

**BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT  
REGULAR BOARD MEETING MAY 20, 2021  
ZOOM VIRTUAL MEETING**

**CALL TO ORDER:** A quorum being present, the meeting was called to order at 6:02 pm by Chair Janow.

**BOARD MEMBERS PRESENT:** Ken DeWitt, Dawn Janow, Jay Kinney, Tom Swolgaard.

**ADJUSTMENTS TO AGENDA:** Add item 50.0 Transfer of 10 Acres of Property and item 50.5 Gear Grinders Update as well as an executive session for real estate for thirty minutes.

**MISSION STATEMENT:** Commissioner Janow read the Park District's mission statement: The mission of the Bainbridge Island Metropolitan Park & Recreation District is to build a healthy community through effective, sustainable stewardship of the District's parks and open space, and through the development and delivery of innovative cultural and recreation opportunities.

**PUBLIC COMMENTS ON NON-AGENDA ITEMS**

Rod Stevens said he wanted to comment on the way that the Park District board and senior staff conduct business. First, the agenda tonight lacked a reason for the executive session, even though this is required by RCW 42.10.110. Nine of the ten agendas for this year show executive session and not one lists a reason. Citizens have a right to know ahead of time if and when the board is going into executive session and for what reason. Second, there are no board packets for board meetings posted on the Park District website. Other elected bodies on this island such as the City Council and School District include those with the agenda. He said there are several possible explanations for why the Park District is not giving such notice or materials: 1) board members are not preparing for their meetings but simply leaving matters to staff, 2) board members are talking offline in advance about the weighty matters, or 3) board members are using executive sessions to discuss these items. Any of these explanations tends to confirm a commonly held belief or opinion on the island that Park District leaders act outside of public view. Third, the Park District appears to be moving forward with a levy lid lift and possibly a bond measure, but in these matters the Park District has credibility problems. For example, on November 19, 2020, the board passed resolution 2020-15 calling for capital spending of 60 million dollars in fiscal year 2022, with 58 million of that for a new pool and community center. November 19, 2020, was the peak of the pandemic so the board cannot claim unforeseen economic conditions to excuse such preposterous plans. If or when the board may come forth with ballot measures for more money it should expect those to be met with actively voiced skepticism.

Commissioner Kinney said the board does not meet in secret or talk about things outside of public meetings. Board members are very careful to never get more than two commissioners together at one time outside of public meetings and do not even talk about agenda items via email. The three possible reasons listed for not attaching board packet documents to the agenda are all wrong. Place holders are put in the budget for future capital projects, and that is what the 58-million-dollar item is, the board has not voted to spend that money. The board will review this public comment and respond, but the board certainly wants to, and believes they do, comport with the law very carefully.

**BOARD CONSENT**

**APPROVAL OF MINUTES:**

Upon hearing there were no corrections to the minutes of the May 6, 2021 regular board meeting, Chair Janow stated the minutes stand approved as submitted.

**GENERAL BUSINESS**

**TRANSFER OF 10 ACRES OF PROPERTY:** Bainbridge Island Parks Foundation Executive Director Mary Meier said when this property adjacent to Strawberry Hill Park came on the market about a week ago Executive Director Terry Lande reached

out to say that the Park District was interested and ask if the Parks Foundation would be interested in working to fundraise for it. While the Parks Foundation was considering the proposal, an angel donor came out of nowhere and contacted both the Park District and the Parks Foundation. The Parks Foundation was able to put in an offer to buy the property very quickly and it was accepted in a very competitive market. The donor wishes to remain anonymous. The donor's wishes include expanding the dog park, providing a place for mountain bike trails, and reducing development. Mary Meier said the Parks Foundation is grateful to the donor and everybody who has worked to support the acquisition. Commissioner Janow thanked Mary Meier, the Parks Foundation board and staff, Park District staff, realtors, and the donor for making this happen. **MSC: Swolgaard/DeWitt: Executive Director Terry Lande is authorized to commission and execute on behalf of the District any and all documents necessary to effectuate and consummate the conveyance of the 10-acre Strawberry Hill property, lot #2001 on NE High School Road, Bainbridge Island, Washington, 98110, to the District including without limitation assignment assumption, agreements, escrow instructions and closing documents.**

Commissioner Swolgaard said this is an awesome opportunity and thanked the donor. Commissioner DeWitt said this acquisition is amazing and it shows what can happen when groups work together for a common goal.

