

Port of Shelton
Regular Commission Meeting Minutes
April 5, 2011

I. CALL TO ORDER

Commissioner Hupp called to order the regular meeting of the Port of the Shelton Commission.

The following persons were present: Commissioner Miles, Commissioner Wallitner, John Dobson, Executive Director; Teresa Rebo, Property Development Manager; Wendy Smith, Executive Assistant; Charles Houser, Port of Shelton Attorney; Al Frey, Maintenance and Environmental Manager; Pat Vandehey, Fran Prescott, Roger Newman, John Cox, Conley Watson, Tom Davis, Norm Eveleth, Steve Bloomfield, Dick Taylor, Mike Byrne, City of Shelton; Stefan Ides, Donald Jones, Bob Stone, Phil Rosseau, Richard & Jo Curtis, Roslynne Reed, Vince Dupea, Will Durham, Dave O'Leary, City of Shelton; John & Rachel Hansen, Karen Skinner, Terri Thompson, Natalie Johnson, Mason County Journal; Dedrick Allan, KMAS.

II. PLEDGE OF ALLEGIANCE

Steve Bloomfield led the Pledge of Allegiance

III. PUBLIC COMMENT PERTAINING TO AGENDA ITEMS

Commissioner Hupp explained that there is 15 minutes allocated for comments that are intended to speak to items on the agenda or to be added to the agenda.

Richard Curtis
Commented on items VII A and XI.

IV. ADOPT AGENDA

Accepted agenda as published.

V. APPROVE MEETING MINUTES

3/15/2011 meeting minutes were adopted as presented.

VI. CHECK CONTROL REPORT

Checks #22279 - #22349 in the amount of \$115,448.98 have been approved and accepted as presented.

VII. DISCUSSION/ACTION ITEMS

Reimbursement for Legal Expenses

This item was tabled from the last commission meeting on March 15, 2011 for attorney review. Attorney Houser provided a 3 page letter to the commission that states that the motion appears appropriate. Commissioner Hupp restated the motion that was tabled that the Port of Shelton pay the Executive Director's legal expenses pertaining to the court action that took place between Executive Director and Commissioner Miles on January 19, 2011.

The vote

All in favor – motion carries

Expenses were in the amount of \$1,202.26

Request for Legal Expense Reimbursement for Commissioner Miles
Commissioner Miles made a motion to request the board authorize the funds for his attorney fees. Commissioner Wallitner seconded the motion. Motion was tabled for further review by Attorney Houser.

VIII. STAFF COMMENTS

Fairgrounds

Executive Director said we are going to be spending more money on fairgrounds than what we had planned. Reminded the commission of the study from Helix last year and they suggested adding GFI circuits. We just had our inspection from L&I and got cited for several items. Executive Director showed the wire and what had been done with the wiring for years. We hired an electrician to help with 8 buildings and are looking at approximately \$15,000 just for electrical work. This solution is just to get us to December 31, 2013.

IX. PUBLIC COMMENTS

Tom Davis

Commented on reimbursement of Executive Director.

Rachel Hansen

Commented on the fairgrounds and announced that the fair this year will be July 29, 30 and 31, 2011.

Roslyn Reed

Passed out invitation to League of Women Voters Meeting on April 19, 2011.

Don Jones

Made a suggestion that the Port bring in a company who does solar panels and wind turbines. Left sample of a magazine article.

X. COMMISSIONER COMMENTS

None

XI. EXECUTIVE SESSION

Pursuant to RCW 42.30.110 1i – the commission will move into Executive Session for 30 minutes for purpose of discussing potential litigation. Pursuant to RCW 42.30.110 1c – the commissioner will also discuss a lease contract. Will go into Executive Session at 2:41PM and be back into regular session at 3:11PM.

Resumed regular session at 3:13PM. No action taken in executive session.

Commissioner Hupp said there were two subjects discussed that warrant action. One is a letter from ADAGE that terminates their relationship with lease option. Commissioner Miles made a motion on behalf of the commission to have the Executive Director sign the letter to formally terminate relationship for the option agreement. Commissioner Wallitner seconded the motion.

The Vote

All in favor – motion carries

Commissioner Hupp said the second piece of business pertains to the legal case in the court of appeals pertaining to assertion by CCMC that Port signed that lease option illegally.

Commissioner Hupp made a motion for the Port commission to authorize the executive director to work with staff and counsel to proceed with dismissal of lawsuit in court of appeals Cause #41670-1 Division 2. Commissioner Wallitner seconded the motion.

The Vote

In favor – Commissioner Hupp and Commissioner Wallitner

Against – Commissioner Miles

Motion carries.

XII. ADJOURNMENT

With no additional business **Commissioner Hupp** adjourned the meeting of the **Port of Shelton Commission at 3:22PM** in the Port's commission chambers.

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

Minutes approved by: Commission Chairman Hupp

Minutes approved by: Commissioner Wallitner

Minutes approved by: Commissioner Miles

Do NOT Approve as to Foray