



**PORT OF WOODLAND  
Meeting Minutes  
May 6, 2021**

In accordance to Governor Inslee’s Proclamation 20-05 and 20-28, the Commission will hold its meeting in person at Port of Woodland at 1608 Guild Road, Woodland, Washington. Those wishing to participate in person but meet Washington State social distancing and mask wearing mandates. Those wishing to participate in the Commission meeting via Zoom through ID Room: 237-755-8282 and password 642020 or call 1-669-900-6833 and use the same ID room and Password. Public wishing to provide public comment to items on or off the agenda may do so via email to [jkeene@portofwoodland.com](mailto:jkeene@portofwoodland.com) by 8:00 A.M. of the day of the Commission Meeting. Those comments will be read into the record.

**CALL TO ORDER**

President Wile called the meeting to order at 9:00 A.M.

Roll Call:	President	Robert Wile
	Secretary	Paul Cline
	Commissioner	Dale Boon
	Executive Director	Jennifer Wray-Keene
	Port Auditor	Carol Moore via Zoom
	Legal	Larry Costich via Zoom

**OPENING REMARKS**

**A. Pledge of Allegiance**

**B. Approval of Agenda**

Discussion: Agenda will be amended as follows:

- Add Executive Session - RCW 42.30.100(1)(i) Potential Litigation
- Add Action Item J - Schurman Way Industrial Park Owners Association Declaration of Covenants, Conditions and Restrictions
- Remove New Business C - Utility billing from City/Deposits/Leases

**Secretary Cline made a motion to approve the agenda as amended.**

**Commissioner Boon seconded the motion.**

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

**PUBLIC COMMENT (via email)**

**A. Items ON the agenda**

None

**B. Items NOT ON the agenda**

None

**EXECUTIVE SESSION RCW 42.30.100(1)(I) Potential Litigation**

At 9:02 A.M. President Wile recesses the regular meeting to go into executive session. Executive session will last 5-minutes, until 9:07 A.M. - no action will be taken. The Commission invites Legal Counsel Larry Costich via phone and Executive Director Wray-Keene.

At 9:07 A.M. President Wile re-convenes the regular meeting; no action was taken during the executive session.

Open Discussion: Potential Litigation

***Direction: The Commission directs Executive Director Wray-Keene and Legal to pursue all action required to protect the Port of Woodland regarding the topic discussed in executive session.***

**PRESENTATION**

**Kuhnis Road Rail Study – Mary Moran, David Evans and Associates**

Mary Moran gives a short presentation explaining Change Order 2. She explains that she has completely re-worked the original scope of work for Kuhnis Road Rail Study to add an additional study for a rail overpass at Whalen Road. Working with BNSF and possible future grant application requirements, the original study needed to be updated. Change Order 2 will bring the project to 30% engineering for both Whalen Road overpass and Kuhnis rail spur.

**MINUTES**

**A. April 15, 2021 Regular Meeting**

Discussion: No changes to the minutes

***Commissioner Boon made a motion to approve the minutes of the April 15, 2021 regular meeting, as reviewed. Secretary Cline seconded the motion.***

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

**ACTION ITEMS**

**A. Columbia Precast Easement**

The Commission review and discuss the Stormwater Line Easement document that was provided in their commission packet.

**Secretary Cline made a motion to approve the easement to Columbia Precast for Lot 1 at Centennial Industrial Park. Commissioner Boon seconded the motion.**

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

**B. Resolution #503 Dissolution of the Industrial Development Corporation**

The Commission review and discuss the Resolution #503 that was provided in their commission packet.

**Secretary Cline made a motion to approve Resolution #503. Commissioner Boon seconded the motion.**

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

**C. April 2, 2020 IDC Minutes**

The Commission review and discuss the IDC Minutes from April 2, 2020 meeting, that was provided in their commission packet.

**Secretary Cline made a motion to approve the minutes of April 2, 2020 of the Industrial Development Corporation. Commissioner Boon seconded the motion.**

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

**D. 2020 IDC State Audit Annual Report**

The Commission review and discuss the IDC 2020 Annual Report that was provided in their commission packet.

**Secretary Cline made a motion to approve the IDC 2020 State Audit Annual Report. Commissioner Boon seconded the motion.**

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

**E. 2020 Port of Woodland State Audit Annual Report**

The Commission review and discuss the Port of Woodland 2020 Annual Report that was provided in their commission packet.

**Secretary Cline made a motion to approve the 2020 Port of Woodland State Audit Annual Report. Commissioner Boon seconded the motion.**

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

**F. Hewn Elements PSA Centennial Industrial Park Lots 3, 4, 5 and 6**

The Commission review and discuss the Real Estate Purchase and Sale Agreement that was provided in their commission packet.

**Secretary Cline made a motion to approve the Purchase and Sale Agreement with MBJ, LLC for Lots 3, 4, 5 and 6 at Centennial Industrial Park. Commissioner Boon seconded the motion.**

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

**G. Material Sale Agreement with Brown Strauss and Surplus of Material**

The Commission review and discuss the Material Sale Agreement that was provided in their commission packet.

