

CBJ DOCKS & HARBORS BOARD
OPERATIONS COMMITTEE MEETING MINUTES
For November 16, 2010

I. Call to Order.

Committee Chair Mrs. Cheryl Jebe called the meeting to order at 5:00 p.m.

II. Roll.

The following members were present: Don Etheridge, Cheryl Jebe, Jim Preston, Greg Busch and Mike Williams.

The following member were absent: Bob Wostman

Also in attendance were: John Stone – Port Director and Phil Benner – Harbor Master
Ruth Danner-City & Borough Assembly Liaison.

III. Approval of Agenda.

Ruth Danner would like to add under Items for Information & Discussion the subject Diligence as one of the topics.

MOTION by Don Etheridge: TO APPROVE THE AGENDA AS AMENDED AND ASKED FOR UNANIMOUS CONSENT.

Motion passed without objection.

IV. Public Participation on Non-Agenda Items.

James Jensen
F/V Fly by Night
P.O. 330231
Juneau Alaska

Mr. Jensen said he has owned boats for 17 years as a commercial fisherman. This last summer he had crew member Mr. George, who says he bought the boat, but did not buy his vessel Fly By Night. Mr. George went to Alaska DMV and registered the Fly By Night as his boat without Mr. Jensen's permission. Then Mr. George showed the Harbor Office the new registration and had the ownership transferred to his own name.

Mr. Jensen disagrees that CBJ Harbor Department has impounded his vessel because of the outstanding accounts that are currently at the collection agencies. Mr. Jensen said the outstanding charges are five to ten years old and he should not be responsible to pay these bills. Mr. Jensen feels the \$3000.00 balance for all of his accounts should be forgiven since the statutes of limitations has expired. Prior to The CBJ Harbors impounding the Fly By Night, the Alaska Department of Fish and Game came and seized the vessel. Mr. Jensen is saying he is willing to pay \$325.00 he owed at the one point. Mr. Jensen is asking for the board members to consider approving him to come back into the CBJ Harbors in the future.

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V. Approval of Previous Meeting Minutes.

MOTION by Don Etheridge: ASKED TO APPROVE THE OPERATIONS COMMITTEE MINUTES OF OCTOBER 19, 2010 AS PRESENTED AND ASKED FOR UNANIMOUS CONSENT.

The motion passed without objection.

VI. Items for Action.

1. Waterfront Sales Permit

Public Comment:

Jeff Fanning
Liquid Alaska Tours
634 6th Street
Juneau, Alaska 99801
(Via- Teleconference)

Mr. Fanning recommended getting someone to enforce the rules with the sales people on the dock. Having an officer down there to control the yelling and screaming and verifying permit owners and employees are writing sales receipts for the company that occupies that particular booth. Mr. Fanning believes that the fines should start at \$250.00 and go up for permit holders. Requesting that CBJ Sales Tax office verifies documents that each company gives for applying for a sales permit would be one way of checking for Alaska residency.

Carol Pitts
Orca Enterprises
8500 Evergreen Park Rd
Juneau, Alaska 99801

Ms. Pitts said the permit holders need to know who to report certain incidences to. Joe Nava who works for the City Docks and Harbors, did do a great job trying to apply discipline with certain situations. Ms. Pitts suggest we come up with tickets for violators that have fines attached. If a company refuses to comply with the suspension enforcement then CBJ Docks & Harbors should refuse to sell them a permit.

The regulations for the parking pass for busses need to be reviewed and amended. The regulation states the bus permits are allowed to be purchased if they are sold on board the ship or have been purchased at a Waterfront Dock Sales Booth, or have a contract with a broker. This allows operators who offer pre-sold tours to purchase bus access to the docks for the season not just intermittently. This will need to be established by the lawyers and enforcement.

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Public Comment (Continued)

Mr. Preston asked Ms Pitts how is this request different from the taxi cab request to park down there. She said if you have a pre-booked tour, then they can pull into the dock area and pick someone up. Mr. Preston asked what type of permit this would be. Ms. Pitts said this would sell under an A or B parking permit.

