

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

Held at Freeland Library Meeting Room, 5495 Harbor Avenue, Freeland WA 98249  
With virtual access via Zoom Meeting Service  
Tuesday, April 11, 2023

**AGENDA**

Join Zoom Meeting

<https://us02web.zoom.us/j/87014040041>

Meeting ID: 870 1404 0041

One tap mobile

+12532158782,,87014040041# US (Tacoma)

+12532050468,,87014040041# US

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 253 205 0468 US

Meeting ID: 870 1404 0041

Find your local number: <https://us02web.zoom.us/u/kbhfJro0BG>

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

**Resolution No. 23-04 Rescinding Resolution No. 112 and Approving the Port's Public Records Act Policy**

**Resolution No. 23-05 Specifying the Reasons for not maintaining an Index**

**Resolution No. 23-06 Approving the Port's Promotional Hosting Policy**

**Approve Port of South Whidbey Credit Card Policy**

**Consent Agenda:** Approval of April Vouchers in the amount of **\$125,570.65** and Minutes from the Regular Meeting of February 14, 2023 and from the Special Meetings of February 15, February 21 and February 28, 2023.

*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 February 2023 Financial Statement**

**Clinton Dock – Update**

**South Whidbey Harbor – Future Expansion update**

**Fairgrounds Capital Projects – 4-H Restroom update**

**Housing Concept on Fairgrounds – Update**

**Comprehensive Scheme of Harbor Improvements – Update**

STATUS REPORTS

**Fairgrounds**

- Fairgrounds Director Report

**Port Operations**

- Maintenance & Operations Supervisor Report

**South Whidbey Harbor**

- Harbormaster Report

**ACTIVITIES/INVOLVEMENT REPORTS**

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

**Ng:** Washington Public Ports Association (WPPA) and Port-wide Marketing & Promotion Committee (M&P)

**Easton:** Economic Development Council (EDC), Marine Resources Committee (MRC) and City of Langley Council Meetings

**OLD BUSINESS**

**NEW BUSINESS**

**ADJOURNMENT**

## PORT DISTRICT OF SOUTH WHIDBEY ISLAND

Minutes of the Regular Meeting

April 11, 2023

Held in Freeland, Washington  
and online via Zoom Meeting Service

**Commissioners Present:** Jack Ng (Freeland), Curt Gordon (Clinton) and Greg Easton (Langley)

**Port Staff Present:** Stan Reeves (Executive Director), Molly MacLeod-Roberts (Port Clerk/Accountant), Amanda Ellis (Fairgrounds Director), Kathy Myers, Harbormaster and Pat Kisch, Maintenance & Operations Supervisor

**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, March 14, 2023, in person at the meeting room of the Freeland Library at 5495 Harbor Avenue in Freeland, Washington and online via Zoom Meeting Service. Commissioner Jack Ng (President) called the Regular Meeting to order at 4:00 p.m., followed by the Pledge of Allegiance.

### COMMISSIONER ACTIONS

**Resolution No. 23-04 Rescinding Resolution No. 112 and Approving the Port's Public Records Act Policy:** Executive Director Stan Reeves explained the Resolution rescinds the one adopted prior to 2006 when the RCWs (Revised Code of Washington) were changed, so it referenced an outdated RCW. The current RCW delineates all the rules and procedures to follow. By state statute, the Port must have a resolution that approves its PRA policy. The policy states how requests will be handled, and includes a request form, as well as an internal form to determine the complexity of requests. The policy also sets monetary compensation for providing copies (electronic and paper). There's also a caveat that the Port does not need to charge for electronic files that are readily available (such as Minutes that are posted on the Port's website).

**Resolution No. 23-05 Specifying the Reasons for not maintaining an Index:** Within the state statutes for the PRA, public agencies are supposed to maintain an index of all public records, but there is a caveat that if it is too burdensome for an agency, they don't have to do it but they must have a resolution stating that it is too burdensome for the staff to provide that type of index. The Port has an index of all of its resolutions on the Port server in a folder that lists them back to the 1960s. It does not have an index for all of the interlocal agreements, contracts or other documents. The Port has never had an issue providing a record to someone who requested it.

**Resolution No. 23-06 Approving the Port's Promotional Hosting Policy:** The Policy allows the Port to spend money on hosting events or people (usually using the Port credit card). Examples would be buying snacks & beverages for the Open House on the Comp Scheme or having a business meeting with Washington State Ferries representatives and paying for their lunch. If approved, he will ask the Port to authorize him to purchase refreshments for the Open House on April 24<sup>th</sup>.

