



Port Of Brownsville

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

Commissioners:
Bob Kalmbach
Jack Bailey
Fred Perkins

March 11, 2015

CALL TO ORDER

Commissioner Bob Kalmbach called the regular session of the meeting to order at 6:03 PM. In attendance were Commissioner Fred Perkins, Commissioner Jack Bailey, 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

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

APPROVAL OF CONSENT AGENDA

Consent agenda includes the 11 February 2015 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 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: March 2015 General Fund voucher numbers 29682 through 29756 for a total amount of \$99,966.66. Also approved for payment was March 2015 Electronic Transfer voucher numbers 2015-16 through 2015-23 for a total amount of \$13,756.14.

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

PUBLIC COMMENT FOR ITEMS NOT LISTED ON AGENDA

None

PRESENTATIONS TO OR BY THE BOARD

None

FINANCIAL REPORTS

Port Accountant was absent at the time this came up on the agenda. He arrived later and the following was his report.

Port Accountant Dennis Bryan provided the January 2015 end of month financial report. As of January 31, 2015 the balance was \$1,291,554.49.



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	With fuel	Without fuel
Operating Revenue	Under budget by 2.2%	Even
Non-Operating Revenue	Even to Budget	Even to Budget
Operating Expense	Under Budget by 1.9%	Over budget by 1.3%
Administrative Expense	Even to Budget	Even to Budget
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

INFORMATION, STAFF AND COMMITTEE REPORTS

a. Manager Report – Attached. Fred Perkins suggested letting the other marinas know about the purchase the Port made of HDPE equipment which aids in installing water and sewer lines. The other commissioners and Jerry Rowland agreed with this.

b. Commissioners Report –

Fred Perkins has no report due to his travel required for his job. He did talk to a few Washington Youth Academy Cadets that were at the Port to help and he was impressed with their work ethics and attitude. Jerry Rowland said he plans on writing a “Thank You” to the Washington Youth Academy.

Jack Bailey commented on the Washington Cadets and how hard they worked which helped get the Port and marina cleaned up. Jack Bailey said he had been attending committee meetings with the county on a zoning called “Ports” but so far were unable to arrive at an agreement on how the Ports should be part of the Community Development Plan. He said the most recent meeting had the committee members write down what they wanted to see allowed in the Ports. After the lists were very similar and discussed the basic functions. He noted that after this the County Committee realized that the Ports take a longer view of development and one of the Port Commissioners requested the autonomy to do what Title 53 allows the Ports to accomplish. The suggestions was to focus more on the list of things that the Ports can’t do instead of what they would be allowed to do. Bob Kalmbach asked for clarification discussing the Port of Brownsville recent attempt to put a motorcycle shop in the Fire Hall. Jack Bailey said that is what the Ports are requesting, to have autonomy in those decisions. He said it is a waste of resources all the way around. He said there was also talk of overlay and the only overlay was the mineral resources, rock quarries, etc. But this is hard to manage due to the Ports being in different zones. Jack Bailey asked the question why the city could grant the Ports do something that the County cannot allow but his question was never answered. He stated next week’s meeting will be on goals and objectives.

Bob Kalmbach stated he had no Port business to discuss but he announced that he has a new granddaughter.



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- c. Standing Committee Report – Jerry Rowland reminded that the committee for the Comp Scheme will be starting in the next few months. Commissioner Fred Perkin will be on that committee.

