

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

The regular Commission meeting will be available via Zoom, a telephone conference call-in line, and in person. The link to access this broadcast via Zoom and the call-in number to participate via telephone will be made available 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 February 25, 2026, to receive 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 in which your hands are raised. Press star + 6 (\*6) when the host calls on you to unmute yourself.

**PORT OF BENTON  
REGULAR COMMISSION MEETING  
Agenda  
8:30 a.m., February 25, 2026  
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 of February 11, 2026, Commission Meeting

D. PUBLIC COMMENT

E. ITEMS OF BUSINESS

1. Welcome and Update from Scott Urban, North American Trainers Association Formation Clinic
2. Resolution 26-19, Resolution Confirming Matching Funds for WSDOT Aviation Grant – Richland Airport Apron Project
3. Resolution 26-20, Resolution Relating to Land Rates, Prosser Airport

4. Resolution 26-21, Adoption of Revised Port of Benton Commission Rules of Policy and Procedure
5. Request for Authorization to Begin Negotiations with AHBL for the Crow Butte Master Plan
6. Main Apron Reconfiguration Project – Richland Airport
7. Richland Airport Water Utility Ad Hoc Committee Update

F. COMMISSIONER REPORTS/COMMENTS

G. INFORMATION REPORTS

1. Rail Update

H. DIRECTOR REPORTS/COMMENTS

1. Port Attorney
2. Interim Executive Director

I. FOR THE GOOD OF THE ORDER

- J. RECESS TO EXECUTIVE SESSION as legally allowed pursuant to RCW 42.30.110(1)(c), (f), (g) and (i) to discuss real estate, complaints, evaluate personnel, and to discuss potential litigation/legal risks with Port Counsel.

The session is expected to take 30 minutes.

K. ADJOURNMENT

The next regular Port of Benton Commission meeting will be held on **Wednesday, March 11, 2026 at 8:30 a.m.** at the Clore Center, 2140 Wine Country Road, Prosser, Washington. Visit [portofbenton.com](http://portofbenton.com) for notices and information.

**PORT OF BENTON  
COMMISSION MEETING MINUTES  
February 11, 2026**

- 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 Blvd., Richland, Washington.

**PRESENT:** Commissioner Scott D. Keller, Commissioner Bill O’Neil, Commissioner Lori Stevens

**PORT STAFF PRESENT:** Ron Branine, Quentin Wright, Summers Miya, Audrey Burney, Cassie Losey, Angela Saraceno-Lyman, Joe Pisca

**ALSO PRESENT:** John O’Leary, Gravis Law; Roy Keck, Clif Dyer, Sundance Aviation/Tym2Fly, Mark Underwood, Richland Airport; Rachel Visick, Tri-City Area Journal of Business; Karl Dye, TRIDEC; David Reeploeg, Hanford Communities; Gareth Nisbett, Council Member Shayne Van Dyke, City of Richland; Eugene Pratt

**The following attendees attended via remote communications:** Sheri Collins, Jorge Celestino, Julia Mora, Jeff Moore, Bryan Bell, Hans Wellenbrack, Wendy Culverwell, Tri-City Herald; Bryan Condon, Century West; Lauren Granger, RJ Blahut, Jeff Losey, Dan Hanson, Apple Valley News; Curtis Earl, Fowler Construction, Christy Rasmussen

The Commission meeting was noticed as required by RCW 42.30.070.

- B. PLEDGE OF ALLEGIANCE:** Commissioner Lori Stevens led those present to recite the Pledge of Allegiance.

**C. CONSENT AGENDA**

**A motion was made by Commissioner Lori Stevens seconded by Commissioner Scott Keller, and unanimously passed by the Commission approving the agenda for the February 11, 2026, Commission meeting, approval of minutes from the January 28, 2026, Commission meeting, approval of minutes from the February 2, 2026, special Commission meeting, approval of vouchers and certifications, including payroll, for the month of January totaling \$1,455,807.16.**

**D. PUBLIC COMMENT**

Eugene Pratt read a prepared statement.\*

Roy Keck read a prepared statement.\*\*

Clif Dyer, Sundance Aviation, criticized the rate study basis, stating it was flawed, with comparisons with non-local/urban airports. Dyer suggested that the new rates discouraged investment and development.

Dyer downplayed the water utility infraction as minimal, with 80-gallons a month rooted in a

1990-era deal.

Dyer defended the Buckskin Golf Course lease as FAA-restricted, low-value land, stating the course provides a great deal of community benefit.

Dyer noted the high management turnover since 2019, with 22-25 departures. Dyer encouraged focus on construction resolution.

\*Attachment A

\*\*Attachment B

## **E. ITEMS OF BUSINESS**

### **1. Welcome and Update from David Reeploeg, Hanford Communities**

David Reeploeg provided an overview and update on Hanford Communities, including background on the organization, its structure, a cleanup overview, progress highlights, challenges, and future plans.

### **2. Welcome and Update from Karl Dye, TRIDEC**

The CEO of TRIDEC, Karl Dye, provided a TRIDEC update, including 2025 contract results and measurements, including an update on the Port's new tenant, Avalanche Energy FusionWERX, who moved into 2345 Stevens Drive in 2025. Dye provided an overview of how TRIDEC worked together with the Port and Avalanche, resulting in a three-party agreement that TRIDEC helped facilitate.

Dye overviewed the 2016 land transfer, noting the collaboration among the Port, TRIDEC, and City. TRIDEC reviewed details of the transfer, including current plans. Dye commented on the electrical transmission issue, noting the TRIDEC and Port partnership to support Atlas Agro. Dye stated that BPA delays continue, with regional and congressional advocacy ongoing.

Dye commented on the handshake style of regional partnerships and collaboration with partners such as the Port of Benton, which he has always appreciated.

### **3. Resolution 26-13, Appointment of Claims for Damages Agent**

Interim Executive Director Ron Branine stated that the Commission previously adopted Resolution 25-47 on November 12, 2025, and subsequently, by motion at the Special Meeting on February 2, 2026, appointed Angela Saraceno-Lyman as the Claims for Damages agent. A formal resolution is required, as it must be recorded with Benton County and subsequently posted to the Port website.

**A motion was made by Commissioner Bill O'Neil, seconded by Commissioner Lori Stevens and unanimously passed by the Commission, approving Resolution 26-13, appointing Angela Saraceno-Lyman as the Claims for Damages agent.**

### **4. Resolution 26-14, Appointment of Port Auditor**

Interim Executive Director Ron Branine stated the Commission previously adopted Resolution 25-45 on November 12, 2025, and subsequently, by motion at the Special Meeting on February

2, 2026, appointed Angela Saraceno-Lyman as the Port auditor. A formal resolution is recommended.

**A motion was made by Commissioner Scott Keller, seconded by Commissioner Bill O’Neil and unanimously passed by the Commission, approving Resolution 26-14, appointing Angela Saraceno-Lyman as the Port auditor.**

5. Resolution 26-15, Appointment of Public Records Officer

Interim Executive Director Ron Branine stated that the commission previously adopted Resolution 25-46 on November 12, 2025, and subsequently, by motion at the Special Meeting on February 2, 2026, appointed Jorge Celestino as the Public Records Officer. A formal resolution is needed because the current resolution is posted on the website.

**A motion was made by Commissioner Lori Stevens, seconded by Commissioner Scott Keller, and unanimously passed by the Commission, approving Resolution 26-15, appointing Jorge Celestino as the Port Public Records Officer.**

6. Resolution 26-16, A Resolution of the Port of Benton Amending Signers for Banner and Key Banks

Interim Executive Director Ron Branine stated that this is an administrative task, per the Commission’s decision to dismiss Alicia Myers as the Port Director of Finance at the February 2, 2026, Special Commission Meeting.

**A motion was made by Commissioner Bill O’Neil, seconded by Commissioner Lori Stevens and unanimously passed by the Commission, approving Resolution 26-16, approving the amendment of signers for Banner and Key Banks.**

7. Resolution 26-17, A Resolution of the Port of Benton Authorizing Lease Modification No. 1 with Barnhart Crane & Rigging Company, Inc. – Richland Business Park

Director of Economic Development Audrey Burney explained that Resolution 26-17 consolidates Barnhart Crane & Rigging Company's warehouse footprint.

**A motion was made by Commissioner Scott Keller, seconded by Commissioner Lori Stevens and unanimously passed by the Commission, approving Resolution 26-17, authorizing lease modification No. 1 with Barnhart Crane & Rigging Company, Inc., in the Richland Business Park.**

8. Resolution 26-18, A Resolution of the Port of Benton Approving a Variance to Allow Event-Oriented Amenities on Property within Vintners Village

Director of Economic Development Audrey Burney explained that approval of Resolution 26-18 authorizes event-oriented amenity development, such as plazas, band shells, courts, and VIP areas, contingent on details, site/development reviews, and compliance with local covenants and city permitting requirements.

**A motion was made by Commissioner Scott Keller, seconded by Commissioner Lori Stevens, and unanimously passed by the Commission to approve Resolution 26-18, which authorizes a variance to allow event-oriented amenities on property within Vintners Village.**

9. Contract Amendments No. 2 and No. 3, PND Engineers, Inc., \$82,793.00 – Technology & Business Campus, Barge

9. Interim Executive Director Ron Branine explained that the Port received a grant from the Washington State Department of Transportation for the Barge Electrification Project. The total grant award was \$2,701,730. In April 2025, the Port entered into an agreement with PND Engineers, Inc. for project engineering totaling \$480,900. In November 2025, the Port approved amendment No. 1 for \$14,517.30 for additional diving investigation due to excessive corrosion found during the initial engineering work.

In 2017, the City of Richland installed improvements to its existing irrigation pump station on the high dock. In that work, dissimilar metals were installed, causing increased corrosion to occur on the high dock piling. This corrosion was investigated during the Amendment No. 1 diving. Now that we understand the spread of corrosion, some of which is from the initial installation and some of which occurred as a result of the City's work, we need to design a corrosion prevention system for the high dock. The proposed amendment No. 2 is for \$38,120 for engineering for the corrosion protection system.

We have made the City aware of this work and their shared responsibility for this work. Staff is working on an interlocal agreement with the City to fund a significant portion of the corrosion protection system design and construction.

Additionally, during the design and preliminary permitting of this work, the City of Richland stated that the project will need Critical Areas Mapping and Permitting due to the presence of sensitive plants in this location. This is a relatively new requirement by the City. This Amendment No. 3 effort is budgeted for \$44,673 to complete both the mapping and permitting.

Amendment No. 2 and No. 3 are budget maximums only, so PND will only invoice and we will only authorize actual work up to and not exceeding the total budget for payment.

Branine stated that the Port is requesting Commission approval for contract amendments No. 2 and No. 3 to PND Engineers, Inc., for a total of \$82,793.00 for Corrosion Protection engineering and Critical Areas Mapping and Permitting. Branine noted that the Port anticipates both of these amendments to be grant-reimbursable.

**A motion was made by Commissioner Scott Keller, seconded by Commissioner Bill O'Neil and unanimously passed by the Commission, approving contract amendments No. 2 and No. 3, PND Engineers, Inc., \$82,793.00 – Technology & Business Campus, Barge**

10. Ad Hoc Committee, Hangar/City of Richland Water Utility Issue – Richland Airport

Commissioner Bill O'Neil stated that this item relates to the ongoing controversy regarding historical agreements, water/sewer infrastructure ownership and tenant responsibilities, including past unpermitted connections by tenants/Commissioner.

Commissioner O'Neil requested a motion to establish an Ad Hoc committee to address the Richland Airport hangar/City of Richland water utility issues, noting that the committee members will include Quentin Wright, Sheri Collins, Bryan Bell, Summers Miya, Mark Underwood and will be chaired by John O'Leary.

Commissioner O'Neil stated that he would like the following questions answered and to make specific recommended actions this Commission should take to reach a conclusion on this issue:

- Did the Port of Benton have an original contract/agreement (1999) with Herb Brayton, Jim Leedy, David Kleese, Bing Matawatu, with regard to these Port tenants paying for water/sewer infrastructure in exchange for the POB paying the City of Richland water utility bill?
- If so, does this contract/agreement remain in effect today?
- Based on an initial investment of \$21,000, have the tenants reached a return on their investment?
- What agreements does the Port have with the City of Richland with regard to utility infrastructure?
- Who owns and who's responsible for maintaining the infrastructure?
- What utility permitting and work scope are the tenants responsible for?

Commissioner O'Neil stated that the committee chair shall give status reports at each regular commission meeting.

**A motion was made by Commissioner Bill O'Neil, seconded by Commissioner Lori Stevens and passed by the Commission, approving the formation of an Ad Hoc Committee, Hangar/City of Richland Water Utility Issue at Richland Airport. Commissioner Scott Keller abstained.**

## 12. 2026 Updated Commission Meeting Dates

Summers Miya requested guidance on whether the March meeting should be rescheduled to the regular pattern (second Wednesday) and if the Commission advised going back to one meeting a month. Miya reminded the Commission that March meetings are held in Prosser.

**A motion was made by Commissioner Bill O'Neil, seconded by Commissioner Scott Keller, and unanimously passed by the Commissioners, approving moving the March Commission date back to the regular pattern of the second Wednesday (March 11, 2026) and confirming there would not be a second March meeting.**

## F. INFORMATION REPORTS

### 1. Grants Update

Director of Governmental Affairs Cassie Losey stated that the \$2.5 million earmark from Senator Cantwell was officially approved, and the first year of funding will be realized.

Losey added that airports are now confirmed eligible for future earmark requests, with an application deadline of March 6, 2026.

### 2. Legislative Update

Director of Governmental Affairs Cassie Losey outlined recent legislative updates, noting that 3,300 bills have been introduced in 31 days, double the number introduced during the previous long session.

Losey added that she has been on several recent lobbying trips to Olympia, prioritizing engagement on rail, transportation, agriculture and clean energy.

Losey outlined recent successes, including attending the interlocal agreement signing ceremony, signed with Port of Pasco, Port of Walla Walla and the Northwest Seaport Alliance for joint logistical hub efforts.

Losey highlighted that she is monitoring key bills, including HB 2090, SB 5982, SB 5971, HB 1210. Losey stated that she advocated for green fertilizer incentives (Atlas Agro), support for relief from air quality regulations for overburdened communities.

Losey noted her active engagement with the Association of Washington Business, Tri-Cities delegation and other state agencies.

### 3. Capital Projects Update

Interim Executive Director Ron Branine noted that the Richland Fire Department was using the USS Triton for confined-space training, which highlights the strong partnership among organizations.

### 3. Marketing & Communications Update

Marketing and Communications Manager Summers Miya reviewed 2025 marketing and communications goals and metrics.

Miya's overview included:

#### **2025 Metrics:**

- 19 earned media placements for Prosser/Benton City; 90 total.
- 30+ speaking engagements, including hosting 623 USS Triton tours (record year, +24%).
- Produced and shared business/tenant highlight videos; visitor campaign and earned media success.
- NW Intermodal Facility guide completed.

#### **Events:**

- Facilitation of 25+ events at Clore Center, successful tenant appreciation BBQ, public tours, and collaborative events (e.g., M-84).
- Collaborative engagement with Pasco Aviation Museum, public library programs, and expanded newsletter footprint.
- 2025 Entrepreneurial Awards highlighted local Prosser Airport business (Precision Aviation).

#### **2026 Preview:**

- New "Third Thursday" Triton tour schedule; expanded collaboration; marketing/communications plan to broaden reach.

#### **Collateral:**

- New forms for tenant communication; updates/maintenance on multiple Port-managed websites.
- Extensive ad placements, press releases, project communication and newsletter campaigns executed.

#### 4. Airports Update

Airport Manager Quentin Wright provided an update on the lease policy implementation for Commissioner Scott Keller's lease for a hangar at Richland Airport.

Wright stated that averaging the lease area was not feasible, as applying the lease policy would reduce the lease area. Wright stated that Commissioner Keller declined the modification.

Wright provided an update on the Prosser Airport land appraisal, stating that the appraisal report from appraiser Mike Fredrickson lists \$0.20/sq ft/year, which will be formalized at the next Commission meeting.

### H. COMMISSIONER REPORTS/COMMENTS

Commissioner Bill O'Neil stated that he attended the recent TRIDEC Donuts & Developments event, which focused on shoreline Reconveyance. O'Neil added that he also recently attended the Benton-Franklin Council of Governments meeting.

Commissioner Lori Stevens stated that she recently attended the Prosser Wine Network meeting, announcing that the Red Wine & Chocolate weekend is coming up. Stevens added that she has also recently attended Prosser Tourism and Prosser Economic Development Association meetings. Stevens stated that she is excited about the Ms. Prosser event, which is celebrating its centennial this year. Stevens added that she is working with local pilots and airport manager Quentin Wright to bring back a Prosser fly-in event for Flight Day, June 13-14, 2026.

Commissioner Scott Keller had no comments.

### I. DIRECTOR REPORTS/COMMENTS

#### 1. Finance Director

Senior Accountant Angela Saraceno-Lyman provided a financial status report.

Saraceno-Lyman stated there were high disbursements in January, \$1.455 million, including three payrolls and quarterly taxes.

Saraceno-Lyman reported that the cash position remains steady, reserves intact. Accounts payable were temporarily high, but have been caught up as of this meeting date. Two major overdue receivables, > \$60,000 combined, are currently under review.

Saraceno-Lyman reported that she has engaged additional support for state audit submission.

#### 2. Port Attorney

Contract Port attorney John O'Leary stated that he had no updates for the regular session.

#### 3. Executive Director

Interim Executive Director Ron Branine provided a real estate update, stating that the port has executed one lease amendment - Aulick at 2579 Stevens Drive.

There are currently eight work-in-progress leases/lease modifications.

There are currently two lease terminations in progress.

- Bjornson Motors – End of February – we have scheduled an Exit Lease walk-through for February 27th.
- Barnhart - once the spaces have been surrendered – will be moving out of some of their warehouse spaces on the southern portion of 2579 Stevens. These smaller spaces will be available between April 1 or May 1.

Branine stated that there are 10 rental prospects and six land prospects.

Branine thanked Cassie Losey for representing the Port at the recent ILA signing ceremony.

Branine added that WPPA has reached out to determine who will serve on the association's Board of Trustees. Branine stated that this can be a Commission or staff member. The Board of Trustees governs the affairs of the Association. The Board consists of one member from each port and meets twice yearly. Trustees are chosen by a majority vote of their respective port commission. The Board of Trustees authorizes a six-member Executive Committee to oversee Association administration and management, and hires an Executive Director to manage day-to-day Association operations. It was announced that Roy Keck previously served on the Board of Trustees.

Commissioner Bill O’Neil agreed to represent the Port of Benton on the Board of Trustees .

Branine stated that the Port is looking for approval for a 20-foot easement to Cascade Natural Gas across the railroad tracks on the east side of Steptoe Street. The rest of that extension is within City of Richland road right of way. Branine stated that the Port is seeking permission to work with Cascade to work out the technical details of the easement and will bring it back for formal Commission approval.

Branine noted that this would be for a perpetual easement, but is parallel to other easements the Port has previously approved.

Branine added that he meets regularly with the HR consultant. The administrative and Director of Finance open positions were posted last week.

#### **J. FOR THE GOOD OF THE ORDER**

Summers Miya pointed out that this document lists upcoming meetings and events and will be included in the monthly packets for transparency.

Cassie Losey added a note to her earlier remarks, stating that the Pullman Moscow airport did receive \$2.5 million for apron construction design in their new terminal, so funding is a possibility.

