

Minutes of the meeting of the Port of Whitman County of May 6, 2010.

MEETING CALLED TO ORDER: The meeting was called to order at 10:00 a.m. in the Port office in Colfax, Washington. Present were Commissioners Boone and Love, the Executive Director, the Properties and Development Manager, and the Port Attorney. Also present was Joe Smillie of the Whitman County Gazette and Tom Kammerzell.

APPROVAL OF MINUTES: A **MOTION** was made to approve the Minutes of the meeting of April 15, 2010, as mailed and entered in the minute book. The motion carried.

APPROVAL OF CLAIMS: The Commissioners considered the claims.

Commissioner Love inquired as to the claim of Strata Engineering, No. 19695. The Executive Director responded that approximately \$3,000 of the claim was for engineering services pertaining to the soil testing for Subdivision II at Wilma and the balance was for engineering for the bulkhead emergency repair at Almota.

Commissioner Boone inquired as to the nature of the improvements to the Henley Court Building reflected in Claim Nos. 19699 and 19700. The Executive Director responded that Claim No. 19699 was for the "wire" partition installation in the Henley Court Building, segregating the building for tenant security purposes. A photograph of the partition was presented. Claim No. 19700 was payment on the retainage for the improvements to space leased to Port tenant Merry Cellars.

A **MOTION** was made to approve Claim Nos. 19660 through 19700 totaling \$148,588.81 and electronic funds transfer for payroll taxes of \$6,148.04. The motion carried.

COMMISSIONER GRONHOLZ: Commissioner Boone made a statement of appreciation on behalf of the Commissioners regarding Commissioner Gronholz. He noted that Commissioner Gronholz would be missed both as a friend and a colleague who had given over 13 years of dedicated service to the Port.

REVIEW OF ACCOUNTS RECEIVABLE: The Commissioners next reviewed the accounts receivable. Discussion regarding the Bravard claim was reserved for executive session as it pertained to pending litigation.

The Properties and Development Manager reported that she was working with WBS Connect on their late payment.

RESOLUTION NO. 10-05: A **MOTION** was made to pass Resolution No. 10-05 pertaining to appointing Commissioner Boone as a signatory on certain Port bank accounts. The motion carried.

CHANGES TO BANKING AGREEMENTS WITH BANK OF WHITMAN: A **MOTION** was made to authorize changes in certain banking agreements with the Bank of Whitman, naming Commissioner Boone as signatory. The motion carried.

RESOLUTION NO. 10-06: A **MOTION** was made to pass Resolution No. 10-06, an additional banking resolution, relating to naming Commissioner Boone as signatory on certain bank accounts. The motion carried.

NEW BANKING AGREEMENT WITH BANK OF AMERICA: A **MOTION** was made to sign a new banking agreement with the Bank of America, adding Commissioner Boone as a signatory on the Bank of America accounts and bank box agreement. The motion carried.

PORT OFFICERS FOR REMAINDER OF 2010: A **MOTION** was made to elect Commissioner Boone as President and Commissioner Love as Vice President and Port Secretary for the balance of the year. The motion carried.

INDUSTRIAL DEVELOPMENT CORPORATION MEETING: At 10:25 a.m., the Port President called for a recess for the purpose of convening an Industrial Development Corporation meeting.

REGULAR MEETING RECONVENED: At 10:26 a.m., the regular meeting of the Port of Whitman County reconvened following the Industrial Development Corporation meeting. Present were Commissioners Boone and Love, the Executive Director, the Properties and Development Manager, the Port Attorney, Joe Smillie of the Whitman County Gazette, and Tom Kammerzell.

REGULAR MEETING RECESSED: At 10:35 a.m., the Port President announced that the meeting would recess for the purpose of the annual Commissioner inspection of Boyer Park, with the regular meeting to reconvene at 11:15 a.m. at the Boyer Marina facilities.

REGULAR MEETING RECONVENED: At 11:20 a.m., the regular meeting of the Port Commission of the Port of Whitman County reconvened at the Boyer Park and Marina facilities. Present were all Commissioners, the Executive Director, the Properties and Development Manager, the Port Attorney, Joe Smillie of the Whitman County Gazette, and Tom Kammerzell.

