

PORT OF BROWNSVILLE

9790 Ogle Rd • NE Bremerton, WA 98311
Office: 360-692-5498 • FAX 360-698-8023

Commissioners:
Bob Kalmbach
Jack Bailey
Fred Perkins

January 10, 2018

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Commissioners led pledge of allegiance.

APPROVAL OF AGENDA

John Mitchell counseled the board to announce that the meeting was being recorded. Fred Perkins made an announcement that this meeting was being recorded. Commissioner Fred Perkins requested to move 10 c. (Amend Minutes) to 3 a. Bob Kalmbach made a motion to approve the agenda as amended. Jack Bailey seconded the motion and requested a copy of the amendment to the minutes. Fred Perkins showed him a copy and motion passed unanimously.

AMEND MINUTES – Fred Perkins announced in the last meeting it was questioned as to the role of Jerry Rowland after he retired in May 2017. Fred said that the board of commissioners did select Jerry Rowland as Contract Specialist in June and the minutes did not reflect that. Those minutes will be amended to reflect that selection. Fred stated that the term Contract Manager used in previous minutes was similar to Contract Specialist and would not be amended in previous minutes. Fred added that the board thought having the previous port manager available to help with contracts and other port business would be best for the Port of Brownsville.

Fred Perkins said it has been a tough year as President of the Board and for people who have not been at the Port for the last 10 to 20 years and just recently attended the Port meetings it may seem that the board of commissioners does not pay attention to the spending and needs of the Port. He said that items that have been recently brought up were great and has been taken care of. He added that when Jerry Rowland took over as Port Manager there was about \$10,000 in the bank and when he left there was over \$1,000,000. There have been improvements and grants for various projects such as Mini Loo, the East Breakwater, the Pump Out Boat, Pump Out Stations and many of these items still get monies reimbursed from the grants given to the Port. There have been a tremendous amount of projects and improvements in the marina over the last 10 to 15 years. He went on to say that the Launch Ramp is an opportunity to get a grant for 80% of the cost and it will be in place for generations to come. Repairing it would just be a Band-Aid and would need replacement sooner or later. There has been over 5 million dollars in improvements with the replacement of 'C', 'D', 'E' and 'F' docks and the walkway going to the East Breakwater. Fred said he has been a port commissioner for 4 years and a marina user for 9 years and he has seen tremendous changes and improvements that he didn't want to go unnoticed by the public. He

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asked how many people were here when the old wooden docks were built and Ed Wurden said he had been here for 47 years. Fred said that those people involved in building those docks were very frugal and could do things that are not allowed today. He said that the local Indian tribe and local agencies such as Fish and Wildlife now have more controls and have to give permission for things that we used to be able to do on our own.

ELECTION OF BOARD OFFICERS

Bob Kalmbach made a nomination and motion to retain Commissioner Fred Perkins as President and Jack Bailey be the Secretary of the Board. Fred Perkins explained the normal order of the board officers was the Secretary, Bob Kalmbach, would be President and the Commissioner At Large, Jack Bailey would be the Secretary of the Board. Since Bob Kalmbach was resigning that order was not going to be followed. Bob Kalmbach said he thought it would be in the best interest of the Port to retain Fred Perkins as President at this time. Jack Bailey brought up that this was not per the Port's policies of selecting officers when there was a vacancy. Fred Perkins said that the by-laws and policies were printed out and Jack Bailey has a copy to review. Fred said he agrees with the nomination because there are some issues coming up that may be conflict of interest. He seconded the nomination. Jack Bailey said that when there is a vacancy and it has been filled that person becomes Secretary of the Board to become familiar with the Board business. Bob Kalmbach disagreed with Jack Bailey's statement and said it was immaterial since there was a nomination on the floor. Jack Bailey said there is no conflict of interest in him being the President of the Board and he felt the Commission was starting the year out badly. He countered that the board should follow the normal order of selecting Bob Kalmbach as President and himself as Secretary. Then when Bob Kalmbach resigned he would be the normal order to take the role of President of the Board. Fred Perkins asked for any further discussion of the motion of the nomination as Fred Perkins being retained as the Board President and Jack Bailey being the Board Secretary, which is his normal rotation position. Fred Perkins called for the vote on the nomination/motion. Fred called for the vote and there were 2 for and 1 against. Bob Kalmbach made a statement that it was the policy of the board that once a decision was made that all the commissioners would support that decision and he hoped that would continue.