#### **K. EXECUTIVE SESSION**

The regular Commission meeting was recessed at 10:20 a.m., with an announcement that an Executive Session would commence at 10:20 a.m. for 30 minutes to discuss RCW 42.30.110(1), RCW 42.30.110(1)(g) and RCW 42.30.110(1)(i) to discuss personnel, potential litigation and real estate at Prosser Airport. It was noted that the regular meeting would be reconvened at 10:50 a.m. At 10:50 a.m., it was announced that an additional 15 minutes were needed in executive session.

The regular meeting was reconvened at 11:05 a.m., with a comment that a technical difficulty had prevented the meeting from restarting; it was resolved.

**Commissioner Bill O’Neil made a motion that the Port of Benton will pay Commissioner Scott Keller’s attorney fees resulting from complaints made against him by Commissioner Roy Keck and**

**Executive Director Diahann Howard. Commissioner Lori Stevens seconded the motion. Motion carried. Commissioner Scott Keller abstained.**

**Commissioner Lori Stevens made a motion that this Commission authorizes the interim Executive Director to hire and fill the Administrative Assistant and Capital Development Manager positions. Commissioner Bill O’Neil seconded the motion and the motion was unanimously passed by the Commission.**

**L. ADJOURNMENT**

Commissioner Bill O’Neil adjourned the meeting at 11:10 a.m.

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Lori Stevens, Commission Secretary

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**Fwd: letter**

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Ashley Garza <agarza3605@gmail.com>  
To: Linda Pratt <prattgenelinda@gmail.com>

Tue, Feb 10, 2026 at 6:03 PM

Sent from my iPhone

Begin forwarded message:

**From:** Ashley Garza <agarza@cvlci.com>  
**Date:** February 10, 2026 at 5:46:55 PM MST  
**To:** Ashley Garza <agarza3605@gmail.com>  
**Subject:** letter

My name is Gene Pratt, I am a retired Benton County Judge and Benton County taxpayer. I am speaking today in response to the concerns I have regarding the Commissioners' apparent conflict of interest, the findings of gifting of public funds and the actions taken in response to those findings.

As you likely know my daughter Ashley Garza, until recently has been consultant for the Port of Benton. She has shared with me her concerns about the actions taken by Commissioner Keller, specifically in regard to the shared water meter and the unpermitted utility installation and unpermitted building improvements by a handful of tenants, including Commissioner Keller. I am appalled that there has been zero action taken by Commissioner Stevens and Commissioner O'Neil to ensure accountability or rectify the misuse of public funds. Rather, the response has been to justify the actions and protect the guilty. I have read the letter written by Herb Brayton, dated May 17, 1999, to Scott Keller. If the letter is in fact valid, even though it was presented months after an investigation was completed, I would not consider this an agreement between the Port of Benton and its tenants. It is merely a proposal made to Scott Keller. It appears to support the finding and complaint that Scott Keller knew and authorized unpermitted utility installation and connection to the Port Meter in question. It further suggests that he did this without the consent or knowledge of the Commission. Which also means that Commissioner Keller was not truthful when he stated multiple times on the public record that he was unaware that his personal hangar had unpermitted connections. Lastly, Commissioner O'Neil has misled the public by stating in the January XX meeting that said letter was an "Agreement", when it clearly is not. At the very least an acceptance by both parties is needed to constitute and agreement.

And now I sit here today to understand how you plan to justify more public dollars spent to assist the same tenants who avoided the regulatory process, one of which is Commissioner Keller himself. I am in disbelief at your continued willful disregard for the law, the truth and most importantly your duty as a public servant.

Commissioners, the public is watching, and what they are seeing is deeply troubling.

In five weeks, this commission has suspended the Executive Director who was performing well enough to receive a raise on December 10th. You have now fired the Director of Finance, Alicia Myers, after less than three months on the job – a professional who came to us with State Auditor's Office experience and a strong track record at the Port of Skagit. That is two senior leaders gone in thirty days.

Let me be direct about what is at stake financially for the taxpayers of this district.

**Airport land leases:** Prior to 2019, many airport land leases went years – sometimes decades – without rate adjustments. An independent appraisal was completed in 2021. Workshops were held. Input was sought from the FAA and the State Auditor. A policy was put in place in 2022 to begin bringing rates into compliance. When you compare actual lease rates against fair market value, the estimated annual shortfall averages over \$700,000 per year in uncollected revenue.

Commissioner Keller, your statement on January 14th suggesting the Buckskin Golf Course situation happened twenty years ago and is no longer relevant is incorrect. It is continuing today. Fifty-five acres at \$5,000 per year – that is roughly one cent per square foot when comparable properties pay twenty-three cents. **That is a gift of public funds.**

**Airport water and sewer:** Our land leases do not include utilities – this is clearly stated in agreements posted on the Port's own website. In Spring 2025, the City of Richland discovered a direct, unpermitted hot tap to a city water main, along with daisy-chained connections off a Port meter serving multiple private hangars without authorization. The Schwabe Law investigation confirmed that when Commissioner Keller learned of meter issues in 2017 while serving as Executive Director, he instructed the engineer to stop investigating. Based on calculations I submitted to the public record, the estimated value of utilities consumed without payment over eight years is approximately \$500,000 owed to the citizens of Richland.

OVER

Instead of addressing these documented problems, this commission has taken action against the people who brought them to light. Director Howard disclosed the water violations. She supported the lease rate corrections. She was suspended. Now the Finance Director who would have had direct knowledge of these financial irregularities has been terminated.

These actions are creating a culture of fear and retaliation. They are sending a message to every remaining Port employee: if you do your job and follow policy, you may be next.

Your governance is placing active grants and capital projects at risk – projects that benefit our assets, our tenants, and our communities. The Port's cash balance was at a four-year high. The 2024 audit was clean. Property taxes were at a twenty-two-year low. That is the record of the administration you are dismantling.

I am asking this commission to reinstate the Executive Director, to explain to the public why the Finance Director was terminated, and to address the documented findings against Commissioner Keller rather than punishing the people who uncovered them.

**The Port belongs to the public. Not to any special interest. Thank you.**

**RESOLUTION 26-19**

**A RESOLUTION CONFIRMING FOR THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION (WSDOT) AVIATION DIVISION THAT THE PORT OF BENTON COMMITS TO PROVIDING MATCHING FUNDS FOR THE WSDOT AVIATION AID GRANT FOR CONSTRUCTION RELATED TO THE APRON RECONFIGURATION PROJECT AT RICHLAND AIRPORT**

**WHEREAS**, the Port of Benton operates Richland Airport, a general aviation airport; and

**WHEREAS**, the Port is receiving a grant from the Federal Aviation Administration (FAA) to fund the construction of a project to reconfigure the existing main apron at Richland Airport; and

**WHEREAS** the grant from the FAA will fund 95% of the Richland Airport Apron Reconfiguration Construction Project; and

**WHEREAS** the grant from the WSDOT Aviation Division would fund 2.5% of the Richland Airport Apron Reconfiguration Construction Project; and

**WHEREAS**, the Port of Benton's 2026 budget, as approved by the Port Commission, includes matching funds for 2.5% of the Richland Airport Apron Reconfiguration Construction Project; and

**WHEREAS**, the application for the Airport Aid grant requires a resolution indicating the Port Commission's support for the project.

**NOW, THEREFORE, BE IT RESOLVED BY THE PORT OF BENTON** that the recitals set forth above are adopted as findings supporting the action of the Port Commission in adopting this resolution.

**BE IT FURTHER RESOLVED** that the Port Commission supports the Richland Airport Apron Reconfiguration Construction Project, confirms that local matching funds have been appropriated for this project, and authorizes the Port to apply for grant funding through the WSDOT, Aviation Division.

**DATED AND SIGNED** at Richland, Washington, on this 25<sup>th</sup> day of February 2026.

\_\_\_\_\_  
Bill O'Neil, President

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Scott D. Keller, Vice President

\_\_\_\_\_  
Lori Stevens, Secretary

## RESOLUTION 26-20

### A RESOLUTION OF THE PORT OF BENTON RELATING TO LAND RATES PROSSER AIRPORT

**WHEREAS**, from time to time, the Port of Benton obtains appraisals to determine rates and fees at its airports; and

**WHEREAS**, the Port wishes to maintain compliance with FAA Grant Assurance 24 by “maintain[ing] a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection”; and

**WHEREAS**, a market rental survey was completed, and the report was prepared in conformity with minimum standards and the Uniform Standards of Professional Appraisal Practice (USPAP); and

**WHEREAS**, all new ground leases entered into by the Port at the Prosser Airport shall be set at the rates established by the Port, effective February 25, 2026, specifically: Aeronautical Improved Land at **\$0.20 per square foot per year**; and

**WHEREAS**, existing ground leases that include Fair Market Value (FMV) recalculation provisions shall be escalated to **\$0.20 per square foot per year**, in accordance with the terms of each individual lease;

**NOW, THEREFORE, BE IT RESOLVED** that all Port-owned buildings shall utilize the findings of this market rental study when determining rental rates for Lessees, evaluated on a building-by-building basis; and

**BE IT FURTHER RESOLVED** that the Port Commission may modify the rental rate on a case-by-case basis, taking into consideration private investment and determining whether such a lease enhances the public acceptance of the airport and serves the airport’s business interests; and

**BE IT FURTHER RESOLVED** that Port staff may implement stair-stepped rental rates to ease the financial burden on a Lessee, also on a case-by-case basis.

**DATED AND SIGNED** at Richland, Washington, on this 25<sup>th</sup> day of February 2026.

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Bill O'Neil, President

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Scott D. Keller, Vice President

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Lori Stevens, Secretary

December 16, 2025  
Port of Benton  
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After analyzing the data contained in this report, it is my opinion that the most probable market value of the subject properties, in Leased Fee, "As Is", as of the 18<sup>th</sup> day of November 2025 is:

**Land Lease**

**TWENTY CENTS PER SQUARE FOOT PER YEAR**

**(\$0.20 per sf per yr)**

**Old T-Hangars**

**ONE HUNDRED SEVENTY-FIVE DOLLARS PER MONTH**

**(\$175 per month)**

**Primary T-Hangars**

**TWO HUNDRED TWENTY-FIVE DOLLARS PER MONTH**

**(\$225 per month)**

**Equipment Hangar**

**FOUR HUNDRED TWENTY-FIVE DOLLARS PER MONTH**

**(\$425 per month)**

**Precision Aviation Services Hangar**

**ONE THOUSAND ONE HUNDRED DOLLARS PER MONTH**

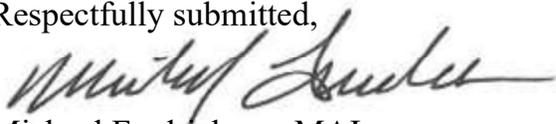
**(\$1,100 per month)**

**West Winds Aviation Hangar**

**ONE THOUSAND TWO HUNDRED DOLLARS PER MONTH**

**(\$1,200 per month)**

Respectfully submitted,



Michael Fredrickson, MAI

Enclosure



**Market Rental Survey**

**PROSSER AIRPORT  
Prosser, Washington**

*for:*

**Port of Benton  
3250 Port of Benton Boulevard  
Richland, Washington 99354**

*by:*

**Michael Fredrickson, MAI**

**December 16, 2025**

---

**Associated Appraisers of Walla Walla, LLC**  
*Real Estate Appraisals • Consulting • Brokerage Services*

2 W Main Street  
Walla Walla, WA 99362



## **ASSOCIATED APPRAISERS OF WALLA WALLA LLC**

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Michael Fredrickson, MAI

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2 West Main Street

Walla Walla, Washington 99362

509-522-2272

AssociatedAppraisersofWW.com

Firm License #21010246

December 16, 2025

Audrey Burney  
Real Estate Manager  
Port of Benton  
3250 Port of Benton Boulevard  
Richland, Washington 99354

**RE: Market Rental Survey - Prosser Airport**  
111 Nunn Road  
Prosser, Washington

As per your request, I have inspected the above-referenced airport property described in this report and located along the north side of Nunn Road, about one half mile south of Interstate 82 in the western area of the City of Prosser in Benton County, Washington.

The attached Estimate of Fair Annual Rent Report describes the physical features of the property and the valuation procedures utilized. The report is prepared in conformity with minimum standards and *Uniform Standards of Professional Appraisal Practice (USPAP)* as set forth in Section 323.4 Appraisal Standards of Regulations issued by the Federal Deposit Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA). The report is prepared in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Practice of the Appraisal Institute; and the requirements of the Code of Professional Ethics of the American Society of Farm Managers and Rural Appraisers.

December 16, 2025  
Port of Benton  
Page 2

After analyzing the data contained in this report, it is my opinion that the most probable market value of the subject properties, in Leased Fee, "As Is", as of the 18<sup>th</sup> day of November 2025 is:

**Land Lease**

**TWENTY CENTS PER SQUARE FOOT PER YEAR**

**(\$0.20 per sf per yr)**

**Old T-Hangars**

**ONE HUNDRED SEVENTY-FIVE DOLLARS PER MONTH**

**(\$175 per month)**

**Primary T-Hangars**

**TWO HUNDRED TWENTY-FIVE DOLLARS PER MONTH**

**(\$225 per month)**

**Equipment Hangar**

**FOUR HUNDRED TWENTY-FIVE DOLLARS PER MONTH**

**(\$425 per month)**

**Precision Aviation Services Hangar**

**ONE THOUSAND ONE HUNDRED DOLLARS PER MONTH**

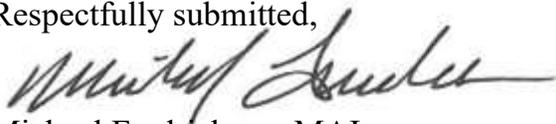
**(\$1,100 per month)**

**West Winds Aviation Hangar**

**ONE THOUSAND TWO HUNDRED DOLLARS PER MONTH**

**(\$1,200 per month)**

Respectfully submitted,



Michael Fredrickson, MAI

Enclosure

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**EXECUTIVE SUMMARY**

**Property Name:** Prosser Airport

**Location:** 111 Nunn Road, Prosser, Washington

**Site Size:** 67.90

**Improvements:** Three shelter hangars, two T-Hangars, meeting hall, and restrooms

**Effective Date of Value:** November 18, 2025

**Final Value Opinion:**

**Land Lease:** \$0.20 per sf per yr

**Old T-Hangars:** \$ 175 per month

**Primary T-Hangars:** \$ 225 per month

**Equipment Hangar:** \$ 425 per month

**Precision Aviation Hangar:** \$ 1,100 per month

**West Winds Aviation Hangar:** \$ 1,200 per month



## **Introduction to the Analysis**



## **PROPERTY IDENTIFICATION**

The subject Prosser Airport properties are located along the north side of Nunn Road, with Old Inland Empire forming the northern boundary, Wine Country Road forming the eastern boundary, within the Prosser Airport Air Operations Area (AOA), approximately one-half mile south of I-82 in the northwestern area of the City of Prosser in Benton County, Washington.

## **PROPERTY RIGHTS ANALYZED**

The property rights being analyzed are the “*Leased Fee Estate*”. The leased fee estate is defined as the ownership interest held by a landlord with specified rights that include the rights of use and occupancy conveyed by lease to others.

## **OWNER OF RECORD**

The owner of record is the Port of Benton, a municipal corporation. There were no recorded sales and/or transfers of ownership of the subject property in the last three years.

## **PURPOSE OF THE FAIR MARKET RENTAL ANALYSIS**

The purpose of the analysis is to provide an opinion of the most probable fair market annual rent for the subject properties “as is”, as of the 18<sup>th</sup> day of November 2025; the effective date of the fair market rent analysis.

## **CLIENT AND INTENDED USERS OF THE FAIR MARKET RENT ANALYSIS**

The client is the Port of Benton commission and pertinent staff. The client is the only known intended user of the report. A copy of the report may be provided to other entities and/or funding partners as a courtesy and part of the good faith bargaining process. However, this does not imply that the entities or partners have standing as an intended user and are not authorized to publish or use the report for any other purpose.

## **INTENDED USE**

The intended use of this analysis is to provide an opinion of the subject properties fair market annual rents, subject to the stated scope of work, purpose of the fair market rent analysis, and reporting requirements of this report, to be used by the client as an aid in rental negotiations between lessor and lessee.



## **HYPOTHETICAL CONDITION**

Hypothetical conditions are defined as that which is contrary to what exists, but is supposed for the purpose of analysis. There are no hypothetical conditions supposed for this analysis.

## **EXTRAORDINARY ASSUMPTIONS**

Extraordinary Assumptions are defined as an assumption, directly related to a specific assignment, which, if found to be false, could alter the appraiser's opinions or conclusions.

The appraiser is not aware of any environmental site assessment (Phase I Study) that has recently been conducted on the property. This report assumes that there is no hazardous waste material, contained on the analyzed property that would affect the herein reported value opinion.

## **COMPETENCY RULE**

The appraiser is familiar with the property type, market area, and methods utilized, and has the knowledge and experience required to perform the appraisal service competently. There were no special measures, other than those discussed in the Scope of the Appraisal, necessary to conform to the Competency Provision of USPAP.



## SCOPE OF WORK

The scope of the fair annual rental process involves gathering pertinent regional and area data, analyzing demographic area trends, inspecting the subject property, analyzing competitive rentals, and employing accepted real estate methods and techniques. The process involves processing data to provide an opinion of the fair market annual rent, and to prepare a report in accordance with the intended use, the *Uniform Standards of Professional Appraisal Practice* of the Appraisal Foundation, The Standards of Professional Practice of the Appraisal Institute, and the American Society of Farm Managers and Rural Appraisers. The indicated values derived from accepted real estate methods are then correlated to indicate an opinion of market value for the subject property. In regard to this report, this involved the following steps:

1. The subject property was inspected on the 18<sup>th</sup> day of November 2025 by Michael Fredrickson, MAI, and Ethan Ehlers, Appraisal Trainee of Associated Appraisers of Walla Walla, LLC. They were accompanied by Quentin Wright, Airport Manager (509) 975-6352.
2. Regional, city, and market area data are based on Associated Appraisers' database that is upgraded periodically and a physical inspection of the market area. Subject property data was obtained from the Benton County Records and the Port of Benton Prosser Airport, the client, as well as inspection of the subject property.
3. In developing an opinion as to the approaches to value, the appraiser analyzed market data collected from public records, public agencies, other appraisers, realtors and/or persons knowledgeable of the area. All approaches to value deemed necessary to provide a credible value opinion were completed in the appraisal process.
4. An extensive lease search was conducted in the market area. Data has been utilized from many sources, including but not limited to, Port of Benton, Port of Pasco, Port of Whitman, Port of Walla Walla, Port of Othello, City of Chelan, City of Sunnyside, City of Moses Lake, Chelan County, and owners and agents of competitive type of properties.
5. The appraisal problem involves providing an opinion of the subject's fair market annual rate, of the subject site, "As Is", as of the 18<sup>th</sup> day of November 2025.

After assembling and analyzing the data defined in this scope of the appraisal, the indicated value from the approaches completed in this report were correlated into a final value opinion for the subject improvements.



## DEFINITION OF MARKET VALUE

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised, and acting in what they consider their best interests;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and
5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

SOURCE: Office of the Comptroller of the Currency under 12 CFR, part 34, Subpart C-Appraisals, 34.42

Definitions [f].

Adjustments to the comparable must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs that are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third-party institution lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession, but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

The foregoing is the economic definition agreed upon by federal financial institutions in the United States of America.

**Market Value As Is:** Means an estimate of the market value of a property in the condition observed upon inspection and as it physically and legally exists without hypothetical conditions, assumptions, or qualifications as of the date of inspection.

