

## PORT OF CASCADE LOCKS

The Port of Cascade Locks Commission Meeting was held July 19<sup>th</sup>, 2007 at City Hall Council Chambers, Cascade Locks, Oregon.

**I. MEETING CALLED TO ORDER/PLEDGE OF ALLEGIANCE:** Commission Vice President Lee called the meeting to order at 7:00 pm.

**II. ROLL CALL:** Commissioners Lee, McLean, Caldwell & Janik were present. Commissioner Woosley was excused.

**Others present:** GM Daughtry, Attorney Jerry Jaques, Kris Miller, Justice of the Peace Roberta Lee, RARE Nick Kraemer, Pat Albaugh, Dale Davis, Phyllis Thiemann, & Betty Rush.

**III. SWEARING IN CEREMONY:**

Justice of the Peace Roberta Lee gave the oath of office to the newly elected Port Commission Tim Lee and Jean McLean. Commissioner Woosley was absent and will be sworn in at Justice Court, Cascade Locks prior to the next meeting.

**IV. ELECTION OF OFFICERS:**

**President:**

**Commissioner Janik made a motion nominating Commissioner Lee as President. Commissioner McLean seconded the motion. Motion passed unanimously by Commissioners Janik, Caldwell, McLean & Lee.**

**Vice President:**

**Commissioner Caldwell made a motion nominating Commissioner McLean as Vice President. Commissioner Janik seconded the motion. Motion passed unanimously by Commissioners Janik, Caldwell, McLean & Lee.**

**Secretary/Treasurer:**

**Commissioner Janik made a motion nominating Commissioner Caldwell as Secretary/Treasurer. Commissioner Lee seconded the motion. Motion passed unanimously by Commissioners Janik, Caldwell, McLean & Lee.**

**V. MODIFICATIONS, ADDITIONS TO AGENDA**

Commission President Lee added Approval of Ball Janik LLP contract to agenda.

GM Daughtry stated that the Commission had approved an extension of Ball Janik LLP contract for one month pending finalization of new terms. Daughtry stated that the contract amount with Ball Janik LLP has remained the same amount since 2005. Hal Hiemstra who represents the Port and City in Washington DC has worked hard for our interests both on the Federal and State level. Currently he and his staff are working on many more issues than when the contract was first started. Ball Janik has requested an increase of \$1000 per month, making the total \$ 5,000 per month plus out of pocket expenses for travel, lodging, meals, communication, postage, and printing. CA Seeger has indicated that the City Council is interested in continuing the Ball Janik contract as well. Under a separate Intergovernmental agreement with the City of Cascade Locks they pay 30% of the contract amount. GM Daughtry recommends approval of new contract with Ball Janik LLP.

Commission all stated that Ball Janik and particularly Hal Hiemstra did an outstanding job representing the interests of the Port and City of Cascade Locks.

**COMMISSIONER JANIK MADE A MOTION AUTHORIZING GENERAL MANAGER DAUGHTRY APPROVAL TO SIGN THE 2007 CONTRACT FOR SERVICES WITH BALL JANIK LLP AS PRESENTED AND TO SIGN THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF CASCADE LOCKS FOR COST SHARING OF THE BALL JANIK**

**CONTRACT. COMMISSIONER CALDWELL SECONDED THE AGREEMENT. Motion passed unanimously by Commissioners Janik, Caldwell, McLean & Lee.**

**VI. ITEMS FROM THE FLOOR:**

- a. **General Public:** Nothing to report
  
- b. **Commission:** Commissioner Janik stated that she had a citizen call her asking about having an area in the river roped off for swimming. GM Daughtry stated that staff has been investigating this request through Special Districts Association; they advise the Port on different matters including Port's liability and exposure to potential liability. There initial response was that we need to consider the possibility of the public's perception that this roped off area has been designated as a "safe" swimming area simply because it has been roped off. This perception and the assumed safety expectation that goes with it definitely increase's the Port's liability. Daughtry stated that a representative from Special Districts was at the Port this week, we showed him the beach area and he stated that he would get back to us with a firm recommendation. Daughtry stated that two "no wake bouy's" have been ordered, hopefully this will help slow down the jet ski's/boats.

Commissioner Janik asked if the Port was at a greater risk by roping off an area for swimming. Daughtry stated yes that is the way SDAO has explained it to us; we will wait for their final recommendation. Daughtry stated that he would not recommend anything that would increase exposure/liability to the Port. Daughtry stated that he would come back to the Commission with the final recommendation.

Commissioner Caldwell commented that the sailing school is going very well and that there are a lot of Cascade Locks kids participating. Commissioner Caldwell thanked the Port for donating the use of the cookshak for the sailing/football fundraiser being held July 28<sup>th</sup>, 2007.

- c. **City of Cascade Locks:** Nothing to report.

**VII. CONSENT AGENDA** (Consent Agenda may be approved in its entirety in a single motion. Items are considered to be routine. Any Commissioner may make a motion to remove any item from the Consent Agenda for individual discussion.)

