

The Port of Benton Commission Meetings are open to the public.

The regular Commission meeting will be available via Zoom, telephone conference call-in line and in-person. The link to access this broadcast via Zoom, as well as the call-in number to participate via telephone, will be made available on the morning of the meeting on the Port of Benton's website at the link below, along with the meeting agenda, and minutes from past meetings. Live broadcast information:

[www.portofbenton.com/commission](http://www.portofbenton.com/commission)

For those unable to access the internet, please call 509-375-3060 by 8:00 a.m. on August 14, 2024 to be provided with call-in details.

All participants will be muted upon entry; when prompted click 'raise hand' in zoom or dial star + 9 (\*9) to raise your hand. The host will unmute you to speak in the order hands are raised, when the host calls on you, press star + 6 (\*6) to unmute yourself.

**PORT OF BENTON  
REGULAR COMMISSION MEETING  
Agenda**

**8:30 a.m., August 14, 2024**

**3250 Port of Benton Blvd., Richland, WA 99354**

**A. CALL TO ORDER**

**B. PLEDGE OF ALLEGIANCE**

**C. CONSENT AGENDA**

1. Approval of Agenda
2. Approval of Minutes from the July 10, 2024 Commission Meeting
3. Approval of Vouchers and Certifications, Including Payroll for Month of July  
Totaling \$1,943,544.22
4. Resolution 24-25, To Cancel Warrant No. 083075 in the amount of \$436.08,  
Which Has Been Deemed Lost

**D. PUBLIC COMMENT**

**E. ITEMS OF BUSINESS**

1. Resolution 24-26, Interlocal Agreement with City of Richland for Steptoe  
Street and Tapteal Drive Intersection Improvements

2. Resolution 24-27, Accepting Work Completed by Granite Construction Company for the 2939 Richardson Road Parking Lot Improvement Project, \$178,415.00 Plus WSST – Technology & Business Campus
3. Resolution 24-28, Accepting Work Completed by Ellison Earthworks, LLC for the Street Light Improvement Project. \$265,224.33 Plus WSST – Richland Innovation Center
4. Resolution 24-29, A Resolution of the Port of Benton Providing Guidelines for an Internal Social Media Policy
5. Resolution 24-30, A Resolution of the Port of Benton Providing Guidelines for an External Social Media Policy
6. Resolution 24-31, Lease Assignment for Douglas and Bonnie Cole to the Cole Living Trust – Richland Airport
7. Maxwell Asphalt Contract Adjustment – Richland Airport

#### F. INFORMATION REPORTS

1. Facilities Update
2. Grants Update

#### G. COMMISSIONER REPORTS/COMMENTS

#### H. DIRECTOR REPORTS/COMMENTS

1. Finance Director
2. Port Attorney
3. Executive Director

#### I. FOR THE GOOD OF THE ORDER

#### J. EXECUTIVE SESSION

- K. BREAK: Teleconference and Zoom options will terminate at this time. Commission and staff will take this time to travel to 3110 Port of Benton Blvd., and 2345 Stevens Drive, Richland, WA for tours of the buildings and surrounding areas.

L. Tour 3110 Port of Benton Boulevard: Open to public attendance. No action will take place during or after the public tour of 3110 Port of Benton Boulevard and surrounding area.

M. Tour 2345 Stevens Drive: Open to public attendance. No action will take place during or after the public tour of 2345 Stevens Boulevard and surrounding area.

## N. ADJOURNMENT

The next regular Port of Benton Commission meeting will be held on **Wednesday, September 11, 2024** at the Walter Clore Culinary Center, 2140 Wine Country Road, Prosser, Washington.

Visit [portofbenton.com](http://portofbenton.com) for notices and information.

**PORT OF BENTON  
COMMISSION MEETING MINUTES  
July 10, 2024**

**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 located at 3250 Port of Benton Blvd., Richland, Washington.

**PRESENT:** Commissioner Scott D. Keller

Commissioner Lori Stevens; Commissioner Roy D. Keck – Attended remotely

**PORT STAFF PRESENT:** Diahann Howard, Jeff Lubeck, Quentin Wright, Summers Miya, Ron Branine, Angela Saraceno-Lyman, Julia Mora, Audrey Burney, Cassie Hammond, Brandin Lopez

**ALSO PRESENT:** John O’Leary, Gravis Law; Council Member Shayne VanDyke, City of Richland; Bryan Condon, Century West Engineering; Jon Ray, Rest on High; Randy Hayden, Port of Pasco

**The following attendees attended via remote communications:** Sheri Collins; Ashley Garza; Joshua Lott, Anderson Perry; Jeff Losey, Tri-Cities Home Builders Association; Wendy Culverwell, Tri-City Herald; Holly Lynch, Keller Rohrback

The Commission meeting was noticed as required by RCW 42.30.070.

**B. PLEDGE OF ALLEGIANCE:** Diahann Howard led those present in reciting the Pledge of Allegiance.

**C. CONSENT AGENDA:**

**A motion was made by Commissioner Lori Stevens, seconded by Commissioner Roy Keck, and unanimously passed by the Commission approving the revised agenda for the July 10, 2024 Commission meeting, approval of minutes from the June 12, 2024 Commission meeting, approval of (revised) vouchers and certifications, including payroll, for the month of June totaling \$2,680.872.29.**

**D. PUBLIC COMMENT:**

There were no comments from the public.

**F. ITEMS OF BUSINESS**

1. Welcome and Update from Randy Hayden, Port of Pasco/Ag Council

Port of Pasco Executive Director Randy Hayden provided an overview and update on the myTri 2030 Ag Innovation Center project, providing ag innovation examples.

Hayden reviewed the current ag innovation council members, vision, “what” and “how” and components of the feasibility study and location analysis currently underway.

2. Relocation of Existing Easement – Richland Business Park

Executive Director Diahann Howard provided an overview on the request for relocation of an existing easement located in the Richland Business Park, explaining that the property is next to

Port of Benton

Commission Meeting

Visit [portofbenton.com/commission](http://portofbenton.com/commission) for meeting materials and recordings.

July 10, 2024

Page 1

American Rock.

Howard explained that the relocation of the easement benefits the port because it also opens up access to the rail loop and intermodal facility area.

**A motion was made by Commissioner Roy Keck, seconded by Commissioner Lori Stevens, and unanimously passed by the Commission approving the relocation of an existing easement in the Richland Business Park.**

3. 2023 Freight Rail Assistance Program – Crossings Reconstruction Project Bid Award, \$1,143,151.70 to Railworks Track Systems

Executive Director Diahann Howard provided an overview on the project, stating that bids were received for the project, which includes Airport Way and Saint Street crossing, as well as the signal electronics at Kingsgate Way. Howard added that bids were received by June 18 and Railworks Track Systems was the low bidder at \$1,143,151.70.

Howard reminded the Commission that the base bid was selected to keep it as close to budget as possible.

**A motion was made by Commissioner Lori Stevens, seconded by Commissioner Roy Keck, and unanimously passed by the Commission approving the 2023 Freight Rail Assistance Program – Crossings Reconstruction Project Bid Award, \$1,143,151.70 to Railworks Track Systems.**

4. 2023 Legislative Budget Appropriation – Approval of Department of Commerce Reimbursement Contract, \$1,212,500.00 and Schedule of Project Expenditures

Executive Director Diahann Howard explained that these funds are related directly from work that came from Senator Matt Boehnke and has taken a substantial amount of time and pre work to get under contract. Howard added that the port is pleased to see that the project is now moving forward.

Howard explained that the funding will assist with the install of up to 3,000 new ties on the system as well as ballast.

Howard requested Commission approval so authorization can move forward for HDR to begin work. Howard added that it is possible that the team will be requesting preauthorization to move forward with a pre-order of the ties, which will be ordered at cost and will be ready for installation between August and November.

Howard clarified that this item of business specifically approves the Department of Commerce reimbursement contract, \$1,212,500.00 and schedule of project expenditures.

**A motion was made by Commissioner Lori Stevens, seconded by Commissioner Roy Keck, and unanimously passed by the Commission approving the Department of Commerce Reimbursement Contract, \$1,212,500.00 and Schedule of Project Expenditures**

## **F. INFORMATION REPORTS:**

### **1. Airports Update**

Airport Manager Quentin Wright informed the Commission that the date of no return has been reached regarding FAA project funding for Prosser Airport, which means that even if the port learned today that funding was possible, it would be too late in the year to go through the entire process and get any work done this year.

