

Agenda for Tuesday, December 10, 2002
Klickitat County Port District
1st Regular Monthly Meeting
WORKSHOP
December 10, 2002 - 4:30 P.M. - PORT OFFICE

AGENDA

PUBLIC COMMENT - Limited to 10 minutes total; (5 minutes per person)

COUNSEL'S REPORT

ADMINISTRATIVE MATTERS

Consent Agenda:

November 26, 2002 Minutes

Vouchers

Inter-governmental Agreement - MCEDD/CGEDA/POK

Final Budget

EXECUTIVE DIRECTOR'S REPORT

BINGEN POINT:

MALA Water line Hook-up

Discussion - Dedicate Utility Lines to City of Bingen

Sign Maintenance/Purchase

DALLESPORT INDUSTRIAL PARK:

Marketing of Dallesport Industrial Park Property

RFQ - Property Management

Waste Water Treatment Facility

- Update
- Site Visit Dec. 17, 10 a.m.; Ribbon Cutting 1 p.m.

WORKSHOP: Bingen Point CC&Rs

- Set Date of Public Hearing for Adoption

MISCELLANEOUS

Committee Updates

PUBLIC COMMENT - Limited to 20 minutes total; (5 minutes per person)

ADJOURNMENT

PORT OF KLUCKITAT BOARD OF COMMISSIONERS MEETING MINUTES December 10, 2002 REGULAR SESSION		
<u>TOPIC</u>	DISCUSSION/ASSESSMENT/FINDINGS	ACTION/FOLLOW UP
<u>ATTENDANCE:</u>	<p>Commissioners/Staff Present: Port Commissioners (PCs) Norm Deo, S. Wayne Vinyard and Rodger Ford, Port Counsel (Counsel) Teunis J. Wyers, Executive Director (Exec.D) Dianne Sherwood and Administrative Assistant (AA) Vickie Drew.</p> <p>PC/Staff Absent:</p> <p>Guests Present: Mike Smith (Dallesport), Matt Riley (Riley Bros. Concrete), Don Struck (KC Commissioner), and Steve Tessmer (Gorge Associates).</p>	
<u>PUBLIC COMMENT</u>	The public meeting was opened at 4:50. There was no public comment.	
<u>COUNSEL'S REPORT</u>	<p>Counsel discussed some new information received regarding the constitutional limitation with respect to leasing Port property; specifically the term length allowed. Article 15 of the WA Constitution requires the legislature to create a harbor commission who is required to locate and establish harbor lines. Article 15, Section 2 states that the legislature will provide laws for leasing of the right to build and maintain structures within certain confined areas inside the harbor line but limits a lease to 30 years. Counsel spoke with Bob Hauth (Olympia), Eric Johnson (WPPA) and Jim Thomas (DNR). The DNR Natural Resources Board is the Harbor Commission and they have created many harbor lines, but there is no harbor line that impacts the Port of Klickitat. The State owns or has control of navigable waters but is prohibited from allowing anything that interferes with navigable waters and the use of them for commerce. Counsel concludes that neither the constitutional limitation nor the State's control applies to our harbor. Eric Johnson (WPPA) concurs. The legal lease term limit (per RCW) is 50 years plus an option for extensions for up to an additional 30 years, so 80 years is the legal limit for a relationship with a project like the one Gorge Harbor Marina is proposing. Counsel's advice (as it has been in the past) is to stay away from long-term contracts. He suggests that renewal clauses need to be written with the best interests of the Port in mind so that the Port has the opportunity to stay even with the market as time passes.</p> <p>Counsel has had no further contact with Ross Rakow regarding the Riley issue.</p>	

