

# VASHON PARK DISTRICT BOARD OF COMMISSIONERS

## MEETING MINUTES

Teleconference, 7:00 pm  
**DATE: Tuesday, August 25, 2020**

Commissioners attending: Hans Van Dusen, Bob McMahon, Doug Ostrom, Abby Antonelis, Karen Gardner  
 Staff attending: Elaine Ott-Rocheford

ISSUE	DISCUSSION AND OUTCOME	FOLLOW UP
<b>Call To Order</b>	Hans called the meeting to order at 7:00 p.m. and reviewed the agenda.	
<b>Public Comment</b>	No public comment.	
<b>8.11.20 Minutes; 8.8.20 – 8.21.20 Preliminary Vouchers</b>	Bob: Motion to approve. Doug: Second.	<b>Motion to approve 8.11.20 Minutes; 8.8 – 8.21.20 Preliminary Vouchers Pass 5-0</b>
<b>Board Votes</b>	<p>Board Votes:</p> <p><b>Karen: I move we accept the second grant proposal for the BARC Pump Track project Phase 3.</b></p> <p><b>Bob: Second.</b></p> <p>Doug: How does the pump track relate to Surface Water Management fees? Is it cement? Will we have high SWM fees?</p> <p>Elaine: I would think not. No doubt, the fees would go up, but the most we pay on our properties with more extensive surfacing is \$289 a year. When we consider parks like Jensen Point as an example.</p> <p>Truman: The rule is 10% impervious surface. If you are more than 10% to 14%, it is \$843 an acre.</p> <p>Doug: Will they count all the park district properties together?</p> <p>Elaine: No, they are all billed for each separate property. I can't imagine this will add that much more to BARC.</p> <p><b>Pass 5-0</b></p> <p><b>Karen: I move we change the use of the trails at Paradise Ridge to be for equestrian and hiking use only and no bicycles other than riding in for park use.</b></p> <p><b>Abby: Second.</b></p> <p>Elaine: I sent to all of you including Mary O'Brien Mark Freda's comments as follows:          "The insurance company wildcard aside, why not put up better signage to have some structure and education around riding bikes at PRP? I totally agree that the arena's should be closed to bicycles. They</p>	<b>Motion to accept the second grant proposal for the BARC Pump Track project. Pass 5-0</b>

have no good reason to be in there. Trails and grass areas are open and clear enough to be shared. Horses get the right of way of course and there should only be one direction of travel on the trails. Days of equestrian competitions and clinics, it should be closed to bikes completely. That seems fair and safe. PRP is not heavily used by cyclists, so I feel that managing the users is possible versus a complete ban. I grew up in a large equestrian community in the Midwest, we had horses my entire childhood, my sister still rides, and my daughter rides horses three days a week here (and is also an accomplished cyclist). The last thing I want to see is an equestrian or horse injured. Yes, I've seen both many times. I have also been a competitive cyclist for the past 32 years and have seen far too many places that I ride closed to bikes as the "easy fix", instead of spending the time to create a system that works for all trail users. Honestly, I'm not looking to use PRP as my "training ground", I'd like to see it remain an option for families, those new to biking, or people that live near there that don't want to load up the bike and drive to ICF or Dockton. Vashon prides itself on being an inclusive community, perhaps the motion to ban bicycles at PRP is not in that same spirit.

Regarding the "different type of cyclist on island these days", aren't the equestrians training for competition at PRP? I don't see what the difference is. Yes, there happen to be competitive cyclists on the island just as there are competitive equestrians. I happen to know many of them. I am also aware and courteous to all trail users. Not all off road cycling disciplines involve mountain bikes and jumps, so saying "they can train at Dockton" is like saying an equestrian jumper can just train on the cross country jumps or a dressage rider should just use the parking lot, it's flat after all! I think you get my point. One such cycling discipline is Cyclocross. It's actually one of the largest race series in the country. US National Championships were at Fort Steilacoom Park in Lakewood last December. Courses are different mixed surface loops with sand, grass trails, dirt trails, mud, pavement, running sections, stairs, barriers to jump over, etc. It's like steeplechase on bikes. The bikes are drop handlebar bikes like road bikes, but you use knobby tires like skinny mountain bike tires. Anyway, I can keep going, but a quick Google search will provide plenty of detail and video examples. My point is that just because we don't understand a sport or activity, is not a reason to just ban it completely. I think limiting days and area's with clear (open/closed) signage and informational signs would be a reasonable solution. If it doesn't work, then look at a complete ban. Does VPD have any official complaints or incident reports regarding bikes at PRP over the years or is the park board just going on Mary's comments at the meeting?"

