



Port of Brownsville  
Minutes of Meeting  
10 February 2010

**CALL TO ORDER**

Commissioner Jack Bailey called the regular session of the meeting to order at 7:00 PM. In attendance were Commissioner Bob Kalmbach, Commissioner Allen Miller, Port Manager Jerry Rowland, Assistant Port Manager Gregg Faulkner, Port Attorney John Mitchell and Port Accountant Dennis Bryan.

**PLEDGE OF ALLEGIANCE**

Commissioners led pledge of allegiance.

Commissioner Bailey made the following statement:

I'd ask tonight and for the rest of the year for that matter that if you have comments that you come up to the podium here. We have a little microphone over here that picks up your comments and also it kind of expedites things if you come up and say what you have to say and have the ongoing conversation that we sometimes have. Also, just mention that if you want to attack the board that's fine, but please don't direct your comments at any one particular commissioner. For the decorum of the meeting we would not want to see personal attacks either from the commission on the persons in the audience or vice versa.

**APPROVAL OF AGENDA**

Motion made to add item 10c, Deli Lease to the agenda. Motion seconded and approved unanimously.

Motion made to accept agenda as modified. Motion seconded and approved unanimously.

**APPROVAL OF CONSENT AGENDA**

Motion made to accept consent agenda as written. Consent agenda includes the minutes for the January 13, 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: February 2010 General Fund voucher numbers 25949 through 25994 for a total amount of \$71,463.75. Also approved for payment was February special electronic transfer voucher, number 2010-11 for a total amount of \$2,542.10, February 2010 Electronic Transfer voucher numbers 2010-12 through 2010-18 for a total amount of \$9,905.16.

Motion seconded and approved unanimously.



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**PUBLIC COMMENT FOR ITEMS NOT LISTED ON AGENDA**

Bill Bailey requested that as part of the consent agenda that a brief explanation be provided on the high dollar items so the public would have some idea of where the Ports money is being spent. Commissioner Bailey and Commissioner Kalmbach as well as the Port Manager provided some insight into some of the higher dollar expenditures that were approved. It was also explained that the vouchers are available to the public for review; however they generally are not ready until the day of meeting. Frank Reed suggested putting this information on the web site. Commissioner Bailey said he felt manpower issues would preclude that from happening.

Skip Nordal asked about the weather data not being on the web site. Port Manager explained that during the office renovation the weather station had been off line. It was also discovered that the rechargeable batteries in the weather station on the breakwater were dead. The new ones have been ordered and should arrive soon. Then the weather information would be made available on the web site again.

**PRESENTATION TO OR BY THE BOARD**

None

**FINANCIAL REPORTS**

Port Accountant Dennis Bryan presented both the 31 December 2009 and January 2010 financial reports. Dennis stated there was a loss in December due to the end of the year depreciation made on assets.

With fuel included in the report, Operating and Non-operating revenue were under budget. Operating expenditures were under budget, Non-operating expenditures were over budget. Also the Administrative Expenses were over budget. Without fuel the areas that changed were the Operating Revenue, now over budget and the Operating Expenses now over budget.

Dennis Bryan reported that the State Audit had concluded but there has not been an exit interview scheduled. Dennis will notify the commissioners when the interview is scheduled. He stated that there was a difference of opinion on how grant money should be reported but a compromise had been reached.

Bob Kalmbach explained that part of the reason that the Administrative Expenses were over budget was due to the payment that the commissioner received as mandated by the RCW's.

Jack Bailey asked how many years the grant money was reported on the item purchased. Dennis replied that it depended on the item.

For January 2010 with fuel, the Operating and Non-Operating revenues were under budget. The Operating and Non-Operating Expenses were under budget. The Administrative Expenses were over



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budget due to Insurance and Audit Costs. Without fuel, the Operating Revenue and the Operating Expenses were even to budget.

Jerry Rowland stated that he recently researched how much the Port had gained in income. Between December 31, 1997 and December 31, 2009 the Port gained \$500,000.00 dollars.

### **INFORMATION, STAFF AND COMMITTEE REPORTS**

- a. Managers Report – Attached. Port Manager, Jerry Rowland added a thank you to the Brownsville Yacht Club for allowing the office to be temporarily set up in the Yacht Club during office renovation.
- b. Commissioners Report – Jack Bailey went to the All Ports meeting in Silverdale. In general the Port of Brownsville is doing well with keeping the slips full and tenants happy. Jack Bailey also attended the Port's Legislative Day in Olympia. He said Port of Brownsville had a nice display. He stated the Port of Brownsville should be aware and concerned over the changes being proposed for prevailing wages.
- c. Standing Committee Report – None

### **OLD BUSINESS**

- a. Modify Lease Lines – This will be discussed during executive session.
- b. Fire Hall Proposal – Port Manager stated that the perspective tenants would like to have a special meeting 3 March 2010 to present their business plan and financial statements. Commissioners agreed to a special meeting at 6:00 PM on 3 March 2010.