APPROVAL OF CONSENT AGENDA

Consent agenda includes the 13 December 2017 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: January 2018 General Fund voucher numbers 41377 through 41416 for a total amount of \$86,057.65. Also approved for payment was January 2018 Electronic Transfer voucher numbers 2018-01 through 2018-08 for a total amount of \$23,506.87.

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

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PUBLIC COMMENT FOR ITEMS NOT LISTED ON AGENDA

Ed Wurden said that Fred Perkins stated that there were complications of getting a job done with all the government agencies and he agreed that it was terrible. He stated that the contract for the launch ramp would be hard for a contractor to understand what they were supposed to do. He said he did not want to disappoint Matt Appleton since Matt has been asking for feedback so he said he wanted to save \$400,000 dollars. He showed aerial photograph and went over the dimensions of the piers and what a small boat launcher would have to do to launch boat. He suggested leaving the launch ramp in the place where it is, no change in the direction. The armor flex could stay in the contract but it will not have much effect on the silt build up. He explained the design of the armor flex. He said the ends of the concrete blocks today are broken off and the armor flex will not change this. He said there could have been a different design if there was an opportunity for people to review this prior to it being approved. Fred Perkins explained that part of the mitigation process with the government agencies and the tribe was to have the launch ramp perpendicular with the shore line. Ed Wurden explained that presents a slight problem with launching boats. Fred Perkins said without that mitigation of moving the launch ramp slightly there would not have been an approval to replace the launch ramp. Ed Wurden said the whole point he was making is that the launch ramp is still good and will be good for a number of years. He asked the commissioners to consider his suggestion since a good share of the cost was in moving the placement of the launch ramp, not the concrete slabs. Bob Kalmbach said the armor flex was a major discussion point but most of the permitting approval agencies said armor flex has to be used before they would approve the permits. Bob said the commissioners were not in favor of armor flex but had to agree to it to proceed with approval. Bob added that all of the construction in marinas today has to install armor flex when doing new construction. Ed Wurden said maybe someone should talk to these agencies about the benefit of armor flex and it would not have any effect in this marina. Ed said he called Armor Flex company and asked if anyone could drive on it and they said yes. He added that the drawing also showed plastic under the armor flex and if that is installed it will slide to Seattle.

Vic Peters stated he is a resident of the Port of Brownsville. The subject he addressed design and angle of the proposed launch ramp. He said there was no documentation that the ramp had to be perpendicular with the shoreline when early discussion with Washington Fisheries was taking place. The Port and the contractor were left with the impression that Fisheries would not provide a favorable approval on the permit if that angle was not met. He asked if this was correct. Matt Appleton said it was not just Fisheries; there were many agencies that made that stipulation. Vic Peters said his concern was that with the launch ramp angled as proposed it substantially reduces or eliminates any separation between vehicular traffic and pedestrian access. Vehicle access to the main area will also be impacted. He said that some of the utilities in the island will also have to be moved, including the fire hydrant. Fred Perkins said that was Vic Peters opinion and none of those are proposed to be moved now. Vic Peters said it was incumbent of the Port Commissioners to bring this issue of the angle up to the upper management of the Washington State Fisheries and other agencies. The Port should not have caved to lower level personnel in these agencies. The launch ramp is placed where it is for good reason which is still valid and that is pedestrian safety. A change order may cost some money and time but what value do you place on the life of a child. Vic Peters gave an example of witnessing an accident involving a child and pleaded with the commissioners to not be a witness as he was.

