

Port of Skamania County
Minutes of the Board of Commissioners
June 20, 2017
Regular Meeting, 6:00pm

Call to Order: Commissioner Kingston called the meeting to order at 6:01 pm.

In attendance: Commissioners Kevin Waters and Todd Kingston, Attorney Ken Woodrich, Director Pat Albaugh, Financial Manager Fran Breeding, Auditor Monica Masco, Facilities Manager Doug Bill, Minutes Taker Somer Meade. Guests: Bruce Nissen, Gabe Spencer.

Public Comment:

- **Bruce Nissen, LDB:** Bruce came to give a progress report. He let the commission know that the ConEx is gone, pallets are reduced, and he has had good meetings with kite boarders recently. Business is good but cash flow is a struggle. An HVAC has been identified for the patio build out, and the process is beginning with an investor visiting next week. L&I is asking that all extension cords removed, and they need help with a long term solution. The Commissioners thanked Bruce for his efforts.

Presentation- Gabe Spencer: Gabe gave a brief presentation to the Commissioners on the Port's Banked Capacity. He provided a handout and discussed that with inflation, the value of what the Port is collecting is valued at 80 cents on the dollar. He covered the amount the Port has not charged and can now collect, the effect it would have on the average tax payers rate, and what the Port has lost by not taking the allowable levy each year.

Commission Kingston closed to public comment at 6:15pm.

Approval of the Minutes:

---MOTION--- Commissioner Waters moved to approve the Minutes of the May 16, 2017 Meeting as presented. Commissioner Kingston stepped down to second; the motion carried.

Voucher Approvals:

---MOTION--- Commissioner Waters moved to approve the pre-issued General Fund Vouchers numbered 18010 through 18024 in the amount of \$30,560.83 dated May 31, 2017, vouchers numbered 18025 through 18031 in the amount of \$18,958.57 dated June 7, 2017, and vouchers numbered 18032 through 18049 in the amount of \$14,759.19 dated June 14, 2017. Commissioner Kingston stepped down to second the motion; the motion carried.

---MOTION--- Commissioner Waters moved to approve the General Fund Vouchers numbered 18050 through 18065 in the amount of \$23,510.88 dated June 21, 2017. Commissioner Kingston stepped down to second the motion; the motion carried.

Commissioner & Staff Reports:

- **Commission Update:** Commissioner Waters shared that a new WPPA rep is needed. Commissioner Kingston agreed to take on the role for the next one year. Commissioner Kingston had no updates.

- **Facilities Manager Report:** A lot of work has been done in the Skye building, he is currently working to patch up the leaks caused by the pipes freezing this last winter. One door has been replaced at the golf course and it went well. Damaged and nuisance trees were discussed. Director Albaugh reminded the Commission that for every tree that gets taken down needs to be replaced by two trees. The facilities team has begun constructing a wall in Tichenor for the preschool. Facilities also volunteered to help out with the pool to help with repairs for inspection which has included fixing the grade around the meter, securing the slide, and installing the ADA equipment.
- **Manager's Report:** Director Albaugh explained that we are 10 days away from the end of the government's fiscal year which means that if a budget is not passed, all funding is being suspended and any spending done after July 1 may not be reimbursed until a budget is passed. This means that all projects must stop until a budget is passed. The Army Corps of Engineers has submitted a request for more information on the Cascades Business Park Easement which will likely need to be handled by the engineer on the project but indicates things are moving forward.
- **Auditor's Report:** Cash balance at 5/31/2017 was 794,630. Year to date revenue was \$514,083 and 5% favorable to the budget. Year to date expenses were \$454,688 and were 56% favorable to the budget.
- **Attorney's Report:** Attorney Woodrich reported he had items for executive session.

New Business/Administrative Approvals:

- **Ratify Columbia Technical's (SMA) Modified Contract:** Director Albaugh explained that this action will allow for the current SMA to take on all of the water systems at the WRBP so that only one SMA is managing all of the systems. The county will reimburse all related expenses + 10% for time spent. Attorney Woodrich let the Commission know that it will not be possible for the County to add the Port as an additional insured, which he said was not concerning and the pool (group of agencies responsible) would be liable if there were any losses. Possible losses could come from things like human error. In the future, the Port would look to shift management for this system in its entirety to the county and this action now will simplify that process.

