

**Port of Skamania County  
Minutes of the Board of Commissioners  
September 19, 2017  
Regular Meeting, 6:00pm**

**Call to Order:** Commissioner Collins called the meeting to order at 6:00pm

**In attendance:** Commissioners Gail Collins, Kevin Waters, and Todd Kingston, Attorney Ken Woodrich, Director Pat Albaugh, Finance Manager Fran Breeding, Auditor Monica Masco, Minutes Taker Somer Meade. Guests: Carrie & Bruce Nissen, Robert Muth (attorney), Kari Fagerness (EDC).

**Public Comment:**

*Carrie Nissen* of LDB gave the Commission an update. LDB has recently moved to adding a second shift and now has approximately 28 employees and are operating from 6am until 10pm. There is an increase in pallets with the higher rates of production but they are in contact with someone to take care of them. LDB is working hard to reduce what is visible outside. LDB also experienced a brief delay in operations as a result of the Eagle Creek fire. *Bruce Nissen* spoke to the challenges they face with the Department of Ecology and the Wastewater System. The Commission thanked Bruce & Carrie for their efforts and for the update.

Commission Collins closed the meeting to public comment at 6:11pm

**Approval of the Minutes:**

*---MOTION--- Commissioner Waters moved to approve the Minutes of the August 15th, 2017 Regular Meeting as presented. Commissioner Kingston seconded; the motion carried.*

*---MOTION--- Commissioner Waters moved to approve the Minutes of the August 29th, 2017 Special Meeting as presented. Commissioner Kingston seconded; the motion carried.*

**Voucher Approvals:**

*---MOTION--- Commissioner Kingston moved to approve the pre-issued General Fund Vouchers numbered 18189 through 18202 in the amount of \$19,494.00 dated August 23, 2017 and vouchers numbered 18203 through 18217 in the amount of \$22,286.57 dated September 6, 2017 and vouchers numbered 18218 through 18233 in the amount of \$7,648.12 dated September 13, 2017. Commissioner Waters seconded the motion; the motion carried.*

*---MOTION--- Commissioner Waters moved to approve the General Fund Vouchers numbered 18234 through 18259 in the amount of \$95,759.11 dated September 20, 2017. Commissioner Kingston seconded the motion; the motion carried.*

**Commissioner & Staff Reports:**

- **Commission Update:** Commissioner Collins and Director Albaugh attended a wastewater meeting last week to discuss pretreatment options for wastewater. Commissioner Waters announced that Backwoods Brewing has adopted a new process separating out solids so the waste water coming from their facility will literally only be water. Carrie Nissen shared that LDB is preparing to do the same thing.

- **Auditor's Report-** The cash balance at August 31th was \$922,044. Year to date revenues totaled \$1,068,654 and were \$95,176 / 10% favorable to the budget primarily due to timing of non-operating/project revenues. Year to date expenses totaled \$881,845 and were \$490,720 / 36% favorable to the budget again due to the timing of the non-operating/project expenses.
- **Facilities Update:** Director Albaugh explained that the Facilities team is looking into timed locks for the restroom or closing the restroom earlier than planned, which has been revisited because of the recent issue with the sewage lift station where Facilities found more needles.
- **Attorney's Report:** Adam Kick reached out to Attorney Woodrich regarding Wind River Biomass Utility (WRBU) purchasing the land they lease from the county. Some of the issues being considered: the current 15-year lease, the grants, and the well. The county is interested and WRBU investors would like to move forward soon. The concern however, is that the Port would have to convey the lease to the county which is a complicated issue. The county could convey it to the Port more easily. The Commission would have to decide whether or not they would want to release them from the lease and an easement would be needed for the well area. The county is moving forward with an appraisal, which the Port is providing and will be reimbursed for. Attorney Woodrich recommends the appraisal be completed first, discussion between Port & County next, and then consideration of discounts based on benchmarks on the quantity and quality of job creation. Attorney Woodrich further suggests recording covenants to restrict how the land is used and developed. WRBU runs the risk through the bid process of losing out on the property that they are already leasing.
- **Manager's Report:** Regarding the Shoreline project, Director Albaugh shared that the dump trucks have grabbed what they can from above the bridge, and with the rain the work is on hold. Rocks from below the bridge will be pulled out next week. Total Shield has moved in to the Skye building and Facilities has one last improvement to complete, which was held up in shipping issues. 21 Cascade has been closed on, but there hasn't been much time to work on clearing it out. RCO visited last week and they are open to the possibility of developing that park as part of the ALEA grant. Other ALEA options are turning the changing station at Bob's Beach to a bathroom and moving the Landing bathrooms. Director Albaugh clarified questions from the Commissioners regarding what ALEA will accept since the mitigation work has been denied. The recent TAP grant can be used as a \$200,000 match.

