



# **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:**

Shaun Nye  
Jack Bailey  
Fred Perkins

November 14, 2018

## **CALL TO ORDER**

Commissioner Jack Bailey called the regular session of the meeting to order at 6:04 PM. In attendance were Commissioner Shaun Nye, Commissioner Fred Perkins, Port Manager Matt Appleton, Port Attorney John Mitchell and Port Accountant Dennis Bryan.

## **PLEDGE OF ALLEGIANCE**

Commissioners led pledge of allegiance.

## **APPROVAL OF AGENDA**

Jack Bailey proposed to add 11 a. under New Business, Property Acquisition. Fred Perkins moved to approve the agenda with the amendment of 11 a. Shaun Nye seconded the amendment and motion passed unanimously.

## **APPROVAL OF CONSENT AGENDA**

Consent agenda includes the Meeting Minutes for October 10, 2018, and 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 2018 General Fund voucher numbers 41910 through 41991 for a total amount of \$433,497.09. Also approved for payment was November 2018 Electronic Transfer voucher numbers 2018-88 through 2018-97 for a total amount of \$18,109.24.

Motion made by Commissioner Shaun Nye to approve consent agenda as written. Motion was seconded by Commissioner Fred Perkins. Motion was approved unanimously.

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

Laurie McKuen read a statement from her husband, Ken. It stated opposition to the Port building a trail. It stated the trail did not support the mission statement of the port. The Port should focus on access to the Port and recreational opportunities in the marina. Building the trail would attract homeless and drug use. She added that her son who worked at the Port asked the question why the Port was going to build a trail when it would only attract drug users. The statement was given to the recording secretary to be added to the minutes. Statement attached.

Julie Jablonski recommended the Port understand better the cost of building and maintaining a trail as well as the impact on waste and security. She stated an analysis of cost per mile on an annual basis should be in the 5 to 15 year budget plan. She added that she volunteered in the past to help the Port with this type of analysis but there has been no action since then.



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Vic Peters spoke on the Nature trail that is a line item in the Comprehensive Scheme. He stated it was not a good idea. He spoke about the survey that was performed during the festival, BAD, and it was not thorough enough. He said Ken McKuen statement addresses the risk eloquently. He said the trail is a risk to the people in the Port. He said a trail through the woods is a liability for the Port and the Port has experience in insurance claims. He stated fiduciary responsibility is the Commissioner's responsibility and insurance should be part of that. He added that a trail would increase the amount of work force needed and expense of cameras for monitoring the trail. Vic Peters gave his written statement to the Commissioners and the recording secretary.

Fred Perkins addressed the attendees stating that he was confused how the people thought the nature trail was being considered for the near future. He said the nature trail was in the Comprehensive Scheme but it was not in the plan for the immediate future nor in next year's budget. Its main purpose for being in the Comprehensive Scheme was in case any grant funds would become available for a recreational trail that would benefit the whole Port district. He said if the Commissioners ever got to the point of building the trail they would consider the statements made tonight. He iterated there was no plans to implement this tonight.

Ed Wurden asked if he could comment on Fred Perkins statement and Jack Bailey stated no.

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

None

### **FINANCIAL REPORTS**

Port Accountant Dennis Bryan made a statement that liability insurance has increased \$324 since 2016, not the \$17,000 that was stated previously in the meeting. He stated at the end of September 30, 2018, the balance was \$1,703,318.14. He stated balance would decrease in the next few months due to project expenses and bond payments in December. Financial report is available upon request.

### **INFORMATION, STAFF AND COMMITTEE REPORTS**

- a. Manager Report – Attached. He noted the “Make A Wish” foundation presentation in the Port for a young boy that wanted a golf cart. There was a parade of fire trucks with lights flashing. He has pictures for viewing of the event.
- b. Maintenance Report – Attached. Brownsville – Parking Lot Sealed, Grating on Boat Ramp installed, Preparation of Lower Level of Port Annex for rental, winterizing equipment. Illahee and Keyport has no report. Waterman – Assembled and installed 2 benches and 2 table. Fred stated all the maintenance at other Ports includes travel time. Jack Bailey explained the Interlocal Agreements the



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Port of Brownsville has with the 3 neighboring Ports. Shaun Nye stated these Ports are happy with the agreements.

