



MINUTES Approved 4/19/11

OF THE PORT OF TILLAMOOK BAY
BOARD OF COMMISSIONERS REGULAR MONTHLY MEETING
HELD ON
TUESDAY, MARCH 22, 2011 AT 6:00 P.M.
Port of Tillamook Bay
4000 Blimp Boulevard
Tillamook, Oregon 97141

1. Commissioner Dove called the Regular Board Meeting to order at 6:00 P.M.
2. Recognition of Persons Present
 - a. Commissioners: Jerry Dove (President); Jim Young (Vice President); John Ficher (Secretary); Bill Baertlein (Treasurer); and Georgine Beveridge.
 - b. Staff: Michele Bradley (General Manager); Karin Gitchel (Office Administrator).
 - c. Media: Laura Ruggeri (Tillamook Headlight Herald)
 - d. Public: Gus Meyer (Private), Butch Parker (Tillamook County), Carolyn Decker (Local Realtor), Eric Eckfield (DAY CPM), John Lewis (POTB)
3. Public Comment
 - a. There was no public comment at this time.
4. Consent Agenda
 - a. Port Financial Report
 - b. Railroad Financial Report
 - c. Minutes from 2/22/2011 (Regular) and 2/25/2011 (Special)
 - d. ACTION: Commissioner Ficher moved to accept the Consent Agenda and minutes from 2/22/11 and 2/25/11. Commissioner Young seconded the motion. There was no further discussion. The Motion was carried by unanimous vote of all Commissioners present (5-0).**
5. FEMA Alternate Projects Update
 - a. Monthly Update – Day CPM Services
 - b. Ms. Bradley shared a brief update on the current spending and dollars spent and reimbursed.
 - c. Mr. Eckfield provided the Board an update regarding the process of CM/GC bidding process that has been discontinued due to the FEMA requirements and rules. He provided an overview on how the Port has modified this to become a Pre-Qualified Hard bid process and identified the key changes and adjustments to how this new bidding process will attract local contractors. Commissioner Dove asked whether this will affect the contractors who attended the training last week? Mr. Eckfield shared that this will not affect them as they still have the same process. Commissioner Young asked regarding the local contractors and how we can hold the bidders feet to the fire of using them. Mr. Eckfield shared that one of the requirements in the RFQ will be the same asking them to show their plan of action and method of inviting local area companies. Mr. Eckfield asked the Board to look at April 8 to have a FEMA Alternate Projects Workshop with the Board. The purpose of this meeting will be to go through all pieces of the projects planned,

budgets and scope of all the projects. The consensus of the Board was that they would be available to meet at 9:00 AM on Friday, April 8, 2011. He identified that there will also be a survey sent to all the board members that they are going to need to return to Ms. Bradley prior to this workshop. Mr. Eckfield stated that the goal of this priorities list is to ensure that there is a plan. Commissioner Dove said that once budgets are known, this might change the priority. Mr. Eckfield identified that yes he was aware of that. Ms. Bradley shared that there is a chance that the bid process will have a lower cost due to current market. Commissioner Young had a question regarding the placement of buildings being put at the old rec hall site, that he had heard the siting had issues. Mr. Eckfield shared that it was SHPO issues with the view shed and the location, and that after our SOI certified Historical people worked with SHPO to resolve this issue and that this is being taken care of.

6. Discussion and Consideration of **Resolution 2010-2011 #14 in the Matter of Accepting the Grant Agreement between the POTB and the State of Oregon, Acting through the Department of Administrative Services for the Second Lottery Bond Sale of \$6,404,697 for 25% Match to the FEMA Alternate Projects**
 - a. **ACTION: Commissioner Young moved to accept the Resolution 2010-2011 #14 in the Matter of Accepting the Grant Agreement between the POTB and the State of Oregon, Acting through the Department of Administrative Services for the Second Lottery Bond Sale of \$6,404,697 for 25% Match to the FEMA Alternate Projects. Commissioner Baertlein seconded the motion. There was no further discussion. The Motion was carried by unanimous vote of all Commissioners present (5-0).**
7. Discussion and Consideration of POTB Order #10-006 Notice of Intent to Award a Contract for Civil Engineering Services – Roads Projects, Septage Receiving Station and Water Loop Connection
 - a. **ACTION: Commissioner Baertlein moved to approve the POTB Order #10-006 Notice of Intent to Award a Contract for Civil Engineering Services – Roads Projects, Septage Receiving Station and Water Loop Connection to Harper Houf Peterson Righellis, Inc. Commissioner Young seconded the motion. There was no further discussion. The Motion was carried by unanimous vote of all Commissioners present (5-0).**
8. Industrial Park Update and General Business
 - a. Federal Delegation Visits
 - i. Ms. Bradley shared that Senator Wyden was here recently. She then noted that Congressman Schrader would be here for a town hall this Friday in Rockaway and also an annual community roundtable that she and Commissioner Dove will be at.
 - b. SPWF #L10001 Closeout
 - i. Special Works Fund has been completed, and that we have received notice for the match funds.
 - c. Update on Tillamook Lightwave
 - i. Commissioner Young shared that there are still issues with upgrades and cash flow, but with new tenant things are looking better. He shared that Netarts Oceanside is building a new sewer plant and that Lightwave will be putting in a substation to allow them to service fiber optic to that area.
 - ii. Mr. Parker requested to add something, Commissioner Dove approved it. Mr. Parker shared that the people digging the bore called him and that they are doing very well and getting things done.
9. Railroad Division Reports
 - a. ODOT Inspection
 - i. Ms. Bradley provided an updated regarding the ODOT inspections that there were no violations and that the issues have been completed.
 - b. Werner Crossing
 - i. Ms. Bradley shared the proposal from Mr. Werner regarding what he really needs for his crossing, instead of what was provided by Port Staff.

