

**PORT OF BROOKINGS HARBOR**  
**Special Commission Meeting**  
**Friday, November 4, 2022 • 10:00am**  
**Teleconference / Meeting Room** *(limited capacity)*  
**16350 Lower Harbor Road Suite 202, Harbor OR, 97415**

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**Teleconference Call-In Number: 1 (253) 215-8782**

**Meeting ID: 771 205 4017      Passcode: 76242022      (to mute/unmute: \* 6)**

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**TENTATIVE AGENDA**

**1. CALL MEETING TO ORDER**

**PAGE**

- Roll Call
- Modifications, Additions, and Changes to the Agenda
- Declaration of Potential Conflicts of Interest

**2. APPROVAL OF AGENDA**

**3. PUBLIC COMMENTS** – Limited to a maximum of three minutes per person. Please email your comments to [danielle@portofbrookingsharbor.com](mailto:danielle@portofbrookingsharbor.com) prior to the meeting if you are calling in.

**4. APPROVAL OF MEETING MINUTES**

A. Approve Minutes of Regular Commissioner Meeting Wednesday October 19, 2022

**5. EXECUTIVE SESSION per ORS 192.600 (2)(a)**

**This executive session of the Port of Brookings Harbor Board of Directors is called pursuant to ORS 192.600 (2)(a) to consider the employment for an officer, employee, staff member or agent.**

**Any member of the media that is here may remain. However, the Board will require that any information derived from this meeting may not be disclosed pursuant to ORS 192.660(4).**

ORS 192.660 (6) No executive session may be held for the purpose of taking any final action or making any final decision.

Adjourn out of executive session and reconvene into regular session.

**6. ACTION ITEMS**

A. None

**7. INFORMATION ITEMS**

A. None

**8. COMMISSIONER COMMENTS**

**9. REGULAR MEETING DATE** – Wednesday, November 16, 2022 at 2:00pm

**10. ADJOURNMENT**

A request for an interpreter for the hearing impaired, for those who want to participate but do not have access to a telephone, or for other accommodations for persons with disabilities should be made at least 48 hours in advance of the meeting to Port of Brookings Harbor Office at 541-469-2218.

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

**Wednesday, October 19, 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) was tardy; Richard Heap, President (Pos. #4); and Kenneth Range (Pos. #5).
- **Port of Brookings Harbor Management and Staff:**  
Travis Webster, Harbormaster; Danielle King, Safety/Administrative; and James Walker, Port Counsel.
- Webster informed the Board two pages have been added to Information Item B, Port Manager Update and Special Meeting Schedule. Action Item E, RV Park Main Waterline Change Order #3 will also include Change Order #4.
- There were no declarations of potential conflicts of interest.

**2. APPROVAL OF AGENDA – Audio time 0:02:48**

**A motion was made by Speir and seconded by Range to approve the agenda as amended. The motion passed 4 – 0.**

**3. APPROVAL OF MEETING MINUTES – Audio time 0:03:19**

- A. Approve Minutes of Special Commissioner Meeting Friday, August 19, 2022**
- B. Approve Minutes of Special Commissioner Meeting Tuesday, August 30, 2022**
- C. Approve Minutes of Special Commissioner Meeting Tuesday, September 6, 2022**
- D. Approve Minutes of Regular Commission Meeting Wednesday, September 21, 2022**

**A motion was made by Range and seconded by Hartung to approve the minutes as written. The motion passed 4 – 0.**

**4. PUBLIC COMMENTS – Audio time 0:03:16**

There were two public comments. Gary Hartung regarding agenda item, Action Item D, Key Card System. Don Griffith regarding non-agenda items, requested for a policy to keep fishing equipment from neighboring properties.

**5. MANAGEMENT REPORTS / APPROVAL**

**A. September 2022 Safety, Security, & Environmental Report – Audio time 0:07:17**

King reported on staff safety training, incidents, accidents, and security issues that happened for the month of September. King made the Board aware that she is the responsible party for the DMR reports for DEQ. Heap asked about the DMR reports and what will happen when a new Port Manager comes.

**B. September 2022 Harbormaster Report – Audio time 0:09:44**

Webster reported on projects that were completed in the RV Park, Marina, and equipment services for the month of September.

C. **September 2022 Financial Report** – Audio time 0:12:53

Webster reviewed the financial report for the month of September. Heap asked about the increase in fuel.

**A motion was made by Speir and seconded by Hartung to approve the Management Reports as discussed for September 2022. The motion passed 4 – 0.**

6. **ACTION ITEMS**

A. **Draft Bell & Whistle Mobile Coffee Lease Agreement** – Audio time 0:16:02

Webster explained this lease is for RV Park Site 31 for a duration of six months, at the end of six months the Board will review agreement. Commissioner Jonas arrived.

**A motion was made by Range and seconded by Speir to approve Bell & Whistle Mobile Coffee Commercial Lease Agreement. The motion passed 5 - 0.**

B. **Sale of Port Property** – Audio time 0:17:27

Webster reviewed item with the Board. Webster did write a letter to Business Oregon regarding the funds of the sale and was informed its very hopefully we will be able to keep the funds. Heap explained to the public what piece of land the Board was discussing.

