

PORT DISTRICT OF SOUTH WHIDBEY ISLAND

Minutes of the Regular Meeting

January 10, 2007

Freeland, Washington

Present at the meeting were:

Commissioner Lynae Slinden, Clinton
Commissioner Rolf Seitle, Langley
Commissioner Geoff Tapert, Freeland
Ed Field, Port Manager
Amber O'Brien, Port Clerk

Dennis Gregoire, Comp Plan Facilitator
Jim Recuperero, Langley City Council
Don McArthur, Langley Resident

Absent: None

1. MEETING CALL TO ORDER:

Following a Workshop session from 7:00 to 7:30 pm, the regular meeting of the Port District of South Whidbey Island's Board of Commissioners was convened on January 10, 2007, at the community building in the old Chapel at Trinity Lutheran Church, on Woodard and Hwy 525, Freeland, WA. Commissioner Slinden, President, called the meeting to order at 7:30 pm., followed by the Pledge of Allegiance.

2. BUSINESS MEETING INCLUDING CONSENT AGENDA:

A. Election of Officers for 2007:

ACTION: For officers for the 2007 Port Board of Commissioners, a Motion was made by Commissioner Slinden and seconded by Commissioner Seitle to nominate Commissioner Tapert as President, Commissioner Seitle as Vice President and Commissioner Slinden as Secretary.

Commissioner Seitle asked if the Bylaws should be changed to allow the President to serve two terms in office. Commissioner Slinden and Tapert had no qualms with annual elections. Commissioner Tapert noted that he had been surprised in 2006 that a newly elected Commissioner was scheduled to become the new President for the Port of South Whidbey. He did not think that was the most efficient way to go because it is important to gain some experience as a Port Commissioner before taking on the position of President. Commissioner Slinden agreed and said that is why she had served an additional term as Port President. The Commission agreed that the Bylaws would not be changed at this time. The Commissioners accepted their nominations and proceeded to vote.

The Motion passed unanimously, and the following slate of officers were elected for 2007:

- **Commissioner Tapert - President**
- **Commissioner Seitle – Vice President**
- **Commissioner Slinden - Secretary**

B. Consent Agenda:

1. Minutes: Minutes from the Regular Meeting of December 13, 2006.
2. 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. The vouchers so listed and presented are summarized on the attached Voucher Listing **(EXHIBIT A)**.

ACTION: A Motion was made by Commissioner Slinden and seconded by Commissioner Seitle to accept the Consent Agenda, including approval of the Minutes and authorization of Vouchers #2902 - #2932 for a total amount of \$34,020.32. The Motion passed unanimously.

3. ACCOUNTANT REPORT:

A. Financial Statements: The Commissioners accepted the November 2006 Financial Statement **(EXHIBIT B)**.

B. Petty Cash Fund: Port Clerk Amber O'Brien said that the Washington State Auditor had previously advised the Port to close the Petty Cash fund if it was not being used. Amber reported that she requested that the Island County Treasurer close the Port's Petty Cash fund in December 2006, and the remaining funds were then transferred to the Port's General Fund Account. Port Manager Ed Field added that it was easier for him to just submit expense reports each month for reimbursement.

4. NON-AGENDA ITEMS / PUBLIC PRESENTATIONS:

There were no Non-Agenda Items or Public Presentations.

5. PROJECT ACTION ISSUES:

A. Langley:

1. City – Port Negotiations: Commissioner Seitle referred to the "1/9/07 Agenda and City Positions/Expectations..." document which had been the basis for the formal discussions with the City of Langley on the preceding day. **(EXHIBIT C)** He said that the meeting went very well. He said that the entire agenda was covered, and to his surprise, both City Administrator Walt Blackford and Councilman Paul Samuelson seemed to agree with the Port's position with respect to the cash valuation of the facility. Commissioner Seitle did note concern that there are apparently members of the Langley City Council that will need to be convinced that this is a fair situation. Commissioner Seitle thought that it may be appropriate for a third party to present the position on that, so he sent an email to Phil Pearl, who has been the Port's consultant on property acquisition in the past, and preliminarily asked him to serve in that capacity for the Port. Commissioner Seitle said that Phil has responded that, subject to concurrence of the Commission, he could readily prepare to make a presentation on the valuation issue to the Langley City Council.