- ii. She also shared that local businesses are removing the tracks on their property that they installed with their own money. The runaround tracks are needed for turning the train around.
- c. **ACTION: Commissioner Young moved to keep the main line in and allow Werner to proceed as indicated in his plan. Commissioner Baertlein seconded the motion. Commissioner Beveridge disagreed and said that this is against the future of the railroad and whomever comes in to run it, and thinks that this is a bad idea. Commissioner Young stated that he would have agreed except that there are turn arounds available within a reasonable distance. The Motion was carried by 3-2 vote of all Commissioners present (3-2). In favor: Commissioner Dove, Commissioner Baertlein and Commissioner Young. Opposed: Commissioner Beveridge and Commissioner Ficher.**

10. Digester Update

- a. Status of Operations
- b. Ms. Bradley shared that they have been up and running, with repairs.
- c. Commissioner Ficher asked about the tax credits. Ms. Bradley shared the amount earned and that this will be arriving at Port in the last week of March.

11. Airport Division Report

- a. FAA-AIP Updates – Fencing/Drainage
- b. Notice of construction bids due April 7, 2011.

12. Lease Issues

- a. Discussion of Farm Value Rent Schedule
- b. Ms. Bradley readdressed this issue as Commissioner Ficher was absent when the Board discussed in the past. She asked the board what the Board wished regarding the bidding process or just an increase in rent. Commissioner Ficher said that this might increase income for Port.
- c. Bidding for the property, with a 5 year lease.
- d. Create a plan and share it with the farmers.
- e. Start the process at the minimum bid.
- f. Give individuals who are interested a chance at it.
- g. Young: we have to be fair to our tenants that this will not be a good thing.
- h. Ms. Bradley asked whether there was a benefit to being a long term tenant. The Board said no.
- i. Field bid
- j. Notify the current leasee, express that this is because of expressed interest in the community.
- k. ACTION: Commissioner Young moved to update the current schedule to affect the realities of today with the current farm fee structure. Commissioner Beveridge seconded the motion. There was no further discussion. The Motion was carried by unanimous vote of all Commissioners present (5-0).**

13. Commissioner Dove recessed the Regular Board meeting 7:40 P.M.

14. Commissioner Dove opened the Executive Session at 7:41 P.M. per

- a. ORS 192.660 (2)(e) for real property transactions; and
- b. ORS 192.660 (2)(h) to consult with counsel with regard to litigation likely to be filed; and
- c. ORS 192.660 (2)(i) for performance evaluation of a public officer

15. Commissioner Dove adjourned the Executive Session at 9:04 P.M.

16. Commissioner Dove called the Regular Board meeting back in session at 9:05 P.M.

- a. **Commissioner Dove entertained a motion based on the Port Manager evaluation for 2010, that no bonus be awarded and continue with contract amount. Commissioner Young moved to accept motion. Commissioner Baertlein seconded. There was no further discussion. The Motion was carried by unanimous vote of all Commissioners present. (5-0)**

17. Communications

- a. Whiskey Creek Fin Clipping, Saturday 4/9/11

- b. Next Regular Port Board Meeting, Tuesday, 4/19/11, 6:00 pm
 - c. Tentatively Scheduled Special Board Meetings, if needed, Fridays at 10:00 am
- 18. Other Business
 - a. There was no other business to share.
- 19. Commissioner Comments
 - a. There were no other commissioner comments at this time.
- 20. Commissioner Dove adjourned the Regular Board meeting at 9:07 P.M.