



PORT OF BROWNSVILLE

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

Commissioners:

Shaun Nye
Jack Bailey
Fred Perkins

December 11, 2019

CALL TO ORDER

Commissioner Shaun Nye called the regular session of the meeting to order at 6:00 PM. In attendance were Commissioner Jack Bailey, Commissioner Fred Perkins, Interim Port Manager Wendy Smith, Port CPA Jan Fancher, Port Auditor Joseph DaBell and Port Attorney Neil Wachter.

PLEDGE OF ALLEGIANCE

Commissioners led the Pledge of Allegiance.

APPROVAL OF AGENDA

Interim Manager Smith took item 10a Surplus Property from the agenda as staff learned the boat to be surplus had never been transferred to the Port's name through Dept. of Licensing. Commissioner Bailey made a motion to approve the agenda as amended. Commissioner Perkins seconded the motion. Motion was approved unanimously.

APPROVAL OF CONSENT AGENDA

Consent agenda includes the Meeting Minutes for November 13, 2019 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 2019 voucher numbers 42689 through 42706 for a total amount of \$68,270.66. Also approved for payment was December 2019 voucher numbers 42707 through 42739 and for a total amount of \$64,272.38 and electronic transfer voucher numbers 2019-99 through 2019-103 for a total amount of \$8,467.10.

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

PUBLIC COMMENT FOR ITEMS NOT LISTED ON AGENDA

Ed Wurden

Presented the board and staff with a public records request that he requested be attached to the minutes.

Sally Hass – Denizen

Announced the next maintenance sub team meeting January 6 @ 6PM on the Spirit of Balto. Also asked if they could hear what the priorities are from the commissioners for 2020. Please let them know at a future meeting what those priorities are. Commissioner Perkins commented on the maintenance priorities coming forward at the next meeting. Last item is the comprehensive scheme planning. She sat in and



PORT OF BROWNSVILLE

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

Commissioners:

Shaun Nye
Jack Bailey
Fred Perkins

participated in that process. Last year property was purchased with little or no comment or explanation of the purchase of the property. Would like to be educated on the process. Commissioner Nye said he will communicate that with Wendy and she will get that.

Steve Neuhauser

Question on the dredging budget. There is no budget currently for dredging in the budget. Asked if there was a survey done when the dredging was last done. This was about 25 years ago. The Port has not done a survey done in the last 25 years. Steve will give this information to the maintenance committee.

PRESENTATIONS TO OR BY THE BOARD

None

FINANCIAL REPORTS

Port CPA Jan Fancher presented the November cash flow report. As of November 30, 2019, the balance was \$1,543,872.65. Bond payments were due December 1 and they are swept out of the accounts. Total transfer of \$214,316.25 to pay the revenue bonds. CPA Fancher also noted the resolution was signed earlier this year to separate the accounts that had gotten comingled. CPA Fancher reported on the reserve dollars also. The Port is above budget in cash for the year even with the significant cash outlays currently. Spreadsheets were offered to the public for savings by closing on Sundays.

INFORMATION, STAFF AND COMMITTEE REPORTS

- a. Manager Report – Attached. Wendy reported that she is amazed what has been accomplished in the last two months. Passing the budget, new tariff rates set us up for the new year. Wendy also reported RCO did an inspection of the boat launch project and it opens doors for the Port to get further funding. Port leases are continuing to move forward and are included in the written report. Asked for a motion to sign the deli lease from the commission. Sunday closures have had a positive impact on staff. Wendy recapped the analysis of the closure versus fuel sales for the last couple of years. Thanked the commissioners and public.
- b. Maintenance Report – Attached. Wendy read the maintenance report. Wendy and reported that we are pumping at about 11 gallons per minute up from approximately 4 gallons per minute.
- c. Commissioners Report – Commissioner Bailey said he attended the County zoning meeting earlier in the day. They have 58 pages trying to make the uses more defined. The Port is trying to have their own overlay like Port Gamble or Newport. There will be another follow up meeting. Commissioner Nye said he attended the Annual meeting of the WPPA in Tacoma and will gather his notes to do a report at a future meeting.
- d. Commissioner Perkins said he had another committee meeting on maintenance. Feels that the group has made a lot of progress and the maintenance staff is now compiling their input. The intent is to implement the program and if possible get a program to make it easier. The next meeting will be on January 6, 2020.



