

**PORT OF COLUMBIA COUNTY  
JULY 12, 2023  
COLUMBIA CITY, OREGON 97018**

The Port of Columbia County held a Board meeting at 8:30 a.m. on Wednesday, June 12, 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	Secretary
Nick Sorber	Treasurer
Brian Fawcett	Vice President
Nancy Ward	2nd Vice President

**Guests**

Alta Lynch - Zoom  
Natasha Parvey       NEXT  
Jasmine Lillich - Zoom  
Carroll Sweet - Zoom  
Paul Vogel - Zoom  
Doug Bean - Zoom  
Brady Preheim  
Jan Schollenberger  
Finos Lunsford

**Staff**

Sean P Clark	Executive Director
Robert Salisbury	Port General Counsel
Bob Gadotti	Executive Finance Mgr. (Ret.)
Miriam House	Operations Mgr.
Elliot Levin	N. County Terminal Mgr.
Brittany Scott	Exec. Assistant
Elizabeth Millager	Operations Coordinator
Guy Glenn, Jr.	Executive Finance Manager
Sydell Cotton- Zoom	Acct. & Payroll Specialist
Amy Bynum	Real Est. & Bus. Dev. Mgr.
Lacey Tolles	Data Res. & Projects Spec.
Susie Tolleshaug – Zoom	Administrative Assistant
Gina Sisco	External Affairs Mgr.

President Robert Keyser called the Port of Columbia County Commission Meeting to order at 8:30 a.m.

**Oath of Office**

Robert Salisbury, Port General Counsel, asked Commissioner-Elect Nick Sorber, Commissioner Nancy Ward, and Commissioner Chip Bubl to stand, raise their right hand and repeat the Oath, and be sworn into Office.

**Election of Officers**

Nancy Ward moved to nominate Chip Bubl for President. Brian Fawcett moved to nominate Robert Keyser for President. There being no further nominations, Robert Keyser called for a vote. Brian Fawcett, Nick Sorber, and Robert Keyser voted in favor of Robert Keyser for President. Nancy Ward and Chip Bubl voted in favor of Chip Bubl for President. Robert Keyser was elected President.

Robert Keyser moved to nominate Brian Fawcett for Vice President. Nancy Ward moved to nominate Chip Bubl for Vice President. There being no further nominations, Robert Keyser called for a vote. Brian Fawcett, Nick Sorber, and Robert Keyser voted in favor of Brian Fawcett for Vice President. Nancy Ward and Chip Bubl voted in favor of Chip Bubl for Vice President. Brian Fawcett was elected Vice President.

Brian Fawcett moved to nominate Nick Sorber for Treasurer. Nancy Ward moved to nominate Chip Bubl for Treasurer. There being no further nominations, Robert Keyser called for a vote. Nick Sorber, Brian Fawcett and Robert Keyser voted in favor of Nick Sorber for Treasurer. Nancy Ward and Chip Buble voted in favor of Chip Bubl for Treasurer. Nick Sorber was elected Treasurer.

Nancy Ward moved to nominate Chip Bubl for Secretary. There being no further nominations, Robert Keyser called for a vote. The vote was unanimous. Chip Bubl was elected Secretary.

Robert Keyser moved to nominate Nancy Ward for 2<sup>nd</sup> Vice President. There being no further nominations, Robert Keyser called for a vote. The vote was unanimous. Nancy Ward was elected 2<sup>nd</sup> Vice President.

**Committee Assignments**

Sean Clark encouraged the Commissioners to let him know about the committees they would like to be involved in. Mr. Clark pointed out that geographic proximity is an important consideration for participation. Mr. Clark will reach out to each of the Commissioners to better understand which committees they are interested in. Chip Bubl asked if the Commissioners could just email their selections to Mr. Clark. Mr. Clark indicated they could.

### **Additions To the Agenda**

Robert Keyser asked the Commission if there were any changes to the agenda. There were none.

### **Consent Agenda**

Brian Fawcett moved; Chip Bubl seconded a motion to adopt the consent agenda items A, B & C; June 14<sup>th</sup> minutes, Financial Reports, and approval of June 2023 Check Register (A) in the amount of \$346,823.24. The motion carried unanimously.

Brian Fawcett moved; Nick Sorber seconded a motion to adopt consent agenda item D; approval of June 2023 Check Register (B) in the amount of \$1,074.92. Robert Keyser abstained from voting, declaring a potential conflict of interest. The motion carried.

