

Port of Umpqua

Regular Meeting Minutes
August 25, 2021 at 7 p.m.
Port of Umpqua Annex
1841 Winchester Ave
Reedsport, OR

THESE MINUTES ARE FINAL AND APPROVED.

Commissioners Present:

President Keith Tymchuk
Vice President Eric Boe
Secretary Vacant
Treasurer Vacant
Asst. Secretary Scott Kent

Commissioners Not Present:

Port Staff Present:

Port Manager Charmaine Vitek
Administrative Assistant Karen Halstead

NOTE: All items handed out at the meeting are available for view by request.

Proceedings:

The meeting was called to order at 7 p.m. by President Keith Tymchuk.
It was noted that a quorum of Commissioners was present for this meeting.

APPROVAL OF AGENDA:

There one addition made to the agenda, Item #4 – Letter of Support to ODOT. Commissioner Kent made a motion to approve the agenda as amended, 2nd by Commissioner Boe. Motion passed by unanimous vote.

APPROVAL OF MINUTES:

Commissioner Boe made a motion to approve the meeting minutes from July 21, 2021 as drafted and presented, 2nd by Commissioner Kent. Motion passed by unanimous vote.

APPROVAL OF BILLS:

Commissioner Kent moved to approve payment of checks in the amount of \$9,668.28 to be paid out of the General Fund, 2nd by Commissioner Boe. Motion passed by unanimous vote.

PUBLIC COMMENT:

There was none.

REGULAR BUSINESS:

1. Port Commission Vacant Position

Keith: There are actually 2 positions open now, because Commissioner Nelson submitted a letter of resignation, effective yesterday (8/24/21) due to health issues. It came at an interesting time since there was already an open position item on tonight's agenda for consideration. After receiving Commissioner Nelson's resignation, Charmaine and Keith discussed the rules for whether or not this newly open position could also be filled at tonight's meeting because it had not been advertised. Charmaine contacted SDAO who said yes, The Port could fill that position tonight. Keith suggested filling the first open position, position #3 and then fill the newly opened position #5. The consensus of the board was to move forward with filling both vacant positions tonight.

Charmaine: Position #3 will expire June 30, 2023 and position #5 expires on June 30, 2023 as well.

There were three applications received, they came from Donna Train, Joe Mulkey and Carey Jones.

Keith: For position #3 his suggestion was to appoint Carey Jones. It was an unfortunate error that Carey was no longer on the board, he was a terrific commissioner.

Eric: Would prefer to fill the position with Donna Train. She has lived here her whole life, she's been on the board before, and she understands the role.

Scott: He thought it might be a good idea to have a fisherman represented on the board after Barry's departure. He was going to nominate Joe Mulkey.

After some discussion, Keith pointed out that it didn't make a difference in what order the positions were appointed, both position's terms expire at the same time. Keith agreed that the board should have a member of the fishing community represented. When they were ready to appoint the second open position, Joe Mulkey was going to be his choice.

Eric: Can both openings be filled with one motion?

Keith: It could be done that way, then positions could be assigned. If that were the way the motion would be handled his choices were for Carey and Joe.

Scott: He could support the choices of Carey and Joe.

Eric: His preference would be for Donna and Joe.

Keith: It appears there is a consensus for appointing Carey Jones and Joe Mulkey. He requested a motion to appoint Carey and Joe to the Port of Umpqua Board of Commissioners to fill positions #3 and #5, both would expire June 30, 2023.

Eric: Really preferred to have Donna on the board, she has been on the board before, and he'd like a female voice on the board.

- **Commissioner Kent made a motion to appoint Carey Jones and Joe Mulkey to the Port of Umpqua Board of Commissioners to fill vacant positions #3 and #5, both terms to expire June 30, 2023, 2nd by Commissioner Tymchuk. Motion passed by a majority vote of 2 in favor of the motion. The Yes votes were Commissioners Kent and Tymchuk with Commissioner Boe abstaining from the vote.**

Prior to the next meeting the new Commissioners will take the oath of office at City Hall. After the vote it was decided that Carey Jones would be appointed to the position of Secretary and Joe Mulkey would be appointed to the position of Treasurer.

2. Approve Land Lease with Pacific Dream Seafood for 1.59 acres in Winchester Bay, Salmon Harbor

Keith: This has been very involved, probably more than we thought it would be, but we appear to be at a place where all parties are satisfied.

Charmaine: Provided the draft of the lease on Monday. Provided the highlights; the term which is 10 calendar years and Pacific Dream has the option to renew 3 times for another 10 years each.

Eric: Who are the principles that are involved?

Jon Marx and Jared Goodin from Anacortes, Washington. Keith added Pacific Dream Seafoods is an established business and have been for a while.

Charmaine: The lease amount will be \$2,078 per month for the first year and the following years it will increase by the CPI annual amount. The poundage fees will remain the same as they are now, which The Port will receive. There won't be hoist fees. The ice machine is not in this specific lease, it is going to be dealt with separately. The Port will no longer have staff fees for running the hoist nor the utilities incurred from the dock.

Charmaine recommended that the board make a motion to approve the lease agreement and to authorize the Port President to sign the agreement and all other documents. It was noted that originally Charmaine wanted Pacific Dream Seafoods to take over as of September 1, 2021 but due to a conflict of schedule for Pacific Dream it had been decided that the official change over date will be September 8, 2021.

