



Port of Brownsville

Minutes of Meeting

12 January 2011

CALL TO ORDER

Commissioner Jack Bailey called the regular session of the meeting to order at 7:05 PM. In attendance were Commissioner Allen Miller, Commissioner Bob Kalmbach, Port Manager Jerry Rowland, Assistant Port Manager Gregg Faulkner and Port Attorney John Mitchell.

PLEDGE OF ALLEGIANCE

Commissioners led pledge of allegiance.

APPROVAL OF AGENDA

Motion made to approve agenda as written. Motion seconded and approved unanimously.

ELECTION OF BOARD OFFICERS

Jack Bailey nominated Commissioner Allen Miller as Board President for 2011. Commissioners elected Allen Miller as President for 2011.

Jack Bailey nominated Commissioner Bob Kalmbach as Board Secretary for 2011. Commissioners elected Bob Kalmbach as Board Secretary for 2011.

APPROVAL OF CONSENT AGENDA

Motion made to accept consent agenda. Consent agenda includes the 8 December 2010 Study Session and 8 December 2010 regular meeting minutes, vouchers audited and certified by the auditing officer as required by RCW 42.24.080 and those expense reimbursement claims certified as required by RCW 42.24.090, which have been recorded on a listing and has been made available to the public. Those vouchers approved for payment are included in the audited and certified list and further described as follows: January 2011 General Fund voucher numbers 26550 through 26604 for a total amount of \$82,946.84. Also approved for payment was January Electronic Transfer voucher numbers 2011-01 through 2011-09 for a total amount of \$15,663.61

Motion seconded and approved unanimously.

PUBLIC COMMENT FOR ITEMS NOT LISTED ON AGENDA

None

PRESENTATION TO OR BY THE BOARD

None

FINANCIAL REPORTS

Port Accountant Dennis Bryan was in training and not able to attend this meeting. He will provide the end of month reports at the February meeting.

INFORMATION, STAFF AND COMMITTEE REPORTS

- a. Managers Report – Attached.
- b. Commissioners Report – Jack Bailey announced that the All Ports meeting will be January 24, 2011 which is a change in schedule due to the holiday, Martin Luther King Day. Jack Bailey attended WPPA Meeting. The biggest conversation was on what State Congress is trying to do with the boater's tax. He stated there will be a legislative luncheon sponsored by the Port of Bremerton in Olympia on January 27, 2011. This will be a time to meet the legislatures and discuss what was also discussed at the WPPA Meeting. The focus was to have the people who pay the boating tax to make their voice heard. He added that 87% of the city governments are in weak financial position but the Ports are in better financial condition. He noted that in West Virginia the revenues are up 18% this year and he is hoping that this is an indicator that the economy is turning around.
- c. Standing Committee Report – None

OLD BUSINESS

- a. Resolution 10-07 Revise Personnel Policy Manual Holidays (second reading) – This revision increases the days that the Port is closed from 3 days to 6 days. All of the additional holidays will be in the winter. This will help with the amount of holiday pay that is presently being paid. Jack Bailey made a motion to approve this resolution. Bob Kalmbach seconded the motion. Ned Cook questioned if Columbus Day was recognized as a legal state holiday. Jerry Rowland said that per the RCW it was a legal holiday. Motion passed unanimously.
- b. Resolution 10-08 Establish Public Works Contract Procedures (second reading) – This revision is required to establish policy Public Works Contract Procedure which the Port is required to have. Jack Bailey made a motion to approve the resolution. Bob Kalmbach asked the Port Attorney if he had reviewed this resolution. He replied that he had reviewed it and it was satisfactory. Bob Kalmbach seconded the motion and the resolution was approved unanimously.
- c. Resolution 10-09 Travel Reimbursement Procedures (second reading) – This revision was to incorporate the travel section of the personnel policy manual which was adopted but not signed for. There is no change in the personnel policy manual other than the form which the Port Manager changed to make it more user friendly. Jack Bailey made a motion to approve this resolution. Jerry Rowland discussed that the travel budget was supposed to be submitted in June and this has not been done in the past. Jack Bailey said it would be difficult to make that estimate in June. Bob Kalmbach stated an estimate could be made identifying how many meetings would be attended for the year and this would help the Port Manager with the budget numbers. Bob Kalmbach seconded the motion. Ed Wurden asked if there was a summary of the information and benefit from attending the various Port meetings. Jerry Rowland said there is definitely benefit and he wished all the commissioners could attend the WPPA meetings. Bob Kalmbach agreed but stated some of the agendas were more for larger Ports so an analysis should be made if it would be beneficial to attend those that are targeted for larger sized Ports. Jack Bailey stated the agenda some time does not really inform the attendees of all of the content of the meetings, and he said that the WPPA meetings were always beneficial. Bob Kalmbach agreed but he stated that an evaluation should still be made so the Port money is being spent wisely. Ed Wurden asked if the minutes of these various meetings are public information. Port Manager said they are public information and available to all. Ed Wurden suggested that the commissioners use that

information rather than spend the money on attending. Jack Bailey said you would not get the same information out of the minutes that you would when you attended. Motion passed unanimously.

