

**PORT OF POULSBO
MEETING AGENDA OF
September 15, 2011**

1. OPEN MEETING

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

3. COMMISSIONER COMMENTS

4. CONSENT AGENDA ITEMS

(Next Res. 2011-13)

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 September 1, 2011
- B. Warrants: 10977-11007, P10454-P10461, ACH 09/12/11 in the amount of \$102,469.55
- C. Resolution 2011-11 on the subject of adopting a final budget for 2012.
- D. Resolution 2011-12 on the subject of adopting new rates.

5. OLD BUSINESS ITEMS

- A. Armory Parking Lot Project – Update - Port Manager
- B. “C” Dock Project – Update - Port Manager

6. NEW BUSINESS ITEMS

- A. Items for public comments/motions/discussions
- B. WPPA – Chairman Bockus
- C. 2012 Budget – Carol Tripp/ Accountant/ Staff Auditor
- D. Port Attorney – Greg Norbut
- E. Managers/Maintenance Report – Port Manager

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

8. COMMISSIONER COMMENTS

9. ADJOURN MEETING

PORT OF POULSBO
BOARD MEETING MINUTES
SEPTEMBER 15, 2011
7:05PM

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

PUBLIC ATTENDEES: CITY COUNCILMEMBER, DAVID MUSGROVE.

1. Chairman Bockus called the meeting to order at 7:05pm.
2. Public Comments -

Kirk Stickels: Attorney Norbut is not in attendance tonight but he has left documents for me to pass out to the Commissioners. I also have documents from Shane from Coast and Harbor Engineering that I will pass out during my report. The documents are relevant to the Shoreline Master Plan review, which we have begun.

3. Commissioner Comments -

Commissioner DeCarlo: I went to the City Council meeting on Wednesday and I brought up the fact that Attorney Norbut had made five calls to the City Engineering Department. On the first four he had left messages but none of them were returned. On the fifth call he was finally able to talk to someone. The Mayor asked me to let her know whom he had attempted to call. I think she called Attorney Norbut after that, but I don't know how it turned out.

Chairman Bockus: I went to the City Council meeting last night but the meeting had been cancelled because of "lack of agenda", which seemed odd since there seems to be so much going on in the city. I did see Dave Musgrove there.

4. Consent Agenda -

Commissioner Bockus: Consent Agenda items C & D have been moved to New Business of this meeting.

Commissioners approved Consent Agenda Items A & B.

5. Old Business -

A. Armory Parking Lot Project - Update - Port Manager -

Kirk Stickels: All of the items that the City wanted to be addressed have been. We have now gone out to all of the companies on our small works roster to bid on the

job. Prior to the permit being released for construction on the job, the City has requested to be informed of our chosen contractor, including proof of their business license. We have sent all of those companies a packet with plans, designs and bid specifications, and we have advertised it in the newspaper this week. We will award the bid based on responses, which are due within one week, and we will make the selection the last week of this month. Hopefully, the weather will be good enough to complete the construction work.

Commissioner DeCarlo: Why is it that the City needs to know who our contractor is?

Kirk Stickels: According to Mike Winnick we have to identify who the contractor is going to be. As Fire Chief, I never saw it done this way before. I do not know why it is now.

Commissioner Gilbert: The City has an attorney; I think we should begin working through him to address some of these issues where the City is holding us up.

Carol Tripp: The general information that the City is requesting also has to be supplied to the Department of Labor and Industries and Employment Security, including copies of bond information, contract waivers, and affidavits of prevailing wage. It is redundant information if supplied to the City.

Dave Musgrove: If anything is going to be smooth, it should be the processes between the Port and the City. For it to be the exact opposite is disturbing to me. There is no reason for that. I will be inquiring on my own behalf on this, and I will be glad to supply you with any information that I come up with.

Chairman Bockus: One of the things that we have been trying to establish with the City is better communication. This has been brought up at every meeting that I have been to. For some reason we are still running into conflicts.

B. "C" Dock Project – Update – Port Manager

Kirk Stickels: The project has begun. I do not have the modified JARPA permit in hand yet. We have tapped the sewer and laid the line, and it is ready to go. I called the electrical contractor who gave us the bid to move the transformer, and that will be the next step. By midweek this week I received a drawing for the float, and we have three to four contractors to approach for a price on construction of it.

