



**APPROVED 07-20-2010**

**MINUTES  
OF THE  
BOARD OF COMMISSIONERS  
MEETING**

**HELD ON**

**Tuesday, June 22, 2010  
6:00 p.m.**

**AT**

**Port of Tillamook Bay  
4000 Blimp Boulevard  
Tillamook, Oregon**

**1. Call to Order; Recognition of Persons Present**

Board President Jerry Dove called the meeting to order at 6:02 p.m.

Commissioners: Jerry Dove (President); Ken Bell (Vice President); John Ficher (Secretary); Jim Young (Treasurer); and Bill Baertlein (Commissioner).

Staff: Michele Bradley (General Manager); John Lewis (POTB Roadmaster); and Aaron Palter (Project Coordinator).

Public: Jack Crider (Port of Astoria); Alene Allen; Georgine Beveridge; Carolyn A. Decker; Gus Meyer; and Lee Ann Neal (Headlight Herald).

Commissioner Dove recognized this being Commissioner Bell's last meeting as a Port Commissioner. He commented on his years of service to the Port and said the Board will definitely miss him. He said he admires Commissioner Bell's ability to disagree and still remain professional.

Mr. Jack Crider commented on his past working relationship with Commissioner Bell.

## **2. Public Comment**

There was no public comment.

## **3. Consideration of a Letter to board from Eco-Proteins for forward movement of their Project at Port**

Commissioner Dove informed the Board the presentation has been canceled due to pending legal action involving Eco-Proteins. Ms. Bradley described the letter request for the Board.

**Commissioner Young made a Motion to table the matter until Eco-Proteins presents to the Board. Commissioner Baertlein seconded the Motion. There was no discussion. The Motion was carried by a unanimous vote of all Commissioners present (5-0).**

## **4. Consideration of Port of Tillamook Bay Budget for Fiscal Year 2010-2011 with Resolution #2009-2010 #15**

Ms. Bradley discussed the Budget Committee's recommendation with the Board. She said there was no public comment received at the recent Public Hearing during the Budget adoption process.

**Commissioner Young made a Motion to approve the Budget Committee's recommendation and adopt Resolution #2009-2010 #15 as presented. Commissioner Ficher seconded the Motion. Commissioner Bell noted the amount of the total adopted budget: \$28,426,553. There was no further discussion. The Motion was carried by a unanimous vote of all Commissioners present (5-0).**

## **5. Port Financial Report Discussion and Approval**

Ms. Bradley said overall figures are positive for the month and year to date. Commissioner Young discussed a late payment reflected in the financials. There was also a discussion of FEMA funds and their effect on the Port financials. The Board discussed how to handle any write-offs. Ms. Bradley said this is handled by the audit. The Board then discussed the Port's usage of credit cards.

**Commissioner Bell made a Motion to approve the financials. Commissioner Young seconded the Motion. There was no discussion. The Motion was carried by a unanimous vote of all Commissioners present (5-0).**

## **6. Railroad Financial report Discussion and Approval**

Ms. Bradley said money continues to be collected on the recent property sale contract. She said Banks moved 163 cars through May, more than all last year. There was a brief discussion about switching fees with PNWR and whether \$8,000 a month is worth it. There was a brief discussion about payments from the Oregon Coast Scenic Railroad. Ms. Bradley said an amended agreement is in process; however, OCSR does catch up on their payments during the year.

Commissioner Baertlein noted the financials indicate a \$24,000 over expenditure for the year; and he questioned the need for a resolution to address this. Ms. Bradley responded she will look into this.

**Commissioner Ficher made a Motion to approve the financials. Commissioner Young seconded the Motion. There was no discussion. The Motion was carried by a unanimous vote of all Commissioners present (5-0).**

Commissioner Dove asked if letters have been sent out to property owners along rail crossings. Ms. Bradley responded yes, that staff is addressing this.

Commissioner Baertlein asked about the Port's rental agreement policy. Ms. Bradley discussed recent events and the Board's request to examine policies and update them. There was a discussion about setting a Workshop for Monday, July 26, 2010 from 10:00 to 2:00 p.m. A list of SDAO recommended policies should be presented to the Board prior to the Workshop.