Wright explained that the port is moving forward on its own to get moving on some of the maintenance work. Wright noted that the team is moving forward with a scope of work for the needed maintenance work.

Wright added that he is expecting to receive the pavement maintenance offer for Richland Airport next week, adding that that project should start in August.

Wright reviewed additional funding possibilities for future airport projects.

### **2. Grants Update**

Executive Director Diahann Howard pointed out that the grants report was included in the meeting packet and highlighted the following:

Item 1 – Richland Innovation Center Rural County Capital Funds  
Project formally closed out, completed. Project will be closed out and removed from the grants report.

#### **Item 7 – RAISE**

White Bluffs Southern Connection Rail – Project not selected. CRISI request remains active.

#### **Item 8 – Benton County .09**

Closed on 3110 Port of Benton Blvd. using this funding. Project closed out and will be removed going forward.

#### **Item 13 – Port Electrification**

\$26 million specific to ports available. Application submitted on July 8 related to barge facility. Requires 10% match for consideration in 2025 budget.

## **G. COMMISSIONER REPORTS/COMMENTS**

Commissioner Lori Stevens reviewed recent meetings and events she has attended including the Vine Institute kick-off for the Ag Innovation Center and the regular monthly meetings. Commissioner Stevens added that the Prosser Wine Gala and Art Walk is coming up in Prosser on the 20<sup>th</sup>.

Commissioner Roy Keck thanked the Port of Benton for supporting the return of Cool Desert Nights to the Richland community.

Commissioner Keck added that he attended the WPPA Finance conference, which provided some valuable and interesting seminars and information, including some extensive information provided by the aviation committee.

Port of Benton

Commission Meeting

Visit [portofbenton.com/commission](http://portofbenton.com/commission) for meeting materials and recordings.

July 10, 2024

Page 3

Commissioner Scott Keller announced that he attended the Scottish Fest event in Prosser as well as the Benton REA elected leaders' luncheon, Port of Pasco tenant appreciation BBQ and Tri-City Regional Chamber monthly luncheon.

Commissioner Keller noted that the WPPA Commissioners Seminar is upcoming in Richland, where the Port of Benton Commissioners have been invited to welcome the group and participate in other activities and events.

## **H. DIRECTOR REPORTS/COMMENTS:**

### **1. FINANCE DIRECTOR:**

Director of Finance Jeff Lubeck noted that he attended the WPPA Finance Commerce, which Commissioner Keck had previously mentioned the aviation committee report related to airport finance and grant compliance. Lubeck noted that each Commissioner was provided with a copy of the presentation and briefed the Commission on the highlights of the report, including several assurances.

Lubeck provided financial status report, highlighting the department's current focus points as:

- Continuous improvement – Remote desktop deposit capability
- 2024 standard financial information review
- 2025 budget preparation overview

Lubeck reviewed the financial status report, noting that the decrease in June is due to timing of payments and receipts.

Lubeck noted that the reimbursement from the Benton County .09 funds were received on July 2, 2024.

Lubeck noted that there were \$1,229,548 in receipts received in June and \$2,674,500 in disbursements, including the \$1.5 million building acquisition.

Lubeck reviewed current accounts receivable, pointing out that the over 90-day column is at \$43,000, which the team recently had a successful meeting discussing processes going forward.

Lubeck reviewed the 2025 budget development process, overviewing the schedule and plan. Lubeck noted that efforts to schedule a 1:1 meeting with each Commissioner will start soon.

### **2. PORT ATTORNEY:**

Contract Port attorney John O'Leary explained that he is working on a general social media account for the port, as well as working on the final touches of the Richland land exchange agreement and the interlocal agreement with Richland pertaining to the Steptoe Street rail crossing.

O'Leary noted that he has items reserved for executive session related to potential litigation issues, as well as legal risks associated with rail-related issues, which Holly Lynch from Keller Rohrback will participating in.

### 3. EXECUTIVE DIRECTOR:

Executive Director Diahann Howard complimented Director of Governmental Affairs Cassie Hammond on her diligence and hard work with recent legislative visits and the recent event co-hosted with Energy Northwest where several tribes attended.

Howard introduced and welcomed Brandin Lopez, who most recently worked for Amazon, but previous to that spent many years with the City of Richland.

Howard reviewed recent meetings and events she has attended, including presenting at the American Association of Port Authorities on port electrification.

Howard thanked the team for their work on the recent rail information night and public meeting at Richland Public Library and recognized the public meeting related to Prosser Airport projects taking place that evening in Prosser.

Howard reviewed several recent projects the team is involved in related to Walter Clore, railroad and recent real estate closings and updates. Howard reviewed upcoming events and projects, including the upcoming tenant appreciation BBQ.

Howard stated that she was reserving one item for executive session related to real estate at Vintners Village.

### J. FOR THE GOOD OF THE ORDER

Executive Director Diahann Howard reviewed a list of upcoming meetings and events and things to plan and coordinate.

**K. EXECUTIVE SESSION:** The regular Commission meeting was recessed at 9:25 a.m. and it was announced that an Executive Session would immediately commence at 9:26 a.m. for 60 minutes to discuss potential litigation related to rail and real estate.

The regular Commission meeting was reconvened at 10:26 a.m.

No action was required after the Executive Session.

**L. ADJOURNMENT:** The meeting was adjourned at 10:26 a.m. with an announcement that the next Port of Benton Commission meeting would take place on Wednesday, August 14, 2024, at the Port of Benton Commission meeting room, 3250 Port of Benton Blvd., Richland.

---

Roy Keck  
Commission Secretary



**Port of Benton, Benton County, Washington  
Voucher Certification and Approval  
for the Month of July 2024**

**General Expenses**

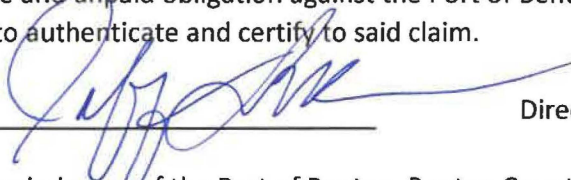
Accounts Payable Warrants #:	83301	-	83465		\$ 1,750,357.01
Electronic Payments:					\$ 5,202.31
<b>Total General Expenses</b>					<b>\$ 1,755,559.32</b>

**Payroll**

Direct Deposit:					
ACH					\$ 112,088.10
Electronic Payments:					
IRS Payroll Tax Deposit					\$ 40,766.47
Other Payroll Related Payments					\$ 35,130.33
<b>Total Payroll</b>					<b>\$ 187,984.90</b>
<b>Total General Expenses and Payroll</b>					<b>\$ 1,943,544.22</b>

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the Port of Benton and that I am authorized to authenticate and certify to said claim.

Attest: \_\_\_\_\_



Director of Finance/Port Auditor

We, the undersigned Commissioners of the Port of Benton, Benton County, Washington, do hereby certify the following vouchers/warrants have been certified and approved for payment, this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
President

\_\_\_\_\_  
Vice President

\_\_\_\_\_  
Secretary

**Port of Benton, Benton County, Washington  
Voucher Certification and Approval  
for the Month of July 2024**

<b>General Expenses</b>			
Accounts Payable Warrants #:	83301	-	83465
			\$ 1,750,357.01
Electronic Payments:			\$ 5,202.31
			<u>\$ 1,755,559.32</u>
<b>Payroll</b>			
Direct Deposit:			
ACH			\$ 112,088.10
Electronic Payments:			
IRS Payroll Tax Deposit			\$ 40,766.47
Other Payroll Related Payments			\$ 35,130.33
			<u>\$ 187,984.90</u>
			<u>\$ 1,943,544.22</u>

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the Port of Benton and that I am authorized to authenticate and certify to said claim.

