Regular Board Meeting Minutes Tuesday, January 21, 2020

1. 6:01 – Call to Order by Commissioner Webb.


   b. Modifications, additions or changes to the agenda:
   Don Mann asked to add “obtain approval of the January 7, 2020 Minutes” under number 3 of the Agenda, Approval of Minutes. Those minutes were passed out to the Commissioners to read.

   Commissioner Webb indicated that under number 6 of the Agenda, New Business, he would like to add (d) to discuss the Board Minutes from Oct. 2, 2018 and the Commissioners Duties and Responsibilities.

   Commissioner Webb asked Don Mann to talk about the Declaration of Potential conflicts on the Agenda, Number 1, Item c. Don Mann explained that in other meetings in the past that he has been in attendance of, it was an opportunity for Commissioners to address specific things on the agenda that might be a conflict of interest for them. Commissioner Webb gave authorization to keep it on the agenda. Darin Faris, Dock Supervisor, asked for an explanation of what a conflict of interest for the Commissioners is. Commissioner Ashdown gave an explanation.

2. Public Comment – there was no public comments.

3. Approval of the minutes
   Commissioner Bassett explained that he had no knowledge of the Jan 7th meeting and was not present as he had no notice of the meeting. He acknowledged he was aware of having discussion regarding a special meeting with Don but that it did not give him a date, a time or location. By the time he received the text message from Commissioner Webb, his phone was on the charger and he didn’t get it until approximately 8:00. Further discussion of other minutes from December meetings was discussed and Commissioner Webb indicated that with so many meetings in December, we are working our way through all of that. During review of the 1/7/20 minutes, Commissioner Calvanese asked about the last page where it reads under future items it refers to Maritime force. Commissioner Thompson advised it should read Maritime Task Force. Aaron Ashdown mentioned that the word Siletz was misspelled as well as Navionics.

   Commissioner Webb interjected that the Commissioners were not following protocol after review by the Commissioners. Aaron Ashdown motioned to approve the minutes with the corrections made. Commissioner Webb indicated that to get it on the floor, he’d second the motion. Since they were now in discussion following the correct protocol, Commissioner Thompson asked to amend the motion to approve the minutes reflecting the following changes: the spelling of Siletz, the spelling of Avionics to Navionics and to add the word ‘task’ so that Maritime read Maritime Task Force. Commissioner Webb asked for a withdrawal of the prior motions that were made outside of the protocol. Commissioner Ashdown withdrew his previous motion to approve the minutes and Commissioner Webb withdrew his second. Commissioner Calvanese motioned to approve the Jan 7th minutes with the changes mentioned. Commissioner Webb seconded the motion to approve. Commissioner Bassett abstained from the vote to approve. The remaining Commissioners approved the minutes.
4. **Interim Port Managers Report**

Don Mann gave a verbal report on the general activities of the Port. The Port currently do not have Landings from the State for crab season yet so unable to comment. Pressing matter regarding the rock and debris up on the west side of the dock from the last storm. Although it wasn’t considered a lot, it prevented the dock from functioning with regular activities. Don asked Darin to take care of that with a local contractor, Mike Hewitt. Entered a brief work contract with him and he was able to bring equipment down and get that taken care of. Cost was about $1200.

Also contacted Kate Groth at the Army Corp of Engineers and explained what happened as well as the issues we are having with the haul road. Kate is going to be talking with the construction chief and will get back to Don. He also inquired about the Coast Guard Light for the jetty. Kate advised that the Coast Guard Aids to Navigation Branch was who Don needed to talk with. They would have to put the light back, not the ACOE. Commissioner Bassett commented that the last storm wasn’t a big storm and it’s likely we are going to have this problem again, again, and again. Don Mann agreed. Waiting for further conversation with Kate. Commissioner Webb doesn’t see any reason why the Port can’t get reimbursed for the clean up expenses of $1200.

Commissioner Webb also suggested that we purchase a tractor to help with the costs of clean up. Commissioner Bassett commented that the message he wants understood is that the Port is losing valuable space in the harbor.

Darin Faris, Dock supervisor, indicated that there’s a safety issue to the public with the storms that throw rock onto the dock. He asked for clarification on what the procedures for dock closure should be. Commissioner Webb thought it should continue the way we’ve been doing it and that if there are problems with it to go to Don Mann, our Interim Port Manager.