There was a discussion about the Port's railroad right of way near Hoquarton Slough in Tillamook related to ODOT's Highway 101/6 Realignment Project and other interested persons. Mr. Jack Crider said there may be certain revisionary clauses to consider. The Board discussed the possibility of ODOT paying for legal research as a part of this project.

## **7. Approval of Minutes from 5/18/10**

**Commissioner Young made a Motion to accept the 5/18/2010 Minutes as presented. Commissioner Baertein seconded the Motion. There was no discussion. The Motion was carried by a unanimous vote of all Commissioners present (5-0).**

Ms. Bradley noted an incorrect dating in the Minutes of a previous meeting. This was caught by the auditors during a recent review; and it has been corrected. However, the Board needs to be informed.

## **8. FEMA Alternate Projects**

### **a. Current Requests for Proposals – Updates**

Mr. Palter provided the following updates to the Board:

The RFP for A/E Services Campus Wide Improvements resulted in 106 people on the Planholders List and approximately 80-90 people from approximately 40 firms attending the recent Mandatory Pre-proposal Conference on June 15. The RFP closes Friday, July 2, 2010 at 4:00 p.m.

The Mandatory Pre-Proposal Conference for the RFP for A/E Services Digester Project will occur on June 29 at 10:00. Currently, there are 84 people on the Planholders List. The RFP closes Friday, July 16, 2010 at 4:00 p.m.

The RFP for Accounting Services should be issued within the next couple of days. A Mandatory Pre-Proposal Conference is scheduled for Tuesday, July 13, 2010 at 10:00; and the RFP closes July 27, 2010 at 4:00 p.m.

Mr. Palter said that all contracting opportunities have been issued using the Port's current method of notice. In addition to this, Mr. Palter said he is taking advantage of the Port's association with the Oregon Public Information Network system to utilize and better handle the document maintenance requirements of the public contracting process. He said there has been a lot of staff time dedicated to this process and suggested streamlining this demand by utilizing the ORPIN system as the Port's primary means of communicating public contracting opportunities. The ORPIN system provides a better method of communicating with interested persons where the Port's current policy utilizes very time-consuming methods for handling public contracts. He suggested the Board amend its current Business Matters Resolution and Public Contracting Policy at the beginning of the next fiscal year to make use of this better method of public contracting handling and delivery.

**b. Update on Status of Alternate Project requests**

Mr. Palter provided his monthly report to the Board.

**9. General Business**

**a. PPM 833 Strategic Business Plan – Closed**

Ms. Bradley said this has been officially closed. The process has been completed, which provided the Port with an updated Strategic Business Plan, its first update in many years.

**b. Industrial Park Roads – Road Vacation Process Update**

Mr. Palter provided a brief update to the Board. The Petition should be filed soon which will seek a transfer all roads from Tillamook County within the Port's Industrial Park to the Port's ownership and control. All roads will remain as public rights of way. Following completion of this, the Port will improve all roads as a FEMA Alternate Project.

**c. SDAO Medical Insurance Changes**

Ms. Bradley informed the Board of recent cost-control changes to the Port's medical insurance plan and their effect on the existing policy coverage. These changes will result in approximately \$4,000 of savings to the Port. She said health coverage costs will be reviewed again in December.

Commissioner Dove suggested putting money into a fund to offset medical insurance costs. Commissioner Bell said that he preferred the Port use the monies to pay bills.

Mr. Gus Meyer discussed these recent changes and its effect on Soil & Water as they participate in the same plan with the Port. Ms. Bradley responded that Soil & Water is aware of this.

**d. Audit Update**

Ms. Bradley said Merina & Company has been at the Port offices all last week; they are still working on issues and will be back in two weeks to perform more field work.

**e. OYCC Grant**

Ms. Bradley discussed meeting with Rachelle Metcalfe, the project's crew leader, and said that she (Metcalfe) and 4-6 workers will be at the Port next week to begin cleanup/conservation projects.

**f. Discussions of Policies and Strategic Business Plan**

This item was handled above. The Workshop will be held on July 26, from 10:00 to 2:00.

**g. Resignation of Commissioner Bell – Replacement?**

Ms. Bradley said she hasn't received a letter from Commissioner Bell regarding his resignation from the Board. She discussed the process of providing a replacement; the Board does not have to re-advertise the position and can pull from previously interested individuals. Her concern is the upcoming Board member training and the ability to send a prospective new Board member. She has received contact from Carolyn Decker and Jill Williams who remain interested in the position once it becomes available.