**Market Value as if Complete on Appraisal Date:** Market Value of the property with all proposed construction, conversion, or rehabilitation hypothetically completed, or under other specified hypothetical conditions, as of the date of the appraisal. With regard to properties wherein anticipated market conditions indicate that stabilized occupancy is not likely as of the date of completion, this estimate of value shall reflect the market value of the property as if complete and prepared for occupancy by tenants. That, the value includes the undiscounted anticipated cost of tenant improvements for the level of occupancy contemplated as have stabilized occupancy.

**Prospective Future Value Upon Completion of Construction:** Same as Market Value as if Complete on Appraisal Date except that the prospective future value applies based upon market conditions forecast to exist as of the completion date.



## ASSUMPTIONS AND LIMITING CONDITIONS

Information has been gathered from various sources, and the information obtained is assumed to be correct.

Lump sum and/or percentage adjustments of market data are employed only for the purpose of aiding the appraiser to arrive at a preliminary estimate of rent for the property.

As with all adjustments, the appraiser's experience must be given primary reliance over a mathematical procedure since many factors in the marketplace cannot be measured with mathematical precision.

The appraiser assumes no responsibility for legal matters including those affecting title to the property and its validity.

Title to the property is assumed to be fee simple, marketable, and free of all encumbrances including, but not limited to, mortgages, liens, trust deeds, and delinquencies.

The size was derived from the Benton County Assessor's office and the Port of Benton, and it is assumed to be correct. The legal description provided to the appraiser is assumed to be correct.

No survey was made, and no liability for survey is assumed. Sketches, if any, contained in this report are for illustrative purposes only.

No right to testimony is included. Prior arrangements for testimony are required, and such testimony is at an additional fee.

No fractional part of this fair market annual rent analysis is to be used in conjunction with another analysis. Such use renders this analysis invalid.

The existence of potentially hazardous material used in the construction of the improvements, such as the presence of urea formaldehyde foam insulation, radon gas, and/or existence of toxic waste, which may or may not be present on the property, has not been considered. The appraiser is not qualified to detect such substances. If desired, the client can retain an expert in this field.

However, if during inspection of the subject property, the appraiser detects evidence of potentially hazardous material, it will be addressed in this report.



## **ASSUMPTIONS AND LIMITING CONDITIONS, continued**

Neither all nor parts of the contents of this report shall be conveyed to the public through advertising, public relations, news sales or other media, without the written consent and approval of this appraiser, particularly as to valuation conclusions, the identity of the appraiser or firm with which he is associated, or any reference to the professional organizations of which he is a member or to the designations which he holds.

The appraisal was not based on a requested minimum valuation or a specific valuation, or the approval of a loan.

This appraisal report complies to the current Uniform Standards of Professional Appraisal Practice of the Appraisal Standards Board (USPAP) and current minimum standards by regulation or the office of Thrift Supervision (12 CFR, Part 564.4).

The appraiser assumes competent ownership, efficient management, and marketable unencumbered title in the owner. The appraisers believe, but do not guarantee, that all data upon which value conclusions are based are reliable.

The appraisal excludes personal furniture, fixtures, and equipment from valuation.



## CERTIFICATE

I certify that, to the best of my knowledge and belief:

the statements of fact contained in this report are true and correct.

the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and is my personal, impartial, and unbiased professional analyses, opinions, and conclusions.

I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.

I have performed no other services, as an appraiser or any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

I have no bias with respect to the property that is the subject of this report, or to the parties involved with this assignment.

my engagement in this assignment was not contingent upon developing or reporting predetermined results.

my compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

my analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Practice* and the requirements of the Code of Professional Ethics and the Standards of Professional Practice of the appraisal professional organizations of which I am an associate, and/or member.

as of the date of this report I have completed the continuing education program for Designated Members of the Appraisal Institute and have completed the Standards and Ethics Education Requirements for the American Society of Farm Managers and Rural Appraisers.

the use of this report is subject to the requirements of the appraisal organizations of which I am an associate and/or a member pertaining to review by its duly authorized representatives.



**CERTIFICATE, continued**

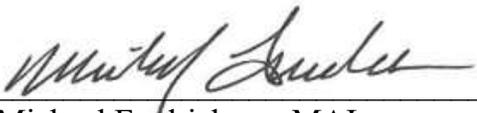
I am a Certified Real Estate Appraiser - General Classification, by the Real Estate Division, State of Washington.

I have made a personal inspection of the property that is the subject of this report.

no one provided significant professional assistance to the person signing this report, other than Ethan Ehlers (Washington State registered real estate appraiser trainee #22007445) who participated in the subject data, research, lease search, lease descriptions, and lease analysis.

the appraiser is competent to complete this report in accordance with the competency provision in the USPAP.

the appraiser assumes competent ownership, efficient management, and marketable unencumbered title in the owner. The appraiser believes, but does not guarantee, that all data upon which value conclusions are based are reliable.

  
\_\_\_\_\_  
Michael Fredrickson, MAI

12/16/2025  
\_\_\_\_\_  
Date

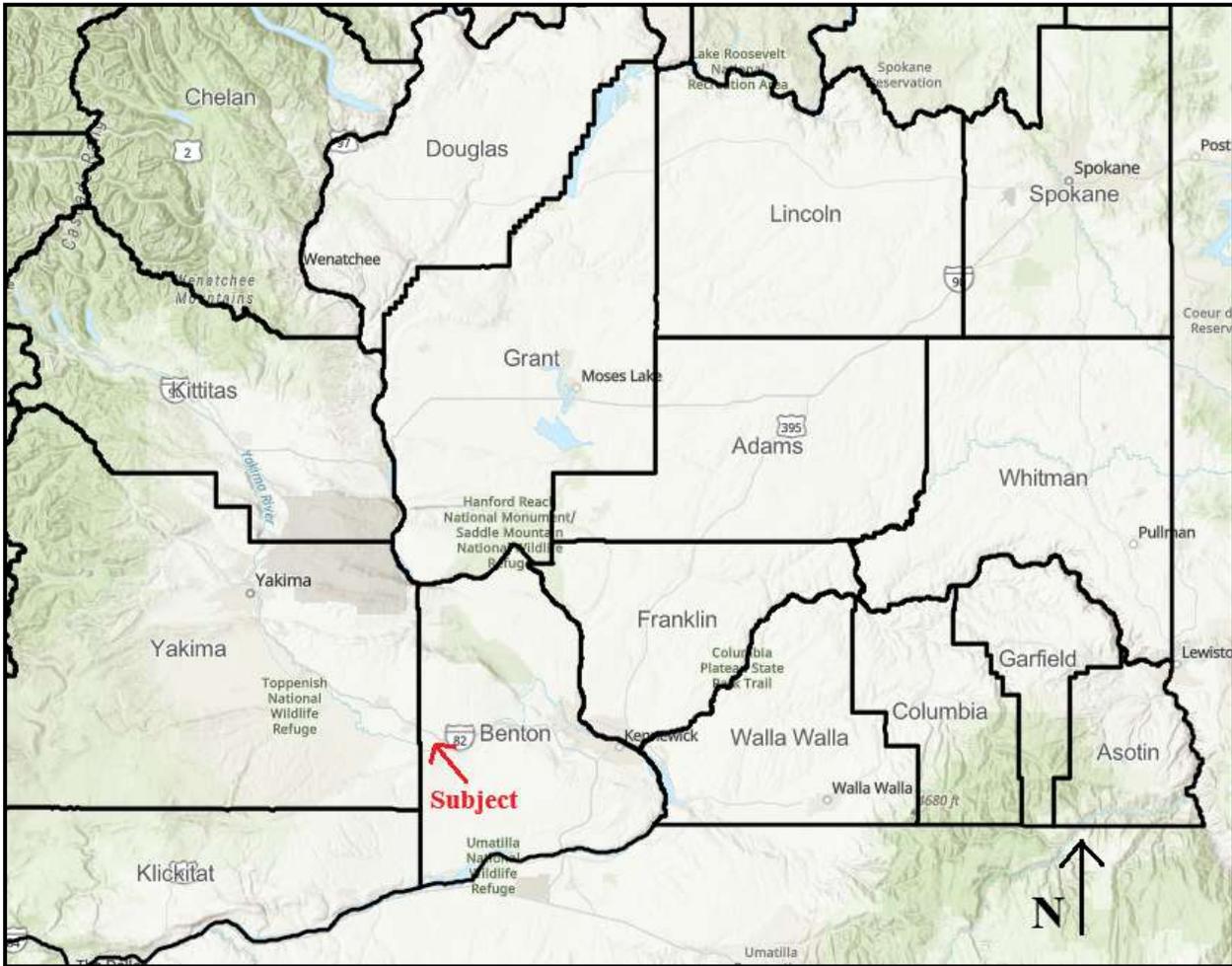
Oregon State Certified General Appraiser No. C000555, Expires 01/31/27  
Washington General Certificate No. 1100101, Expires 01/31/27



## **Descriptive Data**



**REGIONAL MAP**



## **PROSSER CITY DATA**

### **Location**

The City of Prosser is located in the southwestern portion of Benton County about 3 miles east of Yakima County and about 25 miles west of the Tri-Cities (Richland, Pasco, and Kennewick). It is also equidistant (about 180 miles) for Seattle, Spokane, and Portland, Oregon.

### **Population**

The City of Prosser has an estimated population of 6,638 (2025).

### **Transportation**

Prosser is located along Interstate Highway 82, State Route 221, and State Route 22. Located within 60 minutes are two regional airports providing commercial and connecting service throughout the nation, in addition to the General Aviation Prosser Airport located in the western area of the city. The area is served daily by the Washington Central Railroad (formerly Burlington Northern) and Union Pacific.

### **Agriculture**

Prosser is situated in the center of one of the nation's finest agricultural regions, the Yakima Valley. The Yakima Valley is nationally recognized for the production of apples, cherries, and hops; and they provide fertile soil for over 30 different farm products.

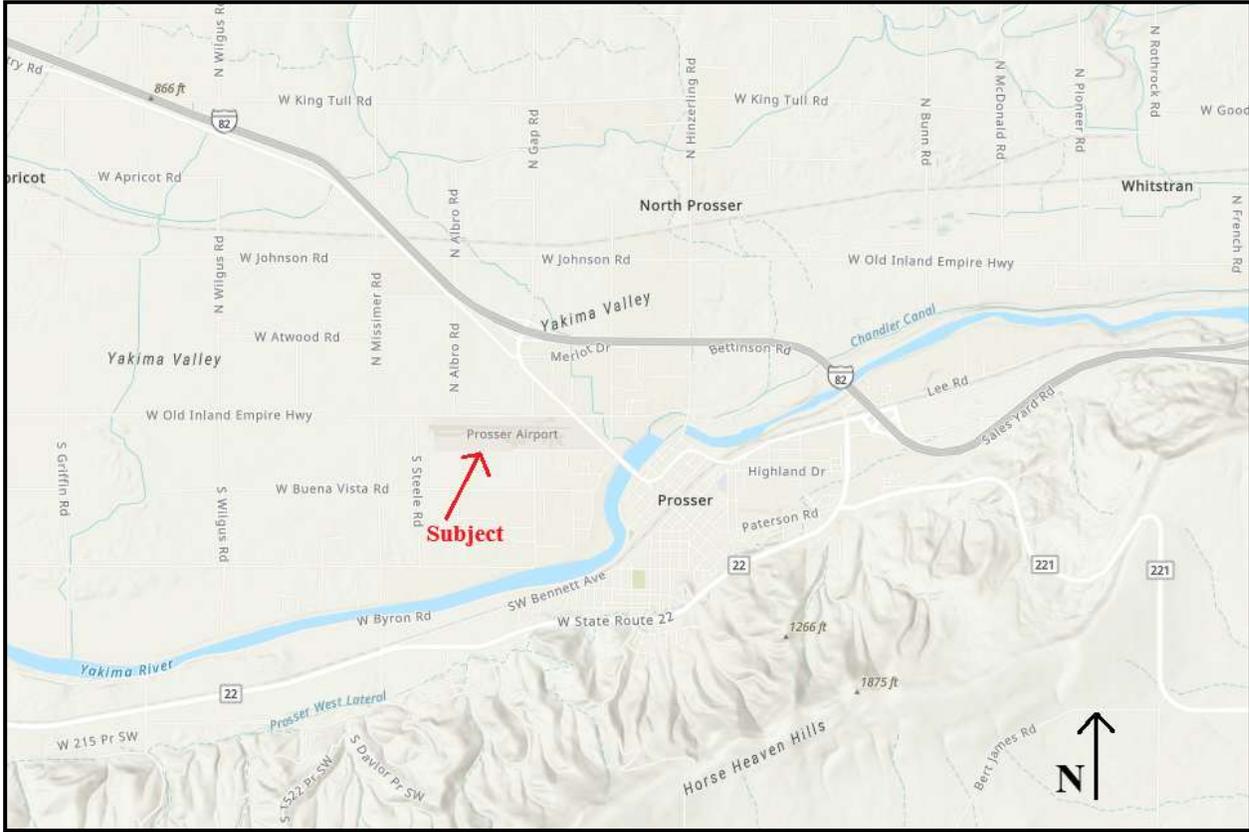
This high level of production of agricultural products has created a large and growing food processing business base. There are numerous industries in Prosser devoted to storing, packing, or processing food.

### **Economy**

The Prosser area is a long standing, fairly stable economic area, that has been resource dependent (primarily agriculturally related), since the 1900's. However, the economic diversification from the growth of commercial businesses along the Yakima Valley Highway and Interstate 82, that runs along the northern and central areas, is leading to greater stability and less dependence on agriculture. Prosser is home to Love's Truck stop, Ford and Chevrolet dealerships, the new Prosser Memorial Hospital, and numerous national chain restaurants. Prosser Memorial is the primary healthcare provider in the area that includes Prosser Memorial Hospital and numerous specialty clinics. The outlook for the Prosser economy is to remain stable, with a continued emphasis on diversification.



**SUBJECT VICINITY MAP**



## SITE DESCRIPTION AND ANALYSIS

In analyzing any type of property, an appraiser describes and analyzes the land or site. A land or site analysis is a careful study of factual data in relation to the market area characteristics that create, enhance, or detract from the utility and marketability of the land or site as compared with competing comparable land or sites.

The subject site is located along the north side of Nunn Road, with Old Inland Empire Highway forming the northern boundary, and Wine Country Road forming the eastern boundary. The property contains approximately 67.90 acres.

The subject Prosser Airport has been owned by the Port of Benton since 1961. It is an FAA eligible, General Aviation airport, with no commercial airline services. In 1977 the runway was extended to its current length of 3,451 feet long by 60 feet wide, it is asphalt constructed with 16,000 single-wheel gear pavement strength, it was improved with Precision Approach Path Indicators (PAPIs) in 1994. In 2012 an Automated Weather Observation System was installed at the airport. The airport is improved with 17 structures, 13 of which are aircraft hangars, 71 aircraft tie-downs, and a 2,000-gallon 100LL fuel station. The airport primarily operates under land leases for build to suit sites, however the Port owns five aircraft hangar buildings for lease as well. In addition to the lease rate the tenant is charged a 12.84% Washington State leasehold tax applicable to land leased from a government entity. The airport serves 13,200 annual operations. The current lease rates for land and hangar space are contained in the addenda of this report.

### Site Map from the Port of Benton



## SITE DESCRIPTION AND ANALYSIS, continued

The irregular shaped site is fairly level and at grade with the frontage roads. The site is provided access in the from Nunn Road in the south, and additional access from Old Inland Empire Highway from the north, with visibility provided from all frontage roads. Electricity is provided from Benton REA, water is provided from private wells, and public sewer is provided to the southern central area, with some facilities using private septic. The elevation is approximately 685 feet above sea level, and it's provided with 8-9 inches of annual rainfall. The predominant soil type on the property is Scooteny silt loam, 0 to 2 percent slopes. This soils definition is contained in the addenda of this report.

### Soils Map



## **SITE DESCRIPTION AND ANALYSIS, continued**

The site is primarily asphalt paved, with intermixed undeveloped land located in the southern central area, southwestern area, and northern area. The primary hangar area is located in the southern central area, and is improved with multiple asphalt surfaced taxi ways, and a 16-spot tie down area that has been crack seal repaired. There is a new taxi way south of the primary hangar area along Nunn Road for future aircraft hangar development. The main apron is located to the west of the primary hangar area. It contains 5.50 acres, and is improved with 46 tie-down spots. There is a six-foot tall, chain link fence along the southern and eastern boundaries of the site to limit access to the air operations area (AOA).

The appraiser did not notice any noxious odors, signs of exploration, and/or chemical spills, or dump areas. The subject lies within Flood Zone C – Areas of minimal flooding, as defined by FEMA in the Community-Panel Number 530012 0005C, and 530237 0485B.

Facing West from Main Hangar Area towards FBO Apron



## **BUILDING IMPROVEMENT DESCRIPTION**

The subject site is improved with three Port owned and leasable airplane shelter hangars, two Port owned T-Hangars, a restroom facility, and a meeting hall.

### **Shelter Hangars**

The Precision Aviation Services shelter hangar is located in the primary hangar area. It is a metal clad, steel frame structure that was built in 2000 with a concrete foundation. It contains a total of 5,625 square feet. It is improved with a 15-foot high by 56-foot-wide electric bi fold door for aircraft access, and a personnel door on the north wall. There is an additional 10-foot overhead door and personnel door on the south wall. The interior is improved with insulated walls and ceilings and a bathroom. Electricity is provided to the hangar. The overall condition is average.

The second Port owned shelter hangar, known in this report as the equipment hangar, is located at the northwest corner of the new asphalt paved taxi-way and the main apron in the primary hangar area. It is a steel frame constructed building that was built in 1985 with a concrete foundation, hardboard siding that is 10 feet at the eaves, and a composition shingle roof. It contains a total of 3,500 square feet. It is partitioned into an aircraft storage area, and finished office space. The hangar is currently being used as storage space for Port of Benton equipment; however, they plan to remove the equipment and have it available for lease. The condition of the hangar building is average.

The airport fueling station is located along the west side of the equipment hangar and is provided a concrete pad.

The third shelter hangar is located in the southwestern area of the main apron. The West Wind Aviation Services hangar is a metal clad structure with a concrete foundation. It was constructed in 1966 and contains a total of 5,734 square feet. The building is improved with a hydraulic lift door for aircraft access on the north wall, and a personnel door in the southwest corner. The interior is partitioned into an aircraft storage area in the northern section, and finished office space and bathroom in the southern area. Electricity is provided by Benton REA and sewer is provided from a private septic system. The condition of the hangar is average.



**BUILDING IMPROVEMENT DESCRIPTION, continued**



Precision Aviation Services Hangar

West Winds Aviation Hangar with T-Hangars in Background



## **BUILDING IMPROVEMENT DESCRIPTION, continued**

### **T-Hangars**

The primary T-Hangars are located to the west of the West Winds Aviation hangar. The structure is a 5 bay T-Hangar that is metal clad with a concrete foundation. It was constructed in 1966 and contains a total of 5,120 square feet. It is provided with five (5) 12-foot-high by 40-foot-wide sliding doors. The condition of the T-hangar is average.

The older T-Hangars are located to the west of the Precision Aviation Services hangar in the primary hangar area. It is a steel frame constructed building with a combination of metal and plywood exterior walls, a composition shingle roof, and a concrete foundation. It was built in 1960 and contains 3,200 square feet. It is improved with a 10-foot high by 39-foot-wide sliding door on the north wall, and a personnel door on the west wall. Electricity is provided to the hangar. It is in below average condition.

