

**NORTH MASON SCHOOL DISTRICT  
THELER COMMUNITY CENTER  
CITIZEN ADVISORY  
COMMITTEE MEETING  
February 25, 2015  
Notes by Mary Swoboda**

Advisory Committee agenda and materials posted here:

<http://www.nmsd.wednet.edu/domain/644>

**[THESE NOTES ARE NOT INTENDED TO BE A VERBATIM TRANSCRIPT]**

**Committee members:** Craig Patti (CP), Richard Calvin (RC), Bill Bernier (BB), Steve Johnson (SJ), Kristina Schweigert (KS), MISSING female school student

**Audience:** Kaye Massie, Herb Gerhardt, Brad Carey, Scott Cooper, Cat Ross

Started 7:31 PM

Motion to approve minutes. Approved

## CORRESPONDENCE

CP Received email from Ken VanBuskirk regarding the Fortin correspondence and grant opportunity. Ken felt there was a conflict of interest with CP due to his past on the school board. No committee member thought CP should recuse himself. RC asked if he would be nonbiased? CP said yes.

## GOVERNMENT ENTITY PROPOSAL

CP In the few months we've been meeting, I think we have enough information to make recommendations to the superintendent. She wants as much information as we can give her, specific or general. Do we want to make a majority plus minority recommendation?

RC We can provide more than one recommendation.

SJ We were expecting to hear back from the Port of Allyn what they envision. Haven't heard anything.

CP No answer from the superintendent.

Scott Cooper (commissioner, Port of Allyn): We haven't discussed in a board meeting yet. Will discuss at Monday's meeting [March 2].

SJ: A lease provides some semblance of control by the school district. Transfer of the property would relinquish control.

CP Wetland repair project: The superintendent is under the impression when it comes to getting the area back to a natural estuary, she must get approval for work permits. Getting permission to replace the dike would be hard to come by.

CP The superintendent is looking for recommendations. How do we want to go about providing recommendations?

SJ Don't like two separate proposals [one for other government agencies and one for nonprofits]. If we're going to weigh them, put them together. Pick our best choice. Advertise for a request for proposals. The Port of Allyn is waiting to see what we come up with.

CP: Create a general request for proposal or duel recommendations, one intergovernmental, one nonprofit? What does the majority prefer?

BB Does the superintendent view Theler as an asset or liability?

CP She recognizes Theler is an asset. The heartache is we are using classroom dollars on Theler. Eighty thousand dollars are going into the community center and trails. Not the best use of classroom dollars.

RC If the school district isn't willing to make a commitment to develop to its fullest extent, then I'm not in favor of looking for a nonprofit to run it. Without government oversight to make sure the asset is protected for the community, we'll end up where we are now. Does the school district want to maintain oversight? They had a nonprofit run it before. No nonprofit without oversight. The Port of Allyn showed interest, they have the skills. Theler would be better served by another governmental agency controlling it.

SJ Don't see how the school district can get out of it. Transferring ownership is not good. We'd have to be assured it would be used in the fashion the Will dictates. If some government entity chose to use it outside of the Will there is no policing. We could fail the community if another government entity didn't understand the mission. A park & ride doesn't comply with the intent of the Will. Transferring ownership is not easy.

BB You can find any lawyer to get out of the Will. *[He is deeply concerned about this, thinks another entity would hire a lawyer and sell the property.]*

RC This is an asset the school district inherited on behalf of the community. In a perfect world I would love to see the school district operate it.

BB It's hard to just quit, give up. We need to get as many points of view as we can.

RC Do we give just one recommendation or two recommendations? It would be a lot easier if the school district would tell us if it is still an asset or they don't want it anymore.

KS: I vote to get as much information as we can too. They won't narrow it down so we shouldn't either.

CP wants a motion made or more discussion. The fear is the ball has been dropped many times before and there's a chance of repeating again. The school district has proven it is not their priority.

RP If it was important they would say so. Instead they are noncommittal.

BB we are representing the community. People will see us as giving something away.

SJ We are getting the cart ahead of the horse. We want to see a Port of Allyn proposal.

BB Don't exclude other Requests For Proposals (RFP) or different ideas. We should get as many proposals as we can.

KS MOTION *to entertain as many proposals from nonprofit and public entities as we can.*

RC Without a commitment from the school district I have a problem. I don't want this to be a waste of time.

BB When the Salmon Center and Theler were together everything was great. When they left all the problems started happening. *[Mary's comment: There is an obvious lack of historical awareness in his opinion.]*

RC If we're going to represent the community, what does the community want? All we're doing is providing a recommendation. *[Richard Calvin created the sample RFP they've been working with.]*

CP The school district would put the proposal into whatever legal requirements that are mandated.

