

**BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT  
REGULAR BOARD MEETING OCTOBER 15, 2015  
STRAWBERRY HILL CENTER**

**EXECUTIVE SESSION** 6:00 pm to 7:00 pm.

**CALL TO ORDER** A quorum being present, the meeting was called to order at 7:07 pm by Chair Robinson.

**BOARD MEMBERS PRESENT:** Ken DeWitt, Kirk Robinson, Tom Swolgaard. Absent: Lee Cross, Jay Kinney.

**ADJUSTMENTS TO AGENDA:** Add to Unfinished Business: 1) Suzuki Property; 2) Lost Valley Property; and add executive session for real estate after Item 40.3.

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

Karen Wilson, island resident, spoke in support of replacing the electrical outlet at the Eagledale picnic shelter that was removed 4-5 years ago. She presented a signature with 50 signatures requesting that the outlet be replaced.

Margaret Mae, island resident for 85 years, spoke in support of the outlet at the Eagledale picnic shelter as well.

Christopher Kueny, island resident, has created a Facebook dog club out of the SH dog park that has 116 members. An issue has come up over the lack of lighting as the days grow shorter and darker. Soon he said there will be no place for people to run their dogs legally and safely after 4:30 pm. He proposed lighting that will turn off automatically at a designated time, and was willing to help as needed.

**PUBLIC COMMENTS ON AGENDA ITEMS:**

Public comments on agenda items were offered during the agenda topic.

**BOARD CONSENT**

**APPROVAL OF MINUTES:**

Upon hearing there were no corrections to the minutes of the October 1, 2015 regular board meeting, Chair Robinson stated the minutes stand approved as submitted.

Upon hearing there were no corrections to the minutes of the October 1, 2015 board work session, Chair Robinson stated the minutes stand approved as submitted.

**APPROVAL OF PAYMENTS: MSC: DeWitt/Swolgaard: 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:**

<b>Batch Dated</b>	<b>Batch Amt</b>	<b>Fund No.</b>	<b>Fund Name</b>	<b>Fund Amt</b>	<b>Pre-Approved</b>
10/6/15	100,799.62	001	General	82,740.73	10/2/15
		300	Capital	17,662.13	
		310	Land Acquisiti	396.76	
10/13/15	38,981.10	001	General	36,941.97	10/8/15
		300	Capital	2,039.13	
10/20/15	110,576.16	300	Capital	110,576.16	

**UNFINISHED BUSINESS**

**SUZUKI PROPERTY:** Commissioner Robinson said the Park District has been asked by several community members to express interest to the City Council about acquiring the City owned Suzuki property that may be sold or developed. Public Comments were offered by the following people:

Leslie Marshall, Suzuki neighbor, asked the Board to submit a proposal to the City about long term plans the Park District could have for the Suzuki property. She said the property provides a connection between schools, nature trails, and a place for schools to conduct outdoor education programs. She considers it an important investment for the future.

Gale Davis, Suzuki neighbor, agreed with Leslie Marshall's comments, and suggested swapping the recently acquired Sakai property for the Suzuki property saying it would be much better suited for the proposed low income housing. He questioned whether the Suzuki property has enough water to support development.

Commissioner Swolgaard suggested that the Park District answer the RFP (Request for Proposal) that the City has put together for the property and encourage the City to transfer the Suzuki property to the Park District. He'd be willing to write the letter to the City if the other commissioners are in agreement. This will be discussed at the next board meeting.

**MADISON AVENUE TOT LOT EASEMENT AGREEMENT:** This easement agreement was discussed at several board meetings this year, and is ready for board approval.

A public comment was made by John Parsons, tot lot neighbor, who said he has read through the easement agreement that will be voted on tonight and that finds it perfectly reasonable. He clarified with the Board that the word "invitees" means the general public and park users. He also said the area on the map for the two parking spaces looks slightly smaller and wanted to be sure it was adequate for accommodating two vehicles.

**MSC: DeWitt/Swolgaard: To approve the Madison Avenue Tot Lot with the Madison Ave Development Company subject to 1) verification that the net amount of land the District is getting is the same; 2) that the designated parking area is adequate for two vehicles; 3) that there be resolution of the amenities discussed with the developer for the park so they can be included in the agreement; and to authorize the Executive Director to sign.** Commissioner DeWitt said these amenities include several benches, replacing the gravel in the playground with something more kid-friendly, and fencing to protect people in the park from the driveway.

