

Minutes of January 15, 1980

Present were: President Bill Hamm, Vice-President Fred Holly, Commissioner Albin Berglund, Manager Bill Hemingway, Attorney Jack Udall, and Bob Dickey (who came at approximately 8:00.)

The meeting was called to order at 7:00 P.M. Pres. Hamm welcomed the Port's newly elected Commissioner Albin Berglund. The minutes of the previous meeting were read and approved. Comm. Holly corrected his statement regarding set back requirements of 500' to 300'. Manager commented on his contact with the County Planner regarding having the Ports Industrial Development District exempt from the Gorge Protection Overlay Zone. Manager also indicated that Dickey Farms had responded to the Port's letter regarding continuation of negotiations on their lease into 1980.

Minutes of the Special Meeting of January 11, 1980 were read and approved.

Vouchers on the General Fund #4532 through #4555 totalling \$ 5041.22 were approved for payment by Comm. Holly, seconded by Comm. Berglund. Motion carried.

The Manager recommended that Resolution 1-8 passed at the special meeting on Jan. 11th be amended to take advantage of higher interest rates on the investments. Comm. Holly made a motion to this effect; Comm. Berglund seconded; motion carried (The 150,000 investment period was shortened from 120 days to 119 days, and the accrued interest from the previous investment was added to the \$150,000 investment.)

Election of Port Officers for 1980. Comm. Holly moved that the previous state be continued, except Comm. Berglund replacing Comm. Kreps as Secretary. Comm. Berglund seconded; motion carried.

NPS Gorge Study. Manager indicated that Ports letter to NPS with our comments and position had been sent, and that the letter was on file in Port Offices for anyone who cared to review it. The Port has received a letter from Rep. Heck acknowledging receipt of our letter on the Gorge Study and offering any appropriate support. The Gorge commissions will meet on January 16, to sign a joint letter (along with Oregon and Washington governor's signatures) stating a position on the study. Comm. Berglund and the Manager will attend this meeting.

Update on Barnes project. Manager reported that the Authorization to Construct a New Air Contamination Source had been received from DOE. All permits other than the building permit have been received. A new performance bond relating to the Dec. 11, 1979 agreement in the amount of \$150,000 has been received by the Port. Comm. Holly suggested that he felt it would be good for the Commissioners to tour the Barnes Vancouver plant, and meet with Mr. Barnes and Mr. Helzer. Manager said he would work to set this up.

Manager reported on a letter that had been received from the

Wash. Dept. of Commerce and Economic Development in response to his letter requesting clarification on the terms "industrial use", "industrial purposes". The correspondence included a memo from the Attorney General's office and a note from Ted Hemphill in the Dept. of Comm. & Econ. Development. The memo essentially rendered a very narrow interpretation of Port "industrial" activities that is in conflict with actual practice. The Port Attorney will contact other attorneys for their reactions, before the Port determines what further action, if any, we desire to take.

Port Attorney reported on his recent contact with Bond Counsel (Don Holman) regarding the DOW Chemical - Port discussion regarding the 1970 Revenue Bond. The Bond Counsel's opinions regarding arbitrage and our potential to use the money for other than DOW related projects were favorable. There still needs to be more exploration regarding the legal questions before we go back to DOW. Manager reported that efforts to identify bond holders was turning out to be very futile. The changes for being able to release DOW from legal liability look very slim. If the Port can use the Rev. Bond money for the upcoming construction project, we are in an excellent financial situation.

Manager read a letter from Underwood Conservation District stating their policy position on prime and unique agricultural, Forest and range land. The commission was a little confused after hearing the statement. Manager will talk with District to get a better understanding.

WPPA letter indicated an increase in the deductible amount on the Port Errors and Omissions Insurance. (increased from \$500 to \$1000). This decision was made after "contacting several ports". (Port of Klickitat was not contacted.) The Commission did not favor the increase in deductible. The Manager will canvass other Ports as to their opinions on this matter and the procedure used to arrive at a decision, with the thought of making a complaint to WPPA.

WPPA has hired a new information officer with a capability to assist Ports with their information programs.

There is a new legislative requirement for Ports to make an annual report of activity to the County Auditor. WPPA has suggested a format.

Manager reported that the Port Health insurance plan could include commissioners on the group plan, if commissioners pay their own premiums. If the Port goes to two full-time employees (from three), there is some concern over being able to retain the insurance. Floyd Watkins is continuing to try to find a way to join Port with some other group. We still have a couple of months to resolve the situation.

The meeting adjourned to executive session at 8:35. Meeting adjourned at 9:50.


Bill Hemingway, Port Manager


Bill Hamm, President