

**APPROVED MINUTES
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
PORT OF BROOKINGS HARBOR DISTRICT**

Wednesday, December 21, 2022

This is not an exact transcript. The audio of the session is available on the Port's website.

The Port of Brookings Harbor District met in regular session on the above date at 2:00pm. Open session at the Port Conference Room, 16350 Lower Harbor Road Suite 202, Harbor OR, 97415, teleconference and webinar.

1. CALL MEETING TO ORDER

Commission President Richard Heap called the Regular Meeting of the Port of Brookings Harbor of Commissioners to order at 2:00pm.

- **Port of Brookings Harbor Commissioners Present:**
Joseph Speir, Vice-President (Pos. #1), Sharon Hartung Secretary/Treasurer (Pos. #2); Larry Jonas (Pos. #3); Richard Heap, President (Pos. #4); and Kenneth Range (Pos. #5).
- **Port of Brookings Harbor Management and Staff:**
Travis Webster, Port Manager; Danielle King, Safety/Administrative; James Walker, Port Counsel; and Jack Akin, Port Engineer.
- Webster informed the Board that they have been given an updated employee handbook. There were no other modification, additions, and changes to the agenda
- There were no declarations of potential conflicts of interest.

2. APPROVAL OF AGENDA – Audio time 0:02:15

A motion was made by Jonas and seconded by Spier to approve the agenda as stated. The motion passed 5 – 0.

3. APPROVAL OF MEETING MINUTES – Audio time 0:02:35

- A. Approve Minutes of Special Commissioner Meeting Friday, November 4, 2022.**
- B. Approve Minutes of Regular Commissioner Meeting Wednesday, November 16, 2022.**
- C. Approve Minutes of Special Commissioner Meeting Wednesday, November 30, 2022.**

A motion was made by Speir and seconded by Jonas to approve the minutes Friday, November 4, 2022, Regular Commissioner Meeting Wednesday, November 16, 2022, and Special Commissioner Meeting Wednesday, November 30, 2022 as written. The motion passed 5 – 0.

4. PUBLIC COMMENTS – Audio time 0:03:12

There were no public comments.

5. MANAGEMENT REPORTS / APPROVAL

- A. November 2022 Safety, Security, & Environmental Report – Audio time 0:03:21**
King reported on staff safety training, incidents, accidents, and security issues that happened for the month of November.
- B. November 2022 Harbormaster Report – Audio time 0:04:21**
Webster reported on projects that were completed in the RV Park, Marina, and equipment services for the month of November. Board had some questions regarding the recreational vehicle that the Port impounded.

- C. **November 2022 Financial Report** – Audio time 0:11:43
Webster reviewed the financial report for the month of November.

A motion was made by Speir and seconded by Hartung to approve safety, security and environmental report, harbormaster report, and financial report of November 2022. The motion passed 5 – 0.

6. ACTION ITEMS

- A. **Port Manager Agreement** – Audio time 0:14:37

Webster informed the Board that Port Counsel has drafted this agreement. Webster has already signed the agreement and the one-year contract started December 1, 2022.

A motion was made by Speir and seconded by Jonas to approve Port Manager Agreement between the Port of Brookings Harbor and Travis Webster for a term of 1 year. The motion passed 5 - 0.

- B. **Port Manager Work Program** – Audio time 0:16:35

Webster informed the Board this is a 6-month plan to allow for changes to happen throughout the plan and year. Plans to hire new staff, and get new staff trained. Heap agreed with Webster's work program.

A motion was made by Speir and seconded by Jonas to approve Port Manager Work Program. The motion passed 5 – 0.

- C. **El Cazadores Parking Area** – Audio time 0:20:39

Webster reviewed item with the Board. The Board asked Webster what he thought the new owners would like and the rates of other leased parking lot areas throughout the Port. Range is opposed to selling the property. Heap explained the location and history of that piece of property and suggests selling that piece of property to make that business complete. Hartung is afraid that this could turn into another Righetti property. Board allowed public comments. The Board asked if the Property could be used for anything, Webster couldn't see a use for it.

A motion was made by Hartung and seconded by Speir to approve allowing the Port Manager to enter into negotiations with legal counsel and start a draft Purchase Sale Agreement for the sale of Port property at El Cazadores Parking Area. The motion passed 4 – 1. No: Range, Yes: Jonas, Hartung, Speir & Heap.

- D. **Boat Yard Shop Plan** – Audio time 0:30:58

Webster reviewed item with the Board. Webster is bringing this item to the Board again since it helps with receiving funds or applying for grants, when the time comes, to already have a plan in place. Webster is proposing to investigate proposals from engineering firms to look into a stick-built building and we can build it up from there. Webster doesn't want to open any projects yet but in 6 to 8 months we will have an engineering firm on hand when we are ready to proceed forward. Heap explained all this would do is commit the Board to a design. Range showed concern to spending more money when we have other projects open.

