



# Port of Brownsville

Minutes of Meeting

13 November 2013

## **CALL TO ORDER**

Commissioner Jack Bailey called the regular session of the meeting to order at 7:02 PM. In attendance were Commissioner Allen Miller, Commissioner Fred Perkins, 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.

## **APPROVAL OF AGENDA**

Allen Miller made a motion to approve the agenda as written. Motion seconded by Fred Perkins and motion was approved unanimously.

## **APPROVAL OF CONSENT AGENDA**

Motion made by Allen Miller to approve the Consent Agenda. Consent agenda includes the 9 October 2013 Regular Meeting Minutes, 21 October All Ports Meeting Draft 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: November General Fund voucher numbers 28572 through 28654 for a total amount of \$259,338.28. Also approved for payment was November 2013 Electronic Transfer Voucher numbers 2013-84 through 2013-93 for a total amount of \$19,448.48. Motion seconded by Fred Perkins and motion was approved unanimously.

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

Jonathan Thomas thanked the board for having a section in the agenda for public comment. He was pleased that a governing board gave the public an opportunity to speak. He went on to say that he was speaking as a representative of the Kitsap Maritime Heritage Association. He announced that the vessel that they were trying to purchase was surveyed and then the owner was offered the opportunity to donate the vessel to the Association. After some negotiation the owner agreed and now the association owns "Fiddler's Dream". At this point he distributed pictures of the vessel. He said the Coast Guard still has to review the transaction of the vessel going into the Association's name as the owner. He said that the association is in negotiation with the Port to lease an office in the Old Fire Station and hopes it will soon be known and the Kitsap Maritime Heritage building rather than the Old Fire Station. The board of Kitsap Maritime has a website and it is [Kitsapmaritime.org](http://Kitsapmaritime.org) and is still in the process of improvement. Jack Bailey asked how long the boat was. Jonathan Thomas replied that the length of the deck was 48 feet and the overall length was 64 feet. Jack Bailey then asked what the draft was and Jonathan replied 5 feet 7 inches. Jack responded that this was a shallow draft. Jonathan replied that it was but the boat was a full keel schooner. It was built in 2006 and hull was in good



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shape as shown in the pictures. However, there is some work to do to the hull. Jack Bailey asked if the haul out was done in Port Townsend and Jonathan replied that it was not at Port Townsend but at Seaview which is near Shilshol Marina. Seaview donated the haul out charges and gave 3 more coupons for haul outs. He said they are gaining public support as the Association gets more attention and publicity. Jerry Rowland asked when it would be at the Port of Brownsville. Jonathan replied it was hard to determine since they did not want to bring it to the Port until the ownership was in their name. This time period is all dependent on the Coast Guard. Jerry agreed this was a good idea. Jonathan continued to say they do have to replace one of the sails. John Mitchell asked if it carried a topsail. Jonathan replied that it does, however, none was provided with the boat. He said the "John Alden" plans that the boat was built to is still available and is number 547H. There is a naval architect that has volunteered to be the association naval architect. Jack Bailey asked if the boat will have to go through all of the tests the previous boat went through. Jonathan replied yes and those tests are on their check list including seeing the Kitsap County Commissioners Board to get the vessel claimed as the Official Tall Ship of Kitsap County.

## PRESENTATION TO OR BY THE BOARD

None

## FINANCIAL REPORTS

Port Accountant Dennis Bryan provided the September 2013 end of month reports. As of September 30, 2013, the balance was \$2,171,526.71

	With Fuel	Without Fuel
Operating Revenue	Under Budget by 6.8%	Over Budget by 3.6%
Non-operating Revenue	Under Budget by 3.4%	Under Budget by 3.4%
Operating Expenses	Under Budget by 7.7%	Over Budget by 3.9%
Administrative Expenses	Over Budget by 3.2%	Over Budget by 3.2%
Non-operating Expenses	Even to Budget	Even to Budget
Capital Improvements	Even to Budget	Even to Budget
Bond Payments	Even to Budget	Even to Budget

Dennis Bryan said the 2 main causes of budget variance is \$18,000.00 in grants for revenue but none of that revenue has been received, and the maintenance expenses was budgeted for \$95,300.00 but have actually spent \$101,106.00. There have been regular reviews to make sure the maintenance expenses are indeed maintenance and it appears they are valid. However, total operating expenses is still under budget.

## INFORMATION, STAFF AND COMMITTEE REPORTS

- a. Manager Report – Attached. Jack Bailey asked if the boat houses that came loose in the storm were due to the dock condition or other causes. Jerry Rowland replied it was solely due to the dock having rotten wood. Allen Miller asked if the new boathouses that are being built are per the Port's



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specifications. Jerry Rowland replied they are being built to the Commissioner approved rules and regulations and safety specifications. Carolyn Thomas commented that the boat owners did a very good job in tearing down the boathouses and kept the materials separated for correct disposal. Ken McEwan asked if there are still boathouses that are unsafe and if so what can the Port do about it? Jerry Rowland replied that there are some boathouses that have some safety conditions and they have notified the owners. Ken McEwan continued to ask if there are fire concerns due to electrical conditions in these boathouses. Jerry Rowland replied that the power lines and electrical connections are safe and this is one area that is not a concern.

