

Agenda

Hat Island Community Association
Board of Trustees Meeting
3616 Colby Ave PMB 335
Everett, WA 98201
(360) 444-6611

Saturday June 17, 2023

10:30am In-person and via ZOOM

Attendees:

Erik Smith- President	In-person
Ray Stephanson – VP	In-person
Don Stark- Treasurer	Virtual
Kelly Dukes- Secretary	In-person
Aimee Caccavale- Trustee	In-person
Dan Jensen- Trustee	Virtual
Roelof Burger- Trustee	In-person
Kim Gleason- Island Manager	In-person

Agenda:

- Call meeting the meeting to order
- Approval of draft minutes for 5/20/2023
- Legal report- Erik Smith
- PUD Update- Erik Smith
- Island Manger's Report- Kim Gleason
- Treasurer's Report- Don Stark
- Old Business:
- New Business:

Committee Reports:

- Golf Committee- Bruce Kolpack- Committee Chair
- Parks and Rec Committee- Aimee Caccavale- Board Chair
- Water Report- Roelof Burger

Erik: Called the meeting to order at 10:33am

Great to have an in-person meeting again.

Requested a motion to approve the meeting minutes from 5/20/2023.

Motion: Kelly

Second: Ray

Erik Smith- President	Abstain (not in attendance at the 5/20/23 meeting)
Ray Stephanson – VP	Yes

Don Stark- Treasure	Yes
Kelly Dukes- Secretary	Yes
Aimee Caccavale- Trustee	Yes
Dan Jensen- Trustee	Yes
Roelof Burger	Yes

Motion approved

Legal Report: Erik Smith

Update on the Matt Surowiecki (MS) lawsuits.

The only lawsuit remaining is the foreclosure suit that was stayed while we were pursuing the WA Supreme Court case. After the WA State Supreme Court case was finalized, MS filed a new motion to answer a question on the foreclosure suit.

Yesterday, once again MS attorney asked to be removed from the case. This is about the 6th time that MS attorneys have been asked to be removed from the case. We don't know why and judges rarely make an attorney stay. Delays likely, another firm will be representing MS. Meanwhile, HICA will continue to pursue summary judgment motion and dismiss his claims.

PUD Update: Erik Smith

We are currently getting our power from a location in Tulalip on leased land. That lease was not renewed. We are working with Snohomish Co PUD to move our power source to a location near the Everett marina. PUD is seeking an easement; this has been submitted to the Port of Everett for signature. Permitting has been taking longer, due to eel grass, but is scheduled to complete at the end of this month. Cable/raw material is a delayed due to supply chain issues, so PUD is looking for other suppliers.

Kim: Island Manager

I have been working closely with the permitting to keep the cost down. Speaking of supply chain issues. You may have noticed that the greenery on the sides of our roads is looking bushy. That is due to a special mower that no longer works and is too old to get parts for it. We allocated a replacement mower in the budget and it was ordered from England. We expect the replacement mower to be shipped at the end of the month.

Shout out to all our volunteers on the island. Wanted to give a special shout out to Roy Short for coordinating the donation of 6 benches to the island. Roy works for the Space Needle and they had 6 benches they were no longer using; he petitioned the Space Needle Board and they agreed to donate beautiful black benches to Hat Island. They are near the play set and various places on the island. Thank you Roy! We have made various safety updates to the playset near the yacht club. The new pirate play area permitting is still in work, however as the playset can be built and moved, we have proceeded with starting the built and will set in its permanent location once it is finalized.

Treasures Report for June 17,2023

All payables are current and our reserves & operating income, as of 5/31/2023 are as follows:

Capital Reserve: \$360,159
Cash Reserve: \$258,782
Marina Reserve: \$9634
RO Reserve: \$77,661
CCB DNR Bond: \$1509
Operating Income: \$585,362

Detailed P&L and Balance Sheets will be posted on-line for your review.

