

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

Wednesday, May 18, 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) via telephone; Larry Jonas (Pos. #3); Richard Heap, President (Pos. #4). Kenneth Range (Pos. #5) was absent.
- **Management and Staff:**
Gary Dehlinger, Port Manager; Travis Webster, Harbormaster; Danielle King, Safety/Administrative; Jack Akin, Port Engineer; and James Walker, Port Counsel.
- There was no modifications or additions to the agenda.
- There was no declaration of potential conflicts of interest.

2. APPROVAL OF AGENDA – Audio time 2:17

A motion was made by Jonas and seconded by Speir to approve the agenda as written. The motion passed 4 – 0.

3. APPROVAL OF MEETING MINUTES – Audio time 2:45

- A. Approve Minutes of Special Commissioner Meeting Monday April 4, 2022.**
- B. Approve Minutes of Regular Commissioner Meeting Wednesday, April 20, 2022.**
- C. Approve Minutes of Special Commissioner Meeting Friday, May 6, 2022.**

A Motion was made by Jonas and seconded by Speir to approve Meeting Minutes for Monday April 4, Wednesday April 20, and Friday May 6. The motion passed 4 – 0.

4. PUBLIC COMMENTS – Audio time 4:02

There were no public comments.

5. MANAGEMENT REPORTS – Audio time 4:11

- A. Safety & Security Report – April 2022 - Audio time 4:12**
King reported on staff safety training, incidents, accidents, security issues, and upcoming events that happened for the month of April.
- B. Financial Report – April 2022 - Audio time 7:06**
Dehlinger reviewed the month ending report for April 2022, April's profit and loss, unusual revenues, unusual expenses, the unusual transfer amount for the RV Park Project, and the profit and loss verses budget.
- C. Harbormaster Report – April 2022 - Audio time 10:01**

Webster reported on projects that were completed in the RV Park, marina, and equipment services that were performed in the month of April.

D. Port Manager Report – April 2022 - Audio time 14:55

Dehlinger reported on the wastewater treatment plant, FEMA project budget for improvement and repairs, USDA Rural Development review for Civil Right Compliance

A motion was made by Jonas and seconded by Speir to approve the management reports Safety & Security Report, Financial Report, Harbormaster Report, and Port Manager Report for April 2022 as discussed. The motion passed 4 – 0.

6. ACTION ITEMS

A. Billeter Marine Small Construction Project Contract – Audio time 17:28

Dehlinger reviewed the item with the Board. Port Counsel has created a new contract format for the Port, which Dehlinger suggests using moving forward. There was a discussion regarding adding more pilings to the work contract but was suggested by staff to focus on this one piling and when the work does start to happen, we can look to adding a change order then but there are restrictions on adding to a contract. Port Counsel spoke regarding the contract.

A motion was made by Speir and seconded by Jonas to approve Billeter Marine Small Construction Project Contract to remove and replace the broken dock pile in Basin 2 O-Dock at finger 22. The motion passed 4 – 0.

B. Boat Yard Warehouse Engineering Report – Audio time 24:29

Dehlinger reviewed that Port Engineer, Jack Akin, has given his final recommendations on the building, with a second opinion from a structural engineer. The Board spoke with Port Counsel regarding the liability of the building. Board and Staff showed concern regarding the current tenants that are occupying the facility and a way to protect the travel lift from the elements.

A motion was made by Speir and seconded by Jonas to approve the Port Manager to immediately seek funding for a new boat yard building and provide the Board, the funding source, a plan for type of building and potential design, and location for Board approval. Time is of the essence due to the condition of the building. The motion passed 4 – 0.

C. Richard Cortez Delinquent Account Write Off Request – Audio time 45:52

Dehlinger reviewed the history of Mr. Cortez's account to the Board.

A motion was made by Jonas and seconded by Speir to approve delinquent account write off for \$1,145.69 from accounts receivable and submit Richard Cortez account amount of \$1,145.69 to the Port collection agency. The motion passed 4 – 0.

D. Charles Case Delinquent Account Write Off Request – Audio time 51:38

Dehlinger reviewed the history of Mr. Case's account to the Board.

A motion was made by Jonas and seconded by Speir to approve delinquent account write off for \$2,637.94 from accounts receivable and submit Charles Case account amount of \$2,637.94 to the Port collection agency. The motion passed 4 – 0.

E. Charter & Guide Boat Sign(s) – Audio time 53:12

Port Counsel discussed with the Board the finding between the lease agreement with Tidewinds and doesn't see any language in the lease that prohibits promoting competitors, but the addendum does prohibit the Port from renting real property or space in the retail area to competitors and doesn't believe that it's prohibiting the Port from promoting competitors on a sign. Dehlinger discussed the design and locations with the Board.

A motion was made by Heap and second by Jonas to approve sign concept #2 for the charter and guide sign to be built and installed at the Boat Launch Ramp, adjacent to the Port Office, and RV Park as discussed and allow the Port Manager to supplement the costs of these signs with Oregon Coast Visitors Association. The motion passed 4 – 0.

A motion was made by Heap and second by Jonas to direct the Port Manager to develop a policy document regarding the installation of the sign with integration of the agreement with the understanding the signs will be provided by the Port based on being whether a moorage holder or a non-moorage licensee. The motion passed 4 – 0.

7. INFORMATION ITEMS

A. April Stormwater Test Results and Tier 1 Report – Audio time 1:10:01
Dehlinger reviewed the test results from the second stormwater tests.

8. COMMISSIONER COMMENTS – Audio time 1:13:04

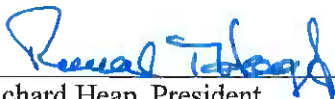
Commissioner Jonas thanked King for the minutes.

Commissioner Speir spoke with Webster regarding a vessel in the Port.

9. NEXT REGULAR MEETING DATE – Wednesday, June 15, 2022, at 2:00pm.

10. ADJOURNMENT – Audio time 1:16:02

Having no further business, the meeting adjourned at 3:15 pm.


Richard Heap, President

6-16-22
Date Signed


Sharon Hartung, Secretary/Treasurer

6/16/22
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.