

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

Held via Zoom Meeting Service  
Tuesday, September 14, 2021 at 4:00 p.m.

**AGENDA**

**Join Zoom Meeting**

<https://us02web.zoom.us/j/82047542740?pwd=ZmZlZlExMVFkdFOVlJYTVuR2lha0x5UT09>

Meeting ID: 820 4754 2740

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WORKSHOP (3:45 PM – 4:00 PM): Commission review of vouchers and recent correspondence

REGULAR MEETING CALL TO ORDER and PLEDGE OF ALLEGIANCE

**COMMISSIONER ACTIONS**

**Consent Agenda:** Approval of August Vouchers in the amount of **\$86,880.00** and Minutes from the Regular Meeting of August 10, 2021.

**PUBLIC COMMENT** – *This is time set aside for members of the public to speak to the Board regarding any subjects of concern/interest, including items on the agenda. The Board will take all information under advisement, but generally will not take any action unless it is emergent in nature. To ensure your comments are recorded, please state your name and city of residence. Please limit comments to 5 minutes.*

**EXECUTIVE DIRECTOR REPORT**

**Financial Update and July 2021 Financial Statement**

**Clinton Dock/Surface Transportation Block Grant – Update**

**Shoreline Maintenance Permits – Update**

**Fairgrounds Capital Projects – Visit by Rep Rick Larsen to Coffman Kitchen**

**L&I No-Notice Inspection**

**2022 Draft Preliminary Budget**

**STATUS REPORTS**

**Fairgrounds**

- Fairgrounds Director Report

**Port Operations**

- Maintenance & Operations Supervisor Report

**South Whidbey Harbor**

- Harbormaster Report

**ACTIVITIES/INVOLVEMENT REPORTS**

**Gordon:** Island Regional Transportation Planning Organization (IRTPO) and Clinton Community Council (CCC)

**Ng:** Council of Governments (COG), Economic Development Council (EDC), Washington Public Ports Association (WPPA) and Port-wide Marketing & Promotion Committee (M&P)

**Halloran:** Marine Resources Committee (MRC), City of Langley Council Meetings and Joint Parks Committee

OLD BUSINESS – Review of Emergency Declarations

**Resolution No. 20-01 Declaration of Local Emergency and Delegation of Authority – COVID-19**

NEW BUSINESS

ADJOURNMENT

**PORT DISTRICT OF SOUTH WHIDBEY ISLAND**

Minutes of the Regular Meeting

September 14, 2021

Held via Zoom Meeting Service

**Commissioners Present:** Curt Gordon (Clinton), Jack Ng (Freeland) and Ed Halloran (Langley)

**Port Staff Present:** Stan Reeves (Executive Director), Molly MacLeod-Roberts (Port Clerk/Accountant), Patrick Boin (Harbormaster) and Pat Kisch (Maintenance and Operations Supervisor) **Absent:** Bryon Midkiff (Fairgrounds Director)

**MEETING CALL TO ORDER:** Following a Workshop from 3:45 p.m. to 4:00 p.m. for informal Commission review and discussion of vouchers and recent correspondence, the Regular Meeting of the Port District of South Whidbey Island's Board of Commissioners was convened on Tuesday, September 14, 2021, via Zoom Meeting Service. Commissioner Curt Gordon (President) called the Regular Meeting to order at 4:00 p.m., followed by the Pledge of Allegiance.

**CONSENT AGENDA**

**Approval of Current 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.

**Approval of Minutes:** Minutes from the Regular Meeting of August 10, 2021.

**ACTION: A Motion was made by Commissioner Jack Ng and seconded by Commissioner Ed Halloran to approve the Consent Agenda as presented, including the authorization and acceptance of Vouchers dated September 2021 as signed today in the amount of \$86,880.00. The Motion passed unanimously.**

**PUBLIC COMMENT:** None.

**EXECUTIVE DIRECTOR REPORT:**

**Financial Update and July 2021 Financial Statement:** The Commission acknowledged receipt of the July 2021 Financial Statement which was distributed to them previously. Executive Director Stan Reeves reported the Port received \$49,000 in operating, tax, and capital revenue and incurred \$82,000 in operating and capital expenses during July 2021. Ending cash balance at 7/31/21 was \$1,547,000 consisting of \$695,000 in the Bond Fund and \$852,000 in the General Fund. The same trend is continuing with revenues just above the expenses and still behind on capital projects. **South Whidbey Harbor** is doing extremely well this year – Reeves said 2021 will probably have the highest revenues since taking it over from the City of Langley. The expenses will still be a little high as well, but the facility will probably be “in the black” for the first time.

