

**MINUTES  
PORT OF PEND OREILLE  
BOARD OF COMMISSIONERS MEETING  
Date: December 8, 2020**

**Call to Order:**

Chairman Kiss 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: Commissioner Kiss, Commissioner D. Peterson, Commissioner K. Peterson and Port staff members Kelly Driver, Susan Bluff, Cliff Bauer, and Corey Ives and Port Attorney William Schroeder. Community member Gretchen Koenig arrived shortly after the public hearing began.

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

**Public Hearing:**

At 9:00 a.m. Chairman Kiss brought the Public Hearing to order to discuss the Port's Comprehensive Plan and to take public comment. Kelly presented the Board with copies of comments from Mr. Bob Eugene. There was discussion on Mr. Eugene's comments. Upon the arrival of Ms. Koenig, Kelly brought her up to date on the matter.

At 9:08 a.m. Chairman Kiss closed the public hearing.

**Resolution 2020-04 Comprehensive Plan:** K. Peterson moved to approve the Comprehensive Plan and Resolution 2020-04. Motion seconded and so ordered by Chairman Kiss with D. Peterson voting as opposed.

Ms. Koenig left the meeting.

**Minutes:** D. Peterson moved to approve the minutes of the regular meeting held on November 10, 2020 as presented. Motion seconded by K. Peterson and so ordered by Chairman Kiss. K. Peterson moved to approve the minutes of the special meeting held of November 24, 2020. Motion seconded by D. Peterson, so ordered by Chairman Kiss.

**Executive Session:** At 9:10 a.m. Chairman Kiss recessed the regular meeting to convene in executive session to discuss real estate and pending litigation matters. At 9:25 a.m. Chairman Kiss brought the regular meeting back to order; no decisions were made in the executive session.

Based upon discussion in the executive session, K. Peterson moved to approve Resolution 2020-06 and to allow Kelly Driver to sign all documents on behalf of the Board. Motion seconded by D. Peterson, so ordered by Chairman Kiss.

**Comments:** None at this time.

**Old Business:**

**1. 2021 Salary Schedule - Correction:**

**A. Discussion:** Kelly presented a correct salary schedule which she explained was necessary due to an error on her part.

**B. Action:** Motion to approve the corrected salary schedule made by D. Peterson, seconded by K. Peterson, and so ordered by Chairman Kiss.

## **2. Other Old Business:**

None at this time.

## **New Business:**

### **1. Board Reorganization for 2021:**

**A. Discussion:** Annually the Port has rotated officer positions among the Commissioners; D. Peterson stated he is fine leaving the offices alone for 2021.

**B. Action:** General consensus was to leave R. Kiss as Chairman, D. Peterson as Vice Chairman, and K. Peterson as Secretary for 2021.

### **2. Personnel Policy Update- Resolution 2020-05**

**A. Discussion:** Kelly went through the changes to the Personnel Policy that were made and reviewed by the Port's attorney. Changes are mainly due to changes in laws; discussion was held on Paid Family Medical Leave, Whistleblower policies, flow charts and responsibilities as well.

**B. Action:** K. Peterson moved to approve Resolution 2020-05 for the updated Personnel Policy with an effective date of January 1, 2021. Motion seconded by D. Peterson, so ordered by Chairman Kiss.

### **3. Newport Towing Lease Extension:**

**A. Discussion:** Kelly reported that Newport Towing requested renewing their lease agreement for another five (5) years. A planned fence expansion may increase the rental rate in the future.

**B. Action:** D. Peterson moved to approve the land lease extension with Newport Towing. Motion seconded by K. Peterson, so ordered by Chairman Kiss.

### **4. Ziplly Fiber License Agreement:**

**A. Discussion:** Kelly reported that Ziplly Fiber bought out Frontier Telephone, so a new agreement was needed to cover this exchange. Kelly and Cliff have signed the agreement.

**B. Action:** The Board agreed with the transfer of the license to Ziplly Fiber.

### **5. WPPA Trustee:**

**A. Discussion:** There was discussion held regarding the WPPA Trustee appointment. Kelly will remain the Trustee at this time.

### **6. Other New Business:** None at this time.

**Board Travel Plans/Meetings:** D. Peterson plans to attend the EDC meeting on December 16<sup>th</sup> if it is held; traditionally the December EDC meeting is not held.

## **Reports:**

### **1. Board of Commissioners:**

D. Peterson attended the EDC meeting via Zoom in November. He also attended the PUD budget hearing in which there was discussion on revenue increase of 10% which is a rate increase of 13%. Information provided at the hearing requires five (5) years of a 10% increase to flatten the curve and get to an even bottom line for the PUD.

### **2. Roadmaster, Cliff Bauer:**

- Bridge inspections with Corey have been completed. No problems.
- Riley recertified as Conductor.
- Vaagen's tried to assist with moving the white box car but could not lift it to move it to the new location. Crews will try moving the south end of the car to allow for easier access to the shop by semis.

- Davis Creek Bridge work will be done as time allows with the materials that are on hand.

**3. Manager, Kelly Driver:**

- Railroad liability insurance application completed and submitted for insurance coverage.
- Worked with the attorney on real estate matters.

**4. Auditor – Susan Bluff:**

- Presented the financial report information for the month ending November 30, 2020.

**5. Chief Mechanical Officer-Brad Byrd - Absent:**

**6. Track Foreman – Corey Ives:**

- November car repair revenue around \$36,000 for the month.
- Storm drain in Newport cleaned by renting equipment instead of hiring done.
- Bridge inspections and bridge audit completed. Reports were submitted to engineering firm of DEA for their approval.
- Unit 4 derailing issues has been resolved with the company paying for the entire issue. Required new rims and larger tires.
- Switched out six specific storage cars that were needed so that the rest of the cars did not need to be moved out of storage.
- The John Deere backhoe was parked at a crossing near the Deeter trestle and it was stolen and used for approximately eight (8) hours before being returned. GPS on board shows where it was used. Pend Oreille County Sheriff's office is actively involved and Pape' Machinery is providing GPS information.

**Records for Approval:**

A. Time and Expense Sheets: Approved as submitted.

B. Warrants: Operating Expense warrants 49225-49326 totaling \$190,771.99 approved as submitted.

**Adjourn:** There being no further business Chairman Kiss adjourned the meeting at 10:33 a.m.

  
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Ryan Kiss, Chairman

  
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Kelly J. Driver, Manager

Date Approved:

