

**BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT
REGULAR BOARD MEETING May 4, 2023
BAINBRIDGE ISLAND RECREATION CENTER**

CALL TO ORDER: A quorum being present, the meeting was called to order at 6:00 pm by Chair Kinney.

BOARD MEMBERS PRESENT: Ken DeWitt, Dawn Janow, Jay Kinney, Tom Swolgaard.

ADJUSTMENTS TO AGENDA: Add agenda item 40.3 for Recall and Recall Procedures.

MISSION STATEMENT: Chair Kinney read the Park District's mission statement: The mission of the Bainbridge Island Metropolitan Park & Recreation District is to build a healthy community through effective, sustainable stewardship of the District's parks and open space, and through the development and delivery of innovative cultural and recreation opportunities.

PUBLIC COMMENTS

Adam Hunt objected to the addition of agenda item 40.3 and said that Sakai Park is ideal for facilities for island youth.

BOARD CONSENT

APPROVAL OF MINUTES:

Upon making the following revisions to the minutes of the April 20, 2023 regular board meeting, Chair Kinney stated the minutes stand approved as corrected: On page 2, first paragraph, second to last sentence, change it to read: James Klinedinst said 50-100 people could be at the skatepark at a given time with 6-8 people skating at a time.

APPROVAL OF PAYMENTS: MSC: Janow/Swolgaard: I have reviewed the following vouchers, warrants and electronic payments and move that they be approved for payment.

Batch Date	Fund Number & Name	Warrant Numbers	Total Batch Amt	Pre-Approved
04/18/23	001 General Fund 300 Capital Improvement Fund	25377-25436	85,631.60	04/18/23
04/25/23	001 General Fund	25437-25460	7,704.59	04/25/23
	001 General Fund (April Payroll)	25373-25375 & EFT & 3107-3119	676,288.91	

GENERAL BUSINESS

EARTH DAY EXPO RECAP: Community Outreach Coordinator Stephanie Bugas said that the Park District had a great time celebrating Earth Month with the community. The first Earth Day event held by the Park District was in 2022 and this year the event was expanded with work parties in addition to the Earth Day Expo. During Earth Month 16 volunteer events were held at six parks with a combined number of 346 volunteer hours with the total equivalent value of the volunteer efforts equaling more than \$10,000. The Earth Day Expo had over 30 activity booths hosted by businesses and organizations, three food vendors, sponsors, live music, face painters, and more than 1,700 guests which is twice as many as attended in 2022. The emphasis for the event was on the positive and exciting things folks can do to care for the planet. Significantly higher than average social media engagement statistics indicate this is a topic that the Bainbridge Island community cares about.

BIKE PARK UPDATE: Trail Builder II Matt Blossom with Evergreen Mountain Bike Alliance said that the mountain bike park will be a community-based ride park with progression in mind and built in a stacked loop system. Flyover features will be utilized to help achieve 1.5 miles of trail on 7.5 acres. There will be a skills zone and an advanced skills zone. Other features include a start ramp, drops, roll downs, rock garden, overpasses, skinnies, roller coaster, tabletop jumps, and berms. Safety has been the biggest concern during the design process and trails are intended to be predictable with sightlines, signage,

and gateway features. Other safety features include utilizing fall zones, making difficult features optional, and slowing traffic down for intersections. Phase I of the bike park project was high-level design. Phase II is permitting. The total cost for phase I and phase II is \$58,058. Phase III is bike park construction. The total project budget is \$360,549. Matt Blossom said this is an exciting project and that projects like this bring the community together.

Commissioner Janow asked how many riders will be able to use the bike park at a time. Matt Blossom said there is no way to gauge that but the popularity of the bike park in Port Gamble has surpassed expectations. Commissioner Janow said that when she visited the site in Port Gamble they talked about educational opportunities for youth and asked Matt Blossom to speak about that. Matt Blossom said Evergreen has an education program at Port Gamble with classes and that classes could be held at the Strawberry Hill Park bike park as well. Commissioner DeWitt said he spoke with a gentleman whose grandson is excited to have the skills features included in the bike park. **MSC: Janow/Swolgaard: Approve the final mountain bike park design and move forward developing construction documents and issuing the construction bid.**

John Benjes, a member of the project committee, said that the mountain bike community is excited to see this project move forward.

Commissioner Swolgaard noted that this property was purchased and donated to the Park District for the purpose of a mountain bike park. Commissioner Kinney said that while it took a bit longer, he thinks the current design was worth the wait. Commissioner Janow thanked everyone for their hard work on this project and said that being able to provide this opportunity on the island is exciting for her and the community. Commissioner Swolgaard said that Matt Blossom along with his son Tyler and half a dozen other kids used to build bike jumps all over the island including in his yard.

RECALL AND RECALL PROCEDURES: Adam Hunt filed paperwork with Kitsap County to recall Commissioner Kinney, Commissioner Swolgaard, Commissioner DeWitt, and Commissioner Janow on May 1. Commissioner Kinney said that if the recall of four commissioners were to be successful there would only be one commissioner remaining. It takes a quorum of three commissioners to pay bills. There would be no payroll, so staff would quit. There would be no utilities, the Aquatic Center and Bainbridge Island Recreation Center would be locked up, parks would be closed, and all classes and programs would be canceled. Under RCW 42.112.070 the process to replace the commissioners is that the county would appoint one new commissioner at which point there would still not be a quorum. The two commissioners would appoint a third commissioner and then the three commissioners would appoint a fourth commissioner and the four commissioners would appoint a fifth commissioner. It would be perhaps months before there is a quorum of three commissioners to approve payroll and pay the bills.