**KITSAP HUMANE SOCIETY ANIMAL CONTROL AGREEMENT:**

Jenn Bliss, island resident, said parks and trails are available to all and everyone should be able to use them and feel safe. For a number of valid reasons there are many park users who feel uncomfortable in the presence of off leash dogs. There is a small slice of users who believe their right to enjoy the parks is greater than the rights of others, so they disregard the law that requires dogs to be on leash. Because of this, there are many people who do not enjoy the parks. She said she has two dogs and loves them. In the past two years they have both on separate occasions been attacked by off leash dogs. One of them was seriously injured. When she asked the dog owner of the dog who made the second attack to leash his dog, he verbally attacked her leaving her physically shaking from fear. When an off leash dog runs up to her she experiences panic. She said we don't need more rules or park hours, we need to enforce the rules we have that have been ignored for years. She fully supports off leash dogs areas where dogs can run off leash and not affect others.

Ian Coletti, island resident, came to support Jenn, and thinks people who allow their dogs to run off leash should be ticketed.

Brian Stause, island resident, has been taking his dogs to Pritchard Park for 7-8 years unleashed and without incident. He said the Park District has 1600 acres on the island and 3.5 of these acres are available for off leash dogs. He doesn't believe dog owners should be criminalized for wanting to exercise or socialize their dogs off leash, and would like the District consider how to accommodate this desire. He said Pritchard Park is a well know off leash haven around which a community of dog owners has formed as they gather to socialize their dogs. He implored the Board to reconsider enforcing the leash law at Pritchard Park.

Gretchen Gende, island resident, understands this is a divisive issue, but said other municipalities allow shared use and require people to police themselves. She does not think an animal control officer is going to solve the problem of aggressive dogs. Given the number of dogs off leash on the island, there have been a minimal amount of incidents. She thinks compromise and greater flexibility is needed, and that the funds allocated for enforcement could be better spent on a certification program that would allow well behaved dogs under voice control to be off leash.

Steve Willey, island resident, said he has small children and a dog, and that his dog is both on and off leash in parks. While he empathizes with the speaker whose dog who was attacked, anecdotal evidence and individual concerns are not the issue here. The issue is about adopting dog policy that works for all park users. There are many municipalities that have adopted policies that include compromises and allow shared use of parks. He said compromise is needed in this situation as opposed to establishing rules and requiring blind obedience to them.

Dana Campeau, island resident, said the last two speakers represent her views.

Vicki and Greg Fazzini, island residents, said the last two speakers represent their views and urged the Board to compromise.

Mary Lou Teske, island resident, doesn't go to SH dog park because it is more closed in and she is concerned about her dog being attacked. She prefers going to Pritchard Park during times when others are not there, saying the park offers an openness and freedom that other parks don't offer, and her dog adores swimming in the sound. She'd like to legitimize Pritchard Park for off leash use, and also asked if the site at Vincent Road is still being considered.

Sarah Lisinski, island resident, said she supports enforcement of the leash law, and is here in part due to the amount of misinformation going out. She is a member of the Park District's Dog Advisory Committee, as well as the president of a dog's rescue organization. She has fostered and adopted many rescue dogs. She said there are many more issues such as Jenn Bliss addressed earlier than people want to acknowledge. There are many people who don't want off leash dogs coming up to them, who are frightened of dogs, or who have been injured by dogs. There are issues with people walking with their dogs off leash that do not want to deal with someone else's dog approaching them off leash. These concerns should not be dismissed or minimized. This is an issue affecting an entire community and is not just a matter of people's personal rights.

John Nordgren, island resident, thinks there are legitimate concerns about safety and that the Park District has a responsibility to address this. He objects to moving too quickly towards enforcement and believes compromise should be considered. He asked what would happen if enforcement was not effective. Would it lead to more enforcement and increasingly criminalizing people who just want to give their dogs and themselves a mental/physical health opportunity otherwise not available to them? He encouraged the board to consider putting off the KHS contract and looking into alternatives.

Matt Ryanczak, island resident, said he is opposed to leash law enforcement and thinks there is room for compromise. He said dogs like to go in water and play ball. These activities are difficult to do on a leash. He is concerned that leash law enforcement will lead to officers hiding in bushes waiting to catch owners playing ball with their dogs so they can give tickets and justify their existence. This is very worrisome to him.

Diana Jacobs, island resident, thinks designated hours in parks is an easy solution. People who want their dogs to be off leash would go during those times, and people who ~~have~~ <sup>don't want to</sup> be around off leash dogs would not go during those times.

