

April 17, 2007

<p style="text-align:center">PORT OF KLICKITAT BOARD OF COMMISSIONERS MEETING MINUTES April 17, 2007 REGULAR SESSION</p>		
<u>TOPIC</u>	DISCUSSION/ASSESSMENT/FINDINGS	ACTION/FOLLOW UP
<u>ATTENDANCE</u>	Commissioners/Staff Present: Port Commissioners (PCs) Norm Deo, Rodger Ford & Wayne Vinyard; Executive Director (Exec.D) Dianne Sherwood, Director Marketing/Public Affairs (DM/PA) James Donnelly, Port Counsel Teunis J. Wyers and Administrative Assistant/Bookkeeper, Margie Ziegler. PC/Staff Absent: none Guests Present: Matt Riley, (Rapid Ready Mix Inc); Jim Riley, (Riley Brothers Concrete); Steve Tessmer (Roseland Property Group, LLC) and Steve Maier, (ICE)	Meeting called to order 4:30 pm
<u>PUBLIC COMMENT</u>	Port Counsel Wyers advised the PC that it is in their discretion whether to drop the first public comment part on the agenda. PC consensus that the public comment should be at the end of the meeting. Port Counsel Wyers said the PC Chairman has the right to set the meeting agenda.	<i>By Consensus the PC agreed to move the public comment to the end of the meeting.</i>
<u>COUNSEL'S REPORT</u> <u>Verizon</u>	Port Counsel Wyers said the Verizon lease is completed and was sent out on April 17, 2007.	
<u>AmeriGas</u>	Counsel said the AmeriGas lease is in the hands of AmeriGas in Valley Forge, PA, and he expects to have the final approval from them soon.	
<u>ICE</u>	Negotiations are continuing with ICE. ICE's attorney has issues with the Port prohibiting the use of chemicals (acetone) in building 1A. Steve Maier, ICE, said other tenants are using the same products. Exec.D Sherwood shared history of other building 1A tenant's complaints re: smell. She explained the fundamental goal for the Port is for tenants not to use products that interfere with other tenants. She said the new lease includes our standard language and requires the tenant to let the Port know what they are using in the building.	
<u>COUNSEL'S REPORT</u> <u>continued</u>	Exec.D Sherwood reported on the Williams gas pipeline relocation. Tenneson Engineering prepared and submitted a drawing of three proposed options for a new location of the gas lines. Williams agreed to realign with the eastside of the BPA right of way, then cross over Dock Rd to the south. Exec.D Sherwood asked the PC if they were opposed to open cuts of the road ways. PC agreed to open cuts as long as the cuts are backfilled and compacted properly. Williams does not have a schedule yet but they are working on getting their engineers on site to get the project moving forward. Exec.D Sherwood said Williams has requested the use of DIP Parcel #17 for staging equipment and she recommends to the PC that because this line relocation is a benefit to the port, the PC allow the use of Parcel #17 and other staging areas at no cost to Williams during the construction. The PC agreed. Williams asked what the Port would like done with the old lines. Williams suggested filling the lines with concrete. PC discussed options for abandoning the lines and wanted the line removed if it was cost-effective for Williams. Exec.D Sherwood said when William's easements are expired, they would like to enter into an exclusive easement that is perpetual. Counsel Wyers wants to make sure any language says the easement is perpetual but that it allows the Port to make crossings for road and utility purposes that are reasonably necessary for the operation of the Port in the future.	
<u>Williams Gas</u>	The Port has a signed interim agreement with Riley Brothers Concrete which expires August 31, 2007. Exec.D Sherwood said she talked with Jim Riley and the Port will have Riley's letter of credit next week.	
<u>Riley Brothers Concrete</u>	PC Deo asked if there are any conflicts with the Rinker proposed conveyor alignment. Exec.D Sherwood asked	

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Rinker Conveyor Alignment

Tenneson Engineering to confirm that the proposed 20-foot conveyor alignment is on the inside of the BPA right of way. Rinker had two years to submit to the Port the final alignment, but the two years have passed and they have not done so. Counsel Wyers will review the Rinker documents.

ADMINISTRATIVE MATTERS

Items approved: Minutes of April 3, 2007
Vouchers - April 16, 2007
Vouchers - April 17, 2007
Financial Report - January 2007

PC Deo M, PC Ford S a motion to approve the Consent Agenda. MP

Consent Agenda

PC Ford said Jim Donnelly's title is different throughout the minutes and should be corrected.

Financial Report

AA/B Ziegler presented the January 2007 financial report.

ADMINISTRATIVE MATTERS

Exec.D Sherwood said many people bring dogs to the Port and turn them loose, and it is important that we get a handle on this situation before it becomes a very serious problem. DM/PA Donnelly notified tenants to inform them of the proposed resolution being considered. DM/PA Donnelly said the goal of the policy was to keep dogs under voice command or on leash while at the Port. Steve Maier, ICE, stated it was not clear what areas are leashed areas and what areas are off leash. Exec.D Sherwood explained the areas on a map. The point area is for running dogs if the dogs are within voice command, and the Bingen Marina Park is leash-only. DM/PA Donnelly said it is important to make a more lenient policy first and then to come back later and make the policy more stringent if we have problems with dogs. DM/PA Donnelly stated that a map will be added to the policy. Signs will be made to designate leash and off -leash areas. PC Ford suggested, with the increase in traffic, dogs should be leashed when in the parking areas and around the buildings. PC Deo would like to give this proposed policy a six-month trial period, then revisit and adjust the policy if needed.

