

**MINUTES
PORT OF PEND OREILLE
BOARD OF COMMISSIONERS MEETING
Date: March 9, 2021**

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, Brad Byrd, and Corey Ives. Joining via Zoom, Don Gronning from the Newport Miner.

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

Minutes: D. Peterson moved to approve the minutes of the regular meeting held on February 9, 2021 as presented. Motion seconded by K. Peterson and so ordered by Chairman Kiss.

Comments: None at this time.

Old Business:

1. County Comprehensive Plan/Port property:

A. Discussion: The Board and staff discussed the Port owned properties by using Pend Oreille County's GIS map. Discussion included locations, adjoining landowners, County Comprehensive Planning and uses.

2. Other Old Business:

A. Ponderay Newsprint Company:

1. Discussion: Kelly reported that the Ponderay site will be auctioned on April 23rd if no sales agreement is reached prior to that date. Minimum bid is \$7.5 million.

B. Priest River Signals:

1. Discussion: Chairman Kiss asked questions about the signals at Priest River regarding the length of time the signals take to activate. Information was provided by Cliff and Corey.

New Business:

1. Land Lease- Scuttles, LLC:

A. Discussion: Kelly advised the Board that she is working on a potential land lease, which she hoped would be ready for the meeting; it was not returned with signatures in time for the meeting.

B. Action: None necessary.

2. Policy 2004- Tool Use:

A. Discussion: Kelly reported she reached out to the PUD and the County regarding any policies they might have on company provided tools; neither entity had policies in place. She presented a basic tool policy which covers safety related matters.

B. Action: D. Peterson moved to approve Policy 2004. Motion seconded by K. Peterson, so ordered by Chairman Kiss.

3. Public Relations:

A. Discussion: Kelly reported that in the past the Port has contributed to the American Legion's Easter Egg Hunt for local families.

B. Action: General consensus of the Board to allow \$100 for this event which is a public relations benefit to the Port.

Break: Chairman Kiss called for a five-minute break at 9:55 a.m. Meeting resumed at 10:00 a.m.

4. Other New Business:

A. Redistricting:

1. Discussion: Kelly reported she discussed redistricting boundaries with Pend Oreille County Auditor, Marianne Nichols. The State will not have census information to the County until September and the County will have a short time to do the work to create new Districts if necessary. The Port Commissioner boundaries align with the County Commissioner District boundaries.

B. Rails to Trails:

1. Discussion: There was general discussion regarding the possibility of Rails to Trails on the unused portion of the rail line, how other rail to trails projects work, the project in Ferry County as well as the Hiawatha trail near Kellogg, Idaho.

Board Travel Plans/Meetings: Approval given for D. Peterson's attendance at the EDC meeting on March 17th as well as approving his request to represent the Port at County Comprehensive Planning meetings.

Reports:

1. Board of Commissioners:

Commissioner Peterson reported on the EDC meeting and his appointment by the EDC to work with Laura Verity on EDC Work Plan on two items under the heading "Help drive the best and highest use of the Ponderay Newsprint Company site."

2. Roadmaster, Cliff Bauer:

- Discussed the bridge repairs on the Davis Creek bridge including measures being taken to add to it to increase strength for handling the 286 cars.
- Worked on FRA track defects.
- Cut brush.
- Working on certifying Tom as a DSLE.

3. Manager, Kelly Driver:

- Undergoing an audit on the Port's drug and alcohol program.
- One crossing to finish up on the FRA crossing updates then the signs will have to be put up.
- Letters given to the employees that will be promoted due to the retirement of two individuals.
- FRA Emergency Order 32 discussed.
- Backhoe theft case information provided to prosecutor's office.
- Following a couple of bills in the legislature, including SB 5065 which, if passed as currently written, could be extremely bad for the Port.

4. Auditor – Susan Bluff:

- Presented the financial report information for the month ending February 28, 2021. Discussion online items as well as storage cars.

5. Chief Mechanical Officer-Brad Byrd:

- Shop tools have been ordered.
- Working on two locomotives for Arizona. Parts are hard to obtain.
- Cummins locomotive is out on the POVA line operating to get hours on it.
- Higher Power Industries plans to be at our May meeting to discuss potential operations.
- Working on a bid for MRL using a computer system out of India.
- New shop employee is working out well.

6. Track Foreman – Corey Ives:

- February car repairs were over \$34,000.
- Went to the courthouse to assist with property ownership questions. Also, to Pend Oreille Title Company.
- Worked on potential car storage locations.
- Filled in on train crew.
- Took an employee of Omega Rail/TerraPact over the rail to inventory crossings.
- Doing additional work on inspecting tank cars before they go out of storage.


Records for Approval:

A. Time and Expense Sheets: Approved as submitted.


B. Warrants: Operating Expense warrants 49534-49635 totaling \$168,361.38 approved as submitted.

Executive Session: At 11:20 a.m. Chairman Kiss recessed the regular meeting to convene in executive session for approximately 15 minutes to discuss potential litigation as well as real estate matters. At 11:37 a.m., Chairman Kiss extended the executive session for an additional 10 minutes. The regular meeting was called back to order at 11:45 a.m. with the announcement that no decisions were made in executive session. As a result of the executive session the Manager will proceed with the items as discussed.

Adjourn: There being no further business Chairman Kiss adjourned the meeting at 11:46 a.m.



Ryan Kiss, Chairman



Kelly J. Driver, Manager

Date Approved: 4-13-21