

**PORT OF BENTON
COMMISSION MEETING MINUTES
January 9, 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 Executive Director, Scott D. Keller, PPM ®; Director of Finance, Stuart B. Dezember, CPA, PPM®; Director of Airports and Operations, Kevin Howard, CM; Director of Economic Development and Governmental Affairs, Diahann Howard; Administrative Assistant, Kelly Thompson; Director of Marketing, Wally Williams; Director of Real Estate, Teresa Hancock and Port Counsel, David Billetdeaux. Also in attendance were Terry Christensen and Stan Jones.
- B. PLEDGE OF ALLEGIANCE:** Scott D. Keller led those present in reciting the Pledge of Allegiance.
- C. CURRENT BUSINESS:**
- 1. CONSENT ITEMS:** A motion was made by Commissioner Robert Larson, seconded by Commissioner Jane Hagarty, and unanimously passed by the Commission approving the December 12, 2018 Commission Meeting Minutes and the December 20, 2018 Special Commission Meeting Minutes.
 - 2. UNSCHEDULED BUSINESS/VISITORS:** Terry Christensen, City of Richland Mayor Pro-Tem thanked the Port for their continued support and partnership in economic development within the community.
 - 3. RESOLUTION 19-01, DELEGATION OF AUTHORITY OF THE EXECUTIVE DIRECTOR AND HIS DESIGNEES:** The Executive Director and the Director of Finance reviewed Resolution 19-01, the Delegation of Authority for the Executive Director and his designees and explained there were no changes this year.

A Motion was made by Commissioner Robert Larson, seconded by Commissioner Jane Hagarty and unanimously passed by the Commission approving Resolution 19-01, Delegation of Authority of the Executive Director and his Designees.
 - 4. RESOLUTION 19-02, A RESOLUTION ACCEPTING WORK COMPLETED BY CR CONTRACTING, LLC FOR THE RICHLAND AIRPORT PAVEMENT REHABILITATION PROJECT:** The Director of Airports and Operations discussed Resolution 19-02, stating this project is now complete and consisted of crack sealing, seal coating and striping.

A Motion was made by Commissioner Robert Larson, seconded by Commissioner Jane Hagarty and unanimously passed by the Commission

approving Resolution 19-02, Accepting Work Completed by CR Contracting, LLC for the Richland Airport Pavement Rehabilitation Project.

5. **RESOLUTION 19-03, A RESOLUTION ACCEPTING WORK COMPLETED BY SIEFKEN & SONS CONSTRUCTION, INC. FOR THE 2018 AIRPORT WAY ENTRANCE LANDSCAPE PHASE 3:** The Director of Airports stated that Phase 3 of the landscape design at Richland Airport entrance has been completed.

A Motion was made by Commissioner Jane Hagarty, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving Resolution 19-03, Accepting Work Completed by Siefken & Sons Construction, Inc for the 2018 Airport Way Entrance Landscape Phase 3.

6. **SELECTION OF COMMISSION OFFICERS FOR 2018:** A motion was made by Commissioner Jane Hagarty, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving the Commission Officers for 2019: President, Roy D. Keck; Vice President, Jane F. Hagarty and Secretary, Robert D. Larson.

The regular Commission Meeting was recessed at 8:35 a.m. and the Economic Development Corporation Meeting was convened.

7. **PORT OF BENTON ECONOMIC DEVELOPMENT CORPORATION (EDC) MEETING:** See attached minutes.

The Economic Development Corporation meeting was adjourned at 8:38 a.m. and the regular Commission Meeting was reconvened.

8. **ASSESSMENT MEMBERSHIPS UPDATE:** The Director of Finance reviewed the updated assessment of memberships and organizational assignments for 2019, line by line. There were some noted changes. The Executive Director stated the Tri-City Regional Chamber asked for an ex officio (non-voting) representative from the Port. The Director of Finance will assume this position.

A motion was made by Commissioner Jane Hagarty, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving the 2019 Assessment Membership and Organizational Assignments, to include noted changes and approving all dues and travel expenses for Commissioners and Port Personnel associated with attendance of Port related meetings and events for the 2019 calendar year.

- D. **COMMISSIONER COMMENTS:** Commissioner Hagarty stated she attended the Prosser Economic Development Association (PEDA) Board Meeting and the Walter Clore Wine and Culinary Center Board Meeting. Commissioner Hagarty thanked the Director of Economic Development and Governmental Affairs for her presentation at the Prosser Chamber of Commerce Meeting held yesterday. Commissioner Larson commented on the National Park Meeting he attended with the Director of Economic Development and Governmental Affairs. The Manhattan National Park will be having its 75th anniversary and events will be held throughout the year.

Commissioner Keck commented on the surveys received on Crow Butte Park and asked if there were any way to upgrade the cell service/WiFi connection. The Director of Airports is researching available options.

