



# *Port Of Brownsville*

9790 Ogle Rd • NE Bremerton, WA 98311  
Office: 360-692-5498 • FAX 360-698-8023  
[pob@portofbrownsville.org](mailto:pob@portofbrownsville.org)

**Commissioners:**  
Bob Kalmbach  
Jack Bailey  
Fred Perkins

July 15, 2015

## **CALL TO ORDER**

Commissioner Bob Kalmbach called the regular session of the meeting to order at 6:03 PM. In attendance were Commissioner Jack Bailey, Commissioner Fred Perkins, Port Manager Jerry Rowland, Port Maintenance Assistant Matt Appleton, Port Attorney John Mitchell and Port Accountant Dennis Bryan.

## **PLEDGE OF ALLEGIANCE**

Commissioners led pledge of allegiance.

## **APPROVAL OF AGENDA**

Commissioner Jack Bailey made a motion to approve the agenda as written. Motion seconded by Commissioner Fred Perkins, motion was approved unanimously.

## **APPROVAL OF CONSENT AGENDA**

Consent agenda includes the 10 June 2015 regular Meeting Minutes, the 18 June Study Session 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 have been made available to the public. Those vouchers approved for payment are included in the audited and certified list and further described as follows: July 2015 General Fund voucher numbers 29971 through 30040 for a total amount of \$154,020.70. Also approved for payment was July 2015 Electronic Transfer voucher numbers 2015-50 through 2015-59 for a total amount of \$26,394.00.

Motion made by Commissioner Fred Perkins to approve consent agenda. Motion was seconded by Commissioner Jack Bailey and motion was approved unanimously.

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

Jonathon Thomas reported for the Kitsap Maritime Association and said on June 29, 2015, the Kitsap Sun had a front page report on the association and the boat Fiddler's Dream, in conjunction with the Water Trails Festival. He thanked Terry Asla and Sally Haas for their part in coordinating that event. He stated that on the association web page he put up a picture with the question of what was in the back of his truck. Some guessed it was legos but it was the new diesel fuel tanks for Fiddler's Dream. The plans for the tanks were submitted to the Coast Guard and last March and the approval was received. As Captain Jim Morrison stated, the onion is no longer being peeled, the process of putting things back together has started. With the Water Trails event Lowe's partnered with the Kitsap Maritime Association to have kids build toy wooden sail boats. 38 boats were built. Also, there were tours of Fiddler's Dream in its current state. Jack Bailey stated he was glad to see the boat starting to be assembled. Bob Kalmbach asked how the masts were doing. Jonathon replied that they were seasoning in their environmentally controlled barn. They will go on at the last of the assembly. He said the ends were painted with wax and drying perfectly. Bob asked how long they were and Jonathon replied 52 feet. He added that the main mast will end up



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being 44 feet and the fore mast will be 38 feet. Jack Bailey asked if they are tapered. Jonathon replied not at this time and the only taper will be where the socked goes at the mast in the last 9 inches. Jonathon added that he verified that the trees did come from the Kitsap Peninsula. Marjorie Rowland asked what the donation amount was from the Water Festival. Jonathon said it was about \$450.00. Terry Asla added that during the band concert on the 4<sup>th</sup> of July money was still donated in the amount of \$111.00. Jonathon ended with noting that fund raising continues.

## PRESENTATIONS TO OR BY THE BOARD

None

## FINANCIAL REPORTS

Port Accountant Dennis Bryan provided the May 2015 end of month financial report. As of May 31, 2015 the balance was \$1,362,071.51. He stated he provided the annual report for 2014 to the commissioners and the Port Manager also provided a copy. Jack Bailey asked about retirement pensions, whether the Port was obligated to pay any retirement costs as well as health care costs once an employee retires. Dennis replied there is no obligation for the Port to pay any of those costs once the employee has retired.

	With fuel	Without fuel
Operating Revenue	Under budget by 13.3%	Under budget by 2.6%
Non-Operating Revenue	Under Budget by 1.6%	Under Budget by 1.6%
Operating Expense	Under Budget by 11.9%	Over budget by 3.8%
Administrative Expense	Under Budget by 3.1%	Under Budget by 3.1%
Non-Operating Expense	Even to Budget	Even to Budget
Capital Improvement	Even to Budget	Even to Budget
Bond Payments	Even to Budget	Even to Budget

Dennis added that without depreciation and amortization the Port is making a profit.

