

August 17, 2022 Minutes
Port of Alsea Regular Board of Commissioners Meeting
Community Center, 265 Hemlock, Waldport, OR 97394

I. CALL TO ORDER

Board President Rob Bishop called the meeting to order at 3:30.

Commissioners Present: President Rob Bishop, Vice-President Buster Pankey, Secretary / Treasurer Jan Power, Commissioner Chuck Pavlik, and Commissioner Joe Rohleder

Management and Staff: Roxie Cuellar, Port Manager

Members of the Public and Media: Matthew Brock, Newport News-Times, and Quinton Smith, Yachats News, represented the media. Members of the public were Jerry Raveling, Mark Paluck, Sherrie Smolen, Kristyna Orlando, David Liebenstein, Ryan Pankey, Cindy Pankey, Albert Robinson, Tammy Abele, Alanna Miklic, Mike Secor, Dave Johnson, Mike Secor Jr., Phillip Ward, Joe Gatens, Brandon Christenson, Eric Eggentsen, Mike Gatens, Brandy Gatens, Bill Sparks, Jodi Davis, Fred Strauss, Carol Strauss, Tom Fullmer, Paul Durkce, Ty Harmon, Grant Yoakum, attorney, John Gold, Ric Parker, Jim Rofurst, Sandy Staples, Chrisie Mumy, Bruce Jefferson, Mark Wiederhold, Joe Smolen, Kurt Saidon, Bruce Linquist, Jim Robinson, and Nick Kolen. Written testimony was also provided by Nick Kolen, Adam Springer, Attorney, and D & B Bait, Inc.

II. APPROVAL OF THE CONSENT CALENDAR

Power moved to approve the consent calendar of the July 21, 2022 Regular Meeting Minutes, and the July, 2022 Financials. Rohleder seconded the motion. The motion passed 5-0.

III. PUBLIC COMMENT

Bruce Jefferson urged the board to contact the state and federal governments about the effects on siltation from dropping the old bridge span in the bay when the new bridge was constructed and the impact of seals on fishing in the bay. Mark Weiderhold, Joe Smolen, Sherrie Smolen, and Cindy Pankey spoke about the contributions of the Port of Alsea to the local economy and the benefits of the new marina facilities. David Liebenstein told the board that he was starting a business making crab pots and complained that the Dock of the Bay, owned by the Port, would unfairly compete with him. Nick Kolen, Joe Gatens, and Phillip Ward spoke to the need for the Shrimp Daddy to keep a lease for the shop on Broadway with the Port. Kurt Saindon again threatened the board commissioners with a recall if they did not allow crabbing at the boat marina and suggested the Port establish a planning commission that could provide advice to the Port on the best use of the new facilities. Bruce Lindquist said he wanted to work with Mike Gatens to come up with a plan so the Shrimp Daddy could continue to work out of the Port-owned shop on Broadway. Jim Robinson spoke about Eckman Lake. He also spoke in support of Mike Gatens keeping his lease and suggested that the Port get rid of the Alsea Bay Crab Co. if the Port needed more parking.

IV. MANAGER'S REPORT

Cuellar went over the August Profit and Loss Statement from QuickBooks. She estimated that the Dock of the Bay (DOB) would net approximately \$25,000 for August. She told the commissioners that the 25' slips were all reserved for September. She was able to use the Fire District's slip moorage for the Shrimp Daddy for commercial bay crabbing and there were a few 20' slips available. She told them that she was contacting Bergerson about a bid on installing high density polyurethane tubes on the debris boom to replace the sunken logs and getting new grates to maintain the grates on the docks. She related that the Alsea Bay Crab Co. had opened late because Troy Smith had medical problems but seems to be doing well. The Port experienced some incidents of vandalism – glue in the padlock on the DOB's garbage bin, someone posted on social media that the DOB was permanently closed, and someone did a phone spoof that had someone calling Robby Hensen, the Port's manager at the DOB, with derogatory calls, using the Port office phone number as the source of the calls. Cuellar said she had called Daniel Brand at NEDES, who maintains the Port's surveillance / camera system, and asked him to make sure the cameras at the DOB are recording properly. Cuellar also distributed an email from the Port's attorney, Adam Springer, with his reasoning on why the Port was authorized under Oregon statutes to own and operate the Dock of the Bay.

V. OLD BUSINESS

A. Installation of Water / Electrical Lines on the Docks

Bishop spoke of the need to get the electrical and water lines installed on the dock for the Central Coast Fire and Rescue slip before the season employees are gone for the year and before the Fire District needs them when the lift installed after November.

B. Dock Cameras / Lights for SDAO Grant

Cuellar said she was going to resubmit for the SDAO grant for the cameras / LED lights on the docks that is due mid-November.

C. Termination of Shrimp Daddy Lease

Power reminded the board that she had moved to postpone the decision on the termination of the Shrimp Daddy's lease for the shop on Broadway owned by the Port so that the Shrimp Daddy's owner, Mike Gatens, could speak to the board. Bishop stated that the terms of the month-to-month lease provided that either party could give the other a 60-day notice to terminate the lease without cause. Mike Gatens addressed the board. He read the conclusions from drug testing for Phillip and Norm, two men who worked out of the shop. The test results showed that both men had tested negative for meth. Gatens also provided the board with a letter from D & G Bait, from Clackamas, Oregon, which urged that the Port continue to provide a lease to the Shrimp Daddy. Gatens stated his love and support of the Port and that the Port's shop was the only place where it could process bait shrimp because of its proximity to the water. Gatens was asked when

his busy season ended and he said May or June. It was suggested that the lease be terminated in May or June. Cuellar reminded the board that when the Shrimp Daddy's busy season ended, the Port's and the DOB's busy season was beginning. She reminded the commissioners that the Port's annual rental of the shop behind Lazy Dayz terminated at the end of April. She recommended that the Port terminate the Shrimp Daddy's lease at the end of March, 2023. That would allow the Shrimp Daddy almost eight months to find a new location and would give the Port a month to move from its rented shop to the Port's shop on Broadway by the end of April, before the busy season began for the Port and the DOB. Commissioner Rohleder moved to terminate the Shrimp Daddy's lease effective March 31, 2023. Power seconded the motion. The motion passed 4-1, with Pavlik voting no.

D. Alsea Bay Crab Co. Status

Cuellar said she had covered this item under the Manager's Report.

VI. NEW BUSINESS

A. Debris Boom / New Float Status

Cuellar said she had covered this item under the Manager's Report.

VII. COMMISSIONERS COMMENTS

Pavlik said he was glad we were able to provide moorage for Mike Gatens for commercial crabbing because everyone thinks a lot of Mike. Pankey supported what Pavlik said. Rohleder said that when the Port was designing the marina, it needed to have a plan for the marina and needed input, but the Port had not received that. Power said that no one comes to the meetings, so we did not receive input. Bishop said that the Board spent a lot of time designing the new marina facilities.

VIII. THE MEETING WAS ADJOURNED AT 5:35.

ATTESTED TO:

Rob Bishop, President

Jan Power, Secretary / Treasurer