



*Port Of Brownsville*  
9790 Ogle Rd • NE Bremerton, WA 98311  
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**Commissioners:**  
Bob Kalmbach  
Jack Bailey  
Fred Perkins

September 9, 2015

## **CALL TO ORDER**

Commissioner Bob Kalmbach called the regular session of the meeting to order at 6:02 PM. In attendance were Commissioner Jack Bailey, Commissioner Fred Perkins, Port Manager Jerry Rowland, Maintenance Technician Matt Appleton, 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 modify the agenda to add an executive session for Personnel. Motion made to approve agenda as modified. Motion seconded by Commissioner Jack Bailey, motion was approved unanimously.

## **APPROVAL OF CONSENT AGENDA**

Consent agenda includes the 12 August 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: September 2015 General Fund voucher numbers 30108 through 30179 for a total amount of \$233,731.97 Also approved for payment was September 2015 Electronic Transfer voucher numbers 2015-68 through 2015-75 for a total amount of \$19,519.99.

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**

Jack Bailey commented that it was appreciated when the All Ports meeting included the pledge of allegiance at their meetings similar to the Port of Brownsville. It was a nice touch with the county visitors present.

## **PRESENTATIONS TO OR BY THE BOARD**

None



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## FINANCIAL REPORTS

Port Accountant Dennis Bryan provided some information that his organization recently discovered. If you are serving alcohol at an event, not only do you have to have a permit but you must also record the names and addresses of those served, per State law. The Commissioners questioned the validity of this rule.

Dennis stated the State audit is coming up this month. He reminded the Port commissioners that they can contract with independent audit companies to perform this audit. Jerry Rowland replied that this was investigated earlier and it was found that the cost was much more than what the State charges for these audits.

Port Accountant Dennis Bryan provided the July 2015 end of month financial report. As of July 31, 2015 the balance was \$1,281,172.10.

	With fuel	Without fuel
Operating Revenue	Under budget by 11.4%	Under budget by 1.3%
Non-Operating Revenue	Under Budget by 2.1%	Under Budget by 2.1%
Operating Expense	Under Budget by 11.6%	Over budget by 2.1%
Administrative Expense	Under Budget by 3.7%	Under Budget by 3.7%
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

Jack Bailey noted that the percentage of Operating Expenses and Operating Revenue is almost the same. He asked if it was attributed to gas prices. Dennis Bryan stated that this was attributed mostly to gas price fluctuations.

Jerry Rowland said that the State grant for pump out facilities will be approximately \$140,000.00 in 2016. He added that he did appreciate Dennis Bryan reporting the financial numbers without amortization and depreciation.

Jerry announced that the State Audit is now scheduled for September 28, 2015.

Bob Kalmbach congratulated John Mitchell on his new position/job as Managing Trustee for Bremer Trust Foundation, which supports the Olympic College.

## INFORMATION, STAFF AND COMMITTEE REPORTS

- a. Manager Report – Attached.
- b. Commissioners Report – Jack Bailey attended the county meeting on how the Ports and County relate to each other. They have proposed a Memorandum of Understanding (MOU) which has been



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rewritten and modified. It call for the County to recognize that the Port are responsible for State requirements. Jack provided copies of the MOU to the other commissioners. There will not be a Port Zone but will provide education to the Planning Board the jobs the Ports perform and their area of responsibility. They will emphasize the importance of Ports purchasing property and putting that to use for the public. This MOU should help with county permitting and other county regulations that conflict with ports responsibilities. Bob Kalmbach thanked Jack for attending this meeting and representing the Port of Brownsville.

Fred Perkins asked about the WPPA conference at the end of this month, September. Jack Bailey explained it is an environmental conference and he would be attending this.

- c. Standing Committee Report – None

## **OLD BUSINESS**

- a. Boathouse Compliance – Matt Appleton reported that 4 additional boat houses are now in full compliance and 5 more are expected to complete by the end of the month. 2 boat houses have been sold and the new owners are planning on coming up to requirements. There are now 30 boat houses in full compliance out of 49.