**Clinton Dock/Surface Transportation Block Grant (STBG) – Washington State Department of Transportation (WSDOT):** The Port received 4 submissions in response to the advertised Request for Qualifications to compete for the preliminary engineering contract. The Port completed the initial evaluation of those Statements of Qualifications and shortlisted 3 firms for interviews which are scheduled for Thursday, September 16<sup>th</sup>. The plan was to conduct the interviews in a public meeting type of forum with the Commissioners, but there are questions on whether that is a fair process or not. Reeves recommended postponing the interviews until legal counsel provides a definitive answer on whether that is an appropriate forum or not. Gordon explained that the Port must comply with the Open Public Meetings Act, and he is insisting that there be a full board because all three commissioners want to be part of the interview process

if allowed. After this meeting, Reeves will contact the WSDOT Certification Acceptance (CA) Engineer to discuss the interview process, the proposed questions, etc. to get his input.

Gordon asked if there was any update on the potential pilot program of the Hat Island Ferry running some type of tourist trip between Everett/Hat Island/Langley. Reeves reported they are having internal discussions with their Homeowner's Association (HOA) and the Ferry Committee. The initial conversations were supportive. That ferry is subsidized by the HOA, and Reeves indicated that the Port would be open to discussing subsidizing such a program.

**Shoreline Maintenance Permits – Update:** Some of the State Environmental Policy Act (SEPA) documents had to be restructured for Island County with a separate application for each facility, which caused a slight delay. Paperwork has been submitted to all agencies with the exception the Washington Department of Fish & Wildlife (WDFW) – they don't want the Port to submit an application until Island County and the City of Langley have provided SEPA Determinations of Non-Significance on all of the sites. Langley's comment period ended on September 3<sup>rd</sup>, so the DNS should be on the City's agenda later this month and hopefully at the County as well. All agencies have responded, including the Army Corps of Engineers. The Corps has assigned a project manager, asked for a couple of additional documents which the Port sent and now it's just a matter of processing and hopefully issuing the permits. The cost to date for permitting is \$30K. The Port budgeted \$50K in 2021, and there might be one or two more payments this year. Reeves anticipates spending no more than \$40K this year and he will slide \$10K into 2022 as a placeholder in case something comes up from the Corps or WDFW requiring additional work.

**Fairgrounds Capital Projects:** No response yet from Island County regarding the request to extend the Rural County Economic Development Fund grant for another year – Reeves will continue to “bug” the County's budget manager. If he hasn't heard anything by the Port's October regular meeting, he will ask the Port Commissioners to reach out to the Island County Commissioners requesting action. The Port could lose approximately \$616K on December 31<sup>st</sup> if there isn't an extension.

- **Coffman Kitchen:** The project is moving forward; Reeves will provide Rick Brown (The Brown Associates/Architects) with the site survey and site plan to complete the permit application to the City of Langley. Goosefoot coordinated a visit from U.S. Representative Rick Larsen on September 7<sup>th</sup> as part of their submission in the Earmark Program for \$365K for the construction of the Coffman Kitchen. There's no guarantee that the money will come through, but right now it is sitting in the Senate and will be part of the Senate Appropriations Bill for 2022.
- **Bathroom Renovations:** Davido Consulting Group (DCG) is leading the team to come up with plans to renovate the 3 main restroom facilities on the Fairgrounds. Reeve hope to have those plans by the end of September. Part of DCGs work will be paid for by a grant from Washington Department of Agriculture, and he will submit for that reimbursement around October 1<sup>st</sup>. DCG will provide a complete bid set of plans for each of the 3 facilities. The date for the next biennium of grants is also October 1<sup>st</sup> and that grant limit is \$250K. His intent is to take a set of plans for one (or maybe two) of the bathrooms and submit for a grant for construction.
- **Bond Fund Transfer:** Reeves plans to do one more transfer before the end of the year.
- **USDA Rural Business Development Grant:** On September 2<sup>nd</sup>, the Port received a fully executed grant agreement for \$50,000 to help pay for the hood exhaust system in the Coffman Kitchen; the funding is available until July 26, 2022.

