

VASHON PARK DISTRICT BOARD OF COMMISSIONERS

MEETING MINUTES

Ober Park, Conference Room, 7:00 pm

DATE: Tuesday, March 10, 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
Call To Order	Hans Van Dusen called the meeting to order at 7:00 p.m. Reviewed the agenda.	
Public Comment	<p>Captain Joe: I have several tour groups this month. I am not cancelling anything. The tour season is picking up. The regular season will start after Mother’s Day. I don’t do private tours – anyone is welcome.</p> <p>Doug: Are most of the tours local people?</p> <p>CJ: Most are from off-island and must come across via the ferry. As far as I know, we have had no COVID hits on the island.</p>	
2.25.20 Minutes; 2.21.20 – 3.6.20 Preliminary Vouchers	<p>Bob: Motion to accept.</p> <p>Karen: Second</p> <p>Pass 5 - 0</p>	<p>Motion to accept 2.25.20 Minutes; 2.21.20 – 3.6.20 Preliminary Vouchers</p>
Board Votes	<p>Board Votes:</p> <ol style="list-style-type: none"> 1) Karen: Motion to approve the Public Records Act Policy. Abby: Second Pass 5-0 2) Abby: Motion to eliminate the Probation Policy. Karen: Second Pass 5-0 3) Bob: Motion to approve the Hours of Work Policy as amended. Doug: Second. <p>Elaine: The amendment was the “rounding up” language for Access and the gate attendants.</p> <ol style="list-style-type: none"> 4) Abby: Motion to accept the Nepotism Policy. Karen: Second 	<p>Motion to approve the Public Records Act Policy Pass 5-0</p> <p>Motion to eliminate the Probation Policy Pass 5-0</p> <p>Motion to approve the Hours of Work Policy as amended Pass 5-0</p> <p>Motion to accept the Nepotism</p>

		Policy Pass 5-0
<p>Policy Changes/ New Policies</p>	<p>Policy Changes/New Policies:</p> <p><u>Reduced Fee Policy</u></p> <p>Elaine: This policy has been around for awhile but is outdated. This is updated to the law. The first paragraph stipulates that the RFA fund can only be by donation or match. In 2010, the District received a management letter for using levy funds.</p> <p>The next change is that we primarily award 50% and require a 50% match. Since funds are limited, we want to have enough available for all who apply and for all activities year round. I have been practicing that as a test to see how it flies, and people are really cool about it.</p> <p>On evidence of need, I don't think it is any of our business to know a family's income. I take copies of these examples for auditing purposes. The vetting has been done by presenting an Orca lift card, etc.</p> <p>Doug: Is there a policy for allocating the money if there are more applicants than there is money?</p> <p>Elaine: The policy states the award will not <u>exceed</u> 50%, so that covers it.</p> <p>Hans: There is funding. And only available by donation or match. Both of those exist?</p> <p>Elaine: Yes. We receive donations from a variety of sources, not always consistent. We used to received funds from an estate fund. CC Stone and Captain Joe made a donation for a learn-to-swim fund. The Hoopsters donated \$2500.</p> <p>Hans: What would the Hoopsters be used for?</p> <p>Elaine: Basketball camps. It is tagged for that. The Vashon stickers are donated, so we put the sale of those toward RFA.</p> <p>Hans: And the use of RFA funds is for the programs we offer.</p> <p>Elaine: And also for our partnership activities for which we have user agreements. But it's mostly our programs.</p> <p>Hans: Do we adequately promote this offer?</p> <p>Elaine: Yes, it is in all agreements and all over our website.</p> <p>Abby: How does the pool work if someone takes swimming lessons for two weeks vs Sailing Camp? It seems inequitable.</p> <p>Elaine: Now it gets complicated. I award based on what they apply for. I don't get into the weeds. I haven't had any problems with it.</p> <p>Hans: And the demand to supply is reasonable?</p> <p>Elaine: It is now. There was one year I did not have any donations at all.</p> <p>Hans: So limiting it to one application annually is because we <i>feel</i> we have a limited resource?</p> <p>Elaine: That comes off the time it was depleted, so I feel we should be careful about not blowing it all in one year.</p> <p>Abby: You have some leeway there. I think the way you worded it is good in that you have allowed yourself some latitude.</p> <p>Hans: Is that true about the Constitution?</p>	