## INFORMATION, STAFF AND COMMITTEE REPORTS

- a. Manager Report – Attached. Fred Perkins thanked everyone who helped with the Water Trails Festival. Bob Kalmbach received a letter from S. Morrison who was in the kayak parade and the comment was that he was impressed with the organization of the event and how much fun everyone had. Sally Haas added she was impressed with the amount of emphasis put on boating safety by the Port staff and everyone involved. Bob Kalmbach asked if this event was going to happen next year. Sally Haas replied she wasn't sure. Marjie Rowland said that the Silverdale Chamber of Commerce is already planning this event for next year but they do not have a date yet. When they know a date they will notify all the other Ports to see if they want to participate. Terry Asla added a successful safe event is when nothing happens and nothing happened during this event so safety was met. He said there were 20 boats on Saturday and 24 on Sunday that participated in the kayak/canoe paddles. He



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added that 38 toy boats were made and 70 kites were built by kids and next year Lowe's will sponsor both the toy boats and kite building. Sally Haas thanked the Port commissioners for their authorization of expending funds to support the Water Trails event. Jack Bailey noted that the date of this event competed with other events and festivals in the area. Terry Asla said that there is discussion that there may be more participation from the other Ports that are on the water trails.

- b. Commissioners Report – Jack Bailey announced that he attended the ceremony for the Water Trails Festival in Silverdale. He was disappointed that the Evergreen group did not wait for the Brownsville group so they could all arrive at the same time. He said this resulted in no official welcome for the Brownsville group. He noted that since this event, he has seen kayaks at the Brownsville marina almost daily. This event caused more communication in the community and comments that the Port if Brownsville looks good.
- c. Standing Committee Report – Commissioner Fred Perkins announced that there have been 2 meetings for the Comprehensive Scheme committee. He said there was one more meeting scheduled and that should finalize this scheme. It is going very smoothly.

### **OLD BUSINESS**

- a. Boathouse Compliance – Matt Appleton announced 4 more boathouses in constructions. He added that as a result of moving the boathouses for dock replacement other boathouses have been identified as needing repairs. He said the people on C dock are very happy with the way the dock and the boathouses are looking. Bob Kalmbach noted that there are 2 proposals for boat modifications presented to the commissioners. Jerry Rowland gave some data on the boathouses in general. To date 3,117 sq. ft. of boathouses has been demolished, 1,971.4 sq. ft. of extensions have been approved by the commissioners. That leaves 1,045 sq. ft. that can still be approved to meet the amount that the Port started with. He said he had no issues with the Burdett request that is going to extend his boathouse to the same length as the pier which is 40 feet. He will be adding approximately 4 feet. Bob Kalmbach asked where that boathouse is located. Jerry Rowland replied it is the 3<sup>rd</sup> boathouse down the dock on the opposite side. Jack Bailey asked if there was 60 feet of fairway and Jerry Rowland replied yes. Bob Kalmbach and Fred Perkins said they had no issues with approving this request. Jerry Rowland then covered the request from Cassevant. He said the proposal was unclear as to the height of the boathouse when modifications are complete. Fred Perkins said that the total height has to include new floats. Jerry Rowland said that this was made clear. Commissioners requested more information on this proposal.

