

**BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT
REGULAR BOARD MEETING JUNE 16, 2011
STRAWBERRY HILL CENTER**

6:00 PM – 7:00 PM: EXECUTIVE SESSION: Personnel, potential litigation, and real estate.

CALL TO ORDER A quorum being present, the meeting was called to order at 7:01 pm by Chair Robinson.

BOARD MEMBERS PRESENT: Lee Cross, Ken DeWitt, Kirk Robinson, and Tom Swolgaard.

Chair Robinson read a June 7, 2011 email from Commissioner Paul Bang-Knudsen saying that while he had enjoyed contributing to the Park Board for the past two years, he was no longer able to serve in this capacity due to personal reasons and health-related issues. Paul Bang-Knudsen asked that his resignation be considered effective immediately.

PUBLIC COMMENTS ON NON-AGENDA ITEMS:

Suzanne Browne, neighbor of Fort Ward Park, expressed displeasure with the Park District saying it had mowed down natural habitat across from their home causing wildlife to disappear and exposing an unattractive slab of concrete. She asked that the concrete be removed with shrubbery planted, and protested seasonal mowing of the area saying it would mow down any new habitat that grew up. She said this had been a "no mow zone" when the park was owned by the State, and that when they tried to get the man on the tractor to stop mowing, he had told them the slab was going to be turned into a tennis court. She protested this, saying the neighbors do not believe this is an appropriate site for a tennis court given the busy road it is near and the danger to children and animals this would pose if they tried to cross the street. She said there is miscommunication between those in the field and the executive staff, since there is a difference between the two stories she has heard regarding a tennis court at this site. She said she objects to this mowing, does not want it to happen again, and wants this fixed.

PUBLIC COMMENTS ON AGENDA ITEMS:

Chair Robinson informed those making comments that they have three minutes to speak.

Allen Haugen, island resident, said he has heard the art studio at the Madison Avenue Tot Lot is endangered, and as a licensed electrician in construction for 30 years, offered his labor to do electrical work if the Park District decided to fix up the building and was willing to donate the materials.

Craig Spencer, who uses the building at the Madison Avenue Tot Lot as an art studio, referenced a document regarding the transfer of property saying the property can revert back to the City if the proper use is not carried out. He said he talked to a City Council Member regarding this and she expressed interest in this issue.

Jerry Elfendahl, island resident, commented on the order of business saying having public comments on an agenda item prior to it being discussed is problematic since people are not aware of the issues that will be addressed later in the meeting. He commented on the building at the Madison Avenue Tot Lot saying most people on the island are not aware it is a public building. He suggested cleaning it up to see what's there since the building may have value to someone on the island and could be moved. He also commented on the Strawberry Packing Plant, saying it does not appear that the overlook platform for the park is included in the District's goals. He asked for clam samples from this site.

Lily Celestine said the building at the Madison Avenue Tot Lot has been put to good use as an art studio and can continue to produce beauty for this island. She does not think it is ready for demolition, and believes the intent of the owner who transferred the property to the City must be honored. She believes the neighbors like having an artist nearby, but if the Park District must free up the area, asked that the building be preserved for use at another site.

Jenny Anderson, friend of Craig Spencer and former employee of the Park District, spoke in support of preserving the building at the Madison Avenue Tot Lot. She said she taught pottery for years at Eagledale Park, and this is an

example of what can be done in old buildings. She said there is a magic to the tot lot's art studio tucked away in the trees in the middle of Winslow, and that once it's torn down, it's gone. She asked that the Board not be hasty, and to be creative in exploring what can happen there.

Sophie Morse spoke in support of preserving the art studio as a structure, as well as the function it provides the community. She said she was there to share the perspective a lawyer offered after reading the declaration of the title. She cited restrictions in Section 5.1 saying they are in effect until at least 2027, and that until then, the existing structure must either be preserved or replaced on the existing footprint. Because the listed restrictions use the word "and" and not "or", she argued the existing owner does not have the right to take down the building except for the purpose of replacing or remodeling it. She said the current owner cannot pick and choose between the permitted uses, but must do them all. She noted that the listed use of sports court has been ignored for years, but does not believe this would prevent a judge from concluding the structure must either be preserved or replaced on the existing footprint.