Commissioner Greg Easton asked how Reeves goes through the process of drafting resolutions and policies. Reeves explained that he first looks at the state statutes. Then he looks for examples of resolutions and policies from other ports (usually on their website) or on the MRSC website. Typically, he "hunts and pecks" for ones from organizations similar in size and scope to the Port of South Whidbey, and are recent (within the last 2-3 years). In many cases he will pull what's best from each one to put together the Port's document. Once he has written it, he goes back to the RCW to make sure he hit all the benchmarks in the state statute. Easton asked if he runs them by the attorney; Reeves said he hasn't because they are reasonably straightforward. When the Port gets into a leasing policy, the Port attorney will likely be involved.



**Approve Port of South Whidbey Credit Card Policy:** Does not require a resolution but it must be approved by the Commission. It sets the parameters for the Port credit cards. There are two: Reeves has one and Port Clerk/Accountant Molly MacLeod-Roberts has one. He tried to set a limit on his card, but because he is the Account Owner and the Port is not a large enough entity, his credit limit is the same as the card limit. The policy states to the limit of the credit card, but also states that he can't exceed his purchase limit without Commission authorization. MacLeod-Roberts' limit is set at \$5,000 in the event that he can't make a purchase for whatever reason. In the event of an emergency, it could be increased to \$10,000 for no more than 30 days without Commission approval. For example, if the Port didn't have an interim executive director coming on board and the Commission wanted her to make purchases until one was hired.

**ACTION: A Motion was made by Commissioner Curt Gordon and seconded by Easton to approve all of the above Resolutions and Policies as presented. The Motion passed unanimously.**

#### 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 February 14, 2023 and from the Special Meetings of February 15, February 21 and February 28, 2023.

**ACTION: A Motion was made by Gordon and seconded by Easton to approve the Consent Agenda as presented, including the authorization and acceptance of Vouchers dated April 2023 as signed today in the amount of \$125,570.65. The Motion passed unanimously.**

#### PUBLIC COMMENT

**Thomas Gill, Langley City Councilmember:** As part of the Port's Workforce Housing project, Gill suggested that some of the renovated concession stands include full commercial kitchens to help alleviate some of the capacity issues and possibly raise the quality of the concessions during the Fair and other events.

**Shannon Bly, Whidbey Island Grown:** The group just signed a lease for use of the Malone Building on the Fairgrounds and she wanted to introduce herself. They are very excited about the partnership.

**Phil Simon (Freeland):** When signing his moorage agreement, he noticed that Kathy Myers' title was Interim Harbormaster. He encouraged the Port to make her the real Harbormaster if it hasn't been done yet. She is a quick learner, an incredibly hard worker and she has handled situations with "bozo" boat operators, obnoxious people, etc. Simon has never seen her lose her cool. Reeves said Myers was appointed Harbormaster as of April 1<sup>st</sup>. Simon was pleased to hear it, adding that Myers was out in the pouring rain yesterday pressure washing the dock. He added that he really appreciates the way the Port has taken over and maintained the marina, particularly the boat ramp.

#### EXECUTIVE DIRECTOR REPORT

**Financial Update and February 2023 Financial Statement:** The Commission acknowledged receipt of the February 2023 Financial Statement, the Preliminary Profit & Loss for March, and the performance graphs and the cash flow through March. Executive Director Stan Reeves reported the Port received approximately \$36,000 in operating, tax, and capital revenue and incurred approximately \$123,000 in operating and capital expenses during February 2023. Ending cash balance at 2/28/23 was just over \$1.2 million, consisting of \$568,063 in the General Fund and \$655,542 in the Bond Fund.

**Clinton Dock/Surface Transportation Block Grant (STBG) - Update:** The pre-application conference with Island County was held on Thursday, March 16<sup>th</sup>. It went as expected; the real issue is whether the County will require a substantial development permit or a just shoreline exemption permit. The good news is even if the County decides a substantial development permit is needed, it won't be too burdensome for the



Port. It would add a couple of months to the process but not necessarily add to the cost. Reeves is waiting to hear the County's decision.

Reeves got a call from Washington Public Ports Association Executive Director Erik ffitich on Friday notifying the Port that there was nothing in the state budget for Clinton Dock. The Port can try again next year.