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Julie Jablonski addressed a follow up meeting item in November, where she had asked for an economic analysis of the Port projects. Commissioners stated that when addressed at a recent WPPA meeting the comment was that small ports don't do an economic analysis. She contacted Deputy Director of WPPA and was shocked to hear the comment that some of the small ports don't do this. He said that they do recommend economic analysis and things she was discussing before, and when they do their financial training it is such a basic fundamental that it is not trained because they already know it. The WPPA do not do the training but they can facilitate the training. She said the commissioners should have this type of training and is critical to have this analysis prior to spending thousands to millions of dollars that is public money. The most fundamental economic analysis according to financial practices should be done like most government agencies do. She added that she again recommended an advisory committee and she would be happy to do some limited time to assist and get others. She knows a lot of people in the industry and different ports that could be helpful in addressing issues that the commission is now hearing about. This would happen up front and you would have engineering staff and management staff going through that process so you have improved decisions. She said it is a tremendous amount of work and difficult but worth it and you end up with better projects. She said she would volunteer her time to explain this to the commissioners and port staff at a later date.

Carolyn Thomas gave a report on the Brownsville Marina Polar Wild Plunge that took place on January 1, 2018. It was extremely successful again this year. It is not necessarily a Port event but she coordinates this every year. There were 24 plus plungers, one was a dog. There were people in costumes this year. There were Brownsville Yacht Club members taking the plunge. There were donations made to Wild Society for outdoor education. The Brownsville Yacht Club opened their doors for hot chocolate and cider. There are pictures available. She said she will continue to keep the Commissioners informed and thanked the Port of Brownsville for allowing this event.

PRESENTATIONS TO OR BY THE BOARD

None

FINANCIAL REPORTS

Port Accountant Dennis Bryan provided the November 31, 2017 end of month financial report. As of November 30, 2017 the balance was \$1,672,597.71. He stated next month this amount would decrease due to a bond payment that will be made. He said the Port of Brownsville is now under Cash Accounting instead of Accrual Accounting based on a resolution that was passed at the last meeting. He added that the Commissioners report have always been on a cash accounting basis. He reviewed commissioner's report. Financial report is available upon request.

Dennis Bryan said that the Port has always practiced efficient management of business and income continues to go up and expenses continue to go down. He reported that the Port does a cost analysis but may not be documented but is discussed in the meetings. It may not be reflected in the minutes but it is discussed. Steve Neuhauser asked Dennis if he ever considered doing a power point presentation rather than just giving numbers. He said the visual aspect would be understood better. Dennis said he would consider this but it may take him a few months to put this together.

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Ed Wurden said that Julie Jablonski's point was on financial essentiality of a project. A budget does not address this. When a project is first submitted is it really needed. Bob Kalmbach and Fred Perkins said the Commissioners do this. Bob said he thinks what Julie is talking about is a more formal report. Ed added that in 1922 when the marina was established the purpose was to have a marina that a young couple could moor their boat and it would not be too costly. Now there have been incremental increases that may have a connection to the fact that there are 30 empty slips on 'A' and 'B' dock today. He ended with asking the commissioners to consider the purpose of the marina and the effect of moorage increases.

Dennis said the decision to improve capital improvements does go in the budget and the commissioners have never approved a capital improvement project just to spend the money they have. He added that the discussion included economic benefit and the necessity of the improvement.

Fred Perkins said the audit was still ongoing. Matt Appleton said it would be a couple more weeks. Dennis Bryan said his office was still dealing with some of the auditors suggestions.

INFORMATION, STAFF AND COMMITTEE REPORTS

- a. Manager Report – Attached. Matt Appleton added that the Port has received \$42, 611 for the pump out grant. Also, the estate of one of the individuals gave the Port \$8,000 for cleaning the bio hazards and the insurance gave \$12,000.
- b. Maintenance Report – Attached. Fred Perkins said the Waterloo looks like a new facility since the staff worked on it.
- c. Commissioners Report –
Jack Bailey said he will be attending the Legislative Maritime Day in Olympia on January 23, 2018.

Bob Kalmbach said this was his last meeting after about 17 years as a commissioner. It is time for him to move on and do something else. He said he has enjoyed his time as commissioner and there have been many improvements during his time as commissioner such as property acquisition; the Fire Hall and the White property. He said financially the Port is in the black and always looking toward the future. He said that a lot of the credit goes to Jerry Rowland who was the Port Manager and most people do not realize the amount of time and money Jerry put into this port. Jerry put in more than 40 hours a week and spent some of his own money especially for the Brownsville Appreciation Day event. He did not take raises in his pay for several years. Jerry did an unbelievable job as Port Manager. Jerry deserves recognition for his achievements and Bob felt bad for not supporting him the last few months. Bob Kalmbach thanked the public for all the support they have given him through his time as Port Commissioner.