OLD BUSINESS

- a. Boathouse Compliance – Jack Bailey asked about the boat house in C-16. Matt Appleton stated that there have been contractors come out to give bids to the owner for demolishing it. The owner plans on building a new one. C-17 is now in full compliance with new floats and 3 other boat houses are planning on replacing floats with the new ones that are required. Bob Kalmbach stated that the progress is good and he encouraged Matt to continue until all the boat houses are in the green, full compliance.
- b. Resolution 15-01 Public Records Act Policy – Second Reading - The Public Records Act requires that we adopt a Local Public Records Act Policy. This policy should satisfy the Public Records Act requirement. Fred Perkins asked if there had been any changes since the last meeting and Jerry Rowland stated no. Jack Bailey made a motion to adopt Resolution 15-01 and Fred Perkins seconded the motion. During discussion Jack Bailey noted that during the legislative session there was discussion on charging for electronic records. Bob Kalmbach said that charge would apply to the tariff which is resolution 15-03. Jack Bailey said he was making a motion on 15-01 only at this time. Fred Perkins asked Gregg Faulkner if there was a more efficient way of tracking Port information. Gregg Faulkner said the current IT technology the Port is using will not allow this. He added the only way to have a system that would have that capability is to switch to a Microsoft technology, Surface tablets. Jack Bailey asked if they can sort the information and send it to Gregg that should be enough. Gregg replied it is a cumbersome way to do it and should be much easier for the commissioners to access information. There was some discussion on the Surface and its advantages and disadvantages. Fred Perkins requested to look in the budget and see if that is possible. Bob Kalmbach said that the IPADS they had are fairly new and should be able to be resold. Gregg Faulkner said he would look into that. Motion passed unanimously.
- c. Resolution 15-02 Public Records Index – Second Reading - The PRA also requires that we maintain an index of Public Records, or adopt a formal order specifying the reasons why and the extent to which compliance would unduly burden or interfere with Port operations. This resolution should satisfy that requirement. Jack Bailey made a motion to adopt Resolution 15-02 and Fred Perkins seconded the motion. Jack Bailey said not only an index is needed but also a log. Jerry Rowland agreed but this motion states that the Port does not have the budget or manpower to perform this function. Motion passed unanimously.
- d. Resolution 15-03 Modify 2015 Tariff – Second Reading - The PRA requires that we adopt a Fee Schedule. This change to the 2015 Port Tariff should satisfy that requirement. The added number 38 addresses the fees for any public records requests. Jack Bailey made a motion to adopt Resolution 15-03 and Fred Perkins seconded the motion. Jack Bailey reminded the commissioners of his previous statement of charging for electronic records requests. Bob Kalmbach noted that there were fees in number 38 for electronic records. Motion passed unanimously.



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- e. New WEB site was discussed. Bob Kalmbach stated that he has not reviewed this since he cannot find the link that was provided. Jerry Rowland said he would send it again. Fred Perkins commented that as long as the WEB site can be maintained regularly, he was in favor of it. Jack Bailey's comment was to add some of the recognition the Port has received such as Clean Marina. He also wanted the logo on the front page. He added he was not in favor of the script but that was not as important as the logo. He also asked if there was a page with pictures without overlays. Terry Asla said that there was not at this time but a separate page can be added. Terry Asla said he is waiting for a list from the commissioners and he wanted to know if the commissioners wanted an area for them to make comments. Commissioners said that they did not want that at this time. Jack Bailey reminded everyone that anything on this site is part of the open public information act. Jack Bailey suggested putting the weather information as well, as it has been in the past.

NEW BUSINESS

- a. Resolution 15-04 Trespass Policy – At the February meeting Mr. Mitchell provided a fact sheet on the Ports authority to restrict public access. He thanked John Mitchell for his time in performing this research. Based on the facts provided, what is being proposed in this trespass policy is enforceable. There has been one clarification made that if a person is in violation of this resolution they will be prosecuted in accordance with the current law. John Mitchell said he is pursuing in the courts on the way the sheriff's department will enforce this. Jack Bailey said all the Ports have the same problem and signed an agreement on what they wanted enforced on their property but the sheriff's department said they would not abide to this agreement. Jerry Rowland stated that anytime the Port calls 911, the sheriff's department does respond. This is the first reading.
- b. Resolution 15-05 Modify Port Rules and Regulations – The proposed changes are in support of the trespass policy in that it adds the definition for Assault, Battery and Bullying and provides a better breakdown of what is expected in the Conduct & Behavior section. Jerry Rowland said that today he could trespass an individual and it would be enforceable.

PUBLIC COMMENT

Terry Asla handed out to the commissioners draft flyers on proposed events that will be held at the Port of Brownsville. He requested commissioner's approval to have a "Paddle In" on the last weekend of June (27 and 28) and every tenant has signed off on having this event, and the July 4th celebration with brass band and hot dogs. The Paddle In will have classes, beginner paddle, intermediate paddle and a breakfast that has been anonymously donated. The 4th of July event will be more of block party and will be advertised for the local community only. Jack Bailey said that there was an event already planned for the weekend of June 27 and 28 for the dedication of the Washington Water Trail as part of the National Parks system. This event at Port of Brownsville may be taking away from this celebration. Secretary of the Interior is supposed to be at the dedication. Fred Perkins verified that it was June 27. Terry Asla said that there are choices of moving the event or canceling the event. Terry Asla stated he would contact the representative and make sure the events do not conflict. Bob Kalmbach asked if there was going to be boats rented and Terry Asla replied no, they would have to bring their own. He also stated there were local businesses that would be setting up displays. Jack Bailey made the comment that the Port logo was



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not on the flyers and Terry Asla said that could be added. Bob Kalmbach asked if the Port was sponsoring this event and Jerry Rowland stated no, the Port is just hosting the event, allowing it to occur on Port property.

