

**BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT  
 REGULAR BOARD MEETING APRIL 5, 2018  
 STRAWBERRY HILL CENTER**

**CALL TO ORDER** A quorum being present, the meeting was called to order at 6:00 pm by Chair Kinney.

**BOARD MEMBERS PRESENT:** Lee Cross, Ken DeWitt, Jay Kinney, Michael Pollock, Tom Swolgaard.

**ADJUSTMENTS TO AGENDA:** After Item 40.2, add executive session for real estate and potential litigation.

**PUBLIC COMMENTS ON NON-AGENDA ITEMS:**

Bill Walker, island resident, said he came last fall with a pickleball proposal to address the increasing need on the island. Staff have since lined the tennis courts at Battle Point Park with pickle ball lines. Two issues remain: 1) Indoor play areas during the winter; 2) Recognition of the founders of the game, Joel Pritchard and Barney McClallum.

Clay Roberts, island resident, said pickleball requires less mobility for older people than tennis. The growth of pickleball is so great that many tennis courts are being converted to pickleball; one tennis court can accommodate four pickleball courts. Conflicts arise between tennis and pickleball when the same facility serves both groups; separating these two sports facilities is the best long term solution. Bainbridge Island is the home of pickleball and people come from all over to play here, so decent courts are needed. His family foundation is willing to contribute funds.

Mary-Lou Vibrans, island resident, said she works with reactive dogs and is a member of the Park District's Dog Advisory Committee. She asked the board to consider space/funding for fencing that could be used by one person to work with a reactive dog. There is a need on the island for this kind of space. She was working the other day with a reactive dog on leash when an off-leash ran up to it and the off leash dog is now at the vet.

Edith Hartmann, island resident, commented on the amazing program guide that just came out, saying it reaches out to all ages. She loves the detail of the offerings on each page, and her daughter loves the new grid that allows her to see week by week what is going on when scheduling activities for her sons. She said the work is impressive.

**BOARD CONSENT**

**APPROVAL OF MINUTES:** Upon hearing there were no corrections to the minutes of the March 15, 2018 regular board meeting, Chair Kinney stated the minutes stand approved as submitted.

**APPROVAL OF PAYMENTS:** Commissioner Pollock asked if others also reviewed the invoices, and was informed of the different levels of approval that are conducted by staff. **MSC: Pollock/DeWitt: 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 that has been made available to the Board. As of this date, the Board, by a unanimous vote, does approve for payment those vouchers included in the above list and summarized as follows:**

Batch Dated	Batch Amt	Fund No.	Fund Name	Fund Amt	Pre-Approved
03/19/18	50,750.36	001	General	32,537.40	3/16/18
		300	Capital	18,212.96	
March Payroll	376,206.52	001	General	376,206.52	
3/27/18	76,488.60	001	General	70,561.54	3/26/18
		300	Capital	5,927.06	
4/4/18	63,691.28	001	General	60,498.01	4/4/18
		300	Capital	3,193.27	

## UNFINISHED BUSINESS

**KPUD PRESENTATION GAZZAM/DEER PATH WATER STORAGE EASEMENT:** Park Services Director Dan Hamlin introduced General Manager Bob Hunter with Kitsap Public Utility District (KPUD). Bob Hunter referenced material included in the board packet that describes the proposed project and noted that unless there were questions, he would move forward with the presentation. As outlined in the board packet material, the project proposes an increase in the size of the Deer Path water easement on the south end of Gazzam Lake Nature Preserve. This easement is in that portion of the Gazzam property specified for active use, and it came with the property when the Park District acquired it. At that time, the easement was held by South Bainbridge Water. Bob Hunter provided background about Kitsap PUD, saying it was formed in 1940 and in the 1990's it became the water resource manager for Kitsap County. He sees water resource management as the most valuable service KPUD provides, and views this project as an opportunity to build a relationship with the BI Metropolitan Park & Recreation District. Here on the island, the question of where the water comes from must be asked, and because it comes from what leaks into the ground, water resource management in the future will be about how the aquifers are managed. Much of this means managing the island's storm water by returning it to where it comes from. He went on to say that several years ago, KPUD acquired two water systems that serve the south end of the island, South Bainbridge Water and Island Utilities. KPUD plans to combine the two systems into one and make them more efficient. At this time, the reservoir elevation heights are different, creating issues with fire flow to the south end of the island. In addition, all the wells of these two systems are at Lynwood Center. If there is a tragedy, this is like having all eggs in one basket. To remedy these inefficiencies, KPUD wants to drill a test well and replace the two storage tanks with larger tanks at the Gazzam/Deer Path location. The test well would explore water quality and provide data on whether this site would be sufficient for providing water to the south end of the island. The larger storage tanks would bring the reservoirs to the same levels. The site of the easement would be fenced, and the trail in that location would be moved. In response to board questions, the following information was provided. Further research will be done to determine whether the water easement includes the right to drill. The test well will be drilled down 500' which is below sea level. Anything done in the aquifer will not affect the lake since the aquifer and lake have different hydraulic systems. A well at the Gazzam/Deer Path location is intended to serve as auxiliary to the wells currently at Lynwood Center. The box on the drawing of the expanded easement can be expanded in another direction if preferred by the Park District. Following discussion, it was agreed by the board that staff should continue working with KPUD to formalize the proposal and research further the right to drill.

