



PORT OF BROWNSVILLE

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

Commissioners:
Jack Bailey
Mathew Messing
Shaun Nye

January 12, 2022

CALL TO ORDER

Commissioner Jack Bailey called the regular session of the on-line meeting to order at 6:00 PM. In attendance were Commissioner Mathew Messing, Commissioner Shaun Nye, CPA Jan Fancher, Interim Port Manager Jerral Williams, Auditor Joseph DaBell and Attorney Peter Ruffatto of Chmelik Sitkin and Davis.

PLEDGE OF ALLEGIANCE

Commissioners led the Pledge of Allegiance.

APPROVAL OF AGENDA

Commissioner Bailey motioned to approve the agenda as written. Commissioner Nye seconded the motion. The motion was approved unanimously.

ELECTION OF OFFICERS

Commissioner Bailey motioned to appoint Mathew Messing as Secretary, Shaun Nye as Treasurer, and Jack Bailey as President. Commissioner Nye seconded the motion. All approved and the appointment of officers was approved.

Commissioner Bailey stated that he appreciates input as long as it is constructive. Sometime meeting decorum has been lost. He expects everyone in the meeting to show respect to all in attendance. He is also expecting many comments tonight and reminded everyone to limit their comments to 3 minutes.

APPROVAL OF CONSENT AGENDA

The consent agenda included Meeting Minutes for December 8, 2021 Tariff Workshop, December 15, 2021 Tariff Workshop, and December 15, 2021 Commission Meeting, 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 checks approved for payment are included in the audited and certified list and further described as follows:

Accounts Payable:		
Voucher Numbers	50456 – 50474	\$41,397.13
Electronic Payments	12/24/21 – 1/12/22	<u>\$3,971.31</u>
Total Accounts payable		\$45,368.44

Payroll & Payroll Liabilities:



PORT OF BROWNSVILLE

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

Commissioners:
Jack Bailey
Mathew Messing
Shaun Nye

Voucher Numbers	-----	\$-----
Electronic Payments	12/24/22 – 1/12/22	<u>\$31,881.77</u>
Total Payroll & Payroll Liabilities		\$31,881.77

Total General Fund checks and electronic payments in the amount of \$77,250.21.

Motion made by Commissioner Nye to approve the consent agenda. Commissioner Messing seconded. Motion was approved unanimously.

PUBLIC COMMENT – Citizen comments for items not on the agenda.

David Tippits stated that his moorage has gone up 70% over the last 6 years. He asked Commissioner Bailey whether or not the Port will continue increasing moorage in the future.

Ed Wurden stated the three major portions of Port management: Maintenance, Personnel, and Finance. Chains on the North Breakwater, wave boards on the East Breakwater, the Portable Firefighting water pump, and the utility stanchions have only been addressed only recently thanks to the new maintenance manager Jerry Williams. The Port has had five managers in the past few years, there have been lawsuits, employees quit, and employees fired. An Industrial Development District (IDD) was attempted for 3 major projects that have nothing to do with an IDD resulting in a large debt with no way to pay it back resulting in the burden being passed on to moorage customers. He lastly asked, what Port personnel are responsible for this debacle and what is the plan to remedy the plans he has addressed.

Matt Thomas asked if the moorage increases are consistent among everyone in the Port as it appears some customers' rates did not increase as much as others. A person with a 30-foot slip would be able to move unlike a boathouse owner. There are some fees being collected before the benefit is even received such as the technology fee and camera system fee which have no stated end date. He stated that the Revenue Bond fee is making customers pay for the mistakes of management. He stated he has been at the marina for 17 years and has never seen anything like this. Matt Thomas then asked when some of the fees will be dismissed or discontinued and if the 35% increase he received was selective or across the board.

JB Morrison spoke on behalf of the Brownsville Community Group. He thanked Jerry Williams for the Q&A session he attended, his work on safety training for tenants, and the portable fire pump. He also thanked maintenance staff member James (Joe) Long for his efforts in maintaining the Port. Member have noticed their comments are not being clearly recorded in meeting minutes and would like this fixed moving forward. The Brownsville Community Group will be requesting time on the agenda for a Citizens Advisory Committee. He encouraged communication and transparency from the Commission regarding the meetings and events they have attended before the Commission Meetings. The All Ports Meeting is coming up on January 31, he requested an email of the time and place for the meeting. The members of the group on the Comprehensive Scheme requested 1-2 weeks advance notice on when meetings are planned to resume.

Steve Neuhauser stated that in 2017 the Port took out a Revenue Bond after the failure to establish an IDD. His discussions with attorneys have taught him that Revenue Bonds are project specific and not funded by taxpayers. They are also accompanied by a feasibility study. He asked what revenue stream the



PORT OF BROWNSVILLE

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

Commissioners:

Jack Bailey
Mathew Messing
Shaun Nye

Port had to pay of the 1.8 million bond in 2017. Steve Neuhauser also asked if there was a feasibility study to accompany the Revenue Bond.

