

Minutes of the meeting of the Port of Whitman County of September 15, 2011.

MEETING CALLED TO ORDER: The meeting was called to order at 8:30 a.m. in the Port office in Colfax, Washington. (The meeting commenced early per published notice.) Present were Commissioners Boone and Cox. Also present were the Port Attorney and Port Commissioner-candidates Tom Kammerzell and Al Sorensen. Also present was Bill Spence of the Lewiston Tribune.

APPROVAL OF MINUTES: A **MOTION** was made to approve the Minutes of the meeting of September 1, 2011, as mailed and entered in the minute book. The motion carried.

APPROVAL OF CLAIMS: The Commissioners considered the claims.

The Port Accountant/Internal Auditor joined the meeting at 8:35 a.m.

Commissioner Cox inquired as to Claim No. 20751. The Port Accountant/Internal Auditor explained that the claim was for repairs to the "grain train" rail cars. She further explained that the Port collects revenue on the grain train which covers all repairs. The program is managed by the Washington State Department of Transportation Rail Division. The Port's primary function is collecting revenue and paying invoices as approved by WSDOT Rail.

The Port Accountant/Internal left the meeting at 8:40 a.m.

A **MOTION** was made to pay Claim Nos. 20721 through 20751 totaling \$99,770.61. The motion carried.

FIBER OPTIC LEASE WITH NOEL COMMUNICATIONS: A lease of fiber optic cable in Pullman was presented. A **MOTION** was made to approve the fiber optic lease with Noel Communications. The motion carried.

The Executive Director joined the meeting at 8:50 a.m.

TELECOMMUNICATIONS PROJECT - ALBION-SHAWNEE SEGMENT: Commissioner Cox reported that he had spoken with County Road District Supervisor Mike Vorderbrueggen regarding the Albion-Shawnee segment of the telecommunications project. It was Mr. Vorderbrueggen's observation that the work on this segment was proceeding very slowly. The Executive Director reported that the contractor has encountered rock within the Albion-Shawnee segment and it is proceeding quite slowly. He elaborated by

explaining that the contractor has four crews working on the project on different line segments. The contract calls for completion within 105 working days. Twenty days have been used. The contractor is ahead of schedule by approximately 30% based on the engineer's progress estimates. Overall, the Executive Director reported that he was satisfied with the progress the contractor was making on the project. He said there will be segments which will be slower than others, but there are also segments with favorable soil conditions where the contractor is making rapid progress.

LEASE OF DARK FIBER: The Executive Director reported that there are ongoing conversations with various service providers who are interested in leasing dark fiber. The prospect for leasing project fiber appears very favorable.

STATE TELECOMMUNICATIONS BILL: Commissioner Cox reported that he had a conversation with Terri Lewis of Schweitzer Engineering Labs. Ms. Lewis inquired as to the possibility of receiving a written explanation as to reasons for the Port's support for a change in the state telecommunications bill. She indicated that her company was interested in the bill but seeking a better understanding of the issues from the Port's perspective. The Executive Director indicated that he would respond to the request.

DEMONSTRATION OF FIBER OPTIC CABLE LOCATE TOOL: The Executive Director did a brief demonstration of a new fiber optic cable locate tool with a GPS feature that the Port has recently acquired.

SMALL WORKS ROSTER CONTRACT WITH MOTLEY-MOTLEY FOR UNDERGROUND CONDUIT ON MILL STREET: The Executive Director reported that the City of Colfax project on Mill Street in Colfax presented an opportunity to install underground conduit for the Port's future use (the surface of the street has been excavated and the contractor is in the process of preparing the street for repaving).

A **MOTION** was made to authorize a small works roster contract with Motley-Motley, the City of Colfax contractor on the Mill Street project, for the approximate sum of \$4,500 for the installation of conduit while the street construction is in process. The motion carried.

APPLICATION FOR TIGER-3 GRANT BY CO-AG: The Executive Director reported on a discussion at the PCC Board regarding the

Co-Ag application for a "Tiger-3" grant. Co-Ag has asked for the Port's assistance with the application. The company's project is centered around the construction of a unit train loading facility. The project costs are estimated at approximately \$20 million, \$17 million of which would be paid by the private sector and \$3 million of which would be paid by grant monies, if the grant is awarded. The possibility of expanding the grant application for approximately \$80 million to include rehab on the four regional rail lines operating under PCC auspices was discussed at the meeting. It appears that the high private sector match for Co-Ag project will enhance the potential for grant approval based on recent history. Co-Ag is concerned that diluting the private sector and public sector ratio will make the grant considerably less attractive. The Executive Director recommended that the Port proceed with assisting Co-Ag on the grant application as requested by Co-Ag. The Commissioners took no formal action on the matter but indicated they were favorable to this approach.

WEDA: The Executive Director reported that the Washington Economic Development Association (WEDA) has invited the Port to join the organization. The annual dues are \$400. He noted that historically the county ADO has been a member of WEDA. The Port is not currently the designated ADO for Whitman County. He recommended that the Port decline to join the organization as it is represented through the county-designated ADO. The Commissioners indicated they would table a decision on the question until Commissioner Love had an opportunity to weigh in on the subject.

MAYORS' ROUNDTABLE: It was noted that the regional "mayors" roundtable was scheduled September 22, 2011, starting at 6:00 p.m. in Uniontown. Regional officials are invited to attend.

PORT OF PORTLAND ANNUAL RECEPTION/DINNER: It was noted that the Port of Portland's annual reception/dinner is scheduled for October 5, 2011, in Clarkston.

LEAGUE OF WOMEN VOTERS CANDIDATE FORUMS: It was noted that the League of Women Voters candidate forums were scheduled at the Colfax Library on October 18, 2011, and at Pullman City Hall on October 19, 2011.

EXECUTIVE SESSION: At 10:55 a.m., at the Port Attorney's request, the Commissioners called an executive

session to discuss a legal issue with the potential for litigation, with the regular meeting to reconvene at 11:00 a.m.

EXECUTIVE SESSION CONTINUED: At 11:00 a.m., the executive session was continued until 11:10 a.m.

REGULAR MEETING RECONVENED: At 11:10 a.m., the public session of the Port meeting of September 15, 2011, was reconvened following executive session. Present were Commissioners Boone and Cox, the Executive Director, and the Port Attorney.

TELECOMMUNICATIONS PROJECT CONSTRUCTION ANECDOTES: The Executive Director related a couple of anecdotes regarding the telecommunications project construction.

MEETING ADJOURNED: At 11:30 a.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

DONALD COX, Treasurer