RC How will you maintain the facility? Who has the best plan? Details must be put into the RFP, establish minimum requirements.

RC We don't know the total extent of maintenance. Maintenance grants are hard to come by.

KS Back to the MOTION: *Entertain as many proposals as we can get from both nonprofit and governmental with two separate RFPs, one for nonprofit and one for governmental.*

BB Until we have proposals there's no point to meet. Let the school district deal with RFPs.

SJ When this began I thought we'd have three meetings and there would be options. Suspend further meetings until we get proposals.

KS MOTION continued: *The school district will create an RFP and seek proposals from nonprofits and governmental agencies. Then suspend the committee until proposals are received.*

*Vote taken, four in favor, RC opposed.*

***ADDENDUM from Craig Patti, 4/16/2015:***  
*The vote was actually 3-2 with myself and Rick Calvin voting "nay" to request proposals. Rick and I both voted in favor of the minority recommendation.*

RC wants a minority recommendation entered to request a formal proposal from the Port of Allyn only. No matter what the decision though, I will continue to support the committee's decisions.

## **NEW BUSINESS**

SJ I think school board members want to manage schools.

CP When I was on the school board Theler wasn't talked about. I thought it was being handled.

SJ There hasn't been a lot of oversight.

## **PUBLIC COMMENT**

Brad Carey: Back in June or July we (Ken VanBuskirk and I) asked the district to rescind their motion to surplus the Theler property and slow down. In August we asked the superintendent to put together an advisory committee. I've gone to meetings where we were told Theler is losing money. I came across this budget, approved by the school

board, that shows they are making money. *[This was a handout he provided to the committee members].* Ken and I met with Dana *[the superintendent]* February 5. If the Theler Trust hadn't gone bankrupt we wouldn't be here. The Port of Allyn is waiting to get information. Why not allow for-profits to submit proposals? Any organization, in order to come up with a plan, needs to know what the liabilities are. Ken and I are trying to come up with that information but are having a hard time getting it.

CP In order for those questions to be answered it's up to an interested entity to find out that information. If they don't get the information, they won't make a proposal. Then we're right back to where we started.

Brad Carey: I feel the advisory committee isn't performing the way we hoped it would.

RC I was frustrated in the very beginning. We weren't getting information. Mrs. Swoboda and Randy Neatherlin provided a lot of information. We have collected much information from many people. There should be a packet of information that goes out to every entity who wants to make a proposal.

Brad Carey: How much money is in the trust?

RC That's kind of outside what we're doing here. The ultimate responsibility is on whoever makes a proposal.

Brad Carey: Without accurate information, how can the public make informed testimony? How can an entity make a proposal? You need accurate information to make accurate recommendations.

RC I'm willing to do this as for long as it takes. It's a lot bigger chore than we signed on for. I feel a responsibility to the community.

Scott Cooper: It's important to remember Sam Theler gave the property to the public. The school district is a public entity. The public owns the school. An attorney could probably get an entity out of the contract, but why would we do that? It's a gift to the community. The Port of Allyn belongs to taxpayers. We have oversight, management, facilities, funding capacity. The school district is tasked with teaching children, they don't need to run the facility across the street.

SJ What happens if it isn't managed to the intent of will? In the beginning I was an advocate of nonprofits. It must be crystal clear

to the public that you're managing in accordance with the Will. The public can vote you out.

Scott Cooper: Part of our proposal would be how we legally and ethically would abide by the Will.

SJ There must be accountability down the road. I thought we were going to have feedback from the Port of Allyn about whether they would consider a lease instead of transfer of ownership.

Cat Ross: It worries me that you didn't put a deadline on the motion you made, otherwise it will get passed down the road. RFPs should have a deadline, otherwise it will be on the back burner because it's not important to them.

SJ We're not going to force them *[the school district]* to do anything.

CP When it's proposed to the school board, I want to be there to make sure it is crystal clear. I think the school board is motivated to move.

Brad Carey to Scott Cooper: Would the Port of Allyn be interested in a long-term lease?

Scott Cooper: I can only speak personally. I would want a transfer of ownership that would include a legal document giving the property back to the school district if the Port of Allyn doesn't follow the intent of the Will.

Kaye Massie: The Port of Allyn is audited by the state auditor. They would have a separate account in their budget for Theler.

Herb Gerhardt: I am speaking for myself. Theler is an albatross to the school district. The school district could run a bond to operate Theler. Having a private entity manage Theler? We had it twice. It should be left with a public entity. Theler is a treasure, but a real pain to manage. You can make recommendations to the board, but they can ignore you.

SJ We recommend they solicit for proposals. The property would have to be surplus to do that.

Brad Carey: Interlocal agreements can be done between public agencies.

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