

**PORT OF POULSBO
MEETING AGENDA OF
February 17, 2011**

1. OPEN MEETING

2. OPEN MEETING TO PUBLIC COMMENTS (LIMIT 3 MINUTES)

3. COMMISSIONER COMMENTS

4. CONSENT AGENDA ITEMS

(Next Res. 2011-06)

All matters listed within the Consent Agenda have been distributed to each member of the commission for reading and study, are considered to be routine and will be enacted by one motion of the commission with no separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by a Commission member or by citizen request.

- A. Approve meeting minutes of February 3, 2011
- B. Warrants: #10631-10651 & 10652-10660 , P10308-P10315, ACH 2/18/11
in the amount of \$54,101.60.
- C. Resolutions 2011-03- Write off uncollectible receipts
- D. Resolutions 2011-04- allocate funds for Waterfront Improvement Fund
- E. Resolutions 2011-05- Liberty Park expenses for 1/1/10 – 12/31/10

5. OLD BUSINESS ITEMS

- A. Armory Parking Lot Project – Port Manager
- B. West Poulsbo (DNR) property – Port Manager

6. NEW BUSINESS ITEMS

- A. Items for public comments/motions/discussions
- B. Managers/Maintenance Report – Port Manager
- C. Accountants Report – Carol Tripp/ Accountant/ Staff Auditor
- D. BARS – Port Manager
- E. Executive Session

7. OPEN TO PUBLIC COMMENTS: (LIMIT 3 MINUTES EACH)

8. COMMISSIONER COMMENTS

9. ADJOURN MEETING

PORT OF POULSBO
BOARD MEETING MINUTES
FEBRUARY 17, 2011
7:00PM

ATTENDEES: COMMISSIONER BOCKUS; COMMISSIONER DECARLO;
COMMISSIONER GILBERT (VIA WEBCAM); PORT MANAGER, KIRK STICKELS; PORT
ACCOUNTANT AND AUDITOR, CAROL TRIPP; PORT SECRETARY, ANDREA NIX.

PUBLIC ATTENDEES ON SPECIAL BUSINESS: DAVID MUSGROVE

1. Meeting Chairman, Commissioner Bockus, opened the meeting at 7pm and invited Public Comments.

PUBLIC COMMENTS:

Kirk Stickels: Some letters have come in regarding the issue of insurance to be held by tenants who secure moorage in the Port of Poulsbo. The letters will be copied and distributed to the Commissioners, and added to the agenda for the first meeting of March. A notice announcing this item on the agenda will be posted on the message board 5-6 days prior to the meeting.

2. Commissioner Bockus invited Commissioner Comments.

COMMISSIONER COMMENTS:

Commissioner Bockus: RE: Port/City Lease Agreement, found an agreement from 1972 stipulated that the grid, the building structure of the bath/laundry, etc., was the property of the Port, but more research needs to be done in order to determine ownership of the actually land property under the buildings. Jill did think that the City owned the land and the Port owned the buildings, but that is contrary to the survey by the ADA and the quick deed for the property that the Commissioners remember. More research still needs to be done on this matter.

Commissioner DeCarlo: The land under the buildings was awarded to the Port, but that award was not recorded.

Commissioner Bockus: The County didn't record the award, at the time.

Kirk Stickels: We have the quick deed for the buildings. We are looking for the quick deed for the property, and will continue researching the records.

3. Commissioner Bockus entertained a motion to accept Consent Agenda Items.

Commissioner DeCarlo: made a motion.

All Commissioners: Agreed. The motion passed to accept the Consent Agenda Items A,B,C,D,E.

4. Commissioner Bockus opened discussion of Old Business Items.

OLD BUSINESS ITEMS:

A. Amory Parking Lot Project -

Kirk Stickels: The final drawings are being completed, and should be available by the end of the month. The architect, Michael Winnick, is working on two possible choices: a porous surface for water retention on site, which would minimize storm run-off, and a solid surface, which would rely solely on the storm system to collect and direct run-off water. It will come down to the Port's decisions on costs and long-term effectiveness. Some calculations must be done so that the plan submitted for a permit shows that there is no negligible impact from what materials were previously there. On site retention may work well since we would have to import some porous material to replace the substandard material that's there now, and that may also result in costs savings. After the final drawings are approved, we will take it forward for a permit.