Commissioner Seitle said that the Port is at a point of closure on most issues, although overall valuation and a possible advisory-group role remain to be addressed. He noted

that the City presented the Port with a copy of an InterLocal Agreement (ILA) that was signed between the Port and the City of Bellingham to establish an advisory council to liaison and provide input so that the City would have some representation with respect what the Port does. Commissioner Seitle felt that the Port would not have any objection to that concept, except that the Bellingham situation dealt with a complete waterfront redevelopment issue and the Langley issues would be much more simple than that. Other than that, he said that he did not think that in principle the Port Commission would have any objection to the City establishing an advisory committee to deal with the Port on issues that concern the marina. Commissioner Slinden asked how much decision-making ability the committee would have. Commissioner Seitle said that it was agreed that the Port would not give up its decision-making ability in any way, and that the Port would take input from the advisory committee but would make its own management decisions with respect to the operation of the facility. Commissioner Tapert questioned the need for a new committee when Langley already has a Harbor Front Advisory Committee in place. Commissioner Seitle said that committee might be chosen to take on this task.

Commissioner Tapert asked if there was any discussion regarding the reconsideration of items already approved within the Master Plan, such as a limit to the number of slips and the number of passengers per day that could visit the Marina. Commissioner Seitle said that it was agreed that the Port's position on that subject was that the number of people per day that would come off tour or ferry boats would not be limited, but noted that the Port must also recognize that 250 people coming off a single boat could pose a problem to the City of Langley. Commissioner Slinden said that might be an asset to Langley. Commissioner Tapert asked if the limitations that were placed on the agenda were "written in stone?" Commissioner Seitle said that the Port would basically dispose of them. He noted that the seaplane issue was one sticking point, but it had been taken out during the drafting of the partnership agreement. Commissioner Slinden said that she would expect to defer to the City on that issue. Commissioner Seitle had presented the draft partnership agreement at the last meeting for discussion, and it was determined that if the number and manner of seaplane take-offs and landings were carefully controlled by the Port, that might be all right with the City of Langley. Commissioner Seitle pointed out to the City that there had been a lawsuit between the Personal Watercraft Association and San Juan County regarding that issue and the County lost. Therefore, the Port would have no way to regulate the seaplanes. The Port could possibly regulate the launching from Port property but they could not regulate seaplane operations. It was suggested that the City establish a noise ordinance and the Port could help enforce it if necessary. The Port and City would not have police rights in open waters. Commissioner Tapert asked if the Master Plan would include seaplane service. Commissioner Seitle said that the Port would not need to prohibit seaplane activities. Commissioner Slinden said that the City of Langley would have to handle the seaplane issue and the Port should follow their lead.

Commissioner Tapert expressed concern about changing already-adopted plans. He said that when the Port is ready to make a commitment to do something, the City might want to re-visit previously adopted plans and make changes, which would make it very difficult for the Port to make any decision on how to proceed. Commissioner Seitle said that he did not think that there would be any issues if the Port handles situations in a responsible way. Commissioner Slinden said that the Port should not predict the City of Langley's response to issues including the seaplane issue. Commissioner Tapert's understanding of the process is that if the Port chooses to have an aviation dock at the Marina then we would have to obtain permits, and if Langley is the lead review agency,

then they would have the ability to impose environmental restrictions and an environmental review upon that project. He did not like the idea of taking things in and out of the plan and felt that the Port should work with the plan the way it is and move forward. If and when the Port chooses to move forward, that would be the Port's opportunity to obtain final public input and debate any issues. Commissioner Slinden said that would also help the City to address the noise ordinance issue but that is their issue not the Port's.