Karen: I think it should still be horse only. Whenever you open up partway, it creates problems. Not everyone will follow the rules. We must amend the Master Plan to say it is just for horses. The exception would be the paved areas.

Elaine: Mary O sent me an email of the minutes from the Horse Association where a number of them agreed the paved section should be available to cyclists.

Mary O'Brien: Yes, they are very uncomfortable with use of what is referred to as the trails, which is actually the whole cross country course. Years ago it wasn't a problem, but things are different now with higher speed bicycles. It is not possible to set the course to go only one direction. There are ways to cut from one jump to another. You don't know what direction somebody will be coming from. The horse people can watch for one another. It wouldn't work with bicycles. We would like to remind people that the

**Action Item**

whole thing, even the grassy areas below the assembly building, is the horse course. The jumps are made to be portable, so the course can change all the time. Nobody has a problem with bicycles on all the paved areas, including those close to the arenas. If somebody on a bicycle is doing something that is scaring the horses, we feel it is okay to tell that person that it is a problem. If there have been problems, they have been bad about reporting to the park district.

Bob: I picture a collision between a bike and a horse being a disaster. I wonder what the bicyclists would think if equestrians rode on the Dockton bike trails using the same argument that they are in their neighborhood. It is dangerous and would destroy the trails. It is not nearly as big a deal throwing a bike on the back of a car and driving somewhere.

Mary: There are places that are shared, but hopefully nobody is going at speed in those places. But two groups going at speed – bikes and horses – it is dangerous.

Hans: I don't think this needs to preclude we include a bike trail at the park. If we want to decide to put a bike trail on that land with a sign, that would be fine. It is appropriate to have a cross country equestrian course that does not allow bikes. I don't know if that's too subtle, but the equestrian course is horse/pedestrian only. It doesn't preclude having a potential future bike trail.

Doug: The discussion on Mark's part assumed he was being excluded from the entire complex and not just the trails. Now I am hearing it is okay for bikes to be on paved areas. Can we make that distinction clear?

Mary: As long as everyone behaves well, that would be fine.

Doug: It is a public facility. We want to be as inclusive as we can be without people getting hurt.

Abby: I like the idea of being open to people who want to build a bike trail, with our approval, of course.

Elaine: That seems like a reasonable compromise.

Mary: The trails are quite lengthy – over a miles worth total. Any of them can have jumps on them at any time.

Abby: The equestrian community maintains all those trails too, right?

Mary: With a larger VPD maintenance department, they do a lot of the trail maintenance now. We haven't had competitions in a long time, because the course has been upgraded. We did that work. VPD takes care of anything dangerous.

Hans: My suggested amendment to the motion is that we allow for horse/pedestrian only on the equestrian course, which includes the trails.

Mary: I don't know what space is available to put in a bike trail. The attraction to the horse trails is that they are wide, maintained, and clipped back. That is what they want to use.

Karen: Where would we put a bike trail?

Mary: There is not much place for it. Maybe in the SW corner, but it would require a lot of brush work to make it into trails. I don't know what the horse people would think about that.

Karen: It seems to me that would complicate things by indicating particular bike trails. I would prefer that we keep it simple by saying this is a horse facility with no bikes.

Mary: It was set up to be multi use in the beginning, because it was the only park. We were able to manage bikes and horses in the past. The competitive trails would be a problem.

Doug: I don't get the sense that is what Mark has in mind. It would be a low grade facility as far as cyclists are concerned.

