

# KING CONSERVATION DISTRICT

## Board of Supervisors

### Meeting Minutes

August 10, 2015

**Supervisors Present:** Dick Ryon Chair, Bill Knutsen-Vice Chair, Auditor Max Prinsen, Jim Haack Supervisor, Jason Salvo Supervisor

**Associate Supervisors Present:**

**Staff Present:** Jessica Saavedra, Janice Babbitt, Brandy Reed, Deirdre Grace, Katie Pencke, Paul Borne

**Guests Present:** Amy Hendershot, (USDA-NRCS), Eric Frimodt, (Inslee Best) Stephanie Alexander (Michael and Alexander)

Chairman Dick Ryon called the meeting to order at 5:01 pm.

Introductions were made and the agenda was revised. Prinsen asked to add Resolution 15-004 regarding the transfer of land after executive session, but it was covered prior under New Business. Knutsen requested an update on any PSCD Caucus related policy in time for the upcoming All Districts meeting which occurred under New Business.

**Knutsen moved; Prinsen seconded passed unanimously a motion to approve the agenda as revised (5 ayes, 0 nays)**

Minutes need some changes as per Bill Knutsen- Prinsen approving and moving several items.

**Knutsen moved; Prinsen seconded passed unanimously a motion to approve the consent agenda (5ayes, 0 nays)**

**Public Comment:** Amy Hendershot, District Conservationist located in Puyallup, has the agreement with the King CD, she reviewed the agreement with the Board. (handout) The cooperative working agreement details trainings, opportunities to collaborate, etc. The agreement can be cancelled with thirty days notice. No changes to the agreement were recommended by Hendershot. Just an annual update, last one was signed by Sara Hemphill in 2013, on mutual responsibilities. There is a local working group that the District attends; Brandy Reed and Rachel Konrady have attended. The important piece is the civil rights component includes gender identity as a protected class; the District is required to also abide by this component. Chair Ryon asked if we need refer to this in our employee manual. Page 6 refers to the civil rights act as amended just above signatures. The last page on the Census of Agriculture documents the number of farms, land in farms, and other interesting facts. Hendershot highlighted additional facts of interest related to where King County stands statewide and nationally. Supervisors asked question about what is comprised in the aquaculture operation. The answer was that is all shellfish production and not fish to Reed's knowledge. Hendershot reported that they need to work with more Asian and women farmers as per the data collected and requested for this census. She provided information on the

RCPP and the changes in FY16 to buffer requirements which will be a 50 foot buffer. Knutsen asked Hendershot to remind the State Conservationist that our King County Ordinance requires 25 feet. Reed asked questions about what documentation is available to guide implementation of the 50 foot rule. There was discussion about how this rule impacts farmers in the Snoqualmie Valley and that the fifty foot rule is half a tree length as per Supervisor Chair Ryon. If the NRCS provides financial incentives the fifty foot rule would apply. Supervisor Salvo mentioned that the food safety program conflicts with this rule, both imposed by USDA. Other supervisors commented and Hendershot stated that she welcomes the feedback and agrees that this rule is going to be problematic for their relationships with farmers. Prinsen asked if the tribes have weighed in. Hendershot said the tribes are varying in their opinions and messages sent to them. Some are more ag friendly than others. Hendershot said that she heard from her local working group that if there isn't any farmland then the resource concerns are pointless. The working group helps guide them about where they should be spending their resources and they have selected farm land preservation. Hendershot sent documentation on this to Hemphill and Reed so Supervisor Haack can access it.

**Presentations:** None

**Finance:** Janice Babbitt provided the finance report. The full package was sent prior to the meeting with the check register, budget to actual for the organization and by program, balance sheet, and the updated contractor list with the programs added. Knutsen stated that it looks like we are where we are supposed to be now that it's all sorted out. Babbitt will work with Monaghan on a few items related to planning and outreach. Babbitt is taking corrections as they are provided. Grace said there is a fairly significant difference between outreach and what outreach is helping to develop, however, everything is in MIP and done in MIP. Knutsen asked about Bel-Air and how many hours staff spent working on that project. Babbitt said we should be able to do that, we don't have all of the projects identified yet, such as the Bel-Air. Knutsen described the project and said that it took up a lot of staff time and wanted to know what it has cost the District. Grace said it was lumped under strategic partnerships. Knutsen said it wasn't part of the budget but has taken a significant amount of time. Prinsen said that it was probably around \$20-\$30,000. Haack asked how many special projects we have like that. Grace said that maybe 5-10 which is a wild guess, there hasn't been a whole lot of things like this.