- E. IN-HOUSE COUNSEL COMMENTS:** In-house Counsel discussed recent State of Washington laws. He provided an update on two cases in Benton County Superior Court involving the TCRY. There is an upcoming hearing for the Court of Appeals Taxpayer lawsuit. The Commission was advised the Port received a phone call from Mr. Scott Carswell who registered a complaint about the train whistles being offensive at the crossings. Counsel spoke to Mr. Carswell and explained the Port is not involved in operations and to contact TCRY, BNSF and UP directly. Also discussed was RCW 39.04.280 which deals with declaring an emergency.

A motion was made by Commissioner Robert Larson, seconded by Commissioner Jane Hagarty and unanimously passed (although noted under protest) declaring a state of emergency regarding the condition of the Yakima River Bridge, allowing TCRY company to replace thirty (30) ties for \$30,000 or fifty-four (54) ties for \$45,000 pursuant to RCW 39.04.280. This project will be subject to all standard Washington State public works requirements.

- F. EXECUTIVE DIRECTOR COMMENTS:** The Executive Director discussed the Desert Green Lawn and Tree Care, LLC – Herbicide, Insecticide and Pesticide Services for a two year agreement at all Port of Benton sites for 2019-2020. The total charges in 2018 were \$78,380 and 2019 is not to exceed a total amount of \$80,000.

A motion was made by Commissioner Jane Hagarty, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving the Desert Green Lawn and Tree Care, LLC – Herbicide, Insecticide and Pesticide Services for a two-year agreement at all Port of Benton sites for 2019-2020. The total charges in 2018 were \$78,380 and 2019 is not to exceed a total amount of \$80,000.

- G. STAFF INFORMATION REPORTS:**

MARKETING REPORT: The Director of Marketing discussed the Tri City Herald Progress Edition, which will be submitted at the end of this month, and the Richland Rotary Entrepreneurial Awards Banquet scheduled for the end of February. He discussed the recently published article and ad in the Tri City Area Journal of Business “IN FOCUS” publication. He reminded everyone of the upcoming Tri-Cities Sportsmen Show, where the Port will have a booth for Crow Butte Park and he introduced the new logo and brochure for Crow Butte Park.

GRANTS: The updated copy of the Grants Status report was reviewed and discussed.

GOVERNMENTAL AFFAIRS & ECONOMIC DEVELOPMENT: The Director of Economic Development and Governmental Affairs briefed the Commission on her projects. She advised of the Washington Public Port Day is January 29, 2019 in Olympia. She stated the Tri Cities Legislative Council (TCLC) event will be held in Olympia, January 31, 2019. She also provided an update on the letter to Governor Inslee and appropriators requesting \$750,000 proposed within his budget to conduct a dam breaching study be removed because

it is redundant with the federal process and an unnecessary expense to Washington state taxpayers.

- H. SITE PROJECTS UPDATE:** The Commission was briefed on the Technology and Business Campus, Tri Cities Enterprise Center, Richland Business Park, Railroad, Richland Innovation Center, Richland Airport, Prosser Airport, Prosser Wine and Food Park, Vintners Village, Walter Clore Wine and Culinary Center, Benton City Downtown Properties and Crow Butte Park.
- I. PORT FINANCIAL ISSUES:** Vouchers audited by the Auditor as required by RCW 42.24.080 and certified expense reimbursement claims as required by RCW 42.24.090 have been recorded on a listing, which has been made available to the Port Commission. As of this date, January 9, 2019, Port Commission by unanimous vote approved for payment those vouchers included in said listing and further described as follows: Payroll Warrants numbered 04753 through 04805 totaling \$114,996.74 and General Expense Warrants numbered 069868 through 070037 totaling \$677,582.89 from the General Expense Fund.
- The Director of Finance advised the Port's software is being updated for compliance with Washington State Family Medical Leave Act (FMLA).
- J. EXECUTIVE SESSION:** The regular Commission Meeting was recessed at 10:45 a.m., and an Executive Session was convened pursuant to RCW 42.30.110 (1) (i) to discuss on-going litigation. The Commission announced the Executive Session would last no longer than thirty (30) minutes. The Executive Session was adjourned at 11:15 a.m. and the regular Commission Meeting was reconvened.
- K. A motion was made by Commissioner Jane Hagarty, seconded by Commissioner Robert Larson and unanimously passed by the Commission, declaring an emergency pursuant to RCW 39.04.280, regarding the Yakima River Bridge and authorizing the Executive Director to execute the necessary documents to replace 30 to 42 additional ties, in the event the TCRY fails to begin repair work by January 13, 2019.**
- L. ADJOURNMENT:** With no further business, the meeting was adjourned at 11:17 a.m.

Robert D. Larson,
Commission Secretary