



PORT OF BROWNSVILLE

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

Commissioners:
Mathew Messing
Shaun Nye
Kenneth McEwan

July 27, 2022

Special Meeting Minutes

CALL TO ORDER

Commissioner Messing called the special meeting to order at 5:30 PM. In attendance were Commissioner Shaun Nye, Commissioner Kenneth McEwan, Executive Director Jerry Williams, and Auditor Joseph DaBell.

APPROVAL OF AGENDA

Commissioner Nye motioned to approve the agenda as written. Commissioner McEwan seconded the motion. The motion passed.

CITIZEN'S ADVISORY COMMITTEE

Commissioner McEwan prepared draft documents for the other commissioners to look over including Policies & Procedures and Proposed Rules for the committee (attached). Included is the language that no member of the committee would have authority to speak on behalf of the Port or for Port staff. There would be no compensation for members of the committee. It was left open if the Port Commission would appoint members or if they would take a hand-off approach.

Commissioner Nye stated he sees no current need for the committee as the Port will be focused on paying down debt rather than taking on new projects.

Commissioner Messing stated that although it may have limited usefulness now, it may be helpful with smaller projects like getting signage for the Port along the nearby highway.

It was decided to send the documents over to legal for review.

UNIFORM POLICY

It is found that the Port only has a Uniform Allowance, not a mandatory uniform policy. Commissioner Messing stated that Port Staff should have shirts and/or hats that easily identify them as employees of the Port and provided a catalog for Executive Director Williams. Commissioner McEwan expressed concerns for the overall cost and wanted to ensure the Port not overspend. All Commissioners agreed that it would be ideal for staff to wear something to make them easily identifiable, but that spending should be monitored to not become excessive. The matter was left to Executive Director Williams to move forward on.

TIMECLOCK

Commissioner Nye has been looking at timeclock systems for Port staff but has not found anything reliable yet. Some payroll services offer timeclocks along with their services, but costs run from \$100-\$150 per month or \$2000 with an annual maintenance agreement. The Commissioners agreed that the most important requirement would be for employees to clock in and the start of the day, clock out for



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lunch, and clock out at the end of the day. Commissioner McEwan recommended staff keep notes throughout the day to allow them to add detailed information later. No action was taken.

LANDSCAPING SERVICES

Commissioner Messing stated he looked up prevailing wage for a landscaper in Kitsap and the cost was \$14.49 per hour. Executive Director Williams stated that any contracts the Port does take must pay prevailing wage, medical coverage, and provide the Port with the information verifying the contractor is paying their employees properly. The Port must go through their small-works roster to seek bids and choose a contractor. The Commissioners agreed that Executive Director Williams should begin reaching out to contractors on the roster to get estimates.

Commissioner Messing recessed the meeting for 2 minutes at 6:19 PM. The meeting resumed at 6:21 PM.

MOVING OFFICE FOR ADMINISTRATIVE STAFF

Executive Director Williams stated that Annex 1 (Firehall) could work as an office for Auditor DaBell and himself. The electrical should be fine, but HVAC may need some work. The disadvantage is that it may be a bit too removed from the marina. Commissioner Messing commented that there is no intention of forcing Executive Director Williams and Auditor DaBell to work out of the Annex full-time, but the space should be available to focus on work uninterrupted. Executive Director Williams expressed concerns that should the Port hire a new front-desk employee it would still be months before they are comfortable and trustworthy enough to operate the office alone. The possibility of bringing in one of the maintenance employees when Executive Director Williams and Auditor DaBell are out of the office was also discussed.

CHARGES FOR ASSISTING CUSTOMERS

Commissioner Messing stated it is not his intention for staff to fix people's personal property and understands there are risks of employees injuring themselves while aiding customers. Employees are also not allowed to accept help from the public on Port projects.

Executive Director Williams stated that at one time the tariff was set at \$150 per hour, but this has already been reduced to \$70 which matches what we charge our interlocal agreements as well. Executive Director Williams stated his rules for the staff. Helping bring carts up the ramp, taking packages from the office to a dock cart, and getting items off boats provided it does not take more than 5 minutes are all done at no charge. However, if a customer asks for help moving a boat or for help that takes additional employee time, then the Port will charge the customer. The Commissioners and Executive Director Williams were in agreement that this item was resolved.

EXECUTIVE SESSION

At 6:42 PM Commissioner Messing recessed the meeting to go into Executive Session for 30 minutes to begin immediately pursuant to RCW 42.30.110(1)(g) to review the performance of a public employee. No decisions will be made following the executive session. At 7:12 PM Commissioner Messing stated they



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would extend the executive session an additional 60 minutes. The Commissioners came out of executive session at 8:12 PM. No decisions were made.