Respectfully,

Don Stark
HICA Treasurer

Budget is performing as expected. This is a reflection of Kim and staff and budget projectors. Next year's budget is in the starting phases. This year we are starting earlier to allow more time to review. The Finance Committee has been seeking preliminary feedback from the various Committee's for projected 2024 needs. The first 5 months of 2023 actuals should also be available soon to help in the 2024 planning. So far revenue and expenses are tracking to plan.

Last meeting, we approved an investment policy. It was taken from a boiler plate from another HOA. It allows investing surplus funds by investing and putting our money to work for us. That has started. The policy passed allowed that the finance committee would recommend a financial advisor to help with the investments strategy. Change course, identify funds available and invest with our own bank. They are offering a attractive interest. Short term, invest in CD's that can quickly be liquidated if needed. This will allow the Finance committee to be able to do a thoroughly investigate investment options long term. Likely 2-3 months. This will enable gathering interest near term while the finance Committee can develop a long-term plan.

Erik: Requested a motion to approve the investment policy.

Motion: Kelly
Second: Ray

Vote:

Erik Smith- President	Yes
Ray Stephanson – VP	Yes
Don Stark- Treasure	Yes
Kelly Dukes- Secretary	Yes
Aimee Caccavale- Trustee	Yes
Dan Jensen- Trustee	Yes
Roelof Burger	Yes

Motion approved

Old Business:

None

New Business

Marina Rules and Regulations

- Proposed addition to Marina Rules and Regulations regarding Derelict Vessels.
- Proposed addition to Rules and Regulations regarding removal of personal items (power cords, steps) on the dock when vessel is out of marina.
- Proposed addition to dinghy mooring to include: Any request for dinghy moorage outside of designated Dinghy Storage Are or currently occupied main slip is subject to approval of Harbormaster.
- Proposed revised verbiage to the Secondary Vessel Rules

Derelict Vessels:

Discussion: Changes to mirror Port of Everett policy. Community members have expressed concerns. We don't want owners to feel that they are being targeted their boats due to how the boat looks. Just like we ask cars to move every so often, we should do something similar with boats. Marina Committee is asking for 3 definitions (operable vessel, seaworthy vessel and vessel condition) to assist the Harbor Master in helping to assess a vessel.

90 days is not unreasonable, it can take a while to get a boat repaired. Vague wording can make people feel like they are being targeted. As we do not have assigned slips, it is obvious when a boat does not move. Change vague language to specific days. Need it to be clear and easy for people to understand and for staff to monitor. We do not want subjective language. Anything we do on this island needs to be consistent for all owners. The Board appreciates the Marina Committee's efforts, we have a few suggestions to remove vague language. Seaworthy vessels- likely the repairs would not be made here. Will the boat operate is a more important question. We don't want to make this more complicated than it need to be. If you can move the boat is more likely than not it is seaworthy. We want to make this simple for the Harbor Master.

Requiring a survey may be a better approach, but larger boats require a survey for insurance. It evaluates operability and seaworthiness of the vessel. Survey definition to include seaworthiness, operates. Beauty is in the eye of the beholder; we need the definitions set by the Board not by the Harbor Mater or the Island Manager.

Board is requesting the Marina Committee look at the language again and remove unnecessary language. Suggest weaving vessel condition and seaworthiness into operability. Bring back to the Board again when ready.

Person Items left on dock:

Discussion: Do not leave personal items on the docks: Power cords and crab pots are a tripping hazard. Proposed language changes to Marina Rules and Regulations.

Erik: Propose a motion to approve definition of personal items left on dock

Roelof: Motions

Kelly: Seconds

Vote:

Erik Smith- President	Yes
Ray Stephanson – VP	Yes
Don Stark- Treasure	Yes
Kelly Dukes- Secretary	Yes
Aimee Caccavale- Trustee	Yes
Dan Jensen- Trustee	Yes
Roelof Burger	Yes

Motion approved

Dinghy mooring

Discussion: Different that current policy? Only the last bit is different, subject to Harbor Master discretion. Seeking to allow Harbor Master to allow discretion to temporarily allow a dinghy to occupy a large slip temporarily until tide come back up.

