

HMC Management Board Meeting Minutes (November 7, 2009)

Call to Order: Fred Fath called the meeting to order at 10:00 AM.

Roll Call: Fred Fath, President/Treasurer, Janet Podell, Secretary; Judy Greinke, Asst. Treasurer, Patrick Pitt, Member at Large. Excused absence - Kathryn Deuster, Vice President,

Previous Board Meeting Minutes:

- **Janet Podell made a motion to accept the October '09 meeting minutes. Motion carried.**

Correspondence:

- Three pieces of correspondence were received during the month. These were discussed as each subject arose during the course of the meeting.

Finance:

- There are currently 42 late assessments. These are not considered delinquencies unless they remain unpaid on December 1, 2009.
- Bills to be paid. Fred Fath reported that there is one large estimated bill from Cascade Electric that relates to repair of a recent ramp failure.
- **Fred Fath made a motion to pay the bills. Motion carried.**
- Fred reported that he will be calling a meeting of the Finance Committee following next month's Board meeting.

Administration:

See the Island Manager's report for miscellaneous Administration issues not directly mentioned here.

- There will be a sealed bid auction for HMC surplus items. A listing of these items will be placed in the next Beachcomber. Bids will be received through Noon December 11, and opened that afternoon.
- Current delinquencies are up by one from last month to a total of to six.

Legal:

See the Island Manager's report for miscellaneous Legal issues not directly mentioned here.

- No Legal Report

Land Use:

See the Island Manager's report for miscellaneous Land Use issues not directly mentioned here.

- Land Use Charter – A discussion occurred with the membership relative to current input on the wording of the Land Use Charter. Because issues still remain, Fred Fath agreed to send it back to the committee for their comments. Fred thanked the land use committee for their efforts. Janet Podell will send the Word version to Mark Anderson.

Transportation:

See the Island Manager's report for miscellaneous Transportation issues not directly mentioned here.

- Peninsula Light sent a letter to the office concerning the HMC policy change that requires contractors and utility companies to pay ferry fees for individual member visits. They were under the mistaken impression that they would also be liable for ferry fees when they come over to the island for general outages. The Island Manager explained that they are not liable for ferry fees when there is an overall outage, and that she had reached a verbal understanding with Pen Light of these arrangements.
- A member in the audience asked about the ferry fee benefit recently provided to the Ferry crew. Regina Everett took exception to this benefit. Fred explained that this is standard for ferry systems to grant this as an employee benefit. In addition, the ferry crew agreed

to hold their wages frozen for the next three years. When the union contract is negotiated these benefits may change.

- The Island Manager reported that Pierce County Public Works has provided a draft wharf easement agreement and has asked to schedule a dock inspection in the near future. This agreement is one that periodically requires renewal. We are requesting a review of the agreement by our insurance broker to determine if increased insurance coverage is required. The estimated cost of inspecting one dock is \$5500.
- Dolphins replacement issue – The Request For Proposal (RFP) is ready to release out to contractors for our marine survey. We will also publish the RFP in the Daily Journal of Commerce. Publication will probably take place in late December.

Emergency Preparedness:

- The Island Manager reported that FD 16 will be removing our emergency vehicles due to the recent levy failure. Furthermore, they will be terminating our building lease. Pat Pitt asked if there is an alternate plan to cover Herron Island during times of low tide. No plan is in place and he suggested that we go back to FD 16 to ask for a risk mitigation plan. He also asked that we go forward and write to our local political representative about the issue. (Fire District #16 Board of Commissioners). The Island Manager reported that we are also attempting to revive PCNet to help us be prepared in the event of an emergency. This will be discussed at the Emergency Preparedness Meeting on November 10th. A decision was made that the Island Manager would send a letter back to FD16 Chief querying them on their plan to support Herron Island during times of low tide. In parallel a letter will be sent to the Pierce County Board of Commissioners requesting their support.
- We are still working on a natural hazard risk mitigation plan through the County. Mike Davis is the point of contact for this activity.

Water:

See the Island Manager's report for miscellaneous Water issues not directly mentioned here.

- Reed West reported out on the actions of the WPC. He reported that the Island Manager has offered to attend the committee meetings. They have had two meetings since they last reported out. One meeting was at Rainier View Water where an HMC member (Neil Richardson) is currently employed. The Board expressed gratitude to Mr. Richardson and asked Reed to present him with a Certificate of Appreciation from the HMC Board. The Water Project committee has submitted a charter and mission statement to the Board. He also mentioned the existence of the water website supporting the concept of complete transparency. They would like approval to link the website to the HMC website. A member in the audience asked Reed if the website had been refreshed to delete all previous negative information that had been posted. Reed responded in the affirmative. The Committee is scheduled to meet again in December.

Parks:

- There was discussion on derelict and abandoned boats at North Beach. A member (Alice Nelson) sent a communication to HMC and has offered to take on the task of putting a plan in place to deal with this issue. She will work in coordination with the Island Manager.
- No report from Parks Chairman.

