

Port of Shelton
Regular Commission (Workshop) Minutes
April 27, 2010

I. Call to Order

Commission Chairman Hupp called to order the work shop meeting of the **Port of Shelton Commission at 2:00 p.m.**

The following persons were present: Commissioner Wallitner, Commissioner Miles; Teresa Rebo, Property Development Manager, Wendy Smith, Executive Assistant, Louis Cofoni, Conley Watson, Maitri Edwards, Laura Lewis, John Cox, Dedrick Allan, KMAS, Jason Dose, City of Shelton, Duff Badgley, Concerned Citizens of Mason County; Dr. Bill Sammons, Sharon Donaldson, Mary Duncan, Mason County Journal; Jessie Farrington, KAS; Roslynne Reed, League Women Voters of Mason County; Steve Bloomfield, Theresa Jacobson.

II. Pledge of Allegiance

III. Agenda

Agenda change - Item D – tour of fairgrounds – was moved to last item on agenda – final decision will be made following completion of all other items, time and weather permitting.

Protocol regarding workshops was discussed for the benefit of the audience. The purpose of a workshop is to allow freedom for the commissioners to openly discuss subjects. Commissioners may occasionally take input from audience at workshops. For this meeting time will dictate whether we open this meeting for public comments.

IV. Business Discussion Items with No Action

A. Political Activity on Port Property

Historically the Port has been firm on its position of not allowing political activity on Port property. Executive Director is asking for a clear understanding of Commissioners wishes. Primary concern is to protect tenants from an environment which is not conducive with their lease. Also, a Port employee was recently threatened by a protester. Written policies need to be in place as guidelines for police enforcement. Unauthorized activity on Port property is deemed to be criminal trespass. However with public property it is more complex. Port has experienced having a road blocked this last weekend by a go cart enthusiast. Executive Director will research how other Ports handle similar situations. Commissioner Wallitner expressed concern about creating new rules. Commissioner Miles discussed right to free speech and a right to protest. Regarding signs, Port already has a signage ordinance which should be sufficient – more may be unconstitutional. Tenants are bound by contractual restrictions. Certified Aerospace was a highly secured area. Port needs to ensure tenant's security. Arm's length third party may allow political activity within the parameters of their lease as with the fair.

B. North American Eagle

After the Executive Director had spoken with a noise opponent approval was given for an engine test two weekends ago. The Port will be improving tie-downs

to ensure safety. Commissioner Hupp mentioned there are 75 sponsors for this project which will be advantageous for the Port of Shelton. It is an excellent marketing opportunity for Port. Boeing Aircraft is studying shockwave under plane/car. Commissioner Hupp advised that the Airplane is one of 3 which transitioned man into space. Pilots of this airplane have made significant contributions to aerospace. Engine testing will be back a week from Saturday. Commissioner Miles questioned how much the Port is requiring for insurance – it was stressed that the vehicle is not positioned for any movement – they are conducting engine tests only.

C. Update on Adage

Executive Director stated last Tuesday was the Port's first introduction to any opposition to ADAGE. Staff's duty is to do research on behalf of the Commission. He emphasized that ORCAA will have authority to issue permit. ORCAA has offered to be present at meetings to answer questions. They are currently working with ADAGE. Fran McNair, ORCAA, advised the Director that a contract with Nisqually Area will expire in December of 2010. She asked if the Port of Shelton might be interested in locating the device at the Soccer Fields. Executive Director is getting figures and will find out more. May be great opportunity and provide peace of mind, regardless of ADAGE. Commissioner Hupp – bringing water line to Johns Prairie – city has submitted an application to county to do SEPA for water line. Jason Dose wasn't aware they were doing SEPA. He is not involved. 8" line connecting to 16" line – lines need to be separated – Port analyzing. Should ADAGE come it will not affect what the Port needs to do. Commissioner Hupp asked Jason Dose to check into and get back to Port Executive Director regarding the cities application for SEPA. Commissioner Wallitner – thanked all for the great information regarding biomass. It is technical but very informative.

