

PORT OF NEWPORT MINUTES

July 31, 2017

Special Commission Meeting & Executive Session

I. CALL TO ORDER

Commission President Patricia Patrick-Joling called the Special Meeting of the Port of Newport Board of Commissioners to order at 12:00 noon at the South Beach Activities Room, 2120 SE Marine Science Dr., Newport OR.

Commissioners Present: Sara Skamser (Pos. #2); Stewart Lamerdin (Pos. #3), Secretary/Treasurer; Jeff Lackey (Pos. #4), Vice President; and Patricia Patrick-Joling (Pos. #5), President.

Commissioners Absent: Walter Chuck (Pos. #1)

Management and Staff: Aaron Bretz, Interim General Manager; Karen Hewitt, Administrative Assistant.

Members of the Public and Media: Pete Gintner, Esq.; Kiera Morgan, KYTE Radio; Steve Beck; Pat Ruddiman, ILWU; Yale Fogarty, ILWU; and Barrett Tower, ILWU.

Patrick-Joling read an email from Chuck into the record:

“Patricia,

Since you are now the president, I feel that you should be the one to call for the Monday Special Meeting. If you want it in executive session it should now be between you and Pete to work out the details. I don’t feel comfortable discussing the manager pro-tem in executive session and feel that it should be done in an open session. If a final decision is to be made in open session on Monday, then I would like to be there for that. And that would also apply when an agreement was going to be worked out with a potential selection. If there is only going to be an executive session on Monday, then I will not be in attendance. In that case, please read this email into the record before entering into executive session on Monday so the commission is aware of this.”

A motion was made by Lackey and seconded by Skamser to enter into Executive Session. The motion passed 4 -0.

Patrick-Joling announced that “the Port of Newport Board of Commissioners will now meet in executive session pursuant to ***192.660 (2) (A), (F) & (H): TO CONSIDER THE EMPLOYMENT OF AN OFFICER, EMPLOYEE, STAFF MEMBER OR AGENT; TO CONSIDER INFORMATION OR RECORDS THAT ARE EXEMPT FROM DISCLOSURE BY LAW, INCLUDING WRITTEN ADVICE FROM THE PORT’S ATTORNEY; AND TO CONSULT WITH THE PORT’S ATTORNEY REGARDING LEGAL RIGHTS AND DUTIES IN REGARD TO CURRENT LITIGATION OR LITIGATION THAT IS MORE LIKELY THAN NOT TO BE FILED, RESPECTIVELY.***

Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are

specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.”

II. EXECUTIVE SESSION

Commission President Patrick-Joling called an Executive Session of the Port of Newport Board of Commissioners to order at 12:04 pm at the South Beach Activities Room, 2120 SE Marine Science Dr, Newport, OR.

Commissioners Present: Sara Skamser (Pos. #2); Stewart Lamerdin (Pos. #3), Secretary/Treasurer; Jeff Lackey (Pos. #4), Vice President; and Patricia Patrick-Joling (Pos. #5), President.

Management and Staff: Aaron Bretz, Interim General Manager.

Members of the Public and Media: Pete Gintner, Esq.; Kiera Morgan, KYTE Radio.

No decisions were made in Executive Session.

A motion was made by Skamser and seconded by Lackey to end the Executive Session. The motion passed 4 – 0.

Executive Session was adjourned at 1:07 pm.

III. SPECIAL MEETING

Commission President Patrick-Joling reconvened the Special Commission Meeting of the Port of Newport Board of Commissioners at 1:10 pm at the South Beach Activities Room, 2120 SE Marine Science Dr., Newport OR, 97365. Chuck (Pos. #1) joined the meeting.

IV. GENERAL MANAGER PRO TEM JOB DESCRIPTION/APPOINTMENT

A motion was made by Lamerdin and seconded by Lackey to move forward with the selection of a General Manager Pro Tem after posting publically after reviewing applications on August 7, 2017, and interviewing selected applicants on August 9, 2017. The motion passed 5 – 0.

