

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

Wednesday, September 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:**
Sharon Hartung Secretary/Treasurer (Pos. #2); Larry Jonas (Pos. #3); Richard Heap, President (Pos. #4); and Kenneth Range (Pos. #5). Joseph Speir, Vice-President (Pos. #1) was absent.
- **Port of Brookings Harbor Management and Staff:**
Travis Webster, Harbormaster; Danielle King, Safety/Administrative; and James Walker, Port Counsel.
- Webster requested to table Action Item D due to the quotes have not been received yet and table Action Item R. Webster requested to add Action Item S, Port Manager Search Update.
- 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 Hartung to approve the agenda as modified. The motion passed 4 – 0.

3. APPROVAL OF MEETING MINUTES – Audio time 0:02:39

- A. Approve Minutes of Special Commissioner Meeting Tuesday August 9, 2022**
- B. Approve Minutes of Special Commissioner Meeting Thursday August 11, 2022**
- C. Approve Minutes of Regular Commission Meeting Wednesday August 17, 2022**

A motion was made by Hartung and seconded by Jonas to approve the meeting minutes for August 9, 2022, August 11, 2022, and August 17, 2022. The motion passed 4 – 0.

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

There was one public comment by Dan Fraser regarding the Boat Shop & More Lease.

5. MANAGEMENT REPORTS / APPROVAL

- A. August 2022 Safety, Security, & environmental Report – Audio time 0:04:41**
King reported on staff safety training, incidents, accidents, and security issues that happened for the month of August.
- B. August 2022 Harbormaster Report – Audio time 0:05:26**
Webster reported on projects that were completed in the month of August in the RV Park, Marina, and equipment services. Reviewed with the Board that data was collected for the University of Oregon and Business Oregon to help increase funding in Oregon Ports, fraud alert at our Rogue account, and the safety alert to the new Port vehicles. The Board had further questions regarding the study through University of Oregon.
- C. August 2022 Financial Report – Audio time 0:12:50**
Webster reviewed the financial report to the Board. Board allowed public comment.

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

6. ACTION ITEMS

A. Boat Shop & More Lease Amendment #1 – Audio time 0:17:16

Webster reminded the Board this was discussed in a previous meeting and reviewed item; the lease space has increased. There was a question from the Board if there is a penalty for early termination, and what if we did not approve the termination. Board allowed public comments.

A motion was made by Hartung and seconded by Heap to approve Boat Shop and More, LLC Commercial Lease Amendment No. 1. The motion passed 3 – 1. Yes: Jonas, Hartung & Heap. No: Range.

B. Resolution 2022-08 Adopting Best Management Practices – Audio time 0:25:46

Webster watched a demo of the dustless sandblasting and found it very useful for vessels, approving this Resolution it will allow for this operation to happen in the Boat Yard, then we will update the 1200Z permit. The Board had questions about how the dustless blasting works and the operations. Board allowed public comment.

A motion was made by Range and seconded by Hartung to approve Draft Resolution 2022-08 adopting Best Management Practices to update Section 1.2 Scraping and Sandblasting to include dustless blasting. The motion passed 4 – 0.

C. Boat Yard Rates – Audio time 0:33:34

Since the Port is now in charge of the Boat Yard Webster wants to review our rates. The Board agreed upon Yard days at \$1.50 per foot per day, 10% environmental service charge and \$20.00 a month for outrigger poles. Webster suggested a monthly yard rate. Board allowed public comment. There was discussion about the monthly yard rate.

A motion was made by Hartung and seconded by Range to approve added rates for yard days, environmental fee, pole storage, and clean up charges as discussed. Yard days vessels per foot per day at \$1.50 a foot, monthly rate \$.75 per foot, and environmental service charges 10% of the balance, and outrigger pole storage \$20.00 a month, and clean up charges port labor and materials per hour as the port labor and materials rate. The motion passed 4 – 0.

D. Boat Yard Clam Shelling – Audio time 0:49:46

Item was tabled.

E. EMC Engineer/Scientists, LLC Agreement Amendment #1 – Audio time 0:49:50

Webster explained this is an amendment to add an additional year, everything else is the same.

A motion was made by Hartung and seconded by Jonas to approve EMC Engineer/Scientists, LLC Professional Agreement Amendment No. 2. The motion passed 4 – 0.