- a. Approval of Minutes: Regular Meeting dated June 21<sup>st</sup>, 2007.
- b. Approval of Bills date July 19<sup>th</sup>, 2007 in the amount of \$92,352.49.
- c. Approval of June 2007 payroll in the amount of \$46,773.03

**COMMISSIONER MCLEAN MADE A MOTION TO APPROVE THE CONSENT AGENDA. COMMISSIONER CALDWELL SECONDED THE MOTION. Motion passed unanimously by Commissioners Lee, Caldwell, McLean & Janik.**

**VIII. OLD/NEW BUSINESS:**

- a. **Approval of 2006-2007 –Audit agreement with Arens & Associates, CPA**

Pat Albaugh stated that because of recent audit failures, such as Eron, the governing body that sets auditing standards has issued twelve new Statements on auditing Standards, three of which will be implemented this audit year. Albaugh stated that he would like to continue with Aren's & Associates this year and go out for an RFP next year.

**COMMISSIONER JANIK MADE A MOTION AUTHORIZING THE AUDIT AGREEMENT WITH ARENS & ASSOCIATES, CPA AS PRESENTED. COMMISSIONER MCLEAN SECONDED THE MOTION. Motion passed unanimously by Commissioners Lee, Caldwell, McLean, & Janik.**

- b. **Resolution 2007- 5 "Authorizing the Dissolution of the Tuition Fund, Industrial Park Bond Fund and the Bridge Repair & Maintenance Fund."**

Albaugh stated that this was discussed and decided on by the budget committee. Commissioner McLean stated that this does not mean that we are not doing maintenance on the Bridge; it just won't have a special fund designation. Commissioner Caldwell stated that she did not agree with the decision.

**COMMISSIONER MCLEAN A MOTION APPROVING RESOLUTION 2007-5 BY TITLE. COMMISSIONER JANIK SECONDED THE MOTION. Roll Call: Commissioner Lee—yes, Commissioner McLean- yes, Commissioner Janik- yes, Commissioners Caldwell-ney. Motion passes.**

**c. Staff Reports:**

**Pat Albaugh (Finance Department)**

**Year End Overview**

June is the last month of the Port's fiscal year. These financials do not include comparisons to last fiscal year because the year-end adjustments have not been entered. In the past the year-end adjustments were done in conjunction with the annual audit. It is now considered a "material weakness" for them to participate in financial report preparation (see letter from Bill Parker of Arens & Associates, C.P.A.s, P.C.). Staff will prepare and make the adjusting entries this year and present the reports in advance of the audit.

The bottom line for the year shows an increase in available cash balances (>\$300,000), reduction in long-term debt (~\$160,000), and Operating Income that may approach \$500,000.

**June Overview**

An Operating Income of \$43,000 was realized in June but cash balances were reduced by \$78,000 to pay for expenses incurred in May. The Port has not yet received the \$75,000 grant monies for the Campground Restroom/Shower project. This will offset the temporary reduction in available funds.

**YTD Budget Variance Report**

Total expenses are below budget for the fiscal year.

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- AWI rented the Pavilion twice, Thunder Island once, two tents, and three cook shacks in June.
- Inventoried Sternwheeler/Visitor Center, found nothing missing.
- Will include Sternwheeler report/financials with packet.

**Dale Davis (Maintenance Department)**

- 4<sup>th</sup> of July went very well, thanks to city crew and volunteers for helping with the set up/cleanup
- Continuing to work on the landscaping
- Grass in park should recover very well after events
- Did some paving & patching
- Work continuing on House 3.

Daughtry stated that the House 3 contractor does great work and really loves the houses. She has agreed to help us put together a repair plan & prioritizing it for all the locktender houses.

- Continuing to work on cleaning up inside and out of the Herman Creek building.
- Irrigation continues to break and repair
- Thanks to John Cramblett for more welding training.

Discussion on bridge spot painting plan, we may hire a contractor.

**Phyllis Thiemann (Event Coordinator)**

- Successful Sternwheeler Days combined with Rock & Gem Show.
- Quilt show was very successful.
- Tourism website is up and running, still working on adding information to site.
- There was a \$2500 anonymous donation for the Sternwheeler Days sound stage.
- Channel 8 included Sternwheeler Days on their weekend agenda.
- Continuing to work on Festival of Nations.
- Walking brochure will go to printers tomorrow.
- Should be an article in Portland Tribune regarding the Go-Kart race.
- Triathlon will be held in September.
- CGRA events every weekend throughout August.

**Nick Kraemer (RARE Report)**

**Lock Tender Homes**

- Oculus Fine Carpentry
  - Progress being made every day
  - Siding is completed. Some extras to patch other problematic spots.
  - Triangle window frames ready
- SHPO Grant Reimbursement received
- Gathering information for the 2007-2009 round of SHPO Grants

**Visitor Center Doors**

- Hale Construction
  - Requested a 30% increase in price due to delays/unforeseen circumstances
  - Sent letter to Tum-a-Lum requesting that they cover the extra costs
- Bathroom Doors installed
  - Always Quality Construction and Crown Door and Supply
  - Sub-contracting the closers and lock mechanisms

**Land and Water Conservation Fund: Restroom/Shower Complex**

- Completed
- All inspections finalized.
- Organized application for Grant Reimbursement.