Patrick-Joling passed out proposed criteria for discussion. Skamser suggested adding transparency and working with current staff to transition to a new manager. Lamerdin suggested adding building consensus. Chuck suggested adding the ability to do public outreach. Lamerdin asked which criteria would be minimum and which would be preferred. Patrick-Joling suggested that a Bachelor’s degree, management of government activities experience, at least 5 years of demonstrated experience in leadership/management, and experience with a Board of Directors or volunteer officials would be the minimum requirements. Gintner proposed that the public may have some suggestions. Fogarty suggested that contract negotiation skills be added because of the timeline with current proposals. Patrick-Joling said that would be added. Chuck asked if a military/veteran’s preference would apply. Gitner said he would look into that. If so the Commission would be obligated to interview such applicants. Lackey

commented that the criteria was a skeleton list compared to the 2008 General Manager job description. He suggested adding demonstrating critical thinking and problem solving skills as a catch all for some duties. Lamerdin suggested adding experience as a port manager or other port operations. Chuck asked how the Commission would proceed if there were no qualified applicants. Patrick-Joling said they would start again, but the appointment would be delayed. Staff was directed to prepare an announcement with the criteria and post it online today.

IV. MILDRED C MAINTENANCE UPDATE

Bretz introduced the staff report. He said that the Port should have received a quote before the work was done. He has experience taking boats to yards and experience with public funds. Bretz said the care of the Mildred C should be treated as “building repair” rather than vehicle maintenance. He had asked the Port of Toledo to project costs and provide a quote. He added that the Port needs to keep better maintenance records as the information on the Mildred C was limited to an oil change approximately 50 hours previous. The current work at Toledo is 95% complete. Patrick-Joling said she saw the Mildred C and agreed with Bretz’ assessment. Lamerdin asked what other options there may be for pile removal and other tasks. Bretz said the Mildred C is used to remove pile and move heavy loads. The weight of a pile is at the bollard pull limit of the tug. If the Mildred C were not used, the Port would need to hire ORCA divers at about \$8-10K per piling. Lamerdin asked how many more piles were expected to need to be removed in this next year. Bretz estimated at least 4 – 5 and perhaps more. Bretz explained how the tug is used to remove piles. He added that if ORCA divers are used, the Port would go into their work queue and may not be available quickly. On Bretz’ first day with the Port a pile came down and smashed a portion of the dock. Skamser said the Port already spent \$33K and recommended Bretz’ proposed motion.

A motion was made by Skamser and seconded by Chuck to approve the outstanding maintenance cost and direct staff to prepare a Mildred C expense cap and exit plan for next regular meeting.

Bretz said that last year \$7K was budgeted for boat maintenance, and \$6.2K this year. He would recommend capping the maintenance on the Mildred C at \$50K or 5 years, which ever came first. Lamerdin said that a survey was needed to make sure there would not be other problems found when the tug was put in the water. Fogarty suggested the Commission approve the funds pending a marine survey. Bretz said he wasn’t sure what the cost would be and moorage would need to be paid while the boat was in Toledo, which was currently estimated at another 3 weeks to complete repairs. Lamerdin said a surveyor was expensive but he could recommend someone. Lackey asked that Bretz talk to Mona at SERVCO about a possible name of a surveyor.

The motion passed 4 – 0, with Lamerdin dissenting.

V. INTERNATIONAL TERMINAL SHIPPING FACILITY PERMITS

Bretz said one of the permits for the ITSF project was due for renewal on August 26th. There was a previous arrangement that permits would pass from Teevin to the Port of Newport, and asked if the Port would be taking over the permits. Chuck said that the renewal would be up to the Port unless the permits were turned back to Teevin. Skamser commented that the Port would not want to start over with the permitting process. Lamerdin asked if Teevin had an objection to the permits being in their name.

Skamser said they were hoping the project would be further along. Bretz will call Teevin to ask if they will renew the permit. Patrick-Joling said they can address at the August 7th meeting if the Port will renew once Bretz has spoken with Teevin.

Lackey suggested that the Commission tentatively schedule some additional meetings for the near future. Skamser asked that they be spread out rather than two on the same day.

VI. PUBLIC COMMENT

Fogarty commented that the Commission had to take a good look at a lot of things. He added that Bretz is doing a fantastic job, and unless there is a very shiny candidate, keeping Bretz as the interim General Manager would save the Port a lot of money. Bretz would be more aware of the Port's issues than someone from the outside.

VII. ADJOURNMENT

Having no further business, the meeting adjourned at 1:45 pm.

ATTESTED:

Patricia Patrick-Joling, President

Stewart Lamerdin, Secretary/Treasurer

-###-