**Motion to  
amend the  
original  
motion.  
Pass 4-1**

	<p>Karen: But the question is where?          Abby: A more open ended approach would be what if the equestrian people abandoned ½ the trails? I don't like having to go the full distance and say that cyclists will never be allowed there.          Mary. Never say never. If the equestrian community abandoned half the trails, it would be up to VPD to change it whomever else wants to be in there.          Abby: I could go either way on this.  <b>Hans: My preference is to modify the Master Plan to allow for equestrian/pedestrian only on the course/trails at Paradise Ridge and allow bike use on the paved areas and potential future bike-specific trail.</b> That would be a subsequent motion, because Karen just clarified she is not in favor of modifying the original motion. I would vote against it with the hopes we would have a different motion.  <b>Bob: I propose the amended motion as stated by Hans.</b>  <b>Doug: I second.</b>          Hans: All those in favor of making an amendment to the original motion?  <b>Pass 4-1</b> (Karen opposed)          Hans: All those in favor of the amendment?  <b>Pass 4-1</b> (Karen opposed)</p>	<p><b>Amendment:          Motion to allow for equestrian/pedestrian only on the Paradise Ridge course/trails and allow bike use on the paved areas and potential future bike-specific trail.          Pass 4-1</b></p>
<p><b>Airport Land</b></p>	<p>Hans: We initially had this discussion in Executive Session after the last meeting. It now needs to be discussed in a public meeting.          Elaine: The land in question is the two Scarsella parcels across from the airport. The airport wants these parcels to increase their land acreage, which would reduce their SWM fee costs from \$16k annually to \$289 annually. The SWM fees amount to 60% of the airport's revenue. Reducing the SWM fees would allow the airport to address mounting safety concerns. The land would transfer at no cost, and the conservation easement would transfer with it. There was quite a bit of discussion amongst ourselves since that meeting – emails that came to me from each of you that I forwarded to the whole group. I don't have much to add other than to say I notified the Land Trust as required by the covenant. Tom Dean had two questions:              1) What is the advantage to VPD in making the transfer?              2) Do we have correspondence from RCO stating that the airport district is a qualified recipient?          I have emailed RCO. But at this point, the issue before us is if VPD wishes to explore this as a possibility, primarily in the legal realm. If RCO says no, this is a moot point.          Doug: What does qualified recipient mean?          Elaine: Remember, the grant application was made by the Land Trust, who was not a government entity. The application had to be from a government entity.          Truman: My contention is that the airport district is also a government entity. The crux of the resolution I presented is as Elaine said: "The VPD desires to transfer at no cost the property." That's the whole thing. If you say you desire to do it, it would be up to the attorneys, RCO, etc to determine we can do it. I have two requests:              1) Tonight, we need to decide if you desire to do it. I ask that you vote on the resolution.</p>	

2) And because of the time-specific nature, I ask that you suspend the rules.

Hans: One of the most significant parts of this is the exchange for no value in return. We have not done that in any other situation. And we are involved in other negotiations that are the opposite. Our lawyer has expressed this concern. Elaine, do you have a different perspective on this?

Elaine: Not in terms of the legality of gifting property. In most circumstances, we would have to sell at market value. I don't know how this plays out given that the airport is a government entity. That would be sussed out by the attorneys if you choose to move forward.

Truman: Our board has determined we would pay attorney fees if you agree to do this.

Hans: I am sympathetic to the airport's needs, but there are enough oddities and inconsistencies with other practices that I would not vote in favor of moving forward on it.

Bob: So the issue is at no cost. That is also bothering me.

Hans: That, and the timing.

Truman: I worded the resolution as I did, because it gives you an out if the attorneys decide how it can be done or that it can't be done. All it asks is that we move forward with it.

Bob: But it also says at no cost. This will be a huge financial benefit to the airport to make this happen.

Truman: I don't know the market value, since it has a conservation easement in perpetuity. Also, there is a covenant for the airport to trim trees. It cannot be developed. Is there a market value for the property? I don't think there is.

Karen: I am confused why my fellow board members have an issue with this. Initially, someone was concerned about the conservation easement, but that goes with the property. I believe in trying to help out other members of our community. It is no skin off our nose. If the attorneys say no, then we don't do it. What is so horrible about helping out another entity?

Bob: I agree from a public relations standpoint. We might be out there ourselves with our hands out depending on the hospital district.