Erik: Requests motion to approve amending dinghy moorage marina policy, by adding in: any request for dinghy moorage outside of the designated dinghy storage area or currently occupied main slip is subject to approval of the Harbor Master.

Ray: Moves

Aimee: Seconds

Vote:

Erik Smith- President	Yes
Ray Stephanson – VP	Yes
Don Stark- Treasure	Yes
Kelly Dukes- Secretary	Yes
Aimee Caccavale- Trustee	Yes
Dan Jensen- Trustee	Yes
Roelof Burger	Yes

Motion approved

Secondary Vessel Rules

Discussion: Where an owner already pays for a 50-foot slip and this space also houses his dinghy. Occasionally an owner may have his primary vessel in repair and may choose to bring over their dinghy instead. The owner already pays for a 50-foot slip, but

would want to moor their dinghy in a smaller slip rather than taking up a 50-foot slip while their primary vessel is being repaired.

Section 13.b of the existing marina policy; should an owner with a current registered vessel require repair a secondary vessel can be brought in so long as it is smaller than your primary vessel. Proposed language: Should an owner with current moorage permit have a situation where their primary vessel is disabled and a loaner or secondary vessel will be used, during repairs, the temporary vessel will have to provide the same information as required as when applying for an annual moorage permit.

Section 13.i The intent of having primary and secondary vessel permits is to address a increasing number of owners who have multiple vessels. Whether the member needs to moor two vessels at the same time, or as two vessels that they use to travel between the mainland and Hat under varying conditions. Note there are specific guidelines and rules associated with having secondary vessel permits. Familiarize yourself with these to avoid loss of privileges.

Suggested changes discussed: Related to the size of the vessel, you pay for the larger vessel. The secondary vessel must be smaller. Secondary vessel when in the marina without the primary will assume the privileges of the primary vessel.

Board requests the Marina Committee clear up language.

Snohomish County Fire Protection District 27 Request for use of Hat Island Community Association Property for additional emergency helicopter landing zone.

SUMMARY

The Fire Department is asking permission to use the community owned property, located above the gravel pit that was created from the dredging of the marina as a designated emergency helicopter landing zone. This is needed to provide a safer landing zone, especially at night, than the current landing zone on the golf course that is behind the fire station.

HIGHLIGHTS

1. The need arose for another emergency helicopter landing pad when Airlift Northwest aborted flights at night when the pilot refused to land at landing zone behind the fire station.
2. A search of potential sites was done. The proposed site is the best choice. The large area is about 120 feet wide and 300 feet long. The specific proposed site is on the western portion of this area and NOT in front of the three residences. A test flight by Airlift's chief pilot was well received.
3. Conversations were done with owners of two of the three adjacent homes. These owners were supportive. They also had concerns about damage caused by flying debris, wanting the space closed to vehicles, and no landings in front of their homes. Also, all the lot owners who are adjacent to the proposed site received an information email with an invitation to comment. No additional comments were received.

4. The Fire Commissioners passed two motions. One, accepting the assessment and recommendation of Fire Chief John Gray. Two, to formally ask the Board of Trustees permission to use this community-owned property.

5. Possible improvements: 1. A hard surface for the aircraft to land on, 2. A hard surface to roll the patient gurney onto the helicopter, 3. Windssock on a pole, and 4. Ground level landing lights.

6. Attached are more documents and information to support this request.

RECOMMENDATION

Sample motion: "I move that the request from the Board of Fire Commissioners of Fire District 27 to use the community property that is above the gravel pit in B Division for an emergency helicopter landing zone be approved. The conditions of this request include:

- a. The site would continue to be closed to non-fire district vehicles,
- b. The landing zone would not be in front of the houses at B-17, B-18 and B-19.
- c. The Fire District would address damages to the houses at B-17, B-18 and B-19 caused by helicopter operations.
- d. The site may receive some improvements to improve safety of the aircraft, patients or first responders.

Duan Tinius- Fire Commissioner

This winter, we had a patient with a head injury in the middle of the night. The patient needed to be airlifted. We had a new pilot working for Airlift Northwest, and he was not comfortable with landing in the #3 green. We ended up taking the patient off the island via private boat. There were logs in the water and it took a long time to transport the patient for needed emergency health care.

