

PORT OF NEWPORT
MINUTES
October 22, 2013
Combined Work Session and Regular Meeting

I. CALL TO ORDER

Commission President JoAnn Barton called the combined work session and regular meeting of the Port of Newport to order at 6:00 p.m. on Tuesday, October 22, 2013, at the South Beach Marina Activities Room, 2120 SE Marine Science Drive, Newport, OR 97365, the same being within the boundaries of the Port District.

Commissioners Present: JoAnn Barton, President; David Jincks, Vice-President; Walter Chuck, Secretary; Dean Fleck, Assistant Secretary-Treasurer.

Port of Newport Management and Staff: Patty Benjamin, Administrative Assistant; Maureen Keeler, Special Projects Manager; Barb Martin, Accounting Assistant.

Others Present: Dennis Anstine, News Times; Dr. Richard Beemer, Newport City Council; Frank Berg, Day CPM; Tracy Burchett, Brian and Eddie Corder, Yale Fogarty, and Pat Ruddiman, ILWU Local 53; Larry Coonrod, Lincoln County Dispatch; Barb and Wayde Dudley, Newport residents; Lee Fries, CM/GC Selection Committee; Dave Morgan, News Lincoln County; Dr. Hal Pritchett, Facility Use & Design/Terminal Steering Committees; Jim Shaw, South Beach resident.

Before proceeding with the regular meeting agenda, the commissioners paid their respects to Commissioner Lloyd "Oly" Olson, who had died suddenly at his home on Sunday, October 20, 2013. Citing his dedication to the community and willingness to "step up and get to work" on his first day as a Port Commissioner, they said they appreciated the qualities and experience that he brought to the commission and were saddened by his loss. Olson had been elected to the board in May of 2013.

II. MINUTES

A. Combined Work Session & Regular Meeting—September 24, 2013

Commissioner Chuck moved, Jincks seconded, to approve the minutes of the Combined Work Session & Regular Meeting of September 24, 2013 as submitted. The motion passed 4-0.

III. FINANCIAL STATEMENTS

- A. Financial Reports.**
- B. Accounts Paid.**

There were no questions or comments on the Financial Reports and Accounts Paid.

Commissioner Jincks moved, Fleck seconded, to approve the Financial Statements and Accounts Paid, Check Nos. 117225-11731/Construction Fund; Check Nos. 12221-12245/NOAA Checking-OCB; and Check Nos. 34726-34809/Operating Account. The motion passed 4-0.

IV. PUBLIC COMMENT

There was no public comment.

V. STAFF REPORTS (* Indicates no questions or comments.)

A. Department Reports.

- Kevin Bryant, Commercial Marina Harbormaster*
- Pete Dale, Project Manager*
- Jim Durkee, Terminal Operations Supervisor*
- Penny Gabrielson, South Beach Marina & RV Park Report*
- Rick Fuller, NOAA Facilities Manager*
- Maureen Keeler, Special Projects Manager*
- Gina Nielsen, Marina Office Supervisor*
- Chris Urbach, South Beach Marina Harbormaster*

B. General Manager.

General Manager Don Mann was not present for the meeting but had submitted a written report. Referring to Mann's written report, Commissioner Chuck asked Project Manager Maureen Keeler for a review of a meeting she had attended between Mann, Accounting Assistant Barb Martin, and Judy Clark of HR Answers on Friday, October 18, regarding updating the Port's personnel manual. Keeler said Clark suggested separating the personnel handbook from the policy statements. They are currently combined. Clark will provide some sample forms and a list of other policies or sections that the Port might want to include in its handbook. Keeler said Clark had read the Port's manual and was on target with questions and suggestions. She added that HR Answers is a private firm but Clark has worked with Special Districts of Oregon. With a 10% public sector discount, the cost to the Port for Clark's consultation will be \$2,000. Commissioner Barton said it would be up to the General Manager to enter into a contract with HR Solutions to update the Port's personnel manual.

Referring to another section of Mann's report, Commissioner Fleck said he concurred with Mann's recommendation to schedule a work session to discuss the lease between the Port and Yaquina Bay Fruit Processors (YBFP). Commissioner Jincks said normal procedure would be for YBFP to present the board with a business plan before a work session was held, but he had yet to see one. Commissioner Barton said YBFP was high on the priority list but there was groundwork and homework to be done before an informed decision could be made. She said it might be December before a work session could be scheduled.

C. Commissioner's Reports.

Commissioner Fleck reported that the U-DA-MAN fishing tournament held at the South Beach Marina on October 6 was quite successful. Proceeds from the tournament will benefit Salmon for Oregon's salmon smolt net pen project in Yaquina Bay.