BOARD CONSENT

APPROVAL OF MINUTES: Upon hearing there were no corrections to the minutes of the May 26, 2011 public meeting, Chair Robinson stated the minutes stand approved as submitted.

Upon making the following revisions to the minutes of the June 2, 2011 regular board meeting, Chair Robinson stated the minutes stand approved as corrected: 1) Correct spelling of "Unocal" throughout document. 2) p. 3, Cross, Under Shoreline Management Plan Update: Insert after first sentence, "Commissioner DeWitt is also now involved in discussions with COBI staff". Change "Commissioner Cross is concerned" to "Commissioners Cross and DeWitt are concerned". Revise wording of last sentence to read: "The Board agreed to have Commissioners Cross and DeWitt contact the City Council Members who are on the Council's Ad Hoc Oversight Committee for the SMP Update and make sure they are aware of any concerns the Park District has regarding the plan as it is being drafted." 3) p. 4, Robinson: Last bullet: replace "him" with "Executive Director".

Elizabeth Shepherd noted a change needed for the May 5, 2011 minutes: p. 1: Under public comments, change "plant samples" to "clam samples".

APPROVAL OF PAYMENTS: MSC: Swolgaard/Cross: 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:

<u>Fund Name</u>	<u>Fund No.</u>	<u>Batch No.</u>	<u>Batch Date</u>	<u>Amount</u>	<u>Pre-Approv by Exec.</u>
General Fund	94952		June Payroll	243,719.28	
General Fund	94952	392245	6/13/11	9,021.13	6/2/11
General Fund	94952	392340	6/13/11	16,183.07	6/2/11
General Fund	94952	392940	6/27/11	92,052.95	
Capital Imprv Fund	94955	392367	6/13/11	2,000.00	6/2/11

UNFINISHED BUSINESS

PROCESS TO APPOINT NEW COMMISSIONER: Chair Robinson presented a draft process and timeline for appointing a new commissioner to the position vacated by Paul Bang-Knudsen. The board has 90 days to fill the position. **MSC: DeWitt/Cross: That the draft process dated June 6, 2011 for appointing a new commissioner be**

approved once modified to include appropriate advertising and a presentation by the Personnel Committee to the Board at the July 7, 2011 board meeting that lists all interested candidates.

MADISON AVENUE LOT UPDATE: Chair Robinson said a legal question was raised at the last board meeting regarding use restrictions that may apply to the building at Madison Avenue Tot Lot as a result of the property's transfer to the City years ago. The Board had committed to having this issue researched, and in the meantime had directed to the Executive Director to extend the date but continue with the eviction of Craig Spencer from the building since the District doesn't provide public space to private individuals for sole use. Since then, the District has looked into whether there are any legal requirements that the District must adhere to regarding this structure. It is the District's understanding that while the restrictions outline what can be done, there is no requirement that they are all done. Chair Robinson outlined a four step process on how to approach the facility: 1) Look into whether the District might have use for the structure at an alternate site; 2) If not, see if any interest group or individual wants the building and would be willing to move it to another site at their expense; 3) If still no interest, the District would salvage any parts from the building that it could use; 4) Anything remaining would be recycled. Commissioner Swolgaard noted the lack of plumbing and restrooms in the facility, and asked that it be emptied out so a thorough evaluation of the structure can be done. Commissioner Cross said she was impressed with the concerns expressed tonight by members of the art community. She noted the issue of health and safety due to rats in the building, and commented on the huge demand in Winslow for pocket parks. With the removal of the building, the park could provide open space and greenery for the people in Winslow. She thinks it is important to proceed with the eviction since private individuals are not allowed to inhabit public facilities. She expressed interest in exploring alternate sites for the building, and agreed with Commissioner Robinson's earlier suggestion on how to approach the facility. Commissioner DeWitt mentioned the need for formal community process in the development of any overall park plan. In response to a question from one man in the audience on what would be done in the park if the building was removed, Executive Director Lande said in the short term it would be opened up for public use as a green area with a possible picnic table. If the Board later wanted to expand the park's use, a public process would be held. It was noted the eviction date has been extended to July 1, and that once the building has been emptied, an assessment of the structure will be done. The Board directed the Executive Director to then proceed with the four steps outlined above.