Commissioner Seitle said that another issue involved is the law enforcement at the facility. Langley Police Chief Bob Herzberg said that the Langley Police Department would not be able to enforce the regulations of the Port. Commissioner Slinden said it was her understanding that the Port would be responsible to enforce the regulations having to do with the water facilities and the City would handle the facilities having to do with the park property. Commissioner Seitle said that the City has indicated that they would like to transfer the water facilities and the restroom and Phil Simon park facilities including the boat ramp to the Port. Commissioner Slinden said that would be a much larger liability for the Port, and that would be a huge financial obligation. She said the Port should reserve the right to make some decisions based on economic feasibility as well, especially when you look at how much the Port has spent to build the Clinton Beach Park and compare that to how much it could cost to rebuild the Langley Marina. She asked if the Port would be willing to commit 90% of its funds to the Langley Marina. She recommended that the Port research the costs and obligations associated with the project prior to taking it on. Commissioner Seitle said that he would prefer it if the Port's responsibilities stopped at the waters edge but that may not be reasonable because it would seem that the Port would be avoiding operation of the boat ramp, which is clearly a Port function. Commissioner Tapert said that if the Port has maintenance responsibilities of the area it will need somewhere in the upland area for storage of tools, equipment, machinery and possibly a small Port office. The upland property is probably a lower risk than the Marina as far as liability is concerned. He thinks that the Port should have an upland presence at the Marina and not be limited to the water facilities because the facility needs to be supported from the land.

Commissioner Tapert had no objections to having the uplands included. Commissioner Seitle said when the issue came up, he had taken the position that this is property like any other property within the boundaries of the City, and therefore if law enforcement were called, the City of Langley would be responsible to respond. Commissioner Tapert agreed and added that it was his understanding that a police officer has the right to go onto private property if they have reason to believe that a crime has been committed. Commissioner Slinden said while that has been true for Island County as far the Port's park facilities, County law enforcement cannot enforce regulations that the Port has adopted for ordinances over and above County rules and regulations. Commissioner Slinden reiterated that she felt uncomfortable going forward with the project until the Port understands the financial obligation involved. Commissioner Seitle said that based on the last ten years of operation the Marina was a "barely break-even facility", and even that depends on how overhead is considered. He said that the City has taken approximately \$20,000 per year as a contribution to its general overhead. The Port would not be in a position to have to do that. Commissioner Seitle said that the Port would not make a profit by taking over the Langley facility. Commissioner Slinden was concerned with the maintenance and operations costs associated with the Marina along with the cost of improving the facility. She said that if the Port becomes responsible for bringing the Marina up to code, it would require a significant financial contribution, noting that these are capital improvement costs that the Port would have to commit to if they take over the facility. The Port will also have to look at how much money is

committed to its other facilities before determining how much would be left over for the Langley facility. Commissioner Seitle agreed that it the Port would assume a very large liability by taking over the facility, which is the point he has made to the City. The Port must look at this from a different point of view; anything the Port decides to do would represent not only the liability but also an opportunity for the Port. He said that the opportunity lies in the fact that it is essentially impossible today to establish a Marina anywhere in Puget Sound from scratch. The only thing that regulatory agencies will look at is the improvement of an existing facility. Also, if the Port were to take over the Langley facility it would open up opportunities to North Whidbey that do not otherwise exist. Commissioner Seitle said that the float commitment made by the Port was a “gutsy” move especially without knowing whether or not they would be taking over the Langley facility. Commissioner Tapert said that it sounds like Commissioner Seitle has made good progress. He said that he was initially concerned with seeing City positions that would limit things outside of the Master Plan that was adopted by both entities, but it sounds like Langley might be retreating on some of those items and allowing a more reasonable approach. If that is the case, he has no objection to moving forward with negotiations toward a final agreement.

Commissioner Seitle said that there are likely consequences whether the Port decides to take over the facility or not. Commissioner Seitle said that when the idea of developing an Industrial Development District (IDD) came up at a past Port meeting, he couldn't see a better opportunity than for the Port to undertake improvement of the waterfront to the north of the Marina, which would only become available of the Port had a foothold. The Port would not be able to afford a major project with its current revenues, so would have to look into obtaining some form of debt financing and grant opportunities. Commissioner Tapert agreed. Commissioner Slinden still wanted to determine what the Port's financial obligation would be in taking over the Langley facility before moving forward. Commissioner Seitle did not argue with her point but pointed out that the Port has already made a ½ million-dollar commitment when we agreed to by the Bremerton floats. He said that if we do not proceed with taking over the Langley facility, then we will have to decide what to do with the floats. He pointed out that if the Port does decide to take over the facility, it would only be committing to operating and maintaining it at the same or better standards that it has been operated at for the last ten years. Commissioner Slinden said that her issue with that is that the Marina has a remaining life span of only ten years, so in ten years if the Port does not improve and maintain the facility, we may end up with a derelict facility. It would cost a lot of money to improve the facility and she would like to have an idea of how much the Port's financial obligation could be. Commissioner Seitle said that the remedial things that Berger-Abam suggested when they did the engineering evaluation were not very expensive and would probably be less than \$100,000. Commissioner Slinden questioned the cost of a fire system at the marina. Commissioner Seitle said that the City of Langley acquired a “Crash Fire Protection Cart,” that uses foam to put out fires. For some reason it has never been put down at the marina but it is something that could be looked into for fire protection at the marina. The Port would have to hire a dedicated Harbormaster, and in the summer an assistant harbormaster, to run the marina. Commissioner Tapert asked if the Port would need an ILA with the Fire Department. Commissioner Seitle said that he had a conversation with the Fire Chief a few years ago regarding fire protection at the marina. He said that if there was a fire, all that the Fire Department would be able to do is protect the exposures around the marina. Commissioner Seitle said that is not very different from any other major marina in the Puget Sound area. Commissioner Tapert said that if the Port takes on the Langley marina, they would have to put policies in place regarding disasters, such as a fire, that

can be handled by the Harbormaster. Commissioner Seitle said that looking forward, the Port would have to maintain the marina and begin to look at ways to expand it. The Port has opportunities in debt financing that are not available to City of Langley.

Commissioner Slinden said that the City had asked for some “milestones” to show that the Port was moving forward in good faith and asked if that had been discussed at the meeting. Commissioner Seitle said that had not been discussed at the meeting. Commissioner Slinden asked how hard it would be to get an up-to-date estimate. Commissioner Seitle said that he had prepared estimates to present to the Commissioners two years ago but nothing came of them at that time. Commissioner Slinden asked if Seitle could revise his earlier estimates for the Commission. Commissioner Seitle said that he could provide the information from two years ago to the Commission, but as he does not have time to prepare new estimates with up-to-date information, the Port would have to hire someone to do that. Commissioner Tapert said that even a new estimate would be plus or minus ten percent but if the Port had the authority to run and operate the marina the Port would have more opportunities to create revenue. Commissioner Slinden said that she would still like to have an idea of what the costs would be associated with taking over the marina. Commissioner Tapert said that the Commission has already seen some of the figures associated with the marina and felt that they had a fairly good idea of what it would entail financially for the Port to run the existing facility. There will be some capital expenditures the Port will incur to bring the facility up to code, but that should be around \$100,000 and the Commission is aware of those types of expenditures. Commissioner Slinden said that the facility pays for itself because a lot of the inherent costs such as paying a Harbormaster and paying for police protection come from within the City of Langley, and the Port would have to pay for those things. Commissioner Tapert pointed out that the Harbormaster’s salary was included in the figures that the Commission has seen, and the \$20,000 allocated to overhead would be more than enough to pay for police protection. He said that it would generally be a wash but would create an opportunity for the Port to increase revenue, which it could then use to improve the facility. If the Port decides to expand the marina, which would cost millions of dollars, they would have to spend the money necessary to hire consultants to look at all of the options available to the Port. Commissioner Seitle said that the next Port – City negotiation meeting will be held in early February and he would like to set to rest the issue of value prior to that meeting. It is obvious that the Port cannot afford to pay a significant amount of money for the facility. The Port’s contribution would be to assume the liability from the City of Langley. Commissioner Tapert asked if it would be feasible to expect an agreement between the Port and the City of Langley by the end of February. Commissioner Seitle said that the Port may have an agreement in principle but should not expect to have an ILA in that time frame. Commissioner Tapert said that the Commission would also need to decide what to do with the Bremerton floats and potentially figure out how to transition into operating the Langley facility in time for the next boating season, so time is of the essence. Commissioner Seitle said that he thinks the City of Langley would like the Port to assume responsibility of the facility at the beginning of the boating season. He said that it was agreed that the Port would not touch the present activities with respect to the boat ramp. Commissioner Slinden asked if the Port would assume employment of the current Harbormaster. Commissioner Seitle said that the Port could hire its own Harbormaster. Commissioner Tapert said that there are two part-time Harbormasters there now and they have a good reputation with the boaters, everyone seems to like them and they are doing a good job. He would prefer, as part of the agreement with the City, to keep the current Harbormasters because they have a history and know how to operate the marina efficiently. Commissioner Seitle said that the Port needs to proceed in good faith and if

