



Minutes

Regular Meeting

Port of Brownsville Commission

Wednesday, November 16, 2022 6:00 PM

9756 Ogle Rd, Bremerton, WA 98311

And VIA ZOOM

1. Open Meeting / Call to Order

Commissioner Matthew Messing calls the meeting to order at 6:00 PM.

In attendance is Commissioners Shaun Nye and Kenneth McEwan, Executive Director Jerral Williams, CPA Jan Fancher, Auditor Joseph DaBell, Administrative Assistant Heidi Cross and via Zoom, Attorney Peter Ruffato.

2. Commissioner Messing leads the Pledge of Allegiance.

3. Approval of Agenda – Commissioner Nye motions to approve the Agenda, Commissioner McEwan Seconds, all approved, none opposed.

4. Approval of Consent Agenda

All matters listed under Consent Agenda have been distributed to each member of the Commission for reading and study, are considered to be routine, and will be enacted by one motion of the Commission with no separate discussion. If separate discussion by a Commissioner is desired, that item may be removed from the Consent Agenda and placed under New Business.

a. Approval of October 12, 2022 Budget Workshop Minutes, October 12, 2022 Commission Meeting Minutes, October 25, 2022 Finance Workshop Minutes, October 26, 2022 Special Meeting Minutes, and November 2, 2022 Special Meeting Minutes.

b. The following checks and electronic payments are approved for payment:

Accounts Payable:

Voucher Numbers	50727 - 50758	\$155,441.94
Electronic Payments	10/19/22 – 11/16/22	<u>\$29,736.48</u>
	Total Accounts Payable	<u>\$185,178.42</u>

Payroll & Payroll Liabilities:

Voucher Numbers	-----	\$-----
Electronic Payments	10/19/22 – 11/16/22	<u>\$40,636.96</u>
	Total Payroll & Payroll Liabilities	<u>\$40,636.96</u>

Total General Fund checks and electronic payments in the amount of \$225,815.38

Commissioner Nye motions to approve the Consent Agenda, Commissioner McEwan Seconds, all approved, none opposed.

5. Public Comment

a. Citizen Comments for items not listed on this agenda – None

6. Presentation to or by the Board

a. Commissioner McEwan – Financial Performance metrics, Strategic Plan, Wave attenuation, Parking Lot Security, Small Works Roster

The Commission agrees with the necessity to address the items Commissioner McEwan identified. There will be further discussions on how to proceed with them. The public will be given the opportunity to provide input to the Commission on a portion of these topics.

7. Financial Reports

Financial Picture

CPA Fancher greets all in attendance. The financial picture is for the year through October 31st. The state audit has started for the years 2020 and 2021. The Port is in the process of uploading requested documents and they have a weekly meeting with them. It is unknown when the first time they will be onsite. Everything has been done virtually to this point.

The Packet includes the EFTs for the 2012 and 2013 GEO Bonds and the 2017 Revenue Bond to be signed off on by the Commission. Auditor DaBell totaled them up and they are \$227,304 plus change, due on December 1st.

Year to Date (YTD) performance through October 31st – YTD net income is \$492,556. Compared to the same period last year, that's \$327,000 better than a year ago. The total cash, both reserved and unreserved, is \$1,451,986, which is an improvement of \$263,892 from a year ago. These are positive trends that we like to see. Looking at the graphs, these trends are continuing but will eventually level out. Operating and fuel revenues are up, and operating revenues are down from last year.

8. Information, Staff, and Committee Reports

a. Manager's Report

Executive Director Williams greets everyone. On the RCO Grant project – the automated pay stations are installed but not yet operational due to programming hang-ups. Hopefully, they will be operational by the end of November.

Port staff have been working on tracking insurance documentation for all customers. Currently there is about a 60-70% success rate on compliance. We have in draft for final notice that has been sent to legal for review. This letter will be for a 30-day notice to comply or vacate.

The boat ramp and fuel dock are in winter mode. There's about 30% usage as compared to summer.

There are empty slips, sizes 20, 24, 34, 38 and a couple of 40 foot slips are available.