Roads:

See the Island Manager's report for miscellaneous Road issues not directly mentioned here.

- The issue of the south-end road relocation project was discussed. But prior to general discussion Fred reported that under advice of counsel and because two board members had conflicts of interest and had recused on this matter, both Janet Podell and Pat Pitt should excuse themselves from the room. Janet Podell left the room upon request. Mr. Pitt refused to leave. He stepped down from the Board table, moved into the general audience and continued to participate in the discussions.

Fred Fath explained his hand-out, which was available to all members present, with the expressed intent of clarifying information. As the history of the road encroachment project was being read, many members interjected their comments and questions.

Some questions were noted:

1. Was the vote to move the road to HMC Right of Way made at the end of August between board members through email?
Answer: *The discussion, needing three board members voting to have a quorum and intent to move the road was done through private Board emails in August.*
2. Was the decision to go ahead with moving the road to alleviate the road encroachment issue done for the benefit of Janet Podell because she is a Board member? **Answer: *No***
3. Does the island manager have the authority to hire legal advice from an attorney?
Answer: *The island manager is our legal liaison and follows directions from the Board President.*
4. Do Al Moren and Dick Mowry make money if the road encroachment is moved to HMC Right of Way?
Answer: *Al Moren is a volunteer Roads Committee Chair with no pay involved and Dick Mowry is a contractor who is paid per hour for providing a service when running his equipment.*
5. When was the decision made to cut the trees?
Answer: *At the Sept. 12th Board meeting, all board members agreed to do no further work on the project but to go ahead and cut the trees.*
6. When were the trees cut?
Answer: *The trees had been scheduled to be cut on Sept. 14th and were cut on that day.*
7. Why did we hire an attorney for advice on this road encroachment project?
Answer: *The Board hired an attorney because a member had threatened legal action against HMC and the interests of all members needed to be protected. The Board also wanted to make sure that everything is done legally and in the best interest of HMC membership.*

The following is a summary of the kind of concerns expressed by the members present. They would like personal responses to member emails. They stated their expectations are that they be given a vote about hiring contractors. They were also concerned about not being adequately advised of island projects that could affect multiple members. Some members want the Board to be aware of appearances when making decisions. Other members want HMC to insure any decisions and/or work done on HMC property would not have a negative impact on member's personal property. A member suggested that all Board decisions be brought to the membership before being made final. There was a suggestion HMC should request volunteer services from members who are lawyers. The Board explained the impracticality of some ideas and their sincere desire to listen to all member input and incorporate workable suggestions.

Fred continued to read from his hand-out and concluded by providing the following status: The encroachment project is put on hold until resolution of legal and drainage concerns. No further work on this project will take place at this time and all options are still open.

Fred suggested a special meeting of all members involved with this project which could happen sometime before the next board meeting on Dec.12th.

Rules:

- Eric Bergson reported out that there will be a Rules Committee meeting following the Dec Board meeting. He is still working on the suggested modifications to HMC's rules document.

Technology:

- Eric Bergson suggested that Board members get assigned distinct HMC email addresses. This will allow Board members to respond separately from issues that are official Board issues versus their personal issues. The Board will take this suggestion under advisement.
- Wi-Fi Hotspot project – Eric reported out that he has a proposal for different scenarios but an issue of liability has surfaced. Inquiries have discovered that the cost for liability insurance may be expensive, but we are exploring the possibility of opening the service up for specific events as opposed to provided general open access.
- Use of electronic scanning equipment for ferry fee payment is still being researched.
- NOTE: Action was taken immediately following the Board meeting to establish unique email addresses for Board communications. These can be found on the Herron Island website under the “Board of Directors” tab and should be used by members for Board related issues.

Old Business:

- There was discussion concerning the change to the Community Center access code. The island manager reported that the code will be changing and she has a list of persons who need access. Those members must first sign a Code Access Agreement.

New Business:

- Dallas Amidon presented a flyer on a service offered by Airlift Northwest. Linda Kelly, a nurse and HMC member, spoke and advised us that we should all become members of Airlift Northwest which provides air ambulatory service when medically required for a small annual fee. A note about this service will be added to November/December Beachcomber. Dallas will prepare the write up for the Beachcomber.
- Reed West stood and addressed the audience. He expressed concern that there has been so much tension and anxiety on the island recently. He stated his belief that there should be opportunities for members to interact in a fun environment. He said he would like to reinstate the Boosters and offered to be the first member to volunteer as a Boosters committee participant.

Action Item Review:

- Following adjournment of the meeting, the Board (except Pat Pitt who had left the meeting) and the Island Manager reviewed the open action items, updated status as appropriate, and added the actions that were identified from today’s meeting.

Beachcomber:

- The next Beachcomber will be the November/December issue. Inputs are required electronically no later than 5:00 PM on Wed. Nov. 11, 2009. The Beachcomber Editor is beachcomber@herronisland.org.

Adjournment: Judy Greinke made a motion to adjourn the meeting. Motion carried.

Respectfully submitted,

Janet Podell
Secretary