

**Port of Skamania County
Minutes of the Board of Commissioners
October 20th, 2017
Rescheduled Regular Meeting, 9:00am**

Call to Order: Commissioner Collins called the meeting to order at 9:00am.

In attendance: Commissioners Gail Collins, Kevin Waters, and Todd Kingston, Attorney Ken Woodrich, Director Pat Albaugh, Auditor Monica Masco, Minutes Taker Somer Meade. Guests: Kari Fagerness (EDC), Philip Watness (The Pioneer)

Public Comment: None.

Commission Collins closed the meeting to public comment at 9:00am

Consent Agenda: This is meant to expedite the approvals of the minutes, vouchers, and other administrative approvals. Commissioner Kingston would like to try the new format of the consent agenda for 120 days. Attorney Woodrich suggested that there be a brief recap of the items in the Consent Agenda before the Commission approves it and Director Albaugh explained that the Commission will still review all of the documents prior to signing them.

*---MOTION--- Commissioner Waters moved, seconded by Commissioner Kingston and the motion carried unanimously to **approve the consent agenda as follows:***

Approval of the Minutes

1. *September 19, 2017 Regular Meeting*
2. *October 5, 2017 Special Meeting*
3. *February 21, 2017 Regular Meeting (correction)*

Voucher Approvals

4. *Approval of Pre-issued General Fund Vouchers*
 - o 18260-18281 for \$19,904.00 (10/4/2017)*
 - o 18282-18284 for \$5,470.52 (10/10/2017)*
 - o 18285-18312 for \$42,743.32 (10/18/17)*

Commissioner & Staff Reports:

- **Manager's Report:** Director Albaugh explained that the Department of Health has requested another revision on the Port's application for the water system permit. The City of North Bonneville amended their ordinance that was preventing development at Cascades Business Park. The US Army Corp of Engineers says that they are drafting the permit and there are more hurdles that need to be cleared before the issue of easement at the Cascades Business Park is settled. Director Albaugh is working on an agreement with Sand Mountain, the County, and the Forest Service for restoring the buildings up at the

Wind River Business Park. Director Albaugh will be attending the IACC and the WPPA Conference next week. The EDC board met this week and approved the agreement that the Port Board will vote on next. Commissioner Waters requested an explanation of the Audit Report. Director Albaugh and Auditor Masco explained that it was a clean audit with no findings. There were three recommendations for tighter internal controls, which will be followed up on in the next audit.

- **Auditor's Report-** The cash balance at September 30th was \$876,439. Year to date revenues totaled \$1,148,388 and were \$96,333 / 9.2% favorable to the budget primarily due to timing of non-operating/project revenues. Year to date expenses totaled \$1,007,184 and were \$450,490 / 30.9% favorable to the budget partly due to the timing of the non-operating/project expenses.
- **Commission Update:** Commissioner Collins attended the EDC board meeting and Commissioner Kingston attended a Wind River Business Park Advisory Committee meeting. Director Albaugh explained that this committee is a positive move in the right direction for the Wind River Business Park, especially with the pending agreement with Sand Mountain.
- **Attorney's Report:** Attorney Woodrich attended the Washington State Municipal Attorney conference last week. It was a good conference and Port of Vancouver v Riverkeeper decision was discussed at length. Attorney Woodrich reminded the Commission that it will be pertinent for the Commission to discuss the factors affecting price outside of Executive Session to comply with the decision. Director Albaugh has requested that the WPPA create a statement that Port's could use to make sure all elements are addressed. Attorney Woodrich explained that specifics of the economic benefits a business would bring to the region would be necessary over a boilerplate statement.
- **Facilities Update:** Facilities Manager Doug Bill shared that the facilities team is in the transition phase from summer to fall and the docks have been removed and the bathrooms will be locked down soon. The cart garage doors have been installed at the golf course. With the increase in rain, there have been reports of leaks in the roof of Tichenor caused by WAVE's roof work. They are responsible for repairing it and have someone coming out tomorrow. Director Albaugh reported that Slingshot is having issues with the heater, and they are also requesting that a new loading dock be put in as well as ceiling fans. The loading dock and ceiling fan issue has been an ongoing conversation with Port staff. They are looking into a portable loading dock to see if that might be a reasonable solution and Director Albaugh will ask the Department of Energy Services (DES) as they work through their energy audit of Port property. Facilities Manager Bill suggested that the red infrared lights that were ordered for a former tenant be installed over the work area at Slingshot to help with the cold office conditions. Director Albaugh will follow up with Slingshot staff. The HVAC system in Tichenor is also not working. Commissioner Kingston and Commissioner Waters asked that Port staff to consider removing the

parking island in front of the Backwoods space. Facilities Manager Bill reported that all of the L&I violations were abated this month.

New Business/Administrative Approvals:

- **Ratify EDC Lease & Personal Service Agreement:** Attorney Woodrich explained the need for two separate agreements that are fairly elastic for this new relationship.

---MOTION--- Commissioner Waters moved to approve the Personal Services Agreement in the amount of \$67,200 between the Port and the EDC as presented. Commissioner Kingston seconded; the motion carried.

---MOTION--- Commissioner Waters moved to approve the Lease Agreement between the Port and the EDC, a Washington not-for-profit Corporation, for office space at 212 Cascade Avenue as presented with a lease rate of \$100 a month beginning in November 2017 plus Washington State Leasehold tax and no security deposit, which the Board acknowledges is less than the 1-year statutory deposit. Commissioner Kingston seconded; the motion carried.

- **Promissory Note:** Director Albaugh explained that a local community member has lent the Port \$200,000 for the next two years interest free.