Park District Attorney Hayes Gori said he is the general counsel for the Park District, he is here on behalf of the Park District to explain the procedures of a recall and he does not represent the commissioners. Four recall petitions have been filed and forwarded as required to the Kitsap County prosecutor's office. The prosecutor is in the process of reviewing the recall petitions. The prosecutor's job is not to render any opinions but rather to synopsise all the claims and submit a 200-word synopsis within 15 days to a judge at Kitsap County Superior Court. The judge will then review and set a hearing. The judge's job is to decide if the claims are sufficient under the law to be submitted to a vote, which is the court deciding if there has been misfeasance, malfeasance, or breach of oath of office. Essentially, deciding if there is a violation of law, gross negligence, or dereliction; not just discretionary actions that people may or may not agree with. If the judge finds that none of the charges meet the standards it is dismissed. If any one of the charges meets the standards in the judge's opinion, then the second task for the judge is to decide on the accuracy of the synopsis which would potentially be on the ballot for the voters. If any charges survive, and after the ballot synopsis is approved, the charging party must then get a certain number of people to sign a petition before it is put on the ballot. That number is 35% or more of the total number of votes for that

position. If that is achieved, then the recall is put on the ballot and the commissioner will have an opportunity to present a statement in response to the synopsis. Then it is voted on by the public and the majority prevails.

STAFF REPORT

Park Services Division: Park Services Division Director Dan Hamlin said that staff have been working hard to keep up with mowing grass. The Pritchard Park bench project received a permit. Natural Resources Manager Lydia Roush said the Strawberry Hill Park tree thinning contract has been awarded and permitting is underway.

Recreation Division: Recreation Division Director Mark Benishek said that the first day of summer registration was last Saturday. The Eagledale Pottery Center staff held their annual beach firing at Fay Bainbridge Park. Recreation Superintendent Bryan Garoutte said the Bainbridge Island Recreation Center pool opened Monday. The Fly Fishing Expo at Battle Point Park is Sunday. There is a middle school dance on Saturday.

Administrative Division: Administrative Division Director Amy Swenson said the Park District has posted 67 jobs in the last month, most of which are summer jobs.

BOARD MEMBER REMARKS:

- Commissioner Swolgaard said that at the last board meeting Commissioner DeWitt was accused of playing on his phone when he was setting a timer for public comment.
- Commissioner Swolgaard said that the Park District has been accused of holding board meetings too early and interfering with family time. Park District board meetings are held at the same time as other agencies on the island hold public meetings including the City of Bainbridge Island and the Bainbridge Island School District, while the Bainbridge Island Fire Department meets at 5:45 pm.
- Commissioner Kinney said that he had three kids that played sports, he was a coach, and he was always busy on Saturdays. Like the other agencies on Bainbridge Island, the Park District holds regular board meetings on a weeknight.
- Commissioner DeWitt said that he and Commissioner Janow volunteered to emcee the Earth Day Expo event.
- Commissioner DeWitt said the new ADA access for the amphitheater at Battle Point Park is great and gave kudos to staff and community volunteers who gave a lot of good input.
- Commissioner DeWitt asked about the status of the Fort Ward Parade Grounds playground. Park Services Division Director Dan Hamlin said the committee still needs to be formed and that staff have the documents ready to submit the permits.
- Commissioner Janow gave kudos to staff for the first day of summer registration which seems to have gone smoothly.
- Commissioner Janow said she attended the Bainbridge Island Parks & Trails Foundation meeting Tuesday.

MEETING ADJOURNED to a five-minute recess at 7:08 pm with announced time to reconvene at 7:13 pm. **MEETING RECONVENED** at 7:13 pm.

MEETING ADJOURNED TO EXECUTIVE SESSION at 7:13 pm for discussion of real estate and legal with announced time to reconvene at 7:43 pm.

MEETING RECONVENED at 7:43 pm and **ADJOURNED TO EXECUTIVE SESSION** at 7:43 pm for continued discussion of the above items, with announced time to reconvene at 7:53 pm.

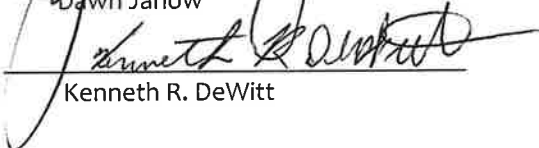
MEETING RECONVENED at 7:53 pm and **ADJOURNED** at 7:54 pm.

Helen M. Stone
Terry M. Lande
BAINBRIDGE ISLAND METROPOLITAN
PARK & RECREATION DISTRICT

BY: 
Jay E. Kinney

BY: 
John Thomas Swolgaard

BY: 
Dawn Janow

BY: 
Kenneth R. DeWitt

ATTEST: 
Tom Goodlin