

ACTION ITEM – C

DATE: June 11, 2020
RE: Clark Sunken Boat October 19, 2019
TO: Honorable Board President and Harbor District Board
ISSUED BY: Gary Dehlinger, Port Manager

ADD TO
MEETING

OVERVIEW

- Lynnette Clark 23' boat sank the evening of October 19, 2019. Port staff cleaned up the pollution and removed the boat from the harbor that night.
- Incident report and costs were submitted to Lynnette Clark and her insurance carrier. Clark's insurance would only pay for the pollution costs and not the wreck removal. Her insurance did not cover wreck removal. Clark's insurance paid her \$1,541.19. The Port has not received any payment from Clark.
- Port has not been able to contact Lynnette Clark since the removal of her boat from the Boat Yard.
- Port insurance (SDIS) determined that the Limited Marine Salvage Expense Coverage does not apply to this event. For coverage to apply the Port must get state or federal regulatory authority to incur the removal costs. In addition, written notice to the Trust must occur within 30 days of when the Port became aware of the sunken vessel.
- Lynnette Clark continues to refuse normal mail or certified mail from the Port.

DOCUMENTS

- Port Incident Report, 1 page
- Invoices to Lynnette Clark for the clean up and removal, 5 pages
- Current Statement for Lynnette Clark, 3 pages

COMMISSIONERS ACTION



- **Recommended Motion:**
Motion to approve removing Clark's balance of \$14,958.88 from "Accounts Receivable".



Second Motion:

- **Option 1, Recommended Motion:**
Motion to approve using port legal counsel for legal action against Lynnette Clark for cleanup and removal of sunk vessel in the amount of \$14,958.88.
- **Option 2, Recommended Motion:**
Motion to approve to submit Clark's balance amount of \$14,958.88 to Port collection agency.
- **Option 3, Recommended Motion:**
Motion to approve the write-off of Clark's balance amount of \$14,958.88 from customers account with the Port.