**Prinsen made a motion Ryon seconded passed unanimously a motion to approve the items under finance Action Item 15-077 ( 5 ayes, 0 Nays).** Discussion ensued about the detail on individual cost-share and grant payments line item. Reed, Babbitt, and Saavedra provided information on the topic.

**New Business:**

**New Business Item #1 Action Item 15-078** Paul Borne was filling in for Rachel Konrady on **Resolution 15-003 Award of Construction Bid for SACKWAR FFFP**. Borne explained that the lower bid didn't meet all of the requirements, they had not completed a bridge project in the last five years. Borne notified Restoration Inc, they stated they will be implementing a project in September. Borne said he would ask the Board but felt the die was cast. Two bids, grant from RCO for this project \$125k covered construction installation, management fees, etc.. As a result of going

with the higher bid Borne requested the grantor amend the grant to add \$20,000. Borne said that before the Board is to award the bid to Weber construction. Reed provided information about the contractor. They have provided construction services to a lot of conservation districts. They have extensive, directly related experience. They have been around a long time. A responsible bidder should have installed at least 2 fish passage barrier removal projects, at least a certain amount of feet, and their experience had to be current. The other bidder had a lot of instream experience and will probably work with them in the future. Staff have been pushing up against an aggressive timeline for this project.

**Knutsen Moved approval of the motion as read on the documents related to the SACKWAR FFFPP in the Board packet, Salvo Seconded, approved unanimously ( 5 ayes, 0 nays)**

**New Business Item #2 - AI 15-079 AG Drainage Laird Stiles Donnel** – Katie Pencke: Project in Snoqualmie Valley three landowners, had an open house for contractors, invited to visit the site, two contractors attended the open house and one left, so they went with the remaining contractor, Premiere. Pencke described the project which has a large beaver dam and fish in the stream which will add to the time the project will take. Pencke also described that they applied for two more years of funding to partner with the County on this project. There are many landowners on the waiting list for implementation of their drainage projects. A team of KCD and County staff will continue to work on this project. Knutsen asked if there is interaction with King County Roads and asked if there were any fish found. Pencke answered that there were very few fish found.

**Prinsen Moved Haack seconded and passed unanimously a motion as detailed in the Board packet related to Action Item 15-079 (5 ayes, 0 nays)**

**Regarding Resolution 15-004 the transfer of land - Prinsen Eric Frimodt** in 2005 KCD purchased property on Shadow Lake with funding from several sources at a court ordered auction, placed conservation easement on it. Since 2006 the KCD owned and turned the maintenance over to SHADOW pursuant to an agreement. Max and his organization in contact with King County who is willing to take ownership and maintenance of the property which still fulfills purpose of original grant to purchase. The AG requires transfer of full and fair value of the property. In this case the property was purchased for over a million dollars, conservation easements appraised at seventy five thousand dollars. Since the property is over the fifty thousand dollars, had to determine full and fair value, Frimodt's research, found that avoiding costs, is equivalent to full and fair value. The KCD transferring to King County will get out of the business of maintaining the property and out of risks associated with owning property. The property will be preserved forever for conservation. KCD won't get value out of it. Frimodt is comfortable with the transfer to King County. Ryon asked how the one million dollars was acquired Prinsen described how he applied for ALEA and Conservation Futures grants and private donations to purchase the property. They have done a variety of improvements on the property. Prinsen said he put in \$100,000 of his money as a donation. The District has not paid anything for the property. The District acquired property that could have been developed and is not in the business of maintaining and operating property like this.

Public notice is required before signing the transfer of property. Frimodt provided copies of the resolution which is a four page document. (Ryon and Prinsen signed two originals) The property contains a permanent conservation easement that is a requirement of the grant. It is also required that the property goes to an entity. Ryon asked if Prinsen would have a tax burden, Prinsen answered no. Ryon asked if Prinsen would be enriched by this transfer, Prinsen answered no. Frimodt also responded that the KCD Board of Supervisors in 2005 unanimously approved the acquisition of the property, Prinsen recused himself from the vote to address any concerns of conflict of interest. KCD has held this property for a long time and it's time to move it on. Prinsen said it's visited by 3,000 people every year and WSU has asked to use it as part of their forestry education class. Frimodt stated with that many people creates a lot of liability. The purpose of the resolution to fulfill the requirements of the law and Frimodt read through the resolution 15-004. Frimodt said that we have to have a public hearing and give notice, he will work with staff to get notices out about the public hearing on the 14<sup>th</sup> of September at the Board of Supervisors meeting where people may attend to ask questions. Once moved by the Board, then Dick can sign the resolution.