Commissioner Webb also stated that we were doing a great job with it all and to please continue.

Don touched on communication/public relations and acknowledged getting in touch with David B. Smith, State Legislature, and responded to Oregon Public Ports Association regarding letter about derelict vessels. If said vessels are a nuisance and polluting, then they would probably be a top candidate for that program. Mentioned that Page Phillips is coming with some high school students next Tuesday and he is going to give them a tour of the dock and answer questions from any that may be interested in employment in this kind of an industry. Also mentioned the staff meeting held on 1/7 and would like to continue those at least once or twice a month.

Working closely with Jenny and Connie, our auditor in preparation for the 20-21 budget. Don passed out a proposed schedule to get the budget for 20-21 done. Asked for feedback on dates suggested and asked who the current budget committee is. Commissioner Webb advised that how they’ve done it in the past was that each commissioner would invite someone of their choice and that is the budget committee. He then asked if there was an appetite from anyone to change how they’ve done it in the past. Commissioner Thompson said no. Commissioner Bassett stated that the Ports revenue is down and that with expenditures are greater than the reserve. Accounts receivable, are not way out of hand. They are by approximately $65,000 in arrears, most involves fuel charges that stay on the account.
OCZMA, through the task force program with Maritime Industry has potential funding he wants to look at. Letter from OCZMA handed out to Commissioners. Discussion about ACOE dredging program.

Discussion about sending a support letter from the Port of Port Orford to OCZMA. Commissioner Calvanese supported that and Commissioner Webb indicated he would sign it. Met with Jeff Griffin from Port of Bandon to discuss the upcoming Maritime projects. Other comments regarding the Commissioners goals and tracking what was going on with the Port. Support maintenance of dredging and intergovernmental relations. Doing so will create spin offs that will benefit the Port.

Commissioner Bassett brought up the fact that revenues are down $13,434 and we were already down $10,000 so already $23,000 down expenditures greater than revenue. Don Mann requested budget committee names from the Board members by the end of the month.

5. Old Business
   a. Commissioner Calvanese mentioned that he shared a document in a shared folder pertaining to the redevelopment project. He requested that all please refer to it for now. Next step will be redevelopment projects. He shared that the next step would include a redevelopment meeting with contractors. PARC Resources to discuss plan and timelines. Top priority is to bring aboard a project manager. Waiting for call back regarding funding for the project manager position. As well, Don will have the RFP reviewed by our atty to make sure it is following local and relevant regulations. he is waiting for a call back from Erin Dysart with Meyer Memorial Trust regarding financing for that position. Commissioner Calvanese is also waiting to hear back from the Family Ford Foundation and from Craft 3 who will be helping with some pro bono financial and technical assistance to put together a final proposal for the board.

   Commissioner Bassett commented on the proposed site plan map and asked that the word “draft” be put on it. He sees many problems with it starting with the fact that it shows boat moorage slips out where we just had to clean up rocks. It shows the building as an enormous single level structure which will not work for a variety of reasons. Commissioner Webb advised Commissioner Bassett that they would get to that in a minute and that there was a reason he requested the minutes from the 10/2/18 meeting.

Interim Port Manager, Don Mann, asked to go back to Agenda item 4 (b) for a minute. He can work with special districts and provided two different options for the timeline of hiring a new port manager. Option B and Option A. The preferred option is B because of Spring Break which isn’t on Option B. Strongly recommends Option B. Need to make decision to continue including SDAO. Commissioner Calvanese is for plan B as long as there was some flexibility allowed for the recruitment period closure date that currently reflects 3/12/20. Keep flexibility on the timeline in case we need more recruitment time. Commissioner Webb suggested starting by approving the process. Commissioner Bassett asked for clarification on the proposed cost of SDAO help of $5000 and asked where in the budget that money was going to come from. Commissioner Webb stated that we may have to do a supplemental budget. Commissioner Calvanese indicated there’s a line in the budget for consulting fees that it can come out of. Webb suggested a motioned to approve the Option B & consulting services with SDAO with amendments for a vote. Commissioner Thompson motioned to go ahead with the contract and changing
the date to 2020 for consulting services in order to hire a new port manager. Commissioner Ashdown seconded that motion. Unanimous vote.