Abby: I want to apologize to you, Truman, for my behavior at the last meeting.

Truman: That is very kind of you, Abby.

Abby: I think there is a value to the property – the trail system. I don't see it as open space not being used by us. There is an opportunity to do more. I am uncomfortable with making a swap with nothing in return. Also, it doesn't feel good to me to approve something that is potentially illegal, and it is something I voted for.

Doug: I went to the bureau of tracts and looked at these pieces. There are 5 of them and several hundred thousand dollars in assessed value. What does the conservation easement do for us? Can we log it? Can we get out of it? If you do something that is a violation, who goes after you, and what are the penalties. That would be my question.

Truman: The easement says it stays as it is and must be maintained in perpetuity. We have that covenant that allows the airport to clear trees that are hazards to the airport. You asked what kind of aircraft can come in in the event of an emergency. We thought it would be the size of a Beaver. We never go with

more than ½ fuel and one person. The same would go with heavily loaded aircraft in an emergency. As it is, I would be very concerned about an aircraft under those circumstances. If the park district had the opportunity to do something about this and didn't, that wouldn't look very good.

Bob: You currently have the right to clear trees. Why wouldn't you exercise that right for those conditions?

Truman: We don't have the money to do it.

Bob: If you are interested in the Board doing something, why not get rid of the "at no cost" clause, so we can vote on it that way?

Truman: I have no problem with that at all. If you can do it at no cost, then we could, and if not, then there will be a cost. Bob, Kate, are you comfortable with that?

Kate: I am comfortable with that.

Bob Therkelsen: Yes.

Truman: That is probably a better resolution, to be honest.

Hans: If we were to have a Park motion, it should be a Park motion.

Doug: What are we committing to?

Truman: You are committed to transferring the property if it can be done. The key is "if it can be done." We aren't going to pay the lawyers to research this if you don't say you're going to do it. If you say you will if it can be done, we are happy to spend the money to research at no cost to you. At cost or no cost.

Hans: I think it is best that Bob and Karen make a motion. But I cannot support it, notwithstanding my support of the Airport District. You can say you are supportive of Truman's support. I would prefer a Park Commissioner make a motion out loud.

Doug: Will this require unanimous approval?

Hans: Land transfer requires unanimous approval. If I were Truman, the motion should be we are committing to making the land transfer if it works.

Karen: It sounds like three of us don't want to do this at all.

Hans: That does not characterize my perspective. I have questions. I concur with the interest, but I have a concern about transferring valuable land for no value. That is related to this and other things we are working on – at a significant burden to our rate payers. I'm trying to be obtuse, but to go down the path of giving land at no value in return, I think there are significant consequences down the road that has nothing to do with the Airport District.

Bob: Why don't we word this like we have other properties where we simply authorize them to go ahead and investigate a project, like grant applications.

Karen: I agree we phrase it in such a way that we are interested in pursuing the idea.

Truman: My only concern is that you agree to pursue this further, then we spend a bunch of money on attorney fees. Then we come back saying it can be done, but you decide you don't want to do it. Then we're out money with nothing to show for it.

Abby: But that is risk management. I think it is reasonable for us to request that background information

be collected.

Karen: What kind of background information?

Abby: Like, is it legal?

Elaine: Are you suggesting we pursue those legal angles at our own expense?

Abby: Not necessarily.

Truman: I have a proposition for you. How about we split the cost of researching and get all the answers before your next meeting. Then vote at that point, committing to suspend the rules. My concern is the time constraint. Is it legal? Will RCO approve it? Are you getting value? My contention is the value you are getting is you are divesting yourself of open space conservation, which is not part of your mission. When I was a Park Commissioner, we made it fit by putting in a trail to feel comfortable with the deal.

Hans: That is a good trail, well used. I consider it a recreational asset. I consider the property consistent with our mission. I don't approach this as open space we don't want. As a Commissioner, I feel I have the burden to preserve that recreational asset. I have questions about how it is stewarded, how it will be stewarded, and how it would be exchanged for value. Those are some of the questions I have.