- **Potential for Workforce Housing on the Fairgrounds:** Gordon noted that the midway concession stands that back onto Dalton Lane are in bad shape and need to be rebuilt. He explained that in the past, ports were legally not allowed to be involved in housing, but there have been changes in the last few years as housing has become a major part of economic development; especially workforce housing. Port districts can now be involved in building and supplying housing. Since the structure has to be rebuilt anyway, his idea is to rebuild that entire row with housing on top of the structure that faces away from the Fairgrounds toward Langley. At his request, Ron Kasprisin had provided a draft concept for housing above the stands (shared on the screen). The property has Langley sewer & water connections and the Port could request a 30' easement from the South Whidbey School District for parking. Tenants would access the units from outside of the Fairgrounds. The units would extend out over the midway 12-14 ft. providing covered seating areas in front of the concession stands. Gordon noted that getting grant funding just for the concession stands could be difficult but might be possible through the Recreation & Conservation Office, and the Port could seek grants for workforce housing for the upper section. Ng and Halloran agreed with the concept and supported Gordon and Reeves meeting with the City's new planner to discuss potential obstacles and next steps. Langley Mayor Scott Chaplin joined the meeting late and was briefed on the concept. Per Chaplin's request, Reeves emailed him the concept drawings so they could be included in the City's housing meeting that evening.

- **L&I No-Notice Inspection:** On September 1<sup>st</sup>, an inspector from L&I arrived at the Port business office to look at the Port's programs as a follow up from the agency's last visit in 2007. The Port was very different back in 2007; only one employee with 2 or 3 consultants working with the Port so L&I programs weren't necessarily an issue. Reeves noted that the Port doesn't have much a program currently, and the bottom line is the Port is not in compliance with several L&I programs (accident prevention plans, hazardous contamination programs, use of PPE and PFDs (personal floatation devices), etc. The Port has a lot of work ahead to get into compliance. L&I will write everything up in a formal finding that the Port will receive on October 1<sup>st</sup>. The Port will also be fined for not being in compliance, but the inspector couldn't tell him what the amount would be. The Port will have an opportunity to review the finding and provide any type of mitigation the Port might have. Reeves said the Port has already taken steps and ordered 90' lead lines for all the life rings at the facilities and 9 PFDs. He has also increased the status of Noriko Sparkman (Accounting/Admin Support) from a .5 FTE to a .75 FTE position. She is working on getting all the sample documents, schedules, etc. from L&I to get the programs in place.

**2022 Draft Preliminary Budget:** Reeves explained that it is a very rough budget estimate for next year because there are several unknowns, including the amount of property tax revenues. The projected revenues from operations are the best he can do given Covid-19 conditions and not knowing where things are headed. The 2021 budget projections were pretty close, but the Fairgrounds revenue was much lower and the Harbor revenue was much higher. He believes the increased activity at the Harbor will continue in 2022. Additional information regarding end of year funding will be available in the next 30-60 days, so he should have a much better picture of the capital side by the middle of next month. The operating revenues and expenses are probably close in this version.

[4:36 p.m.: Commissioner Jack Ng was travelling and had to leave the meeting at 4:36 p.m. due to lack of internet connection]

#### STATUS REPORTS:

##### **Fairgrounds**

Fairgrounds Director Report: Reeves reported that Bryon Midkiff had submitted his resignation and his last day of employment will be Thursday, September 23rd. Reeves will probably start the search for a replacement by the end of the week if time allows. As for the report, there has not been much activity at the Fairgrounds. There was a WWGA event and HOPE held another garage sale. There were several cancellations including the Rotary Club's Westside Derby and the Whidbey Island Harvest Festival. A new

tenant is in Burrier Building. In July, the log roll cover was replaced with the Port providing some materials and the Fair Association doing the labor. Reeves will meet Ben Wooldridge (Maintenance/Campground Host) later this week and start marking camping spaces prior to DjangoFest next weekend.

### **Port Operations**

Maintenance & Operations Supervisor Report: Pat Kisch presented his monthly report on maintenance & repairs completed/ongoing/planned at Clinton Beach, Humphrey Road Parking Lot, Bush Point, Possession Beach Waterfront Park and the Fairgrounds. Sand continues to be an issue at **Bush Point**. Due to heavy use from all the people fishing, Kisch had to close the restrooms again. He apologized for not getting a second portable toilet sooner. The septic system has been pumped and the restrooms will reopen after the locks are replaced. Jim & Jeannette Conover (**Possession** caretakers) captured a video of the ship wakes affecting the boarding floats and it has been posted on the Port's website and Facebook page. When the waves hit, it creates a dangerous situation for anyone standing on the floats. Kisch believes it is caused by the freighters going too fast as they pass by; he has contacted the Coast Guard but hasn't heard back yet. At **Humphrey Road Parking Lot**, he applied vinegar to the vegetation coming through the pavement and it looks like it has been effective in killing off at least the top portion of the weeds. **Clinton Beach Park** was very busy this summer with many groups holding gatherings under the picnic shelter, people crabbing, and climbing over the driftwood to use the beach.