### **Old T-Hangars**



## **BUILDING IMPROVEMENT DESCRIPTION, continued**

### Meeting Hall and Restrooms

The meeting hall and restrooms are located to the west of the third hangar. They are wood frame constructed with concrete foundations, wood board sidings, and composition shingle roofs. The meeting hall contains 400 square feet.

Power is provided to the buildings, and the restrooms are connected to the city sewer. The conditions of the buildings are average.

These are not aeronautical use buildings, and thus will not be valued in this report.

### Meeting Hall and Restrooms Facing South



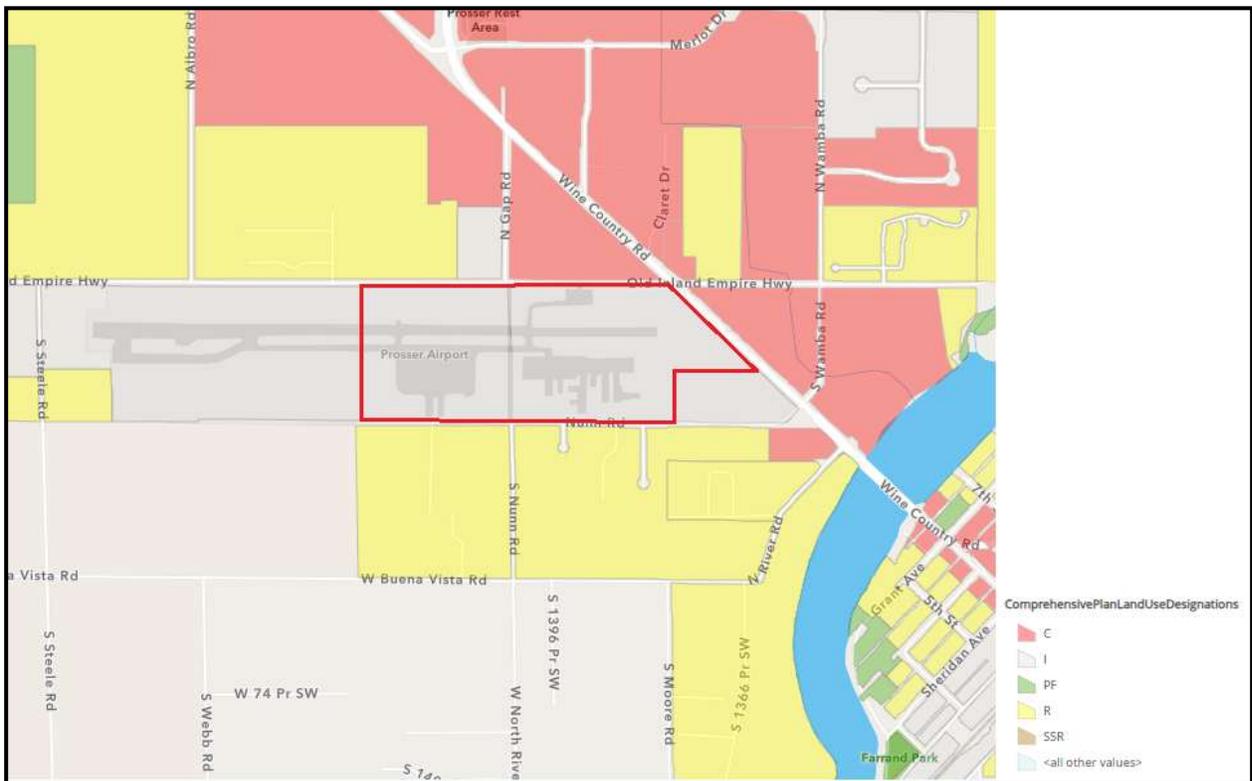
## ENVIRONMENTAL, EASEMENT, ENCROACHMENT ISSUES

There does not appear that there are any easements and/or encroachments that negatively impact the value of the subject property. The appraiser did not notice any noxious odors, signs of exploration and/or chemical spills, incinerators, dump areas or wetlands on the subject.

## ZONING

The subject's City of Prosser zoning is **Industrial, Light (IL)**. The Industrial, Light district zone's purpose is to provide areas for less intensive manufacturing and industrial uses; warehousing, distribution operations; and retail uses to serve the district.

### Zoning Map



## **Rental Analysis**



## **ECONOMIC RENT ANALYSIS**

The Southeastern and Central Washington market area was searched to find comparable general aviation airports, several were discovered and are included in this report. The following Rent Comparables were discovered and analyzed.



## RENTAL COMPARABLE #1

### **Othello Municipal Airport**

Othello Municipal Airport is located at the southwest corner of West Bench Road and South Billington Road, one half mile south of State Route 26, and five miles southeast of City of Othello.

The general aviation airport is owned and operated by the Port of Othello, and is AIP eligible. It is provided with a 4,000-foot-long by 75-foot-wide asphalt constructed, lighted runway with 16,000 SWG capacity, asphalt paved taxi-ways and tie-down apron. There is a PAPI system and a rotating beacon. The comparable is improved with three (3) T-Hangars with a total of 26 bays, an incubator building, two private hangars on land leases, and a 100 LL fueling station.

The oldest T-Hangar building has 6 bays and sliding doors. There are two 10-bay hangars. They are both provided with electric bi-fold doors; however, one of them was recently constructed, and is provided with a concrete apron and lighting. This T-hangar is leased at a higher rental rate because of its age.

The 2025 lease rates are as follows:

<u>Type</u>	<u>Rate</u>	<u>Size</u>
Land Lease	\$1348 per yr	~1 acre
Old T-Hangar	\$225 per month	
T-Hangar	\$250 per month	
T-Hangar New	\$300 per month	

Verification:

This information was verified by published Port of Othello information, and a conversation with Chris Faix, Executive Director of the Port of Othello, (509) 488-2544, on 11/24/2025.



## RENTAL COMPARABLE #2

### **Moses Lake Municipal Airport**

Moses Lake Municipal airport is located along the south side of Cherokee Road between Municipal Airport Road NE, and Municipal Hangar Road, about one and a quarter mile northeast of State Highway 17, and two and a quarter miles northeast of the City of Moses Lake.

The general aviation airport is owned by the City of Moses Lake and operated via an Airport Commission. It is provided with a lighted, asphalt constructed 2,513-foot-long by 50-foot-wide runway that has an 8,000 SWG capacity. There is a lighted wind sock and tee, and no fuel service at the airport. The airport operates on land leases only. The airport is not AIP eligible.

There are over 20 privately owned aircraft hangars at the airport. Power and water are available and are paid by the tenant, and liability insurance must be taken out to be awarded a lease.

The 2026 forward year land leases for different property uses are charged as follows:

	Rate
<u>Type</u>	<u>¢ per sf per yr</u>
Commercial	15.53
Non-Commercial	18.93
NC w/ One Hangar Door*	28.40
NC w/ Two Hangar Doors*	37.86

\*Non-Commercial land leases are charged a 50% premium for a hangar with one aircraft door, and a 100% premium for hangars with two aircraft doors, which is included in the above grid. This is to account for the movement of aircraft outside of the hangars on shared taxi ways and aprons.

#### Verification:

This information was verified via email with Assistant Public Works Director for the City of Moses Lake, Leigh Ramsey, lramsey@cityofml.com, and a conversation with Darrin Jackson, Chairman of the Moses Lake Municipal Airport Commission, (509) 431-3145, on 11/24/2025.



**RENTAL COMPARABLE #3**

**Lake Chelan Airport**

Lake Chelan Airport is a FAA AIP eligible, general aviation municipal airport located along the east and south sides of Kelly Road, about one half mile north of US Highway 97, and three and a half miles northeast of the City of Chelan.

The airport is publicly owned and operated by the City of Chelan and the Port of Chelan. It is provided with an asphalt constructed, lighted, 3,503-foot-long by 60-foot-wide runway with 12,000 SWG capacity, a PAPI system, a combination of concrete, asphalt, and grass aprons, tie-downs, and 100 LL and Jet-A fueling stations. The airport operates only on land leases. There are currently 41 privately owned hangars.

The 2025 land lease rates are as follows:

<b>Size of Ground Lease</b>					
<u>≤4,999 SF</u>		<u>5,000-9,999SF</u>		<u>≥10,000SF</u>	
<u>¢ per sf per yr</u>	<u>No. of Leases</u>	<u>¢ per sf per yr</u>	<u>No. of Leases</u>	<u>¢ per sf per yr</u>	<u>No. of Leases</u>
24.67	2	24.90	1	38.98	1
24.90	20				
25.39	1				
30.01	2				
31.13	1				
33.45	1				
40.01	9				

The City of Chelan completed their own fair market rental analysis for land leases at the airport, and were provided the following rental conclusion that will be analyzed, and possibly put into effect January 1, 2026.

<b>2026 Rent Analysis</b>	
<u>Size</u>	<u>¢ per sf per yr</u>
≤4,999 SF	40-45
5,000-9,999 SF	37-42
≥10,000SF	35-40

Verification:

This information was verified via email with Paul Lerma Lake Chelan Airport Manager, [airportmanager@cityofchelan.us](mailto:airportmanager@cityofchelan.us), and Jackie Tupling, Finance Director for the City of Chelan, [jtupling@cityofchelan.us](mailto:jtupling@cityofchelan.us), on 11/24/2025.



## **RENTAL COMPARABLE #4**

### **Port of Whitman Business Air Center**

The Port of Whitman Business Air Center is a FAA AIP eligible, general aviation airport located along the south side of Airport Road, about two and a half miles southwest of the City of Colfax, in Whitman County, Washington.

The airport is provided with a 3,209 foot long by 60-foot-wide asphalt constructed, lighted runway with a 17,000 SWG capacity, tie-downs, asphalt aprons, and taxi ways. The airport is improved with 16 aircraft hangars.

The Port of Whitman Business Air Center leases land on the airport ranging from \$0.06 per sf per yr to \$0.25 per sf per yr. The Port owns two (2) six bay T-Hangars that they rent at a rate of \$2,750 per month, or \$229.17 per month.

#### Verification:

This information was verified via email by Jacquelyn Huff, Properties and Development Manager, at the Port of Whitman, [jacquelyn@portofwhitman.com](mailto:jacquelyn@portofwhitman.com), on 11/25/2025, and Kara Reibold, Executive Director Port of Whitman, (509) 288-0179, on 12/3/2025



## **RENTAL COMPARABLE #5**

### **Cashmere-Dryden Airport**

Cashmere-Dryden Airport is a FAA AIP eligible, general aviation airport, owned and operated by Chelan County, located at the northwest corner of Sullivan Street and Airport Road, in the southwestern area of the City of Cashmere in Chelan County, Washington.

The airport is provided with an 1,800-foot-long by 50-foot-wide lighted asphalt runway with an 8,000 SWG capacity, a lighted wind cone, four (4) tie downs, and asphalt taxiways and aprons. There are 38 hangar sites located at the airport. Three of the hangars are owned and leased out by the county, and are in poor condition. The remaining 35 are privately owned, and are charged a rental rate for the land.

The 2025 land leases at Cashmere-Dryden Airport are all 4,800 square feet at \$0.10 per sf per yr.

The three shelter hangar leases for 2025 are \$197 per month for 2,200 square feet.

#### **Verification:**

This information was verified via telephone by Ron Cridlebaugh, Economic Services Director for Chelan County, (509) 607-1470, on 11/25/2025.



## RENTAL COMPARABLE #6

### **Sunnyside Municipal Airport**

Sunnyside Municipal Airport is an AIP eligible, general aviation airport, owned and operated by the City of Sunnyside, located along the north side of East Edison Road, about one quarter mile east of State Route 241, two miles east of the City of Sunnyside in Yakima County, Washington.

The airport is provided with a 3,423-foot-long by 60-foot-wide asphalt constructed, lighted runway with a 12,500 SWG capacity, two PAPI systems, a rotating beacon, two lighted wind cones, asphalt taxiways and aprons, 18 tie downs, and a 100LL fueling station. There are six aircraft hangars present at the airport.

Water service is provided by the City of Sunnyside, power is provided by Pacific Power, and sewer is from private septic.

The airport has four active hangar leases, and one active land lease. The conditions of all the hangars are fair to poor. Hangar #2 is a combination a house and a hangar.

The Sunnyside Municipal Airport lease terms are as follows:

	Rate		
Type	SF per yr	Size (SF)	\$ per Month
Land	\$ 0.08	14,938	
Hangar #1	\$ 0.62	1,600	\$ 83.20
Hangar #2	\$ 0.80	3,168	\$ 209.99
Hangar #3	\$ 1.23	628	\$ 64.23
Hangar #4	\$ 0.34	1,600	\$ 45.85

The finance director indicated that the leases are 40-year terms, and in some cases were signed over 20 years ago.

Verification:

This information was verified from the Sunnyside Municipal Airport, Airport Layout Plan (ALP), dated May of 2024, and conversations with Hector Mejia, Deputy Public Works Director, (509) 836-6311, on 12/2/2025, and Monica Hofstetter, Finance Director City of Sunnyside, (509) 836-6380, on 12/2/2025.



## RENTAL COMPARABLE #7

### **Richland Airport**

Richland Airport is a large general aviation airport located in the northern area of the City of Richland that is provided two runways, and is improved with extensive hangar space, and a full service FBO. It is owned and operated by the Port of Benton.

The airport is provided with two asphalt paved runways, one is 4,009-feet-long by 75-feet-wide, and the other is 4,000-feet-long by 100-feet-wide. They have 30,000 SWG capacity, and are provided PAPI systems for navigation. The airport is improved with a pilot lounge, restaurant, an FBO that provides 100LL and Jet-A fuel, and 140 privately owned aircraft hangars. The airport serves 28,000 annual operations, and has 141 based aircraft. The airport is AIP eligible.

The airport does not own any hangars, and operates solely on land leases. The 2025 land lease rates for the airport are as follows:

<b>Land Leases</b>		
	Rate	
<u>Type</u>	<u>SF/YR</u>	<u>Size (SF)</u>
Unimproved	\$ 0.28	<100,000
	\$ 0.22	100,000-300,000
Improved	\$ 0.32	<100,000
	\$ 0.26	100,000-300,000

Verification:

This information is from the Port of Benton Resolution 22-42, dated 11/8/2022.



## RENTAL COMPARABLE #8

### **Walla Walla Regional Airport**

Walla Walla Regional Airport is located in the northeastern area of the City of Walla Walla, and is owned and operated by the Port of Walla Walla. The airport provides commercial and extensive general aviation services, with two daily commercial flights to Seattle operated by Alaska Airlines, it is a FAA part C-139 compliant airport.

The airport is provided with a 6,526-foot-long by 150-foot-wide asphalt runway with an 60,000 SWG capacity, high intensity lighting, PAPI's, MALSAR, 12,000 gallons of 100LL, and 12,000 gallons of Jet-A fuel. The airport serves approximately 27,000 annual aircraft operations, with 95 based aircraft.

The minimum ground lease terms, T-Hangar, full shelter hangar lease terms for 2025 at the Walla Walla Regional Airport are as follows:

<b>Hangar Leases</b>		<b>Land Leases</b>		
	Rate			Rate
Type	per Month	Type	Size (Ac)	per sf per yr
T-Hangar	\$164-\$307	Improved w/ Utilities	0 - .99	\$ 0.290
Old Shelter Hangar	\$ 580		1 - 2.99	\$ 0.218
New Shelter Hangar	\$ 865		3 - 4.99	\$ 0.145
Large Corporate	\$ 2,126.25		≥5	\$ 0.073
		Improved w/o Utilities	0 - .99	\$ 0.233
		Unimproved	0 - .99	\$ 0.115

The shelter hangars located at Walla Walla Regional are in varying condition and functional utility. The Old and New Shelter Hangars are each over 30 years old and are uninsulated with no restroom facilities. The Large Corporate Hangar was built in 1997 and is fully insulated, heated, and has a restroom.

Verification:

This information was verified from the published Rate and Charge Guidelines and Airport Master Plan dated 2019 from the Port of Walla Walla, Walla Walla Regional Airport website.



## RENTAL COMPARABLE #9

### Tri-Cities Airport

The Tri-Cities Airport is a medium sized commercial airport that is owned and operated by the Port of Pasco. It is steadily growing and currently serviced by Alaska Airlines, United Airlines, Allegiant Air, American Airlines, and Delta Airlines. It is a part C-139 FAA compliant airport.

The airport is provided three asphalt constructed lighted runways. The runway dimensions are 7,707-feet-long by 150-feet-wide, 7,704-feet-long by 150-feet-wide, and 4,423-feet-long by 75-feet wide. The two larger runways have a 150,000 SWG capacity, where the smaller runway has a 52,000 SWG capacity. The airport has an air traffic control tower, flight terminal, PAPI systems, and an FBO that provides 100LL and Jet-A fuel services.

There is a well developed general aviation area located along Stearman Avenue in the eastern area of the airport that has multiple shelter hangars for lease in varying condition.

<b>Hangar Leases</b>			Rate
<u>Type*</u>	<u>Rate (monthly)</u>	<u>Size (SF)</u>	<u>SF/YR</u>
Hangar (Partial)	\$ 536	4,000	\$ 1.61
Hangar (Partial)	\$ 592	6,000	\$ 1.18
Hangar (Partial+Office)	\$ 1,401	8,104	\$ 2.07
Hangar (Partial+Office)	\$ 2,309	11,945	\$ 2.32
T-Hangar (small)	\$ 256	1,200	\$ 2.56
T-Hangar (large)	\$ 420	1,900	\$ 2.65

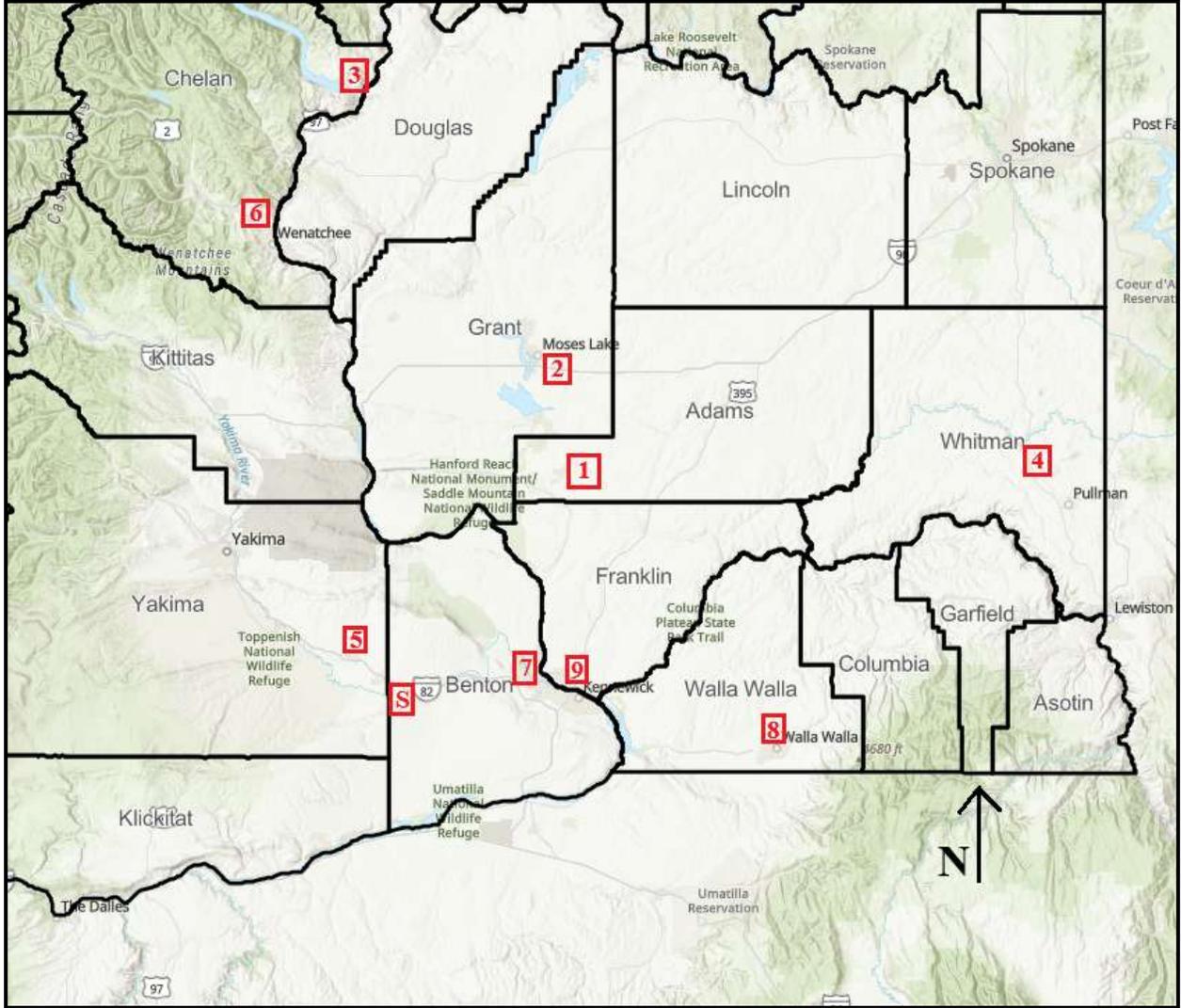
\*These figures do not represent all the available shelter hangar leases available at the Tri-Cities Airport, only those that were deemed comparable to the subject Prosser Airport hangars.

