

**PORT OF BENTON
COMMISSION MEETING MINUTES
AUGUST 26, 2019**

A. CALL TO ORDER: The regular monthly meeting was called to order at 8:30 a.m. at the Port of Benton Commission Meeting Room, 3250 Port of Benton Boulevard, Richland, Washington. Present were Commissioners Jane F. Hagarty, Roy D. Keck and Robert D. Larson. Staff members present included Interim Executive Director, Diahann Howard, PPM®; Director of Finance, Stuart Dezember, CPA, PPM®; Director of Special Projects, John Haakenson; Director of Communications and Marketing, Wally Williams; Port Counsel, David Billetdeaux, Administrative Assistant, Kelly Thompson and Maintenance Staff: John Alley, Ed Stearns, Jeff Moore, Dan Davis, Robert Jackson, Trevor Thompson, Corey Roemeling and Jose Enriquez. Also, in attendance were Chuck Larson, Christine Roemeling, Bill O’Neil, Scott Keller, Scott Urban, Clif Dyer, Dennis Nichols, Garreth Nisbett, Carl Cadwell and Mark Jaeger.

B. PLEDGE OF ALLEGIANCE: Robert Larson led those present in reciting the Pledge of Allegiance.

C. CURRENT BUSINESS:

1. CONSENT ITEMS: A motion was made by Commissioner Jane Hagarty, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving the August 19, 2019, Commission Meeting Minutes and Resolution 19-23 to Cancel Warrant No. 71408.

The Interim Executive Director thanked the entire maintenance team: John Alley, Ed Stearns, Jeff Moore, Dan Davis, Robert Jackson, Trevor Thompson, Corey Roemeling, Jose Enriquez, (Ben Dezember and Caden Slade, neither of whom were present at the meeting) for their efforts and dedication regarding both the Wings and Wheels event and current efforts at Crow Butte Park. She also thanked the Director of Special Projects for his planning and supervision of the maintenance staff.

2. UNSCHEDULED BUSINESS/VISITORS: Scott Keller addressed the Commission and asked if anyone remembered why the Port took over the operations of Crow Butte Park? The Interim Executive Director stated that it was within the Port’s taxpayer district and it was a public benefit for those within that area. Mr. Keller stated the large landowners/farmers in the Plymouth/Paterson area pay over \$250,000 in taxes to the Port per year.

3. DIRECTOR OF FINANCE REPORT: The Director of Finance provided July 31, 2019 budget expenses and capital projects that had variances from the approved budget. The Port Commission had no questions or comments related to the July 31, 2019 budget report.

- 4. FEDERAL AVIATION ADMINISTRATION (FAA) COMPLIANCE UPDATE:** Chuck Larson, and Christine Roemeling, JUB Engineers, provided an in-depth presentation regarding overall FAA compliance. All questions were answered, and the following subjects were highlighted: construction projects, professional services contracts, federal provisions, auditing practices, federal grant assurances, master planning process, hangar use, property and land acquisition and lease agreements. Mr. Larson and Ms. Roemeling advised JUB Engineers works very closely with the FAA, the Port, contractors and sub-contractors to ensure all federal regulations are followed and that all parties are apprised of new rules and requirements. Mr. Larson also stated the Port of Benton is in complete compliance and this is evidenced by the fact the FAA continues to award grants to the Port.

The Director of Special Projects advised in past years, annually, he had toured the Port's Richland Airport, including hangars, with representatives from the FAA. The Port has never received any complaints.

Regarding the Richland Airport Master Plan Update, Mr. Larson stated he had been in contact with the FAA and they have advised they will not pay for additional Open Houses to inform the public regarding compliance education. The Commission agreed the Port will begin to develop an airport and hangar use plan and plan open houses to provide information, receive input and comments.

Clif Dyer, Operator of Sundance Aviation, the Port's Fixed Base Operator, (FBO) offered some historical data on the compliance issue of non-aviation use of the hangars at Richland Airport, stating when he arrived at the Richland Airport in 2005, there was a large number of hangars being used for non-aviation purposes. When he became the FBO in 2009 he had a list of 25 aircraft looking for hangars. Working with hangar owners and the Director of Special Projects, that list is now two. During the last period when a non-compliant hangar became available, the owners would advise, and parties would work together to place an aircraft in them. At no time has a hangar gone back to non-compliant state. During the past ten years, many new hangars have been built, they are 100% in compliance.

- 5. REVIEW AND ADOPT CRISIS COMMUNICATION PLAN AND GUIDELINES:** Port Counsel provided a revised copy of the Crisis Communication Plan and Guidelines previously provided to the Commission. Commissioner Hagarty asked for a revision on Page 45, adding Prosser Memorial Hospital and Benton City Clinic to the contact list. Counsel stated this is a living document and will be updated as needed.

A motion was made by Commissioner Robert Larson, seconded by Commissioner Jane Hagarty and unanimously passed by the Commission approving the Port of Benton Crisis Communication Plan and Guidelines, including authorization for the Interim Executive Director to sign the plan.