F. Charter and Guide Boat Sign Installation – Audio time 0:51:18

Webster went over the quotes that were received to install the signs. Dave Lacey with Oregon Coast Association will be covering the cost of the signs to be installed. The Board asked about compliance with he new charter/fishing guide fee.

A motion was made by Range and seconded by Jonas to approve Art Signs Inc. to manufacture and install 3 charter and guide boats sign. Signs to include a small 4”x4” spot for credit logos. The motion passed 4 – 0.

G. Delinquent Account Write Off Request Dylan Koster – Audio time 0:57:05

Webster explained this is the motorhome that caught on fire and was left in our boat launch parking lot, this will send him to collections.

A motion was made by Jonas and seconded by Hartung to approve delinquent account write off for \$1,757.12 from accounts receivable and submit Dylan Koster's account amount of \$1,757.12 to the Port collection agency. The motion passed 4 – 0.

H. Southern Oregon Credit Service Request for Small Claims Approval – Audio time 0:59:14

Webster reviewed this is a remaining balance for moorage, this will be sent to litigation.

A motion was made by Jonas and seconded by Hartung to approve Southern Oregon Credit Services / Collect Northwest to proceed with litigation on Dennis Thomas for the remaining debt owed. The motion passed 4 – 0.

I. Sale of Port Property – Audio time 1:00:20

Heap reviewed item with the Board. Webster explained what the next steps would be if the Board wanted to move forward with the sale. Port Counsel recommended to approve the resolution so Webster can negotiate and bring the sale agreement back to the Board for approval. Board allowed public comment.

A motion was made by Range and seconded by Jonas to approve draft Resolution 2022-09, Authorizing the Harbormaster, or his designee to enter into negotiations with the Lloyd Whaley Trust Dated January 3, 2014, for the sale of property between Lower Harbor Road and Shopping Center Avenue, Brookings, Oregon. The motion passed 4 – 0.

J. Closure of all Rogue Credit Union Accounts – Audio time 1:09:27

Webster explained the account has experienced a fraudulent charge, the card was canceled and will only use the account through Umpqua bank.

A motion was made by Jonas and seconded by Hartung to close all Port of Brookings Harbor Rogue Credit Union Accounts, including Business Saving Account #4000030600, Business Ownership Account #4000030687, and Business Platinum Credit Card Account #6000189521. The motion passed 4 – 0.

K. Umpqua Bank Account Access Authorization – Audio time 1:12:12

Webster reviewed item with the Board.

A motion was made by Jonas and seconded by Hartung to approve Board President, Richard Heap, to sign Account Access Authorization Form for authorized agents Kim Boom and Travis Webster and to revoke authorized agent Gary Dehlinger for all Umpqua Bank checking and loan accounts. The motion passed 4 – 0.

L. LGIP Authorized Bank Agents and Signers – Audio time 1:13:26

Webster reviewed item with the Board.

A motion was made by Hartung and seconded by Jonas to approve removal of Gary Dehlinger as authorized agent for Port of Brookings Harbor LGIP account(s). Motion to approve retaining Joseph Speir, position #1, with authorization for the Port of Brookings Harbor LGIP account(s) with the following permission/s: View/Access pool account information and Open/Close pool account. Motion to approve retaining Sharon Hartung, position #2, with authorization for Port of Brookings Harbor LGIP account(s) with permissions to View/Access pool account information, Add/Remove ACH/wire/transfer instructions, Open/Close pool accounts, Receive paper statements. Motion to approve retaining Larry Jonas, position #3, with authorization for the Port of Brookings Harbor LGIP account(s) with the following permission/s: View/Access pool account information and Open/Close pool account. Motion to approve retaining Richard Heap, position #4, with authorization for the Port of Brookings

Harbor LGIP account(s) with the following permission/s: View/Access pool account information, Add/Remove ACH/wire/transfer instruction, Open/Close pool account. Motion to approve retaining Kenneth Range, position #5, with authorization for the Port of Brookings Harbor LGIP account(s) with the following permission/s: View/Access pool account information and Open/Close pool account. Motion to approve adding Travis Webster with authorization for Port of Brookings Harbor LGIP account(s) with permissions to View/Access pool account information, initiate transactions, Add/Remove ACH/wire/transfer instructions, Manage permissions. Motion to approve retaining Kimberley Boom with authorization for Port of Brookings Harbor LGIP account(s) with permissions to View/Access pool account information, initiate transactions, Add/Remove ACH/wire/transfer instructions, Manage permissions. The motion passed 4 – 0.