Truman: Abel and I are going to walk the property to evaluate the trees we should address for safety. I agree the trail is a valuable asset.

Karen: Is the Land Trust interested in it?

Elaine: I don't believe so. And we can't sell it to them anyway due to RCO. Although, they have the right of first refusal, but I don't know how that would work with RCO.

Hans: The question is, do we need a motion, or do we just agree to do more research and come back?

Bob: Are we actively maintaining that property?

Elaine: No. The Land Trust does to a certain extent, but it is probably minimal.

Truman: You have bollards and a sign. The is the extent of your input.

Bob: I keep getting back to the safety aspect of them not being able to maintain things due to cost.

Hans: I appreciate that, too, but that comes with being a district. It is not my responsibility to pay the rent of the airport district, to make a safe runway, and to pay SWM taxes. Whatever we can do to help, we want to do, but the airport's obligation to collect appropriate revenue to cover costs is not first and foremost the concern of the Park District. We can either make a motion, or agree to come back and do our research. Either way.

Karen: It seems to be dead in the water. Bob and I seem to be the only ones supporting it.

**Bob: I move that we approve the Airport District resolution without the words "at no cost" to express our desire to help the Airport District. VPD desires to transfer 20 acres of the two parcels at Fisher Pond Preserve to the Airport District with the understanding that the Conservation Easement will transfer. The only thing that changes is the property owner.**

Karen: Second.

Bob: Move to suspend the rules.

Abby: Second

**Motion to approve the Airport District resolution without the words "at no cost" to express our desire to help the Airport District. VPD desires to transfer 20 acres of the two parcels at Fisher Pond Preserve to the Airport District with the understanding**

	<p>Hans: I will oppose suspending the rules, because it is a significant land transfer. I am not a big fan of bringing up a land transfer in one public meeting and voting on it. I get the deadline, but I did not create the deadline.</p> <p><b>Motion to suspend the rules: pass 3-1 (Hans opposed; Doug abstained)</b></p> <p><b>Motion: 2-2 (Hans and Abby opposed; Doug abstained)</b></p> <p>Elaine: So it fails, because it has to be unanimous.</p> <p>Abby: I am still interested in getting answers to the questions. I would like to hear what others in the community feel about this.</p> <p>Elaine: So we are moving forward to attorney work, and there needs to be some on our end. Are we in agreement with Truman’s proposal that we share the cost 50-50?</p> <p>Hans: Do you have a sense for what that would cost?</p> <p>Elaine: No.</p> <p>Hans: I, myself, think it should rest with their attorney.</p>	<p><b>that the Conservation Easement will transfer. The only thing that changes is the property owner.</b></p> <p><b>Fail: 2-2</b></p> <p><b>Motion to suspend the rules.</b></p> <p><b>Pass 3-1</b></p>
<p>Lisabeula Tideland Donation</p>	<p>Elaine: At the last meeting, you voted to approve the Lisabeula tideland donation. However, I was tasked with finding out if the public is allowed to use the beach on the DNR parcel just south of the land we are accepting. The tidelands in front of the park and the parcel we are being gifted would be accessible to the public to Extreme Low Tide, but the tidelands south of the new gifted parcel are only public to Mean Low Tide. So basically it is a private beach.</p> <p>Hans: Do we have signage that is incorrect?</p> <p>Elaine: It is correct, because we don’t have the Ernst parcel yet. If we accept the Ernst parcel, we will have to move the sign to the far side of the Ernst parcel.</p> <p>Hans: Informing the public can take different forms. We don’t want signage that falsely states it is private land.</p> <p>Bob: What does the sign say right now?</p> <p>Abby: I think it just says it is the VPD park boundary. I think if you move that sign, nobody will probably notice, because people go beyond it all the time, anyway.</p> <p>Bob: If you say VPD property ends here, that is a truthful statement.</p> <p>Abby: You are talking about the one on the south end? The ones at the road are correct.</p> <p>Bob: Are we trying to keep people from going onto those stretches of beach?</p> <p>Elaine: Well, yes, basically. It is private down to mean low tide. Technically, people can go to mean low tide. I am afraid people will go onto private land.</p> <p>Abby: I think it’s okay. I think it is pretty common for people to go to mean low tide. I wouldn’t worry about this. I remember the guy to the south being mad about people letting their dogs into his yard. I don’t think he would have a problem with people on the beach.</p> <p>Elaine: One more issue, before I say anything to Robert Ernst about us accepting the land donation, some time ago somebody went past the boundary and got stuck in quicksand. The Fire District had to come out and rescue them. I need to find out exactly where the quicksand is, but if it is on the donated property, we might want to rethink that donation.</p>	



