

PORT OF KCLICKITAT BOARD OF COMMISSIONERS MEETING MINUTES December 19, 2006 REGULAR SESSION		
TOPIC	DISCUSSION/ASSESSMENT/FINDINGS	ACTION/FOLLOW UP
<u>ATTENDANCE:</u>	<p>Commissioners/Staff Present: Port Commissioners (PCs) Norm Deo, Rodger Ford & Wayne Vinyard; Executive Director (Exec.D) Dianne Sherwood, Port Counsel Teunis J. Wyers and Administrative Assistant/Bookkeeper, Margie Ziegler</p> <p>PC/Staff Absent: None.</p> <p>Guests Present: Reggie Sherwood; Matt Riley, Rapid Ready Mix Inc; and Anthony Stout, Dallesport Foundry.</p>	Meeting called to order 4:37pm
<p><u>PUBLIC COMMENT</u></p> <p><u>COUNSEL'S REPORT</u> <u>Oregon Cherry Growers</u></p> <p><u>Amerigas</u></p> <p><u>ICE</u></p> <p><u>COUNSEL'S REPORT</u> <u>Cont.</u></p> <p><u>Insitu</u></p> <p><u>ADMINISTRATIVE</u> <u>MATTERS</u> <u>Consent Agenda</u></p>	<p>None</p> <p>Counsel Wyers stated the OR Cherry Growers lease will expire January 14, 2007. Exec Dir Sherwood has met with them and they are aware that a new lease rate will have to be at market rate if they wish to continue to occupy the 30,000 thousand sq. ft space.</p> <p>The PC have been given the most recent correspondence from Amerigas. Counsel Wyers plans to finish the proposed lease and is waiting for the parcel's legal description. Exec Dir Sherwood has responded to Jim Riley's letter pertaining to a Conditional Use Permit. Exec Dir Sherwood said Amigas has sold their small tank business and is not looking to expand at DIP. The lease could be contingent on a completed CUP, and AmeriGas' lease payments will need to be billed retroactive back to 11/5/2006 (lease termination).</p> <p>PC Deo asked if a security deposit could be requested while the lease is being negotiated. Counsel Wyers wants to get the new lease to AmeriGas and work with them to get a lease signed.</p> <p>ICE's lease for Building 1B expired November 15, 2006. Exec Dir. Sherwood has tried to contact Steve Mayer several times with no results, so Counsel Wyers has since contacted ICE's attorney and they have talked. ICE is very interested in entering into a new lease. Counsel Wyers stated he will want to meet with Exec Dir Sherwood to get more details regarding specifics. PC Ford asked if the security deposit is sufficient. Counsel Wyers stated that only the PC have the authority to modify the deposit. He noted that security deposits have typically been conservative for the port.</p> <p>Counsel Wyers had discussed Insitu's tenant improvement issues with Exec Dir Sherwood regarding building permit criteria final details. Their tenant improvement building permit will be under Hale's name and he will pay the permit fees to KC County Building Dept on 12-20-06, for two mezzanine staircases.</p> <p>Changes to the October 3rd and November 7th, 2006 minutes were noted as expansion of the IDD discussions.</p> <p>PC Deo recommended minor changes to minutes of November 28, 2006: Page 1 - Counsel's Report end of first paragraph-change to read that AmeriGas will be required to pay for damages. Page 2 - Last paragraph last sentence- Delete -Duplicate of PC Deo re-opened meeting.</p> <p>PC Ford asked for clarification regarding the water rights discussion on page 6. The water right that was applied for in 1994 was for irrigation and fire flow. Exec Dir Sherwood said we could look into modifying our application to include potable water, as she would like to know from the DOE if a modification would move our application down the list and where the current application is on the list of pending water rights. No change to the minutes regarding water rights.</p>	<p><i>Exec. Dir. Sherwood will inquire with John Grim (consultant) and/or</i></p>

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Items approved: Minutes of November 28, 2006
Amended Minutes - October 3rd and November 7th, 2006
Vouchers - November 30, 2006
Vouchers - December 5, 2006
Vouchers - December 13, 2006
Vouchers - December 15, 2006
Financial Report - October 2006

contact the Department of Ecology regarding status of 1994 water right application to see if it would delay the application if it were changed to include potable water.

PC Ford M, PC Vinyard S a motion to approved the Consent Agenda with changes to Nov. 28 minutes MP.

**Financial Report
October 2006**

Exec. Dir. Sherwood presented October 2006 Financial Reports, noting the Bond proceeds were received in the month of October 2006.

**EXECUTIVE DIRECTOR'S
REPORT**

The very detailed punch list was completed by Randy at DSP on 12-12-06 and the list was provided to Team. Team said they will have things completed by the end of the week.

***Bingen Point*
Bldg 1E Update:**

A notice of Substantial Completion was issued by Randy Salisbury of DSP effective December 11, 2006. The noted four exceptions: 1. Topsoil and Landscaping. 2. Landscape irrigation. 3. Work around openings, insulating, framing, and fire sprinkling of the three dormers. 4. Asphalt Paving.