Attest: \_\_\_\_\_ Director of Finance/Port Auditor

We, the undersigned Commissioners of the Port of Benton, Benton County, Washington, do hereby certify the following vouchers/warrants have been certified and approved for payment, this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
President

\_\_\_\_\_  
Vice President

\_\_\_\_\_  
Secretary

<b>Jul-24 Cash Disbursements Batch Totals</b>			
\$	1,750,357.01	Jul-24	
\$	<u>1,750,357.01</u>		
<b>Electronic Payments - Other Payment</b>			
\$	5,202.31	07/25/2024	June Excise
\$	-		
\$	-		
\$	<u>5,202.31</u>		
<b>IRS Payroll Tax Deposit</b>			
	18,592.40	07/05/24	INTERNAL REVENUE SERVICE
	3,068.49	07/05/24	INTERNAL REVENUE SERVICE
	19,105.58	07/19/24	INTERNAL REVENUE SERVICE
\$	<u>40,766.47</u>		
<b>1,831,456.12 Warrants, ACH, FedTax</b>			
<b>Payroll Direct Deposit Net Pay</b>			
\$	52,953.22	07/05/24	PORT OF BENTON EMPLOYEES
\$	4,248.84	07/05/24	PORT OF BENTON COMMISSIONERS
\$	54,886.04	07/19/24	PORT OF BENTON EMPLOYEES
\$	-		
\$	<u>112,088.10</u>		
<b>Other Payroll Related Payments</b>			
\$	2,132.14	07/05/24	NATIONWIDE
\$	3,380.09	07/05/24	DCP
\$	24,119.93	07/05/24	June - PERS
\$	2,132.14	07/19/24	NATIONWIDE
\$	3,366.03	07/19/24	DCP
\$	-		
\$	-		
\$	-		
\$	<u>35,130.33</u>		

**Company name:** Port of Benton  
**Report name:** Check register  
**Created on:** 8/7/2024

Bank	Date	Vendor	Document no.	Amount	Electronic Payment
	6/26/2024	10036--Scaroni, Christopher	83301	492.38	
	7/5/2024	VEN00122--DEPT OF RETIREMENT SYSTEMS	PERS062024		24,119.93
	7/5/2024	VEN00122--DEPT OF RETIREMENT SYSTEMS	DCP0705202		3,380.09
	7/5/2024	VEN00215--INTERNAL REVENUE SERVICE	7052024		18,592.40
	7/5/2024	VEN00215--INTERNAL REVENUE SERVICE	070524COMM		3,068.49
	7/5/2024	VEN00268--NATIONWIDE RETIREMENT SOLUTION	NW07052024		2,132.14
	7/9/2024	10007--Keck, Roy	83331	1,545.26	
	7/9/2024	10020--Miya, Summers	83333	444.07	
	7/9/2024	10037--Keller, Scott	83332	129.31	
	7/9/2024	10040--Saraceno Lyman, Angela	83329	563.34	
	7/9/2024	10041--Burney, Audrey	83330	200.00	
	7/9/2024	VEN00009--GEO WAY ACE HARDWARE	83311	99.28	
	7/9/2024	VEN00024--AMERIGAS PROPANE LP	83302	262.64	
	7/9/2024	VEN00071--CITY OF PROSSER	83304	6,783.47	
	7/9/2024	VEN00074--CIVIL AIR PATROL MAGAZINE	83305	705.00	
	7/9/2024	VEN00077--COLUMBIA BASIN IT	83307	128.90	
	7/9/2024	VEN00100--COFFEY REFRIGERATION	83306	706.55	
	7/9/2024	VEN00105--CONNELL OIL, INC	83308	3,846.66	
	7/9/2024	VEN00107--COOK'S ACE HARDWARE	83309	8.69	
	7/9/2024	VEN00120--DBT TRANSPORTATION SERVICES LLC	83310	6,259.00	
	7/9/2024	VEN00201--HEALTH CARE AUTHORITY	83312	39,917.87	
	7/9/2024	VEN00231--KENNEWICK INDUSTRIAL & ELECTRICAL SUPPLY	83313	411.20	
	7/9/2024	VEN00258--MOON SECURITY SERVICES, INC	83316	26,982.10	
	7/9/2024	VEN00262--MR. ROOTER PLUMBING	83317	49,424.10	
	7/9/2024	VEN00291--KENNEWICK RANCH AND HOME	83314	380.40	
	7/9/2024	VEN00299--PHASE 2 ELECTRIC, INC.	83320	1,367.45	
	7/9/2024	VEN00376--TRI-CITY REGIONAL CHAMBER	83323	70.00	
	7/9/2024	VEN00414--VERIZON	83324	1,707.79	
	7/9/2024	VEN00449--ZIPLY FIBER	83328	87.59	
	7/9/2024	VEN00449--ZIPLY FIBER	83327	250.53	
	7/9/2024	VEN00449--ZIPLY FIBER	83326	513.66	
	7/9/2024	VEN00471--OSBORN CONSTRUCTION & DESIGN, LLC	83319	771.78	
	7/9/2024	VEN00497--PRECISION APPROACH ENGINEERING, INC.	83321	3,200.00	
	7/9/2024	VEN00510--LIFESECURE INSURANCE COMPANY	83315	2,438.02	
	7/9/2024	VEN00549--ORCHARD & VINEYARD SUPPLY, LLC	83318	4,236.94	
	7/9/2024	VEN00622--TOTAL ENERGY MANAGEMENT & HVAC SERVICES INC	83322	51,600.36	
	7/9/2024	VEN00695--WILLIAMSON FIRE EXTINGUISHERS LLC	83325	16,162.72	
	7/9/2024	VEN00712--C & C CONSTRUCTION SERVICES INC	83303	70,204.92	
	7/16/2024	10006--Howard, Diahann	83371	2,134.05	
	7/16/2024	10026--Stevens, Lori	83372	52.26	
	7/16/2024	VEN00038--BANNER BANK - Credit Card	83335	18,706.76	
	7/16/2024	VEN00044--BENTON PUD	83337	2,287.07	
	7/16/2024	VEN00047--BENTON COUNTY TREASURER	83336	12,023.07	
	7/16/2024	VEN00052--CITY OF BENTON CITY	83343	100.60	
	7/16/2024	VEN00053--BENTON RURAL ELEC ASSOCIATION	83338	963.43	
	7/16/2024	VEN00059--BENTON-FRANKLIN HEALTH DEPT	83339	56.00	
	7/16/2024	VEN00075--CASCADE NATURAL GAS CORP	83341	991.62	
	7/16/2024	VEN00089--CITY OF RICHLAND	83344	26,486.11	
	7/16/2024	VEN00161--EXPRESS SERVICES, INC.	83347	5,009.52	
	7/16/2024	VEN00201--HEALTH CARE AUTHORITY	83348	29,607.80	
	7/16/2024	VEN00202--HERC RENTALS INC.	83349	4,386.90	
	7/16/2024	VEN00209--4IMPRINT, INC	83334	678.78	
	7/16/2024	VEN00229--KELLEY'S TELE-COMMUNICATION, INC.	83350	154.00	
	7/16/2024	VEN00234--CITY OF RICHLAND LANDFILL	83345	77.00	
	7/16/2024	VEN00236--LES SCHWAB TIRE CENTER STEVENS DR.	83351	456.32	
	7/16/2024	VEN00298--TRI-CITY COMPUTER CONSULTING LLC	83363	1,902.25	
	7/16/2024	VEN00305--POCKETINET COMMUNICATIONS, INC.	83354	240.00	
	7/16/2024	VEN00306--PROMINENCE PUBLIC RELATIONS	83356	11,950.00	
	7/16/2024	VEN00330--ROSS JAMES PHOTOGRAPHY	83358	935.88	
	7/16/2024	VEN00359--STEEBER'S LOCK SERVICE, LLC	83361	21.74	
	7/16/2024	VEN00376--TRI-CITY REGIONAL CHAMBER	83364	272.00	
	7/16/2024	VEN00402--UNDERGROUND CREATIVE, LLC	83365	1,750.00	
	7/16/2024	VEN00440--WASHINGTON PUBLIC PORTS ASSOCIATION	83366	3,635.00	
	7/16/2024	VEN00449--ZIPLY FIBER	83370	651.46	
	7/16/2024	VEN00449--ZIPLY FIBER	83369	101.84	