<p><u>Marketing of Dallesport Industrial Park Property</u></p>	<p>This topic was moved forward. KC Commission President Don Struck was in attendance to discuss joint marketing efforts for the Dallesport Industrial Park property. The KC BOC met today and the main topic of discussion was the partnership with the Port. Mr. Struck stated that after many discussions with economic development personnel and KC citizens, consensus is that Dallesport is the key to the economic future of KC. KC BOC have budgeted \$500,000.00 for B.Pt. Building 1D and \$750,000.00 for infrastructure improvements at DIP based on the Kennedy/Jenks report. The KC BOC would like to work with the Port and publish a Request for Qualifications for outside marketing assistance from a real estate person to bring</p>	
<p><u>Marketing of Dallesport Industrial Park Property, cont.</u></p>	<p>businesses and developers to Dallesport. Dana Peck (KC Resource Development) suggested setting up an advisory committee consisting of economic development, Port and county people to keep communication lines open. Mr. Struck would like to move ahead as soon as possible and get someone on board to assist with brainstorming on where the most effective place is to spend the money. Exec.D Sherwood relayed to Mr. Struck that the Port has budgeted \$5,000.00 for Outside Services-Real Estate. PC Vinyard agreed that it was important to get knowledgeable assistance so as not to invest in the wrong direction. Mr. Struck suggested that an RFQ be issued and see what responses are received. He would like the joint commissions to interview a few of the best candidates. KC BOC will be meeting with Steve DiJulio on Dec. 16 and will discuss with him how to structure an inter-local agreement for the joint effort. Mr. DiJulio may be able to attend the KC BOC/PC joint meeting on Dec. 17 at DIP and have some time to discuss the arrangement. Mr. Struck expects that KC will have \$50-60,000.00 to get thing rolling and have someone on board in January or February. PC Deo felt the advisory committee was a very good idea. Mr. Struck asked what the PC's philosophy was regarding leasing vs. selling at DIP. If the deal is right, the PC would sell anything but waterfront property. Their main concern is jobs for KC. Exec.D Sherwood thanked Mr. Struck for his generous donation of 18 holes of golf plus carts for 4 people for the WPPA Education Foundation's Auction. The entire Klickitat Co. package sold for \$450.00.</p>	
<p><u>Bell Design Personal Services Contract - B.Pt. Fill/Berm Project</u></p>	<p>Exec.D Sherwood discussed the fact that Bell Design has had to do more work than planned for in the original \$5,000.00 personal services contract. Comments from Cathy Reed (DOE) and Carl Dugger (WA Fish & Wildlife) required them to do a lot more work to specify Best Management Practices (BMP) in keeping with the Western Stormwater Manual. She requested the PC amend the contract to include an additional \$3,500.00.</p>	<p><i>PC Ford moved to amend the Bell Design personal services contract to a sum not to exceed \$8,500.00; seconded by PC Deo –motion carried.</i></p>
<p><u>ADMINISTRATIVE MATTERS</u> <u>! Consent Agenda</u></p>	<p>Items approved:</p> <ul style="list-style-type: none"> • Minutes of November 26, 2002 • Vouchers #17793-17806; \$7,686.82 • Vouchers #17807-17839; \$19,944.45 	<p><i>PC Deo moved to approve the Consent Agenda as presented; seconded by PC Ford -- motion carried.</i></p>

<p>! <u>Inter-governmental Agreement - MCEDD/CGEDA/POK</u></p>	<p>Exec.D Sherwood discussed the inter-governmental agreement which allows MCEDD to administer grants for CGEDA's benefit (for a fee). She asked for PC approval to sign the document.</p>	<p><i>PC Deo moved to approve the Inter-governmental Agreement; seconded by PC Ford – motion carried.</i></p>
<p>! <u>Final Budget</u></p>	<p>A copy of the final budget was included for the PCs files.</p>	
<p>! <u>EXECUTIVE DIRECTOR'S REPORT</u> *<u>Bingen Point</u>* ! <u>MALA Water line Hook-up</u></p>	<p>Exec.D Sherwood discussed Mt. Adams Loggers' Association's (MALA) request to re-connect to the Port's water system. MALA had been told by the City of Bingen that MALA owned the meter and backflow preventer that serviced their property. Believing that they owned them, they dug up the Port's water meter and back-flow preventer near the Marina which serviced the MALA property. A great deal of time was spent in discussion between MALA, the Port and the City of Bingen. The new service for MALA is located on the south side of E. Columbia River Way, south of Bldg. 1B, prior to the fire hydrant. Since the meter was</p>	
	<p>initially installed specifically to service MALA, Exec.D Sherwood recommended that the Port allow the equipment to be on MALA property but retained under Port ownership. She felt that the Port should begin discussion regarding dedication of the water and sewer lines over to the City of Bingen. Should that happen, ownership of the meter and preventer is a moot point. PC concurred.</p>	
<p>! <u>Discussion - Dedicate Utility Lines to City of Bingen</u></p>	<p>Discussed above.</p>	
<p>! <u>Sign Maintenance/Purchase</u></p>	<p>Exec.D Sherwood displayed illustrations of the signs proposed for Bingen Point by Signs & Designs of White Salmon. This has been a lengthy design and layout process. Discussion followed regarding the various signs. There is IAC grant money and Port funds totaling approximately \$10,000.00 available to purchase the signs. She asked for PC approval to order the initial entrance signs.</p>	<p><i>PC Deo moved to proceed with purchase of Port signs from Signs & Designs; seconded by PC Ford – motion carried.</i></p>
<p>! <u>Entrance Mulching</u></p>	<p>Exec.D Sherwood reported that the Northwest Service Academy will be on site Monday, December 16 to spread mulch along Lakeview Blvd. Maint. Tech. Lethco has begun stockpiling bags of mulch from the KC recycle area to be spread around the trees.</p>	
<p>! <u>Berm Continuation</u></p>	<p>Very few contractors have the large equipment necessary for the Port's Berm/Fill Project, with James Dean being the only local contractor available. Quotes have been received from James Dean with a few options for placement of the rock from the Bingen Sewer Plant waste site for continuation of the berm. PC Deo felt that Option 1 at a cost of \$11,400.00 was the best choice.</p>	<p><i>PC Ford moved to accept Option 1 of James Dean's proposal for berm continuation; seconded by PC Deo – motion carried.</i></p>
<p>! <u>Geotechnical Report - Bldg. 1D</u></p>	<p>A summary of the geotechnical report for building 1D was included for PC review.</p>	