Elaine: Interestingly, just a couple weeks ago I had a conversation with David Hackett about that language in VISIC's user agreement. He feels it should be challenged. He was on the Board when this issue came up with the auditor in 2010. He challenged it then, but they dug their heels in.

Hans: Reduced fee services are common, like the Orca card. You can get on the bus for half price. Why is it illegal to swim for half price?

Elaine: I'm just saying it was an issue to the auditor in 2010.

Hans: My line of questioning relates to opportunities for everyone. I appreciate we don't have money for this now, but the part about it only being available by donation to the District, I don't know the math on that. We are favorable for now, but why hamstring us to that? And the bit about only one discount per family, without knowing the equilibrium of the funding, I am not interested in limiting poor families to only swim. I have some concerns.

Elaine: That's why the Board has to approve these things! If you wish to modify something, have at it.

Bob: (d) means per family?

Elaine: It is per person.

Bob: We need to make that clear. Maybe we can word a qualifier for people who need more than one program.

Elaine: Short of getting into their personal financial situation, I don't know how we would vet that.

Hans: Clarity is nice rather than ambiguity. Does this come up much?

Elaine: A couple times a year. And it is multiplied by a family with several kids. Now you get into equity issues. Is it right to award a family \$1,000 when somebody else is only getting \$100.

Hans: I don't know the net balance. Some years we're okay, but some years are not. If I felt it was affordable, I would not want that barrier.

Abby: You said earlier you thought it was being abused.

Hans: What does that mean?

Elaine: It's just a sense. I don't know for sure. They always must have proof.

Hans: So it's a sense they are using it too frequently. At this point, I am in favor of one award per person per family.

Karen: I am in favor of that. If we don't do that, we open up abuse. Since nobody has been complaining and seem to understand, it seems to work.

Abby: I don't like limiting it per person. Can we say you can get it one time, then next time you will be at the bottom of the list? It seems if there is money available, it should be used. Maybe allocate a certain percentage per year to each program. When it's done per program, it's done. For example, if I have two kids who apply for basketball and skiing, if they are awarded for basketball, then they would be at the bottom of the priority for skiing and be awarded if money is available.

Elaine: I could try that.

Bob: Another approach might be to lower the percentage from 50%, so more can participate.

Karen: What I am hearing is we have not had a problem with this. Why are we fussing about it?

Abby: Because Elaine said it has been abused but without evidence. So there is a potential that families are not participating when they need it.

Elaine: Abuse is not the biggest issue. It is an ancillary issue. The biggest issue is that I want funds

available for everyone that applies all the time. We did run out of money once, and that made me feel really bad. I never know when I will have donations, I never know how many applicants I will have. I am just trying to mete it out, so I will be able to meet every family's need when they come to us every year.

Hans: We don't hear complaints, but I don't know what that means. I prefer there are not barriers. I think the parks, funded by tax payers, the services should serve everybody, and we should do what we can to do that. I am in favor of not limiting it, and I am concerned about the Constitutional limit to that. I think the model of funding through donation is excellent. It's a great ask. I am concerned about hamstringing us to donations if that is not true.

Elaine: Am I hearing you say you want me to challenge it?

Hans: Yes, or ground-truth it. There must be jurisdictions throughout the state that offer assistance.

Abby: We subsidize throughout in everything we do by having low fees.

Doug: For everything. We subsidize everything.

Hans: And our users pay based on the value of their property.

Bob: This would be ideal for a foundation to raise donations if we ran out of money.

Doug: What is involved in challenging the Constitutional provision?