Susan Roth, island resident, goes to Pritchard Park every day with her dog on leash until she reaches the beach at which point she lets her dog off leash. She said there are often very few people there, and when other families come she tries to be respectful and put her dog on leash which she believes is the case with most other dog owners. She said she's never seen anything bad happen there. She said the beach is a place where dogs can run fast, splash in the water and swim, and a place to socialize. She keeps her dog on leash in all the other parks and said she is there primarily out of concern for Pritchard Park. She asked that off leash hours be allowed in Pritchard Park for at least a portion of the time so people who have used the park in this way for years can continue to do so.

Gretchen Speerstra, island resident, said she takes her dog off leash at the Eagledale and Strawberry Hill dog parks as well as at Pritchard Park. She specifically does not take her dog off leash in the other parks or on trails because she respects that others may not enjoy her dog as much as she does. She also knows dogs are animals and that they can be unpredictable. She said 90% of the people she sees at Pritchard Park are there with their dogs and that a real community has formed around this. She does not go there in the afternoons during the summer since that's when families use the park. She's seen very responsible dog owners there, and has never seen a problem. Pritchard Park is a unique place on the island because it provides a place where dogs can go in the water. She'd like to see Pritchard Park designated as an off leash dog area even if only at certain times.

Chair Robinson opened the meeting to comments from others who may not have signed in. One man who did not give his name spoke of the need for compromise.

Gail Cole, island resident, said if Pritchard Park is not permitted for off leash use, then the Board should consider designating other water areas for this use since there are many dogs who love water. She also asked the Board to consider specific off leash hours as a compromise.

Mindy Anderson, dog walker on the island for over 10 years, said that while there once was a time when dogs could be off leash in parks without incident, this is no longer the case since there are now so many more people. She thinks off leash dogs should be in off leash areas, and that Pritchard Park should be designated completely as an off leash dog park since it has both trails and water. She thinks enforcement is appropriate for other parks such as Battle Point Park.

Ben Keslan said it seems like there is consensus among the group here tonight that at least some off leash time should be permitted at Pritchard Park

Tanya Keyes said there are two issues here: 1) People want Pritchard Park kept as an off leash park for at least for some designated times; 2) Enforcement of the leash law in parks such as Battle Point Park and the Grand Forest. She does not think enforcement should affect off leash hours at Pritchard Park.

Christopher Kueny said dog attacks are a problem everywhere, but thinks there are more positive ways to approach this problem such as through education.

Chair Robinson turned the meeting over to Park Services Director Dan Hamlin.

Park Services Dan Hamlin discussed the make-up of the Park District's Dog Advisory Committee saying members were selected who represent the variety of the viewpoints expressed this evening. He said the five members were tasked with developing the Strawberry Hill dog park, addressing education, and looking for new areas for off leash dog parks that included consideration of Pritchard Park. There are currently two open positions on the committee; a sign-up sheet was circulated for those who might be interested.

Chair Robinson offered clarification on Pritchard Park, saying that while it is co-owned by the City and Park District, the City has the responsibility for managing the park. The City is now offering to transfer the park's full ownership to the Park District (with the exception of the point and the hillside parcel across the street). Questions were asked about the off leash hours passed by the City Council for Pritchard Park last spring. It was noted that the City Council has since rescinded its motion after the Park District indicated consent for the City's proposal provided the City conduct this off-leash plan as a pilot project for several years. Discussion continued during which it was explained that the Park District has never formally discussed how to address the issue of dogs at Pritchard Park, since the City's offer to transfer the park has only recently come about. If and when Pritchard Park is transferred to the Park District, the question of dog use in the park will be discussed. At that time the Park District must weigh the concerns of the entire community. There are responsible dog owners who want to be able to exercise and socialize their dogs off leash in parks. There are people who will not use parks such as Pritchard Park because they do not want to encounter off leash dogs. There are irresponsible dog owners whose disregard for the safety and enjoyment of others affects all park users. Decisions made by the Park District must take into consideration all these viewpoints.

