

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

**Wednesday, March 16, 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.

- All participants stated the Pledge of Allegiance.
- **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).
- **Management and Staff:**  
Gary Dehlinger, Port Manager; Travis Webster, Harbormaster; and Danielle King, Safety/Administrative.
- Commissioner Hartung requested to add Information Item E, Wastewater Treatment Plant.
- There was no declaration of potential conflicts of interest.

**2. APPROVAL OF AGENDA – Audio time 2:30**

**A motion was made by Hartung and seconded by Jonas to approve the agenda as written with the addition of Information Item E, Wastewater Treatment Plant. The motion passed 5 – 0.**

**3. APPROVAL OF MEETING MINUTES – Audio time 3:07**

- A. Approve Minutes of Regular Commissioner Meeting Wednesday February 16, 2022.**
- B. Approve Minutes of Workshop Commissioner Meeting Tuesday, February 24, 2022.**

**A Motion was made by Jonas and seconded by Range to approve Meeting Minutes as written. The motion passed 5 – 0.**

**4. PUBLIC COMMENTS – Audio time 3:56**

There were nine public comments submitted. Mike Murphy, Dan Fraser, Gary Klein, Bill Manning, & Lloyd Whaley regarding agenda items. Dave Kuehn, Patrick Kennisoa, Burton Groves, and Terry Benard regarding non-agenda items. Murphy, Fraser, Klein, Manning, and Whaley all commented on increase of moorage rates and the disapproval of requesting a general marine survey on new vessels coming into the Port that are 30 years or older. Kuehn, Kennisoa, Groves, and Benard commented on their disapproval of removing the crab dock located on the North Jetty.

**5. MANAGEMENT REPORTS – Audio time 27:44**

**A. Safety & Security Report – February 2022 - Audio time 28:04**

King reported on staff safety training, incidents, accidents, and security issues that happened for the month of February.

**B. Financial Report – February 2022 - Audio time 30:33**

Dehlinger reported the end of the month financials for February 2022. Explained the administration costs in Marina and reviewed unusual expenses for the month. There was discussion among the staff and board regarding separating administration costs from marina costs.

**C. Harbormaster Report – February 2022 - Audio time 37:32**

Webster reported on what projects were completed in the RV Park, marina, how many equipment services were performed, and the next steps for the Hallmark Dock.

**D. Port Manager Report – February 2022 - Audio time 41:14**

Dehlinger reported on the port manager report. Reviewed meetings with Port Engineer, Jack Akin, regarding the warehouse, hallmark dock, boardwalk, and FEMA project.

**A motion was made by Speir and seconded by Hartung to approve the management reports Safety & Security Report, Financial Report, Harbormaster Report, and Port Manager Report for February 2022 as discussed. The motion passed 5 – 0.**

**6. ACTION ITEMS**

**A. Moorage License Agreement Revisions – Audio time 44:33**

Dehlinger noted that most of these changes have come from Port Counsel to strengthen our moorage license agreement to help reduce derelict boats coming into the harbor. Port staff has requested the marine survey to be for new boats coming into the harbor that are 30 years and older, not the existing boats already here. There was a question from the board, since these requirements are already in our Port Ordinance why it has to be on the agreement, when it sounds like we need to enforce what our Ordinance states. Dehlinger informed the board that Port Counsel suggests putting this information in the moorage agreement, not just the Port Ordinance, helps strengthen our moorage agreement. The board wondered why the staff has recommended no liveaboards. Dehlinger explained that if the board would like to proceed forward with liveaboards that Port Counsel will need to investigate residential laws. Before it was a privilege but now there are consequences and laws for residential tenants. There were public comments regarding the marine survey and at what length of moorage agreement will you start to require a survey. Webster stated that this would apply to new vessels coming into the Port and for any moorages that are semi-annual or longer. Board suggested to defer item to another meeting, to modify the language, add that the survey will be for semi-annual and annual moorages and get clarification from Port Counsel on liveaboards.

**A motion was made by Hartung and seconded by Speir to defer Action Item A, Moorage License Agreement Revision, to be brought back to the commission in a special meeting or regular meeting after staff has been able to correspond with the attorney. Commissioner Heap amended motion to include instructions to staff, write the provisions in for semi-annual and annual permits requiring an inspection on new boats and look at the liveaboard issue with the advice of the attorney. Commissioner Hartung agreed to the amended motion and second by Speir. The motion passed 5 – 0.**

**B. Budget Committee Selection – Audio time 1:18:58**

Commissioner Heap noted that the Board has received four names to fill three positions on the budget committee. Heap reviewed the selection process that the Board experienced to come to their Budget Committee selection.

**A motion was made by Hartung and seconded by Range to approve new Budget Committee Members to fill vacant position 6 Al Cornell, vacant position 7 Wayne King and vacant position 10 Brett Hester all for a three-year term. The motion passed 5 – 0.**

**C. Delinquent Account Write Off Request – Audio time 1:20:50**

Dehlinger noted this item was discussed in February 24, workshop meeting, and reviewed the history of the customer.

**A motion was made by Range and seconded by Jonas to approve delinquent account write-off of \$5,023.64 from accounts receivable and submit the amount to Port collection agency. The motion passed 5 – 0.**

**D. Boat & Trailer Storage Area(s) – Audio time 1:22:06**

Dehlinger reviewed that with the FEMA projects evolving, multiple meeting with the Board, and approval from the Board to move gear storage to the area behind the Port shop, this would create more industrial stormwater testing. Port staff is suggesting changing that back to daily storage for our users. Most of the gear storage we have will fit in the new proposed areas. Port staff is also recommending improving our storage area between Oregon Homes and the Motorcycle shop, this way we can add more compacity to that area. Commissioner Heap reviewed that we are not meeting our discharge stormwater requirements, and a way to fix that is paving and implementing these improvements. There was discussion among staff and the board regarding what would be the consequences would be if paving and improving that area did not happen, what the future plans for improvement are, and if the first set of improvements don't fix the stormwater testing issues what would happen next.