6. New Business –

A. Public Comments/Motions/Discussions -

Kirk Stickels: During the week Carol, Attorney Norbut, Shane and I looked at the Shoreline Master Plan (SMP) together, including the comments. Here is a letter from

Attorney Norbut, which clarifies the jurisdictional questions in regards to who has the authority over portions of the harbor, the Port or the City. The last paragraph sums up his comments. There was some correspondence from the lead planner, including question and interpretation, which Carey Weaver distributed earlier. Attorney Norbut does not agree with the case that was cited, Des Moines versus Puget Sound. We will be adding his comments when we send ours to the Planning Commission. Here is a multi page document from Shane from an engineering standpoint, regarding elements in the SMP that will impact us. We have gone through it, and have looked at a couple of other SMPs out there, one from Jefferson County and one from Anacortes. I also have several others, and our engineers have worked with several other ports during this process. We will work it into a more formal document to send to the City. It is under review until adoption in February 2012. I think that gives us sufficient time to contribute our wants and needs into the SMP. I would like to suggest that a representative from the Port attend the meetings in the review process. The SMP reflects as much of an impact on the Port as it does on the City, if not more so. I think it is important to take part in this process.

Dave Musgrove: You may want to be able to switch representatives from the Port since each of you has different expertise depending on the issue. It is true, as you are saying, that everyone else is viewing it from the land side, and there may be issues regarding the water that the Port Commissioners or Attorney Norbut would address more effectively.

Carol Tripp: As an example, the SMP, if it is passed as it is drafted, stipulates that no breakwater but a floating breakwater will be permitted. If the Port decides to replace this one, it would have to be with a floating breakwater.

Kirk Stickels: If you take any one of our proposed projects under consideration of the SMP, as drafted, you will see that there is almost nothing that the Port, as a governmental body of its own, can do without asking for permission. There are ten pages of comments here, and I am working on more. Everything we do is touched on in here; the only thing that is not is what the Federal coal rigs for Coast Guard marker lights cover. The State mandated that the SMP would be upgraded a long time ago. No one did it right away, so they listed the counties with deadlines as to when theirs were to be done. Now it is time for ours. At the last meeting I gave you the WPPA handbook for reviewing the SMP, and three documents that are the SMP. This is the beginning of the staff reviewing the SMP.

Dave Musgrove: The regulations that are included are mandatory. There are a lot of them, and without a thorough review by both the City and the Port we are going to get our hands tied as to what we will be able to do with the waterfront. I think it is important that someone represent the Port because the City already has its hands full just trying not to get cut off from its own waterfront. I know it is not necessarily a situation where they are trying to stop our ability to function, but that is the affect it could have. I think it is well intended, but they don't realize how much these mandates stop our ability to act. For example, if an endangered bird where to nest in

the waterfront, which is within 200 feet of the shoreline, we couldn't bring in an expert to handle it; we would have to shut down the whole park. These are not answers to problems. They are further problems.

Chairman Bockus: Let's pursue how we can represent the Port, as Port Commissioners, on the review board for the SMP with the City.

Commissioner DeCarlo: Why is it left up to the City? Why was the Port left out?

Kirk Stickels: We were invited to the first meeting, but the State mandated that the City take this task on because the SMPs are generated by the Counties and the Cities, but not by the Ports.

Commissioner Gilbert: How are Brownsville and Kingston going to handle theirs?

Kirk Stickels: They have got a file for review comments, and can go to the series of meetings, just like we are doing. We may have an advantage because we are close to the City and citizens of the city.

Dave Musgrove: A lot of these things overlay each other. The county's SMP will overlay the City's. There may be some opportunities where we can use the Port's reasoning to counter some things that will burden the City, so it may be an advantage to the City to have a representative from the Port.

B. WPPA –

Chairman Bockus: WPPA is being removed from the agenda because it has been discussed and concluded that we will stay with the WPPA.

Commissioner Gilbert: Why don't we contact them and see what they have to say about the SMP?

Carol Tripp: We actually have. Shane sent them an email with some questions that we had.

Kirk Stickels: They have given him some information and points of contact of people who are knowledgeable with the SMP process.