PRESENTATION TO OR BY THE BOARD

FINANCIAL REPORTS

CPA Fancher gave an update on cash and investments ending December 31, 2021, and year to date cash and investments. Three new accounts have been set up in the Port's system to track on the three dedicated fees which will be reported on each month. CPA Fancher has also met with Commissioner Messing who agreed to participate in the payable review process and alternate along with Commissioner Bailey. CPA Fancher spoke on the stipend increase for IPM Williams provided in Resolution 21-08 and requested the Commissioner review the increase to apply a 6% COLA adjustment to this stipend. Commissioner Bailey stated that this will be added to New Business. The upcoming 2-year audit for the Port of Brownsville has been pushed back to Fall 2022. Ending Cash and Investment Net Position is \$959,430.55. Approximately \$20,000 of funds are tied up with Derelict Vessel Removal.

Commissioner Nye asked if CPA Fancher was open to attending workshops to get information out to the public. CPA Fancher agreed if it was quarterly or semi-annual.

INFORMATION, STAFF AND COMMITTEE REPORTS

- a. **Manager's Report** – Interim Port Manager Jerral Williams presented the Manager's report to the Commission. Fuel sales ended at about 60,000 gallons of fuel for both gasoline and diesel for the year of 2021. The office has received many complaints due to the lack of notice following the passage of the new tariff for 2022. He stated that every invoice had to be manually adjusted, and with the tariff being passed on December 15 it was a rush to complete. Security issues have occurred at the Port such as vagrants trashing bathrooms and vandalism in the parking lot. These events are happening all over the county and state. Sheriffs won't show for these and direct victims to fill out reports online. He stated that an empty slip does not mean the slip isn't being paid for. There are about 6 empty slips with more opening at the end of the month. IPM Williams also added that CPA Fancher is a contractor to the Port and cannot answer questions with the Port's permission. He added that she has expressed interest in doing public workshops.
- b. **Maintenance Report** – Interim Port Manager Jerry Williams gave the Maintenance Report. The crew has been working hard on the breakwater bull rails despite the weather slowing them down. The damage from the freeze seems to be low, limited to 6 hose bibs, the pressure regulator on the Mini-loo, and the water heater on Mini-loo. IPM Williams reminded those listening to check on their boats to make sure their bilge-pumps are working as the Port has pumped out two boats this month. A derelict boat on E-Dock is now the possession of the Port and will be auctioned off.
- c. **Comprehensive Plan for Harbor Improvement.**



PORT OF BROWNSVILLE

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

Commissioners:
Jack Bailey
Mathew Messing
Shaun Nye

Commissioner Bailey stated he is looking to restart meetings on Tuesdays or Thursdays on the first or third week of the month. He also expressed he would like to begin the meetings by the first of the next month but will wait to hear from the members before then.

d. Commissioners Report

Commissioner Nye would like to establish a quarterly workshop for disclosure and transparency which would include CPA Fancher. Commissioner Nye stated that he would like to track attendance at the meetings to determine if it would be best to continue. Commissioner Messing enquired about the costs associated as the Port would need to pay CPA Fancher for her time.

Commissioner Bailey stated he has been working on the answers the Port will provide to the National Marine Fisheries' report. He has contacted the previous company the Port contracted for their biological report. He has been in contact with the second choice from the previous Port Manager interviews and that person has expressed their interest in the position. He added that Marine Day is coming up online, which allows Ports to interact with State legislators.

OLD BUSINESS

- a. Resuming Comprehensive Scheme Meetings – Commissioner Bailey stated that he had already addressed this earlier in the meeting.

Commissioner Nye made the motion to promote Jerry Williams to Port Manager. Mathew Messing seconded the motion. Commissioner Bailey stated the motion is out of order, adding that during the previous hiring the Commission agreed that should the first choice fail, the Commission would move on to the second choice. Commissioner Bailey added that the Port needs Port experience stating that the Port's pay is premium and needs experience to match that. Commissioner Messing questioned if the pay could be adjusted until Jerry does have the experience. Commissioner Bailey replied that Jerry would have the necessary experience if he worked under a qualified person for four to five years. IPM Williams requested the Commission make a decision on this issue before long as the issue has been going on for a while now.

