

MINUTES

PORT OF SIUSLAW COMMISSION MEETING

Wednesday, March 15, 2017, 7:00pm

100 Harbor Street, Florence, Oregon 97439

The Port of Siuslaw Commissioners met in Executive Session per ORS 192.660 (2) (a) and 192.660 (2) (e) from 6:30pm to 7:15pm.

Commissioners Attending: Ron Caputo, Terry Duman, Nancy Rickard, David Huntington, Mike Buckwald

Staff Attending: Steven Leskin, Port Manager; Dina McClure, Administrative Assistant

1. **Commission President Caputo called the meeting to order at 7:17pm.**
2. **Public Comment:**
 - Michelle Culwell, a moorage customer, was upset with how she was treated by Port staff during the process of renewing her annual moorage contract.
 - David Swinney, who is running for Port Commissioner, said the current Port Commissioners should protect Port property from development and find alternatives to the proposed methods for the C-Row Erosion Project.
 - Gordon Owen, a moorage customer, was upset he was still being charged the daily rate after paying \$5K to prevent his boat from being auctioned. Owen said staff won't accept his payments on weekends and other moorage customers, who pay late, don't get treated this way.
 - Len Christensen, a moorage customer, wanted clarification why he can't get the commercial rate on his boat when he has purchased a Tuna permit and commercial fishing gear.
3. **Approval of the Minutes by Consent:** Commissioner Duman asked for a correction in the Special Meeting Minutes from February 20. Duman said the second to last paragraph on page 3 should read "Duman asked the Chair, and the Chair said yes, we will ask staff to recalculate the fees owed". With that correction, the Minutes were approved by Consent.
4. **Approval of the Financials by Consent:** Commissioner Buckwald asked McClure to explain the \$31K spent in Facilities and to define Opening Balance Equity on the Combined Balance Sheet. Leskin said there was a lot of expense for work done in the marina during February. McClure said she would get the definition for the account on the Balance Sheet and report back to Buckwald. The Financials were approved by Consent.
5. **Appoint Budget Committee Members:** No applications were received. Commissioner Caputo said they appoint new members at the April meeting.

- 6. Resolution 3-15-17A To Clarify the Meaning of a Commercial Vessel:** Leskin read the six bullet points on the Resolution. Commissioner's Buckwald and Duman agreed five out of the six criteria were fine, but did not agree with #5 where the Port manager, in his sole discretion, shall determine what constitutes a commercial or historical vessel. They suggested that criteria be eliminated from the Resolution. Leskin said that criteria should remain so the manager has the authority to prevent customers from gaming the rules in order to receive the commercial moorage rate. There was further discussion. **On the Motion, made by Commissioner Buckwald, and seconded by Commissioner Huntington, the board adopted Resolution 3-15-17A, eliminating the criteria in #5. Commissioners Caputo, Huntington, Buckwald, and Duman voted yes. Commissioner Rickard voted no.**
- 7. Resolution 3-15-17B To Authorize 1499 Bay Street Building Repairs:** Leskin said rot was identified during the repair of the building, bringing the total cost of the project to \$7K. **On the Motion, made by Commissioner Rickard, and seconded by Commissioner Huntington, the board voted unanimously to adopt Resolution 3-15-17B.**
- 8. Resolution 3-15-17C To Authorize F Dock Repairs:** Leskin said there was a misunderstanding on the cost for the replacement float during the bid process, and the project was going to cost \$7K over what the board previously authorized. **On the Motion, made by Commissioner Buckwald, and seconded by Commissioner Rickard, the board voted unanimously to adopt Resolution 3-15-17C.**
- 9. Resolution 3-15-17D Appropriations Transfer:** Leskin read the list of proposed transfers. Commissioner Buckwald said the \$15K transfer to the Capital Maintenance Fund should be done during the budget process and not come from Contingency. **On the Motion, made by Commissioner Buckwald, and seconded by Commissioner Rickard, the board voted unanimously to adopt Resolution 3-15-17D with a transfer amount of \$30K instead of \$45K.**
- 10. Commissioner & Manager Reports:**

 - Commissioner Caputo attended a FURA Budget meeting, a Chamber meeting, and was present during Governor Brown's visit.
 - Commissioner Rickard attended a Siuslaw Watershed Council meeting, a City Council meeting, a Lane ACT meeting, and was also present during Governor Brown's visit.
- 11. Port News from Around Oregon:** Commissioner Duman commented about the article in the packet regarding the Port of Toledo's shipyard. Leskin said the shipyard contributes economic development to the community and provides jobs.

President Caputo adjourned the meeting at 8:22pm, then re-opened the meeting to hear additional public comment.

12. Public Comment:

- Wendy Jarman said she was speaking to “stand by” her friends, David Swinney and Michelle Culwell. Jarman said the boat owned by Swinney and Culwell is an attraction, they faithfully pay their fees, and all customers should be treated equally.
- Michelle Culwell said staff had no intention of renewing their annual moorage contract. Culwell said Leskin threatened to throw them out and their moorage is now on a month to month agreement.

Manager Leskin read an incident report dated February 16, 2017, when David Swinney came to the office to renew his contract and pay moorage. Swinney didn't have proof of insurance, so payment was denied. Swinney demanded someone take his money, and accused the Port of wanting his boat. Swinney used profanity and Leskin warned eviction if Swinney used profanity again. Leskin added there are prior incidents in the file regarding Swinney.

Commissioner Duman expressed concern for potential lawsuit when staff decline payments and aggravate customers. Duman accused Leskin of not controlling staff, of discrimination, and not following policy. Duman said Swinney has not caused trouble in the past, every customer brings money into the community, and Leskin needs to get along with people.

- Gordon Owen said he received a letter a year ago to clean his boat, was never informed when annual moorage payments went from three times a year to twice a year, and the attitude he receives is passive aggressive and vindictive.

13. Adjourn: President Caputo adjourned the meeting at 8:38pm.