D. Fairground Update

Building 17 (Olympic Hall) is going to stay in place. The kitchen is gutted. No septic system. Sealing off restrooms. Building 16 next door will have restrooms. Should be good for the next three years. Photo shop building down. It wasn't attached to foundation. 23 has been taken down. Master gardeners have moved out, entire front area has new look. Still working on building 25 – thanks to 4H and WSU for renting fairgrounds - next week will meet with group to get entity in place to oversee and run fair. The fairground looks much better. Looks like will have fair, without tax payer money. Potential entity that is going to rent fairgrounds is well funded– will hire Rachel Hansen as Executive Director to run fair. Executive Director not saying mission accomplished but rather on a mission. Maintenance staff has done fantastic job.

V. Staff Comments

A. Alcohol on Port Property

Executive Director clarified comments regarding 3rd party. Lease will require alcohol rider on insurance policy, permitting and licensing.

B. Comprehensive Plan

Brandon updated the Commission - last full update was 2006 – in 2007

Commissioners made 2 minor changes – now changes are needed which include

identifying the name change for the Marina to the Oakland Bay Marina shows current land ownership, 2 drawings – looking into what it would require and whether it would trigger a SEPA – didn't find any change to Comprehensive Plan relative to surplus property previously. Change to the Comp plan, a resolution, and an appraisal allowed the Port to surplus Eagle Point. No specific goals were identified for Eagle Point. Comprehensive Plan recommended changes to be complete within the next couple of weeks. Commissioner Hupp suggested Port tap into local resources such as the City and County planners.

C. All Ports Meeting – Port of Allyn
The meeting will be held on May 26, 2010 @ 6PM – need a head count for who will be attending. All three commissioners and John Dobson will attend.

VI. Public Comments

Commissioner Hupp reiterated that there will be 5 minutes per person for a total of 15 minutes today. We will end the comment time at 3:01PM.

Louis Cofoni: 15% renewable energy mandated– up to us to find. Good science will always prevail. Air quality control device is good science.

Dr. Sammons - Pediatrician – here from Boston – 12 states in regards to proponents of biomass – 2 things highlighted – stack emissions dirtier than burning coal regarding carbon dioxide – air inversions – particulate emissions 100% higher than burning coal. Past assumptions are being challenged – EPA's data has been based on assumptions – is not carbon neutral – writer of policy has admitted his claim was a mistake. Concern is in regard to CO2 and particulate matter. ORCAA is doing what law requires – following EPA requirements – EPA science advisory group – current standards are not protective of health. Incidence of disease increases – EPA standards are not adequate – medical risk of these plants is excessive. Commissioner Wallitner questioned why doctor is not working with EPA rather than Port as Port is simply a potential land lessor.

Ms. Jacobson – would like to take her 5 minutes and defer that time to Dr. Sammons.

Dr. Sammons: Part of issue to understand is Port should view ORCAA as relative protective level – established organizations are saying current standards are not adequate – will send documentation saying ADAGE has withdrawn from permitting process in FL – over 4,000 articles on dangers of particulates – just now learning all the dangers – ADAGE papers are based on old data which is now being discredited – Port Commissioners appreciate Dr. Sammons input.

VII. Commissioner Comments

3:17 regular session adjourned and executive session started for 15 minutes Pursuant to RCW 42.30.110 – matter is real estate. No action will come out of Executive Session. At 3:32PM Executive Session extended for 10 more minutes.

3:41PM back into regular session. No action taken in executive session.

Fairgrounds – Commissioners will move meeting to the fairgrounds for a tour then return to Port Administration Office to close this meeting.

Commissioner's arrived back from the tour of the fairgrounds. One additional question from Commissioner Miles was whether there is a need to change the public comment section for workshops. He indicated that it used to not be on the agenda of the workshops in the past. Commissioner Hupp stated that this has always been on the bottom of the docket and there is no need to revise.

VIII. Adjournment

With no additional business and no action, Chairman Hupp adjourned the workshop of the Port of Shelton Commission at 4:27PM.

Minutes submitted by: Teresa Rebo, Property Development Manager & Wendy Smith, Executive Assistant.

Minutes approved by: Chairman Hupp 

Minutes approved by: Commissioner Wallitner 

Minutes approved by: Commissioner Miles 