The consensus of the Board was to re-advertise the position, once it has been vacated. Ms. Bradley said she will handle this, with a deadline of July 14, 2010 for responses.

**h. Update on Tillamook Lightwave**

Commissioner Young informed the Board that escrow has now closed on the landing station and the University of Washington hopes to get in there by September of this year.

**10. Railroad Division Reports**

**a. Inspection Reports – Signals**

Ms. Bradley said the Port recently received a violation. Mr. John Lewis (POTB Roadmaster) discussed a signal failure to activate violation and his investigation. FRA mandates a violation in this instance; although, the Port can appeal the decision. The current system is slated for replacement. An Appeal of the violation could result in the potential \$5,000 fine being reduced to \$1,500. Mr. Lewis said the Port has some railroad scrap metal it could sell to offset the amount of the fine.

**OTHER**

Ms. Bradley updated the Board on the American Truss lease default. No other UCC filings have been received which prime the Port. There was a brief discussion of upcoming auction proceedings for the Port's recovery of monies owed to the Port by American Truss from their default on this lease.

**b. Banks-Sellers Realignment Project**

There was a brief discussion about the contract process; and Mr. Palter informed the Board of the project's status. Rail work is scheduled to occur at the end of July; and road work is currently ongoing with Washington County handling this.

**c. Modoc Rail Academy**

Ms. Bradley discussed a recent email from Marshall Doak (Tillamook County Economic Development) who has been handling the groundwork and forward push on this. The Port is being asked if it would support a Federal Appropriation Request. Commissioner Young said his feeling was the Board should do more investigation before any commitment is made. Modoc's timetable is Fall of 2011 for a relocation to the Port, if successful.

**d. \*ADDITION\* Letter of support to Tillamook County Public Works and Approval of Project for ODOT Pedestrian or Bicycle Improvement Grant Application for 12<sup>th</sup> Street Improvements over Railroad Tracks**

Ms. Bradley said the application deadline is July 9, 2010 for this letter of support request.

**Commissioner Young made a Motion in support of the request. Commissioner Baertlein seconded the Motion. There was no discussion. The Motion was carried by a unanimous vote of all Commissioners present (5-0).**

**11. Airport Report**  
**a. TPA Newsletter**

No action.

**b. AIP Update (Airport Master Plan, Drainage and Fence)**

Ms. Bradley said the previous SHPO issue has been resolved. Recent work here can also benefit the FEMA Alternate Project process and has been used on recent activities with the Programmatic Agreement, a part of the FEMA process.

**c. FAA GPS, WAAS and LPV Actions**

Ms. Bradley said the surveying has been done. The next step is aerial photography.

**d. Connect Oregon III Review**

Ms. Bradley said the Port did not make the final cut on its recent request for an Intermodal Air/Freight Transfer Depot.

**12. Lease Orders**  
**a. Stuart Smith – vehicle parking at Airport**  
**b. J & K Distributing – Building 11, cold storage**  
**c. JL Reitdyk Trucking – Temporary truck storage at airport circle**

**Commissioner Bell made a Motion to approve the Lease Orders. Commissioner Ficher seconded the Motion. There was no discussion. The Motion was carried by a unanimous vote of all Commissioners present (5-0).**

**13. Communications**

Commissioner Dove read the communications.

**14. \* ADDITION \* Executive Session per ORS 192.660 (2) (e) for Real Property Transactions**

Commissioner Dove read the appropriate language for the executive session.

(Whereupon the meeting was recessed into Executive Session between 7:14 p.m. and 7:50 p.m.)

**15. Public Comment**

Georgine Beveridge said she remains interested in any vacant Port Commissioner position.

**16. Commissioner Comments**

Commissioner Bell asked about interim financing for the FEMA Projects. Ms. Bradley responded she is working on this.

Commissioner Bell commented on his 25+ years as a Port Commissioner and good run over his years of service. He discussed his appreciation of Jack Crider coming down for his last meeting as a Commissioner and their past working relationship.

The Board discussed Commissioner Bell's service to the Port.

**17. Adjournment**

The meeting was adjourned at the hour of 7:55 p.m.

These Minutes were recorded and reduced to typewritten form by Aaron Palter, Project Coordinator.