

**PORT OF COLUMBIA COUNTY
FEBRUARY 8, 2023
COLUMBIA CITY, OR 97018**

The Port of Columbia County held a Commission meeting at 8:30 A.M. on Wednesday, February 8, 2023, at the Port Office, 100 E Street, Columbia City, Oregon, and via Zoom video conferencing, with the following present:

Commissioners

Robert Keyser	President
Chip Bubl	Vice President
Chris Iverson	2 nd Vice President
Nancy Ward	Secretary
Brian Fawcett (Absent)	Treasurer

Guests

Natasha Parvey, NEXT	Zoom
Nick Sorber	
Carroll Sweet	Zoom
Connor McGrath	Zoom
Alta Lynch	Zoom
Doug Bean	Zoom
Greg & Lynne	Zoom
David Mahn	Zoom
Greg Pettit	Zoom
Jasmine Lillich	Zoom
Henry	Zoom
Eric Zehntbauer, Kern & Thompson	
Mark Even, Even Construction	
Paul Langner	Zoom

Staff

Sean P Clark – Zoom	Executive Director
Bob Gadotti	Exec. Finance Mgr.
Robert Salisbury	Port General Counsel
Brittany Scott	Exec. Assist. /Office Coord.
Elizabeth Millager	Exec. Assist. Operations
Miriam House	Operations Manager
Elliot Levin	N. County Ops. & Terminal Mgr.
Amy Bynum	Real Est. & Bus. Dev. Mgr.
Gina Sisco	External Affairs Mgr.
Lacey Tolles	Data Res. & Projects Spec.
Susie Tolleshaug – Zoom	Administrative Assistant

Media

Anna Del Savio, Spotlight Zoom

The Port of Columbia County Commission meeting was called to order at 8:30 A.M. by President Robert Keyser.

Consent Agenda

Chris Iverson moved, Chip Bubl seconded a motion to adopt consent agenda items A, B, & C: January 11, 2023, minutes, Financial Reports for January 2023, and January 2023 Check Register (A) in the amount of \$345,546.56. Motion carried unanimously.

Nancy Ward moved, Chip Bubl seconded a motion to adopt consent agenda item D: January Check Register (B) for \$29,435.01. Chip Bubl, Nancy Ward, and Robert Keyser voted aye. Chris Iverson abstained from voting, declaring a potential conflict of interest. Motion carried.

Public Comment

Mark Even of Even Construction introduced himself to the Commission and hopes their new lease is approved. Mr. Even has been a Port tenant for fifteen years and enjoys being in St. Helens. They build floating homes on the river at the Multnomah Industrial Park. Mr. Even employs four to five people and hires several subcontractors. Ideally, he'll have three to four floating homes under construction at a time.

Old Business

2022 Audit Report – Kern and Thompson

Eric Zehntbauer, Kern and Thompson, reviewed the 2021-2022 fiscal year audit report with the Commissioners. Mr. Zehntbauer gave a detailed review of the governance letter and reviewed the financial statements as of June 30, 2022. The audit concluded there were no findings and issued a clean report.

Dredging Project Update

Miriam House gave a PowerPoint presentation on the Marina Dredging Project which is on file at the Port office. Ms. House updated the Commission on the cost estimates as well as options for completing the project. Ms. House detailed the proposed dredge area, highlighted the accomplishments to date, and outlined the next steps and an approximate timeline for the project. Sean Clark noted that the response to the Request for Proposals (RFP) in September 2023 could affect the timeline.

Mr. Clark said that staff is closely monitoring all funding opportunities. Nancy Ward asked if we received funding from the Oregon State Marine Board (OSMB) for the dredging project in 2015, and Ms. House answered yes. Robert Keyser suggested hiring a project manager to assist with this complex project.

Marina Improvement Project

Miriam House gave a PowerPoint presentation on the Marina Improvement Project which is on file at the Port office. The presentation included a project recap, design of the proposed upland work, design of the proposed in-water work, project status, and next steps. Ms. House informed the Commission that the estimated cost for the project has increased to \$6.2 million and outlined three options: Option 1: Commission approves \$6.2 million to fund the entire project; Option 2: Split the project up into two phases and spread the cost out over several years; Option 3: Hold or scrap the project.

Lacey Tolles joined Ms. House to discuss available grant funding and application deadlines. The Port will apply for two separate OSMB Boating Facilities Grants this year, one for the Dredging Project and one to replace the boat ramp. The Marina Improvement Project will be eligible for additional grant funding after we receive the project permit. Chip Bubl said that the Port should apply for them all. Chris Iverson agreed with Mr. Bubl and asked about staff prioritizing their time. Robert Keyser suggested that Commission and staff should meet to set the capital funding priorities for the Port. Nancy Ward stated the marina is a very important part of Columbia County and to not improve and maintain it would be a dereliction of our duties.