- M. Agreement for disbursement of SLFRF Funds (Curry County) – Audio time 1:17:44**
Webster explained these funds are a disbursement of State and Local Fiscal Recovery Funds under the American Rescue Plan Act and suggested to talk with Port Counsel before spending any of the funds.

A motion was made by Hartung and seconded by Jonas to approve Curry County Agreement for Disbursement of State and Local Fiscal Recovery Funds (SLFRF). The motion passed 4 – 0.

- N. Mobile Concession Rate – Audio time 1:21:33**
Webster informed the Board we currently do not have a rate for this and explained the proposed rate. Range agreed on setting a rate but believes the rate is low and construction is going on would like to look at the rate again in six months. The Board had questions about the locations of the mobile concession stand and who it applies to.

Commissioner Heap left meeting at 3:30PM.

Item was tabled until further notice.

- O. Proposal for Coffee Stand in RV Park – Audio time 1:37:34**
Webster informed the Board that a proposal was received by the owners of Bell & Whistle Coffee Shop, Matt & Anna Powers. The proposed location is in the RV Park in a closed down site with full hookups. Due to winter and construction in the RV Park, Range suggested to look at the rates in 6 months. Public comment was allowed.

A motion was made by Range and seconded by Jonas to approve proposal for mobile coffee concession stand to be placed in the Beachfront RV Park in a site with full hookups and bring draft lease for approval at October's Regular Meeting the lease will be for \$250.00 per month for a period of 6 months. The motion passed 3 – 0.

- P. Miss Stacey Update – Audio time 1:43:24**
Webster reviewed the vessels timeline with the Board, and the owner has informed Webster that he will not be doing the survey as requested. Hartung suggested that the survey be done or terminate the moorage. There was a discussion about the termination process.

A motion was made by Range and seconded by Jonas to approve moorage of Miss Stacey be terminated unless all requirements for moorage for the Port of Brookings Harbor is met on January 1, 2023. The motion passed 3 – 0.

There was a discussion between Range and Webster about the electricity in the water.

- Q. Portside RV Park Lease – Audio time 1:51:56**
Webster informed the Board Mr. Byrtus has sold the property to Cazadores, the new owners have a copy of the draft lease. Board allowed public comment.

A motion was made by Jonas and seconded by Range to approve the lease termination between the Port of Brookings Harbor and Portside RV Park effective September 30, 2022. The motion passed 3 – 0.

R. **Permission to Display Bible Education Cart** – Audio time 1:55:49
Item was tabled.

S. **Port Manager Search Update** – Audio time 1:56:48
Webster updated the Board, and it was recommended to keep the recruitment ad out for one or two more weeks. Range asked about where the ad is published and would like a list. Board allowed public comment.

A motion was made by Jonas and seconded by Range to approve extending the recruitment timeline for an additional 4 weeks. The motion passed 3 – 0.

7. **INFORMATION ITEMS**

A. **SDAO Safety & Security Grant** – Audio Time 2:04:45
Webster made the Board aware that we have applied for this grant to place a security camera our fuel dock.

B. **Events** – Audio time 2:05:52
Item was tabled.

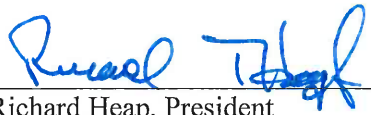
C. **Wastewater Treatment Plant Questions** – Audio time 2:06:23
Webster wanted to give the Board a chance to ask any questions they had about the treatment plant. Hartung stated the position we currently are in and believes its to earlier in the processes for her questions. Range had a few comments and concerns about the communication between board and management, engineering, operations, costs, and suggested to have a special meeting with organizations about the treatment plant, would still like a business plan.

8. **COMMISSIONER COMMENTS** – Audio time 2:22:59

9. **NEXT REGULAR MEETING DATE** – Wednesday, October 19, 2022, at 2:00PM

10. **ADJOURNMENT** – Audio time 2:23:15

Having no further business, the meeting adjourned at 4:22 pm.


Richard Heap, President

10-21-2022
Date Signed


Sharon Hartung, Secretary/Treasurer

10-21-22
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.