



# Port of Woodland

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## **PORT OF WOODLAND Meeting Minutes January 7, 2016**

A regular meeting of the Woodland Port Commission was held on January 7, 2016 in the office of the Port of Woodland, 115 Davidson Avenue, Woodland, Washington. President Boon called the meeting to order at 3:02 P.M.

Those present were:	President	Dale Boon
	Secretary	Gerald Peterson
	Commissioner	Paul Cline
	Executive Director	Jennifer Keene
	Auditor	Carol Moore

Guests present: See List

### **CALL TO ORDER**

### **OPENING REMARKS**

- A. Pledge of Allegiance**
- B. Approval of Agenda**

**Secretary Peterson made a motion to approve the agenda with one change - the executive session will be moved to after Unfinished Business. Commissioner Cline seconded the motion.**

**Discussion: No further discussion.**

**Vote was unanimous. The motion was carried.**

## **C. Election of Officers 2016-2017**

President Boon opens the nominations for president.

**President Boon made a motion to nominate Commissioner Cline as president. Secretary Peterson seconded the motion.**

President Boon asks for further nominations, hearing none, declares the nominations for president closed.

**Vote was unanimous. The motion was carried.**

President Boon opens the nominations for secretary.

**Secretary Peterson made a motion to nominate President Boon as secretary. Commissioner Cline seconded the motion.**

President Boon asks for further nominations, hearing none, declares the nominations for secretary closed.

**Vote was unanimous. The motion was carried.**

Meeting turned over to newly elected President Cline.

### **PUBLIC COMMENT (5 minute limit)**

#### **A. Items on the agenda**

None

#### **B. Items not on the agenda**

None

### **WORKSHOP ITEMS**

#### **A. Employee Manual**

Discussion on Employee Manual

#### **B. Delegation of Authority**

Discussion on Delegation of Authority

At 4:10 P.M. - President Cline recesses the regular meeting to go into Public Hearing

### **PUBLIC HEARING**

#### **A. Resolution #432 SEPA Policy Adoption**

- Public Comment - Shirley Temming asks if the commission understands that if they don't do an appeal period and it goes directly to the Supreme Court,

then they have that to consider as a possibility that they will have to pay attorney fees for the appellate.

- Staff Response - Larry Costich states if there is an appeal of the decision that is being made at this level, and it goes to the Superior Court, the Superior Court may have the ability to proportion attorney fees. But he will check to make sure that this is a correct statement.

At 4:35 P.M. - President Cline reconvenes the regular meeting

## **ACTION ITEMS**

### **A. Resolution #432 SEPA Policy Adoption**

**Secretary Boon made a motion to table Resolution #432. Commissioner Peterson seconded the motion.**

**Discussion: No further discussion.**

**Vote was unanimous. The motion was carried.**

**Direction: The commission directs Executive Director Keene and legal to gather more information and clarification about the SEPA and to set up a workshop before scheduling the next public hearing.**

### **B. WCT Lease discussion and Resolution #433 2015 Revenue Bond for Lemmons Acquisition**

**Direction: The commission directs Executive Director Keene and legal to ask Mr. Lemmons for a two to four week extension on finalizing the purchase of property, the alternative is the purchase and sale agreement terminates. Under the terms of the purchase and sale agreement the earnest money deposited is retained by the Port.**

**Commissioner Peterson made a motion that the port receive a return on investment for the Taggart property based on today's value. Motion died due to lack of a second.**

**Direction: The commission directs Executive Director Keene to communicate with Jeff Woolever that the lease payment would need to include the value of the Taggart property.**

**Secretary Boon made a motion to set the value of the Taggart property at \$3.00 a square foot, to include with the Lemmons property and present that to Jeff Woolever as a financial package.**

**Discussion: Executive Director Keene asks for clarification on any return on investment. She understands that the commission is requesting a lease be set at \$3.00 a square foot for the Lemmons property and add \$3.00 a square foot for the Taggart property - but no return on investment.**

**Secretary Boon made a motion to amend the motion on the table to include a 10% percent return on investment. Commissioner Peterson seconded the motion.**

**Discussion: No further discussion.**

**Vote on the amendment was unanimous. The motion was carried.**

**Vote on the original motion on the table was unanimous. The motion was carried.**

**Secretary Boon made a motion to table Resolution #433 2015 revenue bond for Lemmons acquisition. Commissioner Peterson seconded the motion.**

**Discussion: No further discussion.**

**Vote was unanimous. The motion was carried.**

#### **C. Resolution #434 Delegation of Authority**

**Secretary Boon made a motion to table Resolution #434 delegation of authority. Commissioner Peterson seconded the motion.**

**Discussion: No further discussion.**

**Vote was unanimous. The motion was carried.**

#### **D. Down River Drive Bids for Painting: Review and Award of Bidder**

**Secretary Boon made a motion to enter into a contract with Long Painting Company, to accept their bid for \$17,635.00 plus tax - painting the buildings as specified. President Cline seconded the motion.**

**Discussion: Commissioner Peterson asks for clarification about their request to provide a site for their equipment.**

**Commissioner Peterson made a motion to amend the motion on the table to have Executive Director Keene contact Long Painting Company and tell them**

**what we have for a storage area and make sure that works for them.  
Secretary Boon seconded the motion.**

**Vote on the amendment was unanimous. The motion was carried.**

**Vote on the original motion on the table was unanimous. The motion was carried.**

## **UNFINISHED BUSINESS**

### **A. Howard Way Update**

Larry Costich, ports legal, gives an update on this issue.