7/16/2024	VEN00449--ZIPLY FIBER	83368	382.63	
7/16/2024	VEN00464--ROCKABILLY ROASTING CO.	83357	142.50	
7/16/2024	VEN00469--CENTURY WEST ENGINEERING CORP	83342	43,963.40	
7/16/2024	VEN00592--PRO FIRE LLC	83355	289.36	
7/16/2024	VEN00604--SANDOLLAR LLC	83359	5,000.00	
7/16/2024	VEN00622--TOTAL ENERGY MANAGEMENT & HVAC SERVICES INC	83362	21,076.93	
7/16/2024	VEN00650--BRIDGETOWER OPKO, LLC	83340	348.50	
7/16/2024	VEN00664--ELIZABETH RENZ	83346	2,940.00	
7/16/2024	VEN00690--PATRIOT PAINTING LLC	83352	20,185.59	
7/16/2024	VEN00694--SHARON B HOLDEN dba THE BALLIDIS GROUP	83360	8,750.00	
7/16/2024	VEN00705--WASTE MANAGEMENT OF WASHINGTON INC	83367	849.81	
7/16/2024	VEN00713--PILOT ADVISORS LLC	83353	32,591.85	
7/19/2024	VEN00122--DEPT OF RETIREMENT SYSTEMS	DCP7192024		3,366.03
7/19/2024	VEN00215--INTERNAL REVENUE SERVICE	7192024		19,105.58
7/19/2024	VEN00268--NATIONWIDE RETIREMENT SOLUTION	NW07192024		2,132.14
7/24/2024	VEN00006--ABADAN, INC	83373	256.01	
7/24/2024	VEN00012--AFLAC	83374	1,437.66	
7/24/2024	VEN00077--COLUMBIA BASIN IT	83379	3,044.98	
7/24/2024	VEN00083--CENTURYLINK	83376	125.65	
7/24/2024	VEN00105--CONNELL OIL, INC	83380	1,598.80	
7/24/2024	VEN00107--COOK'S ACE HARDWARE	83381	194.63	
7/24/2024	VEN00136--DIGITAL IMAGE TRI-CITIES, INC.	83384	4,481.16	
7/24/2024	VEN00149--EFC EQUIPMENT FEED PET SUPPLY	83385	32.59	
7/24/2024	VEN00157--ENDURIS WASHINGTON	83387	530,444.00	
7/24/2024	VEN00161--EXPRESS SERVICES, INC.	83388	1,595.88	
7/24/2024	VEN00162--FARMERS EXCHANGE	83389	44.98	
7/24/2024	VEN00166--FERGUSON ENTERPRISES, INC.	83390	169.63	
7/24/2024	VEN00175--FRONTIER FENCE, INC.	83391	2,633.31	
7/24/2024	VEN00196--HARBOR FREIGHT TOOLS, INC.	83395	65.21	
7/24/2024	VEN00200--HDR ENGINEERING, INC	83396	871.75	
7/24/2024	VEN00214--IRRIGATION SPECIALISTS, INC	83397	297.00	
7/24/2024	VEN00231--KENNEWICK INDUSTRIAL & ELECTRICAL SUPPLY	83398	830.91	
7/24/2024	VEN00258--MOON SECURITY SERVICES, INC	83402	2,043.07	
7/24/2024	VEN00262--MR. ROOTER PLUMBING	83403	1,513.65	
7/24/2024	VEN00290--CI-PW, LLC (Paradise Bottled Water)	83377	144.42	
7/24/2024	VEN00291--KENNEWICK RANCH AND HOME	83399	163.04	
7/24/2024	VEN00299--PHASE 2 ELECTRIC, INC.	83404	3,108.46	
7/24/2024	VEN00301--PITNEY BOWES, INC	83405	217.00	
7/24/2024	VEN00326--RGW ENTERPRISES P.C. INC	83406	15,750.00	
7/24/2024	VEN00331--RICHLAND ROTARY CLUB	83407	340.00	
7/24/2024	VEN00346--THE SHERWIN-WILLIAMS CO.	83413	1,165.56	
7/24/2024	VEN00352--SMARSH, INC.	83409	4.29	
7/24/2024	VEN00380--MCCLATCHY COMPANY	Voided - 083075	-436.08	
7/24/2024	VEN00385--THE HOME DEPOT CRC/GEFC	83412	1,410.74	
7/24/2024	VEN00398--TRI-CITY SIGN & BARRICADE	83414	395.50	
7/24/2024	VEN00410--USDA APHIS	83415	1,931.66	
7/24/2024	VEN00419--GRAINGER	83393	1,022.42	
7/24/2024	VEN00436--WILBUR-ELLIS COMPANY	83416	2,289.22	
7/24/2024	VEN00469--CENTURY WEST ENGINEERING CORP	83375	23,593.39	
7/24/2024	VEN00491--LOWE'S CREDIT/SYNCHRONY FINANCIAL	83401	240.02	
7/24/2024	VEN00507--THE BECKETT GROUP	83411	15,234.99	
7/24/2024	VEN00540--GLACIER SUPPLY GROUP, LLC	83392	3,872.02	
7/24/2024	VEN00580--DEVIL DOG INSTALLATIONS, LLC	83383	579.39	
7/24/2024	VEN00601--GRAVIS LAW PLLC	83394	16,680.00	
7/24/2024	VEN00636--SENSKE LAWN & TREE CARE LLC	83408	4,116.50	
7/24/2024	VEN00639--CWW LLC (COLUMBIA RAIL)	83382	17,737.23	
7/24/2024	VEN00649--SWIFT CURRENT, LLC	83410	5,040.00	
7/24/2024	VEN00672--KPFF, INC.	83400	22,140.93	
7/24/2024	VEN00683--ELLISON EARTHWORKS LLC	83386	86,889.48	
7/24/2024	VEN00695--WILLIAMSON FIRE EXTINGUISHERS LLC	83417	3,000.66	
7/24/2024	VEN00700--CLIFTON LARSON ALLEN LLP	83378	13,650.00	
7/26/2024	VEN00239--WASHINTGON STATE DEPT OF REVENUE	6/2024 B&O		5,202.31
7/30/2024	10031--Lubeck, Jeffrey	83464	535.47	
7/30/2024	10037--Keller, Scott	83465	85.76	
7/30/2024	10038--Hammond, Cassandra	83463	864.90	
7/30/2024	VEN00007--BLUEROOM	83420	230.00	
7/30/2024	VEN00009--GEO WAY ACE HARDWARE	83433	576.98	
7/30/2024	VEN00044--BENTON PUD	83419	1,513.59	
7/30/2024	VEN00075--CASCADE NATURAL GAS CORP	83422	227.71	
7/30/2024	VEN00083--CENTURYLINK	83423	138.56	

7/30/2024	VEN00107--COOK'S ACE HARDWARE	83426	52.87
7/30/2024	VEN00136--DIGITAL IMAGE TRI-CITIES, INC.	83429	516.33
7/30/2024	VEN00140--WASHINGTON STATE DEPT OF TRANSPORTATION	83461	364.00
7/30/2024	VEN00161--EXPRESS SERVICES, INC.	83431	2,831.59
7/30/2024	VEN00166--FERGUSON ENTERPRISES, INC.	83432	75.26
7/30/2024	VEN00187--GREAT PROSSER BALLOON RALLY	83435	2,500.00
7/30/2024	VEN00223--JOHNSTONE SUPPLY	83438	1,466.74
7/30/2024	VEN00228--KELLER ROHRBACK LLP	83439	5,222.20
7/30/2024	VEN00231--KENNEWICK INDUSTRIAL & ELECTRICAL SUPPLY	83440	276.45
7/30/2024	VEN00236--LES SCHWAB TIRE CENTER STEVENS DR.	83443	531.32
7/30/2024	VEN00258--MOON SECURITY SERVICES, INC	83445	1,213.09
7/30/2024	VEN00272--NORTHWEST RENTALS	83446	130.98
7/30/2024	VEN00297--PERSONAL TOUCH CLEANING, INC.	83447	24,041.15
7/30/2024	VEN00299--PHASE 2 ELECTRIC, INC.	83448	3,724.06
7/30/2024	VEN00306--PROMINENCE PUBLIC RELATIONS	83449	11,950.00
7/30/2024	VEN00317--RAILWORKS TRACK SYSTEMS	83450	38,402.06
7/30/2024	VEN00321--CI INFORMATION MANAGEMENT	83424	47.82
7/30/2024	VEN00365--STRATTON SURVEYING & MAPPING	83452	5,212.50
7/30/2024	VEN00399--TRIDEC, INC.	83454	2,083.33
7/30/2024	VEN00410--USDA APHIS	83455	2,799.72
7/30/2024	VEN00418--VIVA PUBLISHING, LLC	83458	1,000.00
7/30/2024	VEN00419--GRAINGER	83434	126.25
7/30/2024	VEN00440--WASHINGTON PUBLIC PORTS ASSOCIATION	83459	1,425.00
7/30/2024	VEN00444--WASHINGTON STATE DEPT OF LABOR & INDUSTRIES	83460	50.00
7/30/2024	VEN00489--WAYNE POTTER	83462	3,099.90
7/30/2024	VEN00490--MARY POTTER	83444	3,114.48
7/30/2024	VEN00532--VIC'S AUTO PARTS & SUPPLY	83456	81.47
7/30/2024	VEN00543--DESERT VALLEY POWERSPORTS, LLC	83428	34.76
7/30/2024	VEN00547--HB PAINTERS, INC.	83436	95,717.28
7/30/2024	VEN00570--VITAL RECORDS CONTROL	83457	1,453.33
7/30/2024	VEN00585--LENNOX INDUSTRIES INC.	83442	183.05
7/30/2024	VEN00588--JC CONSULTING CORPORATION	83437	10,080.00
7/30/2024	VEN00637--360 AUTOMOTIVE & REPAIR	83418	181.49
7/30/2024	VEN00639--CWW LLC (COLUMBIA RAIL)	83427	29,800.00
7/30/2024	VEN00644--LEAF	83441	205.08
7/30/2024	VEN00652--RICHARD RHYNARD	83451	2,250.00
7/30/2024	VEN00680--TED BROWN MUSIC CO INC	83453	763.07
7/30/2024	VEN00683--ELLISON EARTHWORKS LLC	83430	79,266.75
7/30/2024	VEN00700--CLIFTON LARSON ALLEN LLP	83425	8,674.94
7/30/2024	VEN00714--C WATTS TRUCKING LLC	83421	59,220.00

**BCT MAIN - KeyB: Account no: 6631-6601101**

**Total for BCT MAIN**

<b>1,749,864.63</b>	<b>81,099.11</b>
---------------------	------------------

**RESOLUTION 24-25**  
**A RESOLUTION OF THE PORT OF BENTON, WASHINGTON**  
**TO CANCEL A WARRANT**

**WHEREAS**, General Expense Fund Warrant No. 083075, warrant number issued but was lost in the mail, and

**WHEREAS**, said warrant is hereby considered to be canceled, and the Port Commission wishes to remove this warrant from the active accounting records.

**NOW THEREFORE**, the Port Commission hereby resolves to cancel Warrant No. 083075.

DATED AND SIGNED at Richland, Washington, this 14<sup>th</sup> day of August, 2024

---

Scott D. Keller, President

---

Lori Stevens, Vice President

---

Roy D. Keck, Secretary

**RESOLUTION 24-26**  
**A RESOLUTION OF THE PORT OF BENTON, WASHINGTON, AUTHORIZING**  
**AN INTERLOCAL AGREEMENT WITH THE CITY OF RICHLAND FOR STEPTOE**  
**STREET AND TAPTEAL DRIVE INTERSECTION IMPROVEMENTS**

**WHEREAS**, RCW 39.34.010 permits local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

**WHEREAS**, pursuant to RCW 39.34.080, each Jurisdiction is authorized to contract with any one or more public agencies to perform any governmental service, activity, or undertaking which each public agency entering into the contract is authorized by law to perform; provided that such contract shall be authorized by the governing body of each Jurisdiction to the contract and shall set forth its purposes, powers, rights, objectives and responsibilities of the contracting parties; and

**WHEREAS**, City of Richland (“City”) owns and operates Steptoe Street, which hosts the Port of Benton’s (“Port”) railroad track and at-grade rail crossing system crossing Steptoe Street; and

**WHEREAS**, a proposed intersection improvement project at Steptoe Street and Tapteal Drive (the “Project”) will make modifications to an at-grade city street crossing of the Port’s railroad track; and

**WHEREAS**, RCW 81.53.060 requires that the City file a petition with the Washington State Transportation and Utilities Commission (WUTC) and receive approval prior to beginning construction of the Project; and

**WHEREAS**, the Washington State Transportation and Utilities Commission (WUTC) administrative process requires input from railroad companies operating on Port railroad, and the Class I railroad companies who participate in review of the Project will require compensation; and

**WHEREAS**, the Project provides mutual benefit to the Jurisdictions; and

**WHEREAS**, efforts to obtain WUTC approval and the cooperation of the railroads will be best implemented on a shared basis in a manner deemed most efficient and effective for each Jurisdiction.

**NOW THEREFORE, BE IT RESOLVED** by the Commissioners of the Port of Benton that the Executive Director of the Port is authorized to sign and execute an interlocal agreement with the City of Richland, in substantially the form attached as Exhibit A, related to the Steptoe Street and Tapteal Drive Intersection Improvements Project as provided therein.:

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

**DATED** and signed at Richland, Washington, this 14<sup>th</sup> day of August, 2024.

---

Scott D. Keller, President

---

Lori Stevens, Vice President

---

Roy D. Keck, Secretary



**RESOLUTION 24-27**  
**A RESOLUTION OF THE PORT OF BENTON**  
**ACCEPTING WORK COMPLETED BY**  
**GRANITE CONSTRUCTION COMPANY**  
**FOR THE**  
**2939 RICHARDSON ROAD PARKING LOT IMPROVEMENT PROJECT**

**WHEREAS**, work known as the 2939 Richardson Road Parking Lot Improvement Project upon notification by Granite Construction Company, that said project has been completed in accordance with the approved plans and specifications, has been duly inspected by Bryan Bell, Construction Facility Manager, and

**WHEREAS**, the Contractor has certified that the work has been completed in accordance with the plans and specifications at a total cost of \$178,415.00 plus WSST.

**NOW THEREFORE BE IT RESOLVED** that the Port of Benton Commission does hereby accept the work Granite Construction Company, has completed in accordance with the contract of said project; and

**BE IT HEREBY FURTHER RESOLVED** that upon presentation and approval of the final invoice for the project, the Executive Director is directed to proceed with the necessary procedures, including required advertisements and government notifications, to finalize the project.

**DATED AND SIGNED** at Richland, Washington on this 14<sup>th</sup> day of August 2024.

\_\_\_\_\_  
Scott D. Keller, President

\_\_\_\_\_  
Lori Stevens, Vice President

\_\_\_\_\_  
Roy D. Keck, Secretary

**RESOLUTION 24-28**  
**A RESOLUTION OF THE PORT OF BENTON**  
**ACCEPTING WORK COMPLETED BY**  
**ELLISON EARTHWORKS, LLC**  
**FOR THE**  
**STREET LIGHT IMPROVEMENT PROJECT**

**WHEREAS**, work known as the Street Light Improvement Project upon notification by Ellison Earthworks, LLC, that said project has been completed in accordance with the approved plans and specifications, has been duly inspected by Bryan Bell, Construction Facility Manager, and

**WHEREAS**, the Contractor has certified that the work has been completed in accordance with the plans and specifications at a total cost of \$265,224.33 plus WSST.

**NOW THEREFORE BE IT RESOLVED** that the Port of Benton Commission does hereby accept the work Ellison Earthworks, LLC, has completed in accordance with the contract of said project; and

**BE IT HEREBY FURTHER RESOLVED** that upon presentation and approval of the final invoice for the project, the Executive Director is directed to proceed with the necessary procedures, including required advertisements and government notifications, to finalize the project.

**DATED AND SIGNED** at Richland, Washington on this 14<sup>th</sup> day of August, 2024.

\_\_\_\_\_  
Scott D. Keller, President

\_\_\_\_\_  
Lori Stevens, Vice President

\_\_\_\_\_  
Roy D. Keck, Secretary

**RESOLUTION NO. 24-29**  
**A RESOLUTION OF THE PORT OF BENTON PROVIDING**  
**GUIDELINES FOR AN INTERNAL SOCIAL MEDIA POLICY**

**WHEREAS**, The use of social media has become an integral part of modern communication, providing the ability for organizations to connect and engage with a wide range of audiences; and

**WHEREAS**, The Port of Benton is committed to upholding the highest standards of professionalism, integrity and privacy in our online presence; and

**WHEREAS**, The efficient use of social media can enhance the Port’s reputation, foster collaboration and improve overall effectiveness; and

**WHEREAS**, the Port Commission now wishes to provide guidelines for this vast area of technology, understanding that it may be necessary to amend and revise these policies from time to time due to changes in law and/or operations of the Port;

**NOW, THEREFORE, BE IT RESOLVED** by the Port Commission of the Port of Benton as follows:

The Port of Benton Guidelines for an internal social media policy, set forth as “Exhibit A” attached to this Resolution and incorporated herein by such reference, is hereby approved.