ART IN PARKS POLICY: Park Services Director Arlan Elms said this version of the Art in Parks policy includes Board input from the last board meeting. **MSC: Swolgaard/DeWitt: That the Art in Parks policy as revised from the last board meeting and included in the June 16, 2011 board packet, be adopted.**

TRAIL CONCEPT PLAN: Chair Robinson said a number of comments were received this past week from the community regarding the trail concept plan, and suggested that it go back to a study session with input from the community invited at a July 28 Board Work Session. The Board agreed to this. Executive Director Terry Lande said the trail concept plan will be posted on the website for the public to review prior to the work session.

MEETING ADJOURNED TO BOARD WORK SESSION at 7:59 pm. Work Session topic: Budget

MEETING RECONVENED at 8:21 pm.

DIRECTOR'S REPORT

Recreation Services Director: John DeMeyer: The portable stage arrives Monday; there is much excitement over the new climbing wall on the Transmitter Building; the UV system is being installed at the Aquatics Center; the new boiler is running beautifully.

Senior Planner: Perry Barrett: EPA is addressing several seepages on the beach at Pritchard Park. A trails meeting was held today with neighbors to discuss a trail connection between Fieldstone and Penny Lanes; this project has been

championed by Bitsy Ostenson and would connect the Grand Forest to Lovegren. He will attend the Frog Rock Forum this weekend at IslandWood sponsored by Sustainable Bainbridge.

Park Services Director: Arlan Elms: Windermere is volunteering for a work party at Fort Ward trail this weekend; 75 cub scouts will be coming next week to do volunteer work at Fay Bainbridge; the Student Conservation Corps will start on June 20 and will work at Blakely Harbor Park for the next three weeks.

Executive Director: Terry Lande: It's been learned that a second WA State RCO grant has been awarded the Park District for the Williams property. It is for approximately \$420,000 and will go the City for reimbursement of the property purchase. He suggested that in the interest of building bridges with the City, the District waive the 10% it is entitled to withhold for administering the grant prior to disbursing the funds. The Board was open to this.

He commented on the remarks made by Suzanne Browne earlier that evening regarding the mowed area at Fort Ward Park. He said the person who made the comment to her about the tennis court was a contractor and not a staff person, and that before any decision would be made by the District regarding the concrete slab, a public process would be held. He said the reason for seasonal mowing is fire prevention and safety, as well a deterrence to prevent trash from being dumped there. For these reasons, he intends to continue with the seasonal mowing. He also said public meetings are being scheduled for Fort Ward and Fay Bainbridge Parks in order to introduce the District to the neighbors, let them know what the District is doing in the parks and the reasons why, and to ask what the community's expectations are for the Park District.

UPCOMING MEETINGS & EVENTS:


The next four board meetings (July and August) will be held at the Camp Yeomalt Log Cabin. June 23: Fay Bainbridge Transfer Celebration.


BOARD MEMBER ITEMS:


- Commissioner Swolgaard noted that with the vacancy on the Board, no one is currently serving as the Board Secretary. **MSC: Swolgaard/Dewitt: That Commissioner Lee Cross be appointed to serve as the Board Secretary through December 2011.**
- Commissioner DeWitt commented on Suzanne Browne's remarks earlier that evening in which she objected to the mowing done at Fort Ward Park and indicated that this area was not mowed by the State. He said that when he moved to the island in 1979, the State was mowing this area, and that the concrete slab was in use as a tennis court with a fence around it at that time.
- Commissioner Cross said she also will attend the Frog Rock Forum at IslandWood this weekend and mentioned this is an opportunity to build community.
- Commissioner Cross said that as requested by the Board, she and Commissioner DeWitt contacted the two City Council Members on the Ad Hoc Oversight Committee for the SMP Update who suggested they attend the next full committee meeting. In the meantime, she encouraged the Board to send a letter to the City Council expressing their concerns.
- Commissioner Cross said the Parkland Acquisition Committee and the Housing Resources Board wants to attend the next board meeting to present a proposal for building a trail from the affordable housing development on Ferncliff to Cave Avenue. They would like the Park District to contribute \$5000 for materials.

MEETING ADJOURNED at 8:48 pm.

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

BY: 
Kirk B. Robinson

BY: 
Kenneth R. DeWitt

BY: 
John Thomas Swolgaard

BY: _____

ATTEST: 
Lee Cross