- ✓ **Commissioner Jones made a motion to approve the Lease Agreement between the Port and Pacific Dream Seafood, as presented, and to authorize the Board President to sign the Agreement and all associated documents to complete the transaction, 2nd by Commissioner Boe. Motion passed by unanimous vote.**

3. Approve License Agreement with OysterGrower.com for access to its Dock, Ramp, and parking spaces

Charmaine: The board can choose to approve this license or there can be a special meeting once it is complete and make the motion at that time. She had expected the license to be available for tonight's meeting.

Keith: Let's wait until we have the document. He pointed out that Carrie, who is the attorney that has been working on this, has been terrific. Never have had an attorney who has been so timely each and every day, each and every time.

Carey: Why is this called a license agreement instead of a lease agreement?

Charmaine: It is not a lease; he isn't leasing anything it is just a license to access his property. He will have a lease agreement with The County for the Department of State Lands for the submerged and submersible lands.

4. Trail Support from ODOT (added at the meeting)

Keith: Keith was contacted by John Donald of ODOT who explained that ODOT wants to build a pedestrian/bike path from Reedsport to Winchester Bay. It will be on the south side of Highway 101.

This is not the same project trail that ODOT was previously working on that would start at the Elk Viewing Area and go into Reedsport. That has been set aside for now. This agenda item is not for any kind of financial commitment it is just a letter saying The Port supports the project if it moves forward.

- ✓ **Commissioner Boe made a motion to approve sending a letter of support to the Oregon Department of Transportation for their pedestrian/biking path project from Reedsport to Winchester Bay, 2nd by Commissioner Jones. Motion passed by unanimous vote.**

Keith did ask John if there would be a parking and staging area at the east end of the path and the answer was no, ODOT expected people to already be able to access it from Reedsport. Eric felt a staging area was needed.

REPORTS:

STAFF REPORT:

Charmaine: Pacific Forest Management, one of our tenants in the main building has submitted intent to vacate their office. This isn't a surprise; they are very rarely there. Their lease amount was \$150 per month which has never increased because they are very rarely here. Their lease will expire at the end of September.

At last month's meeting there was discussion about having work session this month to discuss the Strategic Business Plan. It is a requirement that every 10 years it will be renewed or completely redone. Since there wasn't a full board until tonight Keith and Charmaine decided to postpone that work session until a later date, possibly ahead of next month's meeting. The SBP has been provided in .pdf format, if for some reason there is anyone who cannot access it let her know and she will make a printed copy available.

Kyle Barnes came out and did a great job at cleaning up the courtyard. The roof repair replacement started today.

COMMISSIONERS:

Carey: Thank you for allowing him to come back. He talked with Jim Zimmer regarding a notice he received from the Crab Commission who are going to be looking at quotas and buoys on the crab lines due to concerns about whales being caught up in them. Jim wasn't aware of this, but Carey found that there will be an announcement either Thursday or Friday

to take public comment regarding Commercial Crabbing on the Oregon Coast. If they implement anything at the meeting in October it could potentially affect the upcoming crab season. Carey is hoping that this is something The Port could look into so they can support the Commercial Crabbers. There are some folks who work for ODFW and are on the Crab Commission who are pushing for these changes to save the whales. It was stated that there have been only 5 whales to be tangled in 15 years and of the 5 only 1 died.

Keith asked to keep The Port posted.

Keith: M-5 project has received Federal designation which is important. The Port received a letter that stated M-5 is still hoping for a trial run in 2021. This project is sponsored by The Port of San Diego.

Charmaine: Sent out an e-mail recently that had a description of the project; it was the best description of it that she has seen.

EXECUTIVE SESSION:

Pursuant to ORS 192.660 (2) (e) Regarding Real Property Transactions

The commissioner went into Executive Session at 7:42 p.m.

The Commission came out of Executive Session at 7:55 p.m.

- ✓ **Commissioner Boe made a motion to approve The Port of Umpqua selling Parcel 3 at 220 Port Dock Rd., to Northwest Landscape Management for the purchase price of \$135,000, which was the appraised value as of 4/21/21, with a sum of \$40,000 down and the remaining \$95,000 to be paid monthly over 10 years at 1.5% interest, 2nd by Commissioner Kent. Motion passed by unanimous vote.**

The meeting was adjourned at 7:56 p.m.

The next Port of Umpqua Regular Meeting will be held September 15, 2021 at 7:00 p.m. at the Port of Umpqua Annex building, 1841 Winchester Ave., Reedsport, Oregon 97467.

****Note: THESE ARE QUESTIONS FROM THE COMMISSIONERS WHILE SIGNING CHECKS, BOTH AT THE END OF THE MONTH, AND DURING THE CHECK SIGNING AT THE MEETING:**

7/30/21

Commissioner questions from check signing at end of the month to be included in the August 25, 2021 minutes:

There were no questions.

Checks were signed by Commissioner Tymchuk and stamped by Commissioner Nelson.

Questions from check signing at the August 25, 2021 meeting:

There were no questions.

Checks were signed by Commissioners Kent and Boe.

Keith Tymchuk, President

Karen Halstead, Admin. Assistant