



APPROVED 9/20/23

MINUTES

POTB BOARD OF COMMISSIONERS

REGULAR MONTHLY MEETING

PORT OFFICE, 4000 BLIMP BLVD., TILLAMOOK – CONFERENCE ROOM

WEDNESDAY, AUGUST 16, 2023 AT 6:00 P.M.

<https://us02web.zoom.us/j/83129151116?pwd=dkFRM0VsWk1U04yQnh6UU00ekNndz09>

Any comments or written testimony, if allowed, may be submitted to mbradley@potb.org up to 3:00 pm on the afternoon of the meeting

1. Call to Order @ 6:05 p.m.
Recognition of Persons Present: Commissioners Jack Mulder, Matt Mumford, Kevin Stoecker, Bill Baertlein, and on Zoom, Sierra Lauder
Port Staff: General Manager Michele Bradley, Pami Boomer, Shad Coulson, Rita Welch, and Margaret Amick
Public: Gary Bond

Public Comment for Items Not on the Agenda: None
2. Jack Mulder administered the Oath of Office to newly re-elected Commissioner Matt Mumford, Position #2.
3. Consent Agenda
 - a. Minutes for 7/19/2023 - Regular Meeting
Bill moved to approve the Consent Agenda as presented, Kevin seconded and the motion passed 4-0-1; Matt abstained since he didn't attend that meeting.
4. Air Museum Director Rita Welch reported that the booth at the fair was operated by the Friends of Tillamook Air Museum (FOTAM) with minimal shifts covered by museum staff. Preparation for the 80th Anniversary event is ongoing; most of the dinner/dance tickets have been sold and there is a full slate of displays and activities scheduled during the day. She provided an article from The Oregonian spotlighting Hangar B and the fundraising efforts by FOTAM for the repair and restoration of the building.

5. Office Administrator Report – Pami said the financials for July, the first month of the new fiscal year, look good. Projects completed in July include the private hangar paving (under budget by \$6,205) and the slurry and crack seal on Blimp Blvd. using Road Maintenance funds (under budget by \$4,660). The Warehouse Business Park painting has been delayed until August, possibly September. The Septage Receiving upgrade was budgeted at \$57,000 but bid at \$90,000 so the Fire Hydrant and Storm Water maintenance projects have been pushed to the next fiscal year and the funds reallocated to the Septage project. The Building #71 Roof and Siding project can't be delayed but the budgeted amount of \$135,000 jumped to \$190,000 since the original calculation in March. Staff are working on reprioritizing projects for the funds and Pami is working with the contractor to see if the Port can split the project with the roof completed for the winter and the siding pushed into the next fiscal year. Pami has started working with the auditors in preparation for the audit in October.

6. Manager's Written Report and Discussion – Michele said the crack and slurry seal on Blimp Blvd. was completed, and then the Port contracted with Tillamook County to stripe the center lines and fog lines on the Port. Michele provided a copy of the letter to the airport hangar tenants reminding them of improvements made to the airport and informing them of the increase in rent to \$.28 per square foot, and also a letter addressing the safety issue of guests and pets accessing unauthorized areas. Damian Laviolette followed up his presentation at the July board meeting with a letter restating his family's desire to purchase 20 feet of the railroad right of way adjacent to their property. Michele said the request has been forwarded to the Salmonberry Trail Intergovernmental Agency (STIA) for review and a decision. She said that the Salmonberry Trail Foundation (STF) has been performing the administrative work for STIA and they are taking a hard line on any new encroachments, easements, or sales affecting the railroad right of way. Michele spoke with STF Executive Director Caroline Fitchett to remind her that the lease agreement calls for a reasonable consideration of requests that won't negatively impact the footprint of the trail; and a blanket refusal to approve any request will lead to legal costs for both POTB and STIA. Jack said that some new members are very enthusiastic and focused on building the trail and they don't want anything to slow down its progress; that they don't consider the effect their inflexibility could have on the goodwill of the community. Since STIA is actually the body that makes the decision on the requests, Jack and Bill think the issue will become less troublesome. Then Michele told the board about a property and house south of Jetty Creek that has sold. The previous owner had a private crossing and an easement because two thirds of the house encroached on the railroad right of way. The new owners had the house burned down and are now rebuilding in the footprint of the old house and have poured the foundation. They have no agreements with the Port; the county issued a permit without noticing the Port; and the county issued a permit for them to build on property not owned by them. Michele has contacted the Port's lawyers to issue a Cease and Desist order; she has contacted the head of the Tillamook County Department of Community Development; and she had staff researching the permits issued for the building. The board was adamant that the Port prevent the encroachment of the new construction on the right of way to keep from