### **Comments From Visitors**

Jan Schollenberger stated she is a neighbor who lives on 1st Street in Columbia City and is here in front of the Port Commission because of the problems the neighborhood experiences with the plant operated by Lignetics on Port property. She explained that Lignetics has been releasing particulate matter into the neighborhood, south of the plant, since 2019. Some of Ms. Schollenberger's neighbors have been here longer and have experienced all kinds of hardships due to the plant's activities. Ms. Schollenberger mentioned she thinks the Port shares responsibility since the Port is the property owner, and believes the Port has minimum requirements and rules that should be applied. Ms. Schollenberger would like the Port to take a serious look at the activities at the plant and see what the Port can do. Chip Bubl asked if Ms. Schollenberger had contacted DEQ. Ms. Schollenberger stated she believed DEQ Air Permit should come up for review in September 2023. Mr. Bubl asked Ms. Schollenberger to send all of the materials to Sean Clark so the Port can review them and respond appropriately.

Brady Preheim stated that it is ridiculous to have public comment after the Election of Officers. Mr. Preheim informed the Commission of his negative thoughts about how the Election of Officers was done, and he also expressed his concerns about the Executive Director's Salary.

Jasmine Lillich gave an update regarding the Columbia County Planning Commission Hearing on June 26, 2023, regarding the proposed modifications for the NEXT Project. Ms. Lillich thanked the Port for their support in the Agriculture Information Committee Meetings. She said there are a lot of great things happening in those meetings.

Carroll Sweet commented that she is sympathetic to the Columbia City neighbors dealing with the dust at their homes and thinks the Port needs to take this into deep consideration. Ms. Sweet also thinks Chip Bubl should have been elected President.

Finos Lunsford came to express his feelings about the sawdust from Lignetics. Mr. Lunsford has lived in Columbia City at his address since 1976. Mr. Lunsford is here because the Port is the landlord for Lignetics and said it is time to do something and correct the situation. Mr. Lunsford would like to file a formal complaint. Mr. Lunsford mentioned they have thought about hiring an attorney. Nancy Ward said he shouldn't have to hire an attorney. Mr. Lunsford thanked her. Ms. Ward stated that the Port will investigate this issue. Chip Bubl asked when the DEQ was out last. Mr. Lunsford said it had been a year, but he had not heard anything back from them. Robert Keyser stated the staff will be reaching out to Mr. Lunsford to set up a meeting to discuss this further. Sean Clark stated that this issue will be at the top of his priority list.

### **Old Business**

#### **Dredging Project Update**

Miriam House updated the Commission that the Port was awarded a grant from the Oregon State Marine Board (OSMB) to fund 25% of the proposed dredging project cost. The Port was awarded \$485,000 from OSMB, based on the current project cost estimate of \$1.9M. The Port also received an email from the Portland Sediment Evaluation Team (PSET) saying they are close to approving the Sediment Analysis Plan. Chip Bubl asked if Ms. House had seen any of the results from the sediment survey. Ms. House replied that nothing was approved. Mr. Bubl asked if Ms. House knew how bad the situation would be in terms of disposal, and she did not have any information to confirm at the time. Nick Sorber asked if there were plans to dredge on the inside of the main pier of the dock. Ms. House said the current plan is to dredge the entire interior of the Marina as well as the kayak area. Robert Salisbury asked how the \$485,000 would be disbursed and Ms. House indicated it would be on a reimbursement basis.

### **Marina Improvement Project Update**

Miriam House updated the Commission that the Port also received another grant in the amount of \$407,000 from the Oregon State Marine Board (OSMB) for the marina improvement project. OSMB and the Port will each contribute \$407,000 towards the project (the grant being 50% of the estimated project cost). Ms. House said they were very pleased and grateful for the OSMB grant funding. Ms. House stated Lacey Tolles will continue to pursue and apply for other types of grant funding. The Commission was pleased with all the grant funding secured by Port staff. Ms. House stated there won't be any forward momentum on the upland Marina Improvement Project until the engineering plans are completed. The Port anticipates submitting the plans to the County in September and sending the RFPs out in October, which will aid in determining the best time to do the upland portion of the project.

