

**MINUTES  
PORT OF PEND OREILLE  
BOARD OF COMMISSIONERS MEETING  
Date: May 14, 2019**

Chairman Harkness called the meeting of the Port of Pend Oreille Board of Commissioners to order at 9:00 a.m. in the Port office located at 1981 Black Road, Usk, Washington. In attendance: Chairman Harkness, Vice Chairman Shanklin, Secretary Kiss and Port staff members Kelly Driver, Susan Bluff, Cliff Bauer, Brad Byrd, John Bezanson and Riley Bauer. Community member Dan Peterson also attended the meeting.

**For purposes of clarification, the minutes are presented as listed on the agenda, not necessarily in the order they were discussed.**

**MINUTES:** Commissioner Shanklin moved to approve the minutes of the regular meeting held on April 9, 2019 as presented. Motion seconded by Commissioner Kiss and so ordered by Chairman Harkness.

**CORRESPONDENCE TO THE BOARD:** No correspondence to the Board at this time.

**COMMENTS:** Chairman Harkness welcomed Mr. Peterson and staff introduced themselves.

**OLD BUSINESS:**

**1. POLICY 3005 REVISION:**

**A. DISCUSSION:** Kelly provided a copy of the draft revision to the Port's Policy 3005. Discussion followed concerning the purchase of highly visible clothing as required by RCW 81.40.060 as well as federal regulations.

**B. ACTION:** Based on the discussion, Kelly will revise Policy 3005 for the June meeting.

**2. LEADERS MEETING:**

**A. DISCUSSION:** The Leaders meeting held on April 26<sup>th</sup> was reviewed. This was an excellent meeting with information from Kirk Pearson from the Department of Agriculture. Kelly will be working with him and his staff to set up a meeting regarding information on rural funding options.

**3. STATE OF THE COUNTY RESPONSE:**

**A. DISCUSSION:** Kelly presented a draft response for review. Discussion was held and changes made to the draft document. Kelly will have a revised document prepared for the June meeting.

**4. OTHER OLD BUSINESS:**

None at this time.

**NEW BUSINESS:**

**1. KATHERINE MAUPIN POKER RUN – MAY 18TH:**

**A. DISCUSSION:** Kelly reviewed an email received from the Selkirk Trailblazers regarding their annual poker ride. A certificate of insurance naming the Port as an added insured has already been received.

**B. ACTION:** Commissioner Shanklin moved to approve the ride. Motion seconded by Commissioner Kiss, so ordered by Chairman Harkness.

## **2. JIM HUNT WATER LINE REQUEST:**

**A. DISCUSSION:** Cliff stated he met with Mr. Hunt at his private crossing, north of Alaska Lane. Cliff stated that Mr. Hunt is requesting to install a small water line under the tracks to sprinkle the grass for fire control. Cliff informed him the water line must be incased, must be three (3) feet below the ditch line and must be out 20 feet from each side of the right of way. They also discussed his crossing and the need for replacement planks.

**B. ACTION:** Commissioner Kiss moved to allow the water line permit and crossing agreement with staff signing both agreements on behalf of the Port. Motion seconded by Commissioner Shanklin, so ordered by Chairman Harkness.

## **3. ROTARY CLUB LAND LEASE EXTENSION REQUEST:**

**A. DISCUSSION:** Kelly received an email from the Rotary Club asking, as allowed by their lease, for a one (1) year extension for the use of Port land in the Newport Yard.

**B. ACTION:** Commissioner Shanklin moved to approve the one (1) year extension. Motion seconded by Commissioner Kiss, so ordered by Chairman Harkness.

## **4. NEWPORT TOWING YARD EXTENSION REQUEST:**

**A. DISCUSSION:** Kelly and Corey met with John Jackson regarding his desire to expand his yard. Kelly met with the City of Newport regarding this expansion due to the City's water and sewer lines running through the area; the City agreed to the expansion provided that they have a key to the gate in case they need emergency access to the area. A map was provided and terms discussed.

**B. ACTION:** Kelly will have Corey and John mark and measure the area to be used and come up with an adjusted rate for his lease agreement. Commissioner Kiss moved to allow the modification to the lease agreement. Motion seconded by Commissioner Shanklin, so ordered by Chairman Harkness.

## **5. FRA Citation – 2016:**

**A. DISCUSSION:** Kelly told the Board that based on an FRA visit and audit of information in 2016 the Port received a citation for being out of compliance and a \$2,000 fine. This fine has been paid.