Verification:

This information was provided via email on 12/3/2025, from Tara S. White, taraw@portofpasco.org, Airport Business Manager at the Port of Pasco.



**SUBJECT AND RENTAL COMPARABLE LOCATOR MAP**



## SUMMARY

Please see the below summary of all the analyzed comparable airfield rental rates.

<p>#1 – Othello Municipal</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: center;">Type</th> <th style="text-align: center;">Rate</th> <th style="text-align: center;">Size</th> </tr> </thead> <tbody> <tr> <td>Land Lease</td> <td style="text-align: right;">\$1348/yr</td> <td style="text-align: center;">~1 acre</td> </tr> <tr> <td>Old T-Hangar</td> <td style="text-align: right;">\$225/month</td> <td></td> </tr> <tr> <td>T-Hangar</td> <td style="text-align: right;">\$250/month</td> <td></td> </tr> <tr> <td>T-Hangar New</td> <td style="text-align: right;">\$300/month</td> <td></td> </tr> </tbody> </table>	Type	Rate	Size	Land Lease	\$1348/yr	~1 acre	Old T-Hangar	\$225/month		T-Hangar	\$250/month		T-Hangar New	\$300/month		<p>#6 – Sunnyside Municipal</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th></th> <th style="text-align: center;">Rate</th> <th></th> <th></th> </tr> <tr> <th style="text-align: center;">Type</th> <th style="text-align: center;">SF/yr</th> <th style="text-align: center;">Size (SF)</th> <th style="text-align: center;">\$/Month</th> </tr> </thead> <tbody> <tr> <td>Land</td> <td style="text-align: right;">\$ 0.08</td> <td style="text-align: right;">14,938</td> <td></td> </tr> <tr> <td>Hangar #1</td> <td style="text-align: right;">\$ 0.62</td> <td style="text-align: right;">1,600</td> <td style="text-align: right;">\$ 83.20</td> </tr> <tr> <td>Hangar #2</td> <td style="text-align: right;">\$ 0.80</td> <td style="text-align: right;">3,168</td> <td style="text-align: right;">\$ 209.99</td> </tr> <tr> <td>Hangar #3</td> <td style="text-align: right;">\$ 1.23</td> <td style="text-align: right;">628</td> <td style="text-align: right;">\$ 64.23</td> </tr> <tr> <td>Hangar #4</td> <td style="text-align: right;">\$ 0.34</td> <td style="text-align: right;">1,600</td> <td style="text-align: right;">\$ 45.85</td> </tr> </tbody> </table>		Rate			Type	SF/yr	Size (SF)	\$/Month	Land	\$ 0.08	14,938		Hangar #1	\$ 0.62	1,600	\$ 83.20	Hangar #2	\$ 0.80	3,168	\$ 209.99	Hangar #3	\$ 1.23	628	\$ 64.23	Hangar #4	\$ 0.34	1,600	\$ 45.85																																																
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## COMPETITIVE RENTAL ANALYSIS

The subject consists of 13 lots for lease, two (2) T-Hangar buildings for lease, and three (3) individual shelter hangars for lease. The current tenants are a mix of commercial and non-commercial entities.

The condition, utility, location, and airport activity are analyzed when deriving a fair market rent for the subject Prosser Airport land and hangar leases.

### **Land Lease**

The indicated range for land leases in the subject market area is **\$0.03 per sf per yr** (Rental Comparable #1, Othello Municipal Airport) to **\$0.40 per sf per yr** (Rental Comparable #3, Lake Chelan Airport). Rental Comparable #4, Port of Whitman Business Air Center has land lease rates ranging from **\$0.06 per sf per yr** to **\$0.25 per sf per yr**. This airport is comparable in size and functional utility as the subject airport, and thus the indicated value for land leases at Prosser Airport are within this narrowed range.

Rental Comparable #2, Moses Lake Municipal Airport is superior in airport activity with a greater number of privately owned hangars, however, this is offset by the inferior available services. Thus, the non-commercial land leases at Moses Lake Municipal (\$0.1893 per sf per yr) are rated **slightly inferior**.

The indicated fair market annual rental rate for Prosser Airport is based upon the **slightly inferior** rated Comparable #2, Moses Lake Municipal, non-commercial land lease (\$0.1893 per sf per yr), and factored upward by the influence of Rental Comparable #4, Port of Whitman Business Air Center (\$0.25 per sf per yr), and is concluded at **\$0.20 per sf per yr**.

### **T-Hangars**

The rents for general aviation T-Hangars discovered in the market area range from **\$164 per month** at Rental Comparable #8, Walla Walla Regional, to **\$420 per month** at Rental Comparable #9, Tri-Cities Airport.

The subject primary T-Hangars are average quality construction and in average condition. Prosser Airport is similar to Rental Comparable #1, Othello Municipal, and #4, Port of Whitman Business Air Center, in airport annual operations and size. The subject primary T-Hangars are most similar in age and condition to the Old T-Hangars at Rental Comparable #1. Thus, it is utilized for the indicated fair market rent for the subject primary T-Hangars at **\$225.00 per month**, which is well supported by the T-Hangar rates from Rental Comparable #4 (\$229.17 per month).

The secondary T-Hangars are in in fair condition with lower access height, thus the indicated fair market rent for the subject secondary T-Hangars are in the lower end of the market range at **\$175.00 per month**.



## COMPETITIVE RENTAL ANALYSIS, continued

### Shelter Hangars

The subject Prosser Airport contains three (3) leasable shelter hangars in varying size, condition, and functional utility.

The indicated market rental range for shelter hangar leases ranges from \$45.45 per month at Rental Comparable #6 (Sunnyside Municipal) to \$2,309 per month at Rental Comparable #9 (Tri-Cities Airport). There is limited lease data at the regional General Aviation airports for shelter hangar rents, thus the survey was expanded to include larger airports and several Part C-139 airports.

The Precision Aviation Services hangar is in good condition with good functional utility with a restroom. The indicated fair market rent for the Precision Aviation Services Hangar is based on the **slightly inferior** rated New Shelter Hangar from Rental Comparable #8, Walla Walla Regional, (\$865 per month) due to inferior functional utility and quality of construction with no insulation or restroom, and is factored upward by the influence of the Large Corporate Hangar at Rental Comparable #8, Walla Walla Regional, (\$2,126.25 per month) and is concluded in the lower area of the range at the current rental rate of **\$1,100 per month, or \$2.34 per sf per yr.**

The West Winds Aviation shelter hangar is a large hangar, with finished office space, and a restroom area. It is older in construction than the Precision Aviation Services hangar, which is offset by the increased functional utility provided by the finished office space. The indicated fair market rent is factored upward by the partial hangar with office space on Comparable #9, Tri-Cities Airport (\$1,400 per month), and is concluded at **\$1,200 per month, or \$2.51 per sf per yr.**

The third shelter hangar indicated fair market rent is based on Hangar #3 from Rental Comparable #6, Sunnyside Municipal (\$1.23 per sf per yr), and is factored upward by the influence of the Small Partial Hangar from Rental Comparable #9, Tri-Cities Airport (\$1.61 per sf per yr) and is concluded in the central area of the range at **\$1.46 per sf per yr, or \$425 per month.**



## **SUMMARY OF FAIR ANNUAL MARKET RENT**

The Competitive Rent Analysis involves investigating current market leases and comparing it to the subject property. This method is a good rental indicator in markets with conforming properties.

The fair market rental conclusions in this report are appurtenant to aeronautical use spaces only, and do not include the 12.84% Washington State leasehold tax, or any insurance requirements for the lessee.

After analyzing the data contained in this report, it is my opinion that the most probable fair market annual rent for the subject property, "As Is", as of the 18<sup>th</sup> day of November 2025 is:

### **Land Lease**

**TWENTY CENTS PER SQUARE FOOT PER YEAR**

**(\$0.20 per sf per yr)**

### **Old T-Hangars**

**ONE HUNDRED SEVENTY-FIVE DOLLARS PER MONTH**

**(\$175 per month)**

### **Primary T-Hangars**

**TWO HUNDRED TWENTY-FIVE DOLLARS PER MONTH**

**(\$225 per month)**

### **Equipment Hangar**

**FOUR HUNDRED TWENTY-FIVE DOLLARS PER MONTH**

**(\$425 per month)**

### **Precision Aviation Services Hangar**

**ONE THOUSAND ONE HUNDRED DOLLARS PER MONTH**

**(\$1,100 per month)**

### **West Winds Aviation Hangar**

**ONE THOUSAND TWO HUNDRED DOLLARS PER MONTH**

**(\$1,200 per month)**



# Addenda



# Current Leases

Port of Bellingham  
 Proposal for Appraisals Required - Summary  
 Puyallup, WA Airport Property  
 As of September 1, 2025

Business County Parcel ID	Property ID	Port Owned	Land SF Acreage	Bldg SF	Bldg Type	Construction Type	Class	Year Built	Fee Simple or Leased Fee	Rent amount price per sq annual	Tenant
10254200011000	01	Yes	6334	3500	Hangar/office/warehouse	Pre-Eng/Steel	0	1983	not leased yet		
	02	Yes	24013.6		Land	Land			Leased	8715 \$	Hangar Maintenance office/dep Scott Williams
	03	Yes			Land	Land			Leased	13,118 \$	Bernard Beach
	04	Yes		5025	Hangar/Misc Shop	Pre-Eng/Steel	0	2000	Leased	\$12,200 \$	Precision Aviation
	05	Yes		5210	Misc Shop	Pre-Eng/Steel	0	1981	Leased	30	vacant - no tenant
	06	Yes	4791.6		Land	Land			Leased	937.27 \$	Thomas Danchel
	07	Yes	9583.2		Land	Land			Leased	1112.56 \$	James Early
	08	Yes	23976.8	3200	Hangar/Misc Shop	Pre-Eng/Steel	0	1980	Leased	\$3,330 \$	Jack McJannet
	09	Yes			Land	Land			Leased	986.07 \$	hangar flyers
	10	Yes	7467.2		Land	Land			Leased	486.54 \$	Bryce Davis
	11	Yes	6334		Land	Land			Leased	233.47 \$	Comstar Thompson
	12	Yes	7646.8		Land	Land			Leased	1176.15 \$	Michael Olier
	13	Yes	18500		Land	Land			Leased	vacant - no tenant	vacant - no tenant
	14	Yes	17500		Land	Land			Leased	vacant - no tenant	vacant - no tenant
	15	Yes	11400	400	Hangar	Pre-Eng/Steel	0	1980	Leased	2400 \$	vacant - no tenant
	16	Yes	18295.2	3754	Hangar	Pre-Eng/Steel	0	1986	Leased	637.9 \$	vacant - no tenant
	17	Yes			Hangar	Pre-Eng/Steel	0	1986	Leased	4326 \$	vacant - no tenant
	18	Yes	5120		Hangar	Pre-Eng/Steel	0	1986	Leased	7721.16 \$	vacant - no tenant
	19	Yes			Hangar	Pre-Eng/Steel	0	1986	Leased	15000	vacant - no tenant
	20	Yes			Hangar	Pre-Eng/Steel	0	1986	Leased	15000	vacant - no tenant

Lease 10/1/2025 to 10/1/2026 when lease term is limited



# Soils Descriptions



Soil Map—Benton County Area, Washington

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
SdA	Scooteney silt loam, gravelly subsoil, 0 to 2 percent slopes	57.3	86.6%
WbA	Wamba silt loam, 0 to 2 percent slopes	8.9	13.4%
<b>Totals for Area of Interest</b>		<b>66.2</b>	<b>100.0%</b>



## Benton County Area, Washington

### SdA—Scootene silt loam, gravelly subsoil, 0 to 2 percent slopes

#### Map Unit Setting

National map unit symbol: 2bdk  
Elevation: 400 to 1,300 feet  
Mean annual precipitation: 6 to 9 inches  
Mean annual air temperature: 48 to 52 degrees F  
Frost-free period: 135 to 170 days  
Farmland classification: Prime farmland if irrigated

#### Map Unit Composition

Scootene and similar soils: 90 percent  
Minor components: 2 percent  
Estimates are based on observations, descriptions, and transects of the mapunit.

#### Description of Scootene

##### Setting

Landform: Terraces  
Parent material: Gravelly alluvium and loess

##### Typical profile

H1 - 0 to 4 inches: silt loam  
H2 - 4 to 15 inches: silt loam  
H3 - 15 to 38 inches: gravelly silt loam  
H4 - 38 to 60 inches: very gravelly loam

##### Properties and qualities

Slope: 0 to 2 percent  
Depth to restrictive feature: More than 80 inches  
Drainage class: Well drained  
Capacity of the most limiting layer to transmit water  
(Ksat): Moderately high to high (0.57 to 1.98 in/hr)  
Depth to water table: More than 80 inches  
Frequency of flooding: None  
Frequency of ponding: None  
Calcium carbonate, maximum content: 10 percent  
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)  
Available water supply, 0 to 60 inches: Moderate (about 7.1 inches)

##### Interpretive groups

Land capability classification (irrigated): 2c  
Land capability classification (nonirrigated): 6c  
Hydrologic Soil Group: B  
Ecological site: R008XY0011D - Very Shallow Stony 12-16 PZ  
Hydric soil rating: No

#### Minor Components

##### Wamba

Percent of map unit: 2 percent  
Landform: Terraces  
Hydric soil rating: Yes

#### Data Source Information

Soil Survey Area: Benton County Area, Washington  
Survey Area Data: Version 21, Aug 28, 2025

## APPRAISAL COMPLIANCE CHECKLIST

### USPAP (S.R. 2-2 Guidelines)

a) Set forth pertinent facts and conclusions	<u>5</u>
b) Identify real estate appraised	<u>8</u>
c) Identify real property interest appraised	<u>8</u>
d) Purpose of appraisal	<u>8</u>
e) Effective date of value and report	<u>8</u>
f) Scope of appraisal	<u>10</u>
g) Assumptions and limiting conditions	<u>12</u>
h) Signed certification	<u>14</u>
i) Highest and Best Use opinion	<u>n/a</u>
j) Explain exclusion of an approach	<u>n/a</u>
k) Correlation and Final Value Opinion	<u>43</u>

Comments:



## QUALIFICATIONS

## QUALIFICATIONS

### **Michael Fredrickson, MAI**

2 West Main Street, Walla Walla, WA 99362  
(509) 522-2272 mike@asapww.com

### Licenses

#### State of Washington

Certified General Real Estate Appraiser

License #1100101

Real Estate Designated/Managing Broker

License #21009558, Firm #21010246

#### State of Oregon

Certified General Appraiser

License #C000555

### Experience

Associated Appraisers, Firm Principle – Appraiser, Designated Broker 1992-Present  
Controller, Sigma Phi Epsilon WSU 1990-91  
Real Estate Data Researcher

### Education

Washington State University

Bachelors of Science in Agricultural Business 1992

Minor in Agricultural Economics

Minor in Business Administration

Appraisal Institute (AI) Courses Level I and II Completed

American Society of Farm Managers & Rural Appraisers (ASFMRA) Courses:

A-20 Principals of Rural Appraisal

Requirements of UASFLA – The “Yellow Book”

### Types of Property Appraised

Agricultural    Commercial    Industrial    Multi-Family    Special Purpose

### Professional Activities & Contributions

Appraisal Institute

Licensed Real Estate Broker

American Society of Farm Managers and Rural Appraisers

Walla Walla County Planning Commission

Chairman

Port of Walla Walla Commissioner

**MAI**

State of Washington

Associate

1998 - 2006

2001 - 2006

2006 - 2023



**Michael Fredrickson, MAI – Qualifications, continued**

**Clientele**

Investor/Management:

AgIS Property Management  
D.S. Baker Advisors  
Fall Line Capital  
Hancock Farmland Services  
International Farming Corporation

PGIM Real Estate  
Situs AMC  
UBS AgriVest  
U.S. Agriculture  
Westchester Group Real Estate

Financial Institutions:

AgAmerica Lending  
Bank of Eastern Oregon  
Bank of the West  
Columbia Bank  
Community Bank  
Community First Bank  
Equitable Agrifinance  
Farm Credit Services  
Farmer Mac

Gesa Credit Union  
Harvest Capital  
MetLife  
Rabo Agrifinance  
Rabobank International  
Silicon Valley Bank  
U.S. Bank  
Washington Trust Bank  
Wells Fargo Bank

Government and Municipalities:

Blue Mountain Action Council  
City of College Place  
City of Pasco  
City of Walla Walla  
County of Franklin  
County of Walla Walla  
Port of Walla Walla

School District of College Place  
School District of Walla Walla  
USDA Farm Service Agency  
US Dept. of the Interior  
WA State Dept. of Transportation  
WA State Dept. of the Attorney General



## QUALIFICATIONS

### **Ethan Ehlers**

2 West Main Street, Walla Walla, WA 99362  
(509) 522-2272 ethan@asapww.com

### Licenses

#### State of Washington

Real Estate Appraiser Trainee #22007445

### Experience

Associated Appraisers – Real Estate Broker	2023-present
Appraiser Trainee	2022-present
Tlaloc el Mexicano Server	2020-2021
Osteria Athena Chef	2019-2020

### Education

University of Georgia Bachelor of Science in Economics	2021
Appraisal Institute Courses Completed Certified General Real Estate Appraisers	2022-present

### Types of Property Appraised

Agricultural      Commercial      Industrial      Special Purpose



**RESOLUTION 26-21**

**A RESOLUTION OF THE PORT OF BENTON ADOPTING A REVISED PORT OF BENTON COMMISSION RULES OF POLICY AND PROCEDURE**

**WHEREAS**, the Port of Benton is a Washington port district, with authority to act under law, including but not limited to Titles 14 and 53 RCW. The powers of a port district are exercised through a port Commission. The Port Commission of the Port of Benton consists of three Port Commissioners, and

**WHEREAS**, in addition to the enabling legislation, the Port is subject to Washington State laws, including the Open Public Meetings Act, Chapter 42.30 RCW, the Public Records Act, Chapter 42.56 RCW, the Code of Ethics for Municipal Officers, Chapter 42.23 RCW; and

**WHEREAS**, the purpose of the Commission is to identify and define the purpose, values and vision of the Port, and to help the Port achieve and to communicate those items in the form of policy; and

**WHEREAS**, the Port of Benton wishes to provide a framework and guide for governance, management and operation of the Port to the Port Commissioners; and

**WHEREAS**, these Rules may be revised, suspended, amended or repealed by majority vote of the Port Commission when acting pursuant to and in compliance with law; and

**WHEREAS**, the purpose of these Port of Benton Rules is to foster public transparency and public accountability concerning the transaction of Port business and to protect and promote the efficiency of the Port by prohibiting incidents and areas of conflict.