Ned Cook asked for clarification on whether the Port is sponsoring the events. He stated that he has seen people soliciting businesses to participate. Jerry Rowland said that he was paying for the hot dogs as a personal donation. Terry Asla said that he had discussed the event with businesses but he has not asked for money. He said that the Deli is going to have wine tasting which they will charge for but it was not a function that the Port is involved in. He added that he has made it clear that he is a volunteer and he is not representing the Port and just asked if they would like to participate. He asked if there was a way to correct this perception or if the commissioners did not want to do this, now would be a good time to make that decision. Jack Bailey said if you looked at the flyers it appears that the Port of Brownsville is sponsoring this. Terry Asla said that these events are good for the taxpayer and local community to show the Port is providing opportunities to use this facility. Bob Kalmbach said he was not clear on what Ned Cook's concern is. Ned clarified that he thinks that the Port is involved in something that the commissioners know nothing about and they are being represented as being part of this to certain parts of the community without the commissioners knowing about it. Terry stated that is why it is being discussed at this meeting. Jack Bailey said he was concerned that there was a meeting with the water trails representative and he was not notified. Jerry Rowland said the commissioners were notified. Bob Kalmbach said he thought the events were good but the communications have to be clear. Jerry Rowland said he has to make sure to pass on all the information that is being sent to him on these events to keep the commissioners better informed. Ned Cook added he was concerned about the money that was being spent by the Port on these events. Bob Kalmbach asked if he could be more specific and Ned said he wasn't sure. John Mitchell said these events were happening at the Port which is allowed since it is a public Port. Bob Kalmbach said that his perception was that this local committee was asking for approval to have the events at the Port of Brownsville. Bob stated that anyone on the committee has to make it clear that they are not representing the Port, only that the Port has given permission to have it at the Port. Terry Asla invited Ned Cook to be part of the committee to help the committee.

Jack Bailey stated he was acting as a member of the Peninsula Sailing Club and requested to host a race with the other clubs and have this sanctioning this event. He added some of the sailing clubs in the area do not have good sailing courses like the Port of Brownsville. Bob Kalmbach asked what the involvement would be required from the Port. Jack Bailey said it would not be anything more than what is normally required from the Port for a large gathering. Bob Kalmbach said he would not have any issues with this event. Fred Perkins as long as the date was coordinated with Jerry Rowland, Port manager. Jack Bailey said that there plans are just forming and no concrete date or other arrangements.

Fred Perkins asked if the April meeting can be moved to a different date since he will be on travel. Bob Kalmbach said the following week was April 15 which is tax day. Dennis Bryan said he would not be able to attend on that date. It was proposed to move it to the April 16th. Everyone agreed to that date. Carolyn requested that the dates be changed in the newspaper in the community events section.



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Jerry Rowland addressed that during the rebuild of the marina the Port has had to rent a tractor with bucket and backhoe which has cost the Port \$15,000.00. For this coming up year the cost will be the same. He requested permission from the commissioner's to purchase a tractor if he can find one with a reasonable price. Bob Kalmbach asked why the tractor was kept for the whole length of the project. Jerry Rowland explained the delay in time when the tractor is delivered and removed. Bob Kalmbach asked if the contract for the delivery of the docks says the contractor has to remove the docks from the delivery truck. Jerry Rowland said the words just say deliver to the Port. No discussion of how the docks are removed from the delivery truck. Bob Kalmbach asked if the tractors being looked at are capable of doing the transporting the docks around as needed. Jack Bailey stressed that regardless of what was used it had to be safe. Commissioners agreed to look for a possible purchase of a tractor.

Jack Bailey asked why the RV markings had been changed. Jerry Rowland said he made a mistake on the measurement. It should be 12 X 32 and it was marked at 8 X 32, so it was changed.

EXECUTIVE SESSION

None

CLOSE MEETING / ADJOURN

Commissioner Fred Perkins made a motion to adjourn. Motion seconded by Commissioner Jack Bailey and motion passed unanimously. Meeting adjourned at 7:40 PM.

President / Commissioner

Secretary / Commissioner

Commissioner

Recording Secretary