Park Services Director Dan Hamlin discussed committee efforts to educate the community saying they developed all the signs, flyers and information that were posted at the dog parks and handed out at community events. Booths at these events were manned by committee members who passed out surveys to gather information about dog use and awareness of leash laws. The committee launched the Dog Ambassador Program which educates people about how to use dog parks and recognize dog behaviors that might indicate play or aggression. The committee has worked with C.A.R.E which offers puppy, long leash lead, and dog training classes available here on the island and advertised in the Park District's catalog. Work is underway with the Kitsap Humane Society to develop flyers for the first part of this enforcement contract which includes a 60 day period of letting people know enforcement of the leash law is coming. The contract with KHS allows for officer discretion. When to issue tickets will be based on how egregious the incident is. He said no one will be hiding in the bushes to issue tickets. However, he said without enforcement, what people are asking tonight cannot be done unless there is some kind of penalty for violating a rule. This does not end the conversation. The dog committee is waiting and ready to continue looking for new opportunities on the island. A whole new conversation will open with Pritchard Park possibly coming over to the Park District. Up to this point, the committee has been tasked by the board to focus on education and dog park development and prospective locations. Off leash hours have not yet been addressed because the board wanted the committee to initially address these other areas.

Executive Director Lande said there are real issues related to dogs and their owners. The Park District is looking at ways to address this, and is happy to work with people who want to work with the District. He said compromise does not necessarily mean getting what you want. Everyone has to give a little, and not everyone will be happy with the outcome. He said these issues are on-going and while they will never be fixed, they can be improved.

Eric Stevens, the Executive Director of the Kitsap County Humane Society and also an island resident, spoke. He said the Kitsap Humane Society is responsible for dealing with: 1) stray animals and 2) enforcement. KHS is the designated enforcement officer for Kitsap County. Leash laws are needed to curtail stray animals and prevent serious offenses such as dogs attacking or menacing other dogs and people. The concern being addressed through this enforcement contract is public safety. Leash laws exist because off leash dogs can 1) become strays; and 2) create a health and safety risk for the community. This is a City of Bainbridge Island ordinance that the Park District is asking to have enforced in its parks. All funds for fines that are paid go to the City of Bainbridge Island. Having an unleashed dog is not a criminal offense; it is a civil offense.

Park Services Dan Hamlin said according to the contract Park District can ask KHS to patrol any parks where there are issues related to poorly behaving dogs such as untrained, menacing, or aggressive dogs. The officers will use their discretion over whether or not a ticket is necessary. He went over the flyer that will be distributed through the 60 day period prior to enforcement beginning. It outlines the reasons why dogs should be on leash, related ordinances, and locations of off leash dog parks on the island.

Dan Hamlin presented the enforcement contract with the Kitsap Humane Society to the Board as discussed in prior board meetings this fall, and noted a minor correction needed on Attachment A changing Exhibit "B" to "C".

**MSC: DeWitt/Swolgaard: To approve the Agreement for Professional Services with Kitsap Humane Society for animal control with the change made by staff, and to authorize the Executive Director to sign.**

Commissioner Swolgaard commented saying the Board does need to address the question of shared use/designated off leash times in parks. Commissioner Robinson agreed saying this will especially be necessary once Pritchard Park is officially transferred to the Park District. Dan Hamlin noted that a motion from the board will be needed to expand the direction of the Dog Advisory Committee to include addressing this option, since the Board directed the committee by motion initially to focus on off-leash dog parks and education. Commissioner DeWitt reiterated this, saying the Committee has been doing what it was instructed by the Board to do, and that it is now time now to address other related issues.

**MEETING ADJOURNED FOR BREAK at 8:55 pm. MEETING RECONVENED at 9:00 pm.**

**COBI TRANSFER OF PRITCHARD PARK TO PARK DISTRICT:** The Park District's attorney Ryan Vancil asked for several revisions in this agreement that would transfer the City of Bainbridge Island's share of Pritchard Park to the Park District. The first revision addresses a well easement in the middle of the national Internment Memorial, and would require the City to gain Park District approval prior to doing work in the easement area. The second revision would require that the property be designated as a park prior to transfer. This is needed to prevent the Park District from incurring fees for a site plan review that could be required by the City to change the property's designation to park land. Ryan Vancil noted that this same stipulation should be included in all future property transfer agreements as well. The Board then discussed a need for clarification from the City on permissible uses of the park for dogs. If there are shoreline or other restrictions affecting how the property can be used by dogs, the Board would like to know what they are. It was agreed that Ryan Vancil would talk with the City's attorney about getting an opinion from the City's Planning Director on this. The Board decided to defer any action on this agenda item until a future board meeting when more Commissioners are present, and Ryan Vancil will have had time to address the above items with the City. It was noted that the Board is in general agreement with moving forward with the transfer.

**MEETING ADJOURNED TO EXECUTIVE SESSION at 9:15pm for real estate. MEETING RECONVENED at 9:30 pm.**

**COBI TRANSFER OF MEIGS PARK LAND TO PARK DISTRICT:** This agenda topic was tabled to a future board meeting until more information can be obtained.

