



APPROVED 10/10/19

MINUTES

BOARD OF COMMISSIONERS

REGULAR MONTHLY MEETING

TUESDAY, SEPTEMBER 17, 2019, 6:00 P.M.

POTB MAIN OFFICES – CONFERENCE ROOM

4000 Blimp Boulevard, Tillamook, Oregon 97141

1. Call to Order @ 6:46 p.m. due to delay in reaching a quorum.
Recognition of Persons Present: Commissioners Jim Young; Jack Mulder; Matt Mumford. Absent: Cyrus Javadi; Gerry Opdahl
Port Staff: General Manager Michele Bradley; Margaret Amick
2. Public Comment for Items Not on the Agenda - None
3. Commissioner Requests for Agenda Changes – The board members asked about Gerry Opdahl's status. On September 13, Gerry had informed Margaret verbally that he had mailed a resignation letter to the Port on September 5. The Port had not received it to date and didn't know the reason for the decision, but the board can't appoint someone to fill the vacancy until they receive official notification. Michele had recently attended an SDAO meeting and one of the topics covered was board member recruitment. SDAO had put together a recruitment toolkit and she supplied a copy to each commissioner, along with the current board member application form. Michele asked them to review and supply feedback for improving the application. She suggested it should have more information on who is the Port and what they want for the position. Jack suggested more information on the demands of the position; i.e. monthly evening meetings with occasional second meetings; and representing the Port with other organizations. For the next meeting, Michele will revamp the form by incorporating changes emailed directly to her and make up a fact sheet to go with it.
4. Discussion of Letter from City of Tillamook dated September 5, 2019, Regarding Water Rate and other items. The City is tying a water rate reduction to the granting of four issues involving the Port: an undefined, no cost future easement across the Port property; no cost future easement for a reservoir tank somewhere on the Port; payment of water system development charges; and waiving of the easement fees for the trail between Goodspeed Park and the Hoquarton Slough. Michele reminded the board that the Port paid \$250,000 against the SDCs for future projects when the Port updated the water line during the FEMA projects. Jim Young stated that he is uncomfortable with agreeing to the City's terms without them being clearly defined and documented; the rest of the board agreed. They instructed Michele to respond to

the City with a letter suggesting a meeting with the Port's negotiation team. The letter will talk about the industrial rate, or a lower municipal rate; detail the amount the Port feels overcharged since the 2018 increase; and that the board wants only the water rate issue discussed at the meeting. Jim Young and Matt Mumford will be on the team, along with Michele and Aaron.

5. Discussion and Consideration of Consent Agenda

- a. Prior Meeting Minutes – August 20, 2019 Regular Meeting
- b. Lease Order #19-21, Pacific Restaurant; storage; mo. to mo., Building 19, Suite 340
- c. Lease Order #19-23, Bill Merrill; Firewood Stand; Annual; MP 846.27
- d. August 2019 Financial Report – Commissioners are encouraged to call Pami regarding any questions on the financials and Michele can find answers for them also. Pami will be back to attending the meetings at the end of volleyball season.

Jim Young moved to approve the Consent Agenda as presented, Matt Mumford seconded. There was a short discussion of the events at the August meeting and then the motion carried (3-0); Cyrus Javadi and Gerry Opdahl absent.

6. Update and Discussion on Woodmark Cedar Property – Michele asked the board for guidance in determining how much of the areas of concern identified in Phase I are to be addressed in Phase II. A fully certified Phase II will cost \$23,200 and may require additional cleanup costs if mitigation is required. Jim asked if the Port's ability to lease the property to another tenant would be affected if Phase II isn't complete. Michele said that of the two interested parties, one wants a clean site and the second isn't concerned about it. The board reached a consensus to move forward with a full Phase II in order to document the condition of the site to date.
8. **7:30 pm:** Executive Session per ORS 192.660 (2)(f) to consider information or records that are exempt by law from public inspection. Jack Mulder recessed the Regular Meeting and opened Executive Session. At 8:06 p.m. he closed Executive Session and reconvened the Regular Meeting.