The BVYC Holiday Harbor event has been downgraded. There will be some decorating around the port and moorage customers are encouraged to decorate. The community can invite others to see the décor and lights and participate.

Executive Director Williams and the Commissioners attended the WPPA Small Ports Conference in Leavenworth. There were eight sessions presented over 12 hours, as well as dinner gatherings and get-to-know your associates gatherings. Good information that was given was public works contracting and personal services, creative recruiting and retaining staff, and how to find and engage talent. There was an interesting seminar on delegating authority which talked about the separation of the board, executive and the staff. At one of the last meetings there, they issued a WPPA Governance and Management guide. It's the beginning of a new thing for the WPPA. The book is almost 300 pages that covers all kinds of topics. It's a great resource. Another interesting seminar was by the SAO, which the Port will be working with for the Audit.

b. Maintenance/Boat Compliance Report

Maintenance is working on the boat trailer for pump out boat, there's rust on brakes and bearings. It's being worked on between tasks. The Port Truck was repaired and usable, with issues.

Abandoned boats – one guy paid for one week of transient moorage and then left his boat behind. The boat was there for a month, and he called and promised to pay and vacate. Permanent moorage was denied to him.

At the Water Loo, a boat was taking on water and had 20 gallons of gas onboard. Joe Long was on duty. He took the cans off and put a pump on it. Sunday night the owner showed up and Long caught up to him and he promised to pay and did not return.

Friday was closed for Veteran's Day, people camped in one of the showers and left behind trash and drug paraphernalia. Commissioner Messing asks if the showers were locked and ED Williams said they were not during the day, as is scheduled. ED Williams explains that during the closed holidays the bathrooms remain open during the day.

The pump-out hose on the end dock system was broken, the end was missing, and the hose had not been cleared out.

Winterizing is being done by maintenance, heat tape on. Shutting off water and freeze valves. A-dock is still not upgraded. Isolated plumbing problem with tie into fire line.

Maintenance is creating a legible map of water shut offs and mark them with blue paint. Tim Herman and Garrett Gregory are to complete that task.

SAO are going to use the two upstairs offices in the Annex.

c. Commissioners Report
(None)

Commissioner Messing calls a recess for 5 mins at 6:55pm.
Commissioner Messing resumes the meeting at 6:59 pm.

9. Old Business

a. (None)

10. New Business

a. Resolution 22-21 – Modify the Personnel Policy

Attorney Ruffato speaks about the changing of the verbiage, treating the words "gifts" and "gratuities" as the same thing. Employees are not to accept gratuities, and if received, must give it over to the ED with an explanation of the circumstances.

Commissioner Messing makes a motion to approve Resolution 22-21, Commissioner McEwan seconds the motion, all approve, none oppose.

b. Resolution 22-22 – Modify Port Tariff

Commissioner Messing recuses himself from the vote on moorage prices for boathouses. Commissioner McEwan recuses himself from the vote on moorage prices for slips. Both are Port Customers and to vote on these would be a conflict of interest.

Executive Director Williams reviews the changes that were decided on from the previous meetings. He also points out a typographical error on the last page, the spelling of bare needs to be corrected from "bear" minimum.

Commissioner Messing motions to approve item 3, Commissioner McEwan recused, Commissioner Nye seconds, all approve, none oppose.

Commissioner McEwan motions to approve item 5, Commissioner Messing recused, Commissioner Nye seconds, all approve, none oppose.

Commissioner Messing motions to approve Resolution 22-22, Commissioner Nye seconds, all approve, none oppose.

c. Resolution 22-23 – Declaration of Abandoned Vessel and Authorization to Sell or Dispose

Commissioner Messing motions to approve Resolution 22-23, Commissioner Nye seconds, all approve, none oppose. The abandoned vessel in question will be auctioned to the public as a port asset.

11. Public Comment
(None)

12. Executive Session

- a. Recess into Executive Session pursuant to RCW 42.30.110(1)(i)(iii) to discuss potential litigation.

Commissioner Messing calls to recess into Executive Session at 7:12 PM for 30 minutes. No decisions made.

13. Close Meeting / Adjourn

Commissioner Messing adjourns the meeting at 8:37 PM.



Commissioner



Commissioner



Commissioner