**ADOPTED** by the Commission of the Port of Benton this August 14, 2024, at Richland, Washington and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof.

\_\_\_\_\_  
Scott D. Keller, President

\_\_\_\_\_  
Lori Stevens, Vice President

\_\_\_\_\_  
Roy D. Keck, Secretary

## EXHIBIT A

### PORT OF BENTON SOCIAL MEDIA POLICY

#### **Purpose**

The Port of Benton (the "Port") recognizes that the internet provides unique opportunities to participate in interactive discussions and share information on particular topics using a wide variety of social media, such as Facebook, LinkedIn, X (formerly Twitter), Instagram, TikTok, Pinterest, Snapchat, Tumblr, blogs, and wikis. However, employees' use of social media can pose risks to the Port, its reputation, expose the Port to discrimination and harassment claims, or jeopardize the Port's compliance with business rules and laws.

To minimize these business and legal risks, to avoid loss of productivity and distraction from job performance, and to ensure that the Port's IT resources and communications systems are used appropriately as explained below, the Port expects its commissioners, executives, and employees (collectively "Employees") to adhere to the following guidelines and rules regarding social media use.

Apart from personal use of social media in accordance with this policy, the Port encourages its Employees to participate responsibly in these media as a means of generating interest in the Port's activities and creating business opportunities, so long as all of the Port's rules and guidelines regarding social media usage, particularly in a business context, are followed. However, if you are required to use social media as part of your job duties, please refer to the section entitled "Business Use of Social Media" below.

#### **Compliance with Related Policies and Agreements**

All of the Port's other policies that might apply to social media use remain in full force and effect. Employees should always adhere to them when using social media. Social media should never be used in a way that violates any other Port policies or Employee obligations. If your social media activity would violate any of the Port's policies in another forum, it will also violate them in an online forum. For example, employees are prohibited from using social media to:

- Violate the Port's IT resources and communications systems policies.
- Violate the Port's confidentiality and proprietary rights policies.
- Circumvent the Port's ethics and standards of conduct policies.
- Engage in unlawful harassment, including discriminatory language.
- Circumvent policies prohibiting unlawful discrimination against current Employees or applicants for employment.
- Violate the Port's privacy policies (for example, never access private password-protected sites of coworkers or other Port stakeholders without permission).
- Violate any other laws or ethical standards (for example, never use social media in a false or misleading way, such as by claiming to be someone other than yourself or by creating an artificial "buzz" around our business, products, or stock).

Employees should also never provide references or recommendations for stakeholders on social or professional networking sites, as such references or recommendations can be attributed to the Port and

create legal liability for employees and the Port (such as interference with prospective business contracts and allegations of wrongful termination).

Employees should always disclose that they are employees of the Port when promoting Port activity on social media platforms.

Employees who violate the Port's policies may be subject to discipline, up to and including termination of employment.

### **Personal Use of Social Media**

We recognize that Employees occasionally may desire to use social media for personal activities at the office or by means of the Port's computers, networks, and other IT resources and communications systems. We authorize this use during nonworking time so long as it does not involve vulgar, obscene, threatening, intimidating, or harassing content, is not maliciously false, does not violate any other Port policies or Employee obligations, and does not interfere with your employment responsibilities or productivity. Circulating or posting commercial, personal, religious or political solicitations, chain letters, spam, or promotion of outside organizations unrelated to company business are also prohibited during working time unless otherwise protected or required by law.

### **No Expectation of Privacy**

All contents of the Port's IT resources and communications systems are the property of the Port. Therefore, Employees should have no expectation of privacy whatsoever in any message, files, data, document, facsimile, telephone conversation, social media post, conversation or message, or any other kind of information or communications transmitted to, received or printed from, or stored or recorded on The Port's electronic information and communications systems.

Do not use the Port's IT resources and communications systems for any matter that you desire to be kept private or confidential from the Port.

### **Business Use of Social Media**

If you are required to use social media as part of your job duties, for the Port's marketing, public relations, recruitment, corporate communications, or other business purposes, you should carefully review the Port's Social Media and other policies. Note that the Port owns all social media accounts used on behalf of the Port or otherwise for business purposes, including any and all log-in information, passwords, and content associated with each account, such as followers and contacts. The Port owns all such information and content regardless of the Employee that opens the account or uses it and will retain all such information and content regardless of separation of any Employee from employment with the Port. If your job duties require you to speak on behalf of the Port in a social media environment, you must still seek approval for such communication from your manager, executives, commissioners, or other person(s) to whom you report, any of whom may require you to receive training before you do so and impose certain requirements and restrictions regarding your activities. Likewise, if you are contacted for comment about the Port for publication, including in any social media outlet, direct the inquiry to the Port executives and do not respond without written approval.

### **Guidelines for Employees' Responsible Use of Social Media**

The above material covers specific rules, policies, and contractual obligations that Employees must follow in using social media, whether for personal or business purposes, in consideration of their employment. Employees may be subject to discipline for violations. The following sections of the policy provide employees with common sense guidelines and recommendations for using social media responsibly and

safely, in the best interests of the Port. These guidelines reflect the "duty of loyalty" all Employees owe their employers, and are intended to add to, not contradict, limit, or replace, applicable mandatory rules, policies, legal requirements, legal prohibitions, and contractual obligations.

**Protect the Company's Goodwill, Brands, and Business Reputation.** You are personally responsible for what you communicate in social media. Remember that what you publish might be available to be read by the masses (including the Port itself, future employers, and social acquaintances) for a long time. Keep this in mind before you post content.

Make it clear in your social media activity that you are speaking on your own behalf. Write in the first person and use your personal email address when communicating via social media. Never post anonymously to social media sites when your post could be attributed to the Port, its affiliates, customers, clients, business partners, suppliers, vendors, or other stakeholders. Anonymous posts can be traced back to the original sender's email address. Follow all guidelines in this policy regarding social media postings.

When you disclose your affiliation as an Employee of the Port, it is recommended that you also include a disclaimer that your views do not represent those of your employer. For example, consider such language as "the views in this posting reflect my personal views and do not represent the views of my employer."

Use good judgment about what you post and remember that anything you say can reflect on the Port, even if you do include a disclaimer. Always strive to be accurate in your communications about the Port and remember that your statements have the potential to result in liability for you or the Port. The Port encourages professionalism and honesty in social media and other communications.

**Respect Intellectual Property and Confidential Information.** You should avoid misappropriating or infringing on the intellectual property of other companies and individuals, which can create liability for yourself and for the Port.

Respect laws regarding copyrights, trademarks, and other third-party rights. To protect yourself and the Port against liability for copyright or trademark infringement, where appropriate, reference sources of particular information you post or upload and cite them accurately. If you have any questions about whether a particular post or upload might violate the copyright or trademark of any person or company, ask the Port's legal department before making the communication.

**Respect and Comply with Terms of Use of All Sites You Visit.** Do not expose yourself or the Port to legal risk by using a social media site in violation of its terms of use. Review the terms of use of all social media sites you visit and ensure your use complies with them. If you are using social media as part of your job duties, pay particular attention to terms relating to:

- Prohibitions or restrictions on the use of the social media site, including prohibitions or restrictions on use for advertising, marketing and promotions, or other commercial purposes (for example, Facebook's Statement of Rights and Responsibilities, its terms of use, and accompanying Promotional Guidelines specify the terms for businesses administering promotions through Facebook).
- Ownership of intellectual property used on, or information collected or generated through use of, the site (for example, any of the company's copyrighted material and trademarks that might be posted on the site, or user information the company collects through the site).
- Requirements for licenses or other permissions allowing use by the site owner and other third parties of the company's trademarks or other intellectual property.
- Privacy rights and responsibilities of the site owner and users.

**Respect Others.** In addition to complying with the Ports's mandatory anti-harassment and anti-discrimination policies, do not post, or express a viewpoint on another's post, such as by "liking" a Facebook post, anything that the Port's customers, clients, business partners, suppliers, or vendors would find offensive, including ethnic slurs, sexist comments, discriminatory comments, profanity, abusive language, or obscenity, or that is maliciously false.