Commissioner Chuck had attended the South Beach Marina Users Meeting on October 16. He said the meeting was productive and some of the suggestions made there would be implemented. He reported that Accounting Assistant Barb Martin had found some solidly constructed polyurethane dock boxes at a good price. The dock boxes meet the requirements of the new Port Facilities Code and ten of them had been ordered for use on the South Beach docks.

VI. OLD BUSINESS

A. Terminal Renovation Project, Post Construction Activities—Frank Berg, Day CPM Services.

Frank Berg, Day CPM Services, provided an update on the Terminal Renovation Project. He reported that Natt McDougall Company (NMC) was back on site to install transition plates at the top of the retaining wall on the port side of the Hennebique. The plates span across to the north edge of the east dock. Divers are inspecting the existing piling under the ro-ro dock. The 30-day public comment period on the amendment to the joint permit ended on September 20, and the comments received are being addressed. The 15-day public comment period for the Army Corps of Engineers ended on October 16 but comments are still pending due to the recent government shutdown. The 15-day Department of Environmental Quality (DEQ) public comment period will close on October 31. DEQ is evaluating test results on the 1200Z permit application. In answer to questions from Commissioner Jincks, Berg said NMC estimates that the dredging will take approximately eight weeks; and KPFF, as the engineer of record, will have to sign off that the project was done according to plans and specifications before the final permit is issued. He said KPFF was within budget for construction administration costs and there is still a possibility of realizing savings there.

B. Amendment No. 30, Additional Dredging.

Amendment No. 30 covers additional dredging for the cargo dock. The amendment has a GMP of \$251,685.96. The actual estimate for all additional dredging totals \$663,577.41, or an additional amount of \$411,891.45, which will be submitted in a subsequent amendment. The total budget for construction costs is \$20,455,507. \$1.92 remains in the construction balance plus contingency after the execution of Amendment No. 30.

Commissioner Jincks moved to approve Amendment No. 30 to the contract between the Port of Newport and Natt McDougall Company and to authorize the board chair to execute that amendment. Commissioner Fleck seconded the motion and it passed 4-0.

Commissioner Barton read aloud a letter from attorney Michael Haglund, who provided a status report on the efforts to develop a log export terminal at the Port of Newport. (See letter attached.)

IX. NEW BUSINESS

A. Amendment to Facilities Code.

Commissioner Chuck said the change in the Facilities Code was related to the dimensions of storage boxes that could be used on the docks at the South Beach Marina, and added that the clarification of the dimensions made sense and was in everyone's best interests. Commissioner Barton stated that the Facilities Code had been designed specifically with amendments in mind so that it would be easy to make changes when needed.

Commissioner Jincks moved to authorize the General Manager to amend the Facilities Code to reflect changes in the dimension of the dock boxes for the South Beach Marina. Commissioner Chuck seconded the motion and it passed 4-0.

B. Interim Manager Contract.

Commissioner Barton said the search process for a new General Manager had been extended to October 24; however, General Manager Don Mann's retirement date would likely come before a new General Manager was on board. Mann had offered to stay on as Interim General Manager through the transition period.

Commissioner Chuck moved to authorize the board chair to sign an interim manager contract with Don Mann, not to exceed sixty days and with the same rate of pay and current benefit package. Commissioner Jincks seconded the motion and it passed 4-0.

VIII. MEETING RECESS at discretion of the chair.

There was no meeting recess.

IX. OTHER

The commission agreed to schedule the regular meetings one week earlier in November and December because the fourth Tuesdays in those months fall close to the Thanksgiving and Christmas holidays. The new meeting dates were set for November 19 and December 17.

The chair asked for two volunteers from the board to serve on a committee to review applications for the vacancy on the Port Commission. Citing a close race held only five months ago, Commissioner Chuck asked if the board could appoint the person who finished closest to Olson in that election. Commissioner Barton said they could look into that but noted there was an established application process for filling a commission vacancy. Commissioners Fleck and Chuck were appointed to serve on the review committee.

X. PUBLIC COMMENT

Dr. Beemer, Newport City Council, announced that a new City Manager had been selected.

XI. UPCOMING MEETINGS

- A. November 11, Veterans Day, Port Office Closed
- B. Fishermen's Forum, Port Dock 7 Operations Shop, November 13, 8:30-9:30 a.m.
- C. Marina Users Meeting, South Beach Marina, November 20, 8:30-9:30 a.m.
- D. Combined Work Session and Regular Meeting, South Beach Marina Activities Room, November 19, 6:00-8:00 p.m.
- E. November 28-29, Thanksgiving Holiday, Port Office Closed

XII. ADJOURNMENT

The meeting was adjourned at 6:45 p.m.

ATTEST:

JoAnn Barton, President

Walter Chuck, Secretary