The Commissioners and Chief we have been working with Airlift Northwest to seek alternatives, including limbing trees. We also sought alternative landing sites and settled on the area above the gravel pit. The pilots loved this location as an alternative when winds and weather conditions do not allow landing in #3 green. We tried a practice patient on a gurney, and it sank into the sand.

Thank you to Keith Litchfield for helping with drawings We would like to propose a 40X40 foot landing zone and an additional 25 foot , 6 foot wide section for aid car and path to roll patient to helicopter. We looked at multiple options concrete would cost \$17,000- 20,000. The least expensive option is grass pavers which would cost about \$5,000. A fully loaded helicopter is 6,400 lbs, which the pavers support. We have an island employee who has specializes in this type of installation.

Discussion: Smart solution. Are there concerns about flying debris? It was minimal. The fire department would add insurance to cover any broke windows.

This is HICA owned property, does it need to be re-zoned?

John Gray: No. This would be classified as an emergency evacuation/landing zone and does not require re-zoning.

Where is the funded?

Duan Tinius: This is a safety issue and should be funded by the community not the Fire Department.

Discussion: Possible that the landing area could be funded by the county, it is worth asking.

John Gray: Requesting that we grant the Fire Department to utilize Community Property to emergency evacuation.

Homeowners adjacent to the emergency landing zone were contacted, assumed the Fire Department would repairs any damage to their property (they would) and that the area is only for emergency vehicles and does not become a skate park or ATV play space.

Discussion:

Desire for Fire Department budget visibility and cost sharing. Suggestion that HICA provide the land and Fire Department fund the improvements.

Erik: Possible temporarily approval to allow immediate use of the area as an emergency landing spot.

Don: If this was to go forward, the potential use of this property will change going forward. Would any HICA potential use of this property change if we approve this? Such as a trail, would we lose the flexibility of the land that we own? If so, that further contributes HICA contribution. Maybe the property should be leased to the Fire Department. We need to proceed ahead with the use of this property immediately for safety reasons, but the issue of who funds the improvements needs to be discussed further.

Dan: I would make a motion to approve allow emergency use of this property for emergency use.

Ray: History of the site, ATV 's have used it and injuries have occurred. The property needs to be secured so that it is not used for skate park. Important to maintain safety and land has limited recreational use.

Discussion: The property could be used as a future put-put golf course, or trails. Leasing the property to the Fire Department may be a possibility, but we need an emergency approval now while we work though those issues.

John Gray: 70% of our calls are medical. The island is demographically changing, the seriousness of the medical calls is rising. There are more people and houses every year. As your Fire Commissioner I am looking for reliable helicopter evacuation service that is reliable. The usable sites for helicopter landing on the island are becoming more limited. The trees on the golf course are tall, pilots look at it and leave, even in the daytime it is a challenge to land. We have had a patient on the gurney, and the pilot left. I worry about people who need to get off the island now. The Fire Department needs a reliable backup helicopter landing zone that we can count on now. A temporary solution does not solve the issue and with as fast as the development is happening on the island the available alternate space will be gone/developed.

Discussion: The improvements to the site we are talking about would not be temporary. Temporary use was intended to allow the immediate use of the site, while we work out some of the details about the improvements and who is paying for it. We need to think about any legal issues that may impact HICA if we approve this on a permanent basis now.

Ginger Harmon: I have some history to consider. Part of that land was donated by a family. We need to check if using this land as an emergency landing site infringes on any of the stipulations that may have been placed on its use from the family who donated it. At one point when this area was being dredged for gravel it was infringing on this property so much it was eroding the land.

Discussion: The area right behind the houses adjacent to the gravel pit is part of the Swarm Property. The property is unstable and likely not appropriate for recreational use. Using this type of surface pavers will help stabilize the area and using as an emergency landing pad is a good use of this property.