## **6. OVERTIME:**

**A. DISCUSSION:** Port employees John Bezanson and Riley Bauer presented their request to the Board for anyone connected to train service to be allowed to receive overtime after eight (8) hours as opposed to after 40 hours per week. There was an exchange of information regarding the paperwork issues this could cause for payroll, scheduling and fairness to other employees.

**B. ACTION:** Based on the conversations Kelly will prepare a revision to the policy. The revision shall also define the work week, the requirement that every day shows a minimum eight (8) hours of work or use of vacation, sick or compensatory time off to equal eight (8) hours. Overtime will be after eight (8) hours for all employees regardless of work assignment; however, other than freight service, overtime must be authorized by the supervisor and presented to Kelly prior to working the overtime unless there is an actual emergency. Commissioner Kiss moved to approve the change effective May 20, 2019. Motion seconded by Commissioner Shanklin, so ordered by Chairman Harkness.

## **7. OTHER NEW BUSINESS:**

None at this time.

## **STAFF REPORTS:**

### **1. ROADMASTER, CLIFF BAUER:** Cliff reported on:

- The FRA brought a Geometry Car to inspect the rail from Usk to Newport and then to Dover. This is the first time a Geometry Car has been on the POVA line. The three (3) –ton truck is equipped with x-ray machines and allows for pressure to be put on the rail to check for wide gauge and elevation issues. Minor issues with wide gauge and cross elevation were found on each section of line; slow orders were issued to protect men and equipment until repaired. All areas have been repaired.
- An additional 800 ties have been replaced between Newport and MP 1, which goes above and beyond the grant requirements. Additionally about 30 switch ties were replaced as well.
- The remaining ballast purchased under the grant will be spread today and then regulated on Tuesday. This will wrap up the grant work.
- Vision and hearing testing updated to keep in line with federal requirements.
- The entire top deck of the Davis Creek Trestle will be rebuilt this year. Materials for this work are on hand.

### **2. MANAGER- KELLY DRIVER:** Kelly reported on:

- She is working on updating the crossing inventory as required by the FRA.
- The Town of Cusick's water bill issues finally being resolved; the Port has now received a credit due to the negotiations.
- Continuing to attend the recruitment meetings.
- The RFP for a new heating system for the Newport Towing building has been advertised.
- Corey Ives and Tom Hardwick are attending an FRA training regarding new program requirements on safety matters as well as derailment prevention and track welding requirements.
- Roger discovered that the North Ione Crossing Signal had been hit by lightning, parts have been ordered, and he and Corey will work on the signals next week.
- Corey checked on the price to drop fiber to the shop, the PUD portion was over \$25,000.
- The Port's WSDOT grant for rail relay has been funded. She will be working with the WSDOT on grant specifics over the next few weeks.
- Working on changing over website hosting.

### **3. AUDITOR - SUSAN BLUFF:**

- Susan presented the financial report information for the month ending April 30, 2019.

### **4. CHIEF MECHANICAL OFFICER- BRAD BYRD:**

- Locomotive 2018 has shipped to Coos Bay.
- Locomotive 2020 is being tested on our line. Western Rail will be paying for the cost of insurance for us to operate on our line for two (2) weeks.
- Shop will be working on a locomotive that another company worked on for Western Rail and did not get operating properly.
- POVA locomotives are going to have to start being shopped, starting this winter, and some rebuild work done on them. He will provide more information at the June meeting.

### **5. TRACK FOREMAN – COREY IVES:** Absent.

## **RECORDS FOR APPROVAL:**

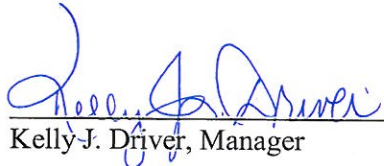
**A. TIME AND EXPENSE SHEETS:** Approved as submitted.

**B. WARRANTS:** Operating Expense warrants 46994-47106 totaling \$179,864.74 approved as submitted.

**EXECUTIVE SESSION:** At 10:45 a.m. Harkness recessed the regular meeting to convene in executive session. He stated the executive session would be approximately 15 minutes to discuss a pending litigation issue. At 11:00 a.m. the regular session was brought back to order; Chairman Harkness stated no decisions were made in executive session.

**ADJOURN:** There being no further business Chairman Harkness adjourned the meeting at 11:00 a.m.

  
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John W. Harkness III, Chairman

  
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Kelly-J. Driver, Manager

Date Approved:   
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