PC Deo m, to adopt Resolution 3-2007, with an understanding that it will be evaluated in six months, PC Vinyard S. MP

Consent Agenda continued

Resolution 3-2007 Dog Control

Exec.D Sherwood receives many inquiries from contractors wanting to dispose of fill material. DM/PA Donnelly expanded our fill placement policy that could be handed out to contractors. An extension will be made of our shoreline permit and that will allow us to accept fill until October of 2008. Not all of the property has been filled to the 100-year flood plain.

PC Deo m, to adopt Resolution 4-2007, PC Vinyard S. MP

Resolution 4-2007 Fill Placement Policy

Exec.D Sherwood said the goals and priorities that were discussed during the retreat last fall were not formally adopted during the budget process in November 2007 and recommended that they be formally adopted. She said it was nice to see that the Port is well underway on many of the goals set last fall.

PC Vinyard m, to adopt the 2007 Goals and Priorities, PC Deo S. MP

Reaffirm Goals Adoption 2007

Exec.D Sherwood said the condition of the asphalt will be corrected next month. The landscaping will be finished soon and the punch list items are being taken care of, which will complete Building 1E.

Executive Director's Report Bingen Point

Bldg 1E Update:

Maple Street Improvements

Exec.D Sherwood shared the maps of the City of Bingen's planned Maple Street improvements. The City is not considering up sizing the current 6" water line that crosses the railroad tracks on Maple Street. They are asking that the Port change the approach to Lakeview/Maple St. by aligning Shore Dr. to more of a right angle to Lakeview/Maple St. The City of Bingen will be making the improvements the fall of 2007. The railroad has installed crossing arms at the railroad tracks to improve safety, but it is unknown if there are plans for additional pedestrian safety at the crossing.

Exec.D Sherwood and DM/PA Donnelly met with Tenneson Engineering which has developed another set of grading plans, which were shown. The plans will be shared with Brad Roberts.

Executive Director's Report

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Bingen Point continued

Bingen Point Grading Fill Project

Dallesport Industrial Park* (DIP)

Destination Resort Overlay Zone

Aggregate Mining - Update

MISCELLANEOUS

Committee Update:

Dallesport Community Council

Public Comment

ADJOURNMENT

Steve Tessmer talked about the proposed Destination Resort Overlay Zone in Dallesport. Steve said that in order for the golf course and resort to move forward, there needs to be a zone change. He would like the port to write a letter of support. He said a zoning change has been on the drawing board since 2002-2004 for Dallesport. He said the KC Planning department has embraced the concept of a zone change. Steve is trying to accelerate the process. He hopes to start the golf course November 1, 2007. The zoning change needs to go through the public process.

The PC agreed to have Exec.D Sherwood announce top picks for aggregate mining. The top two were Granite Construction and James Dean Construction. She has talked or left messages with everyone else and let them know that the Port is still in the selection process and that they should not rule themselves out, as no one company hit 100% of the Port's criteria.

DM/PA Donnelly gave an update of the Dallesport Community Council meeting he and PC Ford attended stating they received a positive reception. He answered questions regarding the Port's accomplishments and the IDD tax increase. He will continue to go to the Dallesport meetings and give updates. PC Ford encouraged the Dallesport residents to attend Port meetings and to go to the Port's website for more information. There was discussion regarding the amount of funds that have been invested in infrastructure projects at DIP and the outstanding job DM/PA Donnelly did on the port at a glance report.

PC Ford met with Andrea Klaus from Port of the Dalles. She was excited to hear of the improvements planned at the airport and DIP.

PC Ford: no MCEDD meeting
PC Deo: Airport 4/20/07
PC Vinyard: EDA 5/1/07

We celebrated Port Counsel Wyers and PC Vinyard birthdays.

Matt Riley said they signed the interim aggregate agreement but it did not remove language requiring that they remove the night watchman trailer within 90 days. Matt Riley said that it is imperative that they keep the trailer as long as Riley's equipment is there. PC agreed the trailer could stay as long as Riley makes the commitment to move the trailer when they leave not later than August 31, 2007. Matt said the night watchman is aware that he is to move into fenced area on their property after the equipment is moved. Matt Riley would like a note made in the margins of the agreement to allow the trailer to stay until the equipment is moved off site.

By consensus the PC would like input from the Airport board before writing a letter of support.

By consensus, the PC agreed to direct Exec.D Sherwood to add in the margins of the lease language to allow the trailer to stay as long as equipment is on the property or August 31, 2007.

Approved on: _____
(Date)

Margie Ziegler, Administrative Assistant

April 17, 2007

Dianne Sherwood, Executive Director

Roger Ford, Chairman