

PORT OF NEWPORT
MINUTES
September 24, 2013
Combined Work Session and Regular Meeting

I. CALL TO ORDER

Commission Vice-President David Jincks called the combined work session and regular meeting of the Port of Newport to order at 6:00 p.m. on Tuesday, September 24, 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: David Jincks, Vice-President; Walter Chuck, Secretary; Lloyd “Oly” Olson, Treasurer; Dean Fleck, Assistant Secretary-Treasurer.

Commissioner Excused: JoAnn Barton, President.

Port of Newport Management and Staff: Don Mann, General Manager; Pat Albaugh, Finance Director; Kevin Corwin, North Operations; Pete Dale, Project Manager; Rick Fuller, NOAA Facilities Manager; Maureen Keeler, Special Projects Manager; Patty Benjamin, Administrative Assistant.

Others Present: Tracy Burchett, Yale Fogarty, and Pat Ruddiman, ILWU Local 53; Larry Coonrod, News Times; Dave Morgan, News Lincoln County; Jim Shaw, South Beach resident.

II. MINUTES

- A. Combined Work Session & Regular Meeting—August 27, 2013**
B. Special Meeting—September 9, 2013

Commissioner Olson moved, Commissioner Chuck seconded, to approve the minutes of the Combined Work Session & Regular Meeting of August 27, 2013 and the Special Meeting of September 9, 2013 as submitted. The motion passed 4-0.

III. FINANCIAL STATEMENTS

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

In answer to a question from Commissioner Olson referring to a \$30,000 expense for the annual audit, the General Manager said that amount had been budgeted in the current fiscal year but the Port’s auditing services would go out for bids next year. There were no further questions or comments on the Financial Reports or Accounts Paid.

Commissioner Fleck moved, Olson seconded, to approve the Financial Statements and Accounts Paid, Check Nos. 11720-11724/Construction Fund; Check Nos. 12200-12220/NOAA Checking-OCB; and Check Nos. 34599-34725/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—Commissioner Olson asked if there was a cost estimate for the hoist dock replacements. The General Manager said the cost is estimated at under \$500,000, which is below the estimate in the Capital Facilities Plan.
- 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.

Mann had set up a meeting between Commissioner Olson and Harry Noah, Yaquina Bay Fruit Processors, to discuss lease issues. Commissioner Olson said he still had research to do on the highest and best use of that property.

The General Manager met with representatives of the Sea Lion Docks Foundation and said they are moving forward with a permit application to the Army Corps of Engineers (ACOE) and Department of State Lands (DSL) for their proposed project at Port Dock 1. The work would be done in two phases over two in-water work windows, which would allow time for the foundation to raise more money towards the project. Commissioner Fleck said he would like assurance that the foundation would complete both phases of the project, and not slow down or stop after the first phase was done.

In answer to a question from Commissioner Chuck about enforcement of the new Port Facilities Code, the General Manager said an “education period” would be extended until the end of October. After November 1st, provisions of the code will be enforced with penalties. He said there would be “some tolerance” for an inch or so over the specified size restrictions on dock boxes.

In answer to another question from Commissioner Chuck, the General Manager said the Land Use Board of Appeals (LUBA) would likely hear the Teevin Brothers appeal in late October or early November, and the Port probably won’t receive its permit for dredging at the terminal until the end of November. However, even with the delay, he was “reasonably sure” there would be time to get the two or three weeks of dredging done within the in-water work window.

C. Commissioner’s Reports.

Commissioner Fleck issued a reminder about the U-DA-MAN fishing tournament at the South Beach Marina October 6th.

Commissioner Olson suggested contacting candidates who did not make the final selection process for the Newport City Manager’s position to see if they would be interested in applying for the General Manager’s position at the Port. Commissioner Jincks said he would talk with George Dunkel, Special Districts Association of Oregon, about the suggestion but was reluctant to go outside the established process.