Airport Use Permit (Through-The-Fence)

Amy Bynum gave a PowerPoint presentation which is on file at the Port office about the Airport Use Permit (Through-The-Fence). Sean Clark replied to Ed Freeman's letter regarding Through-The-Fence (TTF) operations. Ms. Bynum reviewed Port rules and regulations, including Resolutions 2005-003, 2006-05, and 2009-12. Ms. Bynum outlined the process to obtain an Airport Use Permit: 1. A company applies; 2. Port staff issues an Airport Use Permit; 3. Permit is reviewed by the Scappoose Airport Advisory Committee; 4. Review and final approval by Port Commission.

Chris Iverson asked what happens if the Federal Aviation Administration (FAA) declines the agreement, and Ms. Bynum said that if we follow the process then we should be in line with FAA guidelines.

Chip Bubl mentioned that the resolutions are old and asked if they need to be updated. Ms. Bynum said that in the resolution there is a provision that states if the FAA changes any rules, then the new rules will apply. Robert Salisbury, Port General Counsel, also pointed out that the language contained in the three Resolutions was actually quite broad and gave the Commission a lot of discretion in applying the rules.

Robert Keyser pointed out that since Scappoose zoning does not allow residential then we should call it the Airport Use Agreement.

Nancy Ward asked how many commercial businesses would want access to an airport. Ms. Bynum mentioned that the hangars are at maximum capacity.

Chip Bubl asked if the plans need to be approved by the City of Scappoose. Ms. Bynum said that the resolution states that the City of Scappoose planning process must be followed and reported back to the Port Commission.

Ms. Ward asked if residential was previously part of the plans with Ed Freeman. Mr. Keyser said no, that it was not part of the discussion. Mr. Iverson added that it had been discussed on the east side of the airport.

Ms. Bynum gave an update on the Transwestern Aviation application. Ms. Ward asked if the Scappoose Airport Advisory Committee was going to fast-track Transwestern's application. Miriam House stated that the Advisory Committee would need to have a special meeting.

Chris Iverson wanted to remind everyone that Transwestern has the lowest-priced fuel in the region which brings in a lot of traffic to the airport.

Mr. Keyser mentioned that we are also renewing our First Right of Refusal with Transwestern.

Mr. Iverson wants an ironclad recommendation from staff that FAA is okay with the Port issuing TTF agreements.

Ms. Ward would also like to know who is going to manage this and how much staff time it is going to take.

New Business

Resolution 2023-03

A RESOLUTION APPROVING A LEASE WITH EVEN CONSTRUCTION, INC. AT THE MULTNOMAH INDUSTRIAL PARK

Chris Iverson moved, Nancy Ward seconded a motion to approve Resolution 2023-03, authorizing the Board President to execute a new lease with Even Construction, Inc. Motion carried unanimously.

Resolution 2023-04

A RESOLUTION TO UPGRADE CAMERAS, LICENSE PLATE READERS, AND NETWORK VIDEO RECORDING SYSTEM AT SCAPPOOSE BAY MARINE PARK AND BAYPORT RV PARK

Chip Bubl moved, Nancy Ward seconded a motion to approve resolution 2023-04, authorizing the Executive Director to sign a contract with My System Shield, LLC, in the amount of \$43,253.75 to replace and install cameras, license plate readers, and the NVR system at Scappoose Bay Marine Park and Bayport RV Park. Chris Iverson abstained from voting due to potential conflict since he knows David Mahn. Chip Bubl, Nancy Ward, and Robert Keyser voted aye. Motion carried 3-0-1.

Executive Director's Report

Amy Bynum thanked the Commission for allowing her to fill in for Sean Clark while he is at the Association of Pacific Ports conference. She mentioned that her move to Deputy Executive Director officially happened on Monday.

Robert Salisbury mentioned that he attended the Northwest Marine Terminal Association Annual Meeting with Elliot Levin and Sean Clark and found it to be a helpful exercise. Mr. Salisbury has also been working on drafting legislation related to the claimed anti-trust violations by the Federal Maritime Commission both in the state of Oregon and also Washington. Mr. Salisbury expects to be called as a witness to testify at the Oregon Legislature this spring.

Sean Clark attended Sen. Wyden's Town Hall last Saturday at Meriwether Place in St. Helens. Mr. Clark was selected to ask a question and drew attention to the lengthy US Army Corp of Engineer's permitting process, specifically the environmental impact statement that NEXT Renewable Fuels is undergoing, and asked what could be done at a federal level for the regulators to help move things along. Mr. Clark stated that he learned that the Senate has less power over the regulatory agencies than they would like.

Ms. Bynum mentioned that Mr. Clark is now on the board for Greater Portland Inc.

Mr. Clark is continually impressed with the staff at Greater Portland Inc. and how they bring everyone up to speed on responsibilities and cover the bylaws.