- b. Commissioners Report –Fred Perkins attended the Small Ports Conference He said that he found out that some of the small ports have Commissioners that are also the staff. They had to wear two hats which is difficult to do at times as the line of responsibilities need to be clear between the two positions. He commented that the power point presentations that were presented at this conference are available on the WPPA site. They provide a lot of information and tools, such as diagrams to chart public benefits that make no money and those that make money. He gave some examples of each.

Allen Miller announced that he ran for his position to be re-elected but the opponent won the election. He said this would be his next to last meeting as a commissioner but he would be around. Jack Bailey thanked him for his service. Jerry Rowland stated he had been a commissioner for 10 years. The assembly applauded his service.

Jack Bailey attended the Marina's Committee and this is a joint meeting between WPPA and the Northwest Marine Trade Association. He said the Port of Brownsville is doing well compared to some of the Ports that have empty slips and big gaps in revenue. He said most of the people that have Trailerable boats are taking them out of the marinas and staying close to home. This benefits the Port of Brownsville. The meeting was held in Port Townsend. The events that were well attended were: pollution controls, storm water management and legal advice. Storm water is the most discussed topic at this time. Spill prevention was also discussed. Jack also cautioned the public to be very careful of what they put into the water, even as a spill. He added that whatever you recover of a petroleum spill in the first 24 hours is not part of the fine. There is an education seminar next week that will cover the legal issues of environmental. Fred Perkins said that the ecological land services offered a seminar to highlight the requirements and where it is headed. He said this would be a good topic for the All Ports Meeting. Jack said he felt that this topic is heading in the direction of knowing the environment such as surveys. Ned Cook asked if anyone saw the local rain garden and did it come up at the Marinas Committee. Jack responded that it did not but he received compliments for suggesting a rain garden at the meeting where they were tasked to design. He said the biggest problem at the Port of Brownsville is that there is runoff from the local highway that comes into the marina area.

- c. Standing Committee Report –

BAD IX – The event ended up being able to give each of the schools \$1,405.00 each. Plus there was a donation of \$505.00 in cash prizes to the Art Show winners. The school board has requested



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that the "official" presentation be done on 26 November. Commissioner Bailey and the Event Coordinator will be there to present the checks to the schools and say a few words. Jerry Rowland stated that Fred Perkins was part of the committee and could attend if he announced it as a commissioners meeting. All commissioners could attend if they desired. Jack Bailey said he had no problem with that happening. Jerry Rowland said he would make sure it is announced. Jerry Rowland emphasized that Alexa Clark should be thanked at this presentation for all her help coordinating with the teachers and collecting the Art from the schools for the Art Show. Jerry Rowland thanked all of the people for all of the extra donations they gave, recognizing that due to the weather the amount for the schools would not be as much as past years. Jack Bailey thanked the yacht club for their assistance and the constituents. Since none of the money is being donated to the schools from the Port of Brownsville, everyone who donated is appreciated and deserves thanks.

### **PUBLIC HEARING**

Jack Bailey recessed the regular meeting at 7:47 PM and called to order the public Hearing. The 2014 budget was presented by Jerry Rowland. The power point presentation is available to the public upon request. Robert Bale asked what the Ogle Road contingency fund was for. Jerry Rowland stated it was for the Ports portion of improvement of Ogle Road that is proposed to Kitsap County and is on their list for improvements and modifications. Jerry Rowland pointed out at the end that there will be deficit spending this year, the first time in many years. This is due to the rebuild of the marina. Jack Bailey asked if there has been a decrease in water usage since the Port repaired a major water pipe leak. Jerry Rowland replied that there has been a decrease and the Port has received a one-time credit for this. Bob Kalmbach stated that the changes in how the sewer rate is calculated has changed and is saving the Port money. Carolyn Thomas asked if there had been any savings from the purchase and use of the compactor. Jerry Rowland said that there has not been enough time to know the total savings to pass on to the tenants as a reduction in moorage. However, he felt that it was a savings to the Port. She asked if the cost of fuel used to transport the garbage to the compactor was being calculated. Jerry Rowland said no since that was just part of the compactor costs and savings balance. Jack Bailey added it was worth the effort of getting and using the compactor to get the garbage off the piers. Jonathon Thomas asked when the Port has to start paying back the bonds. Jerry Rowland stated that the Port has to start the bond payments immediately and is part of the budget. He added that the Port has paid the same amount of bond payments every year so it will not impact what the Port has already had in the expense part of the budget. Jonathon Thomas pointed out that when the marina is rebuilt the maintenance costs should go down as well. Jonathon Thomas asked what the tax rate was for the Port. Jerry Rowland stated it was 38.5%. Jonathon asked how high the tax rate could go and Jerry replied 45%. Bob Kalmbach corrected Jerry's reply by pointing out that the tax rate is now a little over 31.39%. Jonathon Thomas announced that as a resident of the Port district, tenant of the marina as a boat owner and a member of the Brownsville Yacht Club he commended the Port Manager in his budget presentation and supported adopting the budget as presented. Ned Cook asked if the Port was still waiting for Kitsap County to provide the final tax numbers. Jerry Rowland said the numbers that Kitsap County provided were preliminary and the final numbers may be slightly different. Public Hearing was closed and regular meeting was resumed at 8:18 PM.