VI. OLD BUSINESS

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

The General Manager read aloud a written report submitted by Frank Berg, Day CPM Services. In summary, Amendment 15 will remain open with a total credit of \$941,606, which is \$621,606 over the estimated credit of \$320,000. The inspection, testing, and repair of the existing ro-ro dock should start in October. That section of the dock will be closed with the inspection is underway. The 30-day comment period on the 1200Z permit application is on hold until test results of the site discharge are evaluated. The terms of mitigation requirements for the amendment to the joint permit for dredging revisions have been defined.

IX. NEW BUSINESS

A. Old Port Administration Office Paving.

The General Manager reported that the amount budgeted for the demolition and disposal of the old Port office building was \$10,000. The actual cost was \$7,300. The next phase, which would include fill and paving, was estimated at \$12,500. The remaining \$2,700 would be applied to that cost, and he asked the commission to approve using \$9,800 from the Maintenance Reserve Fund to complete the work.

Commissioner Chuck moved to allow the General Manager to expend funds in the amount of \$9,800 from the Maintenance Reserve Fund to fill and pave the old Port office building site. Commissioner Fleck seconded the motion and it passed 4-0.

B. Lot Line Adjustment Request—Ken McKay.

General Manager Don Mann had been approached by Newport resident Ken McKay regarding a lot line adjustment. The Port owns property adjacent to McKay’s, and he wants to expand an existing

building that had been built based on an old fence line. A recent survey indicated that a portion of McKay's building is actually on Port property. The General Manager recommended allowing the lot line adjustment in exchange for consideration that could include mitigation credits from a portion of McKay's marsh area. The credits could be used for future Port projects. Mr. McKay would submit the application to the County with no costs borne by the Port, and the County allows up to one year to finalize the application. A consideration agreement would be reached between the two parties during that time. The General Manager did not recommend selling the Port's property to McKay as the wooded lot provides a good buffer for noise in an industrial marine area.

Commissioner Olson moved to direct the General Manager to work with Ken McKay on making a lot line adjustment. Commissioner Fleck seconded the motion and it passed 4-0.

The General Manager will have a progress report on the lot line adjustment at the next regular meeting.

C. Declaration of Surplus Items.

1. **2000 Chevy S-10 Pickup, VIN 1GCCS144XY8171443**
2. **2008 4,000 Lb. Toyota Forklift, Model 8FGU18, Serial No. 10978.**

Commissioner Olson moved to declare the 2000 Chevy S-10 Pickup, VIN 1GCCS144XY8171443, and the 2008 4,000 Lb. Toyota Forklift, Model 8FGU18, Serial No. 10978, surplus to the Port's needs. Commissioner Chuck seconded the motion and it passed 4-0.

The General Manager said the S-10 pickup is of little value and he would offer it to the Newport Boosters for their upcoming auction. The Toyota Forklift will be held over for a couple of months, in case it is needed for the crab push.

VIII. MEETING RECESS at discretion of the chair.

There was no meeting recess.

IX. OTHER

It was the consensus of the commission that the General Manager should send the draft of the personnel policy manual, along with the notes that have been collected, to Special Districts of Oregon's human resources consultant for assistance in putting together the first draft of the manual.

X. PUBLIC COMMENT

South Beach resident Jim Shaw recommended that the savings from the International Terminal Renovation Project should go towards a new Port administration office.

XI. UPCOMING MEETINGS

- A. PNWA Annual Conference, October 2-4, Portland
- B. U-DA-MAN Fishing Tournament, October 6, South Beach Marina
- C. Fishermen's Forum, Port Dock 7 Operations Shop, October 9, 8:30-9:30 a.m.
- D. Marina Users Meeting, South Beach Marina, October 16, 8:30-9:30 a.m.
- E. Combined Work Session and Regular Meeting, South Beach Marina Activities Room, October 22, 6:00-8:00 p.m.

XII. ADJOURNMENT

There being nothing more to come before the Board of Commissioners, the meeting was adjourned at 6:35 p.m.

ATTEST:

JoAnn Barton, President

Walter Chuck, Secretary