

**PORT OF BENTON  
SPECIAL COMMISSION MEETING  
MINUTES  
MARCH 1, 2024**

- A. CALL TO ORDER:** The Port of Benton Special Commission Meeting was called to order at 9:30 a.m. at the Port of Benton Commission meeting room, 3250 Port of Benton Boulevard, Richland, Washington.

**PRESENT:** Commissioner Scott Keller; Commissioner Roy Keck; Commissioner Lori Stevens; Executive Director, Diahann Howard; Port Attorney, David Billetdeaux; Director of Finance, Jeff Lubeck; Public Information Officer, Summers Miya; Director of Governmental Affairs, Cassie Hammond; Bill O’Neil, Community Member; Christy Rasmussen, Community Member; Ashley Garza

**THE FOLLOWING PARTICPATED VIA REMOTE COMMUNICATIONS:** Director of Real Estate, Teresa Hancock

- B. PLEDGE OF ALLEGIANCE:** David Billetdeaux led those present in reciting the Pledge of Allegiance.

- C. PUBLIC COMMENT:**

There were no public comments.

- D. ITEMS OF BUSINESS:**

**1. General Counsel Update**

Port Attorney David Billetdeaux explained that he submitted his letter of resignation earlier in the week and the week has been a whirlwind of activity ensuring that all needs have been met and steps have been taken to ensure the Port is left in a good position once he leaves on March 14, 2024.

Executive Director Diahann Howard congratulated David on his professional growth and obtaining a leadership position with Pacific Northwest National Laboratory. Howard thanked David on behalf of the entire team and complimented David on his years of great work to the Port of Benton.

Howard explained that the team has been taking action to contact attorneys/firms that could step in as a contractor and stated that once all information has been gathered, it will be brought back to the Commission’s meeting on March 13, 2024.

Howard noted that Billetdeaux handles numerous items, including public records requests, human resources, all critical elements and also additional duties such as IT and contracts.

Howard stated that although it has been crucial to have in-house counsel these past few years, at this time she feels it is best to seek to contract with an outside law firms for support to fill the various roles.

Commissioner Scott Keller agreed with Howard's determination that outside counsel was a great idea at this time.

Commissioner Scott Keller congratulated Billetdeaux, commenting that he was brought into the Port in the middle of a difficult lawsuit and rescued the Port on a number of occasions. Keller wished Billetdeaux the best and invited him to remain in touch.

Commissioner Lori Stevens commented that it has been a pleasure working with Billetdeaux from day one, commenting on the many hats Billetdeaux has worn and wished him the best in all future endeavors.

Commissioner Roy Keck commented that it has been a pleasure working with Billetdeaux over the years as Billetdeaux has acquired a vast wealth of knowledge.

Commissioner Scott Keller suggested that the Port look into inviting Frank Chmelik to present to the Port-on-port governance. Keller stated that Chmelik has served as Washington Public Ports Association counsel for decades and has over 40 years of experience practicing law. Keller stated that the presentation will cover how things should be done in a port district and the entire staff, including maintenance, should be invited to the 3–4-hour session.

Keller added that he was provided a guidebook at the recent Commissioner training, which he highly recommended to port leadership.

Port Attorney David Billetdeaux agreed that training and education is always a good thing, and it makes complete sense to invite Chmelik's team to present to the port.

Executive Director Diahann Howard concurred with the recommendation, adding that as it will be a public meeting as per usual all staff and consultants will be invited.

Commissioner Keller inquired about whether an Executive Session was needed since the topics he wanted to discuss were covered in open session.

Executive Director Diahann Howard commented that Commissioner Keller had called for the meeting and Executive Session and if the topics were covered, there was not a need for Executive Session.

Howard stated that new counsel will be established following the process Billetdeaux was hired under the Executive Director's delegation of authority.

It was confirmed that David Billetdeaux would reach out to Frank Chmelik to begin discussions on presenting to the team.

David Billetdeaux thanked the port for the last seven years, adding that he will miss the whole team.

**A motion was made by Commissioner Roy Keck, seconded by Commissioner Lori Stevens and unanimously passed by the Commission approving the motion to adjourn the meeting without an Executive Session.**

#### **E. EXECUTIVE SESSION:**

It was determined that an Executive Session was not needed, as all topics were covered in public

session.

**F. ADJOURNMENT:** With no further business, the meeting was adjourned at 9:44 a.m.



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Roy Keck  
Commission Secretary