Elaine: According to David Hackett, it would mean challenging the auditors themselves. I believe it is an auditor's interpretation of inappropriate gifting of public funds.

Bob: But the phrase allows for the poor and infirm. I don't see how they can ignore that.

Abby: I agree to get rid of the financial vetting in the policy.

Hans: What is Hackett's angle?

Elaine: He believes we should be able to allocate District funds due to the "poor and infirm" phrase.

Bob: Another way we can do this is to do it our way then see if it gets challenged again.

Elaine: I think it would be more prudent to challenge it up front rather than get caught doing it when we were told not to in the past.

Captain Joe: I was here during those discussions with the auditors. The Board challenged the auditor, and the auditors really dug in. I would urge that you not make changes that have been addressed in the past. If it is the intent of the Board to have this be to the ED's discretion, it should be stated in the policy.

Hans: I think each decision is within her financial parameters.

Bob: So where are we with this? Dropping the 50%?

Hans: Ask the auditor about the constitutional statement; the 50% per program, we have not come to majority on that. I would prefer no limit per program. We should make that decision based on the District's ability to support that.

Doug: For what it's worth, I agree with Karen. It is a non-issue.

Abby: It feels like a non-issue logistically, but if it is going to be our policy and reflect us, I am uncomfortable with it.

Hans: Bob is the swing voter, then.

Bob: I hate to see it limited.

Doug: Even if we received a favorable ruling, I don't know that funding it ourselves is the right thing to do. We are not rolling in money.

Bob: Whatever we do, it needs to be easy to administer.

Action Item

Refund Policy

Elaine: Currently, refunds require 7 days notice for programs. It used to be 7 days for reservations. It was an accounting and logistical nightmare with all the last minute changes. We tried 30 days, and it is working really well. We would like to change the policy to 30 days.

Abby: Motion to accept the Refund Policy changes.

Bob: Second.

Infectious Disease and Public Health Emergency Plan and Policies

Elaine: As you can imagine, as this coronavirus issue is spreading, agencies and businesses are ramping up how we are going to handle this. We need a plan and associated policies embedded therein. I took these guidelines from CDC, KC Dept of Health, and Kirkland Parks and made them relevant for VPD. It describes what we are doing and what we will do in the event of a public health emergency. We are watching for “social distancing” as being strongly recommended or mandated. Existing policies would receive these changes:

- 1) Lodging, reservation, and program cancelations receive refunds and without admin fees.
- 2) Sick time deficit for staff getting sick or laid off if mandated if they run out of sick time. They must use what they have, then they could run up a 2 week deficit they would “pay back” once they start accruing again. We would look at average hours worked as the basis or what they were scheduled.
- 3) Donate sick time from other employees.

Karen: Is the governor paying wages for people who are affected?

Elaine: Beyond 2 weeks, they must turn to WA state FMLA. I believe unemployment is being loosened for lay-offs.

Hans: Are other agencies doing this?

Elaine: No, me and staff came up with this.

Abby: My company does that. It is helpful.

Elaine: I don’t think we should do this under regular practice. It is only in a public emergency.

Elaine: In retrospect, the refunds and admin fee exemption was under Lodging, and it should be a higher level bullet for all reservations and programs. Eric researched that this is standard in the lodging and park industries. What I haven’t addressed, and we should discuss, is what we should do in the event of social distancing being recommended. The pool is obvious – we close the pool. Field use – what if club sports want to continue? Should we leave that up to users’ discretion? It’s their club.

Abby: VIGA discussed this this morning. They want to still do it, but it’s park district property.

Elaine: My feeling is it should be up to the stand-alone entity for the safety of their participants if it is an outdoor activity. Indoor facilities should be closed.

Doug: About the pool, it seems risky. But research says hiking and a pool are the best exercise under the circumstances. The chlorine kills the virus. But I have heard other countries are closing their pools.

Hans: Page 4 provides examples that include but are not limited to. It is at our discretion. I think it is good in the policy. Having the discussion for what we are currently faced with, I think it makes sense to keep outdoor facilities open. Limit counter exposure. The County or State might be a trigger. If and when we decide to close barring that is what we are discussing.