Ms. Bynum said that if you see Clint Lukich to please congratulate him on his new role as the Interim Facilities Maintenance Supervisor. The Finance Manager position still remains open. Ms. Bynum has reached out to consulting firms about possible project management consulting for some of our larger projects.

Ms. Bynum asked Elliot Levin if there were any unit trains at Port Westward. Mr. Levin replied that there was a unit train today with another unit train closely behind it. Mr. Levin also offered that there were no vessels scheduled.

The Strategic Business Plan RFP was posted and will be closing on February 13, 2023.

Ms. Bynum and Mr. Clark have been working with Lower Columbia Engineering on an expansion and retrofit to the Port office building and provided a drawing of the plans. The office addition will provide more space for staff and be a community asset that the public can be proud of.

Chris Iverson asked if we had any projected costs yet. Ms. Bynum said not at this point, but the approximate budget for 2023-2024 is \$850k.

Nancy Ward asked how many square feet the addition will be. Ms. Bynum said approximately 2,400 square feet.

Mr. Iverson asked if we should do the addition or just construct a whole new building.

Mr. Clark said that the Strategic Business Planning process will help to guide our decision on how we move forward with developing the Port Headquarters.

Robert Keyser said that it will probably cost at least twice the amount to build a brand-new building. Mr. Iverson said it could be 2 or 3 times more.

Ms. Bynum asked the Commission for direction on whether to pursue the engineering of a new building. Ms. Ward said that we could continue with the new addition and in the future move toward constructing a new building. The addition will just make the current building more valuable if we decide to lease it later on.

Mr. Iverson suggested we could lease the current building to the City of Columbia City.

Ms. Bynum said that the Port has been invited to Delta, BC to visit ORPET's parent company in April 2023 and for Commissioners to contact her if they are interested in attending.

Commissioner Reports

Robert Keyser said that we've talked about holding evening meetings and would like to consider holding an evening workshop at the marina this spring. We would advertise no formal business, and maybe even meet an hour early and support the Marine Park Advisory Committee. Mr. Keyser also suggested in the summer holding another evening meeting at the airport. A budget meeting is also coming up to discuss Port priorities. Mr. Keyser would like to hold a meeting on the NEXT Renewable Fuels project and a quarterly Global Partners update in Clatskanie, perhaps in May. Mr. Keyser thanked Nancy Ward for going to Sen. Wyden's Town Hall and discussed how local elected officials used to meet with the Senator/federal representatives in the past prior to local town halls, which was beneficial. Port staff has reached out to Sen. Wyden's staff, and they may set something like that up in the future.

Nancy Ward mentioned that her and Sean Clark went to Sen. Wyden's Town Hall. Ms. Ward, Mr. Clark, and Paul Vogel of Columbia Economic Team were all called upon and each asked a question about the US Army Corp of Engineers (USACE) very slow permitting process. Ms. Ward opined that a person would think that the USACE has more resources and staff than the state, yet they take the longest. Ms. Ward asked Sen. Wyden what authority Congress has over these agencies, and Sen. Wyden said not enough. Ms. Ward believes in these kinds of oversights, and that the whole process should be protected for the health, safety, and welfare of the community, but this overabundance of caution causes people to lose faith in their federal government. The point is to get the answer. If the answer is no, why are we spending so much time, money, and effort? If the answer is yes, the same thing, why aren't we able to move forward more quickly? Mr. Clark has since been in contact with Ree Armitage of Sen. Wyden's staff for further discussion.

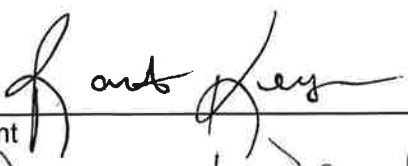
Ms. Ward and Mr. Clark also attended the Northwest Environmental Business Council (NEBC) State of the State meeting, where industry and environmental representatives come together to discuss their concerns. It was an interesting meeting due to the discussion and pushback during the meeting. The two entities have different purposes and goals, but it is great that they are coming together and talking about their differences and their needs. The environmental group present seemed in favor of renewable fuel projects and we might be able to get to a more compatible relationship between industry and the environment. Sen. Wyden also pointed out that everyone is in favor of renewable fuels, but it is a matter of getting to the point where everyone can feel comfortable with the project. There has to be a way forward – it has got to be in someone's backyard. Maybe there is a way to alleviate the concerns and move forward.


Chris Iverson wanted to congratulate Bob Gadotti on another outstanding audit. Thank you to the staff for all of these updates.

Chip Bubl read the Through-The-Fence, and it is complex and interesting. Thank you for all that you have done.

There was no Executive Session.

THERE BEING NO FURTHER BUSINESS BEFORE THE COMMISSION, THE MEETING ADJOURNED AT 10:47 A.M.



President


Secretary

February 22, 2023
Date Adopted by Commission