

PORT COMMISSION MEETING– July 8, 2015

The Port of Port Townsend Commission met in regular session at the Commission Building, 333 Benedict Street, Port Townsend, WA

Present: Commissioners – Tucker, Clinefelter and Hanke
Executive Director – Crockett
Deputy Director - Pivarnik
Auditor – Berg
Environmental Compliance Officer - Cairns
Attorney – O'Malley
Minutes – Nelson

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE:

Commissioner Tucker called the meeting to order at 1:00 PM.

II. APPROVAL OF AGENDA:

Added to the agenda to Section VII – Potential Immediate Action, Item A – Townsend Bay Marine Documents, and Section XII – Executive Session, Item A – Personnel (Commission and Legal Counsel only) duration of fifteen minutes with no action.

Commissioner Tucker moved to approve the Agenda as amended.

Commissioner Clinefelter seconded the motion.

Motion carried by unanimous vote.

III. CONSENT AGENDA (1:38):

A. Approval of Meeting Minutes – June 23, 2015

B. Operations Reports – June 2015

C. Approval of Warrants

Warrant #054762 through #054778 in the amount of \$96,715.30 for Payroll & Benefits
Electronic Payment in the amount of \$39,148.83 for Payroll and Benefits

Warrant #054779 through #054824 in the amount of \$90,157.56 for Accounts Payable

Commissioner Tucker moved to approve the agenda as presented.

Commissioner Hanke asked for clarification on the operations report.

Commissioner Hanke seconded the motion.

Motion carried by unanimous vote.

IV. PUBLIC COMMENTS (Not related to agenda):

None

V. SECOND READING (Action Items):

A. Resolution No. 627-15 – Appointing Auditing Officer (3:58):

As discussed at the previous commission meeting, Mr. Crockett recommended the appointment of S. Abigail Berg as Auditing Officer for the Port of Port Townsend.

Commissioner Tucker moved to adopt Resolution No. 627-15, appointing S. Abigail Berg as Auditing Officer for the Port.

Commissioner Clinefelter seconded the motion.

Motion carried by unanimous vote.

B. Commercial Use of Boat Ramps/Facilities (4:34):

Commissioner Tucker proposed a meeting with the tribes to discuss possible commercial user ramp fees and volunteered to attend these meetings.

Mr. Crockett stated he has not found many ports that charge a commercial user ramp fee. He then reminded that RCO would allow charging a fee as long as that money is used towards ramp maintenance.

Commissioner Clinefelter suggested that in deciding the fee, to keep in mind that Penn Cove uses the Quilcene ramp daily, year-round. Mr. Crockett said that in this situation, that could be taken into consideration as an addition to their lease.

Discussions will resume following meetings with the tribes.

VI. FIRST READING (Discussion Only):

A. 2016 Seattle Boat Show (7:41):

Mr. Crockett informed that staff recently received the 2016 Seattle Boat Show application. He said that although the show isn't until January, participants are required to submit the application and 50% deposit by the end of August 2015. Discussion ensued on the attached 2015 show-related expenses to the Port. Commissioner Clinefelter asked about the history on the raffle items the Port offers and if those customers actually return because of their win. Discussion ensued on the Port's role at the show.

B. Best Management Practices (BMPs) (15:34):

Mr. Crockett reported on the second meeting session held last week with local marine trades on the BMPs. He asked for guidance from the commission on two items: First, a rate-fee schedule and at which offense (first or second) to begin charging a fee for violations. Second, who should be the responsible party – the boat owner or the person who signs the boat in for work.

Mr. Cairns discussed the draft BMP agreement and how it was created with feedback from the marine trades. He said the current adopted BMP allows up to three gallons of flammables to be stored under boats, but the focus of the draft is on the real goal, which is keeping pollutants out of the stormwater. It is also a new FEMA requirement for flood-prone areas. Mr. Cairns displayed a 45-gallon tote, of which he has ordered 100. These totes would be loaned out to haulout customers at no charge, for storage of their flammable and toxic products. If the tote were returned damaged, there would be a fee. Much discussion ensued on when to begin charging the fee and if the fee could be waived by staff on first offenses, and who should be designated as the responsible party. Also discussed were the proposed fee amounts. Commissioner Hanke asked if it was fair to charge the same fee to a small boat in the workyard as the shipyard customer.