### **NEW BUSINESS**

- a. Jonathan Thomas announced that the Northwest Schooner Society has chosen the Port of Brownsville as its base of operations for Kitsap County. He presented an idea concerning the Northwest Schooner Society. This idea concerned a grant that was available to the society and requires the Port to participate and agree on pier modifications. The proposed pier would be used for non-profit organizations with a few slips being used by the Port for additional moorage. The proposal included that the Non-Profit organizations would pay no moorage fees. He added that March 15 is the deadline for the grant application.

Jerry Rowland stated that he had been working with the Port Attorney to research the legality of this proposal. He added that any free moorage would have to be for a set time and could not go for forever.

Jonathon covered the details and timeline of the grant proposal adding that an extension would be requested if the grant monies are not used within a year of the grant being issued.



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Allen Miller asked when the Port was going to move the North Breakwater. The Port Manager stated it is all contingent on when the triangle piece is obtained so there is no firm answer at this time. He added that even if the permits were expedited it would be at least a year.

Jerry Rowland stated that there were things that needed to be discussed concerning this proposal and it should be in a different forum than this one. He suggested that it be added to the executive session of this meeting as a legal item. Commissioners agreed.

Jonathon Thomas gave some information about Keith Berkenfelt whom this grant is named after. He invested in Real Estate and lived very frugally.

Jonathon added that the Lavengro has volunteered to take the Youth Academy students with their mentors for team building events.

Allen Miller asked if the grant is enough money to build the dock. Jonathon stated that last year they gave \$75,000.00 and the grant foundations goal is to give away approximately 13 Million dollars in 20 years. If you get a grant one year, you can reapply the following years.

Bob Kalmbach asked about the Northwest Schooner Society. Jonathan Thomas explained that it has been formed since 1993 in Seattle and its home base is in Seattle. It is a volunteer organization that focuses on renovating sailing ships. There are 6 Board of Directors and 25 volunteers. There is no cost to belong to this organization. Bob asked if there were more members in Kitsap County and Jonathon replied he was working on adding more members.

Bob Kalmbach asked if the fact that the society has claimed the Port of Brownsville as their base in Kitsap County, was there any obligation that the Port would have to fulfill. Jonathon replied no.

Ned Cook asked if this would bring any income to the Port. Jonathan explained that one side of the proposed 50 foot pier would be for the Port's use.

Jack Bailey asked if the Northwest Schooner Society would retain ownership of the pier. Jonathon stated that the Port would own the pier and be responsible for the maintenance of it.

Jack Bailey stated he saw no reason why Jonathon couldn't apply for the grant. Port of Brownsville involvement would depend on the legalities to be discussed later.

Bob Kalmbach stated this is a major decision for the commissioners and it won't be made at this meeting. He suggested that Jonathan Thomas apply for the grant to meet the deadline date. It can always be withdrawn if negotiations with the Port do not work out.

Larry Newton thought it was a good idea to get this pier. He recognized that it will take a long process to get this pier in place with the permitting process.

John Mitchell asked how long the last set of permits took for the Port. Jerry Rowland replied that the last set was 14 months and prior to that it was 3 years.



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Skip Nordal asked if Jonathon would need to know if the Port agreed with the project before he applied for the grant. Jonathon replied he didn't think that was necessary.

Commissioners stated that they would discuss this further in the executive session.

b. Jim Guy of Northwest Docks presented his aluminum docks design and he has a 3X24 foot aluminum dock on A dock for demonstration. He stated aluminum docks are lower maintenance than wood docks. Wood docks were built 25 to 30 years ago with old growth Douglas Fir with high concentrate of copper sulfate and arsenic for preservation. These chemicals would eventually leach out and the wood would start to decay. Surfaces would get slimy and would require pressure washing which would help the decay process. The pressure treated wood that is available now is 3 year old growth and has no preservative chemicals and lasts 9 to 12 years. Piers are replaced at a more rapid rate. Aluminum is 9,000 pounds versus 12,000 pounds of the same size wood dock. The alloys of the aluminum do not corrode in sea water. Aluminum forms a patina that protects the metal from decaying. These piers will last anywhere from 50 to 100 years. There is also a much lower fire risk and a much lower accident rate from slipping and falling. The cost of the aluminum docks is approximately 3 times the cost of the wood but the longevity is 5 times longer than the wood. DNR is soon going to require the docks to allow the light to pass through the docks and these docks allow this.

