

PORT OF GRAYS HARBOR
COMMISSION MEETING MINUTES
November 14, 2023

The Port of Grays Harbor Commission Meeting November 14, 2023 was called to order at 9:00 AM. This meeting was both a virtual meeting conducted using Zoom and an in-person meeting. The public was able to access this virtual meeting using either the Zoom platform or by calling in.

Vicki Cummings led the flag salute.

Those in attendance at the meeting were as follows:

COMMISSION AND STAFF

Stan Pinnick	Commissioner
Phil Papac	Commissioner
Tom Quigg	Commissioner
Gary Nelson	Executive Director
Leonard Barnes	Deputy Executive Director
Arthur Blauvelt	Legal Counsel
Mike Folkers	Director of Finance & Administration
Randy Lewis	Director of Health, Safety & Environment
Kris Koski	Port Engineer
Alissa Shay	Satsop Business Park General Manager
Molly Bold	Westport Marina General Manager
Kayla Dunlap	Director of Government & Public Affairs
Lisa Benn	Accounting Manager
Tracy Ewing	Accounting Specialist
Aaron Aschim	Contracts Manager
Nolan Wyatt	Marine Terminal Superintendent
Cynthia Crisp	Reception
Chris Hunt	IT Director
Ross Read	Satsop Business Park Operations Manager
Jeremy Plummer	Westport Marina Operations Manager
Stephanie Edens	Westport Marina Office Manager
Brittany Miller	Westport Marina Office Assistant

VISITORS

Anne Reese	Citizen
Arnie Martin	Citizen
Jennifer Custer	Citizen
Clayton Franke	The Daily World
Linda Orgel	FOGH

REPORTS:

Final Timber Sale – Contract No. 2207 Gas Line North Timber Sale

Aaron Aschim, Contracts Manager, reported that the logging services awarded to Johnson Logging LLC for cutting approximately 220 MBF of Douglas Fir and Red Alder saw logs plus 150 tons of pulp logs from Port property along Keys Road had been completed. He further reported the net revenue to the Port was \$114,190.28.

2024 Service Agreements and Memberships

Mike Folkers, Director of Finance & Administration, explained the history of the Port funding to help organizations working on projects for the betterment of Grays Harbor County.

Lynnette Buffington, Greater Grays Harbor Inc. (GGHI), provided a PowerPoint presentation reviewing the municipal services agreement GGHI has with the Port and results of GGHI activities over the last year.

Vicki Cummings, Grays Harbor Council of Governments, provided a PowerPoint presentation with an annual update and their planned projects for next year.

Port of Grays Harbor Leadership Succession Options

Gary Nelson, Executive Director, read a letter to the Commission announcing his retirement after 24 years with the Port.

Mike Folkers, Director of Finance & Administration, discussed the next steps for replacing the Executive Director, gave the Commission three options and asked the Commission for direction. Commissioner Tom Quigg suggested a Special Meeting to discuss the options in greater detail at the end of the month.

T4 Expansion & Redevelopment Project Report

Kris Koski, Port Engineer, updated the Commissioners on the T4 Expansion Project. He reported that all of the 90% design document have been received and that staff is

working on ongoing tribal outreach to advance treaty rights. He further reported that staff is looking ahead to submitting the next round of permits.

Public Information Report

Kayla Dunlap, Director of Government & Public Affairs, reported on the election results from the November 7, 2023 General Election. She further reported that Congressman Derek Kilmer announced on Thursday, November 9, 2023 that he would not be seeking re-election. She stated that the US government will shut down on November 17, 2023 if congress does not take action this week to get another continuing resolution passed. She concluded by reporting that next month we will be bringing our 2024 legislative priorities to the Commission as well as a communication plan for 2024.

Vessel Report

Leonard Barnes, Deputy Executive Director, reported that in October the Port had calls from 6 deep-water vessels and 2 barges, which resulted in 272,100 metric tons of cargo being handled. Year to date there have been 73 deep-water vessels and 24 barges for a total of 2,652,470 MT of cargo.

Kayla Dunlap gave the virtual participation instructions.

VISITORS/PUBLIC COMMENTS:

Arnie Martin stated that it has been a pleasure working with Gary and congratulated him on his pending retirement.

Items discussed and action taken where required are as follows:

MINUTES:

1. By motion made by Commissioner Pinnick seconded by Commissioner Papac and unanimously approved, the Commission adopted the Minutes of October 10, 2023, Regular Commission Meeting as recorded in the Minutes Book No. 23 on pages 15 through 22 inclusive.

VOUCHERS:

1. By motion made by Commissioner Papac and seconded by Commissioner Pinnick the Commission unanimously approved for payment those Payroll Vouchers issued October 15, 2023, and October 31, 2023, ACH/Wire Transfers No. 99902043 through and including No. 99902059, and General Disbursement Vouchers No. 111246 through and including No. 111456 for payment in the amount of \$4,781,267.58.