Larry Dupler
Adventures Unlimited
8500 Evergreen Park Rd
Juneau, Alaska 99801

Mr. Dupler said there are a couple companies interested in two or more booths. He thinks only Juneau residences should be allowed to have access to these booths. Mr. Dupler said Mr. Hartle the City Lawyer should know how to enforce a rule to have only Juneau residents purchase a Sales Permit.

Frank Rich
MGT Tours

Mr. Rich said one way to regulate is by going through the Alaska Department of Labor for proof of residency. Making a restriction for purchasing these permits like making them show proof they are a Juneau resident. It would eliminate this issue if there were documents and tax papers they would have to show when applying for a permit. Then if they don't show proof then they do not get a sales permit issued.

Donna Rich
P.O. Box 33775
Juneau, Alaska 99801

Mrs. Rich said there was more regulation enforcement on the docks for the booth permit holders when the permits only cost \$50.00. Now these permits can cost from \$50.00 up to \$50,000 there is not much support for the permit holders.

Mrs. Rich said the attitude from the groups who are working these booths seems to be "They can do what ever they want today because there is a new group coming tomorrow and no one can do anything about it anyway" It would be nice to see the people running these booths start working together and not against each other.

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Dwight Tajon
CBJ Docks & Harbors
Auke Bay Operations Manager

Mr. Nova was the Seasonal Port Supervisor this last season but is unavailable to speak at this meeting. Mr. Tajon will speak for him. Mr. Tajon said the enforcement rules we use are from the CBJ 2005 Rules and they use regulations in conjunction with Title 85 for enforcement.

Mr. Tajon does not know about enforcing the no smoking policy at the booths. He said in the past we had each booth give us a list of their employees. We would do spot checks to be sure the staff are who they say they are and work for that particular company.

The staff is keeping a log of all the incidences and this is how they track for repeat offenders. Mrs. Jebe said we need to post a public notice to let people know about any regulation changes. The Department of Law should have the answers on how to get these changes processed.

Mr. Stone will discuss changes to the waterfront sales permit regulations with the CBJ Department of Law. We will need to post a pending notification of these changes to the companies. We will discuss the new information at the December 7, 2010 Operations meeting. Then we can present the changes at the January Harbor Board Meeting.

2. Auke Bay Loading Facility CU Permit Compliance

Mr. Stone said Dale Pernula who is with Community Development was going to review with Mr. Stone and Mr. Watson on the compliance issues at the ABLF so we can get them resolved. Mr. Pernula has not finished reviewing them and will contact Mr. Stone when he is finished. Mr. Watson would like for Community Development to help with finding a resolution to these issues. Mrs. Jebe said we can review this at the next Board Meeting on December 7, 2010.

Public Comment:

Dennis Watson
333 Northland St.
Juneau, AK 99801

Mr. Watson said this is a very controversial issue with the planning commission. He said there are a few items within the Conditional Use Permit that need to be reviewed for compliance issues? Once they have been reviewed we will know what changes need to be amended.

3. White Fisheries Terminal Crane

Mr. Stone checked with the University and their lease does not make them responsible for any repairs. It will be us paying for any repairs to be done. This crane is used when crane 1 & 2 are busy or broke down. Mr. Preston asked if we spend \$4000.00 to repair it how long will it work. Mr. Benner said if we just repair the crane we will get several years of use from it. Ms. Danner asked if the cranes at Auke Bay Loading Facility could be moved to fill in when other cranes break down. Mr. Benner said some of the grant money that was used for ABLF was for purchasing those cranes for that location. So we really shouldn't use those cranes for other facilities.

Mr. Etheridge said \$4000.00 is not a lot for the repairs. To put the additional usage onto the other two cranes would not be a good idea. The commercial fisherman are using these cranes more then the other harbor patrons.

MOTION BY: Mr. Williams: ASKED TO PAY FOR THE REPAIRS ON THE WHITE FISHERIES TERMINAL CRANE AS PRESENTED AND ASKED UNANIMOUS CONSENT.