**KPUD PRESENTATION SUNRISE DRIVE/FAY BAINBRIDGE PARK INFRASTRUCTURE NEEDS:** Kitsap PUD also manages the water system on the north end of the island that services the Point Monroe spit and Fay Bainbridge Park. To improve service to these areas, KPUD is asking the Park District to provide an easement at Fay Bainbridge Park for a PRV vault site along Sunrise Drive, south of the entry to the park. The size of the vault is anticipated to be approximately 5' wide x 12' long x 6' deep. The size of the proposed easement is 15' by 110'. The easement is larger than the vault to ensure the vault will be placed in the best location. When asked why KPUD is not placing the vault in the road right-of-way on the other side of the street, KPUD representatives said the large shoulder on the park side makes it the most logical place to put the vault. Following discussion, the board agreed that staff should continue working with KPUD and come back later with more information and details about what is proposed.

**MEETING ADJOURNED TO EXECUTIVE SESSION** at 7:00 pm for discussion of real estate and potential litigation, with announced time to reconvene at 7:20 pm. **MEETING RECONVENED** at 7:35 pm

**SEATTLE YACHT CLUB SPRINGER HOUSE LEASE AGREEMENT:** Recreation Division Director Mark Benishek said the agreement for leasing the Springer House again this summer is almost identical to last year's lease. A letter from the City of Bainbridge Island has been received giving approval for the Park District to offer sailing programs this summer

at the Seattle Yacht Club site given the covenants and restrictions that run with the property. The sailing program was tremendous last year; this year the paddling program will expand to use to the new dock next door at Hidden Cove Park. **MSC: Swolgaard/DeWitt: To approve the lease with the Seattle Yacht Club for the Springer House and authorize the Executive Director to sign.**

**AQUATIC CENTER LOBBY RENOVATION PROJECT:** As mentioned at the last board meeting, Recreation Division Director Mark Benishek made a presentation of the proposed Aquatic Center lobby renovation. Project funds are being sought through a Rotary Club grant. The project will address both the customer service and seating areas in the lobby. Currently the lobby has long waiting lines, limited seating and a high noise level. The renovation will modify and expand the work stations at the customer service counter, separate the seating area from the customer service area with an 8' wall, triple available seating and increase the number of tables. Carpet squares in the seating area will help with the noise level. The project is expected to cost approximately \$44,000. **MSC: Swolgaard/Cross: To approve the Rotary grant application for the Aquatic Center lobby renovation.**

**OPEN GOVERNMENT TRAINING; SESSION 3 PUBLIC RECORDS ACT:** Administrative Manager/Public Records Officer Elizabeth Shepherd said this is the third of four Open Government training sessions that will be held this year during board meetings. The first two were held earlier this year, with the first session providing an overview of the Open Government Trainings Act on January 4, and the second session covering the Open Public Meetings Act on January 18. This third session will cover the Public Records Act. A video from the WA State Attorney General's website was watched, followed by questions and discussion. A question was asked about commissioners using a personal email account to conduct park business instead of the email account issued to them by the Park District. Elizabeth Shepherd said years ago during a state audit, the Park District was told by the State Auditor's Office to issue Park District email addresses to its commissioners. This would protect not only the Park District from liability but also the individual commissioner. Once this was done, it became the board's practice to transfer any emails received on their personal email accounts to their Park District account, and to then respond to those emails using their District account. Doing this ensures that all emails to and from commissioners are captured in a centralized location, making them accessible for record requests and management by the Park District in accordance with record retention laws. It also ensures that they will be included within the District's security and back-up measures. She noted that when any commissioner does not use his or her District email address, that commissioner is still subject to the laws governing records, public record requests, and records management. Not using a District email account can also give the impression of secrecy and wanting to hide something. Basic laws pertaining to records include: 1) Ownership of records: Regardless of whether a personal account or device is used to generate a record, that record is public and owned by the agency/state. It is not owned by the individual; 2) Records management: Records must be kept until the WA State retention period is over and then given to the agency to oversee their disposition. It is the agency's responsibility to manage agency records. 3) Disclosure: Records must be disclosed when a request for them is made. Because the agency is responsible for conducting an adequate search and doesn't have access to someone's personal email account/device, affidavits are used to have the individual using the personal account/device document his or her search. It was also noted that because an agency is responsible for managing the agency's records and cannot do this well when they are housed in an individual account/device, the agency can limit or prohibit the use of personal accounts and devices. Keeping personal and business records separate is encouraged by the Attorney General Office, WA State Archives, and the State Auditor's Office. Elizabeth Shepherd said she spoke with Assistant Attorney General Nancy Krier about many of these items this week and distributed an email Nancy Krier sent her summarizing the main points. The following were present during this third training session: Commissioners Lee Cross, Ken DeWitt, Jay Kinney,

Michael Pollock, and Tom Swolgaard; and staff members Terry Lande, Perry Barrett, Amy Swenson, Dan Hamlin, David Harry, and Mark Benishek. There will be one more Open Government Training session in May on records management.