Erik: Let's put this back to the board. My feeling is this makes sense, but we need to make sure that we can allow this us and allow additional feedback to come. Let's get a poll from the Board, approve as is or on a temporary basis while we flush out any issues.

Ray: Best course of action to approve it as is. As with any decision we can reverse it if needed.

Dan: I agree with Ray and Don.

Roelof: Safety is a priority we should approve it.

Aimee: Safety of the community, we should proceed as is and adjust as needed.

Kelly: I agree with Ray, if there were an accident tonight and one of our loved ones was unable to be transported and there were catastrophic consequences, we don't want to look back and regret that we did not take action.

Don: Yes, let's proceed, we need immediate emergency landing service now. We can work on the rest of these issues. I am not unserious in the idea that the Fire District would lease this property from HICA.

Community Comments:

Kurt Kassahn J19: Let's move forward, we need to approve this.

Chuck Thurman 34B: I support this solution; I was one of the people impacted by Airlift NW unable/willing to land. If my situation had been more serious, I wouldn't be here today.

Erik: Propose motion to approve emergency evacuation landing zone as proposed by the Fire Department to be used for emergency services in that designated area.

Ray Motion
Kelly: Second

Vote:

Erik Smith- President	Yes
Ray Stephanson – VP	Yes
Don Stark- Treasure	Yes
Kelly Dukes- Secretary	Yes
Aimee Caccavale- Trustee	Yes
Dan Jensen- Trustee	Yes
Roelof Burger	Yes

Motion approved

New Business:

Dan: I have one new business item. A brief announcement and discussion on the fiberoptic plan proposed by the Hat Island telephone company.

Ray: Both myself and Dan are former telecommunication employes. Just so everyone understands, the Everett Herald article was misleading. Hat Island does not have its' own telephone company. This is a government initiate to bring fast internet service to remote areas like Hat Island. This is a low interest loan. Whidby Island telecom is not going to absorb that loan cost, it will be amortized and likely billed as a rate surcharge to owners in your billings. It is a necessity for our community, but I think we need to set the record straight with the Herald. This is not a gift. We did not even know about it until a reporter called and asked for comment on the \$3million dollar loan you just got.

Discussion:

Hat Island Telecom is not part of HICA. Hat Island Telephone Company is a wholly owned subsidiary of Whidbey Island Telecom. The is loan is being funded by the government is likely being funded by a high-cost fund. We need to reach out to Whidby Telecom/Hat Island Telephone company and request rate information. Part of the intent of this government program is to provide equal access to remote areas and provide reduced cost access for those who qualify. Construction will continue until 2026, opportunity to work with Whidby Telecom while they are digging lines all over this island. Potential to partner with Whidby Telecom when trenching to work on drainage or water lines.

Excerpt from the Everett Herald article: Whidbey George Henny, CEO of Hat Island Telephone This loan will allow Whidbey Tel to get all of Hat Island connected to fiber optics which will make Hat Island one of the most connected communities with possibly the fastest internet service

Loan: \$2,980,652

Recipient: Hat Island Telephone Company

Project Description: This Rural Development investment will be used to deploy a fiber-to-the-premises network to provide high-speed internet. This network will benefit 93 people, six businesses and one farm in Snohomish County in Washington. Hat Island Telephone Company will make high-speed internet affordable by participating in the Federal Communications Commission's (FCC) Affordable Connectivity Program.

COMMITTEE REPORTS:

Long Range Planning Committee Report: 6-17-23

The Long Range Planning Committee would like to announce to the Community we have scheduled a Strategic Planning Retreat on August 5, 2023. It will be a one-day event and all owners are encouraged to attend. It is a great opportunity for owners to participate, voice their concerns and discuss the direction for the future of the Island.

We are in the planning stages but here are some initial items:

- The meeting will be held at the Firehouse on August 5th and all Community owners are invited to attend. It will be between 4 – 5 hours long.
- The first hour will be to educate/inform those new to the island and those who have not attended before. It's very exciting to see all the new faces and encourage your input and participation. We will cover previous retreats and the results of the strategies developed.
- There will be a Community Survey coming out soon and we ask all to participate and complete. This information is very important to gather/analyze & present at the August 5th meeting.