Commissioner Kinney said the 10-acre property originally belong to the Hayashida family, who had the original strawberry farm on the Strawberry Hill Park property. There have been preliminary discussions regarding renaming the park after the Hayashida family and this would be a good time to revisit that issue. Since the property used to be their family farm it should have their name on it as it is an important piece of island history, like Sakai Park. The iconic photo of a woman holding a child at the dock when Japanese Americans were being relocated to camps during World War II was a member of the Hayashida family. Commissioner Kinney did a lot of work on field three at Strawberry Hill Park before he became a commissioner and remembers looking at this piece of property and thinking it would be a great addition to the park. He could not be happier that there is now a place where the mountain bikers can have the trails to themselves and for the opportunity to rehabilitate the forest.

Park Services Division Director Dan Hamlin said it is a great opportunity to restore the forest. The thickness of the trees needs to be resolved and there are also young dying trees and dead trees. Some clean up will be done to make it safe for the uses planned on the property. There are many salvageable plants such as salal and sword fern that can be moved from the area that will become part of the dog park into the area that will be used for mountain bike trails. The mountain bike trails can be laid out around areas that need to be restored. There are invasive species on the property, and this is a great time to get in and remove them before they overwhelm the area. This property is a good candidate for the Student Conservation Corps to work on invasive species removal.

Commissioner DeWitt said buying this property is a great fit for the area as it will stop the potential for development which could have included four new wells and septic systems in an area that has problematic water issues and soil. It has come to his attention that there was another family that may have had an interest in the Strawberry Hill Park property at one time and that is the Corpuz family. He would like staff do research regarding the history of ownership of Strawberry Hill Park. He is in favor of looking to do something to honor the Hayashida family, but he wants to make sure no other family is forgotten.

Commissioner Janow said when she first heard about the property, she was excited but when she walked it, she was thrilled. She is thankful for this opportunity to expand on the amenities at Strawberry Hill Park and to create a viable, vibrant, community park for Winslow. Commissioner Swolgaard thanked Mary Meier and the Parks Foundation for their support and all that they do for the Park District. Terry Lande thanked the donor for the thoughtful and strategic donation and the neighborhood surrounding the property for being so welcoming.

**GEAR GRINDERS UPDATE:** Commissioner Janow introduced President John Benjes of the Bainbridge Island Mountain Biking Club, which supports the Gear Grinders, and acknowledged the amount of work and flexibility that they have shown through the whole mountain bike trail proposal process. John Benjes expressed BIMBC's appreciation for the donor of the 10-acre property adjacent to Strawberry Hill Park, the Park District, and the Bainbridge Island Parks Foundation. The feedback he has been getting regarding the designation of part of the property for mountain bike trails has been very appreciative and there is a lot of excitement to have a place for kids and families to mountain bike on the island. BIMBC is looking forward to turning the portion of the property which has been designated for mountain bike trails into something special that everyone can be proud of. This opportunity offers perhaps more potential for mountain bike trails, particularly with the reduced proposal for mountain bike trails in the Grand Forest North that was presented at the May 6 board meeting. BIMBC does not see any need to continue to pursue mountain bike trails in Grand Forest North. They urge the Park District to expand multi use trails on Bainbridge Island to reduce conflict and improve the trail experience and look forward to working with the Park District on expanding multi use trails. They will do the best job they can to support the Park District with the design, fundraising, and construction of the mountain bike trails on the property adjacent to Strawberry Hill Park.

Commissioner Janow said the process for the proposed mountain bike trails in the Grand Forest North was invaluable, as much was learned. She is looking forward to the opportunity to show that mountain biking and the natural environment can coexist in a mutually beneficial and positive way. This process has opened the idea of looking at the entire Grand Forest and what needs to be done there, as there is a significant need for more multi use trails on the island. She thanked the mountain bike community for being so patient and willing to listen to the community and adjust their initial proposal for mountain bike trails in the Grand Forest North to meet concerns expressed by the community. She is thankful that the mountain bike community can be fairly unencumbered at the new property adjacent to Strawberry Hill Park.

John Benjes said it is very valuable to be moving into a situation where the neighbors are supportive of the project.

Park Services Division Director Dan Hamlin said talking to the neighbors was a positive and enjoyable experience.

Bainbridge Island Parks Foundation Executive Director Mary Meier said neighbors expressed appreciation, support, and joy, and that it was a privilege to go with Dan Hamlin and speak to them.