Supervisors should refrain from trying to connect with their direct reports on social media sites (for example, making friend requests on Facebook). However, direct reports may request connections with supervisors. Neither supervisors nor direct reports should feel pressured to accept any social media requests from anyone at the Port.

Last updated: July 25, 2024

**RESOLUTION NO. 24-30**  
**A RESOLUTION OF THE PORT OF BENTON PROVIDING**  
**TERMS OF USE FOR AN EXTERNAL SOCIAL MEDIA POLICY**

**WHEREAS**, The Port of Benton acknowledges the importance of social media as a platform for engagement and communication, and;

**WHEREAS**, The Port aims to maintain a respectful; and professional online environment for all users; and

**WHEREAS**, the Port Commission now wishes to provide terms of use related to its webpages and social media sites, understanding that it may be necessary to amend and revise these policies from time to time due to changes in law and/or operations of the Port;

**NOW, THEREFORE, BE IT RESOLVED** by the Port Commission of the Port of Benton as follows:

The Port of Benton social media terms of use, set forth as "Exhibit A" attached to this Resolution and incorporated herein by such reference, is hereby approved.

**ADOPTED** by the Commission of the Port of Benton this August 14, 2024, at Richland, Washington and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof.

\_\_\_\_\_  
Scott D. Keller, President

\_\_\_\_\_  
Lori Stevens, Vice President

\_\_\_\_\_  
Roy D. Keck, Secretary



## EXHIBIT A

### PORT OF BENTON SOCIAL MEDIA TERMS OF USE

Although the Port of Benton (the “Port”) encourages posts, comments, questions, and concerns on its webpages and social media sites, these sites are limited public forums and may be moderated from time-to-time by Port employees.

The following posts and comments are prohibited on Port webpages or social media sites:

- Containing any personally identifiable or sensitive information, including medical information, contact information, or address information, of the poster or another person.
- Not topically related to the parent post for the comment.
- Containing links to unrelated websites or content.
- Containing vulgar, offensive, profane, threatening, or harassing language,
- Containing personal attacks, unsupported accusations, defamation, or threats of defamation.
- Containing, or linking to, obscene or sexual content.
- Promoting, fostering, or perpetuating discrimination on the basis of creed, color, age, religion, gender, sex, marital status, status with regard to public assistance, affiliations, national origin, physical or mental disability, or sexual orientation.
- Consisting of, suggesting, or encouraging illegal activity.
- Promoting or advertising a business or commercial transaction.
- Containing personal or business solicitations, or furthering personal agendas.
- Containing political statements, including comments that endorse or oppose political candidates or ballot propositions. (RCW §42.52.180).
- Containing information that may tend to compromise the safety or security of the public or public systems.
- Containing or promoting misleading or false information.
- Violating copyright, trademark, trade secret or other legal ownership interest in intellectual property of another party.
- Violating the policies, terms, or conditions of the platform where the content is posted.

Port Social Media accounts are subject to the Washington State Public Records Act (RCW Chapter 42.56) and Records Retention Laws (RCW Chapter 40.14), and as such, any comments, posts, and/or other engagement on or with the Port’s social media accounts by other social media users are retained by the Port in accordance with such laws and may be disclosed to third parties.

The Port disclaims all liability for external content. The opinions or positions of external and third-party content do not reflect the opinions or position of the Port or the Port’s staff. The Port reserves the right to delete submissions containing any of the foregoing prohibited content or submissions that are outdated, are deemed to be “trolling” commentary, or are primarily spam. The Port may block users from posting or commenting if they continually violate this Policy.

We may revise and update these Terms of Use from time to time in our sole discretion. All changes are effective immediately when we post them and apply to all access to and use of the webpage.

## **RESOLUTION 24-31**

### **A RESOLUTION OF THE PORT OF BENTON CONSENTING TO ASSIGNMENT OF GROUND LEASE (Douglas W. and Bonnie A. Cole)**

**WHEREAS**, on July 10, 2024, the Port of Benton was contacted by Douglas Cole seeking the Port's consent to assignment of lessee's leasehold estate interest in the Port's ground lease dated August 4<sup>th</sup>, 2017 (hereinafter "Lease") for the real property described in Exhibit A; and

**WHEREAS**, The Port subsequently amended the Lease on September 1, 2021 with Lease Modification No. 1 to correct the address as 2201 Airport Way; and

**WHEREAS**, the Port entered into a written Ground lease agreement dated August 4<sup>th</sup>, 2017 between Douglas W. and Bonnie A. Cole , for a 10-year term, including four, 10-year renewal options, effective November 1, 2017, as described in Exhibit A; and

**WHEREAS**, Douglas W. and Bonnie A. Cole now wish to assign their interest in the ground lease to the COLE LIVING TRUST dated July 9 2024, which assignment requires approval by the Port of Benton Commission because the lease exceeds the 5-year duration under the executive director's delegation of authority; and

**WHEREAS**, the Lease expressly provides for assignment of the Lessee's interest in the leasehold estate upon written approval of the Port, which written approval shall not be unreasonably withheld.

**NOW THEREFORE, BE IT RESOLVED** that the Port of Benton Commission does hereby approve the Consent to Assignment of Ground Lease from Douglas W. and Bonnie A. Cole to the Cole Living Trust dated July 9, 2024; and

**BE IT HEREBY FURTHER RESOLVED**, that upon formal Commission approval, the Executive Director is authorized to execute all documents and agreements on behalf of the Port to effectuate the assignment specified above.

**ADOPTED** by the Port of Benton Board of Commissioners, on this 14<sup>th</sup> day of August 2024.

---

Scott D. Keller, President

---

Lori Stevens, Vice President

---

Roy D. Keck, Secretary

## CONSENT TO ASSIGNMENT OF LEASE

**WHEREAS**, the PORT OF BENTON ("LESSOR") entered into a written Ground Lease Agreement dated August 4th 2017 (the "LEASE") for the period effective November 1, 2017 through October 31, 2027, with Douglas W. and Bonnie A. Cole ("LESSEES"), for the real property described in Exhibit A, which LEASE was subsequently amended by Lease Modification No. 1 dated September 1, 2021