**MEETING ADJOURNED** for a short break at 8:45 pm and **RECONVENED** at 8:50 pm.

### **DIRECTOR'S REPORT**

Administrative Division: Senior Planner Perry Barrett anticipates having two State RCO grant application resolutions for the next board meeting. One will be for the renovation of the Battle Point Park restroom and KidsUp Next Generation of Play playground. The other will be for the Sakai property purchase under a letter of retroactivity. He noted that the Sakai property was submitted during the last grant cycle and while on the threshold of winning, he recommends submitting it again. Division Director Amy Swenson said there were a number of good applicants for the position vacated by Michelle Miller; her last day was yesterday. Executive Director Terry Lande said the past two weeks have been very busy with summer registration starting; approximately \$255,000 came in during the first 50 minutes, and 90% of registration to date took place online. The mEgga hunt was very successful with over 4000 attending.

Park Services Division: Dan Hamlin noted that last year when pickleball proponents came to the board, they were asked to contact the tennis user groups to explore the possibility of working together. They did do this, but told him that the tennis users were not interested in working with them. Kitsap Animal Control has now begun implementing the next step in the dog control effort and has begun issuing tickets to individuals who cannot control their dogs when allowing them to run off lease. A firm has been contracted with recently to do some of the custodial work in Park District facilities, freeing up District staff. The skatepark was resurfaced recently and is receiving positive comments from users. Moving season is underway.

Recreation Division: Division Director Mark Benishek provided an update on recreation department activities, some of which included: the Aquatic Center will participate in the world's largest swim lesson on June 21 when pools all across the United States will offer a free swim lesson in an effort to prevent drownings, last summer's "Grandpa-Parrazi" activity for grandparents and children has been re-named Grand Discovery Camps, since last year some people thought the activity was for grandpas only and not grandmas too; a big thank you goes to those board members who have volunteered for the park spotlight walks ; intern Nick Prevo will work as a District employee this summer for Outdoor Programs; work is underway to bring in a certification class through USA Sailing on powerboat training; the field manual and code of conduct is being updated for the upcoming softball season.

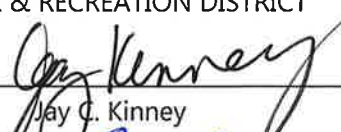
### **BOARD MEMBER ITEMS:**

- Commissioner Swolgaard commented on how nice Eileen Magnuson's retirement party was and said Sue Barrington's speech was very touching.
- Commissioner Cross said she supports pickleball and is glad to see it is moving forward. Executive Director Lande said the reason it has taken off on the island is because of Sports Program Manger Julie Miller's enthusiasm for the sport. He said the court at William-Olson Park has significance since it is the second pickleball court ever built.
- Commissioner Pollock suggested the board meeting agenda be changed to clarify what the committee reports will be. He questioned whether people know how to find the board meeting location and thinks more outreach is needed. He would like to have a board retreat to go over policies and work on team building. For transparency, he would like the park board meetings filmed and made available to the public, and would like a time scheduled to discuss this. Commissioner Kinney said this can be looked at as an upcoming agenda topic; cost and demand would need to be evaluated.

- Commissioner DeWitt said he attended the recent Dog Advisory Committee meeting during which there was discussion about providing input about dogs in the next program catalog, and exploring whether any off-leash areas might be available on COBI properties. He said the City's Vincent Road site is off the table.
- Commissioner DeWitt said he attended the recent Japanese American Exclusion Memorial groundbreaking ceremony for the Exclusion Departure Deck. About 50-75 people attended. The plans for the new platform were unveiled and it is expected to be completed sometime this August. Several people approached him to express thanks for Park District involvement with the site and with the Japanese American Exclusion Memorial Association.


**MEETING ADJOURNED** at 9:20 pm.

Elizabeth R. Shepherd  
Terry M. Lande  
BAINBRIDGE ISLAND METROPOLITAN  
PARK & RECREATION DISTRICT

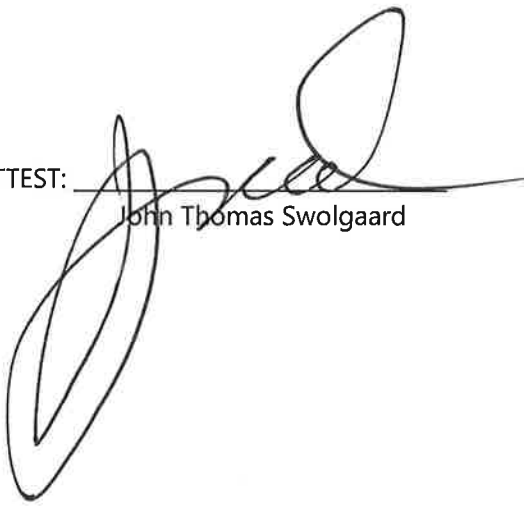
BY:   
Jay C. Kinney

BY:   
Lee Cross

BY: \_\_\_\_\_  
Michael Pollock

BY:   
Kenneth R. DeWitt

ATTEST:

  
John Thomas Swolgaard