---MOTION--- Commissioner Waters moved to ratify the modified Satellite Management Agency contract between the Port and Columbia Technical for the Wind River Business Park Water System and the US Forest Service Water System as presented. Commissioner Kingston stepped down to second; the motion carried.

- **Cross Connection Control Plan:** Director Albaugh explained this is a requirement from the Department of Health. This establishes a plan and outlines what is going to be required within the water system and the back flow water preventers. This is necessary because of the shared agricultural use of the water system. The SMA is CCS certified.

---MOTION--- Commissioner Waters moved to adopt the Cross Connection Control Plan for the Wind River Business Park Water System as presented. Commissioner Kingston stepped down to second; the motion carried.

- **MCEDD Board:** On the MCEDD board the Washington Ports have one assigned seat. The current seat is held by Bill Schmidt who is a Commissioner for the Port of Klickitat. It is Port of Skamania's term to have the seat but Director Albaugh advised the Commission that the

Washington Ports would be better served to let Schmidt stay on as the Port representative and have a chance in 2019 to fill the seat.

---MOTION--- Commissioner Waters moved to allow Bill Schmidt, the representative of the Port of Klickitat, to be the Washington Port representative on the Mid-Columbia Economic Development District board for the next 2 years at which point the Port of Skamania will have the option to have the seat for 4 years. Commissioner Kingston stepped down to second; the motion carried.

- **CPI Lease Amendments Approval:** Finance Manager Breeding explained that all leases include a paragraph to allow for an annual adjustment according to the CPI. CPI-U is the broader more appropriate metric to use and all of the lessees are on different schedules. The amendment will make all annual adjustments occur on January 1 and refer to CPI-U to improve efficiency and uniformity.

---MOTION--- Commissioner Waters moved to amend the leases to adjust the annual lease rate amount based on the Consumer Price Index for Urban Wage Earners every year on January 1st for the following lessees: Backwoods Brewing Company, The Essence of Reiki, Kellogg Group, LDB Beverage, Phloem Studio, Sawtooth Technologies, Silver Star Cabinets, Simply Growz, Skamania Acupuncture Clinic, Skunk Brothers Spirits, Slingshot Sports, Tanager Telecommunications, and Wind River Biomass Utility. Commissioner Kingston stepped down to second; the motion carried.

- **Property Purchase:** Attorney Woodrich, advised the Commission that there is a new case that limits what can be discussed in Executive session with regards to lease prices. For lease negotiations and minimum price discussions the factors involved in identifying prices have to be discussed in an open meeting (like economic development, safety risks, etc.). Auditor Monica Masco offered a clarifying example. Attorney Woodrich explained that because Ports can be in competition, this is an important ruling that could impact the way executive session discussions go. Attorney Woodrich and Director Albaugh may work together to create a list of things that have to be discussed vs. things that can and should be discussed in executive session.

Chairperson Kingston adjourned the regular meeting at 7:07pm.

Executive Session: Commissioner Todd Kingston called for Executive Session including the Commission Attorney Ken Woodrich, Commissioner Kevin Waters, Finance Manger Fran Breeding, and Director Pat Albaugh for 22 minutes from 7:08pm to 7:30pm regarding **RCW 42.30.110(i)** To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in adverse legal or financial consequence to the agency; and **RCW 42.30.110(b)** To consider the selection of a site or acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price.

No decisions were made in executive session. In regular session, the Commission directed Director Albaugh to move forward with the property acquisition as discussed. The Commission also authorized Attorney Woodrich to proceed with tolling of the statute of limitations as proposed by Keller Allen.

Adjournment: The Chairperson adjourned the meeting at 7:35 pm.

Next Meeting: The next scheduled meeting of the Board of Port Commissioners is July 18, 2017 at 6:00pm at the Port office conference room: 212 SW Cascade Avenue, Stevenson, Washington.

APPROVED BY:



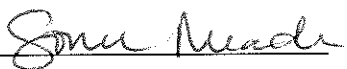
Commissioner Kevin Waters, Secretary (District 1)



Commissioner Gail Collins, President (District 2)



Commissioner Todd Kingston, Vice-President (District 3)

ATTEST: 

Somer Meade, Minutes Taker