**WHEREAS**, the Commission adopted the Port Commissioner Rules of Policy and Procedure most recently on December 18, 2024, under Resolution 24-41; and

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

The Commission of the Port of Benton does hereby adopt the Port Commission Rules of Policy and Procedure dated February 25, 2026.

**ADOPTED** by the Commission of the Port of Benton at its regular meeting held this 25<sup>th</sup> day of February 2026.

\_\_\_\_\_  
Bill O’Neil, President

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

\_\_\_\_\_  
Lori Stevens, Secretary

**EXHIBIT A**

**PORT OF BENTON  
COMMISSION  
RULES OF POLICY AND PROCEDURE**

**PORT OF BENTON**

**PORT COMMISSION  
RULES OF  
POLICY AND PROCEDURE**

**ADOPTED AT A REGULAR  
OPEN MEETING OF THE PORT COMMISSION**

**February 25, 2026**

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## 1. INTRODUCTION AND PURPOSE

1.1 Port of Benton. The Port of Benton (“Port”) is a Washington Port district, with authority to act under law, including but not limited to Titles 14 and 53 RCW. The powers of a Port district are exercised through a Port Commission. The Port Commission of the Port of Benton consists of three Port Commissioners.

1.2 Other Governing Law. In addition to enabling legislation, the Port is subject to Washington State laws, including the open Public Meetings Act, chapter 42.30 RCW; the Public Records Act, chapter 42.56 RCW; and, the Code of Ethics for Municipal Officers, chapter 42.23 RCW.

1.3 Port Managing Official. Consistent with its authority under RCW 53.12.270, the Port Commission has delegated to the office of Executive Director such administrative powers and duties as deemed proper for the efficient and proper management of the Port’s operations. See “Delegation of Authority to Executive Director,” Port Resolution 94-01, updated annually (January 13, 1994 - January 19, 2019 – the “Delegation Policy.”)

1.4 Purpose. The Port of Benton’s Commissioners (the "Board" or "Commission") seeks to adopt rules governing the transaction of Port Commission business as required by RCW 53.12.245. Further, it is the purpose of these Rules of Policy and Procedures to provide a framework and guide for governance, management and operation of the Port.

1.5 Reserved Rights. The adoption and maintenance of these Rules of Policy and Procedure (“Rules”) create no vested rights or entitlements. These Rules may be revised, suspended, amended or repealed by majority vote of the Port Commission when acting pursuant to and in compliance with law.

## 2. COMMISSION AND COMMISSIONERS

2.1 Purpose. The purpose of the Commission is to:

2.1.1 Identify and define the purpose, values and vision of the Port, along with the results the Port is to achieve, and to communicate those items in the form of policy;

2.1.2 Make certain decisions as are designated by law; and

2.1.3 Hire, evaluate, and terminate the Executive Director.

2.2 Governance. Commission governance addresses:

2.2.1 Strategic leadership more than administrative detail;

2.2.2 Encouragement of diversity in viewpoints;

2.2.3 Collaborative rather than individual decisions;

2.2.4 Future, rather than past or present, direction;

2.2.5 Proactive, rather than reactive, conduct; and

2.2.6 Full transparency to the public.

2.3 Actions. The Commission will:

2.3.1 Produce and maintain written policies that ensure a high quality of governance and clear roles in decision-making between Commission and staff;

2.3.2 Annually evaluate the Executive Director's performance;

2.3.3 Adopt, and annually review, the Port's Strategic Work Plan;

2.3.4 Adopt the Port's annual budget;

2.3.5 Adopt, annually review, and modify as necessary the Delegation of Authority to the Executive Director;

2.3.6 Set the rates, rules and regulations for services provided by the Port;

2.3.7 Purchase or dispose of real estate or other property to the benefit of Port District taxpayers/citizens; and

2.3.8 Take such other actions as may be required by law.

2.4 Port Financial Goals.

As may from time to time be amended, the Port Commission reiterates the following budgetary goals and acknowledges the importance thereof:

2.4.1 The Port shall work toward funding all operating expenses from revenues from Port operations;

2.4.2 The Port shall fund projects with available resources, not with bonds or loan financing unless otherwise in the best interest of the Port and the communities' long term interest;

2.4.3 The Port shall pursue projects with development partners who demonstrate support (e.g., matching funds, political/citizen/taxpayer support, leveraged investment, enthusiasm/goodwill).

3. COMMISSION CODE OF CONDUCT

3.1 Purpose. The purpose of these Port of Benton Rules is to foster public transparency and public accountability concerning the transaction of Port business and to protect and promote the efficiency of the Port by prohibiting incidents and areas of conflict. Commissioners shall conduct themselves in accordance with all laws and applicable policies and further shall comply with the following.

3.2 Conflict Avoidance. Commissioners are strictly prohibited by law from entering into or engaging in any activity identified in chapter 42.23 RCW as a conflict of interest with their official duties as a Port of Benton Commissioner and shall further avoid conduct that may present an appearance of a conflict of interest.

3.3 Policy Acknowledged. On an annual basis and in a public forum, each Commissioner shall acknowledge the obligation to disclose any conflicts of interest under chapter 42.23 RCW and shall complete and sign a conflict of interest disclosure form to be held by the Port.

3.4 Disclosure. On a case by case basis, each Commissioner will disclose to the other Commissioners in a public forum, any remote conflicts of interest under chapter 42.23 RCW. Disclosure will be noted in the Port's official minutes which are public record. As required by RCW 42.23.040, a Commissioner with such remote interest will recuse themselves. That is, the Commissioner shall not participate in any discussion and/or debate concerning such interest, will not vote on the matter, and will do nothing to influence any other Commissioner concerning their decision on the matter. The foregoing shall also apply to any business owned by a Commissioner's spouse, in the absence of a separate property agreement.

3.5 Statement of Financial Affairs. On or before April 15 of each year, or within (14) days of taking oath of office, each Port Commissioner shall file with the Public Disclosure Commission (PDC) a copy of a Statement of Financial Affairs prepared in satisfaction of the requirements of RCW 42.17A.700 - .710, which shall be available for public inspection at the PDC's website ([www.pdc.wa.gov](http://www.pdc.wa.gov)) after the above-referenced dates.

3.6 Conduct as Commissioner. Commissioners shall adhere to these Rules of Policy and Procedure as adopted by the Commission, and shall conduct themselves with civility and respect at all times with one another, with staff, and with members of the public. As fiduciaries of the Port, Commissioners shall make decisions on the basis of public policy and shall demonstrate undivided loyalty to the interests of Port and its taxpayers. This loyalty shall supersede any conflicting loyalty to advocacy or special interest groups.

3.7 Commissioner Knowledge of Policies. Commissioners will become familiar with their individual and joint obligations pertaining to the Port's directive on reporting alleged improper governmental action, including actions required of the Commission regarding complaints by Port employees and/or the public of alleged improper governmental actions and/or employee claims of retaliation for reporting alleged improper governmental actions.

3.8 Representation of Positions. Unless authorized by the Commission at an open meeting or as set forth in Port policy or plan (e.g., an approved plan), an individual Commissioner may not represent a position as being the position of the Port, either in private communications or in a public forum.

3.9 Shared Information and Advocacy. Recognizing that differences may exist among the Commissioners and that a collegial approach to issue resolution is preferred, each Commissioner should make available to fellow Commissioners all information related to Port activities. A Commissioner is encouraged to make clear the foundation upon which an opinion

stands; be candid about any philosophical or political preferences; and, recognize and make clear the limits of expertise.

3.10 Representation of Port Position. No Commissioner is authorized, without Commission authorization, to represent the Port with special interest groups, Port tenants, suppliers, vendors, consultants, contractors or others that do or seek to do business with the Port. Unless otherwise authorized by the Commission, a Commissioner shall disclose that the Commissioner's position is not that of the Port or of the Commission when participating in discussions, debates, and forums where the sponsoring group(s) or other participants are identified with a particular perspective on an issue and the Commissioner's participation might put into question both the Commissioner's and the Commission's impartiality. Nothing in this Policy prevents an individual Commissioner from stating a position as that of the individual Commissioner, but not that of the Port or of the Commission.

3.11 Special Privileges Prohibited. RCW 42.23.070 prohibits, in part, Commissioners from using public office to secure special privileges or exemptions for a Commissioner or others.

3.11.1 Commissioners must conduct themselves at all times in a manner that leaves no grounds for belief, or even the appearance that information they have gathered on the job has been used for personal gain or for gain of any individual or special interest group, whether such gain is financial or otherwise.

3.11.2 Commissioners shall avoid any association with individuals or groups organized with an attempt to influence Port policy that will benefit themselves or their cause at the exclusion of the Port at large.

3.12 Commission-Staff Relations. Commissioners may not attempt to exercise individual authority over the Port or staff, except as explicitly set forth and authorized in Commission policies, including the Delegation Policy referenced in Section 1.3.

3.13 Open Meetings. In accordance with Washington's Open Public Meetings Act, Commissioners shall:

3.13.1 Not meet as a quorum outside of Commission-called public meetings to hold discussions or make decisions, as defined under chapter 42.30 RCW, regarding the business of the Port.

3.13.2 Not meet as a quorum with staff outside of a Commission-called public meeting for the purpose of gathering information.

3.13.3 Understand that the requirements of the Washington Open Public Meetings Act apply to communications via telephone, e-mail, instant messaging or other forms of electronic communications. Any exchange of communication between any two Commissioners may constitute an official meeting of the Commission and be in violation of the Act. Commissioners may send information to other members of the Commission on an informational basis; however, replies and/or exchanges of communications regarding Port business must not occur outside of an official public meeting of the Commission. Any such e-mail sent for informational purposes as described above, by any member of the Commission,

shall be sent individually, not as group e-mail. Commissioners will not “reply” to any e-mail received by another member of the Commission.

3.13.4 Respect the confidentiality appropriate to issues, including personnel, real estate transactions, proprietary matters, and Attorney-client privileged communications, including those requirements listed under RCW 42.30.110, Executive Sessions, and including any other confidential information gained by reason of the Commissioner’s position. See also RCW 42.23.070(4) prohibiting disclosure of confidential Port information.

3.14 Commission Disclosure of Economic Associations. RCW 42.23.070 states in part that “[n]o municipal officer shall be beneficially interested, directly or indirectly, in any contract which may be made by, through or under the supervision of such officer, in whole or in part, or which may be made for the benefit of his or her office, or accept, directly or indirectly, any compensation, gratuity or reward in connection with such contract from any other person beneficially interested therein.” Port contracts made in violation of the law are void; and any Port officer violating the law is liable to the Port for a “penalty in the amount of five hundred dollars, in addition to such other civil or criminal liability or penalty.” RCW 42.23.050. The law also prohibits a Commissioner from employment or engaging in any professional activity that may require disclosure of Port information to non-Port interests. RCW 42.23.070. These statutory prohibitions are based on the principle that a Port official may not have divided loyalties. The line between proper and improper conduct may not always be clear, and even unintentional conduct may expose the Port and Port officers and employees to liability. See *City of Raymond v. Runyon*, 93 Wn. App. 127 (1998) (“In spite of well-intentioned attempts to avoid a prohibited conflict of interest,” city Commissioner found in violation of law). These Rules attempt to address a Commissioner’s responsibility under law and duty of loyalty to the Port, with other interests. See also, Section 3.2.

3.14.1 Under chapter 42.23 RCW, no Commissioner may have an economic association (affiliation, involvement, or interest), directly or indirectly, that may conflict with the Commissioner’s official duties as a Port Commissioner. However, Commissioners may engage in other employment or activity only so long as it does not interfere or conflict with their duties as a Commissioner.

3.14.2 In order to avoid inadvertent violation of law, and consistent with the Port’s policy for its officers and employees, on or before April 15 of each year, or within fourteen (14) days of taking office, each Port Commissioner, shall file with the Port a written conflict of interest disclosure statement identifying any current or prospective economic relationship, whether direct or indirect, which could be a conflict of interest, a remote interest or give rise to an appearance of a conflict of interest with the Port. In addition, each Port Commissioner shall in the written statement disclose other employment and/or business relationships in order that the Port may confirm that there are no Commissioner conflicts or potential conflicts of interest with current or prospective Port activities. The statement shall include the name of the employer or business, the nature of services rendered, the time commitments, the location of the performance of such services and the amount of compensation (and expense reimbursement) received for such services. This Section 3.14.2 shall also apply to any employment or business of a Commissioner’s spouse, in the absence of a separate property agreement.

3.14.3 The Commissioner shall declare his or her intention to refrain from deliberations and voting on issues related to the person or entity in such relationship. This requirement may be extended by Commission action to any individual or entity that, in the judgment of the Commission, could represent the potential for or the appearance of a conflict of interest. Even with disclosure, chapter 42.23 RCW may prohibit the Commission from acting in the face of a conflict of interest.

3.14.4 A Commissioner shall not receive reimbursement for expenses, per diem, or other Port payment for activities (e.g., travel, meals and other costs) when the Commissioner is engaged in or participating for both the Port and another Entity.

#### 4. FULL TRANSPARENCY IN PORT ACTIONS

4.1 This policy shall ensure full, fair, and open discussion of matters of public importance, with opportunity for public participation and media coverage.

4.2 With respect to any quasi-judicial matter before the Commission, or reasonably expected to come before the Commission, it is the policy of the Port Commission that no Commissioner shall:

4.2.1 Have contact with any person, either oral, written, electronic or otherwise communicated, except in a Commission meeting; and

4.2.2 Receive any information or evidence except as a part of the public record at a Commission meeting.

4.3 If a Commissioner is not able to avoid contact with parties outside of an open Commission meeting or receipt of information from parties outside of an open Commission meeting, the Commissioner shall disclose at the next public meeting, the full content of the contact made or information received.

4.4 Avoidance of communications described above is preferred over relying on the public disclosure remedy because an incomplete or inaccurate conveyance of the contact, even if inadvertent, may bias the outcome and subject the Commission action to challenge.

4.5 All information any person or entity would like distributed to Commissioners shall be consistently distributed to all Commissioners and filed as appropriate.

#### 5. REPORTING MISCONDUCT

5.1 General. The Port is committed to lawful and ethical behavior in all of its activities and requires its staff and Commissioners to conduct themselves in a manner that complies with all applicable laws, regulations and this policy. Complaints against staff (other than the Executive Director) shall be resolved by the Executive Director, according to law and the Port Policies and Procedures manual. Complaints against the Executive Director shall be resolved by the Port Commission according to the Executive Director's Employment Agreement or other applicable contract, Delegation of Authority and the Port Policies and Procedures manual. Complaints against Commissioners shall be resolved as set forth below.

5.2 Complaint. If any person believes that a Commissioner has engaged in misconduct, the Executive Director shall investigate consistent with Section 5.3 and report to the Commission. No employee will be discharged, threatened, or discriminated against in any manner for following up on any complaint or for reporting what they perceive to be misconduct. All complaints must include a description of the alleged misconduct. The proceedings shall be treated confidentially, including the name of the complainant, except to the extent required to complete any investigation and in the event that an action is taken.

5.3 Initial Determination. Based upon the complaint, and only following investigation and with the advice and counsel of Port general or special legal counsel (“Port counsel”), the Executive Director shall determine whether sufficient evidence exists to proceed with an investigation. If the Executive Director determines that insufficient evidence exists, the complaint shall be dismissed. Otherwise, the Executive Director shall proceed as follows.

5.4 Investigation. If an investigation is warranted, the Executive Director shall recuse him or herself from the process and delegate all further steps to Port counsel, and/or an investigator retained for such purpose by Port counsel. Port counsel shall inform the party subject of the complaint (Respondent) in writing that a complaint has been filed and that an investigation will take place. Port counsel shall provide a copy of the complaint to the Respondent and the Respondent shall have a reasonable time to prepare and submit a response in writing. Port counsel may seek additional information regarding the matter from the complainant, the Respondent and/or relevant third parties. In conducting the investigation and evaluating all evidence, the Port’s counsel shall presume that the Respondent acted ethically and shall determine that an act of professional misconduct has occurred only upon a finding of substantial evidence of such misconduct.

5.5 Determination and Recommendation. Port counsel shall evaluate the complaint and issue a decision within thirty (30) days of receiving all relevant evidence, that the complaint is substantiated or unsubstantiated. If Port counsel finds misconduct and the complaint substantiated, a report to Executive Director and the Commission shall set forth the basis for the decision and a recommended action; otherwise, the complaint shall be dismissed.

5.6 Notification of Determination. Following receipt of the decision and recommendation of Port counsel, the Commissioners shall promptly hear, consider and vote upon the recommended action. The complainant and Respondent shall be notified of the action in writing and shall have the right to be heard before the Commission.

5.7 Reconsideration. A decision is subject to reconsideration upon written request by a respondent. A respondent may, within fifteen (15) days of receipt of the written notice of determination, file with the Commission a written request for reconsideration stating the reason. Following review of the entire investigative file, the decision and recommendation of the Port counsel, the Commission shall, within fifteen (15) days of receipt of such new information, hear, consider or render a final decision which may not be further appealed. If the complaint is dismissed, the complainant and the Respondent shall be notified of same in writing. If reconsideration is denied, the Respondent, but not the complainant, shall be notified of same in writing, and any action by the Commission shall be implemented immediately.

5.8 Sanctions. Censure and/or reprimand may be invoked with respect to Commissioner misconduct, in addition to reassignment of committee assignments and other actions.

5.9 Public Notification. Unless otherwise determined by the Commission in a particular matter, it shall be standard procedure to publish, in a manner deemed appropriate by the Commission, the fact of any sanction.

5.10 Other Remedies Reserved. Any action taken by the Commission shall not prevent other legal action that may be available under law. The Port shall not indemnify or defend any Commissioner charged with misconduct, except as otherwise provided under Section 18.

## 6. COMMISSION MEETINGS

6.1 Officers. There shall be three Commission officers: a president, a vice president and a secretary.

6.1.1 Terms. The terms of office for each officer shall be two years or until his/her successor is elected.

6.1.2 Election. The officers shall be elected at the first regular or special scheduled Port Commission meeting in January in even years. Newly elected officers shall take office effective the next regularly scheduled meeting following the election, unless otherwise agreed by the Commission.

6.1.3 Special Elections. By affirmative vote of 2/3 of the officers, a special election of officers may be held at any regularly scheduled Port Commission meeting.

6.2 Presiding Officer. The Presiding Officer at all meetings of the Commission is the President, and in the absence of the President, the Vice President will act in that capacity.

