

**PORT OF BENTON  
SPECIAL COMMISSION MEETING MINUTES  
August 27, 2018**

- A. CALL TO ORDER:** The Special Commission 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 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®, In House Port Counsel, David Billetdeaux and Administrative Assistant, Kelly Thompson.
- B. PLEDGE OF ALLEGIANCE:** Stuart Dezember led those present in reciting the Pledge of Allegiance.
1. In House Port Counsel read an email received from Central Washington Corn Processors, and letters received from Union Pacific (UP), City of Richland and Lamb Weston. These documents detailed the issues and concerns each entity has with the Port of Benton regarding Tri City Railroad (TCRY)'s lease. Safety and operations were discussed and potential liability to the Port.
  2. In House Port Counsel discussed the need to enter Executive Session for the purpose of ongoing and potential litigation.
  3. **EXECUTIVE SESSION:** The regular Commission Meeting was recessed at 8:45 a.m. and an Executive Session was convened pursuant to RCW 42.30.110 to discuss potential litigation RCW 42.30.110 (1) (c). The Commission announced the Executive Session would last no longer than forty-five (45) minutes.  
  
The Executive Session was adjourned at 9:30 a.m. and the regular Commission Meeting was reconvened.
  4. **A motion was made by Commissioner Robert Larson, seconded by Commissioner Jane Hagarty and unanimously passed by the Commission authorizing the Port's In House Counsel to proceed with filing an adverse discontinuance with the Surface Transportation Board.**
- C. ADJOURNMENT:** With no further business, the Special Commission meeting was adjourned at 9:31 a.m.

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Robert D. Larson,  
Commission Secretary