Fred Perkins said he will lead a committee to discuss the old boat launch by the Fire Hall. After reviewing dates it was decided to have the first meeting on February 7, 2018, at 5 PM. It was asked who was on the committee and Fred replied whoever shows up is on the committee.

- d. Standing Committee Report – None

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OLD BUSINESS

- a. Boathouse Compliance – Matt Appleton said there has been no change since last report. Fred Perkins shared with the public the progress that has been made over the past few years by Port staff and boathouse owners in coming into compliance with rules and regulations. Matt Appleton was thanked for his efforts in managing the boathouse improvements.
- b. Boat Compliance list – Matt Appleton reported on boats that did not have current registration and those that were behind in payment. There have been 2 additions. One of those will be turned over in 45 days to derelict vessel program and the Port will get some money from this program. Steve Neuhauser asked about the requirement in the port policies that a boat must be able to get underway and he felt there were some boats that would not meet this requirement. Matt Appleton said boats can put a small motor on their boat and go out and then come right back. He said the definition of underway is all up to interpretation. Fred Perkins said the Port is trying to deal with all of the requirements starting with the easiest ones to enforce. The port is working on the remainder.

NEW BUSINESS

- a. Resolution 18-01 – Thanking Bob Kalmbach for his service. Fred Perkins read the resolution. Fred Perkins made a motion to approve the resolution as amended with a date correction. Jack Bailey seconded the motion with a point of order added. He noted that no vacancy exists at this time and will not be until the end of the meeting. Marjorie Rowland pointed out that he does not have to be out of office to recognize him for his service. Fred Perkins called for vote and resolution was approved.

PUBLIC COMMENT

Bob Kalmbach stated a person, Shaun Nye, from Port of Brownsville District #3 has submitted a letter of interest in taking the position that Bob held on the commission. Bob gave a brief description of his background and stated it would be up to the commissioners to appoint this individual to the commission.

Shaun Nye gave his background and said he would answer any questions. Steve Neuhauser asked what his look to the future of the Port is and he replied that he would like to keep it family friendly. Fred Perkins said this is not an interview and thanked Shaun for his introducing himself. Bob Kalmbach said Shaun is the only one that has submitted a letter of interest at this time. Fred Perkins said the Commissioners are in the early process of selecting an individual to replace Bob. Jenna Mathews asked how Shaun learned of the commissioner opening. He explained that he walks every morning and he met Bob on a walk. Bob approached about this position and gave him the WPPA Port Commissioner duties.

Julie Jablonski clarified her point of economic analysis; it was for doing a complete analysis of repair types of repair or replace and, all considerations of doing a project. It was not just to spend money that the Port has.

Carolyn Thomas said to Commissioner Bob Kalmbach that she wished him luck in future endeavors. She added that it would be hard to fill his shoes and that all the comments he made about Jerry Rowland he

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should make about himself. She said he has done so much for the Port of Brownsville and the Brownsville Yacht Club. She said she had a card and cake for him and everyone should have cake.

Ed Wurden said he would like the commissioners to consider his previous comments or tell him to go home.

Tammy Cox said she appreciates all that the Port has done. She said that it may have been a heated discussion that got everyone attending but that is over and people are still attending the meetings. She added dialog is good and thanked the Port Commissioners again.

EXECUTIVE SESSION – Commissioner Fred Perkins recessed the regular session of the meeting at 7:25 PM for a five minute recess. At 7:30 PM the Executive Session would convene and it was estimated to be 20 minutes long with no decisions to be made.

- | | | |
|----------------|------|------------------------|
| a. Legal | None | RCW 42/3-/11-(1) (I) |
| b. Real Estate | None | RCW 42.30.110(1) (b-c) |
| c. Personnel | Yes | RCW 42.30.110(1) (f-h) |

Executive session was adjourned at 7:53 PM with no decisions made and regular session was reconvened.

CLOSE MEETING / ADJOURN

Meeting was adjourned at 7:54 PM.

President / Commissioner

Secretary / Commissioner

Commissioner

Recording Secretary