

PORT OF WOODLAND
Meeting Minutes
December 15, 2011

A regular meeting of the Woodland Port Commission was held on December 15, 2011 in the office of the Port of Woodland, 115 Davidson Avenue, Woodland, Washington. President Cline called the meeting to order at 5:30 P.M.

Those present were:	President	Paul Cline
	Secretary	Jerry Peterson
	Commissioner	Dale Boon
	Executive Director	Nelson Holmberg
	Auditor	Absent
	Guests present:	See List

CALL TO ORDER

EXECUTIVE SESSION (Personnel matter)

At 5:30 P.M. President Cline closes the Regular Meeting to go into Executive Session.

No action will be taken.

At 5:37 P.M. President Cline re-opens the regular meeting.

OPENING REMARKS

A. Pledge of Allegiance

Commissioner Paul Cline was sworn into office by Commissioner Dale Boon.

B. Approval of minutes from regular meeting November 17, 2011

Secretary Peterson made a motion to approve minutes from regular meeting November 17, 2011, per staff recommendation with one correction - correct the spelling of Francis Neglish (under new business) to Francis Naglich. Commissioner Boon seconded the motion. No Discussion. Vote was unanimous. The motion was carried.

PUBLIC COMMENT

No public comment

ACTION ITEMS

**A. Approval of 2012 Port of Woodland Final Budget
a. Public Hearing**

At 5:43 P.M. President Cline recesses the regular meeting for public hearing.

No public comment

At 5:45 P.M. President Cline re-opens the regular meeting.

Commissioner Boon made a motion to adopt the 2012 Port of Woodland Final Budget, per staff recommendation. Secretary Peterson seconded motion.

Discussion: The commission agrees that the line item format for the budget made the process more efficient. Commissioner Boon asks if Springhill Construction, located at Pekin Road Industrial Park, is still a tenant of the ports. He does not see them listed on the budget. Ex. Director Holmberg shows Commissioner Boon where to find them on the budget. Ex. Director Holmberg states that with this budget, the port has reduced the amount of property tax collected by \$16,000.00.

Vote was unanimous. The motion was carried.

B. Resolution 384 to certify the port's 2012 tax levy

Secretary Peterson made a motion to adopt Resolution 384, per staff recommendation. Commissioner Boon seconded the motion. No discussion. Vote was unanimous. The motion was carried.

C. Resolution 385 to designate port commissioner districts
a. Public Hearing

At 5:50 P.M. President Cline recesses the regular meeting for public hearing.

No public comment

At 5:51 P.M. President Cline re-opens the regular meeting.

Presentation: Ex. Director Holmberg introduces TJ Kieran from Council of Governments, who has been helping the Port of Woodland with their redistricting process. TJ will discuss the redistricting process the port has gone through and his recommendation. TJ explains, per the RCW, that no action can be taken on Action Item C, until 5-days after the public hearing. TJ suggests taking Action at the next regular commission meeting. Also, the RCW states that there is a 45 day appeal period prior to the documents being forwarded to the Elections office. The Elections office, however, has requested that the port go ahead and transmit the documents if there was no testimony opposing the redistricting recommendation at this public hearing. TJ states that in the transmittal letter, there will be a statement referring to this request by the Elections office, and if for any reason, an appeal comes through in the next 45 days, that the Elections office waive any fee attached to the work they (Elections office) have already done. The Elections office has also made a request that the port include in the resolution a declaration that the legal description for each district, that exist today, have been reviewed, by the commission, with the maps for consistency. TJ states this is not per the RCW, but a staff recommendation from the Elections office. The Elections office does not want the responsibility of stating that the ports legal descriptions are correct, they want the port commission to take on that responsibility. TJ suggests that due to the expense of having to have the material reviewed by a surveyor, and the fact that the county has already accepted the legal descriptions in the past, that the port take no action at this time.

Commissioner Boon made a motion to table Action Item C, Resolution 385, till the next regular monthly meeting in January. Secretary Peterson seconded the motion. No discussion. Vote was unanimous. The motion was carried.

