

Regular Commission Meeting
April 6, 2022 – 10:00 AM
2 Marine Drive, Boardman, Oregon 97818

I. CALL TO ORDER AND INTRODUCTIONS

Rick called the meeting to order at 10:00 AM.

Commissioners Present: Rick Stokoe, Marv Padberg, Joe Taylor, Jerry Healy and John Murray

Staff Present: Lisa Mittelsdorf, Mark Patton, Eileen Hendricks, Jason Hendricks, Jacob Cain, Miff Devin, Erika Lasater, and Brandy Warburton

Visitors Present: Karen Pettigrew and Dawson Quinton

By Zoom Meeting: (Staff) Marcine Brangham, Tim Patton
(Guests) Robert Fritz, “citizen”, Kirby Garrett, JD, Brian Jackson, Patrick Collins, Mike A, Debbie Radie, Mike Alldritt, 14582352211

II. CONSENT AGENDA

A. March 9, 2022 Regular Commission Meeting Minutes

B. Port of Morrow Real Estate Broker Commission Policy

Joe asked for clarification regarding item #5 in the policy. Lisa reported that it’s an added cost to the buyer not the Port.

Joe moved to approve the consent agenda items. John seconded. No further discussion was had. The motion passed unanimously.

III. LEGISLATIVE UPDATES

A. Federal – Kirby stated that it has been a busy month working on Port priorities and activities. Congress passed appropriations for FY 2022 and moved immediately to FY 2023, which includes solicitations for community projects targeted to Congressionally directed spending. Projects were due on April 1. He thanked the Port team for getting everything ready to go. Four projects for the Port were submitted: Improvements to the wastewater infrastructure system, money for the SAGE Center Cultural and Training Center expansion, Exit 165 interchange improvements, and the south Port rail safety enhancements. He stated we also partnered with the City of Irrigon for an incubator project for the city. The senators’ staff will review projects from across the State and determine the best choices to include for consideration. He will meet with appropriation staff next week regarding the projects.

Lisa mentioned to Kirby that barge costs for Tidewater are significantly higher than

anticipated and they had reached out for help. She has recommended they reach to him for help. Kirby confirmed that he had spoken with them.

- B. State** – Dawson presented an update regarding the state legislature. The state emergency board will probably meet in June. It's an interim committee through the Ways & Means Committee that looks at other funding needs.

IV. OLD BUSINESS

- A. CDA** – Joe reported to the group from the last CDA Board meeting about the 640 acres the Port intended to purchase and said that as of right now, the CDA Board doesn't think that will happen. Other members no longer want to pursue that option. Lisa made a motion to move forward with that original intent at the last meeting, but it did not have enough support to pass. The Army is still expecting the \$1 million for the transfer. CDA Chair Jim Doherty mentioned that all the entities might need to split the cost of the \$1 million. There was further discussion regarding the money being a loan to the CDA and what options there might be.

The commissioners decided not to take action until after further discussion during the executive session.

- B. Other**
No other old business was discussed at the time.

V. NEW BUSINESS

- A. Policy Update – Whistleblower Protection Policy** – Brandy explained the policy was updated in 2017. She recommended just the job title change that's highlighted. This is the first reading. The resolution will be made to accept the policy at the next meeting.
- B. Bylaws** – Brandy presented a rough draft of updated bylaws for considerations to the commissioners. Discussion was had about creating a sub-committee to review the bylaws and make changes to present to the group at the next meeting. John and Joe agreed to be that committee.
- C. New Leases** - Lisa reported on the renewal of the VA clinic lease. There have been changes to their lease to accommodate a request for additional space. We will be doing an extensive remodel to the space that will be in the neighborhood of \$80-100,000. No action is needed.

- D. Other**
No other new business was discussed at the time.

VI. STAFF REPORTS

A. Project Updates

- **SAGE Center Addition** – Mark said that structural drawings should be available on Monday. \$7-9 million is needed for the expansion. Eileen gave a reminder that the \$4.3 million from the state will not be available until 2023.
- **B.U.I.L.D.** – Jacob said there was an update call with UP two weeks ago. We received exemptions for grade analysis. We're resubmitting next week. Bridge beams have been poured and are in Harrisburg. Utility relocations will start soon. The water system will be upgraded. We will be working with the City and Developer to add a new lift station for this area.

B. Maintenance Update – Erika presented photos while Tim gave a status update. Photos included: BUILD, SAGE Center (bridge, TESLA stations, SciFri), Industrial Way/South Lift Station, Well 1, Tidewater Housing Development, Marker 50 Golf Club, and Workforce Training. Jacob and Mark answered questions regarding the changes to Marine Drive.

C. Financial Update – Jason presented the financial update. The difference between last month and this month is an additional \$1.6 million that has been designated for upcoming bond payments. He noted the increased warehousing costs for the pallets are being recuperated and it's not as concerning as it was presented in the last meeting. Eileen added that since the meeting is a week early, some of the numbers are affected by that.

D. Usage Reports – Eileen commented that steam revenues are substantially higher because we get a 10% commission on the steam sales. Steam prices are based on the natural gas prices. There were no questions about the report.

E. Other

No other staff reports were discussed at the time.

VII. OTHER REPORTS

A. Willow Creek Valley Economic Development Group / Heppner Chamber – None present

B. Boardman Chamber Update / BCDA – None present, a report is included in the packet. Lisa noted that BCDA is meeting next week to determine the budget for the 2022 year. Broadband will continue to be a focus. Another project is the sidewalk project on Columbia that will go from Main Street all the way to Olson Road. The Port committed \$250,000 towards that.