**South Whidbey Harbor Future Expansion - Update:** Shannon Kinsella of Reid Middleton revised Reeve's sketch of the expansion to adjust the length of finger piers and add additional slips. He suggested scheduling a Special Meeting specifically about the Harbor: the possible expansion drawing, property line issues, easement request, the 203 Wharf St lot, etc. The Commission agreed to tentatively schedule the Special Meeting on Monday, April 24<sup>th</sup> at 3:30 p.m.

**Fairgrounds Capital Projects – 4-H Restroom Update:** The project is moving along; the latest issue is a 6-week lead time for the ADA shower stalls. Reeves might have to ask the Washington State Dept. of Agriculture to extend the grant past May 31<sup>st</sup>. He got a call from Island County; they are contacting all the agencies that were awarded Rural County Economic Development (RCED) grant funds to find out how much has been spent and if it will be spent by yearend. Reeves provided the County with a list of the Port's RCED grant awards and identified some of the projects that will not be complete by December 31<sup>st</sup>. For example, "Heat in Malone" can't get done because the electrical system in the building would have to be upgraded before a heating system could be installed. He did ask the County if funds for some of the projects could be reallocated to the Campground upgrades, because that work could conceivably be completed this year. The Port already has an engineer doing an electrical survey, making recommendations where the power pedestals should be located, etc. If the County reallocates \$209,000 from those projects to the funds for the Campground, it would pay for new power pedestals, water lines, some grading, trenching for WiFi, etc. The projects to be omitted are: backflow installation (no additional funding needed for it), heat in Pole building, renovation of Pole Building, electricity upgrade in Pole, and heat in Malone. Gordon said asking the County to reallocate the funding rather than asking for an extension is the right thing to do. The Port can then utilize the Bond Funds for the other projects.

**Housing Concept on Fairgrounds - Update:** Davido Consulting Group (DCG) has Harmsen LLC updating the survey. Rick Brown Architects has the CAD files from the previous survey and can get started on some of the design features, etc. In order for the Port to receive reimbursement for project, Island County requires the zoning change to be on the docket for Langley City Council, but as of today it is NOT. The City is having issues in hiring a planner who lives outside of the U.S. to do the work. Reeves said the Port might have to go directly to the Council again. Gordon said if that's what it takes the Port has to do it. It can't be dragged out or the Port won't get the rest of the design and permitting money. Island County will NOT pay any reimbursement without the zoning change in place. **Thomas Gill, Langley City Councilmember** was allowed to comment. Gill highly recommended the Port email the City Clerk and get on the agenda for the City's meeting on Monday, April 17<sup>th</sup>. Reeves will send an email that a Port representative would like to have a Port representative discuss the issue and get it on the agenda. He and/or Easton will attend.

**Comprehensive Scheme of Harbor Improvements - Update:** The Open House with representatives from Makers Architecture & Urban Design and BST Associates is scheduled for Monday, April 25<sup>th</sup> at the Freeland Library from 4:30-6:00 p.m. Makers will have briefing boards that show the Port properties, some of the discussions so far, the results from outreach through focus groups, etc. They will also be soliciting input from the community members that attend. BST Associates will share economic data and trends from South Whidbey over the years. An invitation to the Open House will be posted on the Port's website and Facebook page, advertised in the South Whidbey Record and emailed to the Agenda distribution list.

Per the Port's Promotional Hosting Policy, Reeves requested approval to spend up to \$250 to provide snacks/beverages at the Open House.



**ACTION: A Motion was made by Gordon and seconded by Ng to spend up to \$250 to provide snacks/beverages for the Open House. The Motion passed unanimously.**

STATUS REPORTS:

**Fairgrounds**

Fairgrounds Director Amanda Ellis was on hand to present her monthly report. HOPE, 4-H and WWGA are using the arena daily. Still in the planning phase for summer for the large events. The biggest news is the addition of Whidbey Island Grown and Food Hub in the Malone Building. Still looking for a maintenance person. The position is now advertised on Indeed.com as well as Drewslist. For the Coffman Building, she just received a very reasonable estimate from Jerry Beck Co. to upgrade to LED lights and fix some wiring issues. Ellis is waiting on information from Windsor Engineers' electrical assessment of the campground. She is talking with Whidbey Telecom regarding wi-fi for the campground, which will be necessary for online booking, internet access for campers, etc. She's glad the Port is trying to reallocate the funding to the campground as it could be bringing in a lot of revenue once the upgrades/repairs are done. Ng, Ellis and Marketing & Events Coordinator David Stern met last week to discuss marketing. There have been a lot of requests for a variety of events next year. As reported in the paper, the Fairgrounds, the South Whidbey Community Center and South Whidbey Community Park were vandalized on April 4<sup>th</sup>. She said it was very disheartening and frustrating to have to spend time cleaning up, repainting, etc. The Commission agreed that Fairgrounds security should be discussed on a future Agenda.