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### OLD BUSINESS

- a. Resolution 13-11 Establishing the 2014 Budget and Property Tax Levy. The numbers for the tax rate are provided by Kitsap County and the format used is the one they have established. This resolution adopts the 2014 budget presented to the public and had to be submitted by the end of November. Fred Perkins made a motion to approve Resolution 13-11. Allen Miller seconded the motion and it passed unanimously.
  
- b. Security Camera's - A scope of work has not been developed due to some disagreements on what is needed for the Port. Jerry Rowland asked for authorization to proceed with the purchase, installation and setup of the Server, which will be needed for the camera system as well as it will put the Port in compliance with the archiving rules that have been developed. It can be handled separately and does not have to be done in conjunction with the installation of the cameras. He added that Silverdale marina met with the Port and gave good ideas for the scope of work. Carolyn Thomas asked if there will be a public viewing from the cameras as there is on the Silverdale Port web site. Jack Bailey said the Silverdale web site does not give all the views that are available, just a few. Jerry Rowland stated that there will be a fixed camera that will look out over the marina and that will be on the web site. The purpose is so the public can see what the weather is like as well as give someone new to the site an idea of what the Port looks like. This camera will not be able to show close up views. Jonathan Thomas asked if the privacy act was being considered with this security system. Jack Bailey said the public would not be able to view these videos from the cameras unless they have a court order. John Mitchell confirmed this statement.

Jack Bailey stated that the Port should go through the bid process for purchasing a server. Fred Perkins said that this is within the Port Managers position. It is up to the commissioners to provide the tools to the manager to support him doing his job. John Mitchell asked if there were companies on the small work roster that could do this job. Jerry Rowland said there were 2 at this time.

Allen Miller asked what the cost to the Port was for this server. Jerry Rowland replied that he wasn't sure but he knew the server was about \$14,000.00. Allen Miller suggest to get bids so the Port knew the exact cost.

It was decided to initiate and submit scope of work and get bids for the server. No authorization motion was needed.

### NEW BUSINESS

- a. Purchase of Material. The Port Manager, Jerry Rowland, announced that he is going to proceed with the purchase of the material needed for the marina rebuild. This would include procurement of the power pedestals, G-cable, the necessary piping for the Fire lines, Potable lines and Sewer lines. He will also be placing orders for all the miscellaneous fittings, valves, nuts, bolts, screws, etc for the installation of all these items. He estimated that all this material



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will cost between \$410,000.00 and \$420,000.00. He added that the Port will be getting back up to \$129,000.00 from the clean water grant that has already been approved.

Allen Miller made a motion to purchase the materials for the marina rebuild not to exceed \$450,000.00. Fred Perkins seconded the motion and motion passed unanimously.

- b. Electrical Consultant Contract. Jerry Rowland said he has decided that the staff will install the electrical and plumbing lines on the new docks. However, he wanted a consultant for reviewing of requirements and evaluating equipment and material needs to accomplish the E, C&D dock rebuild. It will also provide oversight and technical expertise while Port staff is installing this equipment. The Port Manager asked for authorization to enter into a contract with AC/DC Electrical Contractors Inc. for consultant services not to exceed 50K in any calendar year.

Robert Bale asked if the staff was doing this installation what was not getting done. Jack Bailey noted that the Port has increased staff for this rebuild. Jerry Rowland replied that there should be no decline in current services.

Fred Perkins made a motion to allow the Port Manager to enter into a services consulting contract for plumbing and electrical not to exceed \$50,000.00 for any calendar year. Allen Miller seconded the motion and motion passed unanimously.

### **PUBLIC COMMENT**

None

### **EXECUTIVE SESSION**

None

### **CLOSE MEETING / ADJOURN**

Commissioner Allen Miller made a motion to adjourn, Commissioner Fred Perkins seconded. The motion passed unanimously. Meeting adjourned at 8:52 P.M.

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President/Commissioner

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Secretary/Commissioner

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Commissioner

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Recording Secretary