**Knutsen moved Salvo seconded passed unanimously a motion to approve resolution 15-004, Prinsen recused himself from the vote (4 ayes, 0 nays)**

Knutsen asked about the Hammond settlement being renegotiated and what is the notice required. Frimodt said that simultaneously a motion needs to be filed with the court and the class is notified, there are publication requirements that are followed before. Step one is to determine if plaintiff is supportive, with their support, joint motion to court, a judge would revise the order.

**Reed provided an updated on the PSCD Caucus.** Thurston CD shared a resolution about changing conservation district election procedures and a possible statewide assessment as a result of capacity and funding needs because other CDs are not able to handle rates and charges on their own. Discussion continued on those topics and the Board is sympathetic to CDs capacity needs.

Deirdre Grace provided an update on the Bel-R Greenhouses, privately owned 8 acre site in Burien, owned by three family members, at the site for 70 years. They are interested in selling and retiring after this season. Employ 30-45 seasonal employees and fewer regular employees. Our advisory committee member notified us of this opportunity. The grant application to King County Conservation Futures has been recommended by the committee and generally the King County Council approves the recommendations from the Conservation Futures Committee. For a variety of reasons the project has become controversial. A small number of people in Burien want the property to be developed into single family market rate housing. KCD has been engaged in the process, dedicating some staff time to it. City Manager felt the Council got too ahead of themselves on this project. District staff met with the City Manager and King County. The reason for the rush came from the family's desire to sell. The family has informed City Manager that they have received so much interest from potential lessees interested in growing in the greenhouse, they are willing to stay on as owners of the property for a few more years. The family is holding a meeting with all of the potential lessees this week. This is of interest to us because we want to help them steward their land and continue its current land use as urban agriculture. We now have some breathing room, the city can reflect on what their urban agriculture policy should be because they



153 didn't have one. This gives the governmental organizations time to go through the proper  
154 processes. Ryon asked if our involvement allowed them to stick around. Grace responded that we  
155 have helped them connect with people who want to grow in a greenhouse. We have stepped back  
156 while remaining available to help or provide guidance. Salvo asked if the family is going to lease  
157 or do they want to sell. Grace said they ultimately want to sell, there are quite a few groups that  
158 would like to utilize it. Taco Time Northwest determined they could have the capacity they need  
159 at this nursery for ~63 restaurants. A public development authority for the site is being explored,  
160 similar to the Pike Place Market or 4Culture PDAs, is a possible mechanism that has been  
161 considered to keep the property in its current use.

162 Grace handed out her outreach report. The full advisory committee met this month and provided  
163 great feedback on the new programs Monaghan and Reed are running and the working groups.  
164 Grace reported on the Regional Food System Grant Program Community Workshop. The main  
165 goal was to help people collaborate and that was definitely achieved. Will be interested to see how  
166 that translates into the full proposals to be received next. Grace worked closely with Sound Cities  
167 Association on forming the working groups which will help us determine which cities to work  
168 with first. Continuing to build materials, fact sheets, and a menu of services. Grace reported that  
169 the infrastructure study is a massive effort to contact processors. They found 50 processors that  
170 are interested in being part of the interactive map. The processors that they are looking at includes  
171 cold packing, commercial kitchen, freezers, the product is an interactive map for people to search  
172 for what they need such as a commercial kitchen. Our newsletter member number is at 2400 on  
173 the list, over 500 people clicked on our stories to learn more.

174 Executive Session was declared by Ryon. Pursuant to RCW 42.30.100 as detailed on the agenda.  
175 as listed on the agenda estimate it will take 1 hour at 7:10 pm. At 8:06 Frimodt asked to extend  
176 another half hour. Executive session ended at 8:36 pm

177 There being no more business before the board, Prinsen moved Haack seconded to adjourn at 8:38  
178 pm.



180 Authorized Signature



Date

181 **Knutsen moved; Prinsen seconded passed unanimously a motion to approve the agenda as**  
182 **revised (5 ayes, 0 nays)**

183 **Knutsen moved; Prinsen seconded passed unanimously a motion to approve the consent**  
184 **agenda (5aves, 0 nays)**

185 **Prinsen made a motion Ryon seconded passed unanimously a motion to approve the items**  
186 **under finance Action Item 15-077 ( 5 ayes, 0 Nays).**

187 **Knutsen Moved approval of the motion as read on the documents related to the SACKWAR**  
188 **FFFPP in the Board packet, Salvo Seconded, approved unanimously ( 5 ayes, 0 nays)**

- 189 **Prinsen Moved Haack seconded and passed unanimously a motion as detailed in the Board**  
190 **packet related to Action Item 15-079 (5 ayes, 0 nays)**
- 191 **Knutsen moved Salvo seconded passed unanimously a motion to approve resolution 15-004,**  
192 **Prinsen recused himself from the vote (4ayes, 0 nays)**
- 193