#### **c. Commissioners Report –**

Shaun Nye reported on the Small Ports Conference WPPA at Leavenworth. He attended the financial meetings and learned about investment opportunities as well as a lot of other information.

Fred Perkins also attended the Small Ports Conference and said it was a great opportunity to meet with other Ports and listen to their ideas and problems. He learned about the MRSC (Municipal Research and Service Center) and he attended the Public Records and Information Act meeting and learned a great deal. He reminded the attendees that the web site is a great place to get the information about a port. He said it was a short 2 days packed with a lot of information.

Jack Bailey added that the Port does not have to pay for the research due to being part of the Washington Public Ports. He stated he and Matt will be attending the inaugural run of the fast foot ferry service from Kingston. He said he would also be attending the annual WPPA Annual Meeting and Marinas Committee December 5, 6 and 7.

- #### **d. Committee Reports -**
- Marjie reported on the finances from BAD event. She stated each local elementary school would be receiving a check for \$1,041.18. There is a meeting with the Central Kitsap School District scheduled for November 28. Matt stated that the principals from each school would be there to accept the check. The Commissioners and Matt thanked everyone for their support to make this happen.

### **PUBLIC HEARING**

Jack Bailey adjourned the regular session and opened the public hearing at 6:34 PM. Port Manager, Matt Appleton, gave a presentation on the proposed budget for 2019. He stated this is the proposed budget which has not been approved and this is the second public hearing on this subject. He noted that capital improvements is only a replacement motor for the Port boat. He said it is time for the Port to focus on maintenance. Jack Bailey closed the public meeting at 6:42 PM.

### **OLD BUSINESS**

- a. Boat Compliance list – One boat has been added on A-18 and still has time to pay moorage. Another boat was left on the outside of the breakwater and has not payed moorage and have left the state. It is a 44 foot wood hull boat with lots of holes so Matt is looking to get Derelict Vessel involved when this becomes property of the Port. Jack Bailey asked if there was any way to track the people down and Matt said they are now fugitives and the Sheriff's department is tracking them down. Mark Kunkel asked if there is any way the Port could require an inspection of the boats before they moor there. Matt replied this is guest moorage and there is no policy at this time.
- b. Boat Launch Punch List – Matt Appleton said the project is 99% done but not totally complete until the end of January when there is negative low tide. He added the surface of the ramp has been completed.
- c. Resolution 18-09 Preliminary Budget – Jack Bailey said there have been 2 public meetings and discussion on this since July. Shaun Nye made a motion to accept and approve the 2019 budget and Resolution 18-09. Fred Perkins seconded the motion and motion passed unanimously.



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- d. Resolution 18-10 Substantial Need – This resolution has to be approved with the budget. Fred Perkins made a motion to approve Resolution 18-10. Shaun Nye seconded the motion. During discussion Fred Perkins explained what this resolution does for property taxes. Matt Appleton said for 2018 the tax rate was .02563 per \$1,000 in value but in 2019 it will be .023 per \$1,000 in value. It is decreasing due to the increased values in property.

### NEW BUSINESS

- a. Property Acquisition – Jack Bailey stated the Port was in discussion with purchasing adjacent property to the Port. The executive session will be discussing this further.

Mark Kunkel asked if there was a scheduled property walk for the public. Jack stated no but the Commissioners have walked the property. Julie Jablonski asked what part of the budget this would be under. Jack Bailey stated it would be a short term loan taken by the Port to pay for the property. Fred Perkins added that it would be under Capital Improvement. Julie asked if that would require a tax increase and Jack replied no.