C. City Updates

Karen Pettigrew shared good news that the Corps gave approval for the bond project. BPA has also given approval to start. A traffic study was conducted last week, but results have

not been received yet. Union negotiations were also next week. Barry's celebration of life is next week, Friday at 2 PM.

D. County Updates – none present

VIII. Other –Lisa reported that she gave a tour, including discussion regarding farming needs in the region to Betsey Johnson recently.

IX. EXECUTIVE DIRECTOR POSITION

Rick went over previous notes and summarized the process to date for the hiring of a new Executive Director. He said a discussion was needed regarding an evaluation timeline, interview panels, benefit package, and a pay scale. The desired start date was listed as May 1 in the announcement.

Discussion was had about what can be done in Executive session during the process.

The commissioners discussed the benefit package and pay scale. After Eileen gave an overview of the existing pay scale, Rick called for a range between \$200-280,000.

Jerry moved that we set an executive director pay range of between \$200-280,000 plus standard Port benefit package. Marv seconded. The motion passed unanimously.

Rick reported that three letters of interest were received by the deadline and would be moving forward in the selection process. A lengthy discussion was held regarding the option of using just a board or include a community panel, how to select potential committee members, and how it would affect starting date flexibility.

John moved for a six-member community panel representative of people from each community and one from the county and a second interview panel consisting of the Port commission. Joe seconded. Further discussion was had about who would appoint the community panelists for the committee. Rick called for a vote. John and Joe voted yes. Marv and Rick voted no. Jerry abstained.

John moved that we form a community panel with one representative from each community and one not tied to a specific community (rural) with the process to be determined. Joe seconded. Rick, Joe, Jerry, and John voted yes. Marv voted no. The motion passed with a 4-1 vote.

Discussion was had for ideas to establish selection criteria.

Jerry moved and John seconded to have city mayor/administrator and a county administrator (or their designee) submit three names by April 18th. Names would be drawn from a hat for the committee. No further discussion was had at the time and the motion passed unanimously.

Rick announced, for the record, that we will be doing both board and community panels to conduct interviews. We will have names back by the 18th and commissioners can select those names by a random draw. It was decided that names for the community committee would be drawn on April 19 at 9 AM.

Rick proposed a tentative date of April 25 starting at 10 AM to conduct the interviews. Interviews would be conducted in Executive Session and the community panel would not be open to the public.

After additional discussion, the commission agreed on May 9th or May 23rd as the potential start dates which correspond with pay periods.

Rick and Joe were authorized to negotiate a conditional offer to the selected applicant.

Rick declared that all decisions regarding the interview and hiring process had been made and that Brandy should write it all down for a formal process including a six-month review after the starting date.

X. FOR THE GOOD OF THE ORDER

At 12:13 PM, Rick read the relevant ORS regarding the executive session and recessed the regular meeting. An email will be sent with notification when the executive session is closed, and the regular session returns to session.

XI. UPCOMING EVENTS:

April 15		Economic Interest Statement filing due
May 11	1:30 PM	POM Regular Commission Meeting

XII. EXECUTIVE SESSION

- A. For the Purpose of Consideration of Deliberations with the Port's Executive Director and Other Staff Members Who Have Been Designated by the Port to Negotiate Transactions Related to the Sale or Lease of Real Property – ORS 192.660 (2)(e)**

- B. For the Purpose of Consultation with Counsel Concerning the Legal Rights and Duties of a Public Body with Regard to Current Litigation or Litigation Likely to be Filed – ORS 192.660 (2)(h)**

- C. For the Purpose of Consideration of the Employment of a Public Officer, Employee,**

Staff Member, or Individual Agent – ORS 192.660 (2)(a)

The commission reconvened the regular meeting at 1:21 PM. No decisions were made during executive session, but there are topics that need follow up discussion.

Lisa recommended the commission direct staff to reach out to our counsel to find out the legal status of the language in the application for conveyance of the property (640 acres on the Chemical Depot land) and to see if there the port has any legal standing. She also recommended taking action on the decision to pay up to \$200,000 or up to \$1 million towards the \$1 million that's needed for the transfer of the property from the Army.

Joe moved and Jerry seconded to have the legal team look into the contractual agreement between parties of the CDA and what was submitted to the EDU. There was no further discussion. The motion passed unanimously.

Rick called for the next motion to commit \$200,000 towards a request or potential request by the CDA from each of its five members. There was additional discussion. Jerry moved that we not participate in committing the \$200,000 as a 1/5 of the participating members in the CDA and Joe seconded. No further discussion was had, and the motion passed unanimously.

Jerry moved that we reaffirm the Port's commitment to pay \$1 million to the Department of Defense for the transfer of 640 acres to the Port, as per the original intent of the CDA. Marv seconded. There was no further discussion. The motion passed unanimously.

There was discussion regarding the current plans to develop access from the guard gate west and options for access from the east. Joe moved that we reaffirm our position to spend \$3.5 million in Morrow County. Jerry seconded. Rick added that the legislative intent for the \$7 million would be that half would go to each county, Umatilla and Morrow. The motion passed unanimously.

The meeting was adjourned at 1:32pm.

Submitted by:



Rick Stokoe, Commission President



Joe Taylor, Commission Secretary