**INTERLOCAL AGREEMENT WITH KITSAP PUBLIC UTILITY DISTRICT FOR EASEMENT IN GAZZAM LAKE NATURE PRESERVE:**

Park Services Division Director Dan Hamlin said the Bainbridge Island Land Trust has made a proposal to enable all parties to get to the finish line on phase two of this project, which was mentioned at the May 6 board meeting. Phase one paves the way for Kitsap Public Utility District to drill a well and replace one water storage tank within their existing easement. Phase two will be a longer conversation and negotiation that will require a three-party agreement to expand the KPUD easement into the conservation easement held by BILT on the park. For KPUD to stay on schedule they need this interlocal agreement which covers phase one to be passed by the Park District board. A bullet will be added to the agreement before it is signed regarding the state legal requirement for a 100 foot well protection zone. Language has also been updated in the agreement in accordance with edits suggested by BILT, the most substantial of which was the language in item number five was changed from "any significant" to "no net loss" to match the terms of the conservation easement. Other changes to the agreement were included to make movement to phase two of the project more seamless. Commissioner DeWitt asked about the fact that monitoring of Gazzam Lake is discussed, but not required actions if the well is found to be affecting the lake and suggested that be addressed in phase two. **MSC: DeWitt/Kinney: Adopt the interlocal agreement with Kitsap Public Utility District for the easement in Gazzam Lake Nature Preserve and authorize the Executive Director to sign.**

**MEMORANDUM OF UNDERSTANDING WITH BAINBRIDGE ISLAND JAPANESE AMERICAN EXCLUSION MEMORIAL**

**ASSOCIATION:** Senior Planner Perry Barrett said the highlights of the memorandum of understanding with the Bainbridge

Island Japanese American Exclusion Memorial Association relate to operations, maintenance, and insurance over the long-term regarding design, construction, and occupancy of the memorial. Park District staff and BIJAEMA anticipate a future agreement with the National Parks Service regarding maintenance and operations, but that will require an act of congress. BIJAEMA President Val Tollefson said the memorandum of understanding is something the Park District needs for insurance purposes and thanked Park Services Division Director Dan Hamlin for his creative thinking on this document to get it into a form that their board could approve. They are excited about the way things are going between BIJAEMA and the Park District and the way the Park District has engaged the NPS for the benefit of the memorial. **MSC: DeWitt/Swolgaard: Approve the memorandum of understanding with Bainbridge Island Japanese American Exclusion Memorial Association regarding rights and responsibilities and that the Executive Director sign.**

**PARKLAND ACQUISITION COMMITTEE MEMBER APPOINTMENT:** Park Services Division Director Dan Hamlin said in 2013 resolution 2013-01 was passed to amend the Parkland Acquisition Committee for times when there were not adequate funds. While there are some funds available now, the Park District is at a crossroads due to a levy lid lift being on the ballot this year which would replace the previous one. The future of the PAC needs to be considered for next year, whether the levy lid lift is passed by voters this year. Staff is recommending that the board appoint the five current members of the PAC through the end of this year: Frank Stowell, Dave Shorett, Rick Gordon, Jim Kondek and Kirk Robinson. **MSC: Swolgaard/DeWitt: Continue with the existing Parkland Acquisition Committee through the end of 2021.** Commissioner Janow asked if a person were to leave the PAC what the process for replacement would be or for other changes to the committee. Dan Hamlin said that staff typically brings the board a recommendation for replacement and there are terms in the policy about revamping the committee.

**SELF-ASSESSMENT CREDIT RATING AND DEBT FINANCING FOR POTENTIAL FUTURE ACQUISITIONS AND CAPITAL IMPROVEMENTS:** Administrative Division Director Amy Swenson said this finance agreement is between the Park District and Martin Nelson & Company. Martin Nelson & Company has worked with the Park District for at least 15 years and helped the Park District get its initial rating and refinance the bonds for the Nakata pool and Sakai Park. This agreement does not authorize any financing, rather it allows the Park District to work with Martin Nelson & Company to go back to the rating board and get another self-assessment to see what the Park District's rating is currently, to lay the groundwork for any future needs that come up. It has been six years since the last rating. **MSC: Swolgaard/DeWitt: Authorize the Executive Director to sign the agreement with Martin Nelson & Company to assist with credit rating and debt financing.** Commissioner DeWitt said having the financial house in order will allow the Park District to move quickly if an opportunity comes up and the Park District needs to make sure that it is current. Commissioner Janow said having a current rating is important for the Park District to move forward as an agency and might be something that the Park District looks at on a five-year basis.

