

Port of Umpqua

Regular Meeting Minutes
September 21, 2022 at 7 p.m.
Port of Umpqua Annex
1841 Winchester Ave
Reedsport, OR

THESE MINUTES ARE FINAL and APPROVED.

Commissioners Present:

Vice President Eric Boe
Secretary Carey Jones
Treasurer Joe Mulkey

Commissioners Not Present:

President Keith Tymchuk
Assistant Secretary Deborah Yates

Port Staff Present:

Port Manager Scott Kent
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 Vice-President Eric Boe.

It was noted that a quorum of Commissioners was present for this meeting.

PLEDGE OF ALLEGIANCE

CONSENT AGENDA – All items listed are considered routine and will be enacted by one motion

- **APPROVAL OF AGENDA: No changes were requested.**
- **APPROVAL OF MINUTES: August 17, 2022**
- **APPROVAL OF BILLS: \$8,826.77**

Commissioner Jones made a motion to approve the Consent Agenda, 2nd by Commissioner Mulkey. The motion was passed by unanimous vote.

PUBLIC COMMENT:

Steve Godin, President – Oregon Coast Anglers, Member of PFMC, member of ODFW Sports Anglers Advisory Council: At the last Port meeting Heather Mann gave a presentation to discuss her concerns about the proposed turbine wind farms in the ocean that would be managed by BOEM. The Coos Bay Call Area (Coastal Fairway Zone) extends from Florence to Coos Bay and completely covers Winchester Bay. It provides no navigational access into Winchester Bay unless you go through the

wind turbines, this causes a navigational hazard because radar will not work well when amongst the turbines.

Steve asked that The Port address this concern with the U.S. Coast Guard. The USCG recently came out with the Pacific Coast Access Route Study (PAC PARS). This affects access for all of the ports up and down the coast from California to Washington. The study that was recently released is now in the Federal Register for comment.

Steve provided the Commission with a draft copy of the study from the Federal Register, and a map showing the Coos Bay Call Area. The PAC PARS study calls for a navigational route that would cut right through the Coos Bay Call Area. This is significant because if a vessel were trying to get into Coos Bay coming from the north it would require navigating through this Call Area. Steve pointed out that what the map doesn't show is any kind of access into Winchester Bay, meaning any boat going into Winchester Bay when coming from the west will have to go right through the Call Area, and right through the wind turbines. A vessel going south would have to go completely south of Coos Bay in order to get inside of Coos Bay without having to navigate around the turbines.

The comment period for the PAC PARS is currently open from now until October 25, 2022. The concern is having no navigational passage without having to go through the Call Area.

Steve spoke with the Coast Guard as they were doing the PAC PARS and requested that they provide a path through this navigational area; they did not. It's important to comment on this now to represent all of the fishermen who work out of Winchester Bay.

Eric: How far west does that call area extend?

Steve: Not exactly sure but he thought it starts about 12 miles off the coast. There really hasn't been any definition of how far it goes. There is a lot of activity that goes on within 12 miles.

The map Steve provided (The Pacific Coast Fairway), showed a proposed coastal navigation route that would go through the Call Area and if BOEM would allow for moving their boundary out to accommodate this fairway that is in the PAC PARS study, it would cut about a third of the Call Area yet it would make navigation much easier to get out to the ocean without having to cut through turbines.

This would be a great benefit in terms of navigational safety. Steve has written a letter to the U.S. Coast Guard asking for this navigational route through the Call Area for Winchester Bay and Brookings.

Eric: Agreed it would be appropriate to have navigational lanes to every port on the coast. Steve has been making presentations about these wind turbines from Florence to Brookings; they would put the trawlers and the crabbers out of business, not to mention that they are a hazard to any and all birds flying out there.

REGULAR BUSINESS:

1. Resolution for the Enterprise zone boundary change (22-5)

Janet Tidrick – CCD Business Development Corp. – (provided handouts)

CCD manages the enterprise zones of Douglas, Coos, and Curry Counties, and she was there to discuss a resolution for the Lower Umpqua Enterprise Zone, and some small amendments (1.3 acres in total) that

are being requested. There are 4 separate areas included in this resolution. Janet explained what enterprise zones are, they are tax abatements for personal property vs. on actual land. Such as a building or equipment attached to a building. The time periods are 4-5 years or 15 years. For a 15-year period there needs to be at least a 12-million-dollar investment. This is mostly for manufacturing. The 4 properties being considered include Ork Rock, in the Gardiner area where there are 3 separate tax lots but for whatever reason portions of those tax lots were not included in the original enterprise zone area; an old mill site that has a rail spur tied to it, and there is an area in the north dunes.

Carey: Who requested that these enterprise zones be included?

Janet: The requests come to CCD from various places, among them was Shaun Gibbs of SCDC, and Deanna Schafer from The City.

Eric: There is a group in Winchester Bay who want to make a natural park at Ork Rock, would that be precluded in the enterprise zone?