	<p>Abby: I don't think it is. I think it is in the little bay where it gets really mucky in the state tidelands.</p> <p>Doug: I think who owns the tidelands is a broad issue on Vashon. I think most people who own beach property think they own out as far as the eye can see. The rules differ depending on where the land was plotted. I think if we make a big deal about this, we might find a number of people asking why we are bringing this up – that we are suggesting that their land is being challenged. I get this all the time. They think that land is theirs. I think that is a potential pitfall in all this.</p> <p>Elaine: Yes, that is exactly my point.</p> <p>Hans: So, you are going to check your quicksand concern the signs in case they are false without making a big deal out of it.</p>	<p><b>Action Item</b></p>
<p><b>Parcel 0722039117</b></p>	<p>Elaine: On this next parcel, this is one of those goofy properties on 216<sup>th</sup> and 103<sup>rd</sup> that we are interested in surplussing to King County. A Citizen wants to buy it. I contacted King County, and they said that is fine – they don't want it.</p> <p>Hans: I thought you told us it wasn't in the bundle.</p> <p>Elaine: It is in the bundle, but they don't want it. We would need to surplus and sell it on the open market. It doesn't mean the interested party would get it, as a result. So the question is if you are interested in putting it on the open market?</p> <p>Hans: This was the property most appropriate for supporting affordable development on the island. It is the most buildable. It doesn't have a lot of nexus as open space for the District. It seems to be most appropriate to put on the market.</p> <p>Abby: I agree. I would think it would be appropriate to the people who just bought property next door, if that is who contacted you.</p> <p>Elaine: I don't think the interested party is next door. I don't know what their interest is. There is no water, and I don't think it percs. If you're going to sell anything, this is the one to do. Assessed value is \$73,000, but we should get an assessment of market value, as it will likely be considerably lower.</p> <p>Doug: Can we be sure the neighbors know about it?</p> <p>Elaine: Yes, we will advertise it.</p> <p>Hans: I think it is appropriate to notify the adjacent land owners specifically.</p> <p>Elaine: This needs to be a unanimous vote.</p> <p><b>Abby: I move we sell that land on the open market.</b></p> <p><b>Karen: Second.</b></p>	<p><b>Motion to sell Parcel 0722039117 on the open market.</b></p>
<p><b>Anti-racism and Equity Team</b></p>	<p>Hans: I know we tabled this at the last meeting, but we were focused on three areas:</p> <ol style="list-style-type: none"> <li>1) Update strategic plan per Bob's work</li> <li>2) Update some policies</li> <li>3) Look at the City of Seattle toolkit for recreation programs.</li> </ol> <p>In our packet, we had changes to the Strategic Plan.</p> <p>Elaine: This is the Mission, Vision, and Values. I think they look great.</p> <p>Hans: I like the intent and clarity.</p> <p><b>Abby: I move we change the Mission, Vision, and Values of the Vashon Park District.</b></p>	<p><b>Motion to change the Mission, Vision, and Values of the Vashon Park District</b></p>

	<p><b>Karen: Second.</b>          Bob: I finally did some of the suggested changes on the policies but got them to Elaine too late. I will get through the rest of them.          Hans: Some of the areas we talked about before were employment and hiring, contracting, and programming/facility access.          Elaine: I will be on a webinar tomorrow called “Diversity and Inclusion in the Outdoors.” I hope they will share some ideas about how to increase inclusion in outdoor recreation.</p>	<b>Action Item</b>
<p><b>Adjourn          8:30 pm</b></p>	<p><b>Bob: I move we adjourn          Doug: Second          Pass 5-0</b></p>	

Minutes by: Elaine Ott-Rocheford