ACTION ITEMS:**Authorization to Award Contract No. 2233 Terminal Maintenance Dredging 2024**

Aaron Aschim, Contract Manager, reported that maintenance dredging will be required in 2024 to ensure that vessels can safely use the berths to load and unload cargo. He further reported that the estimated volume of material to be removed is 135,000 cubic yards and will be completed in February and July of 2024. He stated that on October 11, 2023 the project was advertised to the public and on November 1, 2023 the Port opened bids from two contractors with the low bidder being American Construction. He concluded by reporting that there were two additive bid alternates for turbidity monitoring and mobilization for Round 2.

A motion to authorize the Executive Director to negotiate and award the Base Bid and Additive Bid Alternates as needed for Contract No. 2233, Terminal Maintenance Dredging 2024 to American Construction in the amount of \$1,386,500.00 (not including WSST) was made by Commissioner Pinnick seconded by Commissioner Papac. Motion passed with a vote of 3-0.

Ratify the Action of the Port's Executive Director – C/F Todd Nina Derelict Vessel Removal

Aaron Aschim, Contracts Manager, reported that the C/F Nina Todd was seized at the Westport Marina in May 2023 for nonpayment of Port charges. He then reported that in late September, a work request was advertised that included the abatement of asbestos, demolition and disposal of the vessel. He stated that the Port received on bid from Quigg Brothers for \$89,000. He further reported that on October 13th, with the winter weather approaching, the Executive Director awarded a contract on October 27, 2023. He concluded by reporting that this project will 100% reimbursement of total expenses from the Derelict Vessel Removal Program.

A motion to ratify the actions of the Executive Director to award Contract No. 2225 to Quigg Brothers, Inc. for the removal of the C/F Todd Nina was made by Commissioner Pinnick seconded by Commissioner Papac. Motion passed with a vote of 3-0.

Ratify the Actions of the Port's Executive Director, Change Order No. 1 for Contract No. 2206 Bowerman Taxilanes and GA Apron Rehabilitation

Aaron Aschim, Contracts Manager, reported that after starting design of the Taxilanes and Apron Project at Bowerman Field, Century West determined the basemapping developed for the preliminary design phase could not be used for the final design. He further reported that this survey work is required to be completed before the design and engineering work can begin for a total cost of \$33,760. He stated that based on this, the Executive Director approved the change order on October 24th, thus saving an additional 6 weeks of lead time in the design schedule.

A motion to ratify the actions of the Executive Director to approve Change Order No. 1 to Century West Engineering for Contract No. 2206 Bowerman Taxilanes and GA Apron Rehabilitation Engineering was made by Commissioner Pinnick seconded by Commissioner Papac. Motion passed with a vote of 3-0.

Assignment Lease No. 1180 Sunrise Pest Management Inc.

Leonard Barnes, Deputy Executive Director, reported that Sunrise Pest Management has been a tenant at 2421 West First Street since September 2021. He further reported that the business has been bought by Perennial Services Group, the parent company, and they would like to continue the lease.

A motion to authorize the Executive Director to consent to the assignment of Lease No. 1180 to Sunrise Pest Management LLC was made by Commissioner Pinnick seconded by Commissioner Papac. Motion passed with a vote of 3-0.

Recommend Changes to the Westport Marina Tariff

Molly Bold, Westport Marina General Manager, reported that she recommends changes to the Westport Marina Tariff including new and modified definitions, the elimination of 3rd party subleasing and placing moorage limitations on inactive commercial fishing vessels.

A motion to approve amendments to the Westport Marina Tariff as outlined was made by Commissioner Pinnick seconded by Commissioner Papac. Motion passed with a vote of 3-0.

The Meeting was recessed at 10:53 AM for a Public Hearing.

Public Hearing – 2024 Budget

Mike Folkers, Director of Finance & Administration, stated that a public hearing has been advertised for the 2024 Budget to be held during the regular Port Commission meeting on Tuesday, November 14, 2023. He further reported that annually, the Port Commission adopts a Port operating and capital budget. He concluded by stating that staff has prepared the 2024 Preliminary Budget which was presented to the Port Commission and made available for public review on September 29, 2023.

Public Comment:

No public comment

The Public Hearing was closed at 11:11AM and the Regular Commission Meeting reconvened at that time.

RESOLUTIONS:

Resolution #3095: Adoption of the 2024 Budget

Mike Folkers, Director of Finance & Administration reported that the Commission of the Port of Grays Harbor is required by RCW 53.35 to adopt an annual budget setting forth the estimated expenditures for the Port, and the anticipated available funds from which all expenditures are to be paid. He further reported that the Port's adopted budget must be filed with the Grays Harbor County Commissioners on the first Monday of December as specified in Port of Grays Harbor Resolution No. 3095. He concluded by stating that a public hearing was held by the Port Commission on November 14, 2023, providing taxpayers the opportunity to appear and comment on the proposed budget for 2024.

