



# 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:

Shaun Nye  
Jack Bailey  
Fred Perkins

October 16, 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, and Port Attorney Neil Wachter.

## PLEDGE OF ALLEGIANCE

Commissioners led pledge of allegiance.

## APPROVAL OF AGENDA

Commissioner Fred Perkins made a motion to approve the agenda. Commissioner Jack Bailey seconded the motion. The motion passed unanimously.

## APPROVAL OF CONSENT AGENDA

Consent agenda includes the Meeting Minutes for September 18, 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: October 2019 voucher numbers 42569 through 42628 for a total amount of \$131,730.15. Also approved for payment was October 2019 Electronic Transfer voucher numbers 2019-81 through 2019-87 for a total amount of \$13,479.56.

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

Fred Perkins

Commissioner Perkins talked about the turmoil going on with the Port. One investigation is almost complete. He said during the investigation things were not quite right. Most of it has to do with respect for each other and treating each other right. Talked about volunteering for this job and the other two commissioners volunteered for it also and they don't take their decisions lightly. Everyone is trying to do the right thing. Going through a hard time but we will get through it.

Marjorie Rowland

Committee report on BAD – thank you to all in the Port and the community. Less attendance due to the rain. Marjorie recapped the event including art, dunk tank, prizes etc. Brownsville strong community raised \$1165. This is \$617.34 per schools that participated. Scheduling a debrief at the Yacht Club Building on October 22 @ 5PM. Marjorie is recommending discontinuance of the event.



## **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:**

Shaun Nye  
Jack Bailey  
Fred Perkins

Ed Wurden

Passed out a handout and then left.

Dr. Terry Asla

Member of the 5<sup>th</sup> Annual Haunted Harbor. Fundraiser for the Bremerton Food Bank. There will be fifteen boats in Everett. Thank you to the Port and its Commissioners for their support. Added new supporters for the event this year. Invited the Commissioners to be judges for the event.

Ken McEwen

He is a taxpayer and uses the marina. There are many cross currents about what is going on or not going on. Heard the Port was purchasing property. Thinks the public should know what the port is doing with public funds. Question – if property is being considered to be purchased is what is the purpose of the purchase, where is it located, and what is the objective of it?

Charlene Holmes

She is the commodore of the Yacht Club. She said there are a lot of cross currents, so she informed the group that the position of the Yacht Club is a position of patience with no speculation.

Steve Neuhauser

Long term moorage person. Agrees with Ken's comments and scuttlebutt. One of the issues being talked about is an increase in the tariff. His bills show 25% increase over the years. Transparency is something that they haven't seen from this commission or prior commissions.

### **PRESENTATIONS TO OR BY THE BOARD**

None

### **FINANCIAL REPORTS**

Port CPA Jan Fancher gave some financial history on the prior bonds issued by the Port. The revenue bond was issued based on future revenues. The bond rating company downgraded the Port's rating because of financial reporting difficulties. At the time the Port committed to a course of action. They said at a minimum our unreserved cash needed to be 75% of our expenditures. She then discussed the Cash Flow Statement that was presented to the Commissioners. As of August 31, 2019, the balance was \$1,579,660.69. As of September 30, 2019, the balance was \$1,539,740.83. Jan commented that Joe Dabell was appointed as Port Auditor. He is doing a phenomenal job with that and training a new employee Jolene. Jan gave a little bit of history on Ports and the role of Ports. She talked about Ports ability to grow jobs and create economic development by their commitment through their finances. She provided the role of the State Auditor and that they have no teeth or punish anyone. They issue a report card. Those who use the report card are the granting agencies, the financing agencies or the banks. They may choose not to offer bonds or loans or offer them with more strings based on that report card. Jan is still focused on year 2017 forward but this means going from 2002 forward to get to 2017. All small accounts have been reconciled and she is currently in the general fund account. Working on the draft 2017 Financial Statements and should have those submitted to the State Auditor in the next few weeks.



## 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:

Shaun Nye  
Jack Bailey  
Fred Perkins

Commissioner Perkins commented that the previous CPA held their documents and now we are doing those functions ourselves. This year the State Auditor will do 2017 and 2018.

Commissioner Nye commented that this will create more transparency.

Commissioner Nye introduced Wendy Smith as the new Interim Manager.

CPA Fancher walked the commission through the budget process. She said there was a version one presented to the commission by Matt Appleton. There is also a version two created by Jerry. Jan said she and Wendy took those two and created version 3. She commented about the cash and investments at the top. Budget 2019 showed a net increase of \$97,394 leaving ending cash at \$1,513,376. Then we took 2019 through September 30 and annualized it for the year except for items that didn't make sense. Middle column shows a net increase of \$144,047. Draft for 2020 is the far-left column showing a net increase of \$66,054. Wendy Smith stated some of the assumptions included in the budget are that the capital fund portion included kayak launch / trail for \$16,000 and an emergency PA system for safety on the docks. Another item we added was an automated card system so when the fuel is low it notifies the company eliminating the lag time and wait when the fuel tanks are empty. Next item built into the budget is an increase for all permanent active personnel at 3%. Utility increases have shown a 3-5% over the past couple of years. We have built this increase into the budget as well as the increase in fuel consumption. Commissioners are able to levy taxes by law at \$.45/1000. The current rate is \$.24/1000 and the projected rate for next year looks to be about \$.22/1000. The value of the district increased about \$200 Million which lowers the rates. Showed a comparison with 2018 Budget, 2019 Budget, Annualized 2019 and proposed budget for 2020. Ending on net income as opposed to a loss is important and doesn't always happen in government. Wendy commented that this was a tough process to take someone else's numbers (Matt & Jerry's Budgets) and put them into your own format but hopefully the thoughts were captured for all parties in this version. Wendy ran through the Budget laws that show the requirements for Ports in advertising and holding their budget hearings. The Port will hold their Public Hearing for the budget on November 13, 2019.