### **NEW BUSINESS**



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- a. Resolution 15-07 Modify Rules and Regulations – This resolution adds section ten (X) Commercial Use of Vessels / Contractor Activities to the Rules and Regulations. It outlines the restrictions on commercial use of a boat in the marina and clarifies what the contractor requirements are for doing work in or around the marina. This is the first reading.
- b. Resolution 15-08 Modify Marina Moorage Agreement- This adds some language to the agreement to highlight items from resolution 15-07. This is the first reading. Jerry Rowland explained the wording that will be added to the Lease. Ned Cook asked if previous agreements have to be resigned with this change. Jerry Rowland stated that there words in the Rules and Regulations that the commissioners can change them at will and the lessee is responsible to still comply with the changes. Fred Perkins asked if the lessee should be notified. Jerry Rowland stated he notified them through the newsletter. Bob Kalmbach asked John Mitchell if this notification covers the Port and meets the intent. John Mitchell said as Jerry Rowland stated the rules and regulations are to be followed even with changes. This is similar to driving rules that change and drivers are responsible to follow the new changes. Jack Bailey asked where the vessel assist business lies in this agreement. Jerry Rowland stated that this franchise is not in this marina. If this was to be used in the future it would have to be by special request. Jack Bailey stated he was looking for that kind of provision in this resolution. John Mitchell stated it would have to be in the resolution in order to allow the special request and approval. Jack Bailey said he would like to have the option. John Mitchell there are additional concerns with contractor waivers with additional personnel being on the docks. He continued that it is easier to enforce a “no waiver” rule. Bob Kalmbach added that the Kitsap Maritime Tall Ship also has a commercial use as well as the fishing boats that are already at the Port. Jerry Rowland stated that there is provisions for the fishing boats but there is none for Kitsap Maritime. Jonathon Thomas said in the eyes of the Coast Guard they will have a commercial vessel. Jack Bailey said he was looking for a provision in the resolution to allow this type of commercial boat use. Jonathon Thomas added that Kitsap Maritime will have dinner cruises that they will charge for and the boat has to make money to be self-sufficient. John Mitchell said the criteria has to be in the resolution on what is allowed and what is not. It can’t be arbitrary or there could be legal repercussions. He added the Port can have a commercial use agreement that can specify what is allowed and what is not. Terry Asla added that part of the charm of the Port of Brownsville was that there are pleasure boats, working boats, kayaks and all sorts of sea craft. He suggested that maybe if the wording included what has value to the Port. Bob Kalmbach said that still leaves it open to different interpretations of what adds value. He appointed Jerry Rowland and John Mitchell to collaborate and come up with the right wording. Bob Kalmbach asked if Fiddler’s Dream had a contractor’s license and insurance for the repairs that are being performed. Jonathon Thomas answered that they have all the requirements met. Jerry Rowland stated he did not have a copy of their contractor’s license. Jonathon Thomas said he would get a copy to the Port.
- c. Preliminary 2016 Budget –Jerry Rowland presented the first attempt of the budget for 2016. The state retirement went up 2% to 11.18% for employers and 6.12% for employees. The Port has not received the numbers for L&I or medical yet. Jerry Rowland explained that he calculated the COLA increase for wages using a projected 2.3% increase which is what the federal government / military are projected to get. He noted that there a few step increases for employees in this budget. He requested a review from the commissioners for the next meeting and the following meetings until October. The budget is due to the county by the end of November.



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- d. Preliminary 2016 Tariff – This tariff adds an annual pass for the RV dump, rental fees for the upper commons and associated equipment that might be wanted. Jerry Rowland did state that he gives a discount for moorage rates to disabled veterans based on their percentage of disability. It was brought up that if there is federal funding for any Port improvement then charges need to be the same for all people. There was some discussion on whether there was federal money that funded any Port facilities or project. Bob Kalmbach stated that the sewer line funding was paid for by the Port and not federal funding. He asked John Mitchell to look into the legalities of what is considered federal funding. Until this is clarified no decision can be made on the tariff resolution. Jerry Rowland continued with the changes in the tariff including the upper common area, equipment use fees, and charges for supplying a sanican or wash station in the upper common area. Jack Bailey noted that the regular moorage rate does not include CPI rate. He said he thought this was necessary to cover the same increases for the staff. He thought it was automatic to increase moorage to the CPI rate. Bob Kalmbach said it was not automatic but needs to be assessed every year. Bob Kalmbach encouraged the other commissioners to perform a thorough review of the tariff and budget before next meeting.
- e. Jack Bailey made a motion to add an item to the agenda on authorizing the Port Manager to initiate a change order with Northwest Docks to facilitate completion of C Dock replacement. John Mitchell stated a motion was not needed to add an agenda item. It can be done by agreement of the commissioners. Commissioners agreed to add the agenda. Fred Perkins made a motion to authorize the Port Manager to initiate a change order with Northwest Docks identifying that the Port was paying for funds to complete C dock, not to exceed \$23,000.00. Jack Bailey seconded the motion. Motion passed unanimously.

### **PUBLIC COMMENT**

Jerry Rowland stated he put an update in the commissioner folders on the funds expended on the dock replacement.

Terry Asla reported on the Host boat activity. The yacht clubs have been great but there is increased use of the Port by skate boarders and swimmers. He had to rescue a boy that was swimming and became exhausted.

Bob Kalmbach reported that the All Ports meeting is the upcoming Monday at the Port of Brownsville with a picnic sponsored by the commissioners starting at 5:30 PM.

### **EXECUTIVE SESSION**

None

### **CLOSE MEETING / ADJOURN**



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Commissioner Bob Kalmbach adjourned the meeting at 7:39 PM.

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President / Commissioner

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Secretary / Commissioner

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Commissioner

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Recording Secretary