**SAKAI PUBLIC PROCESS FACILITATOR:** This agenda item pertains to the contract between the Park District and facilitator Bob Linz who was selected by the Board to conduct a public process for the Sakai property to determine uses for the property. The board's decision to enter into negotiations with Mr. Linz was made at the 9/10/15 board meeting, and followed a prior board work session on 8/27/15 during which Bob Linz provided a demonstration of his proposed process. The District's attorney has reviewed the contract, and while there is some legal language he might have included, he does not think it is necessary. **MSC: Swolgaard/DeWitt: To approve the contract with facilitator Robert L. Linz as outlined in the agreement, and to authorize the Executive Director to sign.**

**2016 BUDGETS:** Finance Officer Amy Swenson presented the first reading of the 2016 budgets. These budgets were compiled with board input received during a pre-budget discussion at the 9/9/15 board meeting and during the 10/1/15 board work session. This is the last evening to make changes. The second reading and adoption is slated for 11/5/15. Amy Swenson summarized several changes that have come in since the board packets went out. Some of these include potential savings in life and disability benefits, a possible 2% increase in L&I costs, a reduction in the costs estimated for 2016 storm water management fees, and a projected carry forward in the Land Acquisition fund. The final certification from the County has been received indicating a slight decrease in lid lift funds from what was projected earlier. Her Power Point presentation provided charts and graphs summarizing the 2016 budgets as previously discussed at the board meetings mentioned above.

**LOST VALLEY:** Chair Robinson said the BI Parks Foundation is working on a trail connection from Winslow to Gazzam Lake Nature Preserve. A part of the trail would go through Lost Valley, property purchased some time ago by the City of BI using open space funds. The City has indicated to the BI Parks Foundation that they might be interested in transferring the Lost Valley parcels to the Park District for this trail connection. Chair Robinson drafted a letter that the board reviewed in executive session indicating that if the City is interested in transferring the Lost Valley property, the Park District would accept it. He will bring this up for potential board action at the next board meeting.

### **DIRECTOR'S REPORT**

Recreation Services Superintendent: Bryan Garoutte: fall programs are in full swing, work is underway on the 2016 winter/spring catalog; staff recently had a demo training session to learn the new version of Rectrac the District will be upgrading to in 2016.

Recreation Services Superintendent: Mark Benishek: the main motor for the spa went down and the pump portions will need to be replaced.

Park Services Director: Dan Hamlin: COBI's Utility Advisory Commission is recommending an ordinance change that reflects concerns Park District staff have expressed; work on the John Nelson Park trail is beginning; the Schel Chelb playground should be done next week.

Senior Planner: Perry Barrett: the Parkland Acquisition Committee met recently to go over the Land Acquisition Fund budget and the proposed uses for the lid lift funds.

Executive Director: Terry Lande: the Park District's grant proposals were recently presented to the BI Parks Foundation.

**UPCOMING MEETINGS & EVENTS:** October 20: ceremonial transfer of the Sakai property.

### **BOARD MEMBER ITEMS:**


- Commissioner DeWitt attended the IGWG meeting last week and said an intern is updating the City's tax model.
- Commissioner DeWitt attended the recent Yama presentation at Olympic College which included a sampling of artifacts from the site. The project will continue on next year.
- Commissioner Sworgaard passed on a comment from someone who grew up on the island and is amazed at how nice Fay Bainbridge Park looks now after a long period of deterioration.

**MEETING ADJOURNED** at 10:35 pm.

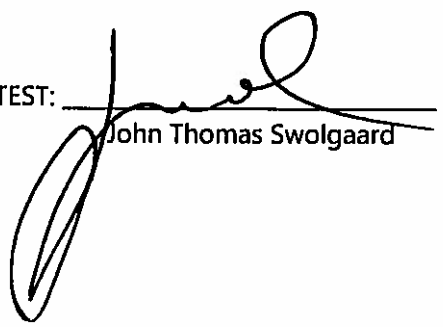
Elizabeth R. Shepherd  
Terry M. Lande  
BAINBRIDGE ISLAND METROPOLITAN  
PARK & RECREATION DISTRICT

BY:   
Kirk B. Robinson

BY:   
Lee Gross

BY:   
Kenneth R. DeWitt

BY: \_\_\_\_\_  
Jay C. Kinney

ATTEST:   
John Thomas Swolgaard