6.3 Presiding Officer Duties. The Presiding Officer shall:

6.3.1 Preserve order and decorum in the Commission chambers;

6.3.2 Observe and enforce all rules adopted by the Commission;

6.3.3 Decide all questions on order, in accordance with these rules, subject to appeal by a Commissioner;

6.3.4 Recognize Commissioners in the order in which they request the floor. Except as otherwise set forth herein, the Presiding Officer, as a Commissioner, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions as other Commissioners; and

6.3.5 Have the authority to appoint Commissioners or the public to serve on ad hoc committees, task forces and any advisory boards, with input from fellow Commissioners.

6.4 Regular Meeting. Port meetings are generally held on the second Wednesday of each month in the Commission Chambers, 3250 Port of Benton Blvd., Richland, Washington at 8:30 a.m. Based upon schedules of the Commissioners, these dates are subject to change, notice of the change to be provided pursuant to applicable law.

6.5 Special Commission Meetings. A special public meeting of the Commission may be called by the President or by any two Commissioners. Any request and subsequent special meeting notices shall state the subjects (e.g., agenda items) to be considered at such special meeting and no other subject shall be acted upon.

The Port Administrative Assistant shall provide notice of special Commission meetings pursuant to applicable law.

6.6 Quorum. At all meetings of the Commission, a majority of the Commission (two members) constitutes a quorum for the transaction of business, but a lesser number may adjourn from day to day or until the time of the next regular meeting.

6.7 Recording Proceedings. The Port Administrative Assistant shall maintain an account of all proceedings of the Commission in accordance with statutory requirements. Port meeting minutes can be corrected but shall not be revised without a majority affirmative vote of the Commission at a regularly scheduled Commission meeting.

6.8 Call to Order. The Presiding Officer shall call each meeting to order. The Presiding Officer will announce the attendance of Commissioners and indicate any Commissioner who is not in attendance.

6.9 Participation by Telephone. The Commission strongly believes that a Commissioner's first priority shall be to the District's constituents as a whole and that this obligation is best fulfilled by direct, face-to-face participation in public meetings rather than via telephone or other medium. Such policy provides access by the public to the Commission, provides for better understanding by the public of the deliberative process, minimizes miscommunication, ensures that each Commissioner sees all applicable documents and sees all in attendance. However, the Commission also understands that there are occasional extenuating circumstances that necessitate the use of teleconference technology and therefore will allow each Commissioner to attend the rare Commission Meeting remotely with the . See Port Remote Attendance Policy updated January 8, 2020.

6.10 Commissioner Attendance at Meetings. Commissioners shall inform the President or Executive Director if they are unable to attend any Commission meeting, or if they will be late to any meeting. A majority vote is required to excuse any Commissioner's absence. Unless excused, pursuant to RCW 53.12.140 a Commissioner forfeits office by nonattendance at meetings of the Commission for a period of sixty (60) days. The Executive Director shall maintain a record of Commissioner attendance at Commission, and other meetings, to which a Commissioner is assigned or scheduled to attend.

6.11 Commission Meeting Staffing. The Executive Director shall attend all meetings of the Commission, unless excused. At the discretion of the Executive Director, other staff

members shall attend. The Executive Director may make recommendations to the Commission and shall have the right to take part in the discussions of the Commission, but shall have no vote.

#### 6.12 General Conduct of Business.

6.12.1 The Port Commission, as a governing body, is charged with making decisions that advances the mission of the Port and which are based on sound information and analysis, respect for views of the public, and each Commissioner's best disinterested judgment. With only three elected Commissioners, the Commission can operate with a high degree of informality and need not be bound to all the provisions spelled out in standard codes of parliamentary procedure. However, some formal procedures need to be followed to respect the rights of all three Commissioners to participate equally and fully in all Commission business. The President of the Port Commission will introduce the issue.

6.12.2 Port staff will briefly discuss the issue.

6.12.3 If a technical report by a consultant or other is to be presented, the presenter will provide a summary of the technical report, generally not to exceed 15 minutes.

6.12.4 At the conclusion of the technical report, staff will return the issue to the President of the Commission for action. The Commissioners may ask staff, any consultants or the public to briefly clarify any matter presented.

6.13 Public Comment. Public comment shall be permitted at Commission meetings only in accordance with these established procedures. Comments shall be received at the beginning of each meeting, and at the end of each meeting, as identified on the agenda. Either the President or staff may read the following guidelines into the record.

6.13.1 Speakers shall move to the lectern/conference room table and shall comment only after being recognized by the President;

6.13.2 Speakers shall state their names and addresses prior to addressing the Commission;

6.13.3 The President may allocate available time among individuals wishing to comment. Generally, the time shall be 3 minutes for each speaker;

6.13.4 Groups are encouraged to express their views through a single spokesperson rather than individually;

6.13.5 Speakers shall limit themselves to matters regarding the issue of concern;

6.13.6 Speakers shall not repeat remarks or points of view made by prior speakers;

6.13.7 The President may overrule impertinent, redundant or disruptive comments;

6.13.8 Applause or other disturbances are discouraged;

6.13.9 All remarks should be directed to the Commission as a whole; and

6.13.10 Individuals should not expect the Commission, staff, consultants, other speakers or any other person, to respond to their comments. Instead, the Commission may direct the matter to staff for comment at a future meeting or for Commission consideration at a future meeting.

6.13.11 The President has discretion to curtail public comment that exceeds allotted time, is beyond the scope of the subject agenda item under consideration, is overly repetitive, or includes disruptive behavior. The President will first request that the commenter follow these guidelines. If an individual fails to comply with the President's request, the President may deem the individual out of order and direct that the individual be removed from the Board meeting. If the individual presents a threat to those present at the meeting, the President may request assistance from law enforcement in removing the individual.

6.14 Executive Sessions. Executive Sessions shall be held in accordance with the provisions of the Washington State Open Public Meetings Act. An Executive Session is a Commission meeting that is closed except to the Commission, Executive Director and others that may be authorized. The public is restricted from attendance. Executive Sessions may be held during Regular or Special Commission meetings and will be announced by the President. Before convening an Executive Session, the President shall announce the purpose of the meeting and the anticipated time when the session will be concluded. Should the session require more time, a public announcement shall be made that the executive session is being extended.

6.15 Commission Discussion. All Commission discussion shall be guided by Robert's Rules of Order, Newly Revised. The Port Attorney shall assume the additional duty of Parliamentarian.

6.16 Media Representation at Commission Meetings. All public meetings of the Port shall be open to the media, freely subject to recording by radio, television, electronic, and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meeting.

## 7. AGENDA PLANNING

The work of the Commission is accomplished in public meetings and all proceedings of the Commission shall be by motion or resolution, recorded in its minute books, which shall be public records. The agenda of the public meeting identifies in general terms the topics to be considered by the Commission.

7.1 Placing Item on the Agenda. Items may be placed on either the business agenda or on the consent agenda. An item may be placed on the preliminary Commission meeting agenda by any Commissioner or by the Executive Director.

7.2 Agenda Preparation. The Executive Director and Commission President shall jointly prepare a preliminary agenda for each Commission meeting. The preliminary agenda

shall set forth a brief general description of each item to be considered by the Commission. If joint preparation is not feasible, the Commission President may independently prepare the preliminary agenda. The Executive Director shall promptly forward the preliminary and final agenda to the Commission for review. The Commission shall have the option to delete or add any item from the preliminary agenda.

7.3 Agenda Materials. Agenda materials will be available on the Friday prior to the Commission meeting, if possible. Agenda materials will be delivered to Commissioners via email or other electronic means.

7.4 Adding an Item to a Published Agenda. An item may be placed on a regular Commission meeting agenda after the agenda is closed and the notice published, if the Commissioner or Executive Director explains the necessity and receives a majority vote of the Commission at a public meeting.

7.5 Agenda Item Order. The Commission may address agenda items out of order.

7.6 Consent Agenda. Items placed on the consent agenda may be moved to the business agenda upon a motion passed by the Commission during a Commission Meeting and prior to the vote to approve the consent agenda. The moved item will be placed on the business agenda for further discussion.

## 8. ROLE OF THE COMMISSION PRESIDENT

The President of the Commission shall:

8.1 Ensure that the Commission jointly and consistently adheres to its own rules and policies, and those imposed upon it by the laws of the State of Washington.

8.2 Ensure that deliberation is fair, open and thorough, but also timely, orderly and stays on topic. The President of the Commission shall preside over and facilitate all Commission Meetings in accordance with these governance principles and Roberts Rules of Order, as needed.

8.3 Assume responsibility of the Commission that is not specifically assigned to another Commissioner.

8.4 Call Special Meetings of the Commission in the event of a business need as provided for by applicable law.

8.5 Establish ad hoc advisory and standing committees.

8.6 Schedule and coordinate the annual process of evaluating the Executive Director.

8.7 Have no authority to supervise or administratively direct the Executive Director or Port staff, apart from authority expressly granted by the Commission.

## 9. ROLE OF THE COMMISSION VICE-PRESIDENT

The Vice-President of the Commission shall:

9.1 Perform such duties as are assigned by the President.

9.2 Have all the power and duties of the President in the absence or inability of the President to act.

9.3 Have all the powers and duties of the Secretary in the absence or inability of the Secretary to act, when not acting as the President.

## 10. ROLE OF THE COMMISSION SECRETARY

The Secretary of the Commission shall:

10.1 Attest all contracts, bonds, deeds, leases and other instruments and documents duly authorized by the Commission unless otherwise delegated by the Commission.

10.2 Perform all duties incident to the office of Secretary as may from time to time be required by law or assigned to such office by motion, rule or resolution of the Commission.

10.3 Have all of the powers and duties of the President in the absence or inability of both the President and the Vice President to act.

10.4 Have the option of delegating the obligations and duties of Secretary to the appropriate Port staff member for implementation.

## 11. COMMISSION COMMITTEES

11.1 General. The Commission may establish ad hoc advisory and standing committees. All committees should include designation of members, chair and a charter describing the committee's purpose. The Commission will review each committee at least annually to determine whether the committee should continue.

### 11.2 Committee Roles and Responsibilities.

11.2.1 Committees will assist the Commission by gaining education, considering alternatives and implications, and preparing policy alternatives.

11.2.2 Commission committees or any individual Commissioner may not speak or act for the Commission, except when formally given such authority for specific and time-limited purposes.

11.2.3 Commission committees cannot exercise authority over staff or interfere with the delegation from the Commission to the Executive Director.

11.2.4 Participation in Port established committee meetings shall be in compliance with the provisions of the Open Public Meetings Act. Official action should not be

taken at committee meetings, but should occur at the next regularly scheduled Commission meeting or the next special Commission meeting

11.2.5 These policies apply to any group which is formed by action of the Commission of the Port of Benton, whether or not it is called a committee.

## 12. COMMISSION AND PORT ACTION

12.1 Only decisions of the Commission acting as a body (hereafter defined as 2 or more Commissioners acting in concurrence) are binding upon the Port and Port staff.

12.2 The Commission as a body and the Commissioners individually will refrain from evaluating, either formally or informally, the job performance of any Port employee, other than the Executive Director, except when approving compensation and benefits in the course of budget or employment contract considerations.

12.5 The Commission as a whole, when all Commissioners vote in favor of a particular action, or no fewer than two Commissioners, when one Commissioner is absent and the remaining two Commissioners vote in favor of a particular action, shall sign all resolutions, contracts, and other official documents on behalf of the Commission in an open meeting, unless the Commission authorizes the President or the Port's Executive Director to be the sole signatory of an official document on behalf of the Port in an open meeting.

In the event a resolution, contract or other official document requires only two signatures, one of which is that of a Commissioner in their officer capacity (e.g. Secretary) who voted against the action, one of the remaining Commissioners who voted in favor of the action may sign the document on behalf of the Commissioner who voted against the action. Otherwise, in all other instances, where a Commissioner is either absent (excused or unexcused) or votes against an action, the Commission Coordinator should note in the signature line of the document for that Commissioner that they were "Absent" or "Voted Nay". Commissioners who attend Port meetings remotely shall be entitled to sign all relevant documents on which action was taken where they voted "Aye" prior to those documents becoming official Port documents.

## 13. PORT COMMISSION & STAFF ROLES AND RESPONSIBILITIES

13.1 General Roles. The Commission is the Port's governing authority and policy maker. The Executive Director and Port staff implement and administer the Commission's policies. The Port of Benton has a Commission-Executive Director form of governance. With this structure, the Port Commission's role is to establish Port policies and priorities. The Commission hires an Executive Director to implement those policies and undertake the administration of the organization. The Executive Director is hired by the Port Commission to enforce its directives, to direct the daily operations of Port governance, to prepare and monitor the budget, and to implement the policies and programs initiated by the Port Commission. The Executive Director is responsible to the Port Commission, rather than to individual Commissioners, and directs and coordinates all other employees. The Port Commission authorizes positions through the budget process; based upon that authorization, the Executive Director is responsible for hiring all personnel.

13.2 Commissioner's Role. [See also, Section 2.] The Executive Director is authorized to make recommendations on policy matters to the Commission and the Commission retains the authority to accept, reject, or amend the recommendations. Individual Commissioners may not intervene in staff decision-making, scheduling of work, and executing department priorities. This is necessary to allow staff to execute priorities given by the Executive Director. All Commissioners with concerns affecting the Port of Benton should address those concerns with the full Commission or with the Executive Director.

No Commissioner shall direct the Executive Director to initiate any action, prepare any report, or initiate any project or study without the authorization of a majority of the Commission.  
Executive Director's Role.

13.2.1 The Executive Director is the chief administrative officer of the Port. The Executive Director is directly accountable to the Port Commission for the execution of the Port Commission's policy directives as set forth in the Delegation Policy and for the administration and management of all Port activities and staff.

13.2.2 The Executive Director is the administrator and manager of all Port activities and staff; and the information liaison between Commission and Port staff. Requests for information from Commissioners are to be directed to the Executive Director and will be responded to promptly. The information requested will be copied to all members of Commission so that each member may be equally informed. The Executive Director will provide staff support for Commissioners as appropriate in their official roles.

13.2.3 In addition to regular, comprehensive memoranda written by the Executive Director directly to the Port Commission concerning aspects of Port operations (exclusive of confidential personnel issues), all Commissioners shall receive copies of correspondence received by the Executive Director that will assist them in their policy-making role. The Executive Director also provides other documents to the Commission on a regular basis, such as status reports, executive summaries, and minutes of meetings.

13.2.4 The Executive Director shall have an open-door policy which allows individual Commissioners and the public to meet with the Executive Director on an impromptu, one-on-one basis. Such meetings are highly encouraged. No Commissioner, person or special interest group shall abuse the open-door policy.

13.3 Staff Role. The Commission recognizes the primary functions of staff as 1) executing the policies and actions taken by the Commission as a whole, and 2) keeping the Commission informed. This direction follows the policy guidance from the Port Commission to the Executive Director through the Delegation Policy, as amended. Port staff will, make every effort to respond in a timely and professional manner to all individual Commissioner's requests for information or assistance.Summary. The following is a brief summary from the Washington Public Port Association ("WPPA") Commissioner Resource Guide, and identifies parallel leadership roles and responsibilities.

***Port Commission***

Governs:  
Guides

***Executive Director***

Administers:  
Operates

Directs	Manages
Decides what	Decides how
Requests information	Seeks and provides information
Considers issues	Provides recommendations
Creates, reviews and adopts policy	Recommends and carries out policy
Reviews and monitors plans	Implements plans
Monitors progress	Reports progress
Contracts with personnel	Supervises hiring process, practices
Approves evaluation criteria, procedures	Supervises and evaluates personnel
Reviews and approves budget	Formulates budget
Represents public interest	Acts in the public's interest

#### 14. BUDGET AND PROCUREMENT AUTHORITY

14.1 General. By resolution, the Commission shall set forth the authority of the Executive Director to manage and expend Port funds in accordance with financial policies and budgetary limits. Procurement of goods and services shall take place in accordance with applicable legal requirements in a fair, competitive and inclusive manner to maximize the benefit to the Port's taxpayers/customers.

14.2 Financial Policies. The Commission, by resolution, may from time to time adopt financial policies that provide guidance to the Executive Director in managing the finances of the Port and in developing budgets, financial plans and rates. At a minimum, these policies shall:

14.2.1 Provide for sufficient liquidity relative to the Port's risk profile;

14.2.2 Provide for adequate coverage to meet debt covenants;

14.2.3 Establish criteria for debt and rate-financed capital expenditures;

14.2.4 Require that budgets be developed based on conservative and prudent assumptions consistent with standard industry practice; and

14.2.5 Establish budgetary and procurement controls over expenditures.

14.3 Budgetary Authority. As required by and consistent with law, the Commission, by resolution, shall approve the Port's budget prior to the start of each calendar year. The Executive Director shall manage the Port's operations within the approved budget levels consistent with authority levels set forth in the financial policies.

#### 14.4 Procurement Authority.

14.4.1 The Commission, by resolution and/or through the Delegation of Authority, shall establish procurement authorities and guidelines for the Executive Director consistent with state laws and regulations. The Executive Director shall establish procurement controls that provide reasonable assurance that the procurement of goods and services are made for a valid business purpose and within authorized budget levels.

14.4.2 It is Port policy that procurement decisions shall be made free from actual or perceived conflicts of interest consistent with these Rules of Policy and Procedure.

14.4.3 It is Port policy that due diligence and prudent judgment be exercised in the making of procurement decisions, including conducting a risk assessment. If the Executive Director reasonably determines that a procurement activity presents, regardless of the size of the financial commitment, either: (1) a unique and significant operational risk to the Port; or (2) a significant impact to customers, the Executive Director shall inform the Commission.

## 15. EVALUATING THE EXECUTIVE DIRECTOR'S PERFORMANCE

15.1 General. The Executive Director's job performance shall be evaluated by comparing the organization's operations and results and the Executive Director's performance to the policies established by the Commission.

### 15.2 Process.

15.2.1 The Commission shall evaluate the Executive Director's performance on an annual or more frequent basis.

15.2.2 The evaluation will be based on an evaluation of the organization's performance and the Executive Director's personal performance against the evaluation criteria established by the Commission at the prior year's evaluation.

## 16. COMMISSION-FINANCE DIRECTOR RELATIONSHIP

16.1 General. Commission – Finance Director Relationship. The Port Finance Director (Auditor) serves the Port to assist in the Port's compliance with the Local Government Accounting Act, RCW 43.09.200 – 43.09.2855. The auditor reports directly to the Commission, and much like the Port Attorney, provides opinions on compliance matters. The Port's auditor also serves as the chief financial officer. In that financial capacity they report to the Executive Director and are part of the management team. This dual role and reporting structure—auditor to the Commission and chief financial officer to the Executive Director—can be properly managed with dedication and transparency.

### 16.2 Hiring and Reporting.

16.2.1 The Commission and Executive Director shall work in tandem to hire the Port Auditor, evaluate the Port Auditor, and the Commission is responsible for terminating the Port Auditor. The Auditor shall perform those duties specified in RCW 43.09.240, Port Policy or job description and shall be granted direct access to the Commission as necessary in the performance of these duties.

16.2.2 The Auditor shall report to the Commission, through the Executive Director, the financial impact of all administrative matters, including hiring, performance evaluations, salary administration, employee benefits, and terminations. The Executive Director may assign additional duties to the Auditor as long as these duties do not interfere with the Auditor's duties as specified by law.

16.2.3 Keep the Port Commission and staff apprised of any new updates or additions to financial reporting guidelines or legislation affecting the financial interests of the Port.