Motion passed without objection

4. Diligence

Ms. Danner said the agenda packets are not getting to the board members in a timely manner. She mentioned that she did not receive any notice of this packet being delivered. There were 54 pages to review for this meeting and if we do not get them in time it becomes difficult to know what is going on before the meetings.

Mr. Preston said he received his Agenda draft from Mr. Stone a week ago. He did not receive the actual e-mail with the actual agenda until today. Mr. Preston usually receives the packet for the board meeting a week in advance.

Mr. Stone said we have a new secretary up at the Port Office her name is Teena Scovill. We are still teaching her certain job duties like processing the agenda for the meetings and she has been processing the payroll and other duties.

Mr. Busch said he has been getting the Agenda's off of the CBJ website. Mr. Etheridge said he gets an e-mail from Teena and he is able to click onto the link she attaches and get the whole agenda. Mrs. Jebe said having the packets available to be picked up is a good idea.

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VII. Items for Information/Discussion

1. Harbor Harbormaster Report

Mr. Benner said the staff has gotten a tremendous amount of work done. We kept the seasonal staff on to help out with other projects. Mr. Benner said he won't go through the Juneau Harbor Summer/Fall Accomplishments. Please refer to memo attachment.

Mr. Benner said there was a tremendous amount of maintenance done this summer and fall. Mr. Stone said there was more done this season than in the past few years. The bull rails were a time consuming project, putting them onto the floats and since the floats are older it became very difficult but we got most of them installed. All the wood for the bull rails are in good shape

Mr. Benner said Mr. Jensen in 2007 had lost his slip assignment because he did not pay on time and was sent to collections for \$2453.00 and he never paid this bill and we can not collect on now. He has three more accounts in collection that we could still collect on and this doesn't include his current account. One boat had to be disposed of in the past at the cost of Dock and Harbors. The minimum cost of disposal of a vessel is \$2000.00. He has owned three or more boats during different years and failed to pay the moorage on those accounts. The State Troopers seized his boat because he dumped crab into the bottom of Harris Harbor. Mr. Benner wanted the board to be aware that the Docks & Harbors has already lost \$2453.00 plus the recent \$3362.30. There is a total of \$5815.30 that Mr. Jensen owes the Harbor Department.

Mr. Jensen and Mr. George had came into the downtown office and registered the vessel to Mr. George with a bill of sale. We served a notice for intent to impound then before this could occur the State Troopers took the boat. The Troopers had arrested Mr. Jensen for the 1000 pounds of dead crab he had dumped in Harris Harbor and this is why they took the boat. He says he doesn't have the money to pay his collections accounts or his current account. Mr. Benner said the crab remains were cleaned up.

Mr. Benner said he put together a list of all the accounts that are 60 days past due. There are some land lease accounts and those businesses pay monthly. Then we have other accounts already at collections which we probably will never get the money they owe.

Mr. Benner said the crew took off the fingers on K and L floats. We are trying to get these floats ready for side tying boats. This will give us more room in Aurora Harbor for more boats in the summer. The Douglas break water is still in Aurora Harbor It won't be installed until next spring.

Mr. Benner said the USS Abraham Lincoln will be in Southeast Alaska next June. He is working with the Department of Navy to have it stop in Juneau. He spoke with Drew Green regarding a docking location if our docks have cruise ships. Drew didn't see a problem and said the AJ dock may be an alternative.

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VIII. Staff & Member Reports.

Mr. Benner said the viewing of the auctioned boats is tomorrow from 1-3 p.m.
Then the auction is Friday 11/19/10 at 12:00 p.m.

IX. Committee Administrative Matters.

The next Operations Meeting is scheduled for December 7, 2010 at 5:00 p.m. at the
Aurora Harbor Office.

X. **MOTION by Mr. Etheridge: ASKED UNANIMOUS CONSENT TO ADJOURN THE
HARBOR OPERATIONS MEETING.**

Motion passed without objection.

Meeting adjourned at 7:26.p.m.