7. Manager's Report

- a. OCSR Update – Tolling Agreement with EPA; RE: Salmonberry. Michele met with OCSR in early September and reminded them of the December 31, 2019 extended deadline for completing the cleanup from the work done in 2014 on the Salmonberry River. The violation of the Clean Water Act cited by the EPA and Army Corps of Engineers was supposed to be corrected and closed out by February 19, 2019. If OCSR didn't meet that timeline, the Port could pass on extending their agreement due to violation of the terms of their lease. OCSR made a tolling agreement with the EPA to extend their deadline through February 19, 2020, however, that does not change their deadline with the Port. There is some concern with the board regarding the financial ability of OCSR to maintain the rails and assets. Michele reported that the general manager has resigned, and a replacement hasn't been named yet. Michele will contact OCSR about having a representative come to a board meeting for an update on its progress with the EPA and its funding for assets.

- b. Update on RX 1895, ODOT Crossing Closure Agreement for Closing Multiple Rail Crossings – With the designation of the Port's rail line as rails to trails, Washington County doesn't want to maintain the crossings on the east end anymore. ODOT has approved the closure which allows the rail to be removed from the crossings and the road paved. The Port still plans on selling the Banks yard.
- c. Update on DEQ NPDES Permit (Wastewater) – DEQ is far behind in processing renewed permits so the Port's updated permit for lagoons haven't been received yet. Julie Ulibarri is handling the Port's account and notified Michele that the Port isn't required to submit a Facilities Plan and gave her a proposed 48 month timeline for the compliance schedule.
 - i. Future needs/schedule – will need to hire engineer to assess lagoons for possible dredging and other requirements. Michele thinks that the Port will qualify for funds from Business Oregon if work is mandated by DEQ.
- d. Update on Annual DEQ inspection for Landfill Permits #1132 and #1107 – The Port should receive the report shortly, but no issues were found from the inspection.
- e. Update on Final Report to DEQ for Solid Waste Permit #1550/Digester Spill – Michele received the final draft report and will review it the next day and submit it. Michele informed the board of a disagreement regarding the status of Anderson Creek. Jeremy Fleming from DEQ says the spill affected waters of the state since Anderson Creek on the map is at the outfall. She believes it is part of the stormwater system and that the creek was not historically on the Port property. She said it may require major discussions in the future.
- f. Staff Changes – Jodi Hoffert has taken a part time job so she can spend more time with her grandchildren. Shad Coulsen has come on for a three month trial to fill her position, transferring from the Air Museum. Jared Abbott is no longer with the Port.
- g. Recent Vandalism around Industrial Park – There have been locks cut on gates and thefts from docks. There are plans to mount cameras for increased security.

9. Committee Reports (As Time Allows)

- a. Tillamook Lightwave – Jim Young – No meeting since last POTB meeting. Jack asked if TLW is connected to the landing going in at Tierra Del Mar and Jim said there is no connection.
- b. Salmonberry Trail – Jack filled in Matt with the background on STIA and the new Salmonberry Trail Foundation. He is scaling back on his time with the Salmonberry Trail, specifically the Tillamook Forest Heritage Trust, but will continue as the Port's liaison to STIA.
- c. Friends of Tillamook Air Museum (FOTAM) – Matt Mumford reported that the finances weren't discussed since Gerry Opdahl was not there. The board voted to increase the number of members to thirteen and voted Carolyn Decker on as a regular member. Michele said that Carolyn will be taking over the finances from Gerry since he has indicated he is will not be attending the meetings. Matt reported that the board members are expected to be active fundraisers.

- i. Engineering Study – needs/responsibility - Jack would like to have the Port fund a new engineering study on Hangar B's condition. Jack spoke of having an evaluation of separate parts of the hangar – monitor; box beams; roof. Possible funding – a bond; donations; state or federal funds (earmarks?). Bruce Lovelin is consulting with Aaron Palter about writing an RFP for the engineering study.
- ii. Possible board appointment – tabled until resignation is official.

10. Communications

- a. Next Special Meeting/Board Training – **Tuesday, September 24, 2019** Dinner @ 6:00 p.m., training to begin after.
- b. Next Regular Board Meeting – **Tuesday, October 22, 2019 @ 6:00 p.m.** – Matt Mumford unable to attend, may be rescheduled

11. Adjournment @ 9:13 p.m.