

Port of Cascade Locks

The Port of Cascade Locks Commission Meeting was held October 1st, 2009 at the City Hall Council Chambers, Cascade Locks, Oregon.

- I. **Meeting called to order/Pledge of Allegiance:** Commission President Lee called the meeting to order at 7:05 pm.
- II. **Roll Call:** Commissioner Lee, McLean, Caldwell, and Woosley. Commissioner Groves was excused.
 - a. Others Present: GM Chuck Daughtry, Attorney Jerry Jaques, Kristi Bengtson, Pat Albaugh, Dale Davis, George & Debbie Fischer, Don Haight arrived at 7:15 pm and Camera Operator Betty Rush.
- III. **Modifications, Additions to Agenda:** Commission President Lee added two items to the agenda:
 - a. **Discussion on sharing costs with City and Warm Springs Tribe on the Repair of the Railroad Guard Barrier at the Government Rock Crossing.**
 - b. **Discussion on repair of waterline in Marine Park.**
- IV. **Items from the Floor:**
 - a. **General Public:** George Fischer, Cascade Locks resident thanked the Port Commission for their support of the Charter School. Mr. Fischer stated that the Charter School Committee will be applying for a grant and then submitting a Charter School application to the Hood River County School District to start up a K- 12 Charter School next fall in Cascade Locks.

Mr. Fischer stated that the committee would like to confirm with the Port their support for the Charter School and that the Port is still willing to let the school use House 3 for classes. Mr. Fischer talked about the objectives of the Charter School Committee. Mr. Fischer stated that we don't believe that Hood River County School district will be supportive of our efforts therefore we don't believe they will allow us to use the existing school. We are also looking at other options in town for the school.

Commission President Lee thanked Mr. Fischer for coming to the meeting and stated that the Port Commission is very supportive of the Charter School and will do whatever they can to help with the school. Commissioner Lee stated that GM Daughtry had discussed with the Commission that the Charter School may need to use a Port building. Commissioner Lee stated now that the Charter School is active again the Commission will review the options at a future Commission meeting and see how we can help the Charter School.
 - b. **Commission:** N/A
 - c. **Government Officials:** N/A
- V. **Consent Agenda Approval** (Consent Agenda may be approved in its entirety in a single motion. Items are considered routine. Any Commissioner may make a motion to remove any items from the Consent Agenda for individual discussion).
 - a. **Approval of Minutes: Regular Meeting September 17, 2009.**
 - b. **Approval of Bills dated October 1st, 2009 in the amount of \$ 52,714.42.**

COMMISSIONER MCLEAN MADE A MOTION TO APPROVE THE CONSENT AGENDA. COMMISSIONER WOOSLEY SECONDED THE MOTION. Motion passed unanimously by Commissioners Lee, McLean, Caldwell, and Woosley.

VI. **Old/New Business:**

a. **Addition #1: Recommendation to share in Railroad Guard Barrier Replacement at Government Rock:**

Commissioner Lee made the following statement: "The Port Manager, myself, City Administrator Seeger and Mayor Lorang have had regular meetings for the last few months to work on issues vital to our community.

At our last meeting, the City requested that the Port assist in the repair of the emergency crossing guard at Government Rock. The Tribes have agreed to pay for one-third of the cost and the City and Tribes are requesting that the Port also pay one-third. The total cost of the repairs is \$3,643.23 and the Port's share would be \$1,214.41.

The crossing arm has been damaged two times in the past couple of years. The City has repaired the guard and improved the protection of the crossing by building a massive cement barrier that should provide protection.

Access to Government Rock is important to the community. ODOT Rail threatened to close the at-grade crossing if these improvements were not made.

In the best interest of the community, I would recommend that we approve sharing the cost of the repairs of the Government Rock crossing arm in an amount not to exceed \$1,214.41. Provided that this is a one-time commitment and does not obligate the Port to any other future expenses."

Commissioner Caldwell asked why the City and/or the Port would have to be responsible for this RR crossing. Commissioner Woosley stated that an agreement was found that stated the City would maintain the crossing. The Port had paid for the improvements of the crossing.

Commissioner Caldwell stated that this is one of the things that is reciprocal between the City and Port, that if we work together, we keep so much more going.