**A motion was made by Hartung and seconded by Speir to approve Purchase and Sale Agreement with the Lloyd Whaley Trust dated January 3, 2014 for the sale of property between Lower Harbor Road and Shopping Center Avenue, Brookings OR and allow Travis to continue with the process of sale and have Richard Heap, President, sign the seller's agreement. The motion passed 5 – 0.**

C. **El Cazadores Proposal** – Audio time 0:22:01

Webster reviewed El Cazadores timeline on the piece of property, and the draft commercial lease agreement reflects our current rates. The Board discussed the current rate and whether to sell the piece of property or not. Board allowed public comments. There was discussion about all asphalt leases and was suggested to look at all asphalt leases before moving forward.

**A motion was made by Heap and seconded by Jonas to approve continuing with the current month to month lease with El Cazadores for the parking area and have Port Staff look at current paved area leases with the intention of developing a new lease rate for paved area.**

There was some discussion among Board and staff regarding the property line.

**The motion passed 5 – 0.**

Board allowed public comment.

D. **Key Card System** – Audio time 0:39:40

Webster made the Board aware that we are now to the point that changing the bathroom code is no longer effective and asked how the Board would like to proceed forward. The Board discussed the intended use and the importance of those restroom facilities. The showers are the reason why the Port is having so many issues with those facilities, the key card system would be able to identify who came in and out of the restroom and at what times. Range asked about putting an additional camera directed at those entrance doors. Board allowed public comment. Heap suggested to close the showers and see if that resolves the problem.

**A motion was made by Heap and seconded by Hartung to approve asking staff to equip the showers at the commercial boat basin with a chain link lockable gate and that key for that gate be available at the Office during regular business hours and a key at the fuel dock be provided, one key, and has to be returned after each use, rest of the restroom is open by keypad.**

Board discussed the layout of the restroom and what door will be locked with what device.

**The motion passed 4 – 1. Yes: Jonas, Range, Hartung & Heap. No: Speir.**

**E. RV Park Main Waterline Change Order #3 & #4 – Audio time 1:06:47**

Webster explained as this project is progressing, we are finding more and more little items that need to be repaired. These change orders replace the whole front row water line, this will also include shut off valves and connect the front and back rows. There was discussion among Board and staff regarding the materials suggested to use, the locations of the valves, and where the funds would come from.

**A motion was made by Range and seconded by Speir to approve McLennan Excavation Inc. proposal for change of additional work performed on the RV Park, option 2, on change order #3 for \$29,670.81 and change order #4 for the amount of \$15,683.45. The motion passed 5 – 0.**

**7. INFORMATION ITEMS**

**A. Events – Audio Time 1:17:54**

Webster wanted to give the Board a chance to discuss the 2022 events and if there were any changes. Range discussed Pirates Festival if they cannot comply with the rules regarding staying off the handrails they don't need to come back. Heap suggested speaking with the organizer and maybe even the Sheriff regarding the Pirate Festival and the parking issue throughout Lower Harbor Road. Board allowed public comments.

**B. Port Manager Update and Special Meeting Schedule – Audio time 1:23:13**

Webster is trying to confirm meeting dates for reviewing applicants and holding interviews. Currently have Teri with SDAO set for November 4 and November 18, who will be here for those meetings. Both meeting will have executive sessions. Webster reviewed what the day will look like for November 18<sup>th</sup> for interviewing candidates. The Board and staff discussed paying for the candidates travel expenses.

**C. OPPIA Conference – Audio time 1:32:09**

Webster reviewed with the Board the Oregon Public Ports Association Conference that was in Newport. The main topics were abandoned vessels, wastewater treatment plants, stormwater, permitting, and how all Ports are struggling with the same things.

**D. Boat Yard Clam Shelling – Audio time 1:35:54**

Webster reiterated the history of the culvert and travelift area and reviewed the quotes with the Board that were received regarding removing the current sediment pile. Webster suggested waiting for Port Counsel's suggestion is on how to proceed forward before spending any more money. Board allowed public comment. Board asked about the FEMA project and continuing to keep that area clear of debri.

**8. COMMISSIONER COMMENTS – Audio time 1:48:37**

Commissioner Hartung commented how happy to see the RV Park project moving along. Commissioner Heap discussed the charter fee not including the launch fee. Board allowed public comment. Commissioner Speir asked about the handrails that use to be on the launch ramps and the potential of adding them back on.

**9. NEXT REGULAR MEETING DATE – Wednesday, November 16, 2022, at 2:00PM**

**10. ADJOURNMENT – Audio time 2:00:25**

Having no further business, the meeting adjourned at 3:59 pm.

\_\_\_\_\_  
Richard Heap, President

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Sharon Hartung, Secretary/Treasurer

\_\_\_\_\_  
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](http://www.portofbrookingsharbor.com).*

DRAFT

## **Executive Session**

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