A motion was made by Jonas and seconded by Speir to approve Port Manager to seek proposals for designer/engineer to prepare construction drawings for new wood pole barn style boat yard building and provide engineer estimate for project. The motion passed 4 – 1. No: Range, Yes: Jonas, Hartung, Speir & Heap.

- E. **Resolution 2022-10, Retaining Property Sale Funds in Reserve Fund for WWTP** – Audio time 0:43:58

Heap reviewed resolution with the Board. The Board had some questions regarding the funds, what the Board has approved for the wastewater treatment plant, and a business plan for the plant. Akin explained the steps that the Board has to go through before we can discuss a business plan.

A motion was made by Jonas and seconded by Speir to approve Resolution 2022-10, concerning the proceeds from the sale of the property between Lower Harbor Road and Shopping Center Avenue, Brookings, Oregon. The motion passed 5 – 0.

F. Resolution 2022-11, Employee Handbook – Audio time 0:52:11

Webster confirmed the Board had the revised handbook that keeps the handbook the same with the addition of Oregon Paid Family Medical Leave Policy. Board wanted clarification if employees can opt for this option. Webster informed the Board no; this is a state requirement that will be an additional tax deduction to their paychecks.

A motion was made by Speir and seconded by Hartung to approve Resolution No. 2022-11 Port of Brookings Harbor Employee Handbook for 2022. The motion passed 5 – 0.

G. Capital Improvement Plan Approval – Audio time 0:55:49

Heap reviewed item with the Board. Webster confirmed this was last updated 3 years ago and explained Business Oregon's objective with the plan.

A motion was made by Speir and seconded by Hartung to approve updated Capital Improvement Plan and submit top 3 priorities to Business Oregon. The motion passed 5 – 0.

H. McLennan Excavation Payment Request #4 – Audio time 0:59:10

Webster reviewed item with the Board.

A motion was made by Jonas and seconded by Speir to approve McLennan Excavation progress Payment No. 4 for \$39,963.02 for work performed October 29, 2022 – November 30, 2022, per contract. The motion passed 5 – 0.

I. Gerald Burns Financial Consultant Agreement Amendment – Audio time 1:01:12

Webster reviewed item with the Board. Board and staff discussed the standard practice for a financial consultant to be on retainer.

A motion was made by Speir and seconded by Hartung to approve Amendment No. 2 with financial consultant Gerald Burns for one additional year. The motion passed 5 – 0.

J. Coos-Curry Electric Service Upgrade – Audio time 1:05:11

Webster reviewed item with the Board. Board expressed disappointment of this unexpected cost.

A motion was made by Hartung and seconded by Speir to approve contract for Coos-Curry Electric service upgrade in the amount of \$11,271.54. The motion passed 5 – 0.

Board adjourned into recess and reconvened back into session – Audio time 1:15:00 - 1:21:21

7. INFORMATION ITEMS

A. Project Timelines (EMC Engineers) – Audio Time 1:21:24

Akin explained the Board's interests into four categories regarding the wastewater treatment plant and the FEMA project. FEMA has recategorized our project from a G category to an A category, which is a debris clearing category and doesn't come with mitigation. This means we have to cut our projects into pieces for submission, they still honor this comes from disasters declared. Akin explained the relationship we are building with the other agencies, what steps we are in, and hoping to achieve the award by March. Akin is looking into a 40-50% chance of an opportunity to waive the cost match. There was a discussion between Akin and the Board regarding Pacific Seafood's 900J permit from DEQ.

B. RV Park Project Update – Audio time 1:38:43

Webster reviewed item with the Board.

C. Letters from C.J. Huntsman, CPA, P.C. – Audio time 1:40:20

Webster reviewed item with the Board.

D. Miss Stacey Update – Audio time 1:41:36

Webster reviewed item with the Board. Since his last discussion with the owner the crab pots have been sold and sounds like the vessel is in the process of being sold, the permits are being transferred. The liens the Port put on the vessel are no longer valid and have been removed since we have a current moorage agreement and responsible owner for that vessel. Board allowed public comment.

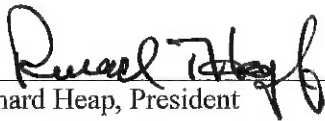
8. COMMISSIONER COMMENTS – Audio time 1:50:21

Commissioner Heap commended Travis & Brent for all the work they did over the weekend regarding the sewer system in the boat launch parking lot and working with Zola's and Pacific Ocean Harvesters.

9. NEXT REGULAR MEETING DATE – Wednesday, January 18, 2023, at 2:00 PM

10. ADJOURNMENT – Audio time 1:53:04

Having no further business, the meeting adjourned at 3:52pm.



Richard Heap, President

1-18-2023

Date Signed



Sharon Hartung, Secretary/Treasurer

1-18-23

Date Signed

An audio recording was made of these proceedings. The recording and the full commission packet are available on the Ports website: www.portofbrookingsharbor.com.