

1. **Call to Order, Pledge of the Allegiance, and Roll Call:**

President Christian called the meeting to order at 6:00 pm.

The board and audience stated the pledge of allegiance.

**Commissioners Present:** Position 2 Treasurer Roger Thompson, Position 4 Vice President Jan Barbas, & Position 5 President Angi Christian. Position 1 Secretary Andy Martin and Position 3 Commissioner Roy Davis were absent.

**Staff Present:** Foreman Travis Webster, Administrative Assistant Danielle Shepard, and Attorney Jim Coffey by phone.

2. **Approval of Agenda:**

VP Barbas proposed two agenda amendments. One, to add an executive session to discuss the rights and duties of a body, with regard to litigation likely to be filed, or that's been filed. Proposed that it be added after the public comments.

*Pres. Christian amended VP Barbas motion and would like the executive session to be after the approval of minutes.*

*VP Barbas withdrew his motion.*

*VP Barbas made a motion to add an executive session to move number nine, non-agenda related public comments, up and combine it into three, so we just have one public comment session. Then add the executive session immediately after, between four and five. The other item I'd like to add-- we approved the invitation to bid for the launch dock replacement. It had the sample contract in it, and the process of the schedule. Seconded by Treas. Thompson. Voting yes: unanimous.*

3. **Public Comments:**

**Sharon Hartung:** concerned about the transferring of this SDC credits to other properties rented to port occupants. The port needs to ensure that these tenants reimburse the port for these SDC credits used to improve their businesses when they are starting a new business, or they are expanding. There may come a day when the port has the ability to put a new laundromat back in the RV park and the port may not have the required SDC credits any longer or the funds available to accomplish this. So, it's just a concern I have, and I would like the board to take that into consideration.

**Doug Lewis:** wanted to talk about professional fees. A lot of the fees are stuff that Travis and Brent are very familiar with. Unless there are some other reason to get a third opinion that is not necessarily related to their field, is unrelated to what they are trying to do or distantly related, it just seems like you could save a lot of money by having Brent or Travis look at it. Rather than spend the money on the professional fees, because it looks to me like the port's going to be in serious financial trouble. They ran up some enormous costs particularly with attorney's fees. I don't see where these attorney's fees and second engineer's opinions are really doing the port much good particularly if there isn't even really a problem. These two guys are very capable of assessing mechanical issues and engineering

issues.

No other public comments.

**4. Approval of Minutes:**

**a. Regular Meeting – Tuesday, December 19, 2017:**

*VP Barbas made a motion approve the Regular Meeting – Tuesday, December 19, 2017, minutes as written. Second by Treas. Thompson.  
Voting yes: unanimous.*

**5. Executive Session ORS 192.660 (2)(h):**

**h. To consult with counsel concerning legal rights and duties regarding current litigation and litigation likely to be filed.**

Board of Commissioners went into executive session at 6:17 pm.

Board of Commissioners went back into regular session at 7:00 pm.

Mr. Coffey informed the board that they have been sent an email this evening that contains the notice that you have to provide your employees about the earned income tax credit. This is in relationship to Senate Bill 398. If you have issued your employees' W2 forms already this year, just hand it to them personally.

VP Barbas informed Mr. Webster that he will forward that email to him to take care of.

Mr. Coffey also informed the board that the employment application and public record policy also need to be updated.

Mr. Coffey ended his phone call with the commission.

**6. Financial Report:**

Pres. Christian requested for the commission to get the receivable report again every week.

**a. Submit Account to Collections:**

The board was confused on if there were two vessels that needed to be written off, and if there are two different names.

Ms. Shepard tried to explain to the board that it is only one boat, Sea Chicken II, and one name that needs to be written off.

*Treas. Thompson made the motion to move forward and turn it over to the collection agency.*

Pres. Christian believed there was too much confusion, and would like to see some clarification on if we have seized the boat? Do we need to go get the boat? Or are we just going to put collection in word? And if the boat is then left at another Port, are they going to come after us for moorage fees because we've seized it? I want more clarification.

Mr. Webster informed the board that he will find more information on the vessel.

*VP Barbas made a motion to continue to next week. Second by Treas. Thompson. Voting yes: unanimous.*

**7. Operational Report:**

Mr. Webster read his operational report to the board and public.

**8. Old Business:**

**a. Telehandler:**

Pres. Christin informed the board that she has been working with Umpqua Bank, and they are giving us a loan. Kim Boom has been working with them to get them the information. It looks like we're going to have it this next week.

**b. RV Park Restrooms:**

Mr. Webster informed the board that we already close the bathrooms during high surfs, and in our brochure, we say that it's closed from 10:00 PM to 7:00 AM. Believes we've covered our basis of letting the guests know when they check in that they will be closed.

**c. Invitation to Bid for the Launch Dock Replacement:**

*Treas. Thompson made a motion to award the contract to Topper Industries for the ramps.*

*Treas. Thompson withdrew his motion.*

*VP Barbas made a motion to award the contract to Topper with signature authority to temporary interim Port Manager Katherine Lindley Hall, and President Angi Christian. If we don't appoint her further down, we'll have to come back and revisit this. Second by Pres. Christian. Voting yes: unanimous.*

**9. New Business:**

**a. Interim Manager:**

*VP Barbas made a motion to that the Port commission accept the temporary interim manager's personnel service agreement with Katherine Lindley Hall, and authorize President Christian to sign the personnel service agreement. Seconded by Treas. Thompson. Voting yes: unanimous.*

**b. System Development Charges:**

VP Barbas informed the board that we received a letter from Harbor Sanitary last week on the 31st. He went down and met with Kelly and got some clarification on what the letter means. As he understands her, the port has \$211,000 worth of system development charge credit at Sportshaven beach for taking out Fely's and the laundromat. They're giving us the ability to move that into other areas of the Port essentially as needed. And, went over with her some scenarios and some numbers.

VP Barbas suggested we might want to reserve a significant amount of our \$211,000 credit at Sportshaven to permit that sort of development in the future. This would expire in 10 years from when Fely's was raised. We have probably nine years or more to do that.

VP Barbas would like to figure out if the board is interested to figure out some way we can move some of those SDC's over from Sportshaven and use them in some way to facilitate development in the port, and get people in these spaces, and maybe recover those costs over time, or possibly into a fund that we could then purchase new SDC's when we need them or something. Has some very arbitrary numbers in my mind of maybe a tenant would pay a quarter down and pay a slightly higher lease rate down the road. We would pay the SDC's to get them started and recoup that over a 10 or 15-year period.

Pres Christian doesn't mind promoting tourism and economic development. But as far as asking if Bells & Whistles wants to expand and they want 10 years to pay us back, there's no guarantee they're going to be open in 10 years. Hopes they are, and hopes it's the same owners, but is not comfortable with that long term.

Pres Christian suggested before we do anything, would love for VP Barbas to email Mr. Coffey and get some more information of what we as a commission can do legally and do it right.

10. **Commissioners Report:**

**Treas. Thompson:** Happy about how staff handled the sinking vessel, the machine is doing a good job, glad we'll get a new one. Glad we're moving forward, we're doing okay, we're hanging together as best we can. Appreciates all the hard work that the staff put it in under the conditions they have been working under. I appreciate it all of them. Thank you.

**Pres. Christian:** would like to welcome Miss Hall, the staff, and her looking forward to getting her started. Get to give her keys to the kingdom tonight, storage, office keys and the beloved telephone. Proud of the staff, we need more staff.

No other commissioner reports.

11. **Adjournment:**

The meeting was adjourned at 7:38 p.m.

  
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Port Commissioner