6. **REVIEW DRAFT OF NEW COMMISSION POLICY:** Port Counsel provided a draft copy of the new Commission Policy for review. He highlighted Page 19, where it states Commissioners who are publicly asked questions, may defer these questions to Port Counsel or Executive Director. Commission is under no obligation to provide immediate responses. This policy will be brought to the next scheduled Commission Meeting for approval and adoption.
7. **REVIEW AND ADOPT POLICY FOR EMPLOYEE ASSISTANCE PROGRAM (EAP), RESOLUTION 19-24:** Port Counsel provided an explanation of services available to all full time Port employees (those working more than thirty hours per week and not on a temporary basis). Services include counseling for mental health, financial, legal problems and drug and alcohol dependence and are available at no charge to Port employees.

A motion was made by Commissioner Jane Hagarty, seconded by Commissioner Robert Larson and unanimously passed by the Commission authorizing the Interim Executive Director to execute the Employee Assistance Program Policy and Adopting Resolution: 19-24, effective September 1, 2019.

- D. **COMMISSIONER COMMENTS:** Commissioner Jane Hagarty stated she attended the Prosser Economic Development Association (PEDA) Meeting. She was unable to attend both the Legends of Washington Wine Country and the Prosser Chamber Meeting due to a death in the family.

Commissioner Robert Larson reported on his attendance at the Benton Franklin Council of Governments (BFCOG) Meeting, where they requested information regarding the Port Grant and loan recently received for rail. The Interim Executive Director advised she sent him the requested information and overviewed how the Port applied for the dollars. He also attended the Prosser Chamber of Commerce Beer and Whiskey Festival.

Commissioner Roy Keck stated he also attended the Beer and Whiskey Festival recently held at the Prosser Wine and Food Park. He stated he was unable to attend the Richland Airport Wings and Wheels Event as he was hosting his 50th Class Reunion during that time.

Commissioner Roy Keck stated while he did not attend the Wings and Wheels Event, that several of his acquaintances did attend and provided him with photos and videos evidencing campaigning signs.

Garrett Nesbitt asked if there was a clear policy on Port property for political signage. Port Counsel answered you can wear a sign on your person (clothing) as directed by the first amendment, but a sign on Port Property, even if you own your own building, is not legally permitted if your private building sits on leased public property.

Mark Jaegar discussed hangar leases briefly and said he has been a tenant of the Port for over 20 years.

- E. COUNSEL COMMENTS:** Counsel provided the Commission with a copy of the Memo Regarding Open Public Meetings Act (OPMA). He reminded them when two or more of the Commissioners are gathered together, they may not conduct any Port business. He provided an update on the TCRY Surface Transportation board, stating there is no new information at this time. He also stated the TCRY attempted to file new vague claims against the Port of Benton and the Judge has advised the TCRY will have to reimburse the Port of Benton for costs, dismissed their third amended completely and will allow a fourth amended complaint be filed. Counsel discussed the previously approved rail bridge project. Bids are due for the purchase of specialty ties for the Yakima River Bridge on September 20, 2019.
- F. INTERIM EXECUTIVE DIRECTOR COMMENTS:** The Interim Executive Director discussed her attendance at the Richland City Council Workshop, where information was shared on the 1,341 acres.

G. STAFF INFORMATION REPORTS:

COMMUNICATIONS AND MARKETING: The Director of Marketing reported on the fall newsletter and placing a new ad with refreshed marketing look for Vintners Village in the Tri-City Journal of Business Focus Magazine. He reminded them about Riverfest, September 7 and Atomic Frontier Days, September 14, 2019. The Interim Executive Director thanked Scott Urban, Richland Airport tenant for coordinating the flyover for the Atomic Frontier Days.

GRANTS: The Interim Executive Director discussed her meeting with the state Recreation and Conservation Office (RCO) representative at Crow Butte Park last Friday to close out the large dock facility expansion project. They also discussed the possibility of restrooms along the bike path in the Technology and Business Campus, which would tie to future plans for the USS TRITON Visitor Center. She also discussed the update on the .09 funds, border county proposed legislation.

GOVERNMENTAL AFFAIRS: The Interim Executive Director provided an update on her Projects. Efforts will continue with Senator Sharon Brown on building better business eco-systems, which is the new proposal for local revitalization funding.

SITES UPDATE: The Interim Executive Director discussed possible property sales within the Vintners Village and the Richland Business Center sites. She and the Director of Real Estate will continue to pursue and provide an update at September 11, 2019 Commission Meeting.

- H. EXECUTIVE SESSION:** The regular Commission Meeting was recessed at 11:45 a.m. and an Executive Session was convened to discuss On-going and/or Potential Litigation pursuant to RCW 42.30.110 (1)(i) and Personnel Matters pursuant to RCW 42.30.110 (1)(g). The Commission announced the Executive Session would last no longer than forty-five (45) minutes. At 12:30 p.m. the regular Commission Meeting was reconvened.
- I. ADJOURNMENT:** With no further business, the meeting was adjourned at 12:30 p.m.

Robert D. Larson,
Commission Secretary