NEW BUSINESS

- a. Meeting Schedule for the year of 2022 – The Commission reviewed and approved the following meeting dates for 2022:
- January 12, 2022
 - February 16, 2022 **Third Wednesday as the second Wednesday is too early in the month
 - March 16, 2022 **Third Wednesday as the second Wednesday is too early in the month
 - April 13, 2022
 - May 11, 2022
 - June 15, 2022 **Third Wednesday as the second Wednesday is too early in the month
 - July 13, 2022
 - August 10, 2022
 - September 14, 2022
 - October 12, 2022
 - November 16, 2022 **Third Wednesday as the second Wednesday is too early in the month
 - December 14, 2022



PORT OF BROWNSVILLE

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

Commissioners:
Jack Bailey
Mathew Messing
Shaun Nye

Commissioner Messing requested that June through September meeting start times be moved to 7:00 or 7:30 PM.

Commissioner Nye motioned to approve the meeting schedule for the year of 2022. Commissioner Messing seconded the motion. The motion was then approved unanimously.

- b. Redistricting – Port Attorney Peter Ruffatto spoke on the postponement that pushed timeline to complete the redistricting submission to November 15, 2022. State law requires special purpose districts to go through this process ever ten years. IPM Williams provided the Commissioners with a Request for Action to reach out to a consultant. Peter Ruffatto added that even with a consultant a lot of work is still required by the Commission as well. Commissioner Bailey motioned to give IPM Williams approval to seek a consultant to assist the Port in the redistricting process. Commissioner Nye seconded the motion. The motion was then approved unanimously.
- c. Resolution 22-01 – Declaring Vessel Abandoned and Authorization to Sell or Dispose. IPM Williams spoke about the boat on E-Dock which has sat unmoved for more than three years and has been seized by the Port due to non-payment. Commissioner Messing motioned to adopt Resolution 22-01. Commissioner Nye seconded the motion.
The Vote:
Bailey: Aye
Messing: Aye
Nye: Aye
The motion passes and the Resolution is adopted.
- d. Interim Port Manager Stipend Adjustment: IPM Williams stated that the stipend provided to him in Resolution 21-08 would require a motion of the Commission to adjust to match the COLA adjustment provided to his base pay at the start of the year. Commissioner Nye motioned to add the 6% COLA increase to IPM Williams' stipend from Resolution 21-08. Commissioner Messing seconded the motion. The motion was then approved unanimously.

PUBLIC COMMENT

Tammy Cox welcomed Mathew Messing and thanked him for asking about what the cost of the additional workshops would be. She thanked CPA Fancher for sharing all the financial spreadsheets. Tammy Cox stated that a 6% pay increase seems high compared to increases elsewhere in the public and private sector. She understands that charging a fee on credit card payments is normal but asked if the Port requested a reduction in the fees charged to them. Commissioner Nye stated that the Port had made the request but was denied. Tammy Cox stated that she has reviewed the job description the Port has posted for Port Manager and expressed concerns that no timeframe is listed for how much experience is needed for requirements listed. She also stated she would like some transparency on the second Port Manager candidate Commissioner Bailey spoke of.



PORT OF BROWNSVILLE

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

Commissioners:
Jack Bailey
Mathew Messing
Shaun Nye

Johnathan Thomas welcomed Mathew Messing. He stated that at a recent Brownsville Community group meeting IPM Williams handed out a letter that Johnathan Thomas had sent to the Port. He stated there was a misunderstanding on the part of the Port regarding the purpose of the letter as it was requesting the Port to follow proper procedure. He stated that he is in favor of consolidating all the Port of Brownsville's districts into a single district. Johnathan Thomas stated he would also like to hear about the feasibility study done by the Port for the Revenue Bond. He stated that in November 2021, Commissioner Perkins stated the Port's financial outlook was outstanding, so he would like some input on what happened to lead to the additional fees at the start of the year.

Matt Thomas commented that he listened to the explanation by CPA Fancher earlier in the meeting. He noticed the Revenue Bond fee was calculated based on 275 slips while IPM Williams stated that there were currently only 6 slips open in the marina. Matt Thomas questioned if the fee should be so high, or if it should be reassessed based on actual slip counts.

EXECUTIVE SESSION

Commissioner Bailey stated that have any documentation for the Executive Session on the agenda. Attorney Peter Ruffatto stated that he also does not have information for the Executive Session. Commissioner Bailey stated that it would either be moved to next month's meeting or a special meeting.

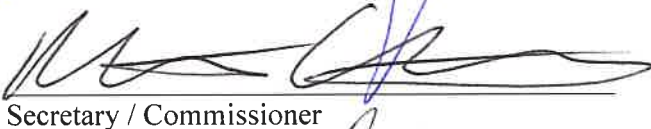
CLOSE MEETING / ADJOURN

Next Regular Meeting is scheduled for February 16, 2022 at 6:00PM.

Meeting was adjourned at 8:01 PM.



President / Commissioner



Secretary / Commissioner



Treasurer / Commissioner

Recording Secretary