**WHEREAS**, LESSEES now wish to assign their interest in the LEASE to the COLE LIVING TRUST dated July 9, 2024.

**WHEREAS**, paragraph 11 of the LEASE only permits assignment by LESSEES upon the prior written consent of LESSOR.

**NOW THEREFORE**, in consideration of the foregoing, LESSOR hereby agrees as follows:

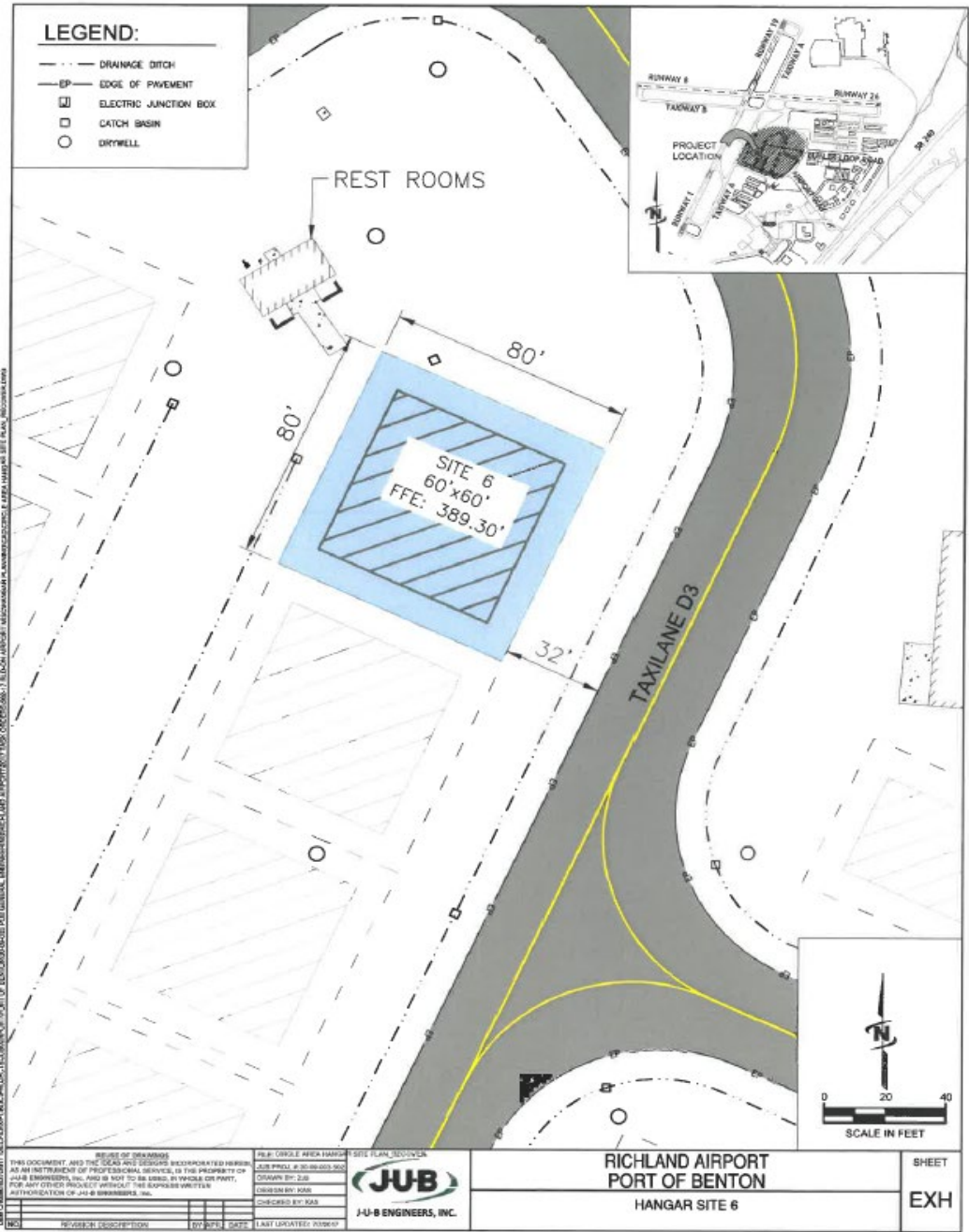
1. LESSOR hereby consents to the assignment of the LEASE to the COLE LIVING TRUST dated July 9, 2024
2. This is a limited consent only. LESSOR reserves all rights under the LEASE.
3. This Consent to Assignment is given on the condition that it shall not be construed to release, alter or modify in any way the obligation of the assigning LESSEES under the LEASE.

**DATED** this \_\_\_\_ day of \_\_\_\_\_.

By Authority of the Board of Commissioners  
Of the PORT OF BENTON

By: \_\_\_\_\_  
Diahann Howard, PPM ®  
Executive Director

**EXHIBIT A  
LEGAL DESCRIPTION  
To Consent to Assignment of Ground Lease**



**ALSO TOGETHER WITH AND SUBJECT TO** easements, reservations, covenants, conditions and restrictions apparent or of record.

	<b>Project</b>	<b>Description</b>	<b>Grants Pursued/Received</b>	<b>Comments</b>
<b>1</b>	Innovation Cluster Accelerator Program Application, Phase 2	Washington Dept of Commerce, next evolution of POB, IPZ. Goal to support creation of clean energy industry lead alliance.	State - \$300,000	<b>Contracting completed this grant will be closed out September.</b>
<b>2</b>	National Highway Freight Program (WSDOT portion)	SR 240 rail signal and crossing reconstruction. WSDOT is planning on widening SR 240 from bypass highway to Hagen.	WSDOT \$865,000 POB \$135,000	<b>Design is complete. Waiting for WSDOT review and approval but plan to advertise for bid on August 4th. Planned crossing construction later this year with the signal work in early 2025.</b>
<b>3</b>	Railroad Improvements – Freight Rail Assistance Program grant	Provide grant funding of railroad crossings - Airport Way, Saint St, and Kingsgate Way signal cabinet.	FRAP - \$1,030,000 POB \$250,000	<b>Railworks Track Systems was the lowest responsive bidder and they are working on materials orders. Plan to construct the crossings as soon as materials arrive.</b>
<b>4</b>	<b>Clean Energy Fund-state</b>	Provide grant funding for EV charging stations north Richland, Prosser	POB land site in kind	OCOchem applicant, submitted April 8
<b>5</b>	2023-2025 State Capital Appropriation	"White Bluffs Rail" remaining crossings, ties, panels and rail to support CRISI	\$1,212,500 State Grant	<b>Working with HDR on advertisement for bid. Plan to install the ties later this year.</b>
<b>6</b>	RAISE	White Bluffs Southern Connection Rail	Federal \$8 million POB \$2 million	This project was not selected for award. CRISI request remains active; no decision until fall 2024

	<b>Project</b>	<b>Description</b>	<b>Grants Pursued/Received</b>	<b>Comments</b>
<b>7</b>	State Capital Request	Phase 1 intermodal rail yard	\$6 - \$10 million	Request to support federal grant applications and initial phase 1 of intermodal rail yard; \$240,000 awarded <b>contracting has begun.</b>
<b>8</b>	Records Room Organization	Temp help to organize records room and identify records to destroy or retain.	\$20,000	The Port was one of the 25 applicants out of 122 submissions to receive this award and was one of the few to be fully funded. <b>Contract is in place and work has started and will continue through year end.</b>
<b>9</b>	Congressional Directed Spending Requests	Port of Benton White Bluffs Rail Project Modernization and Intermodal Facility.	\$5 million	Submitted to Senator Murray and Cantwell’s office connected to RAISE and CRISI request.  <b>\$3.55M has been marked to support this project awaiting final bill approval</b>
<b>10</b>	Congressional Directed Spending Requests	White Bluffs Center Phase II	\$5 million	Ad Hoc Subcommittee of Manhattan National Park was created to support this project. CDS via Community Project Funding submitted to Congressman Newhouse’s office.
<b>11</b>	Port Electrification	Intermodal Facilities	\$2.7 million, 10% match \$300K POB	<b>Application submitted July 8</b>
<b>12</b>	CERB	2579 offices (RBP)	\$2.3 million	Meeting with CERB held to discuss project, application planned fall 2024 will require 20% match

Airports				
	Project	Description	Grants Pursued/Received	Comments
13	Richland Airport - Airfield Signage and Lights (PH1)	Replace Airfield Signs, Replace runway lights on RW 8/26 & 1/19 MIRL	FAA - \$3,200,000 No Match Required	Grant closeout started
14	FAA and State Airport discretionary funds - <b>Richland Airport</b>	Runway and Apron Crack and Fog Seal	FAA NPE \$290,000 State \$800,000 Awarded FAA Grant amount 2023 = \$178,000 (Design Work)	<b>Grant Agreement Signed by Port and FAA. Possible addition of Bid Alt to do fog seal on main apron.</b>
15	WSDOT 5% Match	WSDOT assistance in paying half of Sponsors grant obligation	\$60,000 Match	Applied for Richland Runway and Apron Crack repair (#16) Should hear back in June.
16	FAA Airport Funds - <b>Prosser Airport</b>	Runway and Apron Crack and Fog Seal and Airport Lighting	FAA NPE \$200,000 FAA DI \$1,300,000 Awarded FAA Grant amount 2023 = \$245,000 (Design Work)	Approved - Grant Agreement Signed by Port and FAA. 100% Design submitted to FAA. New construction estimate \$1.98M. <b>Funds unavailable in 2024 – Bids due for Port funded project 7/31</b>
17	Infrastructure Investment and Jobs Act - Grant Funds (Now Bipartisan Infrastructure Law BIL funds) - <b>Richland Airport</b>	Direct grants for the improvement of public use airports. Awarded project is Taxilane construction	Richland Airport \$1,200,000	60% Design complete, awaiting FAA review. <b>Estimated \$1,000,000 cost increase from initial plans. Possible pivot of funds to fog seal (see above)</b>



	<b>Project</b>	<b>Description</b>	<b>Grants Pursued/Received</b>	<b>Comments</b>
<b>18</b>	Infrastructure Investment and Jobs Act - Grant Funds (Now Bipartisan Infrastructure Law <b>BIL</b> funds) - <b>Richland Airport</b>	Main Apron Reconfiguration - Design/Construction 2025/26	BIL Funds \$833,000	Approved
<b>19</b>	FAA Airport Funds – <b>Richland Airport</b>	Wildlife fencing around airport. Complete fencing around entire airport	FAA NPE \$205,000	Approved
<b>20</b>	FAA Airport Funds – <b>Prosser Airport</b>	Construct Heliport/Helipad with service road – design	FAA NPE \$155,000	Approved