

July 16, 2025
3:02 P.M.
Newport, OR

PORT OF NEWPORT COMMISSION SPECIAL MEETING MINUTES

This is not an exact transcript. The video of the session is available on the Port's website.

The Port of Newport Commission met on the above date and time virtually via Microsoft Teams. In attendance were Commissioners Sylvia, Retherford, and Lackey. Commissioner Ruddiman was excused. Also in attendance were Executive Director Paula Miranda, Deputy Executive Director Aaron Bretz, Finance Director Mark Brown, PR Summit Representative Angela Nebel, and Administrative Assistant Gloria Tucker. Members of the audience included Laura Wilkeson and media representative Brian Bahouth.

OLD BUSINESS

Commissioner Oaths. Sylvia introduced the agenda item. Retherford and Lackey recited the oaths of office.

Election of Officers. Sylvia introduced the agenda item. Miranda explained with newly sworn in Commissioners, the Commission needs to elect officers.

MOTION was made by Lackey, seconded by Retherford, to elect Sylvia President. The motion carried unanimously in a voice vote.

MOTION was made by Sylvia, seconded by Lackey, to elect Retherford Vice President. The motion carried unanimously in a voice vote.

MOTION was made by Sylvia, seconded by Retherford, to elect Lackey Secretary/Treasurer. The motion carried unanimously in a voice vote.

NEW BUSINESS

Approval of FV Ashtella Rhelyn Removal. Sylvia introduced the agenda item. Bretz reported the main points of the situation are a vessel was sunk in the Commercial Marina, the Port discovered the owner didn't have a current insurance policy, the Coast Guard assessed the situation, and the owner has not been effective in his efforts to respond. Bretz stated there have been some times the owner was doing things the Port did not want him to do because it was not safe or may damage the facility. He noted the boat has moved so now it is under one of the adjacent fingers, and the bow is under the main dock. He explained during low tides, the dock is contacting the boat, and the boat has damaged a finger already. He indicated he is concerned about it breaking the main dock during low tides. He added the Coast Guard had FDS salvage come out to remove fuel.

Bretz reported a plan was submitted to the Port from FDS, which is the only company responsive and able to do this sort of work, for removal and disposal of the vessel. He explained the Port's insurance agreed to cover the loss up to \$250K, which leaves a gap of \$75K for the work. He noted he is pursuing the remainder from the Department of State Lands as well as a second insurance claim for property damage. He indicated there's potential that the \$75K could be covered by that claim, but he will have to successfully win that argument. He stated the

Commission will need to add to the motion language to declare an emergency. He added the owner owns the vessel, but the Facility Code allows the Port to take safekeeping actions.

Lackey confirmed with staff the \$250K is covered by the Port's insurance. He asked who would go after the owner for all or part of the claim. Bretz replied that is up to the insurance company. Brown noted he placed a lien on the vessel, which means if he sells his fishing permits, the Port will get some of the money invested back. Lackey asked if the Port knows he does have valuable permits. Brown replied he is not sure. Miranda reiterated the importance of having insurance. She noted staff have started going after folks without insurance and trying to remove them from the Port, and people get upset, but all it takes is one day [for something to go wrong]. She stated the Port is not accepting any moorage agreement without insurance, and [applicants without insurance] will be considered transient and charged that rate.

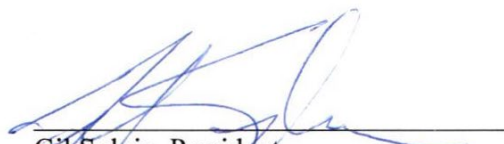
Retherford asked if there is some kind of process, so when a boat sells, the information gets to the Port. She asked if there was a policy in place. Miranda replied the Port has something in place, but it's a matter of folks doing what they are supposed to do. Bretz explained moorages are not transferable, but in practicality how do you force that to happen. Retherford noted it is important to send out to moorage holders the rules. Miranda replied staff ask people to read the Facilities Code, but staff are trying to put together a list of ongoing issues they don't get people to address. She explained a reminder will be sent on an annual basis with statements. Bretz added it's also on the moorage agreement itself.

Sylvia asked if there are incentives to [cause owners to be concerned], given the cost associated with sunken boats. He asked if there is some way to create a better incentive. He confirmed with staff annual moorages are paid ahead of time, and reimbursements are available when boats sell. Bretz stated one of the problems is a 30-day grace period for insurance. He noted to go to a daily rate until they comply is enough incentive to get squared away and enter into the better agreement. He explained as long as the agreement is executed properly, it should be OK for the Port, provided they don't cancel the insurance policy after the fact. He added insurance companies can directly notify the Port of changes. He stated a daily rate will get complaints, and the 30-day grace period was instituted as a matter of convenience. He indicated it is hard to balance convenience with security at the Port.

MOTION was made by Lackey, seconded by Retherford, to declare an emergency and authorize the Executive Director or her representative to contract with FDS Marine International LLC not to exceed \$325K to remove and dispose of the wreck of FV Ashtella Rhelyn at Port Dock 7. The motion carried unanimously in a voice vote.

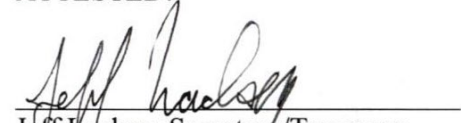
ADJOURNMENT

Having no further business the meeting adjourned at 3:28 p.m.



Gil Sylvia, President

ATTESTED:



Jeff Lackey, Secretary/Treasurer