BTOP GRANT: The Executive Director reported that NoaNet had accepted the Broadband Technology Opportunity Program (BTOP) grant from the National Telecommunications and Information Administration (NTIA) of the U.S. Department of Commerce. The Executive Director and the Port Attorney reported that the Port will be entering into a sub-recipient agreement with NoaNet as the primary recipient.

NEW PORT COMMISSIONER: The Commissioners discussed the appointment process for a new Commissioner. It was noted that the following individuals had submitted their names as candidates for the position: Jack Fulfs, Tom Kammerzell, Eric Larsen, Don Cox, and Jeff Phelps. A **MOTION** was made to schedule and conduct interviews with the candidates who have applied and not take any additional applications. The motion carried. Discussion ensued on scheduling interviews.

PORT COMMISSION MEETING OF MAY 20, 2010, RESCHEDULED: It was noted that the next regular meeting of the Port Commission was scheduled for May 20, 2010, which conflicts with the scheduled date for presentation of the CERB loan application to the CERB Board at SeaTac. A **MOTION** was made to reschedule the Commission meeting of May 20, 2010, to May 17, 2010, at 10:00 a.m. at the Port office in Colfax, Washington. The motion carried. It was noted that Commissioner Love will plan to attend the meeting with the CERB Board on May 20, 2010.

INTERVIEWS WITH COMMISSIONER CANDIDATES: The staff was asked to schedule interviews with Commissioner candidates on May 17, 2010.

PORT COMMISSION MEETING OF JUNE 3, 2010, RESCHEDULED: Due to various conflicts in scheduling, a **MOTION** was made to reschedule the regular meeting of June 3, 2010, to June 8, 2010, at 10:00 a.m. at the Port office in Colfax. The motion carried.

EC ENTERPRISES MOTOCROSS FACILITY PROPOSAL: The Executive Director reported on the EC Enterprises motocross facility proposal for the property north of the highway at Wilma. He reported that the Port has assisted the company in the conditional use application process. The Whitman County Planning office has issued a Conditional Use Permit. He reported that the Port has "taken the project as far as it can go without engineering and development plans." Some time ago he met with Mr. Christiansen as to the scope of engineering that would be necessary for the Port to make a decision as to its

interest in the proposed project. He noted that the company has not been forthcoming with engineering and site plans. He also reported on the concerns with the compatibility of the project with other uses at Wilma.

A **MOTION** was made to advise EC Enterprises and Eric Christiansen that the Port has not been able to determine the compatibility of the project with the Port's objectives for Wilma and, as a consequence, the Port has declined to accept the proposal as suitable for the site. The motion carried.

REGULAR MEETING RECESSED: At 12:00 p.m., the Port President called for a lunch recess, with the regular meeting to reconvene at 12:30 p.m.

REGULAR MEETING RECONVENED: At 12:30 p.m., the regular meeting of the Port of Whitman County reconvened at the Boyer Park and Marina facilities. Present were all Commissioners, the Executive Director, the Properties and Development Manager, the Port Attorney, Joe Smillie of the Whitman County Gazette, and Tom Kammerzell.

APPROVAL OF .09 FUNDS FOR IP ZONE: The Executive Director reported that the County Commissioners have approved \$10,000 of .09 funds for the IP Zone for the period of July 1, 2010, through July 30, 2011.

REPORT ON BOYER OPERATIONS: Port Concessionaire Dave Peterson joined the meeting. Mr. Peterson reported on Boyer operations, activities, and plans for the season, including comments on the following:

- (1) There would be a salmon season for the river open commencing Saturday, May 8, 2010, running through the end of June, 2010.
- (2) The pike-minnow program continues to attract a lot of people to the facilities.
- (3) Bass fishing tournaments have continued to be popular at the facility.
- (4) Low water due to low winter snowpack in the region will affect the facility to some extent in the coming season. Of particular concern is low water in the swim area.
- (5) The reservations for the season are consistent with last year and he anticipates a very busy summer.