### **Airport Use Permit Update**

Amy Bynum updated the Commission regarding the ongoing grant from the Oregon Department of Aviation for emergency generators. She anticipates starting the bidding process before September. The Port has also asked for an extension on the grant with reasonable certainty it will be approved since it is common for other airports to secure extensions like this. The Port has submitted a request to the Federal Aviation Administration (FAA) for the Runway Rehab and the West Side Pavement Maintenance grants also. The next scheduled Airport Advisory Committee meeting is July 31<sup>st</sup>. She explained that both Commissioner Ward and Bubl, along with Sean Clark and Lacey Tolles, went on a tour of the Aurora Airport with Aron Faegre. Ms. Bynum mentioned it was amazing to study the Through-The-Fence (TTF) commercial opportunities at their airport. They were introduced to Mr. Faegre by Ed Freeman. Mr. Keyser asked if there has been continued outreach to Transwestern. Ms. Bynum responded yes, Port staff and Transwestern have been meeting regularly and it has been very productive. Ms. Bynum also mentioned she requested one hundred extra copies of the Port newsletter to mail to all the T-hanger tenants with their invoices. Mr. Keyser proposed having the next commission meeting on August 9<sup>th</sup> at the Airport with a social hour an hour before the meeting. Nancy Ward asked if the Commission is going to have a second monthly meeting or asked if they had been eliminated. Mr. Keyser said we will have one if we need a second meeting. Ms. Ward suggested having this airport meeting as our second meeting. Mr. Keyser stated that was an excellent suggestion. Mr. Clark mentioned that there will be a Strategic Business Planning Kick-off meeting to update the Commissioners in August. Brian Fawcett asked if the strategic business plan kick-off could possibly be our second meeting in August. Mr. Clark stated it could potentially be, and he would need to confirm with the Commissioners. Mr. Bubl asked if it could be the second meeting in July. Nick Sorber said he would be available on August 9<sup>th</sup> and Mr. Fawcett replied that he would be available as well. Mr. Keyser asked if the August 9 meeting date had been discussed with the Advisory Committee. Ms. Bynum said she mentioned it to Keith Forsyth (Airport Advisory Committee Chair). Mr. Keyser suggested having the social hour at 4:30 PM and the meeting at 6:00 PM on August 9<sup>th</sup>.

### **New Business**

#### **Code of Ethics Acknowledgement**

Robert Salisbury gave a PowerPoint presentation as part of the Commissioner's Annual State of Oregon Code of Ethics Acknowledgment. Commissioners Nick Sorber, Nancy Ward, Robert Keyser, Brian Fawcett, and Chip Bubl each acknowledged receipt and review of the Code of Ethics Acknowledgment form and ORS 244.020. Nancy Ward asked that all Commissioners be informed on the topics for Executive Session, not just the President. All the Commissioners were in agreement.

#### **Ordinance 2023-01 (First Reading)**

Robert Salisbury informed the Commission the Ordinance was on the agenda last month and the Commission asked to amend the language. Mr. Salisbury said the only change is that the disposal of property with minimum to no value must also be approved by the Executive Director. Mr. Salisbury mentioned this is up for the first reading. The second reading of the Ordinance will be at the August 9<sup>th</sup> Commission meeting.

#### **Personnel Policies – Paid Leave Oregon**

Robert Salisbury advised the Commission that he included a brochure in the packet about Paid Leave Oregon, which applies to the birth or adoption of a child, serious illness for an employee or a loved one, and sexual assault, violence, harassment, or stalking. The program starts on September 3, 2023. Currently, the employees of the Port are contributing to the program, the Port itself is not contributing to the program. The Port would be required to contribute to the program if they had 25 employees or more. Port employees over a certain salary taking family leave through the new program would be paid 70% of their salary during that 12-week period. Mr.

Salisbury asked if the Port Commission would consider a proposal to contribute to the remaining 30% to make the Port employees' salaries whole. Brian Fawcett, Nick Sorber, and Nancy Ward all agreed that the Port should contribute the other 30% to the paid leave. The motion carried unanimously.

### **Executive Director's Report**

Provided and read by Sean Clark. The Report is on file at the Port Office.

### **Commissioner Reports**

Chip Bubl said he went on the trip to the Aurora Airport, and it was awe-inspiring as to what they were able to accomplish economically. The Aurora Airport developed a system of reviewing the economic impacts of Through-The-Fence (TTF) agreements. Mr. Bubl also attended the City-County dinner and said it was informative.