Ng asked for an update on the Whidbey Island Fair. Reeves said the two contracts were sent 1.5 weeks ago and there has been no response yet. He explained that one agreement is for the Whidbey Island Fair event and the other is for the Fair Association's year-round use of office space and storage space. Previously, those were lumped into one agreement. The main difference in this year's Fair event contract is that the Port is not offering up ALL of the spaces that were offered in the past. The Fair Association is welcome to negotiate with the tenants in the Burrier Building, for example, to use those spaces but it is up to the Fair Association to do so. The tenants have 12-month contracts and the Port requiring them to move out for the Fair. It is the same situation for the tenant in the Malone Building. Over the years, the exhibits in the spaces have become significantly smaller. At staff level, it is not effective space utilization to have our tenants move out. Ng asked about how much space the Fair Association uses for office & storage, etc. and Ellis said cumulatively it could be 2,000 sf. He learned that the Association subleased to several tenants and that is a big liability issue. Reeves said the Port just learned that as well, and it's an issue. The previous agreements have included using some buildings for the Fair Association's OWN storage. The agreements also said the Association could not have subleases outside of the Fair event. Port staff learned that they had sublet the concession stands to the Fair food vendors to store their equipment/supplies in the concession stands for the entire year. The new contract has made it clear that they are not allowed to sublet to anyone outside of the Fair dates and clearly identifies the spaces that can be used for storage for the Fair Association only – no subtenants. Ng asked how much the Association pays and what were they collection from the food vendors in rent. Reeves said the Fair Association pays just \$100 per month for use of office and storage space. The Port doesn't know how much vendors paid the Association; but they were told whatever they paid the Fair Association for the use of the concession stand for the 4 days of the Fair included storage for the entire year.

The new agreement specifically lays out space (1,600 sf in Malone Building) that can be used by the Fair Association for storage. Ellis told them if they need more storage space she is happy to discuss it with them, but they will need to pay the market cost for storage in other areas. Additionally, previous leases did not have any repercussions for violating terms, etc. The new contracts have very clear, specific language.

Ng asked Whidbey Island Grown's coordinator Shannon Bly to explain what they do exactly. She said it is a multi-stakeholder cooperative, so they have producers, restaurants, buyers and community members as part of the co-op. There are two programs: A marketing program, which is how it started with events like Eat Local Month in September, and Food Hub, which is an online market place. Orders are placed Fri-Tue, and there are 50 producers that list their products. They aggregate all the products on Thursday and do some wholesale deliveries. The orders are packed on Fridays and distributed to 4 locations, including the Fairgrounds. Having the space in Malone to prepare the orders and be picked up there means more room on



the truck for deliveries to the other locations (Freeland, Coupeville and Oak Harbor). Whidbey Island Grown is currently getting 130-150 orders week (slow season), but in July it will likely be 200 or more. Since starting in May 2020, it has grown 45% each year. Bly said they have a WSDA Infrastructure Grant to build rentable cold storage facilities, so they will be building a dry storage freezer and refrigeration that will be rentable to the Fairgrounds commercial kitchen tenants as well as the co-ops farmers. Whidbey Island Grown wants to grow the winter markets to provide access to local food in the winter.

### **Port Operations**

Maintenance & Operations Supervisor 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. He had a contractor bring a small excavator to **Clinton Beach** to repair some of the damage from the king tides, relocate some of the logs and clear a path for the ADA mats. Back flow prevention valves at both the **Harbor** and **Fairgrounds** passed inspection. The TR3 implement for grooming the arena got new scarifier teeth and profiler blades. Kisch rented a dump trailer to remove the landscape timbers and vegetation from the Harbor's parking areas. His efforts to redirect the water course back to the beach at Clinton Beach throughout the winter were in vain; the course has filled in with sand again and the drainage water is cutting across. After 6 years with the Port, **Possession** caretakers Jim & Jeannette Conover will be moving off island; their last day will be May 31<sup>st</sup>. They have been a real asset to the Port. There have been several vehicle break ins reported at **Humphrey Road Parking Lot**. Law enforcement has increased patrolling. Kisch reported the **Bush Pt** boat ramp cameras are no longer operational, the system is obsolete. The cameras at Bush Pt, South Whidbey Harbor and Possession were part of the Homeland Security Grant the Port received in 2014, and the software for the cameras was on a computer that was replaced in 2019.