The Commissioners were provided a request from Tom Demick (D-3) to increase his boathouse to 40'. He also wants to change out the barrels for tubs. Nick Wise is going to do the work. Jack Bailey requested the length of the boat that sits in this boat house. Jerry Rowland stated that the drawing provided is not to scale so the boat is appropriate length for the inside of the boat house. Fred Perkins made a motion to approve the request from Tom Demick. Jack Bailey seconded the motion and motion was approved unanimously.

- a. Resolution 15-07 Modify Rules and Regulations – This resolution adds section ten (X) and eleven (XI) 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. Jack Bailey stated that he has seen signs at other marinas stating that contractors have to check in with the marina office. He said this resolution allows the Port to do the same. Jack Bailey moved to adopt this resolution, Fred Perkins seconded and motion passed unanimously. Jerry Rowland added that all comments from the Port lawyer, John Mitchell, had been incorporate in this resolution.
- b. Resolution 15-08 Modify Marina Moorage Agreement- This adds some language to the agreement to highlight items from resolution 15-07. Jerry Rowland stated he has put this information in the newsletter. He said existing agreements will be in place and it is the tenant's responsibility to know and follow the Port resolutions regardless of when they were put in effect. Fred Perkins made a motion to approve this resolution as written, Jack Bailey seconded the motion and it passed unanimously.



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- c. Resolution 15-09 adds a Commercial use Moorage Agreement. The suggested changes from last month's meeting have been added to this resolution. Port Attorney has reviewed this agreement and all comments have been incorporated. Jack Bailey made a motion to approve Resolution 15-09. Fred Perkins seconded the motion.

Jack Bailey stated that this is good move for the Port.

Ned Cook asked if the operator can make the signature on the agreement if they are not the owner. Jerry Rowland stated he would get the owner to sign this agreement regardless if they are the operator or not.

Bob Kalmbach asked if there has been improvement on the commercial use of the boat ramp. Jerry Rowland stated there has been improvement.

Motion passed unanimously.

- d. Preliminary 2016 Budget – There were no changes since last month presentation. However, the affordable care act health insurance is going up 4.5%. This will make a possible change needed to the health insurance line item. Jerry Rowland stated he would present a slide show at the October meeting explaining the budget for 2016. Hopefully the county numbers will be available by then and will be included in the 2016 Budget Resolution.
- e. Resolution 15-10 Preliminary 2016 Tariff – No changes from last month except for item number 27. There was a question last meeting concerning the pump out grants and if non-residents could be charged at a different rate than residents of the port district. Additionally the question was asked if the clean water act grant was state or federal funds. Port Attorney, John Mitchell, took these questions for action. According to the review, the Port is in full compliance with everything except the use of the pump out boat if we provide full service. This line item will need to be scratched until we can get authorization from the state to charge \$45.00. At this time line item 27 has been deleted until there is a reply from the State officials. Jerry Rowland clarified that the State grant the Port has provides for 75% of the wages of the person operating the pump out. Fred Perkins noted that Jerry Rowland has an action to contact the State to get permission for the \$45.00.

Jack Bailey requested that this Resolution be delayed until next meeting. He did ask if there is going to be a public meeting. Jerry Rowland a public meeting is required for the budget only and will be scheduled for next meeting in October.

- f. Resolution 15-11 2016 Comprehensive Scheme. This is the second reading of this resolution. Fred Perkins reviewed the plan and made it clear that the dredging of the Port is high priority. Bob



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Kalmbach tabled this resolution to next meeting when Fred Perkins can give a presentation on this plan. Fred Perkins confirmed he has action on this.

- g. Resolution 15-12 update Boathouse Specifications and Standards and Best Management Practices. Jerry Rowland stated that with the rebuild on C-dock it was time to review the boathouse section and update how to attach to the new docks. A review of the best management practices was also accomplished as this had not been looked at in several years. This is the second reading of this resolution. Bob Kalmbach noted there was an administrative error on Page C on vessel cleaning. There was discussion on the time line of complying with these specifications. Jerry Rowland said there have been certified letters sent to the boat house owners letting them know what the requirements are and time lines have been established. Fred Perkins made a motion to approve Resolution 15-12 with the administrative error corrected. Jack Bailey seconded the motion and motion passed unanimously.