Motion to accept the Refund Policy changes.

	<p>Elaine: I have not closed or canceled anything yet. Hans: I think the policy as presented is good. Elaine: For now, you feel we should leave it up to VIGA? And the club sports? Hans: Outdoor should be open and left to the users. What are your thoughts about indoor? Elaine: I am watching for the words “social distancing.” Right now it is just suggested for at risk people. I feel those people are under the guidance of their instructors. But if KC states it is strongly recommended, that is when we pull the plug. Bob: We should learn more about the pool first. Is it considered an indoor or outdoor facility? Hans: The changing room makes it indoor. Elaine: I am concerned about staff at the pool. Also lodging, gyms. Karen: That makes sense to me. Elaine: If the school district closes, I would think we would have to follow suit for after hour activities. Hans: If maintenance is healthy, they would continue doing what they do, especially outdoors. Bob: I move to accept this policy. Doug: Second. (Pass 5 – 0) Elaine: Can we suspend the rules in case something ramps up in the near future? Bob: I move to suspend the rules. Karen: Second. Pass 5 – 0.</p>	<p>Motion to accept the Infectious Disease and Public Health Emergency Plan and Policies</p> <p>Motion to suspend the rules</p>
<p>Capital Improvement Plan</p>	<p>Bob: Last time we met we agreed where the numbers should be. So I created a spreadsheet that put them where we wanted them. We added additional columns for high priority and the others. For each column there is a tally at the bottom, so we can see month by month what the work we have authorized will cost us. We can use the tally as a tool to spread things out. Hans: The month numbers take the high priority items and spread them out over appropriate time periods? Elaine: There were three criteria we used in deciding where things went: priority, manageability, and available funds. We have @ \$605k available for capital projects from 2020 – 2023 relative to a \$400k reserve year to year. We planned in this for @ \$406k, leaving \$200k open for emergencies or being able to squeeze something else in. The items we did not budget out were a bunch of Pt. Rob items we thought we might be able to run a bond on. Hans: You identified \$400k of projects to do. Where does that number come from? Elaine: Tally all the items and go to the last page to the last column. Hans: There looks to be about \$170k missing. Abby: It doesn’t look like everything is accounted for. Like Wingehaven. It’s not allocated to any of the columns. Elaine: Because it’s going to be done by a donor or a grant. Hans: How about BARC \$220k? Elaine: There are two parts to that. \$200k of Judith’s grant will take care of a lot of the regrade on the upper level. It is happening in the context of the pump track. The other \$20k will be for the lower field. Hans: The front page is helpful but doesn’t show secondary priority. Elaine: By default, where it falls into a timeline, that indicates secondary priority. Remember, we are</p>	