Commissioner McLean stated that she believes the City, Port & WS Tribes all have a vested interest in keeping that crossing open.

COMMISSIONER MCLEAN MADE A MOTION AUTHORIZING THE PORT GENERAL MANAGER TO ISSUE A CHECK TO THE CITY OF CASCADE LOCKS IN AN AMOUNT OF \$1,214.41 FOR REPAIR OF THE RR GUARD BARRIER AT GOVERNMENT ROCK. COMMISSIONER CALDWELL SECONDED THE MOTION.

Commissioner Lee stated that he would like the motion to also include the statement "that this is a one-time commitment and does not obligate the Port to any other future expenses".

Commissioner McLean concurred with Commissioner Lee. New motion will read:

COMMISSIONER MCLEAN MADE A MOTION AUTHORIZING THE PORT GENERAL MANAGER TO ISSUE A CHECK TO THE CITY OF CASCADE LOCKS IN AN AMOUNT OF \$1,214.41 FOR REPAIR OF THE RR GUARD BARRIER AT GOVERNMENT ROCK AND THAT THIS IS A ONE-TIME COMMITMENT AND DOES NOT OBLIGATE THE PORT TO ANY OTHER FUTURE EXPENSES. COMMISSIONER CALDWELL SECONDED THE MOTION. Motion passed unanimously by Commissioners Lee, McLean, Caldwell, and Woosley.

b. Addition #2: Discussion on repair of waterline in Marine Park.

Commissioner Lee made the following statement:

“The Port Manager received a call from the City Administrator stating that the City Council has agreed to replace the water line in the Marine Park that serves the Museum, Campground, House 2, the City’s lift station, the boat launch bathrooms, the Community Center and the US Dept of Interior In-Lieu of Fishing Site.

The Port has offered to pay for half of the materials cost and provide labor and equipment as a gesture of good will. Unfortunately, the City Council stated that approval of the water line repair is contingent on the Port assuming the maintenance of the water line.

The Port should not accept the long term maintenance of the water line for the following reasons:

- The Port should not assume responsibility for a water pipe that serves other users. The other users are the BIA and the City itself. The City is required to bring water to the BIA property line.
- The Port is not certified to handle potable water lines.
- The City has an easement for the water line.
- The City generates revenues from the water line from the Port and from the BIA. The Port pays over \$700 per month for the water use. That equates to over \$168,000 over twenty years, sufficient revenues to repair or replace the water line.

In the meantime, the City water system is losing over 140,000 gallons of water a month. That is not in the best interest of the community. The Port has agreed to share in the material, equipment & labor cost. I feel this is very important to get this fixed to avoid the continued water loss. My recommendation would be that the City and Port get the water line fixed, and then resolve the issue of the Port continuing to be responsible for the maintenance of the waterline, which is probably not legal or in our best interest to do so.”

Commissioner Lee stated, if it was the Port’s line we would cap it off, and not worry about providing water to the in-lieu site and the City Lift Station. We would be responsible for one meter coming into the park. The Port should be responsible for the laterals that feed off the main water pipe to the Port properties, but not for the maintenance of the main pipe. The main pipe clearly belongs to the City.

Commissioner McLean asked if the City wanted the Port to bill the BIA for water use? Commissioner Lee stated no, the Port would end up capping off the

water line and then the City would have to provide an additional line to service their customers.

Commissioner Caldwell asked where the new line would go. GM Daughtry stated that the City could use the existing right of way, they would have to run a whole new pipe, and in the meantime we would have to replace the existing pipe, which is double the cost, or they could access under the UPRR mainline if they can get permission. GM Daughtry stated that since we are losing so much water and paying for it, we need to get this resolved.

Commissioner Woosley said as a City employee there are ordinances that we have to follow and can't treat anyone different than the other. Commissioner Woosley suggested having worked at the City for 14 years, that this issue will not be dead it will come up again, the first time there is a leak or a break, the same argument same discussion will come up again, and someone will have to go back search through the minutes to find out what was done and who owns the pipe, and who would have let two other City customers be serviced by the line.

Commissioner Woosley stated that all of this was done in the past and has nothing to do with any of us, but we still have to deal with it.

Commissioner Woosley stated that we have to make it right, whatever that may be make it right. The pipe needs to be fixed, make it right so this problem doesn't come up again, the City should service their own customers with their own line, and the Port is responsible for their line.