NEW BUSINESS

- a. Resolution 11-01 - Revise Port Tariff (first reading) – This resolution changes the billing and tariff for the security charges since the security personnel are now Port Employees. There will not be a separate line item in the billing for security. The Port Manager stressed that this will not change the total amount paid by the tenants, there will be no increase. Jack Bailey proposed waiving the requirement for the second reading and made a motion to approve this resolution. Bob Kalmbach seconded the motion. Bob Kalmbach recapped all of the changes in the tariff for 2011. Ned Cook asked if the use of the facilities was free for the Yacht Club Members. Jerry Rowland stated they were. Allen Miller felt that this resolution should have a second reading. Recording secretary, Marjie Rowland, pointed out that there is a motion and a second and it will have to go to vote or be tabled. Jack Bailey said that this resolution is needed to pass before the next billing. Recording secretary stated that this is not the first reading of the Port Tariff changes since it was discussed in the November meeting, the December meeting and now the January meeting. Bob Kalmbach said the Port Tariff for 2011 had not been reviewed in front of the public and passed. Marjie Rowland read the section of the December minutes that stated the Port Tariff for 2011 was voted on and approved unanimously, noting the resolution number, 10-06. There was some discussion if the resolution was signed or not. Marjie Rowland again explained that this resolution 11-01 was to modify how the security charges were going to show up on the billing, making it necessary to modify the 2011 Tariff that was approved at the December meeting. Assistant Port Manager, Gregg Faulkner, retrieved the Tariff resolution 10-06 that was voted on in December and all signatures were made. Jerry Rowland reviewed the only change that this resolution made to the billing. Recording Secretary read the motion that was made and seconded. Motion passed unanimously.
- b. Resolution 11-02 - Modify Personnel Policy Manual (first reading) Resolution 11-03 Modification of Budgeted Expense Categories (first reading) – This modifies the Personnel Policy Manual to include the new positions of the security personnel including training. Jack Bailey made a motion to waive the second reading and approve this resolution. Bob Kalmbach seconded the motion. Motion passed unanimously.
- c. Resolution 11-03 - Modification of Budgeted Expense Categories (first reading). This revision authorizes a practice of shifting funds within a category which was approved by vote of the commissioners but not documented. The Port Manager read the entire resolution. Jack Bailey asked where it stated that the Port Commissioners would be notified of the shifting of the funds in the category. Jerry Rowland replied it didn't state that. Jack Bailey made a motion to approve 11-03 for discussion. Bob Kalmbach asked for an example of this. Jerry Rowland gave the example of personnel costs that were less than what the budget proposed and security was more than budgeted. He gave other examples of other differences but the grand total of that category was under budget. So the changes in the category didn't change the grand total so there really doesn't need to be a budget modification to adjust each line item in that category. Allen Miller stated that the commissioners should be informed of these line item changes. Ed Wurden stated the purpose of a budget is to compare what was estimated and what was actual, not to zero out the line item making it look like the writer of the budget was very smart. He questioned why the Port would modify the line items and lose the ability to compare proposed and real expenses. Jack Bailey stated the budget is only an educated guess of what will happen the next year. He said the

government agencies he worked for did exactly what the Port Manager was proposing in this resolution. He did agree that the commissioners should be informed and there should probably be a study session to inform the commissioners. Ed Wurden said that if the line items were balanced what would the Port have learned to put in the budget for the future years. Jerry Rowland explained the exact procedure he follows and he really doesn't change the values that were proposed in the budget. The shifting of funds is for the future budgets, not the current and avoids having to initiate a budget modification for the state. This resolution was tabled to the next meeting for second reading.

PUBLIC COMMENT

Ed Wurden noted that the change of having the security people as Port employees is saving the Port money. He went on to say that any time there has been a savings to the Port, it has not been passed on to those that pay taxes or tariffs. He expected no action from his comment but just wanted it noted.

Jack Bailey asked when the legal proceedings were scheduled for the triangle piece that the Port acquired through eminent domain. John Mitchell stated it was March 9, 2011. Jerry Rowland noted that he is the only witness at this time.

Jerry Rowland reported that there was an article from Valve Tech noting that gasoline will now go to E-15 (more ethanol) mixture. The boat motors will not run on this mixture and the article expressed concern over people going to the gas pumps in town and getting the E-15 mixture. The consequences of a boat stopping in the water are more severe than a vehicle stopping on the road.

Jerry pointed out to the commissioners that he had given them the proposed Port Manager evaluation form as well as a position description and duties and responsibilities. The commissioners said that they would like to have a study session just prior to the next meeting. This will give them the time to study the material. A study session was scheduled for February 9, 2011, at 6 PM.

EXECUTIVE SESSION

None

CLOSE MEETING / ADJOURN

Motion made to adjourn. Motion seconded and passed unanimously.

Meeting adjourned 8:22 PM.

President/Commissioner

Secretary/Commissioner

Commissioner

Recording Secretary