### **South Whidbey Harbor**

Harbormaster Report: Patrick Boin was on hand to present his monthly report. Post-Labor Day the Harbor is still busy and that will likely continue through October. August's moorage revenue was strong. As noted earlier, the Department of L&I visited the Harbor and noted two deficiencies that required immediate attention: one of the life rings was missing a 90' throwing line and the Harbor did not have commercial grade PFDs for all personnel. The line and PFDs will be delivered in the next week. Tsunami Docks examined the whalers in the inner harbor and will provide an estimate for replacement. October 1<sup>st</sup> is the start of winter moorage (month-to-month or lease for 3 months or longer), the larger slips will mostly be filled and there will be a contingent of commercial crabbers in the Harbor as well. There will be some winter moorage available for boats 30' and under.

### **ACTIVITIES/INVOLVEMENT REPORTS**

**Gordon:** Island Regional Transportation Planning Organization (IRTPO) and Clinton Community Council (CCC)

**IRTPO:** Meeting was cancelled.

**CCC:** The group is concerned about the changes in Island County's Planning Department. They discussed their grant and starting the improvements on the walkway from the ferry all the way up to the Park & Ride by the post office. They also discussed the \$1 million secured by State Representative Dave Paul for permitting & right-of-way acquisition for the trail from the ferry to Ken's Korner. The CCC has been in touch with WSDOT, and WSDOT is helping with the design on both.

**Ng:** Council of Governments (COG), Economic Development Council (EDC), Washington Public Ports Association (WPPA) and Port Promotion & Marketing Committee (P&M)

**COG:** Reeves attended in Ng's stead. The meeting was an hour long and 40-45 minutes was taken up by a briefing from a Childcare Task Force for Island County, discussing the lack of available and affordable childcare as one of the components contributing to the lack of workers. There was another update on COVID. It has changed dramatically since August 25<sup>th</sup> with cases and hospitalizations going up. Whidbey Health Hospital reported 95% of all COVID admissions were unvaccinated.

**WPPA:** No report.

**P&M:** No report.

**EDC:** Gordon asked EDC Executive Director Sharon Sappington to provide a brief update. The Washington State Department of Commerce is coming out with additional grants, including one that targets businesses

negatively impacted by the closure of the Canadian border. The window is still open for the Leadership Whidbey program with applications due September 20<sup>th</sup>. Applicant interviews have started. Sappington said it's a great program and will run October-May. The EDC has a new logo.

**Halloran:** Marine Resources Committee (MRC), City of Langley Council Meetings and Joint Parks Committee

**MRC:** Halloran noted that the 25 individuals within the MRC and the diversity of activities each are involved is truly impressive, including measuring fish, monitoring eelgrass and studying the impact of plastics on fish, etc. The Needs Assessment Survey document has been through 3 reviews and will be formally published.

**Langley:** Mayor Scott Chaplin had polled Councilmembers on availability for a Joint Meeting with the Port and emailed Reeves the list of dates. Reeves will coordinate with the Commissioners and let the City know which date works.

**Joint Parks Committee:** No meeting held.

OLD BUSINESS – Review of Emergency Declaration

**Resolution No. 20-01 Declaration of Local Emergency and Delegation of Authority – COVID-19:** The Commission agreed no action needed at this time.

NEW BUSINESS: None.

ADJOURNMENT: Without any further action, the Meeting was adjourned at 5:15 p.m.

Approved:



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Commissioner Curt Gordon, Clinton

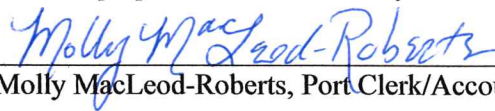


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Commissioner Jack Ng, Freeland



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Commissioner Ed Halloran, Langley

Minutes prepared and submitted by:



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Molly MacLeod-Roberts, Port Clerk/Accountant

**Public Disclosure Statement:** The foregoing Meeting Minutes, audio recording and all supporting documents presented are available at the Port of South Whidbey, 1804 Scott Rd., Suite 303, Freeland WA 98249.

 **Commissioners Curt Gordon, Jack Ng and Ed Halloran approved the foregoing Minutes during the regular meeting of October 12, 2021, which was held online via Zoom Meeting.**