! <u>Gorge Harbor Marina Project</u>	Steve Tessmer was happy to have arrived in time to hear Counsel's opinion that Article 15 did not apply to this project. He presented his written project proposal for PC review.	
* <u>Dallesport Industrial Park*</u> ! <u>RFQ - Property Management</u>	Discussed under Marketing of Dallesport Industrial Park Property above.	
! <u>Waste Water Treatment Facility - Update & Site Visit, Dec. 17</u>	<p>Due to construction efforts of laying the new sewer line, the Port's graveled portion of Parallel Ave. is quite a bit narrower than before, as the road's gravel seemed to end up in the new trench. Jim Riley contended that there is no longer enough gravel, and there are concerns about compaction in the ditch. These items need to be addressed before the construction company leaves (Fowler).</p> <p>Exec.D Sherwood reminded the PC of the site visit and ribbon cutting on Dec. 17. John Buzzone (K/J) will be there to answer questions.</p>	
! <u>Updated Binding Site Plan</u>	Exec.D Sherwood displayed the updated binding site plan that was completed by Tenneson Engineering. PC Ford asked if this plan included the changes proposed by Jim Riley regarding the boundary locations of the 50-acre agreement. Exec.D Sherwood said that it included the changes the Port had proposed. She reported that Jim said his survey has been completed by Taylor Engineering but she has not seen it yet. Jim wanted different boundaries from what the Port recommended.	
! <u>DIP Water Leak</u>	<p>Exec.D Sherwood reported that Maint. Tech. Lethco has discovered that there was standing water near the salt cakes area where there has never been water before, even during the 1996 flood. Discussion followed regarding possible sources of the water, perhaps a leak in our lines. Exec.D Sherwood will investigate further.</p> <p>PC Ford inquired if there had been any developments regarding the Dallesport Fire Department's concern with the road names within the industrial park. Exec.D Sherwood reported that there had not, but the issue could certainly be addressed before the new binding site plan was adopted.</p> <p>Regarding the fire hydrants requested for DIP, Exec.D Sherwood stated that John Buzzone (K/J) recommended waiting until the infrastructure work begins as fire hydrants were included in those improvement estimates.</p> <p>There is a Port sign at the Dow Road entrance to the DIP near Pellissiers. PC Ford felt it is in good enough condition to be renovated. The PCs will look at the sign on Dec. 17.</p>	

<p><u>WORKSHOP - Bingen Point CC&Rs Set Date of Public Hearing for Adoption</u></p>	<p>Exec.D Sherwood discussed a change recommended by Counsel on page 14 to change the words “tenant or tenants” to “real property owner” in the first sentence and the word “tenant’s” to “owner’s” in the last sentence. The PC requested that Byron Hanke and surrounding property owners be sent copies of the CC&Rs for review.</p>	<p><i>Exec.D Sherwood will forward the CC&Rs to Byron Hanke for comment.</i></p>
<p><u>MISCELLANEOUS</u> <u>! Legislative Fix</u></p>	<p>At the WPPA conference last week, the legislative fix that had been proposed by KC regarding the County’s authority to grant money to the Port for development was discussed. The WPPA felt that the fix was too broad an approach to solve just this small problem. WPPA offered to help KC come up with language that would serve the purpose of granting the Port money but not give too much authority to all cities and counties. Exec.D Sherwood explained our situation at a breakfast meeting and requested contact with other Port’s that have received money from their County for various economic development projects. She was approached by seven different Port’s stating that they “do this all the time.”</p>	
<p><u>! WPPA Educational Foundation Award & Auction</u></p>	<p>Exec.D Sherwood was awarded a \$4,000.00 educational grant from the WPPA Educational Foundation. The Port coordinated a package for the auction consisting of a night’s lodging and dinner at the Lyle Hotel, a night’s lodging at the Inn of The White Salmon, Golf Package (donated by Don Struck), four bottles of wine from the Wine Alliance, rafting trip for two from Zoller’s, four tickets to the Maryhill Museum, a wildflower book and a soap/bath salts package. The entire package went for \$450.00. The Foundation raised \$10,800 from the auction.</p>	
<p><u>! Committee Updates</u></p>	<p><u>AIRPORT</u>: PC Deo ‘s next meeting will be December 13. <u>MCEDD</u>: PC Ford has no meeting scheduled for December. <u>BRIDGE/HWY 35</u>: PC Ford had no report. <u>KC PEDA</u>: PC Vinyard had no report.</p>	
	<p>PC Ford will likely be unavailable for meetings in January and February as he will have surgery.</p>	
<p><u>PUBLIC COMMENT</u></p>	<p>There was no public comment.</p>	
<p><u>ADJOURNMENT</u></p>		<p><i>PC Deo moved to adjourn at 7:17; seconded by PC Ford - motion carried.</i></p>

Approved on: _____
 submitted _____
 (Date)

Respectfully

Vickie L. Drew, Administrative Assistant

Dianne Sherwood, Executive Director

S. Wayne Vinyard, Chairman