D. Executive director compensation

Commissioner Boon made a motion that Executive Director Holmberg receive an annual salary increase of 1 ½ percent beginning January 1, 2012. Secretary Peterson seconded the motion. No discussion. Vote was unanimous. The motion was carried.

UNFINISHED BUSINESS

A. Sargent Update

Ex. Director Holmberg states that he tried to contact Lonnie Sargent to ask him to be at this meeting. Ex. Director Holmberg stated that at the last meeting that Lonnie attended he stated that the statute of limitations had run out, Steve West from the department of Fish & Wildlife states that the statute of limitations has not run out and is pursuing enforcement action against Mr. Sargent at this time. Ex. Director Holmberg states that he has been in contact with the County, Fish & Wildlife and the Department of Ecology, and has tried to contact the Corps of Engineers, but they have not responded. He hasn't heard much from the Department of Ecology, but then there really hasn't been anything new to update there, except that there are newly created wetlands out on the property and they are still letting Cowlitz County take lead. Ex. Director Holmberg states that he has spoken with Ron Melin with Cowlitz County and he says the road still needs to come out or be permitted. Ex. Director Holmberg states that the cost of the permits would be about \$6,107.00 and that is without the cost of the fill & grade permit, which is based on the amount of fill. Total estimate of the permit cost would be just over \$12,000. To remove the road would probably cost about the same, plus where would the port put the material from the road. If the port decides to permit the road, then that would mean wetland mitigation, and in talking to the county, it is impossible to estimate the cost of mitigation because there is no mitigation plan in place. If the port takes over the permitting of the road, then the port would be responsible for a mitigation plan. Right now, Lonnie is the responsible party for the permitting, mitigation plan and any enforcement action. Ex. Director Holmberg states that at this time the port is not in jeopardy of any enforcement action, but as the property owner, we could ultimately be responsible if Lonnie ends up not doing anything about this issue. Secretary Peterson states that he understood that at the time the property was permitted for fill, the wetland mitigation question had to have been addressed. Ex. Director Holmberg states that per direction from the commission, he asked Rebecca Schroeder from the Department of Ecology that question and she was unable to answer the question, but forwarded the question onto the Corps of Engineers and they have not responded back. Ex. Director Holmberg states that mitigation work has been done out there. Secretary Peterson agrees that mitigation work was done due to the dredging of the river. President Cline asks who would have those records. Ex. Director Holmberg states that the Corps of Engineers would have those records, but he would also check with the channel deepening staff that work out of the Port of Portland. Secretary Peterson states that it is going to cost the port too much money to take the road out. Commissioner Boon states that the agencies involved, should continue to deal directly with Lonnie. President Cline states that the road access permit states that Lonnie is responsible for all permitting. The commission agrees to take no action at this time.

NEW BUSINESS

Secretary Peterson requests that on all port leases, a statement be sent out on the first of each month requesting payment. Ex. Director Holmberg states that he and Auditor Moore will be conducting an internal lease audit on December 28th and that the day to day managing of the leases will become Auditor Moore's job duty. Secretary Peterson states that it would be the duty of the Ex. Director to contact those tenants that are behind in their lease payments or lacking any current paperwork involving their lease.

UPCOMING MEETINGS

See report

AUDITOR'S REPORT

A. Approval of Auditor's report of port finances

Secretary Peterson made a motion to approve Item A, the auditor's report as presented, per staff recommendation. Commissioner Boon seconded the motion.

Discussion: Commissioner Boon asks if the \$766.07 dollars listed under "other income" on the report, is the insurance payment for the damage to the fence out at Pekin Road Industrial Park. Ex. Director Holmberg states that it is. Commissioner Boon also asks if the \$70,000.00 listed as a transfer to WSIP, is included in the \$856,322.13 WSIP fund balance. Ex. Director Holmberg states that that is correct.

Vote was unanimous. The motion was carried.

B. Approval of vouchers and warrants (plus any wire)

Secretary Peterson made a motion to approve Item B, vouchers and warrants numbered 14141 thru 14185, totaling \$76,884.73, per staff recommendation. Commissioner Boon seconded the motion.