B. DNR Property Lease -

Kirk Stickels: We found verbiage in the lease agreement that may show up in the purchase agreement: in the covenants of this agreement, the DNR would retain mineral rights and rights to "anything of value" on the property, including trees, gravel, etc.. Before the Board signs the lease, we must first determine who would own those rights. It looks like those covenants may carry through from the lease to the purchase agreement.

Commissioner DeCarlo: Thought the rights were supposed to transfer to the purchaser of the property.

All Commissioners: Agreed to have the Port Attorney further inquire with the State as to the ownership of those rights by the purchaser.

5. Commissioner Bockus opened discussion of New Business Items.

NEW BUSINESS ITEMS:

A. The letters and discussion about vessel insurance will be up at the next meeting, March 4.

B. Manager's Maintenance Report:

Kirk Stickels: 1.) We are upgrading the power pedestals from the ones that we had in stock. The new order is being assembled and shipped, and we'll probably see those next month. We've been completing C dock and it should be done by the end of next week. 2.) Our staff has been helping some with the demolition and reconstruction of the wood wharf, but it hasn't required much work from the Port staff. We have replaced some hose bibs and faucets, repaired freeze damage, and installed the power pedestal replacements. 3.) We have had a meeting with Jill, at the City, to help them draw an accurate map for the property adjacent to and underneath the grid. 4.) We have direction on the West Poulsbo property, now, and will move forward on that with the Port Attorney, Greg. 4.) We have run out of timber for the wood wharf, and it should be here on Tuesday. We had enough for the caps and stringers, but need additional wood for the deck. That project should be wrapping up by the end of next week.

Commissioner Gilbert: Has John Xenos been contacted.

Kirk Stickels: Once we have a square footage cost we'll appropriate the four feet from their building and submit the invoice to them. 5.) Re: the insurance question, I have spoken with Enduras, who is the Port's insurance pool. They have assigned a person from their office, who should be here around the 25th of March, to come to the Port to check on the sufficiency of coverage. 6.) Farmboat.org seeks permanent moorage for their vessel, La Vingro. They would like to use the Port as their homeport, or overnight stay, for this vessel. They work cooperatively, not competitively, with the local Farmer's Markets and Fish Markets. We worked with them last year, hosting them at no charge for the standard four-hour visitor stays, while they took people out on the boat for educational tours. Photographers and journalists from Sunset magazine will be here at the end of March to produce an expose on their floating markets for their April issue.

Commissioner Bockus: There is a lot of potential for this.

Kirk Stickels: They are looking at, possibly, the high dock or D dock as a potential site, and combining their market with the fishing boats.

Commissioner Gilbert: Two questions: Why are they leaving Brownsville? What is the draft of the tall ship?

Kirk Stickels: The reason they are leaving Brownsville is because the ownership of the vessel has changed hands to Farmboat.org, and they would like to moor in Poulsbo because it works better for their delivery schedule. La Vingro has a shallow draft.

Commissioner Gilbert: Where are they getting their produce?

Kirk Stickels: They primarily buy from local farmers in Kitsap, and they also bring fruit and other goods from the San Juans and from the South Sound. They would

ultimately like to operate three routes in the Puget Sound, one in South Sound, a central route out of Poulsbo, and a third route, probably in Friday or Deer Harbor.

Commissioner Bockus: I think it sounds good. It would benefit the City, and the local Farmer's Market, as well, expanding it and making it better for Poulsbo.

C. Accountant's Report:

Carol Tripp: 1.) We were able to secure additional monies for the pump-out. We should receive that money from the State soon. I spoke with Kirk about the possibility of also replacing the stationary pump-out, and I told him that I would be more than happy to do the grant paperwork for that, since it is due to be replaced according to the guidelines set out by the state. So, that may possibly come up. 2.) For December we have a net loss of \$99,549.66. Most of that was due to a deposit of \$32,813.60 for the electric pedestals, another 34,577.42 to Sound Excavation and \$19,386.59 paid out for consultants. It gave us a net gain for the 2010 year of \$309,567.08. 3.) For January we have a net loss of \$60,685.69. Most of it is attributed to a payment to Sound Excavation for \$64,712.00. 4.) Month-to-date in February we have a net loss of \$12,912.25. 5.) I expect a substantial net loss for March due to the wood wharf, which has gone from being budgeted \$45,000 to approximately double that. In addition, C dock landing and ramp will be coming at that time, so I estimate another net loss of five figures. 6.) I had mentioned to the Board last year, that given we are doing a lot of capitol improvement this year, we are not going to have a profitable year.