### **South Whidbey Harbor**

Harbormaster Kathy Myers presented her report. There were 42 days stops and 58 overnight guests in March, and there were a couple of winter moorage customers that came in late in the season that have signed up for next year. The first yacht club season was a success with beautiful weather and the Harbor was actually at 100% capacity for half an hour on Saturday. That's a first for the month of March. Harbor staff assisted the Department of Natural Resources, providing info and location of local derelict vessels. Two or possibly three are slated for removal. There's also a 50 ft dock near the Harbor that DNR might remove under a different program. All have been GPS tagged. Work on the women's restroom is complete, including painting. The men's restroom is prepped and will be painted this week. After customers complained about the weak signal from the Harbor's radio, Assistant Harbormaster Bryan Smith installed a new permanent mounted VHF radio. Communications are so clear and reach much further now; Myers described it as phenomenal. It also allows them to listen to the Coast Guard emergency station, so if something happens in their view, Harbor staff might be able to assist in some way. Kisch brought a load of gravel and Harbor staff were able to fill the remaining potholes. Pressure washing continues.

### **ACTIVITIES/INVOLVEMENT REPORTS**

**Gordon:** Island County Council of Governments (COG), Island Regional Transportation Planning Organization (IRTPO) and Clinton Community Council (CCC)

**COG:** Sherrye Wyatt from Whidbey-Camano Tourism provided a presentation. Gordon would like her to bring her to the Port to provide the same presentation in the next month or two. May's meeting will include the County Sheriff and a private security company to talk about policing.

**IRTPO:** Lots of discussions regarding the Eisenberg Airport.

**CCC:** No report.

**Easton:** Economic Development Council (EDC) (To Be Determined), Marine Resources Committee (MRC), and City of Langley Council Meetings

**EDC:** They are looking at their governance and have not decided who will be on their board or if the Port will have a position on the board. Ng reiterated his belief that when he was on the EDC Board it was as a Port Commissioner – not as a business owner. Gordon said at this point, he thinks the Port should take the EDC off the list of Committee assignments.

**ACTION:** A Motion was made by Ng and seconded by Gordon to remove the Economic Development Council from the list of Committee assignments. The Motion passed unanimously.

**MRC:** Easton said he still has not been officially appointed because the MRC Executive Director has been on vacation. She has returned and is putting the paperwork together for the Island County Commissioners for approval.

**Langley:** At the council meeting earlier this week, they had a presentation from the City's Climate Committee discussing opportunities for alternative energy, particularly solar. They mentioned that various agencies are eligible for funding for solar projects through the recent federal Inflation Reduction Act. Easton thought it might be a good opportunity for the Fairgrounds and the Harbor.

Easton will be the guest speaker at the **South Whidbey Yacht Club** and will provide a presentation of the Port's activities, particularly at the Harbor and the boat ramps.

**Ng:** Washington Public Ports Association (WPPA) and Port-wide Marketing & Promotion Committee (M&P)

**WPPA:** Gordon attended Port Day in Olympia. The Spring Meeting will be held in Spokane May 17-19. All three Commissioners hope to attend.

**P&M:** He met with Ellis and Stern and got caught up on what they are doing to promote the Whidbey Island Fairgrounds & Events Center and their vision. Ellis believes the Port's website needs upgrading and Ng agreed. They talked about advertising in wedding magazines, etc. but in his experience none of those really work. He said social media works much better. The Port has a Facebook page, and Ng believes the Port should also be on Instagram. Then when people have weddings or parties, they can post pictures and tag the Fairgrounds – free advertising!

OLD BUSINESS: None.

NEW BUSINESS: None.

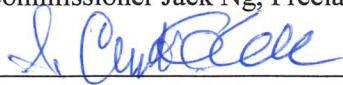
ADJOURNMENT: Without any further action, the Meeting was adjourned at 5:40 p.m.

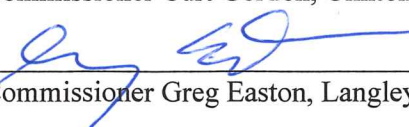
Approved:

Minutes prepared and submitted by:

\_\_\_\_\_  
Commissioner Jack Ng, Freeland

  
\_\_\_\_\_  
Molly MacLeod-Roberts, Port Clerk/Accountant

  
\_\_\_\_\_  
Commissioner Curt Gordon, Clinton

  
\_\_\_\_\_  
Commissioner Greg Easton, Langley

**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.