16.2.4 Inform the Commission of financial issues impacting the Port or the Commission.

16.2.5 Act as the liaison between the Commission and outside auditors and/or financial investigators.

## 17. COMMISSION-PORT ATTORNEY RELATIONSHIP

17.1 Port Attorney. The Port Attorney represents the Port (see, Washington rules of professional conduct 1.13). The Port Attorney is appointed by the Commission after considering the recommendation of the Executive Director. The Port Attorney serves at the pleasure of and ultimately reports directly to the Commission. The Commission can terminate the representation of the Port Attorney for any reason or no reason after consultation with the Executive Director. The retention of the Port Attorney shall be in the form of a letter of engagement which shall allow the Port Commission, after consultation with the Executive Director, to terminate the services of the Port Attorney. Subject to Port Commission approval, the Port Attorney may be a full or part-time Port employee. The Port Attorney is the legal advisor to the Port, the Commission, its committees, Commissions and boards, the Executive Director, and all Port officers and employees with respect to any legal question involving an official duty or any legal matter pertaining to the affairs of the Port.

17.1.1 Supervision. The Port Attorney's day-to-day service to the Port is provided to and supervised by the Commission President per the delegation of powers resolution. The Commission is responsible for evaluating the Port Attorney's performance.

17.1.2 Representation of the Port only. The Port Attorney represents the Port acting through the Port Commission as a whole or as jointly directed by the Executive Director and Commission. Individual Commissioners cannot engage the services of the Port Attorney unless approved by the Port Commission; however, all Commission members may consult with the Port Attorney on matters pertaining to the Port.

17.1.3 Information available to all Commissioners and the Executive Director. The best practice for the Port Attorney is to keep all the Commissioners and the Executive Director reasonably informed about significant communications with an individual Commissioner so that all Port Commissioners and the Executive Director receive the same information. However, if the Attorney is contacted by a Commissioner on behalf of the Port Commission dealing with a matter that the Port Commission does not want the Executive Director to know about (for example termination of the Executive Director) then that communication shall not be disclosed by the Port Attorney without the consent of the Port Commission.

17.1.4 Duties of Port Attorney. The Attorney's primary role, as general legal counsel, is to provide legal advice to the Port through its Commission, Executive Director and staff

regarding Port operations, commercial matters, compliance issues, and risk exposure. It is recognized that the Port Attorney may provide the Port Attorney's business perspective but such perspective should be clearly differentiated from legal advice and offered with the understanding that the Port may freely disregard that advice. It is paramount for the Port Attorney to be impartial to the business decisions a Port Commission or the Executive Director makes and advise independently on the legality and risk exposure. The Attorney is politically neutral to the actions and priorities of the Commission.

17.1.5. Special counsel. There are occasions for which the Port Attorney will need to be supplemented by special counsel on a particularly narrow topic or on an effort that takes considerable workload beyond the capacity of Port Attorney or the Port Attorney's law firm. In such an instance the Executive Director shall, after discussion with the Port Attorney, retain special counsel and thereafter advise the Commission.

17.2 Port Attorney responsibilities. The general legal responsibilities of the Port Attorney are to:

17.2.1 Provide legal assistance necessary for formulation and implementation of legislative policies and projects.

17.2.2 Represent the Port's interest, as determined by the Executive Director, in litigation, administrative hearings, negotiations, and similar proceedings.

17.2.3 Prepare or approve as to form resolutions, contracts, and other legal documents to best reflect and implement the purposes of the Port.

17.2.4 Keep the Port Commission and staff apprised of court rulings and legislation affecting the legal interest of the Port.

17.2.5 When requested by the Port Commission or Executive Director, advise the Port Commission regarding potential conflict of interest issues or ethical matters. Port Attorney shall provide assistance to individual Commissioners in complying with applicable statutes and laws only when such advice does not conflict with the Port Attorney's obligations to the Port or to specific direction of the Port Commission.

17.2.6 Give advice or opinion when required by the Port Commission or Executive Director.

17.2.7 Inform the Port Commission and/or the Executive Director of material legal issues impacting the Port.

17.2.8 Assist the Port Commission and staff in complying with applicable statutes and laws.

17.2.9 Provide procedural advice to the Port Commission as to the conduct of all Commission meetings and other Port-related meetings as requested by the Executive Director.

17.2.10 Provide training on legal matters as requested by the Port Commission.

17.2.11 Other matters as designated by the Port Commission.

## 18. INDEMNIFICATION AND DEFENSE POLICY

18.1 Policy Stated. As authorized by RCW 4.96.041 and Port of Benton Resolution 18-23 adopted on September 12, 2018, the Port created a procedure to provide for indemnification and defense of claims of liability arising from acts or omissions of officials and employees of the Port, including volunteers, while performed or in good faith purported to have been performed in the scope of their official duties. See Addendum A for Resolution 18-23.

### 18.2 Application to Recall Proceedings.

Consistent with RCW 4.96.041(3), the necessary expenses of defending a Port Commissioner in a judicial hearing to determine the sufficiency of a recall charge as provided in RCW 29.82.023 shall be paid by the Port if the Commissioner requests such defense and approval is granted by both the Commission and the Port's legal counsel or Attorney appointed by the Executive Director to review the request. The expenses paid by the Port may include costs associated with an appeal of the decision rendered by the superior court concerning the sufficiency of the recall charge.

As authorized by the Supreme Court in the case of *In Recall of Olsen*, 154 Wn.2d 606 (2005), the Port's decision to indemnify and pay the costs of a recall defense does not constitute a contract under RCW 42.23.030, and, as a result, a Commissioner requesting payment of such expenses may vote on the Commission's consideration of the request.

## 19. GENERAL COMPLAINT RESOLUTION

19.1 Administrative Complaints Made Directly to Individual Commissioners. When administrative policy or administrative performance complaints are made directly to individual Commissioners, the Commissioner shall then refer the matter directly to the Executive Director for review and/or action. The individual Commissioner may request to be informed of the action or response made to the complaint.

19.2 Administrative Complaints – “Best Practice”. Although citizen's direct access to Port Commissioners is to be encouraged, Port Commissioners should be cautious in making statements or taking actions that may delay a timely customer service response. The best policy is to put the citizen into direct contact with the Executive Director.

## 20. OFFICIAL PORT SEAL

20.1 Pursuant to RCW 53.12.245, the Port's official seal shall on be used for official Port-related business, as sanctioned by the Board. In addition, the official Port logo, as indicated below, shall not be used for purposes other than official Port business without the express consent of the Board.



**ADDENDUM A**

**RESOLUTION NO. 18-23**

A RESOLUTION OF THE PORT OF BENTON ESTABLISHING A PROCEDURE REGARDING PAYMENT OF DEFENSE COSTS TO OFFICERS, EMPLOYEES AND VOLUNTEERS PER RCW 4.96.041

WHEREAS, RCW 4.96.041 provides that whenever an action or proceeding for damages is brought against any past or present officer, employee or volunteer of a local governmental entity and such action or proceeding arises from acts or omissions of such officer, employee or volunteer while performing or in good faith purporting to perform his or her official duties, such officer, employee or volunteer may request the local governmental entity to authorize the defense of the action or proceeding at the expense of the local governmental entity;

WHEREAS, RCW 4.96.041 further provides that if the legislative authority of the local governmental entity, or the local governmental entity using a procedure created by ordinance or resolution, finds that the acts or omissions of the officer, employee or volunteer were, or in good faith purported to be, within the scope of his or her official duties, the request shall be granted; and

WHEREAS, RCW 4.96.041 further provides that if the request is granted, the necessary expenses of defending the action or proceeding shall be paid by the local governmental entity and any monetary judgment against the officer, employee or volunteer shall be paid on approval of the legislative authority of the local governmental entity or by a procedure for approval created by ordinance or resolution; and

WHEREAS, the Commissioners of the Port of Benton wish to establish a procedure to implement the provisions of RCW 4.96.041; NOW, THEREFORE,

NOW, THEREFORE BE IT RESOLVED BY THE PORT OF BENTON AS FOLLOWS:

Section 1. Definitions. Unless the context clearly indicates otherwise, the words and phrases used in this resolution shall have the following meanings:

“Commission” means the board of Commissioners of the Port of Benton.

“Port” means the Port of Benton.

“Employee” means any person who is or has been employed by the Port.

“Officer” means all elected and appointed officers of the Port and all persons exercising or undertaking to exercise any of the powers or functions of an officer of the Port.

“Official Duty” means those duties within the specific Scope of Service or Employment of the Employee, Officer or Volunteer as defined by the Commission or by statute.

“Proceeding” means any threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative and whether formal or informal.

“Scope of Service or Employment” shall be determined by the Commission with reference to the relevant job description and/or employee or volunteer manual and or the usual and accustomed duties assigned or performed by others in a similar situation.

“Volunteer” means a person who performs any assigned or authorized duties for the Port brought about by one's own free choice, receives no wages and is registered and accepted as a Volunteer by the Port for the purpose of engaging in authorized Volunteer service at the time of the act or omission giving rise to a Proceeding for which representation or indemnification is claimed under this resolution; PROVIDED, that such person shall be deemed to be a Volunteer although he or she may be granted maintenance and reimbursement for actual expenses necessarily incurred in performing his or her assigned or authorized duties.

Section 2. Request for Representation and Indemnification; Conditions. The provisions of this resolution shall be subject to the following conditions:

(a) Any past or present Employee, Officer, or Volunteer may submit a request to the Commission for representation and indemnification in any Proceeding resulting from the acts or omissions of such Employee, Officer or Volunteer that meet the criteria of this resolution by presenting a written request to the Executive Director of the Port or his or her designee at the administrative offices of the Port during regular business hours.

(b) A request for representation and indemnification shall be submitted as soon as is practicable and in no event later than 15 days after notice of the commencement of any Proceeding, or 25 days after any incident or course of conduct potentially resulting in any Proceeding, and shall include:

(i) the name and current contact information of the Employee, Officer, or Volunteer requesting representation;

(ii) all information known to the Employee, Officer or Volunteer regarding the relevant acts or omissions, including the dates, times, places, and surrounding circumstances;

(iii) the names and addresses of all persons claiming injury or damage in the Proceeding; and

(iv) the names, addresses, and current contact information, if known, of all witnesses or persons having knowledge of the circumstances involved in the Proceeding.

(c) The Employee, Officer or Volunteer shall respond to all reasonable requests for information from the Port's legal counsel and shall otherwise cooperate with the Port's legal counsel, including but not limited to:

(i) delivering any claim, demand, notice, summons or other process relating to the Proceeding;

(ii) attending interviews, depositions, hearings and trials as required and shall assist in securing and giving evidence and obtaining attendance of witnesses, assisting in making settlements of any suits; and

(iii) enforcing any claims for any right of subrogation against any persons or organizations that may be liable to the Port because of any damage or claim of loss arising from such incident or course of conduct.

(d) The Employee, Officer or Volunteer shall not receive any additional compensation for any activities related to the Proceedings, and if the Employee, Officer or Volunteer has left the employment or service of the Port, no fee or compensation shall be provided. Failure of the Employee, Officer or Volunteer to cooperate with the defense as required shall constitute a withdrawal of the request for representation and indemnification and relieves the Port of further liability.

(e) The Employee, Officer or Volunteer shall not accept or voluntarily make any payment, assume any obligation, or incur any expense related to the Proceedings or the acts or omissions giving rise to the Proceedings, other than to administer first-aid to others at the time of any incident or engage in a reasonable attempt to avoid or mitigate injury or damage to persons or property.

(f) Prior to undertaking any representation or agreeing to any indemnification, the Port may require the Employee, Officer or Volunteer to sign an agreement indicating that he or she will reimburse the Port, consistent with the agreement, for defense costs including Attorney's fees, should the trier of fact determine that the Employee, Officer or Volunteer committed a willful, wanton or intentionally wrongful act or acted outside his or her Official Duty.

(g) The provisions of this resolution are intended to be secondary to any contract or policy of insurance owned or applicable to any Employee, Officer or Volunteer. The Port shall have the right to require any Employee, Officer or Volunteer to use any such policy protection prior to requesting the protection afforded by this resolution.

### Section 3. Availability of Legal Representation and Indemnification.

(a) Subject to the requirements of this resolution, the Port shall provide to an Employee, Officer or Volunteer such legal representation as may be reasonably necessary to defend such Employee, Officer or Volunteer in a Proceeding resulting from any conduct, act or omission of such Employee, Officer, or Volunteer, when such conduct, act or omission was performed or omitted:

(i) on behalf of the Port in his or her capacity as a Port Employee, Officer or Volunteer, and

(ii) within the scope of his or her Official Duties.

The fact that an Employee, official, or Volunteer has concluded employment or service with the Port shall not affect the availability of legal representation under this resolution.

**(b)** Except as may be provided in any applicable insurance policy, the legal representation described in this section shall be provided by an Attorney designated by the Commission or its designee.

**(c)** Notwithstanding any other provision of this resolution, no representation or indemnification shall be provided to any person if in the opinion of the Port's legal counsel payment of such indemnification would cause the Port to violate any applicable law or jeopardize any of its licenses, grants, or agreements.

Section 4. Exclusions; Standard of Conduct. The Port shall not assume any obligation under this resolution in defense of:

**(a)** any dishonest, fraudulent, criminal, willful, intentional, grossly negligent, or malicious act, omission, or course of conduct by an Employee, Officer, or Volunteer;

**(b)** any act, omission, or course of conduct of an Employee, Officer, or Volunteer that is not performed on behalf of the Port;

**(c)** any act, omission, or course of conduct outside the scope of the Official Duties of the Employee, Officer or Volunteer; or

**(d)** any lawsuit brought against an Employee, Officer, or Volunteer by or on behalf of the Port.

Section 5. Determination of Exclusions.

**(a)** The Commission shall grant a request for representation or indemnification under this resolution only after a determination has been made that:

**(i)** representation or indemnification of the Employee, Officer or Volunteer is permissible in the circumstances because the Employee, Officer or Volunteer has met the standard of conduct set forth in Sections 3 and 4;

**(ii)** the acts or omissions giving rise to the Proceeding were done on behalf of the District and within, or in good faith purported to be within, the scope of the Official Duties of the Employee, Officer or Volunteer; and

**(iii)** all applicable conditions of this resolution have been met.

**(b)** The determination shall be made by the Commission upon advice of legal counsel appointed by the Commission to investigate the request for representation. In reaching a determination, the Commission shall consider the opinion of legal counsel and any additional information that the Employee, Officer, or Volunteer wishes to submit to the Commission. No Commissioner who is a party to the Proceeding for which representation and indemnification is being requested shall take part in the determination. The determination of the Commission

pursuant to this section shall be a final legislative action, from which there shall be no appeal, except to superior court by means of a declaratory judgment action.

(c) Authorization of indemnification and evaluation as to reasonableness of expenses shall be made in the same manner as the determination that indemnification is permissible.

Section 6. Effect of Compliance with Conditions. If all of the conditions of representation required by this resolution are met, legal representation of an Employee, Officer, or Volunteer is undertaken by the Port, and a judgment is entered against the Employee, Officer or Volunteer, or a settlement made, then the Port shall pay such judgment or settlement; PROVIDED, that the Port may, at its discretion, appeal as necessary any judgment.

Section 7. Failure to Comply with Conditions. If an Employee, Officer, or Volunteer refuses to comply with any of the conditions set forth in this resolution with respect to any Proceeding, the Port shall not be obligated to offer any representation or indemnification under this resolution and this resolution shall be inapplicable with respect to such Proceeding.

Section 8. Reimbursement of incurred expenses.

(a) If the Commission determines that representation or indemnification is not available to the Employee, Officer or Volunteer under the terms of this resolution, and a court of competent jurisdiction later determines that a claim does come within the provisions of this resolution, then the Port shall pay any judgment rendered against the Employee, Officer or Volunteer along with reasonable Attorney's fees incurred in obtaining the determination that such claim is covered by this resolution.

(b) If the Commission determines that representation or indemnification is available to the Employee, Officer or Volunteer under the terms of this resolution, and a court of competent jurisdiction later determines that a claim does not come within the provisions of this resolution, then the Port shall be reimbursed by the Employee, Officer or Volunteer or his or her assigns for costs or expenses incurred in obtaining the determination that such claim is not covered by this resolution.

Section 9. Conflict with provisions of insurance policies.

(a) The intent of this resolution is to provide complete coverage outside and beyond any insurance policy that may be in effect while not compromising the terms and conditions of any such policy.

(b) Nothing contained in this resolution shall constitute an insurance policy. This resolution shall not be construed as creating a contract or a policy of insurance between the Port and any Employee, Officer or Volunteer. This resolution is subject to amendment or repeal at the sole discretion of the Commission without prior notice to the Employee, Officer or Volunteer.

(c) The provisions of this resolution shall have no force or effect with respect to any accident, occurrence or circumstance for which the Port or any Employee, Officer or Volunteer is insured against loss or damages under the terms of any valid insurance policy, provided that this resolution shall provide protection, subject to its terms and limitations, above any loss limit of such policy.

(d) Nothing contained in this resolution shall be construed to modify or amend any provision of any policy of insurance where the Port or any Employee, Officer or Volunteer is a named insured. In the event of any conflict between this resolution and the provisions of any such policy of insurance, the provisions of the policy of insurance shall control.

Section 10. Pending claims. This resolution shall apply to any Proceeding against an Employee, Officer or Volunteer now pending or hereafter filed regardless of the date of the events or circumstances giving rise to such Proceeding.

Section 11. Not a waiver. Nothing in this resolution shall be construed to waive or impair the right of the Commission to institute suit or counterclaim against any Employee, Officer or Volunteer nor to limit its ability to discipline or terminate an Employee, Officer or Volunteer.

THIS RESOLUTION OF THE PORT OF BENTON ADOPTED by the Commission at its regular meeting held in Prosser, Washington this 6<sup>th</sup> day of September 2018.

**ADDENDUM B**  
**RESOLUTION NO. 24-41**

**A RESOLUTION OF THE PORT OF BENTON ADOPTING PORT OF  
BENTON  
COMMISSION RULES OF POLICY AND PROCEDURE**

**WHEREAS**, the Port of Benton is a Washington port district, with authority to act under law, including but not limited to Titles 14 and 53 RCW. The powers of a port district are exercised through a port commission. The Port Commission of the Port of Benton consists of three Port Commissioners; and

**WHEREAS**, in addition to the enabling legislation, the Port is subject to Washington State laws, including the open Public Meetings Act, chapter 42.30 the Public Records Act, chapter 42.56 and, the Code of Ethics for Municipal Officers, chapter 42.23 RCW; and

**WHEREAS**, the purpose of the Commission is to identify and define the purpose, values and vision of the Port, and to help the Port achieve and to communicate those items in the form of policy; and

**WHEREAS**, the Port of Benton wishes to provide a framework and guide for governance, management and operation of the Port to the Port Commissioners; and

**WHEREAS**, these Rules may be revised, suspended, amended or repealed by majority vote of the Port Commission when acting pursuant to and in compliance with law; and

**WHEREAS**, the purpose of these Port of Benton Rules is to foster public transparency and public accountability concerning the transaction of Port business and to protect and promote the efficiency of the Port by prohibiting incidents and areas of conflict.

**WHEREAS**, the Commission adopted the Port Commissioner Rules of Policy and Procedure most recently on January 8, 2020 under Resolution 20-03; and

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

The Commission of the Port of Benton does hereby adopt the Port Commission Rules of Policy and Procedure dated December 9, 2024.

**ADOPTED** by the Commission of the Port of Benton at its regular meeting held this 18<sup>th</sup> day of December 2024.