Bob Kalmbach pointed out that DNR had already come to the Port to look at this dock. Jim Guy acknowledged that they did come to see the docks and were please with everything about the dock.

Bob Kalmbach asked about the marinas that had Jim Guy's docks installed. Jim Guy discussed the lake installations he had performed and the weather conditions his docks have survived. Bob Kalmbach asked if the Port could contact the people who had these docks. Jim Guy responded absolutely and the contact information was on his website.

Jim Guy pointed out that his 3 foot aluminum docks were sturdier than the wood 4 foot wood docks and it gave the Port more room for larger boats.

Breakwaters still need to be manufactured by somebody like BMI but the aluminum docks can be attached to the breakwaters.

Bob Kalmbach commented that concrete docks can be destructive when they start breaking up during a storm. They act like a battering ram against the rest of the marina.

Jim Guy stated that another benefit from using the aluminum docks is the waste factor. The wood has to be disposed of as hazardous because of the chemicals but the aluminum is resalable.

Bob Kalmbach asked where Jim Guy made the docks. He replied that he makes the docks at his location in Anacortes and trailers them to their destination.

Allen Miller asked what the float material was. He replied polyethylene with foam inside. They are lasting for long periods of time. They are not accessible for otters to climb up on or tear apart like Styrofoam.



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Jack Bailey was concerned about how the docks attach to the main dock. He felt hinges were more appropriate for the weather and wave movement. Jim Guy replied that he would defer to the engineer on this matter. He was not in favor of hinges since it created a pinch factor. He noted that the gangways at the Port have already had to have weld repair.

Bill Bailey pointed out that there are 2 marinas that have aluminum docks, Port Madison and Keyport. He asked if Jim Guy was aware of this manufacturer's docks. Jim Guy replied he wasn't aware of those docks.

Jim Guy added that the docks in Florida and in the south are aluminum and have survived hurricanes. Jack Bailey asked if there were any of his docks locally installed besides Port Of Brownsville. He stated that he had one at Bainbridge Island marina, Lake Chelan, Lake Union and other locations in Oregon.

Jack Bailey stated the commissioners would discuss this. He also asked about longer docks that would be needed in this marina. Jim Guy stated he does make longer docks but they would require pilings for stability. The 3 feet will go out 30 feet without a piling, beyond 30 feet will require a piling. Jerry Rowland added that the width and length would be determined by the order that was placed.

Jack Bailey stated that they appreciated Mr. Guy's presentation and they would consider it in the future.

c. Deli Lease – Jack Bailey stated that the Deli Lease has expired as of December 31, 2009 and the lease was under negotiation now. He proposed to extend the current lease not to exceed 90 days. In that time the negotiations could continue.

Bob Kalmbach made the motion to extend the Deli Lease that expired December 31, 2009, to March 31, 2010, so that the Port can enter into negotiations and finalize the lease.

Allen Miller seconded the motion. Jack Bailey asked the deli owners if this was acceptable to them. Cheryl Estep stated it was acceptable but she was confused why this was added to the agenda without notifying her. Jack Bailey explained it was added just to extend the lease to continue negotiations.

## **PUBLIC COMMENT**

Arnold Haskins wanted to know why the deli lease had not been negotiated prior to its expiration. Port Manager responded that he made the error. He thought the lease still had another year to go.

## **EXECUTIVE SESSION**

Commissioner Bailey recessed the regular meeting to go into executive session per RCW 42.30.110 (1) (b-c) (i). He recessed at 8:55 PM stating that they would be in executive session on real estate and legal matters for approximately fifteen minutes and there was a possibility that some action could be taken. At 9:10 PM Commissioner Bailey announced to the public that the executive session was being extended an additional fifteen minutes.



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Commissioner Bailey recessed the executive session at 9:25 PM stating that no action was taken at the executive session. He reconvened the regular meeting.

**CLOSE MEETING / ADJOURN**

Motion made to adjourn. Motion passed unanimously.

Meeting adjourned 9:27 PM.

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President/Commissioner

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Secretary/Commissioner

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Commissioner

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Recording Secretary