**Pacific Crest Trail Days**

- Saturday August 11<sup>th</sup> at 10:00am
- Hikers choose from 1.8 or 6 mile hikes. Trail maintenance on the shorter hike.

**RARE**

- End of the year meeting in The Dalles

**Misc:**

- Continuing to work on the Certified Local Government Program
- Passed on Museum Grant info to Museum
- August 22<sup>nd</sup> – last day

**d. Chuck Daughtry (GM Report)**

Thanked all volunteers and donations for 4<sup>th</sup> of July: Miller read list of donor's to Fireworks fund.

- Sarah Knight, Jim Hulbert, Wilkins, Kaiser & Olsen Inc., Professional Business Solutions, Columbia Market, Jaques, Sharp, Sherrerd & Fitzsimons, Bahma Coffee Bar, Charburger Inc., Van Pelt & Van Pelt Construction, AWI Columbia Gorge LLC, Best Western Columbia River Inn, Bonney Electric, Gorge Roofing, Ball Janik LLP, Stevenson Eagles, anonymous customer crossing the bridge, Cascade Locks Tourism. Special Thanks to Pat Hesgard and Martina Pennington (Lions) for collecting donations in the park.

### **DRAFT EIS**

- County, City and Port agreed to fund contract with Dwayne Hofstettler, Traffic Engineer with David Evans and Associates to help prepare technical information concerning the impacts of closing East Cascade Locks Interchange.

### **BEACH IMPROVEMENTS**

- Fencing is complete. Still need to protect slope on north side of Rail Road track, put in curbs along parking area, put rock on the wings of the slope and clear out blackberry vines. CGRA has replaced door to their shed, ordered paint, and will put a logo on the new door.
- Received notice from Hal Hiemstra stating that yesterday the House of Representatives appropriated \$100,000 towards a Sail Park in Cascade Locks. HOORAY!! There were only 5 such projects funded in Oregon and only two in Congressman Walden's district. Hal is hopeful that the Senate will earmark a larger number. Please thank Roger Freeborn for setting up meeting with Senator Smith's staff a few weeks ago. Will work with Commission and CGRA to decide on priorities for this first phase.

### **UNDERPASS PROJECT**

- Kristin Stallman of the Historic Columbia River Highway and Tom Weatherford of ODOT has drafted an implementation plan that will allow the Port to begin spending grant money for preliminary engineering. Details on the Intergovernmental Agreement are still being worked out. However, the Port will not be required to reimburse funds if the project is unable to go forward due to funding, UPRR permitting or any other reason.
- Worked with Kristen Stallman on an RFP for selection of an ODOT approved engineer. RFP's due August 6<sup>th</sup>. Would like one commissioner to sit on the review panel with Kristen and myself. Commissioner Lee volunteered.

### **MISCELLANEOUS**

- Thanks to Dale and his staff for the good job of maintaining the cleanliness of the Park during the 4<sup>th</sup> of July weekend.
- UPRR is demolishing most of the old Rail Receiving buildings located next to the Marine Park, with the exception of the Port leased warehouse.
- Dennis Snyder, Jr has completed Herman Creek site cleanup of brush. Port will receive 80% reimbursement under a Fire Reduction program.
- As approved by the Commission, Staff issued contract with Chris Bernhardt of the International Mountain Bicycling Association to perform feasibility study on the possibility of creating trails in the forest for use of mountain bikes and the possible role of the Port in assisting this development.
- City Tourism and City Council approved extension of Phyllis's contract for one-year.
- Mark Ellsworth from the Governor's Economic Revitalization committee held there meeting in Cascade Locks last week. The Port gave a recap of projects that we are working on.
- Tentative Joint City/Port meeting on September 6<sup>th</sup>, 2007.
- R/R crossing at Government Rock will be closed for maintenance from about July 18<sup>th</sup>-July 27<sup>th</sup>, 2007.
- July 28<sup>th</sup>, Fundraiser in Park for Football /Sailing programs.

#### **e. Monthly Calendar: Review**

Commission President Lee declared a 10 min break at 8:30 pm.

#### **IX. Executive Session under ORS 192.660 2 (e) Real Property Negotiations, 2 (f) Exempt Documents, & 2 (i) Performance Evaluation General Manager**

Commission President Lee called the Executive Session to order under ORS 192.660 2(e) Real Property Negotiations, 2 (f) Exempt Documents, & 2 (i) Performance Evaluation General Manager at 8:40 pm.

Those present: Commissioners Lee, McLean, Caldwell, & Janik. GM Chuck Daughtry, Kris Miller, Attorney Jerry Jaques, Pat Albaugh, Nick Kraemer.

- o Discussion Industrial Park property, GM Evaluation.

Commission President Lee adjourned the Executive Session at 9:50 pm and returned to Regular Session.

Commission consensus to delay GM bonus decision until full commission was present.

Commission President Lee adjourned the regular meeting at 9:51 pm.

Submitted by Kristi Bengtson