the Commission has any doubts with that, he would be obligated to inform the City and that may cause everything to “fall apart.” Commissioner Slinden said that when the Port agreed to make an offer to buy the Bremerton floats, that decision was made on a contingency that they could be resold easily, which is why that decision was made so quickly. Also, she is not against taking over the Langley facility and has always supported that possibility. At this point, she would like to see the Port move forward in a practical way that is based on facts and be aware of the financial commitment involved. She said that this decision is going to set the tone for what other projects the Port takes on because most of the Port’s funding would go to Langley. She continued that while that may be a good decision, but the Port has the task of creating a new Comprehensive Plan and there might be other things that the Port would like to accomplish but would be unable to if they commit most of the Port’s resources to Langley. Commissioner Seitle agreed with Commissioner Slinden’s point. It was still his opinion that the Port would be taking on a large liability but as the Port assumes operation of the facility, they will be able to break even. Also, according to BST Associates, the Port could expect to see an estimated \$7,000 in additional revenue each year from the floats. He is very convinced that the present numbers show the Port that this could be a break-even operation, but what the Port can not afford to do at this time is expand the marina without some sort of additional financing.

2. Marine Engineering Solicitation: Commissioner Tapert asked what the Commission felt the Port should be doing regarding the solicitation for marine engineering associated with the breakwater float acquisition from the Port of Bremerton. His said that his impression from the January 8th interview with Rob Henry of Art Anderson Associates (AAA) was that they appear to be well qualified, but that the Port would not be ready to have them tackle any specific scope without first finalizing an agreement with the City of Langley and finishing the new Comprehensive Plan. Ed said that he would like to have them ready to look at the costs and feasibility of temporary moorage locations in Langley and elsewhere. Ed recommended requesting a proposal from AAA for feasibility evaluation of alternatives and costs involved with transportation and temporary storage of the Port of Bremerton breakwater floats so that the Commissioners can make an informed decision . The Commission concurred.

ACTION: A Motion was made by Commissioner Seitle and seconded by Commissioner Slinden to solicit a proposal from Art Anderson Associates to study and give the Port answers regarding the movement and temporary storage options for the Bremerton breakwater floats and request him to research what the transport conditions would be. The Motion passed unanimously.

The Commissioners requested that Ed work toward finalizing the agreement with the Port of Bremerton, asking that he obtain a draft purchase agreement from them for the Commission to review at the next regular Port meeting. Also, Commissioner Seitle requested to have an Executive Session regarding the acquisition of property at the end of tonight’s regular Port meeting. The Commission had no objection to his request.

B. Emergency Preparedness:

1. Resolution #07-01: Approval & Adoption of Island County Multi Jurisdiction Hazard Mitigation Plan: Ed reported that he had participated in the general preparation of this document, and personally prepared the Port ‘s portion, all of which has been reviewed with the Commissioners during the preceding months, and he recommended adoption of the Resolution No. 07-01 **(EXHIBIT D)**.

ACTION: A Motion was made by Commissioner Seitle and seconded by Commissioner Slinden to approve Resolution #07-01 to adopt the general provisions and applicable portions of the Island County Multi-jurisdiction Hazard Mitigation Plan.