Motion to adopt *A Resolution of the Commission of the Port of Grays Harbor Adopting the Port's 2024 Budget* was made by Commissioner Pinnick seconded by Commissioner Papac. The motion passed with a vote of 3-0. Resolution adopted.

Resolution #3096: Adoption of the 2023 Property Tax Levy for Collection in 2024

Mike Folkers, Director of Finance & Administration reported that the Port's property tax levy is set each year as part of the Port's budget process and per State law, a Port District's regular levy rate may not exceed \$0.45 per \$1,000 of property value (or \$45 per \$100,000 of value). He further reported the levy must be filed with the G.H. County Auditor by November 30th after holding a public hearing. He stated that the Port's tax levy is dedicated to Capital Projects and that property taxes are an

important part of the Port's financial resources and the Port's ability to facilitate economic development projects for our community.

Motion to adopt *A Resolution of the Commission of the Port of Grays Harbor Authorizing the Port's 2023 Property Tax Levy for Collection in 2024* was made by Commissioner Pinnick seconded by Commissioner Papac. The motion passed with a vote of 3-0. Resolution adopted.

Resolution #3094: Authorization to hold Public Auction for the Abandoned Vessel Just Fun

Molly Bold, Westport Marina General Manager, reported that in August of 2023, the vessel Just Fun was seized for non-payment of Port charges and a certified letter sent to the owners. She further reported that no action has been taken and a public notice has been published in the Daily World stating that there will be a public auction on November 28, 2023 at 2:00 PM.

Motion to adopt *A Resolution of the Port Commission of the Port of Grays Harbor Authorizing the Sale at Auction of Abandoned Vessels* was made by Commissioner Pinnick seconded by Commissioner Papac. The motion passed with a vote of 3-0. Resolution adopted.

Resolution #3097: Authorizing the Executive Director to Execute all Documents Necessary to Purchase Eight Parcels of Property from the Union Pacific Railroad

Art Blauvelt, Legal Counsel, reported that the Union Pacific Railroad owns eight (8) parcels of land located South of the PSAP mainline north of West First Street adjoining property owned by the Port. He further reported that Port staff recommends that the Port acquire these parcels to decrease the risk of injury to the public and reduce damage. He further reported that these parcels are being offered for sale in the amount of \$119,000.

Motion to adopt *A Resolution of the Port of Grays Harbor Commissioners Authorizing the Executive Director to Execute All Documents Necessary to Purchase Eight Parcels of Property from the Union Pacific Railroad* was made by Commissioner Pinnick seconded by Commissioner Papac. The motion passed with a vote of 3-0. Resolution adopted.

Resolution #3098: Correcting the Parcel Number Set Forth in Resolution No. 3088

Mike Folkers, Director of Finance & Administration, reported that when the Tax Increment Area was created by Resolution No. 2088, a survey and legal description was completed to create a new sub parcel for tax purposes. He further reported that the legal description contained a reference to an incorrect parcel number.

Motion to adopt A Resolution of the Port Commission of the Port of Grays Harbor Correcting the Parcel Number Set Forth in Resolution No. 3088 was made by Commissioner Pinnick seconded by Commissioner Papac. The motion passed with a vote of 3-0. Resolution adopted.

VISITORS/PUBLIC COMMENTS:

None

NEW BUSINESS:

Executive Director Gary Nelson reported on the following:

- This afternoon there is a North Shore Levee NEPA scoping meeting
- The WPPA Legislative Committee meets tomorrow
- The Washington State Auditor's Office is holding an exit conference tomorrow
- The Washington State Board of Pilotage Commissioners will hold their monthly meeting on Thursday
- The AAPA Policy Committee meets this week
- The PNWA Membership Committee meets this week
- The Port's Annual Employee Workshop and Luncheon is November 21st
- There will be a Special Commission Meeting on November 30, 2023 at 9:00 AM
- The WPPA Annual Meeting will be December 6-8 in Vancouver, WA
- The next Regular Commission Meeting is December 12, 2023.

There being no further business to come before the Commission, the Regular Meeting recessed at 11:24 AM.

The Board then went into Executive Session to consider the acquisition, sale or lease of real estate and to discuss with Port's legal counsel matters relating to agency enforcement actions, litigation or potential litigation and to review the performance of a public employee. No action to be taken during Executive Session.

It was announced that the Executive Session would start at 11:34 AM and last 60 minutes.

There was one 30-minute extension.

The Executive Session ended at 1:04 PM. The Regular Meeting adjourned at that time.



President

ATTEST:



Secretary