C. 2012 Budget – Staff Accountant/Auditor –

Carol Tripp: I made the change of moving \$400 from each Commissioner Training Fund, and added that \$1200 to the Commissioner Fund for additional funds that may be needed. Other than that there were no changes made. I did add the moorage fee for dinghy storage and the fee for people requesting paper statements. There is one resolution adopting new rates, and also Resolution 2011-11 that adopts the final budget. There is one other resolution that will be needed for the levy, but that

information is not completed yet. I received a draft but it was not conclusive. I don't know that it will be ready by the next meeting because they didn't think they could get it to me until the first week of October.

D. Port Attorney's Report -

Attorney Norbut is not in attendance. Attorney's Report concluded with the letter distributed in this meeting by the Port Manager.

E. Managers/Maintenance Report - Port Manager -

Kirk Stickels: Maintenance Report: We have continued with repairs to this multipurpose room barge. They are not complete, and we will continue through next week with repairs to water damage in the end of the wall. There have been other small maintenance items.

Kirk Stickels: Managers Report: Regarding the property that was for sale, by the time I received a return call another offer was already in on that property for \$279,000.

Commissioner DeCarlo: I would sit there with our offer in case the other one falls through.

Kirk Stickels: Yes I will, but I won't put any more staff time into it for now. The SMP has taken up much of our time in the last couple of weeks. The Fishing boats are starting to return. One came in this afternoon, and we have had calls from two others. Two will not return this year, one is sold and the other one has had to reestablish his slip in Port Townsend or else he would lose it. Diamond Lil' will probably start selling fish off the dock in a couple of weeks.

Commissioner Gilbert: We have two slips open, so we should put the word out in Ballard to see if anyone wants to move over.

Kirk Stickels: Carol and Melanie found out that there are three sets of minutes that have an incorrect date on the back page. The Commissioners will need to initial the changes to correct the dates. The last thing is that there was an incident in the Port involving four boats and quite a lot of damages. Insurers were involved, as well as one of the City's Marine Officers who investigated the accident. What happened was that one of the boats came in where the captain was unfamiliar with the speed of his boat in docking. He hit three pilings and three other boats, the port office and a large section of the rail. I was an hour out of town and the police and marine officer took the report. We called in a diver on Monday morning to inspect the back part of the office, but visibility in the water didn't allow a good inspection so he will be back tomorrow. The three pilings hit were on slips 7,9 and 13. The pile on slip 9 was tipped over, so we will inspect the bottom of it to see if it is split. The boats that were damaged are insured and their insurers are in direct contact with the insurer

of the individual who did the damage, as are we. I don't think that the Port should have to tract people down to get information. I called the insurance company because I was not contacted by the individual who did the damage or by his insurance company. We turned it over to our insurance carrier, Endurus, earlier in the week. We were contacted today, finally. I went up to the Police Department to get a copy of the report. I was told that we have to fill out a Public Disclosure Request and pay for the report, which cost almost \$16. I was told this is standard and on the City's list of standard fees and costs.

(F. & G.) Resolutions 2011-11 and 2011- 12 were added to New Business.

Commissioners moved to adopt Resolutions 2011-11 and 2011-12.

7. No public comments -

8. Commissioner Comments -

Commissioner Gilbert: I sent an email to all of you about the ribbon generators. My thoughts were that we would consider purchasing three to six. Based on their dimensions, they would fit on top of the pilings on the breakwater. They pick up the wind at three to four miles per hour. The generators are only three to four feet tall, and are silent.

Kirk Stickels: If we install these, we may not generate enough power to completely power the whole Port, but at least we would be paying something back, such as lighting the docks.

9. PORT OF POULSBO BOARD MEETING FOR SEPTEMBER 15, 2011 ADJOURNED AT 8:30PM

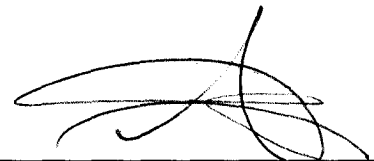


CHAIRMAN BOCKUS

COMMISSIONER GILBERT



COMMISSIONER DECARLO



PORT SECRETARY ANDREA NIX



PORT OF POULSBO

PAYMENT VOUCHER

Post Office Box 732
Poulsbo, WA 98370

Kitsap County, WA October 7, 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 \$86,814.27 and from the General Fund, this 7th day of October 2011.