**Direction: Larry suggests that in the next two weeks that Executive Director Keene and Legal, continue the discussion with the City to try to get this issue clarified with a clear understanding of the repercussions that would be at stake, and to report back to the commission at the January 21 meeting with a more definitive direction of what we are understanding. The commission agrees to this direction.**

### **B. Organizational Assignments**

**Direction: The commission directs Executive Director Keene to update last year's assignment calendar and have it ready for the meeting on January 21.**

## **EXECUTIVE SESSION**

### **A. Real Estate Matters pursuant to RCW 42.30.110 (1)(c)**

Executive Director Keene adds the following to the executive session

### **B. Potential Litigation RCW 42.30.110 (1)(i)**

At 5:47 P.M. President Cline recesses the regular meeting to go into executive session. Executive session will last 15 minutes, until 6:02 P.M. - no action will be taken. The commission has invited Larry Costich, legal, and Executive Director Keene to participate in the executive session.

At 6:02 P.M. President Cline re-convenes the regular meeting and states that no action was taken during executive session.

## **NEW BUSINESS**

### **A. NOAA Request**

**Direction: The commission directs Executive Director Keene to contact NOAA and allow them access to the property for the 5-month period for scientific study. To verify their work schedule and contact port security. To also state that the port will not accept liability of NOAA property and there is to be no destruction of port property.**

### **B. Department of Corrections Labor Use and L&I payments**

**Direction: The commission directs Executive Director Keene to sign an agreement with the Department of Corrections to continue to use them for labor use.**

## **UPCOMING MEETINGS**

January 21, 2016 @ 5 PM Port Commission Meeting

January 20, 2016 @ 6 PM WQCC- City Hosting Event

January 21, 2016 @ 12 PM CWCOG Board Meeting @ PUD Auditorium

January 23, 2016 @ 5 PM Chamber Installation Dinner

January 27, 2016 all day Port Day in Olympia

## **COMMISSIONERS REPORTS**

- Commissioner Peterson is concerned with the amount the port is paying in legal expense.

**ADJOURNMENT**

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

President Cline declared the Regular Meeting adjourned at 6:35 P.M.

WOODLAND PORT COMMISSION



\_\_\_\_\_  
Paul Cline, President

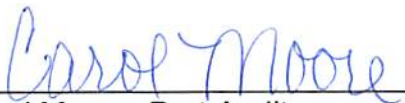


\_\_\_\_\_  
Dale Boon, Secretary



\_\_\_\_\_  
Gerald Peterson, Commissioner

Attest:



\_\_\_\_\_  
Carol Moore, Port Auditor

PORT OF WOODLAND

COMMISSION MEETING

January 7, 2016

GUEST LIST: Please sign your name and the organization you represent.

	<u>NAME</u>	<u>ORGANIZATION</u>
1.	<u>Jim Blumenthal</u>	<u>Martin Nelson &amp; Company</u>
2.	<u>Deborah Johnson</u>	<u>CWCOG</u>
3.	<u>Shirley Temmin</u>	<u>CRRVP</u>
4.	_____	_____
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20.	_____	_____





# Port of Woodland

## EXECUTIVE SESSION REFERENCE GUIDE OPEN PUBLIC MEETINGS ACT, CHAPTER 42.30 RCW

Executive session will take place during Commission meeting on 4/7/2016 (date) and \_\_\_\_\_ (time) for a period of \_\_\_\_\_ (length).

- National security - RCW 42.30.110 (1)(a)
- Real estate matters – RCW 42.30.110(1)(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
- Real estate matters – RCW 42.30.110(1)(c):  
To consider the *minimum price* at which real estate will be offered *for sale or lease* when public knowledge regarding such consideration would cause a likelihood of decreased price
- Publicly Bid Contracts – RCW 42.30.110(1)(d):  
To review negotiations on the performance of publicly bid contracts when public knowledge ... would cause a likelihood of increased costs.
- Complaints/charges against officer or employee – RCW 42.30.110(1)(f):  
To receive and evaluate complaints or charges brought against a public officer or employee. Upon request of such officer or employee, a public hearing or meeting open to the public must be conducted upon such complaint or charge
- Qualifications of applicant/performance review of employee – RCW 42.30.110(f)  
To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee.



Potential litigation – RCW 42.30.110(1)(i):

To discuss with legal counsel matters relating to agency enforcement actions, or to discuss with legal counsel litigation or potential litigation to which the agency, governing body, or member acting in official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency

Executive session will conclude no later than \_\_\_\_\_.

Additional time for executive session 5:47 (time) and 15 (length).

Additional time for executive session \_\_\_\_\_ (time) and \_\_\_\_\_ (length).

Additional time for executive session \_\_\_\_\_ (time) and \_\_\_\_\_ (length).

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Executive sessions must be part of a regular or special meeting.

Before convening in executive session, the presiding officer must publicly announce the purpose for excluding the public and the time when the executive session will conclude.

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Executive session may be extended by announcement of presiding officer.