PORT OF BROWNSVILLE

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

Commissioners:

Shaun Nye
Jack Bailey
Fred Perkins

OLD BUSINESS

- a. Boat Compliance list – Wendy noted that with a marina of over 300 slips the compliance list is very short which is very good. Wendy reported that everyone is in compliance with the insurance issue. Still one in 60 day in arrears and there are still a couple of boats that we are still working with DNR. Commissioner Bailey asked about the truck and trailer with the boat in the parking lot and asked which boat that is. He suggested charging for the parking lot.
- b. Resolution 19-05 – Rules and Regulations - Tabled
- c. Deli Lease – Attorney Wachter suggested the manager was looking for a motion for her to go forward and sign the lease. He also discussed the surety requirements in the RCW. They can be altered or waived by the commission if they so desire. Commissioner Perkins made a motion to give the Port Manager permission to sign the deli lease and the commission will waive the surety bond. Commissioner Bailey seconded the motion.
Commissioner Nye – In Favor
Commissioner Perkins – In Favor
Commissioner Bailey – In Favor
Motion Carries.

NEW BUSINESS

- a. Surplus Property – Removed from agenda
- b. Residential Lease – Wendy requested the commissioners consider future possibilities like commercial businesses rather than utilizing the space for a future residential lease. Commissioner Bailey talked about using the building for Port offices. He doesn't like to see another low income home off the property. CPA Fancher talked about the history of ports typically only having residences based on inheritance of the property. Commissioner Perkins would like to see jobs created plus the rental income from a commercial option. Commissioner Bailey sited the history of the property. Commissioners gave direction to the manager to explore the option.
- c. Review of Commissioner By-Laws – Commissioner Perkins discussed when the commissioners attend events representing the port they will report on the event and bring back an agenda. If they venture onto other meetings then it should be up to the commission to agree to those. Feels that they need to do a better job of this. They will review the by-laws again.
- d. Proposed separation agreement for employee – Attorney Wachter asked if he should summarize the agreement. Commissioner Bailey suggested discussing this after executive session. Attorney Wachter suggested making a motion to revise the agenda. Commissioner Bailey made a motion to revise item 10d to follow the executive session and become Item 13 and Item 14 Close the meeting. Commissioner Perkins seconded the motion.
Commissioner Nye – In Favor
Commissioner Perkins – Opposed
Commissioner Bailey – In Favor
Motion Carries.



PORT OF BROWNSVILLE

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

Commissioners:

Shaun Nye
Jack Bailey
Fred Perkins

PUBLIC COMMENT

Ken McEwan

Asked about the SAO visit on 9/18/2019. Asked about the factual basis of the investigation and report. What is the status? Noted the Executive Session includes potential litigation – can the commission tell them what it is about and if something is moving to litigation has mediation been considered. Commissioner Nye suggested a statement would be made to Wendy and she can provide information. Attorney Wachter said he could provide information if they board asked him to. Commissioner Perkins clarified the investigation is the Port's through Enduris but the state has not started their investigation yet. Commissioner Nye said they are waiting for the investigation to be finalized and then the information will be publicized. Attorney Wachter provided further information on the state audit process.

Commissioner Perkins invited the commissioners to have a thank you social event for the staff next Wednesday, December 18, 2019 for the staff from noon to 5PM.

Jenna Matthews

Reported on the past Polar Plunge and January 1 get together. Supporting and showcasing Wild Society. Gave an invite to all to attend. January 1 @ noon.

EXECUTIVE SESSION – RCW 42.30.110

Commissioner Nye recessed the regular meeting at 7:10PM to go into executive session for potential litigation RCW 42.30.110 (1)(i) and performance of a public employee RCW 42.30.110 (1)(f). Will be on break prior to starting the executive session. Duration is expected to be 40 minutes. Announced they need 10 minutes more.

Commissioner Nye announced they are back in regular session at 8:20PM. Commissioner Bailey made a motion to adopt the separation agreement with Claudia Sharpe that is dated December 6, 2019.

Commissioner Perkins seconded the motion.

Commissioner Nye – In Favor

Commissioner Perkins – In Favor

Commissioner Bailey – In Favor

Motion Carries.

Commissioner Nye will be signed in either before the next meeting or at the next meeting.



PORT OF BROWNSVILLE

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

Commissioners:

Shaun Nye
Jack Bailey
Fred Perkins

CLOSE MEETING / ADJOURN

Next Meeting January 8, 2020.

Meeting was adjourned at 8:25 PM.

President / Commissioner

Secretary / Commissioner

Commissioner

Recording Secretary