

**PORT OF BENTON
COMMISSION MEETING MINUTES
OCTOBER 23, 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®; Port Counsel, David Billetdeaux and Administrative Assistant, Kelly Thompson. Also, in attendance were Terry Christensen, Ashley Nanfria and Andrew Ellegard.
- B. PLEDGE OF ALLEGIANCE:** Stuart Dezember led those present in reciting the Pledge of Allegiance.
- C. CONSENT ITEMS:**
- 1. Approval of Agenda:** A motion was made by Commissioner Jane Hagarty, seconded by Commissioner Robert Larson and unanimously passed by the Commission approving the October 23, 2019 Commission Agenda after removing Item 3, Resolution 19-27, Adopting a new Commission Policy.
 - 2. A Motion was made by Commissioner Robert Larson, seconded by Commissioner Jane Hagarty and unanimously passed by the Commission approving the September 11, 2019 Commission Meeting Minutes, the September 20, 2019 Special Commission Meeting Minutes and Resolution 19-28, to Cancel Warrant No. 71105 in the amount of \$160.00.**
- D. CURRENT BUSINESS:**
- 1. UNSCHEDULED BUSINESS/VISITORS:** Terry Christensen provided an update on the City of Richland traffic studies and stated elections results will determine future government.
 - 2. DIRECTOR OF FINANCE REPORT:** 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 and was approved in the consent agenda. Port Commission by unanimous vote approved for payment those vouchers included in said listing and further described as follows: Payroll Warrants numbered 05294 through 05346 totaling \$120,028.29 and General Expense Warrants numbered 071501 through 071650 totaling \$637,642.55 from the General Expense Fund.

A Motion was made by Commissioner Robert Larson, seconded by Commissioner Jane Hagarty and unanimously passed by the Commission approving the September, Voucher Certification.

The Director of Finance provided the Commission with copies of the Port's final audit report. Commissioner Roy Keck thanked the Director of Finance for his diligence and careful preparation of the Port's financial records. The Director of Finance reminded the Commission they would be discussing the 2020 Budget at the October 30, 2019 Special Commission Meeting, Budget Workshop.

- 3. CROW BUTTE CXT UNIT:** The Interim Executive Director discussed the cost of the Crow Butte Contact Station and stated the previously approved amount was \$45,000 for a new unit that will include air conditioning. The bids received for installation were inconsistent and staff plans to resubmit another scope of work for project installation to be rebid. The Port continues to work closely with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) and the United States Army Corps of Engineers (USACOE) on all projects at Crow Butte Park.

- E. COMMISSIONER COMMENTS:** Commissioner Robert Larson commented on the recent article in the Tri-City Herald, stating the article was accurate except for the part relating to Richland and Prosser Airports, referred to as the Richland and Othello Airports. The Tri City Herald will be contacted with the correction. He also complimented the Director of Marketing on the latest newsletter, stating the format was easy to read and understand. Commissioner Robert Larson also noted the Port of Benton has two employees with the Professional Port Manager (PPM®) certification. The Director of Finance has held his certification for two years and the Interim Executive Director just received her certification at the American Association of Port Authorities Annual Conference held last week.

Commissioner Jane Hagarty stated she and Commissioner Robert Larson recently attended the Washington Public Ports Association (WPPA) Environmental Seminar where it was highlighted the there are new reasons to open communications between the east and west sides of the state so that each can understand both urban and rural ideas. She also commented on the Prosser Economic Development Association (PEDA) Meeting where they learned of new rules regarding water rights. She also presented a copy of the Benton County Rural Water Supply Mitigation Program, which outlines in detail these new rules.

Commissioner Roy Keck stated he attended the AAPA annual meeting and was present when the Interim Executive Director received her PPM® certification. He also stated there are only four people in Washington State that have this certification and the Port has two employees with this distinction, as there are only 121 nationwide. The Commissioners encouraged Counsel Billetdeaux to apply for the program if he is interested.

F. COUNSEL COMMENTS: Counsel updated the Commission on the federal lawsuit regarding the railroad. Summary judgement motions on a number of complaints were successful. The court ruled that some of TCRY's complaints were frivolous. He also updated the Commission regarding a complaint received by Port staff. He is in the process of hiring a third-party investigator and this should be complete and someone on site by next week. He urged the Commission to review the new Commissioner Policy and to come to him with any questions or comments. The remainder of his comments were reserved for Executive Session.

G. INTERIM EXECUTIVE DIRECTOR COMMENTS: The Interim Executive Director discussed the Test America Remediation. They successfully removed their improvements according to the lease. The Port hired Shannon and Wilson Company to monitor this process. The initial cost was at \$18,000 but with the additional monitoring for asbestos abatement, stubbing gas etc. and ensuring the site is clean and clear there was a \$21,200 increase for a total amount of \$39,200, still within the Interim Executive Director's Delegation of Authority. She thanked the Director of Real Estate for her overseeing the project and making sure all terms of the lease were met before the lease was closed.

The Interim Executive Director discussed the platting process in coordination with the City of Richland at the Port's Richland Innovation Center property. The Port has four potential property sales along Fermi, Einstein and Salk Streets. The Fermi Street site does not meet current width requirements and utilities must be stubbed. The Port anticipates a financial commitment of between \$600,000 and \$800,000, and it will be discussed further at the October 30, 2019, Special Commission Meeting/Budget Workshop.

H. STAFF INFORMATION REPORTS:

COMMUNICATIONS AND MARKETING: The Interim Executive Director discussed the 2020 Communications and Marketing Plan. She also stated the Port is working closely with TRIDEC and the City of Richland on a joint marketing plan for common property.

GRANTS: The updated copy of the Grants Status report was reviewed. The Interim Executive Director stated the newest grant from the Freight Rail Assistance Supplemental Program (FRAP) is for \$1,100,000, with a \$126,500 match from the Port. This is for the replacement and repair of crossing panels and signal upgrades at Cemetery, Van Giesen, Airport and SR240.

GOVERNMENTAL AFFAIRS: The Interim Executive Director provided an update on projects.

SITES UPDATE:

- I. **EXECUTIVE SESSION:** The regular Commission Meeting was recessed at 9:20 a.m. and an Executive Session was convened to discuss On-going and 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 twenty (20) minutes. The Executive Session was adjourned at 9:40 a.m. and the regular Commission Meeting was reconvened.
- J. **ADJOURNMENT:** With no further business, the meeting was adjourned at 9:40 a.m.

Robert D. Larson,
Commission Secretary