BOYER FACILITY NEEDS: The Commissioners and the Concessionaire discussed various facility needs. First on the list was the need to replace or repair most of the water

heaters, except for the heaters serving the hotel rooms. Mr. Peterson will discuss the matter further with the staff. Mr. Peterson indicated the possible availability of grants for public recreational facility projects. Mr. Peterson and the Port staff will investigate the availability of grants for facility improvements.

Mr. Peterson and Joe Smillie left the meeting at 1:15 p.m.

ARMY CORPS OF ENGINEERS ENVIRONMENTAL INSPECTION OF MARINA: The Properties and Development Manager reported on the Army Corps of Engineers environmental inspection of the marina facility conducted on April 26, 2010. The inspection went well, with only a few minor issues identified. The concerns are being addressed by the Port and/or the Concessionaire. The Corps officials noted their appreciation for the thoroughness of the Concessionaire and the Port in addressing the items that were identified in last year's inspection.

PORT REPRESENTATIVE ON WHITMAN COUNTY LOCAL EMERGENCY PLANNING COMMITTEE: The Properties and Development Manager reported that the Whitman County Local Emergency Planning Committee has indicated an interest in having a Port representative on the Committee. The next meeting of the Committee is scheduled for May 13, 2010. The Commissioners will be at the Washington Public Ports Association meeting on that date. It was decided that a response to the request will be deferred until after a new Commissioner is appointed.

ISLAND STREET BUILDING: The Properties and Development Manager noted that Port tenant Ronald B. Webster had died on April 8, 2010. Mr. Webster was the tenant of the Port's former office building at 105 West Island Street. The Executive Director recommended that an opinion of value and/or an appraisal be obtained before a decision is made regarding the building. No formal action was taken, but the Commissioners indicated they concurred with this course of action.

VISIT BY WPPA AND PNWA REPRESENTATIVES: The Executive Director reported that both Washington Public Ports Association and Pacific Northwest Waterways Association representatives visited the Port on April 22, 2010, coincidentally both on the same day. The PNWA is working with shippers on dealing with the upcoming four-month river shutdown for lock repair scheduled for December, 2010, through March, 2011.

RPTO MEETING: The Properties and Development Manager will attend the May 12, 2010, RPTO meeting since Commissioner Boone will be out of the area on that date.

INLAND NORTHWEST PARTNERS MEETING: It was noted that there was an Inland Northwest Partners meeting scheduled for June 3, 2010, at Hayden Lake, Idaho. Bob Potter is retiring. It was noted that most likely this would be the last meeting attended by Mr. Potter. Commissioner Boone and the Executive Director will plan to attend the meeting.

REGULAR MEETING RECESSED: At 12:45 p.m., the Port President called for a recess, with the regular meeting to reconvene at the Port office in Colfax, at 2:15 p.m.

REGULAR MEETING RECONVENED: At 2:20 p.m., the regular meeting of the Port of Whitman County reconvened at the Port office in Colfax. Present were all Commissioners, the Executive Director, the Properties and Development Manager, and the Port Attorney.

EXECUTIVE SESSION: The Port President called for an executive session to discuss real estate and litigation matters, with the regular meeting to reconvene at 2:40 p.m.

REGULAR MEETING RECONVENED: At 2:40 p.m., the regular meeting of the Port of Whitman County reconvened following an executive session. Present were all Commissioners, the Executive Director, the Port Attorney, and the Properties and Development Manager.

NOANET/U.S. DEPARTMENT OF COMMERCE TELECOMMUNICATIONS GRANT PROJECT: The Commissioners, the Executive Director, and the Port staff discussed the NoaNet/U.S. Department of Commerce telecommunications grant (BTOP) project.

MEETING ADJOURNED: At 4:00 p.m., there being no further business to come before the meeting, the meeting was adjourned.

PORT OF WHITMAN COUNTY COMMISSION

DANIEL W. BOONE, President

JOHN E. LOVE,
Vice President/Secretary