#### **DIRECTOR'S REPORT**

**Administrative Division:** Administrative Division Director Amy Swenson said the 2018-2019 audit is done and thanked Commissioner DeWitt and Commissioner Janow for attending the audit exit conference. Commissioner DeWitt said that both an accountability and a financial audit were completed, and both were clean. This is probably the cleanest audit the Park District has ever had. While the audit report says that the Park District is not compliant with generally accepted accounting principles, that does not apply as the Park District does its accounting under the budget accounting and reporting system which is an approved system for smaller districts in the State of Washington. He noted that the entire staff has done a great job. Commissioner Janow said that she and Commissioner DeWitt would like to express how supportive and thrilled that the state auditor was to work with the Park District because all the ducks were in a row. Commissioner DeWitt said to have the auditors say, not once, but twice that the audit was clean is very unusual.



**Recreation Division:** Recreation Division Director Mark Benishek said Outdoor Program Manager Nick Prevo ran an overnight mountain bike adventure camp and all the participants and leaders had a great time. Paddling programs last weekend were well received, and people were thrilled to be out on the water during the beautiful weather last weekend. Sailing programs have launched earlier this year than ever before. Youth & Teen Program Manager Shannon Buxton is helping to organize an outdoor pottery studio sale for August 8. All-Day Explorer Camp is having a shark themed activity day on Memorial Day. Summer staff training is launching soon. Gymnastic Program Manager Jason Balangue is working to wrap up winter/spring classes and to adjust and expand summer programs to facilitate people placed on waitlists. All recreation staff is currently working on the fall catalog. The Park District will release a notification in the next few days to address mask guidelines moving forward.

**Park Services Division:** Park Services Division Director Dan Hamlin said the crew is wrapping up what they can do before the poured in place surfacing is brought in for the KidsUp! Playground renovation. There has been an increase in price for the surfacing, but a donor has stepped forward and that will be brought before the board at the June 3 regular board meeting. The horticulture staff is working hard to keep up with mowing grass. It has been very hard to hire additional help this year and there are two staff members out for medical reasons. The first trail work party of the season will be on Saturday at Blakely Hills. June 5 is National Trails Day, and the Park District will be hosting booths at Grand Forest East and Blakely Hills to hand out maps and greet people. The Trails Advisory Committee is launching an updated trail etiquette campaign. A contractor for tennis court resurfacing has been secured and is waiting for the right weather pattern to begin work. At least one responsive bid has been received for refencing of the tennis courts. Senior Planner Perry Barrett said the Department of Natural Resources is going to update their Hidden Cove ariels and they have been asked to share those images. A notice has been received from Port Blakely Tree Farms that they will be communicating their situation with the neighbors; PBTf is the previous owner of Blakely Harbor Park and they are under an agreed order with the state to do a clean-up and have an access agreement with the Park District. Staff is in the middle of a request for qualifications for the sail float replacement in Eagle Harbor.

Executive Director Terry Lande thanked the Bainbridge Island Parks Foundation board for how they responded and allowed the acquisition of the 10-acre property adjacent to Strawberry Hill Park to move forward so fast and be finalized.

#### **UPCOMING MEETINGS & EVENTS:**

There will be a special board meeting at 6:00 pm on May 26 via Zoom. Dependent on the Governor's orders, there is a chance that starting on July 1 the board will be able to resume holding board meetings in person.

#### **BOARD MEMBER ITEMS:**

- Commissioner Janow said she wants to applaud her fellow board members because they have done a lot of listening and reading and have exercised a lot of patience. Contrary to what others may think, the board has not had an opportunity to speak among themselves about the mountain bike trails in the Grand Forest North proposal process. She invited commissioners to share their thoughts tonight about the process or lessons learned so that the community might have an idea of them not just as people who listen, but as people who are also engaged in the process.
- Commissioner Kinney suggested the board put together a letter to the editor regarding the process for the proposed mountain bike trails in the Grand Forest North. The most disappointing thing for him regarding process was how many people did not understand the process and jumped to a conclusion that everything had been decided and that they would not be listened to. He wants to communicate to the public that even if a user group is working with staff, once a proposal is brought to the board the board listens, asks for additional information, and then the word starts to get out. The board did a really good job listening to all the opponents of the proposal and

the proposal probably would not have been addressed again until late summer. The board needs to make sure everyone realizes that things do not get done in secret, everything gets vetted publicly and citizens always get a chance to chime in on what goes on with their parks. He expressed his appreciation for those on both sides of the issue who contributed to the process and for the group supporting mountain bike trails for being respectful and flexible.

