



# 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:**  
Mathew Messing  
Shaun Nye  
Kenneth McEwan

September 14, 2022

## CALL TO ORDER

Commissioner Mathew Messing called the regular session of the meeting to order at 6:00 PM. In attendance were Commissioner Shaun Nye, Commissioner Kenneth McEwan, CPA Jan Fancher, Executive Director Jerral Williams, Auditor Joseph DaBell, Administrative Assistant Heidi Cross, and Attorney Peter Ruffatto of Chmelik Sitkin and Davis.

## PLEDGE OF ALLEGIANCE

Commissioners led the Pledge of Allegiance.

## APPROVAL OF AGENDA

Commissioner Messing requested to amend the agenda to include Resolution 22-13: Acceptance of North Breakwater Chain Project completion. Commissioner Nye motioned to approve the agenda as amended. Commissioner McEwan seconded the motion. All approved and none opposed. The agenda was approved as amended.

## APPROVAL OF CONSENT AGENDA

The consent agenda included Meeting Minutes for the August 10, 2022 Commission Meeting, August 23, 2022 Finance Workshop Minutes, August 24, 2022 Special Meeting Minutes, 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 checks approved for payment are included in the audited and certified list and further described as follows:

### Accounts Payable:

Voucher Numbers	50665 - 50701	\$247,559.87
Electronic Payments	8/19/22 – 9/14/22	<u>\$9,332.68</u>
Total Accounts payable		\$256,892.55

### Payroll & Payroll Liabilities:

Voucher Numbers	-----	\$-----
Electronic Payments	8/19/22 – 9/16/22	<u>\$56,101.43</u>
Total Payroll & Payroll Liabilities		\$56,101.43

Total General Fund checks and electronic payments in the amount of \$312,993.98.

Motion made by Commissioner Messing to approve the consent agenda. Commissioner McEwan seconded. All approve, and the motion passed.



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

None

### PRESENTATIONS TO OR BY THE BOARD

None

### FINANCIAL REPORTS

- a. CPA Fancher gave an update on cash and investments ending August 31, 2022. The Port's Net Position is \$1,412,974.55; \$274,974.50 above where it was as of a year ago on August 31, 2021. Expenses compared to the previous year are down \$141,304. All dedicated fees remain close or above budgeted estimates. Budget and tariff planning will be presented to the Commission at the special meeting held on September 28, 2022.

### INFORMATION, STAFF AND COMMITTEE REPORTS

- a. Manager's Report – Executive Director Williams welcomes Administrative Assistant Heidi Cross; thanks Auditor DaBell and CPA Fancher for working on changes and financials. West Seattle Yacht Club & the Beneteau Club were the last big groups coming in, for a while. Dock work and pile wraps have been completed; workers fabricated a new bracket for the light poles. Economic resource grant– Executive Director Williams must have a meeting with Wesley Wolf who was unavailable at the time of request. The application is being worked on currently. Commissioners passed the resolution for the grant. It's scheduled for December. RCO project – kiosks are being ordered and the budget is being worked on. The sailboat Nemesis has sold on auction and is now registered to the new owner. The Ms. Nug is also sold and will be moved to Oregon. Fuel sales are dropping due to the fall season. It was a great summer which continued into September. Empty slips: 5 to 6 were empty a few weeks ago, 3 x 38' slips are empty and 24' slips are emptying. Winter moorage is now full. Port Staff has completed compliance checks. Administrative Assistant Cross did a forensic check of all files to confirm compliance or lack thereof. Addressing boat owners– check your boat documents. RV parking, misunderstandings: these spaces are slated for RVs only and RVs are not allowed in the parking lots. The RV parking is for port activities only, not public. They are not a camping spot and there is to be no tent camping.
- b. Maintenance Report - Repairs have been made to the sprinkler system and the transition plate hinge at the breakwater ramp. The maintenance crew has also reinforced dock parts that have taken on damage. The soldier wall was dug up, thanks to Mike Carlisle, which is an annual project. Prepping



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**Commissioners:**  
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for winter, the upper parking lot has been closed for the season for security and for less need for maintenance. Commissioner McEwan comments on insurance – some boats are not insured or don't list the Port of Brownsville as the interested party. Executive Director Williams explains that they are required to submit proof of insurance/interested party when customers begin leasing a slip. The port gives 30 days, then the Port takes proper action to get customers to comply. Commissioner McEwan asks if we can evict after one 30-day period. Commissioner Nye states we don't want the Port to be liable for potential risks. Commissioner McEwan suggests that we take a look at the language for the rule of non-compliance. Commissioner McEwan asks do we need to check the RCW? Executive Director Williams wants to get some clarity on the laws of this matter

- c. Commissioners Report  
None.

### OLD BUSINESS

- a. None.

### NEW BUSINESS

- a. Resolution 22-11 – Delegation of Authority: This resolution makes changes to the authority given to the Executive Director in purchasing and decision making. Executive Director Williams commented that the details were discussed during the August 24<sup>th</sup> Special Meeting. Commissioner Nye makes a motion to waive the first reading and approve, Commissioner McEwan seconds.  
The Vote:  
Messing: Aye  
Nye: Aye  
McEwan: Aye  
The motion passes and Resolution 22-11 is adopted.
- b. Resolution 22-12 – Purchasing Policy: This resolution updates the Port's purchasing policy. The details of the changes were discussed during the August 24<sup>th</sup> Special Meeting. Commissioner Messing motioned to waive the first reading and adopt Resolution 22-12. Commissioner Nye seconded the motion.  
The Vote:  
Messing: Aye  
Nye: Aye  
McEwan: Aye  
The motion passes and Resolution 22-12 is adopted.
- c. Resolution 22-13 – Acceptance of North Breakwater Chain Project Completion: This resolution is for the Commission to formally accept the completion of the North Breakwater chain repairs by Ballard Marine. Commissioner Nye motioned to approve the resolution. Commissioner Messing seconded the motion.  
The Vote:  
Messing: Aye



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Commissioners:  
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Nye: Aye

McEwan: Aye

The motion passes and Resolution 22-13 is adopted

### PUBLIC COMMENT

Jim Holmes representing the Brownsville Yacht Club commented that there is no information of the Port's website indicating the use or restrictions on the RV parking spaces.

### EXECUTIVE SESSION

At 6:31 PM Commissioner Messing recessed the meeting to go into Executive Session for 30 minutes pursuant to RCW 42.30.110(1)(i) to discuss potential litigation with no decisions to be made following. At 7:02 PM the Commissioners extended Executive Session an additional 20 minutes. At 7:23 PM the Commissioners extended the session an additional 20 minutes. The Commissioners came out of Executive Session at 7:45 PM.

### CLOSE MEETING / ADJOURN

Next Regular Meeting is scheduled for October 12, 2022 at 6:00PM.

Meeting was adjourned at 7:46 PM.

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

President / Commissioner

A handwritten signature in black ink, appearing to be "Shaun Nye", 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

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Recording Secretary