioner Seminar, Seattle, November 17: Commissioner Gordon said it was great and he and Commissioner-elect Jerome learned a lot, especially about the "legals," including open meeting rules and the Freedom of Information Act.
3. Personal Services Contract Training, Everett, December 9: Ed attended the training and learned that the Port has basically followed the most conservative policy, which is advertising for all possible personal services contracts (such as Financial Manager) and Commission direct approval of all such contracts. Attendees learned about the differences between formal and informal competition for solicitations and the differences between personal and professional services, as well as all the different types of contracts. By following the most conservative policy with Commissioner involvement, full advertisement and open solicitations and Commission direct approval of the contracts, the Port meets the intent of all the legislation. Accounting falls under personal services, as does Dane's

contract for Financial Manager. It is recommended such contracts be re-solicited every 3 years.

**F. Department of Commerce (formerly CTED):** Nothing new to report.

**G. Holmes Harbor Shellfish Protection District (HHSPD):** Nothing new to report.

**H. Puget Sound Partnership (PSP):** Nothing new to report.

**I. National Maritime Heritage Area – Request for Letter of Support:** Ed reported he had received the request along with a 75-page draft feasibility study two days ago. The proposed NMHA "...would include maritime resources along Washington's entire salt water coast north of Pacific County, as well as Lake Union and the Ship Canal in Seattle. Designation benefits participating communities by coordinating preservation effort and tourism, increasing heritage tourism and resource awareness and additional support." Ed noted that a couple of the big ports have jumped on board, but the Port of Coupeville absolutely declined, and he read aloud the following excerpt from the Port of Coupeville's meeting minutes: *At the first (NMHA) meeting, Patton had pointed out that with the exception of the Pacific coastline of Washington State, the footprint they laid down in their document is identical to the Puget Sound Partnership's footprint, so he asked if they shouldn't be working with PSP. Patton also noted that their list of objectives for such an area is identical to the mandates for all 76 ports in the State – economic development, promotion of tourism, etc.* Patton (Executive Director, Port of Coupeville) also reported that the consultant only had one telephone conversation with the PSP and provided one briefing at a WPPA meeting in Pasco, WA. The Port of Coupeville Commission expressed concern that the creation of the organization would empower yet another competitor for the limited funds available in the area, and the organization might be empowered to become one more regulator for land use in this area. They unanimously agreed not to send a letter of support. Commissioner Gordon said he would like to read the draft feasibility study, and Ed gave it to him. Commissioner Tapert said he agreed with the Port of Coupeville that there are enough organizations and jurisdictions already, and the Puget Sound Partnership covers that area already. Commissioner Gordon agreed but said he would like to look into it a bit more. The Commission agreed to "decline to respond" at this time, and Ed said he could leave it on the agenda for the January meeting.

## **7. OLD BUSINESS:**

There were no Old Business items discussed.

## **8. NEW BUSINESS:**

**A. Boat Ramp "Fees" – Island County Request for Consideration:** Ed reported that Steve Marx, the Asst. Director of Island County Public Works, had informed him that they are considering charging fees for the County's boat ramps, and asked for the Port to consider it as well. Ed explained that the Port had considered it over the years, but determined that collection of fees would be too difficult to enforce, and would cost more to implement than it would get in revenue. He noted that there is a donation box at Possession Park that brings in about \$300/year. In the future, there will be a donation box at the Langley boat ramp as well.

Commissioner Gordon said he is absolutely not in favor of launch fees. Commissioner Seitle said the only Port boat ramp with the potential for launch fees is Bush Pt., but any fees collected would have to be used only for that ramp maintenance. Commissioner Tapert said boat ramp fees are not “ money maker” and the revenue wouldn’t offset the cost of collection. He stated that taxpayers already paid for the boat ramps, so why should they pay to use them? Commissioner Tapert said he is also not in favor of launch fees.

**Bob Wimberly, Langley Resident:** Wimberly said he’d lived on the Island since 1969, and he recalled that when he used to launch a boat, he had to take a shovel with him because they were not maintained. He appreciated that the ramps are now maintained and usable, but he is against charging \$5 boat launch fees, especially since retired people cannot afford them. He said \$40 for an annual pass was reasonable and he was willing. Commissioner Tapert thought that the Port’s suggestion was better – if you want to donate something, go ahead, but it is not required. Wimberly thanked the Commission, and added that the Port did a great job at Phil Simon Park in Langley.