### PUBLIC COMMENT

Ed Wurden commented on the Maintenance Plan that Matt Appleton was developing. He thanked Matt for all he has done since being Port Manager. He requested the public to report any issues found, he gave a list of work items in the newsletter and he is addressing rules and regulations that are not being enforced. He emphasized the Maintenance Plan that Matt is working on and noted that he has 1,400 line items in this plan and it is a 5 year plan.

Ed Wurden asked Jack Bailey why there was only 3 minutes for statements. Jack Bailey said it is the Port rules and it is being enforced now.

Terry Asla said he was a tenant of the Port of Brownsville and the Kingston Public Communications Coordinator for the Port of Kingston. He praised the Port of Brownsville and said this port is fortunate with virtually a new port and the port is financial sound, all thanks to the current and past commissioners and managers. He thanked the commissioners for recognizing that not everyone in the Port district is boaters and offering all of the residents something at the Port, such as the nature trail. He noted that part of the commissioner's job of promoting economic vitality and supporting community events and activities means looking beyond the marina. He said if the Port of Brownsville explodes like the Port of Kingston with the new Ferry system, the acquisition of the green lands such as recent property purchase is commendable. He applauded the commissioners and staff. He added the Intercostal Agreements with other Ports is a quiet way of spreading the influence of the Port and it is brilliant.

Sally Hass said she is a local denizen. She stated she attended the last Comprehensive Committee meeting in 2017 and she was the only non-paid member in the committee. She asked when the next Comprehensive Committee meeting was scheduled. Matt Appleton said it would be in 2019. Jack Bailey said he has been discussing this with Port Attorney and there is a suggestion to add the yearly



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budget to the Comprehensive Scheme so it would be updated every year. He added the requirement is to update it every 5 years but the Port has chosen every 2 years. Matt Appleton added he would be advertising it in the newsletter, the paper and postings on bulletin boards in the Port. Matt thanked Sally for participating. Fred Perkins added that officially it was every 2 years but the Commissioners review it annually.

Ned Cook asked the commissioners to explain what the Comprehensive Scheme is. Jack Bailey explained that it is a plan for what the Port wants to do to make improvements in the next 5 years. It is prioritized and estimated for expenses. He encouraged anyone that has ideas for this plan to please attend the committee meeting when it is scheduled. Fred Perkins added that in order to receive grant money for any item it has to be in the Comprehensive Scheme.

Vic Peters stated if the Port of Brownsville is going to deal with the Derelict Vessel program to talk to the supervisor. He stated that he has observed a homeless person that is living in their car dumping trash and using the restrooms. Matt Appleton stated since the Port of Brownsville is a public port and cannot be restricted unless the person is committing a crime or breaking Port rules.

Ed Wurden distributed a paper to the commissioners and asked them to read the last sentence.

Julie Jablonski stated that she has offered in the past a robotics team to perform underwater inspection of docks and pilings with video. Her team placed 4<sup>th</sup> in internationals.

Dennis Bryan stated that a meeting needs to be held with Matt Appleton and Jack Bailey so the audit can proceed. He also handed out a new contract to the commissioners since the current one ends the end of December 2018. Jack Bailey stated he wanted the meeting to happen as soon as possible. Shaun Nye asked if the other commissioners could attend. Jack Bailey said he could report back to the commissioners.

**EXECUTIVE SESSION** – Jack Bailey recessed the regular session at 7:17 PM for 5 minutes then the executive session will convene at 7:22 for 40 minutes, and a decision may be made and action may be taken.

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

Commissioners requested an additional 30 minutes 8:02 PM. Commissioners requested an additional 23 minutes at 8:32 PM. Executive session was back at 8:55 PM. Executive Session was adjourned at 8:55 PM with no decisions made and regular session was reconvened at that time.



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## CLOSE MEETING / ADJOURN

Meeting was adjourned at 8:58 PM.

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President / Commissioner

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Secretary / Commissioner

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Commissioner

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Recording Secretary