	<p>thinking of this in terms of what I am able to manage. If we lump everything in one year, you will never see me again.</p> <p>Hans: It would be helpful to see each year as stand-alones. The month is not helpful to me. As a decision-maker, it is only helpful to me to see what is priority for each year.</p> <p>Elaine: So hide the months.</p> <p>Abby: What is Ober Park \$100k?</p> <p>Elaine: I haven't gotten to that yet in my report. This is a list of all the restrooms. For Ober, the second part of the grant cycle we sent in a letter of intent for included the Ober restroom. It was denied. They had a staggering number of applications with limited funds. They felt they had to give it to somebody else. So phase 2 is not going to happen anytime soon.</p> <p>Bob: I would think it would be handy for you to have the month-to-month. We should hide the columns for the Board to just see the total columns.</p> <p>Hans: The only thing I would change is to have the "high priority" changed to 2021. By definition it is a high priority for us.</p>	
<p>Dog Services at Sunrise Ridge</p>	<p>Elaine: We used to provide bags/pick-up when we leased the ball fields. We paid them \$500 per year and provided the dog services in exchange for the use of the ball fields. That was the "exchange in value." When we dropped the lease end of 2019, we discontinued those services, because would be considered inappropriate gifting. Now the poop is over-flowing. They want us to re-instate that service with fundraising from Vashon Unleashed (1 hour labor/week \$35 + 1 case poop bags). There is woman who said she would try to spearhead the effort. I don't know what will come of it. Oddly, in talking with Greg Martin about it, they voted against a dog park due to zoning code issues, so how can they support a formal agreement on this? I said I would talk with the Board about supporting this if we get paid for our services with the Lease stipulating just that. That they collect the funds from Vashon Unleashed, and they pay us for the value we are providing.</p> <p>Doug: I don't get this at all. Is there effectively a dog park up there right now?</p> <p>Elaine: Not officially. It is land where people take their dogs.</p> <p>Hans: Is it fenced? Is there a bag dispenser?</p> <p>Elaine: Not fenced. There is a bag dispenser.</p> <p>Doug: Why should this be on us?</p> <p>Elaine: Because they insist it is a park district function.</p> <p>Hans: Do you have a recommendation?</p> <p>Elaine: I feel it is worth exploring.</p> <p>Karen: I do, too. The community wants a dog park. It would be good to show we are responsive to this, and we get paid for doing it. It seems like a win-win situation.</p> <p>Elaine: Agreed, if they get beyond their code issues.</p> <p>Doug: And it is not our dog park. It is their dog park with all the legal responsibilities that go along with that. We are only providing a service.</p> <p>Bob: We can put a sign there stipulating "bags and service provided by VPD."</p> <p>Elaine: The lease should address liability, like if a dog bites somebody, it's not our problem.</p>	

Doug: We might not want to take too much credit for it.

CJ: I sit on the Sunrise Ridge Board, and I am the treasurer who created the budget. There is no allowance for a lease with the VPD. Regarding the code issue, here is what happened. Vashon Unleashed made a presentation to the Sunrise Ridge Board. The Board agreed to move forward. Then a Board member got an attorney who did not want the dog park. The attorney came up with a 25 page brief as to why we were in violation of zoning. The zoning is complicated, because the property came from the federal government. The Board then held a vote to end all discussions because of this zoning problem. It was voted down, and Vashon Unleashed was told no dog park. In the meantime, it has continued being a dog park without the fencing. When the VPD lease ended, quite properly, the pick-up of dog poop was ended. There is a possibility the zoning will be sorted out, so they can, indeed, have a dog park. It is not a dead issue. The question of who picks up the poop should be between the two Boards. This will be an agenda item at the next meeting – Monday next. Then they can decide whether or not to enter into negotiations with the VPD. Sunrise Ridge has no ED. The board chair acts as the ED. Greg Martin does not speak for the whole Board.

Bob: Isn't there a garbage can up there?

CJ: None. The only trash is at the Food Bank.

Bob: I suggest that people bring their own bags and take it home.

CJ: It shouldn't be a VPD problem, quite frankly.

Karen: It seems to me we do not have the authority to enter into an agreement. This is a moot point.

Hans: So what are we trying to pursue again?

Elaine: Greg was quite adamant that this needs to be a park district function. Quite frankly, I do not think it needs to be a park district function.

Bob: No, it does not!

Hans: So the thing we might entertain is that we would lease it again?

Elaine: We would enter into a service contract with them that provides dog poop bags and pick-up in exchange for compensation.

Hans: I think we have capacity for that service that would not diminish what we do for the rest of the park district. I am open to providing a service contract for their dog park. That's what this is.

Karen: If it can work out, it would show we are doing our bit to help.

Bob: The only thing I have trouble with is them saying it should be park district function, when we have no business with them as a facility.

Abby: I think this is weird. It is a bummer we can't come up with a dog park. It wouldn't be a bad thing to facilitate this as best we can. But for future thinking, it seems they are on a collision course. I don't know that we want to be in the middle of it. It already is a dog park. Their board seems to be split about it. Are we going to be leveraging to get this dog park done? Do we want to be doing that?