**Ed Young, Clinton Resident:** Young said that fees and taxes tend to change behavior, and he didn’t think we want to keep off-islanders away from South Whidbey and its boat ramps, since they also shop for bait, eat in our restaurants, etc.

The Commission reiterated that they are opposed to charging fees for boat ramps.

**B. Special Meetings in Early 2010:** Ed said Commissioner-elect Jerome is in favor of holding a workshop and he’s available any time in January/early February. The Port’s regular meetings are scheduled for the 2<sup>nd</sup> Wednesday of each month. Commissioner Gordon said he had been missing another meeting for the last 3 months and it was critical that he not miss another one. Commissioner Tapert said he would like to see it changed to the 2<sup>nd</sup> Tuesdays. Ed said that problem with moving the meeting is that neither the Freeland Library (the Port’s established meeting location) nor the primary alternative (Trinity Lutheran Church) are available on the 2<sup>nd</sup> Tuesdays. Commissioner Gordon said Jack Eng, owner of China City, has offered the Port the use of his building’s conference room at no charge on the 2<sup>nd</sup> Tuesday in January, and it’s ADA compatible. Ed noted that the Port’s meeting schedule and location are in the bylaws and would require a resolution to change them. Commissioner Gordon said he needed to have it happen or he would miss the meeting. He said he had hoped Ed would have come up with a solution. Ed noted that at last month’s meeting, Staff was only asked to check into the availability of the Freeland Library and of Trinity Lutheran Church for the 2<sup>nd</sup> Tuesday of the month.

The Commission agreed to change the date of the Port’s next regular meeting to Tuesday, January 12, 2010, with the location to be determined and with advance public notice to the change, as usual. It was also agreed that the Commission would discuss permanently changing the meeting date and location to the 2<sup>nd</sup> Tuesday of each month in January, after the new commission has been sworn in.

Regarding a workshop meeting, Ed explained that the Port typically holds those meetings during the day in the conference room at the Port office, and although workshops are open to the public, public participation is not on the agenda. Ed suggested that the Commission schedule a workshop for the 1<sup>st</sup> week of January as a Commission discussion workshop, and Commissioner-elect Jerome could be sworn in at that meeting. The Commission agreed to schedule a workshop for Wednesday, January 6<sup>th</sup> at 9 a.m. at the Port office. It was noted that during special meetings, the Commission can only take action on items listed on the agenda.

**9. ADJOURNMENT:**

The meeting was adjourned at 9:30 p.m.

Approved:

  
\_\_\_\_\_  
Commissioner Geoff Tapert, Freeland

Minutes prepared by:

  
\_\_\_\_\_  
Edwin S. Field, Port Manager

\_\_\_\_\_  
Commissioner Rolf Seitle, Langley

  
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Commissioner Curt Gordon, Clinton

- Exhibit A: Notice of Election and Oath of Office (Curt Gordon)
- Exhibit B: Voucher Listing
- Exhibit C: Proposal for Langley Visitor Sign at Campbell Rd.
- Exhibit D: October 2009 Financial Statement
- Exhibit E: Employment Agreement for Edwin S. Field
- Exhibit F: Agreement with Consultant (Dane Anderson)
- Exhibit G: Edwards & Associates Engagement Letter for 2010, dated 12/4/09
- Exhibit H: City of Langley Determination of Complete Application dated 12/7/09
- Exhibit I: Email dated 12/8/09 from Don Olmsted, DNR requesting add'l info
- Exhibit J: November Harbormaster Report
- Exhibit K: Draft Annual Moorage Agreement
- Exhibit L: Draft Preferred Vendor Program for SWH Guests
- Exhibit M: Steven Berke email dated 11/30/09 re: cell tower at Possession
- Exhibit N: 2010 Landscape Maint Service Proposals: 12/8/09 Bid Results
- Exhibit O: Draft Notes on the EDC meeting of 11/18/09