Antonio DeCarlo, Commissioner

ATTEST:

Andrea Nix, Recording Secretary

Glenn E. Gilbert, Commissioner

Arnold Bockus, Commissioner

Voucher #	Claimant	Amount
11008	Associated Petroleum Products, Inc	48,759.08
11009	AT & T	77.63
11010	Bainbridge Island	107.76
11011	Bank of America	208.00
11012	Better Business Forms	1,557.86
11013	Bill's Fire Extinguisher	178.08
11014	Cass/Cade Distributing, Inc.	49.95
11015	City of Poulsbo	240.00
11016	Coast to Coast Hardware	140.44
11017	Fire One, Inc.	105.00
11018	Fisheries Supply	896.20
11019	Home Depot	236.46
11020	James Lumber & Ace Hardware	48.38
11021	Lydel Construction Inc.	22,282.29
11022	New Pig Corp	40.26
11023	The Norbut Law Firm	3,514.00
11024	Seattle Injector Co	220.42
11025	Staples Advantage	227.73
11026	The Electrical Shop	27.15
11027	Kitsap Sun	132.36
11028	VOID	
11029	Michael F. Wnek	2,121.10
11030	Washington Public Ports Association	1,355.00
11031	City of Poulsbo	2,034.56
11032	Les Faulk	107.14
11033	Edward Jones	2,147.42
	TOTAL	\$86,814.27

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

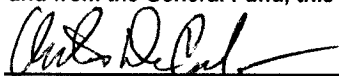
PORT OF POULSBO

PAYMENT VOUCHER


Post Office Box 732
Poulsbo, WA 98370

Kitsap County, WA September 30, 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 \$10,173.42 and from the General Fund, this 30th day of September 2011.


Antonio DeCarlo, Commissioner

ATTEST 
Andrea Nix, Recording Secretary

Glenn E. Gilbert, Commissioner

Arnold Bockus, Commissioner

Voucher #	Claimant	Amount
P10462	Kirk Stickels	\$1,369.82
P10463	Richard Stice	\$1,481.94
P10464	Brady Miller	\$1,177.65
P10465	Jannese Petersen	\$1,043.65
P10466	Carol Tripp	\$1,640.70
P10467	Melanie Winnett	\$1,106.06
P10468	Charles Schmidt	\$545.52
P10469	Jonathan Davis	\$274.37
P10470	Arnold Bockus	\$492.26
P10471	Antonio DeCarlo	\$433.10
P10472	Glenn Gilbert	\$412.11
P10473	Andrea Nix	\$196.24
TOTAL		\$10,173.42

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

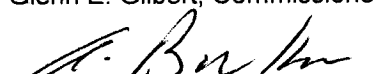
Post Office Box 732  
Poulsbo, WA 98370

Kitsap County, WA September 30, 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 \$3,284.98 and from the General Fund, this 30th day of September 2011.

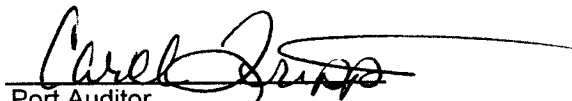
  
Antonio DeCarlo, Commissioner

ATTEST:  
  
Andrea Nix, Recording Secretary

Glenn E. Gilbert, Commissioner  
  
Arnold Bockus, Commissioner

| Voucher #    | Claimant                    | Amount     |
|--------------|-----------------------------|------------|
| ACH 09/30/11 | US Treasury/Financial Agent | \$3,284.98 |
|              | TOTAL                       | \$3,284.98 |

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 ---

**PORT OF POULSBO**  
**KITSAP COUNTY, WASHINGTON**  
**RESOLUTION 2011-13**  
**DATED: OCTOBER 6, 2011**

**WHEREAS**, the Board of Commissioners of the Port of Poulsbo has met and considered its budget for the calendar year 2012; and,

**WHEREAS**, the districts actual levy amount from the previous year was \$257,530; and,

**WHEREAS**, the population of this district is less than 10,000; and now, therefore,

**BE IT RESOLVED** by the governing body of the taxing district that an increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2012 tax year. The dollar amount of the increase over the actual levy amount from the previous year shall be \$2,435 which is a percentage increase of 0.9456 percent from the previous year. The increase is exclusive of additional revenue resulting from new construction, improvement to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexations that have occurred and refunds made.