establishing a precedent for future requests from property owners. Michele said she will continue communicating with the head of the Tillamook County Planning Department, the Port lawyers, and anyone else required to correct the situation. Tillamook Biogas has to submit more detailed engineered mitigation plans to DEQ. Virgil Robitsch was really appreciative for his retirement party on August 14. About 70 people attended to help him celebrate. The Headlight Herald printed an insert to the paper highlighting Successful Women of the north coast. FOTAM member and former Port commissioner Caroln Decker, and Port General Manager Michele Bradley were two of the women profiled. Michele provided a letter to the board from Amy John, Oregon Audits Division on behalf of Oregon Secretary of State LaVonne Griffin-Valade welcoming new and returning elected officials and reminding them of their responsibilities as fiduciaries of local governments. A tenant who vacated his workspace to move in a new direction expressed his gratitude for having a place to learn and grow in skills and confidence in his years at the Port. The House bill to remove the uncollectible property taxes from the Port's obligation passed and goes into effect on September 24, 2023.

7. Discussion and Consideration and Approval of USDOT Grant for Tillamook Airport through the Bipartisan Infrastructure Law (BIL) for Airport Improvement Program (AIP) No. 3-41-0060-025-2023 for the Fuel System Phase 1 – Design Scope of Work and Fee Approval for Engineering Design Services and Authorization for the General Manager to sign all required grant documents. Michele supplied a letter from the US Department of Transportation (USDOT) verifying the project to upgrade the pumps, tanks, and awnings of the airport fueling system appears to qualify for a grant to fund Phase 1. **Matt moved to Approve Applying for a USDOT Grant for Tillamook Airport through the Bipartisan Infrastructure Law (BIL) for Airport Improvement Program (AIP) No. 3-41-0060-025-2023 for the Fuel System Phase 1 – Design Scope of Work and Fee Approval for Engineering Design Services and Authorization for the General Manager to sign all required grant documents. Bill seconded and the motion passed unanimously.**
8. Discussion and Consideration of Addendum #1 to the Memorandum of Agreement (MOA) #4971 for the Southern Flow Corridor – Landowner Preferred Alternative Management Plan and signature of Board President. The addendum updates the agreement and removes sections that are no longer relevant. **Kevin moved to Approve Addendum #1 to the Memorandum of Agreement (MOA) #4971 for the Southern Flow Corridor – Landowner Preferred Alternative Management Plan, and the signature of Board President. Bill seconded and the motion passed unanimously.**
9. Annual Discussion of Board Duties and Responsibilities Policy Manual. Michele suggested some changes to the Manual. Section 4.1, A.2. changed from “Committee members will be required to pass a background check” to “may be required” depending on the duties of the committee. Section 9.2, A. changed from “Attend an SDAO Board Training once per year” to “Attend Board Trainings as required by current law. It is recommended that Board Members attend local and regional training courses with SDAO.” She also noted

discrepancies in the font to correct. Michele will make the changes and bring the policy back for approval next month.

10. Commissioner updates and written reports
 - a. Tillamook Lightwave (TLW) – Sierra provided a draft Withdrawal Agreement at the last TLW meeting. Afterward, she had some concerns about talk by TLW board members regarding bringing in other partners to the IGA after POTB withdraws. She wanted to know how the Port’s interest in the assets is protected if TLW is dissolved or restructured rather than sold outright. Sierra brought those concerns to Michele, who had the Port’s legal providers redraft the agreement to address the issue. The Port commissioners discussed the timeline for the evaluation of assets; their desire for a governmental entity to acquire and operate TLW for the benefit of the community; the imminent change in the members of the TLW board; and how to track TLW’s actions through the years to prevent the Port’s losing its share of the assets due to the evolution of TLW’s structure and/or the turnover of personnel. The board decided the revised draft protects the Port’s interests as written. Sierra will present it at the next TLW meeting and report back to the Port board in September.
 - b. Salmonberry – See Item #6
11. Communications
 - a. Wednesday, September 20, 2023 – 6:00 pm Board Meeting
 - b. General Manager vacation – October 5-13, 2023
 - c. Wednesday, **October 25**, 2023, 6:00 pm Board Meeting
 - d. Friday, November 10, 2023, Closed for Veteran’s Day
 - e. Saturday, November 11, Veteran’s Day
 - f. Wednesday, November 15, 2023, 6:00 pm Board Meeting
 - g. Thursday and Friday, November 23 & 24, Closed for Thanksgiving
 - h. Wednesday December 20, 2023, 6:00 pm Board Meeting
 - i. Monday, December 25, 2023, Closed for Christmas Holiday
12. Entered Executive Session per ORS 192.660(2)(e) to conduct deliberations with person designated by the governing body to negotiate real property transactions @ 7:54 p.m. and exited @ 8:01 p.m.
13. Adjourned @ 8:01 p.m.