Commissioner Bockus: Understood. These projects, like the high dock, are a necessity and need to be done.

Commissioner Gilbert: We have to keep upgrading or else we lose whatever we've got. We have to upgrade the pedestals, the high dock, etc., and we are also spending money on the Armory property.

D. Port Manager's BARS:

Kirk Stickels: Last meeting we spoke about including some verbiage into the Port's Rules and Regulations Handbook, restating the Port's agreed ability to remove a vessel at the owner's cost. This Board Action Request proposes language for adding a new clause on page six, paragraph five under Administration and Enforcement. The verbiage would be "If a vessel, the owner of which has been notified to remove the vessel from the Port, is not removed immediately, it may be impounded by the Port and may be removed by private contractor(s), and charges for removal and storage assessed against the vessel and/or its owner." We may have one of these vessels on the horizon, and I wanted to be sure that we had clearly stated the rules in the handbook. We have such verbiage, but it was specific to us hiring a tow company to tow the vessel out and take it to dry-storage at the owner's cost. We

recognize that the problem is probably happening because the owner may not have funds for moorage, let alone towing and storage.

Commissioner DeCarlo: So if the owner doesn't have the money, are we going to be responsible for paying the tow and storage?

Kirk Stickels: The language here is for a "last ditch" effort. We are probably not going to go this route first off for that very reason. They are ready to just walk away from the vessel and leave it in our hands. We are exploring our options. A private contractor may take on a vessel like this one, if the contractor has an avenue of reimbursement from the State.

Commissioner DeCarlo: Will the DNR do this for a private contractor, or just for a State organization like the Port?

Kirk Stickels: Right now they are doing it for individuals, or private contractors. At other ports vessels have been taken in and stored at a yard while they go through a 60-90 day cycle, then a contractor moves in and takes them apart. I watched a couple of these happen in Port Townsend. In both cases, a private contractor brought the vessel in at the direction of the State, and was compensated by the State, and the port was not involved with it. Vessel Assist was the contractor in these cases, and DNR has a list of contractors they use to take the vessel apart and dispose of it. I want this verbiage to be added in the Handbook so it's clearly stated for the tenant who is looking at their options. I would hope that the State would be the lead agency, taking us right out of the loop.

Commissioner Bockus; There is new legislation coming up, that may be approved, to tighten up these types of vessel procedures.

Kirk Stickels: In particular, they are trying to discourage intentional scuttling of the vessel.

6.) Commissioner Bockus called for Public Comment.

PUBLIC COMMENTS:

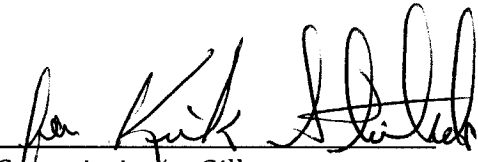
David Musgrove: The Farmer's Market sounds like a great idea. The Port is so important to Poulsbo. They have some forward thinkers at Farmboats, and they probably would co-operate with the other markets well.

Kirk Stickels: We have a call in to FAA, who has designated monies for airports. We are considering the possibility of moving the floatplane to the end of D dock. The floatplane company likes this idea because it is easier than taxiing all the way in.

PORT OF POULSBO BOARD MEETING, FEBRUARY 3, 2011, ADJOURNED AT 8:20PM.



Commissioner Bockus



Commissioner Gilbert



Commissioner DeCarlo


Secretary Andrea Nix



PORT OF POULSBO

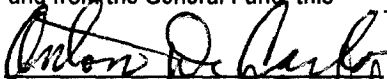
PAYMENT VOUCHER

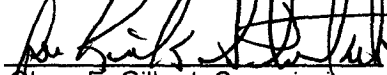
Post Office Box 732
Poulsbo, WA 98370

Kitsap County, WA

March 4, 2011

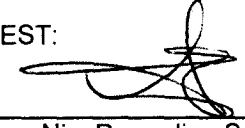
We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$108,018.40 and from the General Fund, this 4th day of March 2011.