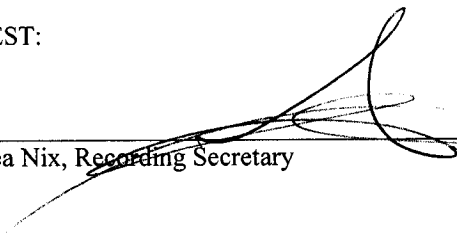
**ADOPTED** by the Board of Commissioners of the Port of Poulsbo at the regular public meeting thereof held this 6<sup>th</sup> day of October 2011, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof.

  
\_\_\_\_\_  
Arnold Bockus, Chairman and Commissioner

  
\_\_\_\_\_  
Antonio DeCarlo, Commissioner

\_\_\_\_\_  
Glenn Gilbert, Commissioner

ATTEST:

  
\_\_\_\_\_  
Andrea Nix, Recording Secretary

### LEVY CERTIFICATION

In accordance with RCW 84.52.020, I, Carol Tripp, Port Auditor/Staff Accountant, for the Port of Poulsbo, do hereby certify to the Kitsap County legislative authority that the Board of Commissioners for said district request that the following levy amounts be collected in 2012 as provided in the district's budget, which was adopted following a public hearing held on September 15, 2011:

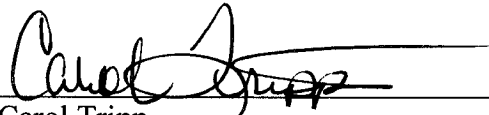
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|----------------------------------|-----------|
| Regular Levy & New Construction: | \$264,199 |
| Excess or Bond Levy:             | 0         |

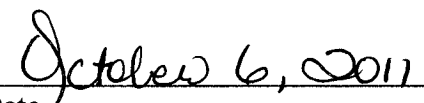
In addition to the above amount for Regular Levies add the following refunds:

|                         |         |
|-------------------------|---------|
| Court Ordered Refunds:  | 0       |
| Administrative Refunds: | \$1,312 |

In addition to the above amount for Excess or Bond Levies add the following refunds:

|                        |   |
|------------------------|---|
| Court Ordered Refunds: | 0 |
|------------------------|---|

  
\_\_\_\_\_  
Carol Tripp

  
\_\_\_\_\_  
Date

**PORT OF POULSBO**  
**KITSAP COUNTY, WASHINGTON**  
**RESOLUTION NO. 2011-14**  
**DATED: OCTOBER 6, 2011**

**A RESOLUTION** of the Board of Commissioners, Port of Poulsbo, in Washington State, to allocate funds from the Liberty Park Fund #88737 to the Port/City Waterfront Improvement Fund #88738 in the amount of \$10,155.20.

**WHEREAS**, the Port of Poulsbo wishes to allocate funds from the Liberty Park Fund #88737 to the Port/City Waterfront Improvement fund #88738 in the amount of \$10,155.20; now, therefore

**BE IT RESOLVED** by the Board of Commissioners, Port of Poulsbo, Kitsap County, Washington, to allocate funds from the Liberty Park Fund #88733 to the Port/City Waterfront Improvement Fund #88738 in the amount of \$10,155.20.

**ADOPTED** by the Board of Commissioners of the Port of Poulsbo at the regular public meeting thereof held this 6<sup>th</sup> day of October 2011 and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof.



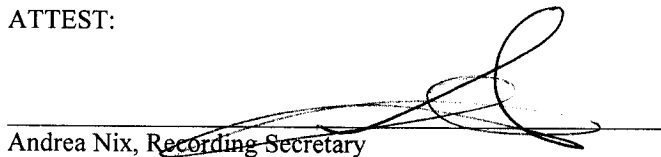
\_\_\_\_\_  
Arnold Bockus, Chairman and Commissioner



\_\_\_\_\_  
Antonio DeCarlo, Commissioner

\_\_\_\_\_  
Glenn Gilbert, Commissioner

ATTEST:



\_\_\_\_\_  
Andrea Nix, Recording Secretary