### **New Business**

- a. Resolution 15-13 Personnel Policy Manual Job Descriptions. Per the request of the Commissioner Board the Port Manager revamped and modified the job description for “Maintenance Supervisor”. The job description for “Maintenance Technician I” was also updated. This description was started at the time we split the maintenance positions into Tech I, Tech II and Tech III. The Tech II and III job descriptions were completed but the Tech I was not. That oversight is corrected with this resolution. This is the first reading of this resolution.
- b. Resolution 15-14 Thanking Gregg Faulkner for 17 years of service to the Port. This is administrative only and requires one reading. Jack Bailey moved to adopt this Resolution and Fred Perkins seconded. Jack Bailey noted the contribution Gregg Faulkner gave to the improvement of the Outlook Park. Motion passed unanimously.
- c. New portable pump out unit. The Port spent \$11,000.00 on a new pump for Water-Loo. At the end of the year the Port will be able to claim this under our clean water grant and receive 75% of this back. Along with this Washington State Parks has authorized the Port to purchase a new portable unit. The only company that offers a self-propelled unit is Keco. The unit sells for \$11,285.00, of that State Parks will pay for 75%. Jerry Rowland added there is a new pump that is improved for approximately \$1,000.00 additional. Fred Perkins made a motion to authorize the Port Manager to spend up to \$14,000.00 on the new pump out unit. Jack Bailey seconded the motion and motion was passed unanimously.



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## **PUBLIC COMMENT**

Jerry Rowland stated he has not updated the information on the progress of the marina rebuild. Bob Kalmbach asked him to email that information to the Commissioners.

Terry Asla gave a report from the Host Boat. He stated the yacht clubs Beneteau and Des Moines gave some unusual requests, such as a comb for a bald man. He stated they now provide a taxi service to the ferry terminal. He said that his cat has become something of an attraction. There is a continuing problem with the roller skaters and bicyclers. Jack Bailey asked if these were boaters or residents from the neighborhood. Terry Asla replied he was certain it was neighborhood residents. Terry added that he would be attending the Wooden Boat Festival at Port Townsend. He will be making an Irish Kur at this event. Bob Kalmbach thanked Terry for his continued support of the marina.

Fred Perkins discussed the problems that happen in the Port between 4:30 and 5:00 AM, such as vandalism. He requested the security guards stay until 5:00 AM or modify the hours for the guard. Jerry Rowland stated he would discuss this with the Security Company.

Jerry Rowland announced that due to the storm damage on August 29, 2015, 2 pilings need to be replaced. He said the contract with Thompson Pile Driving has been changed to add these pilings at a cost of \$9,490.00.

Jerry announced that Silverdale Chamber of Commerce has announced the date of the 2016 Water Trails Festival is June 18, 2016. He stated BAD XI is scheduled for September 24, 2016.

Jack Bailey asked if the 2 pilings by the laundry room serve any purpose. He noted that they are covered in creosote and they should be removed. Jerry Rowland said he was not working at the Port when these were installed so he is unclear of their function. He said he would ask the previous Port Manager, Bill Bailey if he knows what their purpose is and whether they can be removed. Jack Bailey suggested maybe a wrap would be possible. Jack expressed that these could be a health issue. Jerry Rowland has action on this.

Bob Kalmbach recessed the regular meeting at 7:41 PM and opened the executive session. It was announced that this session would last for 20 minutes and no action would be taken.

## **EXECUTIVE SESSION**

Personnel issue was discussed with no action taken.

Bob Kalmbach announced they will stay in executive session for an additional 6 minutes.  
Bob Kalmbach adjourned the executive session at 8:07 PM and reopened the regular session.



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**CLOSE MEETING / ADJOURN**

Commissioner Bob Kalmbach adjourned the meeting at 8:08 PM.

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President / Commissioner

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Secretary / Commissioner

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Commissioner

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Recording Secretary