Antonio DeCarlo, Commissioner


Glenn E. Gilbert, Commissioner

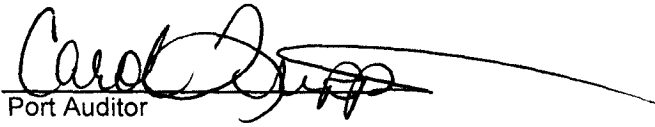

Arnold Bockus, Commissioner

ATTEST:


Andrea Nix, Recording Secretary

Voucher #	Claimant	Amount
10661	Associated Petroleum Products, Inc.	10,427.15
10662	Associated Petroleum Products, Inc.	159.88
10663	Bank of America	175.00
10664	Cass/Cade Distributing, Inc	49.85
10665	CHS, Inc/Cenex	82.00
10666	Coast to Coast Hardware	102.04
10667	DSC, Inc.	149.86
10668	Home Depot	195.09
10669	Kitsap County Dept of Public Works	21.43
10670	Martin J. Stickels	177.00
10671	The Norbut Law Firm	990.00
10672	Thompson Pile Driving Co, Inc	83,791.68
10673	Edward Jones	1,604.38
10674	Sound Excavation, Inc.	8,538.89
10675	WA State Treasurer	49.00
10676	City of Poulsbo	1,385.11
10677	Jeremy Olson	106.20
10678	Brittany Yendral	13.84
TOTAL		\$108,018.40

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.


Port Auditor

PORT OF POULSBO

PAYMENT VOUCHER

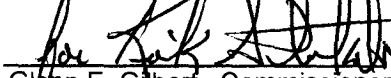
Post Office Box 732
Poulsbo, WA 98370

Kitsap County, WA

March 4, 2011

We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$9,890.75 and from the General Fund, this 4th day of March 2011.


Antonio DeCarlo, Commissioner


Glenn E. Gilbert, Commissioner


Arnold Bockus, Commissioner

ATTEST:


Andrea Nix, Recording Secretary

Voucher #	Claimant	Amount
P10316	Kirk Stickels	\$1,494.82
P10317	Richard Stice	\$1,481.94
P10318	Brady Miller	\$1,144.36
P10319	Jannese Petersen	\$1,046.05
P10320	Carol Tripp	\$1,641.52
P10321	Melanie Winnett	\$1,106.31
P10322	Charles Schmidt	\$448.94
P10323	Arnold Bockus	\$657.30
P10324	Antonio DeCarlo	\$345.38
P10325	Glenn Gilbert	\$327.89
P10326	Andrea Nix	\$196.24
TOTAL		\$9,890.75

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.


Port Auditor

~~~DIRECT DEPOSIT ADVICES~~~

PORT OF POULSBO

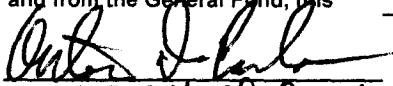
PAYMENT VOUCHER


Post Office Box 732  
Poulsbo, WA 98370

Kitsap County, WA

March 4, 2011

We, the undersigned Board of Commissioners of the Port of Poulsbo, Kitsap County, Washington do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of \$3,103.88 and from the General Fund, this 4th day of March 2011.

  
Antonio DeCarlo, Commissioner

  
Glenn E. Gilbert, Commissioner

  
Arnold Bockus, Commissioner

ATTEST:

  
Andrea Nix, Recording Secretary

| Voucher #    | Claimant                    | Amount     |
|--------------|-----------------------------|------------|
| ACH 03/04/11 | US Treasury/Financial Agent | \$3,103.88 |
|              | TOTAL                       | \$3,103.88 |

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, the labor performed, or the expense incurred as described herein and that the claim is a just, due and unpaid obligation against the Port of Poulsbo and that I am authorized to authenticate and certify to said claim.

  
Port Auditor

--- ACH ---