#### **New Business/Administrative Approvals:**

- **Water Management Plan Approval:** Director Albaugh explained that while the Commission has signed off on sections of the Water System Management plan, the Commission needs to approve the entire plan to finish up the DOH permit application. A budget is still pending.

*---MOTION--- Commissioner Waters moved to adopt the Small Water System Management Plan for the Wind River Business Park Water System. Commissioner Kingston seconded the motion; the motion carried.*

- **Resolution 11-2017 Issuance of Warrants:** Finance Manager Fran Breeding explained that at the start of every year the Commission approves a limit to the pre-issued voucher amounts. With the purchase of 21 Cascade, just to be safe, the limit needs to be raised to \$900,000.

*---MOTION---* Commissioner Waters moved to approve **Resolution 11-2017 Providing for the Issuance of Warrants not to exceed \$900,000 Before Approval by the Commissioners for the calendar year of 2017.** Commissioner Kingston seconded; the motion carried.

- **Funding sources for Stevenson Shoreline Project:** Director Albaugh discussed one type of loan last meeting that was approved by the Commission. Director Albaugh requested that the Commission authorize him to explore other options in addition.

*---MOTION---* Commissioner Kingston moved to authorize **Director Pat Albaugh to explore different funding opportunities for the Stevenson Shoreline Project not to exceed \$250,000.** Commissioner Waters seconded; the motion carried.

- **Professional Service Agreement with Fran Breeding:** Finance Manager Fran Breeding has accepted a job with another agency and has offered to provide services to help the Port through the transition. Her last day of employment with the Port will be September 22, 2017.

*---MOTION---* Commissioner Waters moved to authorize **Director Pat Albaugh to sign the Professional Service Agreement between the Port of Skamania County and Frances Breeding, not to exceed \$2,500.** Commissioner Kingston seconded; the motion carried.

- **Simply Growz Lease Amendment:** The State Liquor and Cannabis Board has reviewed the lease between Simply Growz (SG) & the Port and require that if the Port enters the premises that they be escorted by SG staff and that if the Port seizes any property in a lease default situation that the Liquor & Cannabis Board be contacted.

*---MOTION---* Commissioner Waters moved to approve **the lease amendment between Simply Growz and the Port of Skamania County to meet the requirements set forth by the Washington State Liquor and Cannabis Board as presented.** Commissioner Kingston seconded; the motion carried.

- **Waiver for the Facility Fee for U. S. Forest Service:** The USFS utilized the Tichenor building as a media center and have requested the Commission waive the fees associated with the facility rental.

*---MOTION---* Commissioner Waters moved to waive **the Facility Use Fee of \$100.00 for the United States Forest Service for the purpose of holding press conferences pertaining to the Eagle Creek Fire.** Commissioner Kingston seconded; the motion carried.

- **Finance Manager Vacancy:** The Port has posted the vacancy for the position. Director Albaugh is requesting that the Commission approve an updated job description that gives an expanded description of the duties. Director Albaugh took the Commission through the changes.

*---MOTION---* Commissioner Waters moved to approve **the updated Finance Manager Job description as presented.** Commissioner Kingston seconded; the motion carried.

Director Albaugh explained that the Port and the Economic Development Council (EDC) are exploring the idea of sharing resources given the similar missions for economic development through property management and business resources. All three Commissioners are in support.

Kari Fagerness spoke to her support for the idea. The EDC board meets tomorrow and the same topic will be discussed. Kari spoke to the fact that there are different standards for them as a non-profit and both the Port and the EDC will remain separate entities. Attorney Woodrich explained that there will need to be some contract in place that guarantees that public funds are not in any way gifted to the EDC. Commissioner Kingston asked Kari to report to the EDC board that the Port Commissioners are fully in support. Auditor Masco clarified that one of the possibilities from this move could be sharing a finance manager to reduce costs. Commissioner Collins asked that Director Albaugh be sure to vet all of the legal requirements.

- **Legal Issue:** To be discussed in Executive Session- the Commission acknowledged that Robert Muth was invited to attend the executive session as Commissioner Kingston's legal representative.

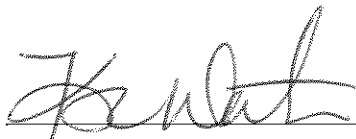
Chairperson Collins adjourned the regular meeting at 7:23pm.

**Executive Session:** Commissioner Gail Collins called for Executive Session including the Commission Attorney Ken Woodrich, Commissioner Todd Kingston and his legal representative Robert Muth, and Director Pat Albaugh for 30 minutes from 7:25pm to 7:55pm 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.

**Adjournment:** The Chairperson adjourned the meeting at 7:56pm

**Next Meeting:** The next scheduled meeting of the Board of Port Commissioners is October 17<sup>th</sup>, 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

**Somer Meade, Minutes Taker**