CLOSE MEETING / ADJOURN

Meeting was adjourned at 8:13 PM.

A handwritten signature in black ink, appearing to be "Mathew Messing", written over a horizontal line.

President / Commissioner

A handwritten signature in blue ink, appearing to be "Kenneth McEwan", written over a horizontal line.

Secretary / Commissioner

A handwritten signature in black ink, appearing to be "Shaun Nye", written over a horizontal line.

Treasurer / Commissioner

Recording Secretary

Policies and Procedures for a Proposed Advisory Committee

The following policies and procedures provide guidelines for the POB Commissioners and operating procedures for the advisory committee:

POB Staff liaison

The POB liaison:

- Will serve as a communication link between the committee, the port manager, the port auditor, the port attorney the Commissioners as appropriate.
- Will assist the committee with providing port documents and research, depending on liaison's work load and time availability.
- Will help maintain a positive working relationship with the Port staff and Commissioners.

Representation of Specialized Knowledge and Interest Groups

The POBCAC:

- Will listen carefully to community opinions, attitudes, and needs;
- Will study programs and services and analyze problems and needs;
- Will offer new proposals and recommend changes in programs, policies, and standards.

- All advisory committee meetings are to be conducted in public session and noticed in accordance with state law, unless otherwise advised by the POB attorney.
- Individual committee members and the collective group will be fair, impartial, and respectful of the public, staff, and each other.
- Committee members will respect the limitations of their individual and collective authority.
- The role of the committee is to advise the Commissioners.
- Committee appointment does not empower individual Committee members or the Committee as a whole, to make decisions on behalf of the POB.
- Committee appointment does not empower individual Committee members or the Committee as a whole, to speak on behalf of the POB.
- Committee appointment does not empower individual Committee members or the Committee as a whole, to enforce POB Rules and Regulations.
- Committee appointment does not empower individual Committee members or the Committee as a whole, to supervise or direct POB staff.
- Members will strive to appreciate differences in approach and point of view, whether from each other, the community, the POB Commissioners, or POB staff.
- Each member will participate in the group's discussions and work assignments without dominating the discussion or activity of the committee.
- The committee chair will ensure that all members have a fair, balanced, and respectful opportunity to share their knowledge and perspectives.

- The committee will attempt to reach consensus on issues. If consensus is not possible, differing opinions, such as “minority” opinions, will be recorded and acknowledged in the committee’s report to the POB Commissioners.
- Members of the POBCAC will strive to interpret community opinions, attitudes, and needs and analyze those problems and needs;
- Members of the POBCAC will offer new proposals and recommend changes in programs and policies;

When presenting recommendations to the commissioners:

1. All recommendations should be in written form;
2. All ideas should be expressed in clear and concise language;
3. Proposed solutions should strive to be viable and cost-effective;
4. Recommendations should identify the reasons for the changes suggested;
5. The advice should reflect a consensus of a majority of the group members.
6. Minority opinions will be submitted along with the consensus opinions and recommendations.

POBCAC WORK PLAN

1. Annually review the comprehensive plan or multi-year plans and suggest desired amendments thereto.
2. Annually review the POB budget and suggest amendments, as relates to comprehensive plan, capital facilities plan, maintenance, expansion and policy matters.
3. Participate in the preparation of the advisory body's annual report showing achievement towards fulfilling goals, policies, and objectives of the advisory committee.
4. Present policy recommendations to the Port Commissioners.
5. Meet with the Port Commissioners
6. Examine and respond to referrals from the Port Commissioners including public meetings or formal hearings
7. Examine and respond to topics of interest to POB moorage customers and residents of the POB tax district.

Public Records Requirements

The Washington State Public Records Act applies to "any office, department, division, bureau, board, commission, or agency of every county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district, or other local public agency." Generally, provisions governing advisory bodies specify that minutes be kept of meetings and that there be periodic reporting. The recorded activities of the Advisory Committee, such as meeting minutes, reports, and correspondence, are public records.

All recommendations and final reports to the Commissioners from the citizen advisory committee shall be made in person at a

regular council meeting by the chair or a designated representative of the committee.

A copy of the written report or recommendation shall be submitted to the Port liaison by the agenda cut off time, prior to the scheduled meeting, to allow the Port Commissioners sufficient time to review.

APPEARANCE OF FAIRNESS

The appearance of fairness is a rule of law that requires meetings to be conducted in a way that is fair and unbiased in both appearance and fact.