Commissioner Webb hoping to have a workshop for the entire commission to go over the Port Manager job description and benefit package currently using. Asked that both the old and new one come to the workshop. Setting workshop (special mtg) meeting on 2/4/20 @ 5:00. Unanimous agreement.

Don Mann brought up the 25 Ton boat scale which was approved in October 2019. The budget was set @ $7500. It’s a 55 Ton unit that could be useful to the Port. 3 questions he had: What is the Intent of having the scale? What will we accomplish by having it? What will be resolved by having it. Don wanted to clarify whether this is a necessary expenditure @ this point. Commissioner Webb shared that this is something that has been talked about in the past. There are some policies regarding the weight of a boat and that with a scale, we can easier follow these policies and ensure the wellbeing of the hoist. Commissioner Webb still completely supports the decision for the weight scale that was made back in 2019. Commissioner Calvanese commented that one of the advantages of having the data, whether by software or keeping a manual record is that it will show whether we have reached a maximum with our current infrastructure and we can incorporate that information to help us obtain funding.

6. New Business – Action Items
   a. Special Districts Registered Office and Registered Agent Designation. Commissioner Webb stated that it was temporarily assigned to Leila in December. The Commission would like Don to be that Agent. Commissioner Ashdown motioned to name the Interim Port Manager, Don Mann, as the SDRO Registered Agent. Commissioner Calvanese seconded the motion. Unanimous vote.

   b. Port Liability Insurance Annual Premium
      Don Mann explained that this is an annual payment and that it has been brought before the Board because of the size of the invoice: $20,122 and so it could be approved by the Board. Commissioner Webb commented that he had a couple of questions as to what the Port will receive with this? What was the crime costs if any? What was the equipment breakdown and what does it cover? Don Mann agreed to reach out to the agent and see if she will come to Port Orford and meet with the Board to go over all the Insurance benefits but encouraged the board NOT to wait on making the payment. Commissioner Thompson mentioned checking to see if there are any credits that the Port can qualify for. Commissioner Webb instructed the interim Port Manager, Don Mann to pay the bill.

   c. Resolution 2019-4 Action Plan to Correct Debt Repayment Expenditures
      Commissioner Webb read the Resolution to the Board and motioned to approve the Resolution 2019-4. Commissioner Calvanese seconded the motion to approve. Unanimous vote. Signatures given on the Resolution.

   d. Commissioners Duties and Responsibilities
      Commissioner Webb wanted to review the minutes from the October 2, 2018 meeting. He read from those approved minutes. He commented that there is some continued confusion as to whether the Board approved the site plan. He referenced from the minutes that the Board unanimously agreed on the site plan at that time and that the board voted unanimously to keep them.
Commissioner Bassett spoke, thanking Brett for that but that wasn’t what he was disagreeing with. He said there has been additional information which has come forward since that original agreement back in 2018. He said that the site plan is not based on good geology or good science. Commissioner Webb stated he was unaware of any information that has come to the Board to substantiate Commissioner Bassett’s comments.

Commissioner Webb stated that in fact, the vote was unanimous back in 2018 and that the Board is obligated by their own rules to support the decision made by the Commission. He also said that dissent is to be brought forward in the public meeting only. Commissioner Webb stated that the Ports funders are hearing mixed signals and that it’s not healthy for the project. He pointed out that this $7 million dollar project was approved 2 years ago and that we can’t go backwards without any further evidence. Commissioner Bassett commented that he is hopeful that Hod Wells, the Structural Engineering Manager, will see the light and will bring us to the realization that we have made a grievous error.

Commissioner Webb stated, “Then perhaps he will but until that time, publicly, we all must support the decision of those commissioners.”