Discussion: Secretary Peterson asks what the initials OFM stand for (Cowlitz County OFM). Ex. Director Holmberg states that it stands for Office of Financial Management and those vouchers/warrants issued to Cowlitz County OFM are loan payments. Commissioner Boon asks if Springhill Construction is an annual or monthly tenant. Ex. Director Holmberg explains that the annual lease has expired, which means Springhill Construction is now on a month to month until a new lease can be drawn up. Ex. Director Holmberg states that he has spoken to Jim Hill about the fact that if his annual lease expires, that it would convert to a month to month. President Cline asks why Ex. Director Holmberg has not been able to connect with Jim Hill. Ex. Director Holmberg states that Jim is not on site and has been gone.

Vote was unanimous. The motion was carried.

UNFINISHED BUSINESS – continued

Secretary Boon notes that on the financial report, Springhill Construction has not made a payment in 2011. Ex. Director Holmberg states that they made their annual payment in 2010, which was good until October of 2011. They have made a payment to cover October and November, in the amount of \$400.00 dollars per month and that payment will show on next months report. The commission directs Ex. Director Holmberg to get a new lease signed with Springhill Construction (KDR Contractors/Jim Hill), that there are some issues that need to be addressed about the property and a discussion about a new lease would give Ex. Director Holmberg the opportunity to discuss the property issues with Jim Hill.

STRATEGIC PLANNING

Nothing to report at this time.

EXECUTIVE DIRECTOR REPORT

See report

- President Cline asks for an update on the office repairs for the new tenant, Chilton Logging. Ex. Director Holmberg states that he has stopped by the site and all repair work is on schedule.
- President Cline asks for an update on the signage at port industrial properties. Ex. Director Holmberg states that he has not been able to work on the signage project due to other priorities, but will put that on his priority list after the first of the new year.
- President Cline asks for an update on the DVD that Terry Richard is putting together for the port. Ex. Director Holmberg states that Terry has done most of the work and feels he has plenty of stock video, but that he still needs to have something bigger to really be the draw of the video. With that said, will be conducting four more interviews, and after the first of the new year, Ex. Director Holmberg will be meeting with Terry at his editing suite to go through all the material to be used in the final video. The original plan was to have a 3-minute video that would be used to email or link out for marketing purposes and a 1-minute video that would be used for the website. The 3-minute video will now be an 8-minute video, with added emphasis on quality of place, business environment, leadership and the ports rail line.
- Commissioner Boon asks for an update on the drainage issue at Gardner Trucking. Ex. Director Holmberg states that a catch basin with a dry well were installed and 4" drainage pipe was put in underground to drain into the area behind the leasehold. Ex. Director Holmberg states that he visited the site today, and after last nights rain fall, the area of concern was completely dry.
- Commissioner Boon asks for an explanation of Osa M. Taggarts contract collection. If she passes away, does the port continue to pay the balance of the contract? Ex. Director states that the port continues to pay the balance of the contract to the trust, there will be no balloon payment. Commissioner Boon asks if the port can develop her property before the contract is paid off, which is a 20-year contract.

Ex. Director Holmberg states that there are two stipulations to the contract, the first being that Osa M. Taggart lives in her house until her passing and the second being that the port can develop the property when the contract is paid in full. Her property is not included in the comprehensive plan or strategic plan for any kind of development. Secretary Boon understood that the port takes possession of the property upon her death, but that any tenants that live on the property have 18 months to vacate the property upon Osa's passing. Ex. Director Holmberg states that the 18-month clock begins upon Osa's passing.

COMMISSIONERS REPORTS

- Secretary Peterson would like to note that he is very pleased with the ports new website.

ADJOURNMENT

Commissioner Boon made a motion to adjourn. Secretary Peterson seconded the motion. Vote was unanimous. The motion was carried.

President Cline declared the Regular Meeting adjourned at 6:51 pm.

WOODLAND PORT COMMISSION

Paul Cline, President

Jerry Peterson, Secretary

Dale Boon, Commissioner