

# VASHON PARK DISTRICT BOARD OF COMMISSIONERS

## MEETING MINUTES

Ober Park, Conference Room, 7:00 pm

**DATE: Tuesday, February 25, 2020**

Commissioners attending: Bob McMahon, Doug Ostrom, Hans Van Dusen, Karen Gardner, Abby Antonelis

Staff attending: Elaine Ott-Rocheford

ISSUE	DISCUSSION AND OUTCOME	FOLLOW UP
<b>Call To Order</b>	Hans Van Dusen called the meeting to order at 7:00 p.m. Reviewed the agenda.	
<b>Public Comment</b>	No public comment.	
<b>2.11.20 Minutes; 2.8.20 – 2.20.20 Preliminary Vouchers; January Vouchers</b>	Doug: I move to accept the minutes and vouchers. Abby: Second. Pass 5-0	<b>Motion to accept 2.11.20 Minutes; 2.8.20 – 2.20.20 Preliminary Vouchers; January Vouchers</b>
<b>January, 2020 Financial Report</b>	Elaine: Not much to report yet except the following: Pool Summer – ahead \$8300, because we increased the budget to account for Madi. CIP – over \$10k due to a \$9k carry-over for retainage from 2019 for the Agren contractor and the Enduris \$1k deductible for the vandalism repair at Agren. Truck/Tractor Lease – I thought we had all through 2020 for the final truck payments, then found out we only had 1! Saving \$15k there. Cash at the end of 2020 is tracking to be \$593k.	
<b>Staff Reports</b> <ul style="list-style-type: none"> <li>• <b>Tramp Harbor Dock</b></li> <li>• <b>Sales Tax Bill</b></li> <li>• <b>Village Green Entry</b></li> <li>• <b>BARC BMX</b></li> </ul>	<b>Tramp Harbor Dock</b> Elaine: DNR has preliminary results from the sediment sampling, although the full report is still pending. We have arranged a meeting for March 13, assuming the full report arrives by then. It will be me, our attorney, their attorney, the Division Manager, and their Land Manager. Karen: What does the preliminary say? Elaine: She did not share it with me. We hope for the results to establish a baseline. From there, we will be discussing the geoduck issue, our liability concerns, and insurance issues. Doug: If they do or don't find something in the sediment sampling, what is the range of possibilities for us on this issue alone? Elaine: If they find contamination, collectively we have agreed the liability for us is pretty steep, and they	

will not be budging. If it looks clean and reasonable, I think we have something to talk about. Our attorney's concern about contamination is that all the liability is on us.

Hans: You have the sense that there will be substance to the discussion based on who will be there?

Elaine: Yes, the Division Manager is a major decision maker in this, as is their attorney.

Hans: And they have purview over the geoduck concerns?

Elaine: Yes, the geoduck bed is on their portion of the tidelands.

Hans: Would it be helpful to have one of us there?

Elaine: Yes, I think so.

### **Sales Tax Bill**

Elaine: At the last meeting, I shared with you the passage of a P&R funding bill that allows us to add 1/10<sup>th</sup> of 1% sales tax per Vashon voter approval to fund capital or even M&O. I looked up retail sales on Vashon, although the census numbers are from 2012:

Retail sales:	\$75,598,000
Accommodation and food service sales:	<u>\$9,236,000</u>
Total subject to the new 1/10 <sup>th</sup> of 1% P&R Sales tax bill:	\$84,834,000
Amount we could get:	\$84,834

I don't know if that is worth a \$10,000 try for a vote.

Karen: Much has changed since the 2012 census.

Doug: Is that a majority vote?

Elaine: I do not know.

Hans: My interest in this is "not soon." Maybe as an emergency measure, it is so little money, and it's a regressive tax, which is what is wrong with our state. It's not first in our toolbox. Even for 2020, it might be \$125,000. We have a \$1.5 million problem.

### **Village Green Entry**

Elaine: Ken is still working on permitting (all paperwork is in); zero funding from VIGA, but Ken is still working on that. He understands our policy now is that all funding must be in before the project can break down. He still hopes to do it this summer.

Karen: Isn't there a rumor VIGA wants out of that space?

Elaine: Yes, remember Caleb's proposal for that donated land? I don't know the status of that.