Janet: No, because having an enterprise zone doesn't mean something else can not be done with the land. This is just an opportunity for those who want to build manufacturing to take advantage of these locations. This isn't actual "zoning" it is an abatement system, a tax break.

Carey: From the 4 properties that are being suggested, 2 of them are privately owned and 2 are government owned. For example, The County owns Ork Rock, what would be their gain by extending the enterprise zone into that area?

Janet: It could be sold or leased, if someone had a lease agreement in place for that area, they could qualify for the enterprise zone benefit. Carey asked if the new dump station the County just built would qualify for the enterprise zone benefits. Janet wasn't sure, she said she would look into it and get back to Carey.

Basically, enterprise zones were created as an incentive for job creation and retention.

Joe: You said these were based on requests, were these requests because someone has plans for these areas?

Janet: Not necessarily, for example the old mill site has a rail spur, and this would clean up a lot of the area as well as it would be a great setting for manufacturing, but it is not currently an enterprise zone.

There was a recommended motion provided if the Commissioners chose to use it. Instead, Carey said there had been some questions brought up and he would like those answered first. Janet was asked to come back next month.

Joe: When the original enterprise zone was implemented why wasn't areas such as Ork Rock included in the beginning?

Janet: She will talk to Commissioner Boice and get answers to the Commissioner's questions.

2. Resolution for McKeown Crossing (22-4)

Scott: At the last port meeting a resolution was adopted to name the Scottsburg Bridge "McKeown Crossing." However, this was done without the benefit of the text for the commissioners review or the resolution number. The resolution text had been read to the Commissioners at the last meeting by Mayor, Linda McCollum and this motion includes the actual resolution number.

- **Commissioner Jones made a motion to approve Resolution 22-4 to name the new Scottsburg bridge “McKeown Crossing”, 2nd by Commissioner Mulkey. The motion was passed by unanimous vote.**

3. OCZMA membership

Scott: The Oregon Coastal Zone Management Association (OCZMA) is requesting dues in the amount of \$515 for the fiscal year 2022-2023. The Port of Umpqua has paid dues in the past but stopped paying them in 2018. According to Charmaine’s last report, OCZMA doesn’t provide services for ports like they used to.

Carey: If The Port were to join would it benefit The Port with the wind energy stuff that is going on?

Scott: Was sure they will have a position on that topic, due to the economic development he felt they will probably be in favor of it.

Joe: Charmaine didn’t recommend renewing?

Scott: That is correct, in recent years OCZMA has stopped working as much with the coast and ports and are concentrating more on county business. Scott said he had no opinion at this time.

The Commission decided to decline paying dues to OCZMA, no motion was needed.

4. Port Planning and Marketing Fund Contract (SBP grant)

Scott: The Port of Umpqua applied for funding from the Port Planning and Marketing Fund and received a grant for the development of our Strategic Business Plan in the amount of \$28,875. To receive this funding, a contract between the Port of Umpqua and the State of Oregon acting by and through its Oregon Infrastructure Finance Authority of the Business Development Department needs to be signed. The contract was included in the meeting packets and has been sent to our legal team for review. The recommended motion is to approve signing the contract between the Port of Umpqua and State of Oregon acting by and through it’s Infrastructure Finance Authority of the Business Development Department team, contingent upon a clean review from our legal team. The review from the Port’s legal team, LGLG has been done, and Scott has received their comments.

- **Commissioner Mulkey made a motion to approve signing the contract between the Port of Umpqua and the State of Oregon acting by and through its Oregon Infrastructure Finance Authority of the Business Development Department, contingent upon a clean review by our legal team, 2nd by Commissioner Jones. The motion was passed by unanimous vote.**

5. IGA between the Port of Umpqua and the Lane Council of Governments (SBP)

Scott: The Port of Umpqua is in the process of updating its SBP. Grant funding has been obtained to cover 75 percent of the total cost of \$38,500. The Port of Umpqua has engaged the services of the Lane Council of Governments to develop the Strategic Business Plan. To this end, an Intergovernmental Agreement (IGA) has been developed and was included in the meeting packets, it has also been sent to our legal team, LGLG, for review. I am requesting permission from the board to sign the IGA contingent upon a clean review from our legal team. The recommended motion would be to move to grant permission for the Port Manager, Scott Kent, to sign that IGA.

LCOG are the group that The Port chose to help with writing the new SBP and because they are a governmental organization it requires an IGA, which is basically a contract between two governmental organizations.

Carey: What is the term for this?

Scott: We have until November of 2023 to complete it.

- **Commissioner Jones made a motion to grant permission for the Port Manager, Scott Kent, to sign the IGA between the Lane Council of Governments and the Port of Umpqua, contingent upon a clean review from our legal team, 2nd by Commissioner Mulkey. The motion was passed by unanimous vote.**

6. Remote access to Port meetings using technology

Scott: This is a revisit of an agenda item from two months ago regarding live-streaming the Port meetings.