Tenant Improvements

On 12/12/06 Insitu's contractor was observed building stairways without the benefit of the Port's knowledge or approval, nor was there a building permit. Randy from DSP brought to our attention and explained how the proposed stairway in that location would have violated ADA compliance by reducing the amount of room around the door opening. The Port needed to ensure that the stairways and railing did not violate ADA requirements. Exec. Dir. Sherwood said the Port is so lucky to have Randy from DSP and Skip Grimes from KC Building Dept looking out for our best interests. A building permit was subsequently issued in the contractor's name (Hale) and stairways and railings were completed and inspected by KC Building Department.

The manufacturing portion of building 1E will be turned over to Insitu effective 12-18-06. A final inspection cannot be completed until the dormer insulation issue is resolved. This is a fire/life safety issue because as is stands now, the dormers are completed without insulation and thus create an un-insulated attic, with no protection for the sprinkler system. Exec Dir. Sherwood has received positive comments regarding the appearance of Building 1E. Insitu's equipment is starting to be moved into the manufacturing area.

Team Change Order #1

Exec Dir Sherwood presented change order #1 from Team Construction increasing their contract by \$11,121.51. The change order has been reviewed and approved by Randy at DSP and Bob Westermann, which contains previously approved change order proposals.

PC Ford M, PC Vinyard S a motion to approved change order #1 for Team Construction increasing their contract by \$11,121.51 for a total contract of \$1,884,118.51 MP.

Tenant Occupancy

Insitu can move into the office space area once one the punch list items are resolved by Team and the "Final" occupancy permit is granted by KC Building Department.

**SBDC- Space B Tenant
Improvement**

Normark would like to make a roof penetration and install an exhaust system on the roof of Space B of the SBDC (Bldg 1A) so that they can start painting custom fishing lures. Normark will be getting their air quality permit within the next two weeks from the DOE. Exec Dir Sherwood said she wants the construction to be done

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**Electrical Work- SBDC
Heat Tape and Lake Pump**

properly to ensure there will be no leaks and that the exhaust system will withhold bad and stormy weather. PC Deo reviewed the drawings and said he is confident in Dave Lind's work. Exec Dir Sherwood will inform Normark that they are responsible for repairing any leaks and that the roof is to be restored when they vacate.

Exec Dir Sherwood said Jared did an excellent job of collecting bids. Jared recommended the two electrical jobs be combined and awarded to Hage Electric, the lowest bidder.

By Consensus the PC recommend Exec Dir Sherwood to award the bid for SBDC Heat Tape and Lake Pump improvements to Hage Electric in the amount of \$6,756.35.

**Dallesport Industrial
Park* (DIP)**

Exec Dir Sherwood said the U.S. Elected Official's meeting on December 5, 2006 was well attended and any organizations had requests for funding. The top projects related to transportation and water. She was asked by a Glenwood resident to bring up the Yakima Nation Boundary dispute, which she added to the Port's topic listing. Exec Dir Sherwood presented the Port's projects: Looping water system, Maple Street underpass, improvements and maintenance of the Port's road systems.

**Elected Official's Staff
Meeting**

She also informed them of the low percentage of property tax dollars that are allocated back to the Port. There was lengthy discussion was about White Salmon's water moratorium.

Salt Cakes

The pre-bid walk through is set for December 27, 2006 at 11am. They plan to take out the material in two phases. The first phase of the project is estimated to be completed between January-March 2007 with phase two to be completed between November 2007-March 2008. DOE has requested property access to the site from Jim Riley and BPA, but access approvals have not yet been received.

**RFP- Criteria-Aggregate
Mining**

Exec Dir Sherwood said George Bennett lives in North Bend, WA and was effected by the recent wind storm and has not had internet service. They have since been in contact and are formulating the criteria for the RFP.

Appraisal

Exec Dir Sherwood presented the appraisal work from John Wooden. PC Ford asked if values seemed low. Exec Dir Sherwood said the Port of The Dalles properties have been selling in the \$70 to \$80 thousand dollars per acre range. John Wooden looked parcel #17 and with the serous elevation gains. He couldn't appraise it "as is" but only if shovel ready, so the property appraised at approximately \$77,000 an acre. Costs would be large in order to level the property. Tenneson Engineering would have to be contacted to determine the cost to cut and fill the property. Wooden also evaluated other lots. Lots 40, 41, & 42 would need to have the electrical lines buried (as budgeted for in 2007).

MISCELLANEOUS

Exec Dir Sherwood will be gone December 22nd and December 29th.

PUBLIC COMMENT

Anthony Stout from Dallesport Foundry reported that Underground Specialties was broken into and had rolls of wire stolen. He asked if the Port has plans for adding any security at DIP and suggested that maybe tenants could help pay for it. He said the KC Sheriff's department drives through DIP twice a day. There was discussion of different options of security.

Exec. Dir Sherwood will contact other Ports and find out how they handle industrial site security.

Matt Riley from Rapid Ready Mix said his security person Bob might be interested in working with the Port. PC Vinyard talked about trespass markers and gates were discussed.

**EXECUTIVE SESSION
Personnel (1 hour)**

Those Present: Port Commissioners Norm Deo, Rodger Ford & Wayne Vinyard. At 6:20pm Exec Dir. Sherwood joined the PC to discuss her performance evaluation.

Chair Deo adjourned the public meeting at 5:39 and went into Executive Session regarding Personnel.

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ADJOURNMENT	Meeting Adjourned at 6:40pm.	
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Approved on: _____
(Date)

Margie Ziegler, Administrative Assistant

Dianne Sherwood, Executive Director

Norm Deo, Chairman