Commissioner Slinden said that Ed previously mentioned that there were items included in the plan that the Commission might object to, and asked if he was referring to this Plan. Ed said that the majority of the Plan is broad and applies generally to Island County as a whole, and there are also individual sections for specific jurisdictions ranging from the Holmes Harbor Sewer District to the Ports. He said that the Resolution as drafted and up for action this evening is specifically worded so that what the Port Commission would be adopting are the Port's portions of the Plan and the general provisions of the Plan which are applicable to the Port. Ed said that Port Attorney Al Hendricks had reviewed and approved the Resolution.

The motion passed unanimously, and the Commissioners signed Resolution No. 07-01.

C. Bush Pt. Boat Launch:

1. Update: Recent Hillside Erosion and Response from WDFW: Ed said that he had a series of discussions with WDFW project manager Kristen Kuykendall earlier today regarding the recent storm damage at Bush Point, which included a major shoreline washout on the north side on January 5-6, and then a major undermining of the pedestrian abutment and car ramp grid on January 9-10. Commissioner Slinden asked if Ed had spoken with Port Attorney Al Hendricks regarding the erosion. Ed said that he had sent Al an email to let him know that the Port would be discussing the erosion issue and will send him a packet with both of the original agreements along with the recent letter that was sent by the Port to WDFW that stated the Ports concerns with the Bush Point project and WDFW's response to that letter. Commissioner Slinden was concerned that because of the nature of the problems that are happening at Bush Point and the financial liability for maintaining and operating a semi-adequate facility that perhaps the State should retain legal and financial responsibility for the park. She would like to know what the Port's legal obligations are regarding the facility. Commissioner Tapert said that the Port has a provision for a 90-day-notice termination of the lease. He said that the Port might want to consider re-negotiating the lease because he does not want the Port to be liable for damage incurred based on poor design and planning, and he also mentioned the possibility of not taking over 100% of the maintenance responsibility but perhaps only general maintenance responsibility. Ed said that, in his first discussion with Kristen this morning, he had emailed her pictures of the eroded north slope resulting from the January 5-6 storm. Ed said he asked if the Port could place a load of "riprap" shore protection onto the washed-out area in order to prevent losing the new parking lot. He said that Kristen's response was that she had tried to get riprap permitted originally but was told it not compatible with the rest of the shoreline. Ed asked what the implications would be if a load of riprap was placed there due to the emergency conditions. Kristen said that the regulators may not notice, but it would potentially open the possibility of both state and federal fines. She also said that there is an emergency JARPA process that she started today and within the next day or so she should have a temporary permit, and gave Ed verbal authorization to put sand bags with sand or gravel out there now. This temporary fix would be good until July 2007, and when the permanent fix for the problem is developed, the sand bags could simply be slit and removed. This afternoon, after visiting Bush Point, Ed returned to the office and emailed Kristen pictures of the additional damage that had occurred in the past 24-hours. Kristen was astounded at the additional damage and decided to send a team from

WDFW to Bush Point to evaluate the situation and come up with a solution. At this point, because of the way the pedestrian abutment is tilted, they will not be able to re-launch the floats, so WDFW has a problem with their Contract #1 (Ramp & Floats), which also impedes completing Contract #2 (Building and Sitework). Ed said that he agrees with the Commission's direction to discuss options with Port Attorney Al Hendricks, but before going any further than that, he would like to see how WDFW proposes to fix the problems. Commissioner Tapert said that WDFW has not turned over the facility to the Port, so the Port should not do anything other than protect its interests. The other Commissioners concurred. Dennis Gregoire recommended that a wave analysis be done before the type of shoreline protection is chosen. The Commissioners instructed Ed to explore the Port's options regarding Bush Point from Port Attorney Al Hendricks.

6. COMPREHENSIVE PLAN:

A. Commissioner & Committee Retreat: It was announced that the Commissioner & Committee Retreat to discuss the Comprehensive Plan will be held on Monday, January 15, 2007, at the St. Hubert's Church conference room in Langley, from 9:00am through 4:00pm.