**Secretary Cline made a motion to approve the Material Sale Agreement with Brown Strauss for the purchase of up to 60,000 CY of material at Austin Point. Commissioner Boon seconded the motion.**

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

**H. Gibbs & Olson BLA for Schurman Way Industrial Park Lots 1, 2 and 5**

The Commission review and discuss the Agreement for Surveying Services that was provided in their commission packet.

**Secretary Cline made a motion to approve the agreement with Gibbs & Olson for surveying services – boundary line adjustment to Lots 1, 2 and 5 Schurman Way Industrial Park Binding Site Plan Phase 1 in the amount of \$11,500.00. Commissioner Boon seconded the motion.**

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

**Direction: The Commission directs Executive Director Wray-Keene to sign the agreement**

**I. Kuhn Road Rail Study Change Order**

The Commission review and discuss Change Order 2, that was provided in their commission packet.

**Secretary Cline made a motion to approve Kuhn Road Rail Study Change Order 2 in the amount of \$32,650.00. Commissioner Boon seconded the motion.**

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

**J. Schurman Way Industrial Park Owners Association Declaration of Covenants, Conditions and Restrictions**

The Commission review and discuss the information that was provided in their commission packet.

**Secretary Cline made a motion to approve the Schurman Way Industrial Park Declaration of the CCR's. Commissioner Boon seconded the motion.**

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

**Direction: The Commission directs Executive Director Wray-Keen to execute the map prior to recording.**

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**A. Rescheduling of May 20 Regular Meeting**

Due to the WPPA Spring Conference, the May 20 meeting needs to be rescheduled. The Commission review their schedules.

**Secretary Cline made a motion to reschedule the May 20 regular meeting to Tuesday, May 18. Commissioner Boon seconded the motion.**

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

**B. City of Woodland Request for Exit 21 Support**

Executive Director Wray-Keene updates the Commission on the study the City of Woodland Council is preparing for Exit 21. The City announced at an open meeting that they have received a letter of support from the Port of Woodland and that letter has been forwarded to the office of Jamie Herrera-Beutler. Executive Director Wray-Keene informs the Commission that she has never seen the scope of work for the City's study and therefore never asked direction from the Commission to prepare a draft letter of support for their review and action. The Commission agree that if the City is seeking a

letter of support, they will need to come before the Commission with some form of presentation and formally ask for a letter of support.

**UPCOMING MEETINGS**

May 11, 2021 at 9:00 A.M. – Special Meeting: Award Bid for Rose Way Industrial Park

May 15, 2021 at 10:00 A.M. – Martin Bar Loaner Board and Mark Bunker Jr. Memorial Unveiling

May 27, 2021 at 9:00 A.M. – Austin Point Mitigation, Public Access Meeting with Ecological Land Services

June 4, 2021 at 2:00 to 4:00 P.M. – Ribbon Cutting for Centennial and Groundbreaking for Rose Way

**COMMISSIONERS REPORTS**

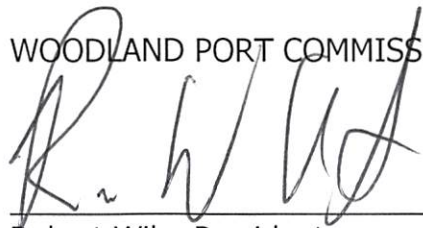
Commissioner Boon reported that a constituent spoke to him about the legal authority and constitutionality of the Port selling land. He stated that it was within the Comp Plan and was within the Port’s mission and authority to sell land.

**ADJOURNMENT**

***Commissioner Boon made a motion to adjourn. Secretary Cline seconded the motion.***

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

President Wile declared the Regular Meeting adjourned at 11:17 A.M.

WOODLAND PORT COMMISSION  
  
\_\_\_\_\_  
Robert Wile, President

  
\_\_\_\_\_  
Paul Cline, Secretary

  
\_\_\_\_\_  
Dale Boon, Commissioner



# Port of Woodland

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

- Executive session took place during a Commission regular meeting on 5/6/2021.
- Executive sessions must be part of a regular or special meeting. Was the ES listed on the agenda? Yes x No
- 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. Was this completed? Yes x No
- 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. Was this completed? Yes      No
- Per Resolution #472: Legal Consulted Prior? Yes x No
- Legal Present Yes x No
- Executive Director Present x Executive Director Consulted x

Those invited/entering the Executive Session (Names) for record:

Larry Costich will be present via teleconference Schwabe Port Counsel.

Executive Session Reason (identified on the following page): 42.30.110 (1)(i)

Executive session may be extended by announcement of presiding officer. 9:02 - 9:05

Executive session will conclude no later than      (time) and for 5 minutes.

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

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

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

*No action was taken in meeting*

*Direction given for legal to investigate  
issue discussed in exec. sess -*

- 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(g)  
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

• Direction Given after the ES? \_\_\_ Yes \_\_\_ No

If Yes: \_\_\_\_\_

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