### **BARC BMX**

Elaine: Remember when Marco Gaul had built those huge jumps? I was concerned about that and ran it by Enduris. Enduris said no to that and furthered their denial of BMX trail riding at all. It is too high risk. This has been going on for years with trails back in the woods. There is no way we can police that; they are going to do it anyway. I have heard kids are using Burton Acres trails, as well. I have been working with

	<p>Enduris for months on this issue and reached out to KC Parks about Dockton trails to see how they manage theirs. First, they are self-insured. Too, they work with the Evergreen Mountain Bike Alliance, whom I have spoken with, as well. They have them audit the trails but cannot guarantee with the constant change from weather, etc. They also have a stewardship agreement with a group of volunteers to help maintain the trails. So I put together a similar package in a manual and stewardship agreement using EMBA and having Marco be the head steward. I sent all that to Enduris, then heard from them last week where they still said no. We must put up signs along the trails saying no bicycles and fencing around the jumps if not outright destroy them. I said they will do it anyway.</p> <p>Karen: Can't we put up a sign that says "Use at your own risk?"</p> <p>Elaine: No, we have to be more specific.</p> <p>Hans: What about the pump track?</p> <p>Elaine: The pump track is a maintained facility and not subject to weather, wear and tear changes.</p> <p>Hans: So it's not the whole BMX universe, it's just the dirt trail part. Is signage different from fencing? Do we have to fence it off?</p> <p>Elaine: Signage is enough.</p> <p>Hans: Do we have to say it is prohibited?</p> <p>Elaine: I will check.</p> <p>Hans: Our point is we don't condone BMXing there (because of our insurance), so we cannot claim liability. It might not put us in as tricky a spot if we didn't have to say it is prohibited.</p> <p>Abby: Even if they bike there, aren't we still not liable, because it is an open space recreation area?</p> <p>Elaine: If we have the sign up, and they do it anyway, our protection is recreational immunity.</p> <p>Hans: It should be "No BMXing on homemade jumps." How does Marco feel about all this?</p> <p>Elaine: I have not spoken to him or the Stewards yet. I wanted to talk with you first.</p> <p>Bob: We need for them to be on our team with this. Steer them to Dockton Forest. All we can do is make BARC as safe as possible and put signs up. They will tear down fencing.</p> <p>Karen: Is there a way the BMXers can work with Evergreen for safety issues?</p> <p>Elaine: That is exactly where I went, and Enduris said no.</p> <p>Bob: Why are they so attracted to BARC and not Dockton?</p> <p>Elaine: I think they use both, but for Marco I think it is an ownership thing. I applaud his passion for it.</p> <p>Bob: Do we need a separate meeting with him?</p> <p>Elaine: I'll talk to him and see how it goes.</p> <p>Hans: We appreciate that you did all you could do.</p>	<p><b>Action Item</b></p>
<p><b>Junior Taxing District</b></p>	<p>Elaine: I received the 2020 rates from Hazel. See new sheets. Wiggle room today is 56 cents. HD at 45 + passage of the two KC measures, we are eliminated + Cemetery District.</p> <p>Karen: Somebody should notify the Cemetery District.</p> <p>Hans: We might consider having a broader discussion with all the taxing agencies on Vashon. The people</p>	

at the bottom are at risk of elimination; the people at the top are at risk of blame. Elaine and I have reached out to County; Elaine reached out to HD. Is it productive to hold a meeting in a month or two? A public meeting.

Karen: It's a good idea, but knowing human nature, they are not going to move or care.

Hans: Everyone is elected to keep the house from burning down and to represent the constituents. I just think it is important that everyone understands what the issues are. Sometimes you do that better in person.

Elaine: I think it is a good idea to at least have the conversation. It shows due diligence. The thing is, I don't know how it would logistically work for another District – like Fire – to give up some of their rate. I suppose they just submit a lower budget.

Hans: 70% of voters told the HD to deliver health services. But people need to understand when they read in the paper we are on the verge of extinction. If you're a HD commissioner, you need to be able to speak to this.

Elaine: Well, they do know now. I received a very lengthy and nice email from Tom Langland. He said they are genuinely shocked and upset about the KC Roads measure. They had a sense for Library, because I told them last year after we spoke with the Library Finance guy. My motive was to inform them but also to seek information about their rate. I want to bring as much concrete information to Fitzgibbon when I ask him to resubmit our bill. HD is not ready to decide a rate, and I respect that. But now they know we are anxious, and it might prompt them to move faster. Just reaching out shows due diligence. I can say I tried, and let's not risk this. I also want to be solid with McDermott's info about Roads and Library, and I think that is still a month or so out.

Hans: What is your sense for timing in reaching out to the State?

Elaine: As soon as we have a definite go from McDermott.

Hans: What's the rush?

Elaine: Getting the lobbyist engaged. It will take time for him to reach out to the full state legislature. I already did a reach-out to all P&R Districts in the state. I have received some nice support. But rallying those agencies to write to their legislators will take time. I want to get started as soon as is reasonably possible, but "reasonable" is defined by having solid information to take to Fitzgibbon.

Abby: You think the KC info will be in March?

Elaine: McDermott indicated that.

Hans: Is April too soon?

Elaine: I would think late April at the latest, because they would have to have their resolutions in shortly after an April Special Election date.

Doug: Is it the KC Council that ultimately has the say in this?