Brian Fawcett said he agrees public comment should come before the Election of Officers next year. Mr. Fawcett also said the dust issue at Lignetics should be a high priority; it is a livability issue that should be prioritized. Mr. Fawcett welcomed Nick Sorber to the Port Commission.

Nick Sorber mentioned he attended the same City-County dinner as Chip Bubl, Nancy Ward, and Sean Clark and found it very informative as well. Mr. Sorber is looking forward to working with the staff and getting up to speed.

Nancy Ward welcomed Nick Sorber to the Commission. Ms. Ward mentioned that she appreciated the Ethics presentation by Mr. Salisbury today. She commented on the staff as a whole and remarked that the presentations and information the Port staff are giving to the Commission have risen way above the bar and are much appreciated. Ms. Ward stated that appearances matter and this is why she is disappointed with the process regarding the election of officers. She went on to say that everyone on the Commission is capable of being President. Ms. Ward felt that the election of the President was orchestrated to deny Chip Bubl an opportunity to become President. Ms. Ward suggested the Commission rotate the position of President. Ms. Ward further reported that it had been a busy month, including the PNWA Summer Conference at the Port of Everett, which she said was impressive. In addition to their marina, they have a retail business and industrial tenants. They do it all and do it really well. They also visited the Port of Skagit and met with their very helpful and friendly staff. She was also impressed with how the Port of Skagit helps the agriculture industry. Ms. Ward mentioned she had no idea what to expect going to the Aurora Airport, which includes a helicopter firefighting company. Ms. Ward said the trip was productive and gave her a lot of ideas to think about.

Robert Keyser wanted to first address the officer election issue. Mr. Keyser said he has been on the Port Commission for a little over 20 years, and the officer elections have always been done the same way. Mr. Keyser thinks rotating may not be a bad plan. Brian Fawcett mentioned he supports rotating positions as well. Mr. Keyser said he stepped outside to speak to the people who made public comments about Lignetics to ask them to call in advance and be included on the agenda. Mr. Bubl thought the issue had been solved some years ago. He was unaware there was this level of concern. Mr. Keyser mentioned there will be some transportation issues in North County for the next few weeks due to the Lewis and Clark Bridge being closed for 8 days starting Sunday. Mr. Keyser welcomed Nick Sorber and congratulated Robert Gadotti on his retirement.

### **Executive Session**

The Board held an executive session to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed pursuant to ORS 192.660(2)(h) and to review and evaluate the job performance of the Port Executive Director pursuant to ORS 192.660(2)(i).

### **THE COMMISSION RETURNED TO REGULAR SESSION.**

### **Executive Director's Salary**

Robert Gadotti presented a summary of comparable salaries including comparable Executive Director positions at other Ports in Oregon. Salaries for the Executive Director's position from the Port of Tillamook, Port of Astoria, Port of Hood River, and Port of Newport were all reviewed. Mr. Gadotti said this comparison had been used to propose Sean Clark's salary for the Executive Director's position in the 2023-2024 fiscal year. Mr. Gadotti recommended a salary of \$189,000 for the position and confirmed this amount was included in the budget, factoring in this comparable information. Nick Sorber suggested taking the median of the four comparable Ports in Oregon. Taking the average of those four comparable Ports equals a salary of \$189,093.25. Ms. Ward asked if Mr. Gadotti knew how the other Ports arrive at the salaries they have. Brian Fawcett stated he thinks each

Commission for those organizations determines what they felt the value of the position was. Mr. Gadotti said the Port is using the comparison as a guide to help the Commission determine what Mr. Clark's salary should be because it is less than the salaries other comparable ports are paying for the Executive Director position. Mr. Fawcett said to be able to retain somebody in a competitive market is another reason to justify the salaries. Mr. Fawcett indicated the value of the position and believes Mr. Clark is underpaid. Mr. Gadotti said the Port should look at the industry for comparable salaries. Nick Sorber stated that this is a unique field since it is not a typical CEO position. Mr. Fawcett mentioned this process seems reasonable and correct to him and he supports the salary increase. Ms. Ward also supports the increase. Nick Sorber made a motion to increase Sean Clark's salary to \$189,093.25 effective July 1, 2023. Chip Bubl seconded the motion. The motion carried unanimously.

**THERE BEING NO FURTHER BUSINESS BEFORE THE COMMISSION THE MEETING ADJOURNED AT 11:15 A.M.**

  
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President

  
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Secretary

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August 9, 2023  
Date Adopted by Commission