



COMMISSION MEETING MINUTES SEPTEMBER 13, 2023 100 E. STREET COLUMBIA CITY, OREGON 97018

The Port of Columbia County held a Board meeting at 8:30 a.m. on Wednesday, September 13, 2023, at the Port office 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

Dan Luckett	Columbia Pacific Bio-Refinery
Steve Nelson	Lignetics
Kevin Murray	Lignetics
Betsy Johnson	Transwestern Aviation
Chris Iverson	Former Port Commissioner
Alta Lynch	Zoom
Dan Serres	Zoom
Doug Bean	Zoom
Henry Schulte	Zoom
Andrew Niemi	Zoom

Staff

Sean Clark	Executive Director
Amy Bynum	Real Estate & Bus. Dev. Mgr.
Robert Salisbury	Port General Counsel
Bob Gadotti (Zoom)	Executive Finance Mgr. (Ret.)
Miriam House	Operations Mgr.
Gina Sisco	External Affairs Mgr.
Elliot Levin	N. County Terminal Mgr.
Elizabeth Millager	Operations Coordinator
Lacey Tolles	Data Res. & Projects Spec.
Sydell Cotton (Zoom)	Assistant Finance Mgr.
Brittany Scott	Finance Assistant
Susan Tolleshaug (Zoom)	Administrative Asst.
Christa Burns	Administrative Asst. II

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

Additions To Agenda

Robert Keyser asked the Commission if there were any additions to the agenda. There were no additions. The Airport Update was moved before the Dredging Project update.

Consent Agenda

Robert Keyser motioned to approve the consent agenda. Brian Fawcett moved; Chip Bubl seconded a motion to adopt the consent agenda items A, B & C: August 9, 2023 Minutes, Financial Reports for August 2023, and August 2023 Check Register (A) in the total amount of \$502,341.70. The motion carried unanimously.

Comments From the Public

Guest speakers will address agenda items at the time the topic is presented. Mr. Keyser asked if anyone would like to address any items not on the agenda and there were none. There were no public comments.

has a lot of stipulations in terms of having someone with expertise who can work at an airport. In the past, the Port had a provision that mentioned local preference. Mr. Salisbury advised that local preferences are more complicated than state preferences but are reflected in our rules and favored by the Commission. Ms. Bynum stated that the Port has listed local preferences in similar contracts. Mr. Sorber inquired whether the Port is reaching out to local companies. Ms. Bynum explained that the Port is trying a new online platform bidding system similar to a social media post that will proliferate out to more bidders and there is nothing that would prevent the Port from using a local business. Mr. Sorber would prefer to hire someone local. Mr. Fawcett said keeping money in the local community is good in general. Ms. Ward agreed.

Dredging Project Update

Miriam House, Port Operations Manager presented the Commission with good news on the dredging project sampling plan, which has been approved by the Portland Sediment Evaluation Team (PSET) and is almost complete except for two areas of the dredge zone near the kayak area where the fingers go toward the shoreline. That area could not be reached by large boat due to shallow, muddy water. A smaller boat is needed to have those samples collected and then sent out for analysis. Sean Clark noted we will not hit the window for dredging this year.

Marina Improvement Project Update

Miriam House also reported that the upland phase is moving along on time and as mentioned during the last Commission meeting on August 9, 2023, there was a cost reduction of \$160,000. The Port has just received a permit from the Department of State Lands for the in-water work. Other permits for stormwater, county floodplain, water quality certification, and biological assessment are in review but are still within our timeline.

Lacey Tolles, Data Research and Projects Specialist gave the Commission two updates on projects at the Scappoose Bay Marina. The Marina Advisory Committee met last week, and Branden Staehely from Columbia River PUD (CRPUD) was in attendance. Ms. Tolles did not attend but informed the Commission that the advisory committee gave their stamp of approval to move forward on the Electric Vehicle Charging Stations. Mr. Staehely will send the Port an easement document, and Ms. House, Ms. Tolles and Mr. Staehely will discuss the size and location. The Port will be submitting a competitive grant proposal on Friday September 15, 2023 for an American Disabilities Act (ADA)-approved paddle craft launch at the marina requesting \$165,000. The Travel Oregon Grant will give up to \$100,000 without requiring a match. Ms. Tolles asked if there were any questions. Nick Sorber asked if there is a way to dredge the smaller inlet area and how problematic it would be for the permit. Ms. House brought it up with the engineers and it is in review and being considered. Mr. Clark replied that for this permit it would be problematic because the area is shallow and has a lot of cubic yardage, but the Port can apply next time. Nancy Ward mentioned the low water level and asked if there are problems in any other areas. Ms. House responded there have been no reported problems and the regular marina users are accustomed to the dropping water levels. Ms. Ward asked if the removal of broken piles could be included in this project, and Ms. House responded not at this juncture due to the permit process. Ms. Ward stated the project seems practical.