7. 2007 Committee Assignments: The committees for 2007 were assigned as follows:

A. Economic Development Council (EDC): Commissioner Tapert

B. Council Of Governments (COG): Commissioner Slinden

C. Regional Transportation Planning Organization (RTPO): Commissioner Slinden

D. Marine Resources Committee (MRC): Commissioner Seitle

E. Washington Public Ports Association (WPPA): Per previous decision, Commissioner Seitle is the Trustee for 2007, but Commissioner Tapert agreed to be involved but not assigned to the WPPA Committee. He said he plans to attend some of the WPPA seminars.

8. ACTIVITIES/INVOLVEMENT REPORTS:

A. Economic Development Council (EDC): No Update.

B. Council Of Governments (COG): Commissioner Slinden said that the COG was going to invite Puget Sound Energy to its next meeting to discuss underground power lines.

C. Regional Transportation Planning Organization (RTPO): Commissioner Slinden said that Washington State Ferries and the Department of Transportation are looking at the possibility of doing a study to fix the ferry dock drop off road.

D. Marine Resources Committee (MRC): Commissioner Seitle said that the MRC had a retreat at Tom Campbell's house. They looked at a work plan for 2007. They also had an Election of Officers for 2007. The new MRC Executive Director is Rex Porter. One of the things that might have an impact on the Port is that the Department of Natural Resources has money from the governor for the Puget Sound Initiative to work on the further removal

of structures that are in the water. Lisa Kaufman, project manager, has an interest in the old wharf in Langley because it would be an attractive target because it can be removed by barge in one trip, which is an attractive situation. On the other hand, it was specifically noted that the Port would lose mitigation credits if the work is not done as part of a Port project. Commissioner Tapert suggested that the Port first finish the project plan and then seek options to have the structure removed. Commissioner Seitle will keep the Board informed on the issue.

E. Washington Public Ports Association (WPPA): No Update.

F. Seminars: None noted.

9. OLD BUSINESS:

A. Port Logo Contest:

1. **Recent Entries:** Ed noted that he had included copies of Port Logo Contest entries in each of the Commissioner's packets after their recent submission by local designer Norma J. Boland. The Commissioners declined to proceed with any entries received to date, but instructed Ed to send the entrants a "Thank You" letter.

ACTION: A Motion was made by Commissioner Seitle and seconded by Commissioner Slinden to keep the Logo Contest submittals open until the Port receives one that they agree on. The motion passed unanimously.

The Commissioners agreed to wait until the new Comprehensive Plan is adopted to adopt a new Port logo.

10. NEW BUSINESS:

A. Holmes Harbor Shellfish Protection District: Ed reported that he had received information from the MRC and Island County regarding their hope and expectation for the Port's participation in the formation of the Holmes Harbor Shellfish Protection District in order to work toward cleaning up Holmes Harbor. Ed agreed with the need, but expressed concern that this could turn into an extended process and suggested that strong Commission involvement in order to help get it done quickly. The Commissioners concurred, and agreed that Ed should attend the Holmes Harbor Shellfish Protection District meeting that has been scheduled for January 16, 2007. Commissioner Seitle expressed interest in attending the meeting and suggested inviting Rex Porter from the MRC to attend as well.

10. EXECUTIVE SESSION:

The Commissioners convened in Executive Session at 8:50 pm to discuss property acquisition issues, and came out of Executive Session at 9:04 pm.

11. ADJOURNMENT:

The meeting was adjourned at 9:05 pm.

Approved:

Minutes prepared by:

Commissioner Geoff Tapert, Freeland

Ed Field, Port Manager

Commissioner Rolf Seitle, Langley

Commissioner Lynae Slinden, Clinton

- Exhibit A: Voucher Listing
Exhibit B: November 2006 Financial Statement
Exhibit C: Agenda (1/9/07) and “City Positions/Expectations for Collaboration with Port re
Improvements to and Operation of Langley Marine and Uplands” (12/21/06)
Exhibit D: Resolution No. 07-01 (as signed 1/10/07)