House bill 2560 was passed by the Oregon Legislature in the 2021 session and took effect on January 1, 2022. The bill requires a public body to make meetings remotely accessible when “reasonably possible”.

To comply with the law, it is recommended that the Port use a readily available software package to broadcast the meetings to interested parties, who would be granted access by clicking a link on our website.

Zoom, Google Meets, and Microsoft Teams were considered. The annual cost for Zoom is \$149/year; the annual cost for Google Meets is \$144/year; the annual cost for Microsoft Teams is \$72/year.

I consulted with Tom Capps who is the IT person for the school district regarding the three available software packages, and he recommended Google Meets.

We used the free version of Google Meets at our last meeting and it functioned as advertised. Staff recommendation is to approve a subscription to Google Meets to allow broadcasting Port meetings online as required by HB 2560.

- **Commissioner Mulkey made a motion to approve a subscription for Google Meets to broadcast port meetings on-line as required by House Bill 2560, 2nd by Commissioner Jones. The motion was passed by unanimous vote.**

REPORTS:

COMMISSIONERS:

Joe: He agrees with Steve Godin that The Port needs to address the situation he brought up during the public comments and The Port should respond with comments to the Coast Guard’s PAC PARS. Joe doesn’t feel he nor anyone on the Commission has as much knowledge about this as Steve. With Steve’s knowledge Joe asked if Steve would be willing to write a letter template that The Port could use to make official comments. Steve said he would be willing to write a draft for The Port’s approval as long as it’s done and submitted before October 25th.

Once Steve has a letter drafted, he will send that to Karen who will forward it to all of the Commissioners for their review and approval.

Scott: The actual approval of the letter will need to be done by a motion in a public meeting. The next Port meeting will be held on October 19th, so there will be time for public approval of a letter and to get it submitted before the deadline.

There was discussion about the Call Areas and how important it is going to be that there be pathways through it for any vessels coming to port.

Joe: The Coos Bay Call Area begins 13.8 miles off of Charleston and extends to about 65 miles offshore. This won't only disrupt the draggers but will also disrupt the Charter Boats, and it will cost tugboat companies millions of dollars in fuel to go out and around the Call Area. There is a lot at stake.

Carey: He has been thinking about The Port looking into investing in more property in Winchester Bay. He is interested in the old Sloan building and dock, and what it would cost to purchase Oly Nelson's business. Carey has heard that Oly is considering shutting it down if he can't sell it. Carey doesn't suggest that The Port actually run the business, but The Port buys it and then leases it to someone who would like to run that kind of business but may not be able to purchase the property. Carey thought Fish Patrick may be interested in the old dock and using it as a cannery. This would bring canning back to the area.

Joe: Asked if Carey was interested in just buying Oly's business or buying the property from The County.

Carey: Was mostly interested in the business.

Joe: Felt it would work better for The Port to own the business and the property. The problem he saw with only owning the business is that whoever wants to run that business would have to pay The Port to lease the business and then also pay to lease the property from The County. Joe thought that the lease fee from The County was around \$2,500.

It was decided that this would be a discussion to have when all of the Commissioners are present.

STAFF REPORT:

One of the final items that The Port needs to complete to obtain the last 2% discount off of The Port's liability insurance through SDAO is board member training. Karen has sent each of the Commissioners an email link to the online training videos. Upon completing this training, which only involves watching one of the videos, email Karen so we can track the progress. Joe has completed the training. Carey said he watched "Boardroom Dancing" so he has also completed the training.

The Yaquina Dredge was active on the Umpqua River for 4.35 days last month and is scheduled for an additional 1.5 days in September.

Elkhorn Electric completed the installation of 11 LED lights in the office building. They provide a really nice clean light.

There is a new tenant in the Winchester Building, Reedsport Massage, who is leasing an office and a cubicle.

The parking lot and alley have been restriped; it looks really sharp.

In August 2022 The Port billed \$8,893 for poundage that came over the dock.

The Port is set up and prepared for the annual audit that will start with an onsite visit from Grimstad & Associates on October 5th.

Scott will be having some minor surgery so he will be in and out of the office for the next couple of weeks.

Carey: Has The Port received any calls or complaints from the fishermen on how they are being treated at the dock? Yes, and we have invited them to come to the meetings and make a public comment. They are also included on the “agenda and meeting notice” list.

The meeting was adjourned at 8:12 p.m.

The next Port of Umpqua Regular Meeting will be held October 19, 2022 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:**

8/31/22:

Commissioner questions from check signing at end of the month to be included in the September 21, 2022 minutes:

There were no questions.

Checks were signed by Commissioners Mulkey and Boe.

Questions from check signing at the September 21, 2022 meeting:

There were no questions.

Checks were signed by Commissioners Jones and Mulkey.

Keith Tymchuk, President

Karen Halstead, Admin. Assistant