Commission agreed, Commissioner Lee stated that a document needs to be put together, and the problem needs to be fixed, the waterline belongs to the City, it's serving other customers.

GM Daughtry stated that the fundamental difference with the City is, "who owns the line". The Port's position is since it serves other customer's we can't be responsible for the line that supplies water to a third party. If the Port has to repair it and/or build our own line, it will cost more for both entities. The City would then be required to put new services in to both of these sites (in-lieu and lift station).

Commission discussion. Commission consensus is for GM Daughtry to work with City Administrator Seeger to resolve issue; Port will not be responsible for waterline that services other City customers.

c. Staff Reports:

o **Dale Davis: Maintenance:**

- Continuing to work on House 3 exterior.
- Underpass painted and finish coats on light poles by visitor center.
- New 12ft clearance signs installed at the entrance into park.
- Ongoing clean up in the park.

- **Pat Albaugh: Finance Department:**
 - Audit is ongoing. Onsite discovery is completed. Auditors will make a presentation to the Commission in November.
 - House 3 costs are about \$200,000 since 2005, which includes labor.
- **Kristi Bengtson: Administration Department:**
 - PNWA's Annual Meeting will be held October 13-15 in Vancouver, WA.

d. GM Report-Chuck Daughtry:

INSITU:

- Received response from SDS concerning land price, SDS is quoting a very generous price for their land at the Industrial Park, which will be below what the Port of Hood River is quoting Insitu.

JOINT MEETING WITH CITY AND PORT

- Scheduled for Thursday, October 15th at 7:00 pm in the Port Pavilion. The purpose of the meeting will be to give an update on the EIS and discussion on the ECLI (East Cascade Locks Interchange) and IAMP Interchange Area Management Plan).
- IAMP meeting was held on Wednesday, Sept 23rd at City Hall. Commissioner Lee and Woosley attended. Requested that the Tribes include an option for City approval that keeps ECLI open.
- Still working on a request for assistance from Senator Metsger.

Commissioner Caldwell asked if citizens could write letters to the Governor about the importance of keeping ECLI open. GM Daughtry stated that he felt that was a good idea, anything we can do to demonstrate the public opposition to the closure.

NESTLE

- Received request from Dave Palais for recommendation of person who could be a community liaison for Nestle. Anyone interested should contact Dave Palais.

BEACH IMPROVEMENTS

- WHPacific (Dan Boultinghouse) is setting up preliminary meeting with National Marine Fisheries to discuss options. Port staff to attend preliminary meeting.

MARINE PARK ENTRANCE PROJECT

- Kristen Stallman is arranging a meeting with the State Historic Preservation Office to discuss impacts of project to Marine Park.
- Working with Parametrix to get engineering in under budget. New engineer believes we need to look for additional money to complete the engineering. Kristen Stallman (ODOT) and I disagree and will be meeting to discuss other options. Ms Stallman has agreed to take some of the responsibilities off of Parametrix, ODOT will be doing a mini master plan on traffic impacts to the

park from the new entrance. They will also be doing some design work for landscaping.

MISCELLANEOUS

- Dennis Snyder, Jr. will be clearing some property by the Bridge. Have secured an additional \$5,000 in a fire reduction grant, through Jim Hulbert.
- Submitted a request to the City to rename the street in the Industrial Park to Cramblett Way.

e. Calendar:

- Port's Advisory Group meeting in Salem. September 29th, 2009.

VII. Recess/ Adjournment: Commission President Lee recessed the regular meeting at 8:05 pm and declared a 10 min. break before Executive Session.

Commission President Lee called the Executive Session to order under ORS 192.660 2 (e) Real Property Negotiations at 8:15 pm.

Discussion on Bear Mountain Lease & Warm Spring Tribes Land.

Commission President Lee adjourned the Executive Session at 8:40 pm and returned to regular meeting.

GM Daughtry stated that he was at the Capital last week and ran into Senator Metsger, Metsger stated that he would get a letter drafted to ODOT soon. GM Daughtry stated that they are working through the county to get a meeting with the Governor regarding ECLI.

Commissioner Lee adjourned the meeting at 8:50 pm.

Submitted by Kristi Bengtson