Lignetics/Neighbors Update

Port Executive Director, Sean Clark provided an update on Lignetics Group and the Columbia City Neighbors. Mr. Clark included in the Executive Director's report the neighbors' key points from the August 21, 2023 meeting held between Lignetics, the Port and the local community. Also included is Lignetics' response letter outlining what they have done and what they continue to do to address the neighborhood's concerns. Some of the local citizens also met on September 12, 2023 at the Columbia City Community Center for a neighborhood meeting. The Port did not receive an invitation to attend. Mr. Clark will reach out to local community member Jan

best guess is sometime in the third Quarter of next year (2024). Lignetics will do everything they can to expedite it and will also provide the Port with a timeline. Mr. Fawcett encouraged Lignetics to put together a process to measure the difference when these projects are implemented, because right now it seems subjective. Mr. Fawcett is interested in what the scrubber improvement, specifically, is going to change. Mr. Keyser is interested to know if DEQ will approve of this new scrubber system and what their expectations will be. Mr. Nelson responded that any discharge from the site must be approved by DEQ. Mr. Keyser said that if DEQ says the scrubber is going to perform, that means a lot to the conditions of the lease. Mr. Bubl asked how outputs are being measured if they are using a model rather than actual measurements, and how they check to see if that model makes sense. Mr. Nelson responded that it is up to DEQ to decide. Mr. Murray asked for a copy of the DEQ report so he can provide more background on it. Mr. Fawcett also asked for a copy and Mr. Clark informed them he would include it in his Executive Director's report.

Scheduling Portland General Electric (PGE) Meeting on Port Westward Use Agreements with PGE, NEXT, and CPBR

Elliot Levin, North County Terminal Manager presented a PowerPoint presentation on Port Westward Use Agreements. The parties to these agreements are NEXT Renewable Fuels, PGE, CPBR, and the Port of Columbia County. For the past few years, the Port has been working to add NEXT to the Port Westward Use Agreements and to create or update the necessary easements. Recent progress has been made between NEXT and CPBR, but PGE has not been as responsive with their comments on the draft agreements. The Port proposed an all-party meeting to address this and move things forward. Last week, PGE confirmed their availability to meet on October 17 and 18, 2023. Decision makers from PGE, NEXT, and CPBR are expected to attend. Mr. Levin displayed aerial pictures of the sites at Port Westward, highlighting the NEXT project site, Port Westward 1 & 2, the tank farms, and various current and future infrastructure on the site. He then explained the two categories of agreements: Easements and Use Agreements. Easements include construction access, utility easements, pipeline/primary access, and emergency access. Use Agreements allocate available capacity between the users, include provisions for allocating maintenance costs, and provide rules governing the various operation and maintenance committees. These Use Agreements include Dock Use, Rail Lead, Water Intake, Water Discharge, and the Hermo Road Extension. Mr. Levin informed the Commission that while these are long and complicated agreements, the Port is hopeful the upcoming meeting will complete some of the agreements and move the others forward.

New Business

Ordinance 2023-02 (Second Reading)

AMENDING PORT PUBLIC CONTRACTING RULES REGARDING PERSONAL SERVICES CONTRACTS

Mr. Salisbury presented Ordinance 2023-02 for a Second Reading to amend Port public contracting rules regarding personal services contracts. He noted there was already a robust discussion about this topic at the 1st reading on August 9, 2023. The essential main points for personal services contracts are they deal with experts and specialists like accountants, attorneys, engineers, and architects; and the legislature has given local governments broad discretion to adopt their own rules. The Executive Director will notify the Commission in advance anytime spending exceeds \$50,000 and the Executive Director will also notify the Commission in a public meeting of any spending over \$50,000 on personal services contracts.

Brian Fawcett moved; Nick Sorber seconded a motion to approve Ordinance 2023-02. Motion carried unanimously 5-0.

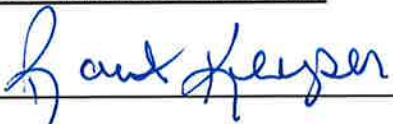
appreciates the way the community has been working with Lignetics. She also had a meeting with Andrew Niemi from the Agriculture Committee, and they are moving in the direction of working with meat processing. Mr. Niemi works with meat processors in Washington and has a lot of information to provide. She emphasized his gratifying commitment and partnership with the Port.

Robert Keyser agreed the community of Columbia City and Lignetics have been communicating respectfully and working well together. He welcomed the community to come to the Port anytime and be on our Agenda, but hopefully the Lignetics process will work to make further improvements. Mr. Keyser said he was also stunned at the loss of both Diane Dillard and the former Mayor of Clatskanie, Diane Pohl.

Executive Session

The Board held an Executive Session to deliberate with persons designated to negotiate real property transactions under ORS 192.660(2)(e), and 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 under ORS 192.660(2)(h).

**THERE BEING NO FURTHER BUSINESS BEFORE THE COMMISSION THE MEETING
ADJOURNED AT 11:29 A.M.**



President

October 11, 2023

Date Adopted by Commission



Secretary