Commissioner Thompson commented to Commissioner Bassett that these disagreements happen often, “in fact, at almost every meeting you talk about other options and right now, there aren’t those other options and it takes away from what we should be discussing and what they have at hand, which is the plan that the Commissioners agreed upon.” Commissioner Bassett shared that he has talked with Commissioner Calvanese numerous times and we must get to the point where we correct the errors or we’re going to go nowhere. Commissioner Calvanese acknowledged that he hears what Commissioner Bassett is saying and he agrees with everything everyone else has said. He stated that he feels it’s super important that we all sing with one voice. One of the elements of where we are right now is exactly where Commissioner Bassett has pointed to, which is the opportunity to go deeper into where we are in our current plan and move it forward and address some of the challenges that we’ve already acknowledged and recognized. He quoted Hodd as saying, “there’s a solution to every engineering challenge.” He invited Commissioner Bassett to help them with those challenges. Commissioner Bassett stated that that is all he’s asked for. Commissioner Webb pointed out to Commissioner Bassett that it’s his sworn duty to go along with what the Commission has agreed upon. He states again that, “We have a site plan and there is no confusion, period.” Commissioner Webb continued, “We can’t continue to go over this at every meeting and clearly, this clearly, is an emotional issue with you.” He asked to hear Commissioner Bassett acknowledges that there is a site plan. Commissioner Bassett responded, “the site plan is the property we own.” Commissioner Webb stated, “That was a waste of time, but I did my best, ok, so we’re going to move on.”

7. Dock Maintenance Report
Don Mann passed out an infrastructure necessities report that he asked Darin Faris to assist with. Don didn’t want to spend time going through the report word for word but instead, presented it for the Board’s review and consideration. The ones marked as priority are the dock drainage project, the 25 Ton crane, the electric panel at Nor-Cal and the floating dock repairs. All the projects listed are very important to the Port. We will take the appropriate steps
and need to continue to keep them a focus no matter what we are doing. These items need our attention in order to keep our day to day operations going as well as the services to our fleet. We are going to take this list and start putting numbers to it. Some of the needs will require outsourcing and we’ll follow the public procurement process. Most of these will need three competitive bids. They aren’t large enough to go up for public bid. Commissioner Calvanese agreed that the needs look like high priority items and that wherever possible, it would be great if we could incorporate these into our planning for our infrastructure project. Might be a good idea to share with PARC to see if we could pick up any necessary funding through the infrastructure project it might be a good idea. Commissioner Webb added that perhaps FEMA could help with the drainage project. Some discussion on repairing the pilings by Commissioner Ashdown. Darin added that he believed that some of the damage to the pilings were done when the ACOE were dredging.

Commissioner Thompson brought up the mold in the office and that one thing to help the health of the workers to get an air purifier to the immediate space. Commissioner Calvanese pointed out that the roof is leaking. Don advised proper steps would be taken to help the safety of the employees.

Darin brought up the DEQ part of the report. Commissioner Webb stated that they all got that but didn’t want to talk about it right now. We will take some steps to become compliant.

8. Commissioners Report – none

   Don Mann went over the finances sheet and the graph. Gave a picture graph of accounts receivable. There are some areas where we need to watch where our spending is. Asked if there were any specific items that the Board would like tracked for next month. He invited any of the commissioners to come down to the office any time to go through the finances. Pointed out that the GO Bond account has been paid off but there will still be more money from taxes trickling in. Current prepaid assets are mostly fuel and with crab season in affect, those charges should start going down. There’s a difference in our revenue but we are holding our own. If our total assets and liabilities and equity match, we’re doing what we’re supposed to. If we must supplement our budget at the end of the year, we’ll do that as well. We are watching the budget closely and may have to look at obtaining other funds to do some of the work that the Port has need for. We will have to make a list of what should come out of our capital funds to accomplish some of the issues. Commissioner Calvanese requested tracking the trends in the budget and that this will also help us with the budget.

10. Correspondence – None

11. Executive Session – None

12. Future Agenda Items
   Don Mann mentioned infrastructure costs. Also, another item was getting new signature cards and debit cards with our bank. Steve Courtier’s name is on the current card, but the Port needs to have his name taken off and add who the Commissioners want named on the Debit Card. Commissioner Webb indicated it would seem reasonable to have the interim manager’s name on the card. Don suggested it could be a commissioner or it could be Jenny Houck.
Commissioner Webb stated he’d be just as happy with Jenny as he would Don. Commissioners agreed to have Don Mann and Jenny Houck added as authorized users on the debit cards. Signature cards will be brought to the next meeting.

8:49 - Meeting Adjourned