Kurt Kassahn
Community Chair – Long Range Planning Committee

Water Update 6-13-23

Water produced in May:

	May	YTD
Wells	562,160	1,628,855
RO	149,389	507,624

Totals 711,549 2,136,479

During May the Wells performed as expected and the RO production was 149,389.

The production from this period was 52% more than May of last year. The water mix was 79% wells and 21% RO.

The YTD produced is 17% more than the last 2 years avg of their YTD amount.

Discussion: There are some water leaks. We have a company coming in to survey our water lines and identify leaks- timing is still TBD. Water on Hat is very hard and is hard on water tanks, dishwashers etc. The well water is treated with calcium for arsenic, which adds the hardness. There is a devise that works off your water pressure, no moving parts or maintenance and it helps to reduce hardness. Homeowners may find it worthwhile to add a water softener system of your homes water intake. Rick DeFrancisco is really good at installing those.

Parks and Recreation: Pickleball lines are going in.

Committee Reports

Christine Bennett E35

Has a copy of the Forestry Education and Assistance for Washington Forrest and Woodland property owners. This publication has lots of information. We can actually get money from the state to cut down dead trees on the island to help prevent forest fires and damage. Forests are dying, we have 9 different deceases that are killing the trees on the island. Fungal diseases are spreading underground at one foot a year. Insurance companies are pulling away from insuring. State and County help and free advice and assistance. Concerned about homes that have decks sitting on the bluff and how it might affect ability to get insurance, as well as impact to shoreline should they fall.

Discussion: Nature Conservancy might want to look into seeing if there is free money available.

Chuck Therman B34

Thank you for starting the children's play ship. Is coming along- looking great. Work with Whidbey Telecom when they are trenching to place water lines. Possibly PUD would want the opportunity to work on power at the same time as wire is not in conduit currently. Funding for the helicopter pad- I would like to understand the timing.

Discussion: Helicopters have been approved for emergency landing effective now. Still investigating options on how to make improvements to the area to facilitate ease of use, and how to fund those improvements.

Brand Tinius M30

Concerned, that the helicopter pad improvements is going to be put off. We can land a helicopter now, but we can't roll a gurney. The only way to move a patient is to place them on a backboard and carry them to the helicopter. Let's not look into federal funding, let's just get it done.

Sharron Medows A24

A lot of events today, people have to pick and choose which to go to. Fire Drill is the 2nd Sat of the month, and the Board Meeting is the 3rd Saturday. It would be wonderful if everyone had the ability to attend all the island events, perhaps there is an opportunity to coordinate events so that they are not overlapping.

Marinas/derelict boats: A simple test is if the board can go into gear and has functioning bilge pumps.

Duan Tinus: M30

I recommend everyone get Airlift Northwest it is not expensive and important for everyone to have. July 29 Community Involvement Safety Day.

Barb Conwell A10

Years ago, we had several property owners who live aboard on the Port of Everett (POE). POE made boat owners prove it was operable by moving the boat to another marina and getting a receipt. Something to consider.

Erik: Requests a motion to move to executive session

Dan: Motions

Ray: Seconds

Vote:

Erik Smith- President	Yes
Ray Stephanson – VP	Yes
Don Stark- Treasure	Yes
Kelly Dukes- Secretary	Yes
Aimee Caccavale- Trustee	Yes
Dan Jensen- Trustee	Yes
Roelof Burger	Yes

Motion approved

Return to Open session at 1:23pm

Erik: It is 1:23pm the board is returning from Exec session; we have nothing to report.

Requests a motion to adjourn.

Ray: Motions

Roelof: Seconds

Vote:

Erik Smith- President	Yes
Ray Stephanson – VP	Yes
Don Stark- Treasure	Yes
Kelly Dukes- Secretary	Yes

Aimee Caccavale- Trustee	Yes
Dan Jensen- Trustee	Yes
Roelof Burger	Yes

Motion approved 1:23pm

Meeting Adjourned at 1:23pm