**A motion was made by Hartung and seconded by Speir to approve new gear storage areas as shown on the proposed drawing, approve grading and placement of gravel with delineation of stalls at the long-term boat and trailer storage area, and approve the daily boat and trailer storage area behind the Port Shop. The motion passed 5 – 0.**

**E. Port Rates July 31, 2022 to June 30, 2023 – Audio time 1:40:59**

Dehlinger reviewed that every year the board looks at the rates, and every year we raise the rates by the CPI increase, in past years it was 1.2% through 1.7%, but last year was 4.5%. Most of our leases get hit with the CPI increase at their annual renewal. Dehlinger reviewed each section where the increase is being requested. There was a discussion between the public and the board regarding selling fish off vessel permit and the \$165.00 fee.

**A motion was made by Range to approve proposed draft Port Rates starting July 1, 2022 through June 30, 2023, to include moorage option 1, 4.5% increase to all rates with the exception of the \$165.00 to be eliminated. There was discussion regarding eliminating the selling fish off vessel permit. Range modified motion to charge \$10.00 in leu of the \$165.00 they have been paying in the past. Seconded by Jonas. The motion passed 3 –2. Yes: Jonas, Range, and Heap. No: Hartung and Speir**

**F. Commercial Fillet Station – Audio time 2:11:56**

Dehlinger reviewed that staff is recommending expanding our recreational fish cleaning station to include a commercial fish cleaning section. We would be taking the storage area and creating a special area for non-moorage charter boats to clean their fish, providing an amenity since we are now charging an annual fee.

**A motion was made by Jonas and seconded by Range to approve remodeling the existing fish station storage room to install a fillet table for commercial use. There was discussion regarding the use of the word commercial. Jonas redacted motion. A motion was made by Jonas and second by Range to approve remodeling the existing fish station storage room to install a fillet table for guide and charter use only. The motion passed 5 – 0.**

**G. Port Manager Employment Agreement Amendment No. 2 – Audio time 2:21:04**

Dehlinger reviewed that this amendment allows him to drive a Port vehicle instead of his personal vehicle. Heap highlighted that this eliminates the \$300 vehicle allowance.

**A motion was made by Jonas and seconded by Speir to approve draft Employment Agreement Amendment No. 2. The motion passed 5 – 0.**

**7. INFORMATION ITEMS**

**A. FEMA Project Update – Audio time 2:21:49**

Dehlinger commented that he thought there would be more of an update at this point but believes we will have a special meeting or workshop in a few weeks with all the designs and funding regarding the FEMA project.

**B. 2022 Salmon Season Update – Audio time 2:22:19**

Commissioner Heap reviewed the Pacific Fishery Management Council meeting regarding the three alternatives that are up for public review, there will be another public hearing on the 25<sup>th</sup> regarding the final decision.

**C. Vessel Miss Stacey Update – Audio time 2:31:28**

Dehlinger reviewed what was discussed at the last meeting. March 25 marine survey was canceled due to an illness and will be rescheduled. They are still having issues with SBA regarding releasing the ownership of the vessel.

**D. Stormwater Test Results – Audio time 2:32:26**

Dehlinger reviewed that the green building site was tested before any items are placed there, aluminum tested high and past the DEQ benchmark. Also tested the boat yard wash system, which failed copper and zinc. Dehlinger noted he has spoken with Jack Akin to see how to improve that area. First test of the year for the Stormwater Pollution Plan was completed, another failed area was by the Pacific Seafood for aluminum and boat yard for cooper, everything else looks good.

**E. Wastewater Treatment Plant – Audio Time 2:36:37**

Commissioner Hartung expressed concern that in the December meeting she had asked some questions and does not believe her questions have been answered to her satisfaction. Believes there needs to be another discussion to nail down the estimated costs and required permitting from DEQ, the county, and other agencies. Requests that management invites the following agencies to come to one of these meeting to answer any questions or give us any of their concerns. Would like the City of Brookings Management and Brookings Sewer Plant Operations Representative, Harbor Water Manager and maybe a Board Member and Harbor Sanitary Manager and a Board Member to attend. Commissioner Range is recommending removing the module that is used in the processing of human waste and proceed only with fish waste product and agrees with Commissioner Hartung in meeting with other agencies. Commissioner Heap explained the importance of the wastewater treatment plant has to fish processing plants, like Pacific Seafood, and the commercial fleet. Webster clarified again that if this wastewater treatment plant does not go in, Pacific Seafood does not need two processing plants 90 miles from each other, and they will leave. Pacific Seafood holds a lot of jobs and give our commercial fleet a place to unload especially during shrimp season. If they leave, there goes half our commercial fleet that relies of them. DEQ is only okay right now because they know we have a plan to install this plant.

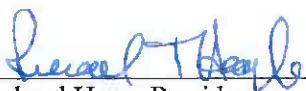
**8. COMMISSIONER COMMENTS**

Commissioners had no comments at the time.

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

**10. ADJOURNMENT – Audio time 2:51:21**

Having no further business, the meeting adjourned at 4:51 pm.

  
Richard Heap, President

4-20-2022  
Date Signed

  
Sharon Hartung, Secretary/Treasurer

4-20-22  
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](http://www.portofbrookingsharbor.com).*