Doug: That is my concern, that we get dragged into something further than we want to be. I don't have a problem with just the dog poop part. But we could end up running the dog park.

Abby: So they want their poop picked up now and are willing to pay \$1200, but what if it goes up to \$1500? \$1700?

Elaine: I worry about the consistency of the funding. What happens if they don't raise the money? I would prefer Sunrise Ridge deals with this, and we don't have anything to do with fundraising, making collection

	<p>calls. If the agreement is with Sunrise Ridge, then they provide the funding. Hans: If they stop paying the bill, the service stops. CJ: It is clear to me, this is not a VPD problem. For the chair of Sunrise Ridge to imply that is something I will disabuse them of at the next Board meeting. Hans: I don't want to get into a fight with Sunrise Ridge. The question is about whether we will pick up the poop for a fee in a service agreement.</p>	
<p>Staff Reports</p>	<p><u>BARC BMX</u> Elaine: I pushed back on Enduris about their BMX closures. I took a bunch of pictures and said they are making this blank statement about closing everything when some of the features are completely innocuous. And then you get into different levels of difficulty. The big jumps are the extreme, but there is a medium risk half pipe that seems acceptable. I suggested they come out and take a look before we destroy or close everything. We'll put signs and tape up in the meantime. They agreed. Will be out mid-April. I explained that to the Stewards. Marco is very upset and has quit the Stewards. Bob: If it is allowed, it can only be what we prescribe it to be. Elaine: I don't know if it will ever be beyond flat trails.</p> <p><u>Camping – Vashon Adventures</u> Vashon Adventures is currently managing the “primitive” camping at Maury Island Marine Park. They approached us about managing our kayak camping sites at Pt Robinson and Lisabeula. We think it would be great for a number of reasons: a) Revenue generator for us, which we can build onto their concessionaire agreement; \$17 per night, which they will promote (we get 10%); water trail still free but booked with a promo code. b) They require a liability waiver. c) They send the rules, like no fires. d) Auto emails the caretaker and gatekeepers. e) They check the porta potties and grounds f) Campers police the property – sort of an ethics code This is just a heads-up. They will be here in April for a fuller presentation. Doug: Who are these campers? Elaine: Kayak, bicycling, walking. Exactly as it is now just with these amenities. For those on the kayak Water Trail System, it would still be free. They would just need a code to make a reservation. I like the indemnity clause, because now it is hit and miss. They do misbehave. It is a good way to create some oversight. Bob: It's a good thing to do, but at Pt Rob, they tend to get possessive of their campsite. We need to make sure they are well designated. Hans: They may actually reach more people for more use, and therefore more eyes on the park. Abby: So they would have to make a reservation? Elaine: I believe so. Bob: There is nothing to keep people from driving in to Pt Rob. Parking on the road and packing in.</p>	

	<p>Elaine: We can talk to them about that.</p> <p>Hans: The only downside is it takes away a free use of our parks.</p> <p>Abby: I know they are interested in getting people outdoors. That is their goal. Not to make money. We have no way of knowing how many people use it.</p> <p>Hans: We can ask what happens when there is a reservation at Lisabeula and a kayaker shows up.</p> <p><u>Ober Playground</u></p> <p>Elaine: I told you we were not invited to apply for the KC Grant. Our architects have come up with 3 options under review that I sent to the committee. Committee had some concerns. The architects will come up with more options and a matrix for exercise equipment. We are considering a public meeting for April 21.</p> <p>Karen: It will be nice to get community input.</p> <p>Abby: I am concerned about being able to answer for the community, like if they want a mix of ADA and more able bodied equipment. We need user input. I don't want to present a park saying, "we did this for you!"</p> <p>Elaine: Maybe we should have them present that as an option.</p>	
<p>Adjourn 8:30 pm</p>	<p>Abby: Motion to Adjourn</p> <p>Doug: Second</p> <p>Pass 5-0</p>	

Minutes by: Elaine Ott-Rocheford