PTMTA rep, John Zimmer (in audience) expressed support for the proposed fees presented by staff in a draft BMP Agreement, and in his opinion the person filling out the haulout agreement should be designated as the responsible party.

VII. POTENTIAL IMMEDIATE ACTION ITEMS (36:43):

Commissioner Hanke moved to place the Townsend Bay Marine Documents under Potential Immediate Action.

Commissioner Clinefelter seconded the motion.

Motion carried by unanimous vote.

A. Townsend Bay Marine Documents:

Mr. Crockett informed that the closing of the sale of Townsend Bay Marine has been moved up. He discussed the two draft documents presented to the commission on the subject of default. One is from the Shipwrights Co-op's bank and the other is from Townsend Bay Marine's attorney. Shipwright's Co-op bank claims first position in case of default and the document from Townsend Bay's attorney claims the same. These documents will be re-negotiated so they will not conflict with one another. Final documents will be presented to the commission for approval at a later date.

VIII. STAFF COMMENTS (42:16):

Ms. Berg informed she has invited the County Assessor to speak at the Commission's Public Workshop in September 2015 and is awaiting word back.

Mr. Pivarnik reported staff and Tike Hillman met with MC Squared, engineer for the boat ramp. They came up with some new ideas to reduce the cost of the project. Plans are to rebid the boat ramp project around August 1.

Mr. Crockett discussed upcoming meetings he would attend, with one exception: tomorrow morning's CEO Breakfast; a July 14 session on the drought at Chimacum High School (which he is not able to attend, but the commissioners may be interested); July 28 workshop on the rewriting of the DOE Boat Yard Permit (Mr. Cairns is attending the July 27 workshop); and, next week he would be attending the WA Public Ports Association's Annual Port Directors Conference in Walla Walla.

IX. PUBLIC COMMENTS (46:19):

John Zimmer requested the commissioners try to honor the fact that the marine trades were very involved in the creation of the presented BMP document.

George Yount commented on Seattle Boat Shows the Port participated in back in the 1980's, collaborating with local marine trades. He also praised our "great working Port".

X. COMMISSIONER COMMENTS (48:35):

Commissioner Clinefelter asked for an update on the cleaning of the stormwater system.

Mr. Pivarnik informed that the Port's legal counsel is looking over the legality of how the project went to bid. His interpretation is that cost trumps everything in the bid – which the Port is required to go with the lowest responsible and responsive bidder. Commissioner Clinefelter reported he discussed with legal counsel the ability to have more criteria in the bid request. Mr. Pivarnik explained four excellent proposals were received but staff is waiting to hear from legal counsel before awarding the project.

Commissioner Hanke responded to John Zimmer's earlier comments on the BMPs.

Commissioner Tucker stated there was no MRC meeting this month, however, MRC members have put more buoys in the “No Anchor Zones” and have been re-rigging buoys. MRC has a grant to put out more buoys.

Commissioner Tucker than reported on a trip he and Mr. Cairns made to the Port of Port Angeles to look at their secondary treatment area for stormwater. He thinks if the Port of PT had something similar to this it would cut costs for stormwater treatment over time. However, there would be the cost of creating it. He said this treatment system requires minimal maintenance.

He then discussed a recent fishing trip he made and met “Frank” a Makah tribal member who was partially responsible for the Makah donating 1000 of their salmon catch to Area 9 (our local fishing grounds), which made for a better fishing season in our waters. Commissioner Tucker said he believes it is important to recognize the tribes in their contributions that otherwise aren’t publicized.

Lastly, Commissioner Tucker announced that RCO recognized Larry Crockett in a resolution, for his service from 2008-2015 as an “exemplary fellow”.

XI. NEXT MEETING: Next regular meeting will be held Wednesday, July 22, 2015 at 5:30 PM in the Port Commission Building, 333 Benedict St, Port Townsend.

XII. EXECUTIVE SESSION:

The regular session recessed into Executive Session, at 2:01 PM to discuss a personnel matter, pursuant to RCW 42.30.110, duration of fifteen minutes with no action.

XIII. RECONVENING AND ADJOURNMENT OF REGULAR MEETING:

The meeting reconvened and adjourned at 2:31 PM there being no further business to come before the Commission.

ATTEST:

Peter W. Hanke, Secretary

Stephen R. Tucker, President

Brad A. Clinefelter, Vice President