Hans: I think so. I think it is proposed by the division director to Dow Constantine and voted on by the council.

Paul Rowley: The Local Services Department has information about who is responsible for what. John

	<p>Taylor is pretty accessible.</p> <p>Hans: Elaine and I each sent letters to McDermott. I think that is our strongest venue by far. The County has to make us whole.</p> <p>Elaine: Hans did mention the buy-down option.</p> <p>Hans: We will hold him accountable. We might want to engage the Executive, as well. I will reach out to John Taylor.</p> <p>Doug: Do we know if our situation is unique in the County?</p> <p>Elaine: I don't know of any other pro-rationing effects. Anderson Island is Pierce County, and they said they get pro-rationed a lot. They are supportive of our bill. Monroe could be affected by KC. At the last meeting, I reported that if our bill passes, we would not see funding until end of July due to the timing of a new law taking effect 90 days after the legislative session closes. As it turns out, Hazel informed me we would receive 0 dollars in 2021 even if the law changes, because they set the assessments for the year based on resolutions and budgets effective January 1. We agreed at the last meeting we should make cuts this year where we can. Our cutbacks this year don't really matter. We need to ask for a KC buy-down for our full levy -- \$1.5 million. Otherwise, we're in trouble.</p> <p>Hans: I am optimistic. It would be a big black eye for them.</p>	
<p><b>Policies</b></p> <ul style="list-style-type: none"> <li>• <b>Public Record Act</b></li> <li>• <b>Probation</b></li> <li>• <b>Hours of Work</b></li> <li>• <b>Nepotism</b></li> </ul>	<p><b>Public Records Act</b></p> <p>Elaine: I have been working more on CAPRA, which means digging deep into policies. By law, we are supposed to have a Public Records Act. I looked at about six different policy examples through MRSC, and they all pretty much say the same thing. I am confident this captures all we need. You need to adopt this. Also, you need "refresher" training no more than every four years. I will send the link.</p> <p><b>Karen: Move to approve the Public Records Act Policy.</b></p> <p><b>Abby: Second.</b></p> <p><b>Probation Policy</b></p> <p>Elaine: This is an existing policy I would like to modify. The probation period is one year. This says you have to do a review every quarter, which is a pain. Too, they are at will and can be dismissed at any time. I want to eliminate that. The 90 day waiting period for benefits is not applicable any longer. They accrue, period. Recruitment is tough enough as it is; benefiting immediately is more competitive. Too, PERS is a pain if we wait 90 days.</p> <p>Hans: This is a weird policy. You can remove a person before, during or after the probationary period. What is the point to this policy? It's a non-policy.</p> <p>Elaine: Let's eliminate it.</p> <p>Bob: It is really only useful in a union situation where this was bargained.</p> <p><b>Abby: Move to eliminate the Probation Policy.</b></p> <p><b>Karen: Second.</b></p>	<p><b>Motion to approve the Public Records Act Policy</b></p> <p><b>Motion to eliminate the Probation Policy</b></p>

	<p><b>Hours of Work</b>  Elaine: This stipulates how we are taking record of hours of work. We use a new timesheet software that assigns time to specific facilities and parks for P&amp;Ls. It is useful to have the way we account for time in a policy, so employees know.  Hans: It is interesting that 3 are at 15 minutes, and one is at 5 minutes. 15 minutes is the norm.  Abby: That seems appropriate for maintenance to be at 5, because it is when they arrive, give or take, at the new park/facility. Nobody gets cheated out of time as opposed to the others.  Bob: Is it rounded to the nearest or rounded up?  Elaine: Maintenance rounds to the nearest 5, because they get 40 in the end. Same with office. Access and gate attendants round up. Access's coming and going is nebulous, and they need an incentive to take such poor pay. Gates are nebulous in that they never know what they are going to encounter in a park. I will change those two to "rounding up."  <b>Bob: Motion to approve the Hours of Work Policy as amended.</b>  <b>Doug: Second.</b></p> <p><b>Nepotism Policy</b>  Elaine: This is a new policy. It effectively says we can hire family members as long as there is no direct line of authority. This is similar to what I found as examples for other agencies. I looked up WA State law about not allowing family members at all, and it borders on being discriminatory. This is needed due to the trouble we have hiring lifeguards and housekeepers. Jason's daughter has indicated an interest.  <b>Abby: Motion to accept the Nepotism Policy.</b>  <b>Karen: Second</b></p>	<p><b>Motion to approve the Hours of Work Policy as amended.</b></p> <p><b>Motion to approve the Nepotism Policy.</b></p>
<p><b>Adjourn 7:50 pm</b></p>	<p>Bob: Motion to Adjourn  Abby: Second  Pass 5-0</p>	

Minutes by: Elaine Ott-Rocheford