### INFORMATION, STAFF AND COMMITTEE REPORTS

- a. Manager Report – Attached. Wendy thanked the Commission for having the confidence in her and bringing her on as interim manager. Her strong skill sets are transparency and communication. Happy to set the Port on a path of greatness through a partnership. She offered availability to anyone and openness. Also, that her goal is help the process and get a manager in the position full time, not to take over the Port.
- b. Maintenance Report – Attached. Wendy read the maintenance report. Wendy also added that the new gas pumps arrived but there is an electrical issue. They are sending someone up this week.
- c. Commissioners Report – Commissioner Bailey said he spoke to Commissioner Jeffrey Reynolds at Port of Waterman and they need some guidance. Also got an email from a constituent stating we were behind on posting minutes. Commissioner Perkins had a committee meeting on maintenance. Everyone had homework. Another meeting will be on November 4, 2019. Commissioner Bailey stated he will be attending the WPPA and NMTA meeting in Bremerton.



# 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:

Shaun Nye  
Jack Bailey  
Fred Perkins

## OLD BUSINESS

- a. Boat Compliance list – Wendy noted there are currently 8 people on the Boat Compliance List and gave some detail regarding this report.
- b. Resolution 19-05 – Tabled
- c. Resolution 19-07 Tariff – Tabled.
- d. Trident Sea School Lease – Attorney Wachter said he has prepared a lease as the previous version needed some revisions and the latest version needed an addition of surety. Attorney Wachter suggested the board can waive the surety provision and he would suggest in this case that the surety be waived. Commissioner Bailey talked about incubator businesses and giving them a helping hand to get started and said that surety may create a hardship for them. Attorney Wachter said that is why he suggested the Port Commission can waive this requirement. Commissioner Bailey made a motion to waive the surety requirement for the Trident Sea School and authorize the Interim Port Manager to sign the final lease. Commissioner Perkins seconded the motion.  
Commissioner Nye – In Favor  
Commissioner Perkins – In Favor  
Commissioner Bailey – In Favor  
Motion Carries.
- e. Attorney’s Contract – Attorney Wachter passed out the Attorney Contract. Commissioner Perkins made a motion to approve the Contract for legal services with Sanchez Mitchell Eastman & Cure PSC. Commissioner Bailey seconded the motion.  
Commissioner Nye – In Favor  
Commissioner Perkins – In Favor  
Commissioner Bailey – In Favor  
Motion Carries.
- f. Deli Lease – Attorney Wachter stated there had been a draft deli lease created. Port Manager should be given authority to move forward on the lease.

## NEW BUSINESS

- a. Interim Manager Contract – Wendy stated on Exhibit B paragraph (1) the sentence says “unless otherwise agreed upon in writing by the Port, Ms. Smith’s Services shall not exceed 20 hours in any calendar week” might be an issue as this may not be workable in her workload. Commissioner Bailey said that might be all they could afford. Wendy stated that she didn’t want to be limited if working on something that might be 30 hours should didn’t want to stop to get permission. She is assuming her time would most likely not exceed 20 hours. Commissioner Perkins made a motion to amend Exhibit B paragraph (1) and strike that sentence. Commissioner Bailey seconded the motion. Commissioner Bailey asked for a weekly report on happenings on Fridays.  
Commissioner Nye – In Favor  
Commissioner Perkins – In Favor  
Commissioner Bailey – In Favor



## **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:**

Shaun Nye  
Jack Bailey  
Fred Perkins

Motion Carries.

### **PUBLIC COMMENT**

Steve Neuhauser

Wondering where the Port is on the Vessel Inspection Schedule. Will get this back on track. Port of Port Townsend might be a good model to use.

Majorie

Gave history of Jerry Rowland and his accomplishments. She is advocating for a plaque in his name somewhere on the docks or on Port property. Commissioner Perkins already has something in the works on that too. Commissioner Bailey would like to see the money from the grant used for this.

Ann Reed

Asked about the Astor plants on Ogle Road and if the Port was responsible.

Dr. Asla

Offered designing or making a plaque by volunteering to assist in that project.

### **EXECUTIVE SESSION**

Commissioner Shaun Nye said there would be a 10-minute recess and then the executive session would begin for 30 minutes under RCW 42.30.110(1)(f) Personnel. Regular session was recessed at 7:25 PM. At 8:05 PM Commissioner Shaun Nye said the executive session will be in session for another 15 minutes. At 8:20 PM Commissioner Shaun Nye said the executive session will be in session for another 15 minutes.

The executive session was adjourned at 8:35 PM and regular session was reconvened at 8:45 PM. At 8:47 PM Commissioner Nye reported there were no findings and there are no decisions.



# 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:

Shaun Nye  
Jack Bailey  
Fred Perkins

## CLOSE MEETING / ADJOURN

Next Meeting November 13, 2019.

Meeting was adjourned at 8:47 PM.

---

President / Commissioner

---

Secretary / Commissioner

---

Commissioner

---

Recording Secretary