- Commissioner DeWitt said the commissioners have a lot of project proposals presented to them and does not want to waste time by having a full board discussion until there is some sort of a plan that can be talked about and presented to the public, and that is exactly what was done with the proposed mountain bike trails. A big part of the public process is to listen to different points of view so that things can be taken into consideration in the future.
- Commissioner Swolgaard said that regarding the proposal process for mountain bike trails that Commissioner Kinney and Commissioner DeWitt covered everything he wanted to say.
- Commissioner Swolgaard said Kristen Gellert, water polo coach for the club team for high school students, sent an email about the Park District raising their fees. Recreation Division Director Mark Benishek said that club sports for high school students have historically been in a grey area, but Bainbridge High School has recently posted on their website and communicated to staff that they are not responsible for club sports. Staff has been working with the water polo club team for three years to clean up the situation regarding the fee structure and insurance. Executive Director Terry Lande said it has come up again because the School District finally took a stance on club teams not being part of the School District.
- Commissioner Janow said she would like to see a board response, such as a letter to the editor, to the perception expressed from citizens that the Park District board does not listen.
- Commissioner Janow read some reflections from her journal regarding the importance of every person who engaged with the mountain bike trail proposal process ending with, “When we meet our neighbors on the trails or in the parking lot or have differences of opinion my hope is that we look for solutions out of the box, creative or maybe just a simple one and greet each other with a smile, masked or not.” She said there should be a conversation about a share the trails education outreach program. She asked how the Park District can best get factual information to the public so that misinformation does not blossom.
- Commissioner Janow said that volunteers are being sought to staff two Park District booths on National Trails Day. Commissioner DeWitt and Commissioner Swolgaard volunteered to help staff the booths.
- Commissioner DeWitt said he agrees with Commissioner Kinney and Commissioner Janow that a message from the board via a letter to the editor should be sent. The board authorized Commissioner Janow and Commissioner Kinney to work on a letter to the editor and submit it on behalf of the board.
- Commissioner DeWitt said that while the recent audit was for 2018-2019, it was completely silent regarding board minutes, which means that the auditor’s office found no problems with minutes or the way they are published. In the past the auditor’s office has given the Park District suggestions on things that need to be corrected and this time they said absolutely nothing which is good, because that would have come in under the accountability audit. Administrative Division Director Amy Swenson said that in the past the auditor’s office has said the Park District’s minutes are very good.
- Commissioner DeWitt said that regarding Rod Stevens’s comment, if the Park District is not currently publishing the entire board packet on the website that maybe it should.
- Commissioner DeWitt asked if there was any guidance from the state yet about when the Park District can sunset the Park District’s declared state of emergency regarding the coronavirus pandemic. Recreation Division Director

Mark Benishek said that staff is waiting for verification about when that can be lifted but it may fall in line with when Governor Inslee reopens the state, which could happen at the end of June.

**MEETING ADJOURNED** to a fifteen-minute recess at 7:35 pm with announced time to reconvene at 7:50 pm. **MEETING RECONVENED** at 7:50 pm.

**MEETING ADJOURNED TO EXECUTIVE SESSION** at 7:50 pm for discussion of real estate with announced time to reconvene at 8:20 pm.

**MEETING RECONVENED** at 8:20 pm and **ADJOURNED TO EXECUTIVE SESSION** at 8:20 pm for continued discussion of the above item, with announced time to reconvene at 8:40 pm.

**MEETING RECONVENED** at 8:40 pm and **ADJOURNED TO EXECUTIVE SESSION** at 8:40 pm for continued discussion of the above item, with announced time to reconvene at 9:10 pm.

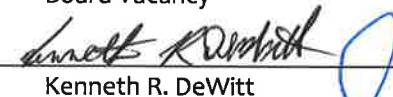
**MEETING RECONVENED** at 9:10 pm and **ADJOURNED TO EXECUTIVE SESSION** at 9:10 pm for continued discussion of the above item, with announced time to reconvene at 9:40 pm.

**MEETING RECONVENED** at 9:40 pm and **ADJOURNED** at 9:40 pm.


Helen M. Stone  
Terry M. Lande  
BAINBRIDGE ISLAND METROPOLITAN  
PARK & RECREATION DISTRICT

BY:   
Dawn Janow

BY: \_\_\_\_\_  
Board Vacancy

BY:   
Kenneth R. DeWitt

BY:   
John Thomas Swolgaard

ATTEST:   
Jay C. Kinney