---MOTION--- Commissioner Waters moved to ratify the promissory note between the Port and Steve Oliva as presented. Commissioner Kingston seconded; the motion carried.

- **Tour Boat Contract Revisions:** Director Albaugh took the Commission through the proposed changes to the Docking contract that specify the docking fee is \$150 per 24 hour period, introduces a cancellation fee if 48 hour's notice is not given, increases the labor rate and carves out a second rate for weekend and holiday labor rates, and prohibits all commercial vehicles on the landing.
- **Cascade Laundry Lease Amendment:** Steve Nimmo has requested permission to install a temporary storage unit next to his building at the Wind River Business Park. The lease amendment will assess a \$50 monthly storage fee and requires that no ground be disturbed and the container be removed at the end of the lease term.

---MOTION--- Commissioner Waters moved to approve Lease Amendment 2 between the Port and Cascade Laundry. Commissioner Kingston seconded; the motion carried.

- **EDC 2018 General Professional Services Agreement:** Director Albaugh explained that this agreement is the annual contract that the Port holds with the EDC and is similar to the contract they have with other agencies that provide for general economic development services for our area.

---MOTION--- Commissioner Waters to authorize Director Pat Albaugh to sign the 2018 EDC General Professional Services Agreement. Commissioner Kingston seconded; the motion carried.

- **Ratify Klein & Associates Proposal:** Director Albaugh explained that at the last Commission meeting, the Klein proposal was discussed and a motion was put forth to approve pending verification that all legal requirements were met. That verification has taken place and the next step is get approval to hire them so that a Professional Service Agreement can be signed.

---MOTION--- Commissioner Waters moved to hire Klein & Associates for engineering and surveying services with the professional service agreement to be ratified. Commissioner Kingston seconded; the motion carried.

- **Preliminary 2018 Budget Review:** Director Albaugh provided a historical summary of the budget actuals for 2013-2016, a projected budget for 2017, and a budget for 2018. He is budgeting on the lower end for revenue because of the risky market for property rentals. The salary expenses are greatly reduced with the new agreement with the EDC. 2017 will be the first year in many years that the budget is expected to balance in the positive. Director Albaugh will continue to work on reducing the operating expenses. Director Albaugh explained the Wages, Payroll, and Benefits Budget. With staffing changes, the Port will only need to pay the positions of Executive Director and the Facilities team. The budget includes a 2.4% salary increase. The Commission discussed that they would like for Director Albaugh to take the contracted increase and they would like the Facilities team to get a significant increase. The Commission is pleased with the job that the staff is doing and would like to see them compensated appropriately. The state sets the Commissioner's compensation, and the Commission previously passed a resolution ending Port provided health insurance so that number is lower going into 2018. Commissioners who choose health insurance will reimburse the Port for the amount of the health insurance premiums. Auditor Masco reminded the Board that the Port will have to continue to provide dental, life, and LTD insurance as part of the requirement that once Commissioners are offered health insurance, they must be treated as staff and provided with those benefits. The Commission discussed the health insurance coverage policy based on previous resolutions, which will need to be revisited. Director Albaugh took the Commission through the budget for Capital Projects and some of Project ideas for 2018 looking at some of the challenges from 2017, especially a snow plow, a rescue skiff per L&I's requirements, and public restroom safety ideas. Some of the items will likely be able to be included in the Shoreline project with grant funding. Director Albaugh will provide more specific numbers in the coming weeks, and requested that the Commission think about what priorities they have and any additions they might have for the list. Commissioner Waters asked that the list be made available via email for ranking. Director Albaugh took the Commissioners through the

numbers for the Property Tax Levy. The Commissioners can choose to take the 1% over the 2017 levy which would increase \$2,500. The second option would be 1% over the 1985 levy which would increase \$45,000. Director Albaugh explained the economic impact for the taxpayer which is 3 cents per \$1,000. The Commission could levy a maximum of 45 cents. Commissioner Waters is in favor if it is a small increase with minimal impact. Commissioner Kingston is not in favor of taking the 1% out of concern for the impact with other tax increases affecting property owners in the County over the next few months. Director Albaugh asked the Commissioners to consider what they would like to do. Director Albaugh also asked the Commission to consider the fees assessed for facility rentals and marine dockings. Staff will provide comparables for the Commission to see to help with the decision, keeping community benefit in mind.

- **Settlement Agreement:** To be discussed in Executive Session.
- **Selling Port Property:** There was a request for the Port Commission to consider selling Discovery 1. The Commission directed an appraisal be performed. The appraisal has been completed and will be discussed in Executive Session.

Executive Session: Commissioner Gail Collins called for Executive Session including Attorney Ken Woodrich, Commissioner Todd Kingston, Commissioner Kevin Waters, and Director Pat Albaugh for 25 minutes from 11:02am to 11:27am 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 the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price.

The Commission came out of executive session at 11:27am.

---MOTION--- Commissioner Waters moved to accept release and settlement agreement between the Port and Julie Mayfield in the gross amount including insurance proceeds totaling \$50,000. Commissioner Kingston seconded; the motion carried. The Commission unanimously agreed.

Adjournment: The Chairperson adjourned the meeting at 11:30am.

Next Meeting: The next scheduled meeting of the Board of Port Commissioners is November 21st, 2017 at 6:00pm at the Port office conference room: 212 SW Cascade Avenue, Stevenson, Washington.

APPROVED BY:



Commissioner Kevin Waters, Secretary (District 1)

Gail Collins

Commissioner Gail Collins, President (District 2)

Todd Kingston

Commissioner Todd Kingston, Vice-President (District 3)

ATTEST:

Somer Meade

Somer Meade, Minutes Taker