

Port of Anacortes
Regular Commission Meeting
& Executive Session
February 5, 2009

The Port Commission of the Port of Anacortes held its regular business meeting at 7:00 P.M. on the evening of February 5, 2009. This was a regularly scheduled Commission Meeting held in the Commission Meeting Room of the Port Main Warehouse Building, 1st & Commercial Avenue, Anacortes, Washington.

In Attendance: Commission President Rubin, Commission Vice-President Mooney, Commission Secretary Niver, and Commissioner Hopley. Commissioner Short was excused.

Also in attendance: Executive Director Hyde, Director of Engineering Elsner; Director of Finance & Administration Johnson; Director of Operations & Facilities Hachey; Project Manager Estvold; Project Manager Rowe; and Administrative Coordinator Lindsey.

Others in attendance included: Port legal counsel Frank Chmelik, Ryan Neale, and Tom Newland.

CALL TO ORDER

At 7:00 P.M. Commission President Rubin called the regular meeting of February 5, 2009, to order and welcomed all in attendance. Commissioner Rubin announced that following the second public comment period, the Commission would take a brief recess and then enter into Executive Session for the purpose of discussing an environmental litigation matter. He noted the Executive Session was expected to last for one hour and that action might or might not be taken.

PUBLIC COMMENT PERIOD

Commissioner Rubin opened the floor for public comment pertaining to items on the regular agenda. Hearing no one with a desire to address the Commission, the floor was closed.

CONSENT AGENDA

Commissioner Rubin read the items on the consent agenda: Approval of Minutes for the Regular Meeting/Executive Session of January 8, 2009, Special Meeting/Executive Session of January 13, 2009, Special Meeting/Executives Session of January 15, 2009, and Regular Meeting Work/Study Session of January 15, 2009; Vouchers: No. 1-1 through 1-160 (\$1,148,372.96); and the Treasurer's Report for December 2008 totaling \$10,648,369.41.

Commissioner Rubin asked for a motion to approve the consent agenda items. Commissioner Mooney moved to approve the consent agenda, with Commissioner Niver seconding the motion. Commissioner Rubin called for a vote on the motion, which carried 4-0 with Commissioner Short absent.

ACTION ITEMS

Appointment of Commission Delegates to Organizations – City/Port Liaison Committee

Commissioner Rubin noted that the Commission had reached a 2-2 tie vote at their January 8, 2009 meeting regarding delegates to the City/Port Liaison Committee. The appointment of delegates for that committee was tabled until this meeting. Although traditionally the Commission President has served on the City/Port Liaison Committee, Commissioner Rubin stated he would prefer for Commissioners Short and Hopley to serve as delegates, with himself serving as an alternate. Commissioner Rubin moved to appoint Commissioners Short and Hopley as delegates for the City/Port Liaison Committee with himself as alternate delegate. Commissioner Mooney seconded the motion. Hearing no discussion, Commissioner Rubin called for a vote on the motion, which carried 4-0.

COMMUNICATIONS

Commissioner Rubin noted that the Commission had held a governance session earlier that afternoon and the Commission had decided to discontinue further governance study at this time. The Commission was of a consensus that a few changes would be implemented, but they would not formally institute policy governance as discussed in prior governance sessions.

Commissioners Rubin and Hopley will work on implementing some of the changes suggested by the Commission, such as placing more items on the Consent Agenda, holding more discussion regarding strategic items, and exerting more control over how Commission meeting agendas are put together.

Regarding the agenda, Commissioner Niver noted from the agenda that a Special Meeting/Public Hearing was planned for February 18, 2009 to take public comment regarding the SEPA for the former Scott Paper Mill site. Commissioner Niver believed this Public Hearing was not a Commission meeting process and stated he did not think the Commission should hold that meeting, but rather, the Port staff should do so.

Commissioner Hopley noted he would like to see discussion of long-range financial planning on the Commissions' next agenda, addressing where the Port is going, how the Port will get there, and public access and policies affecting that. He also wished to see updates on ongoing Port projects, specifically Pier 1 and the Scott site, and to hold discussion regarding job creation.

Of the topics suggested by Commissioner Hopley, Commissioner Rubin believed long-range financial planning should be first to be discussed. He asked Director of Finance & Administration Johnson if such a discussion item could be generated for the next regular meeting. Director Johnson noted the staff would appreciate Commission direction in long-range planning, with an example being the funding of replacing E & F Docks and funding alternatives.

Commissioner Niver suggested that Director Johnson look into the possibility of obtaining USDA loans, having seen some loans go to public entities. Director Johnson noted he had seen such loans provided to public utilities, and would look into whether such loans applied to ports.

Commissioner Mooney noted that he would like to see the Commission discuss the future and direction of the Port on the agenda for future meetings.

Commissioner Niver noted that the Commission had been criticized for getting into the details too deeply instead of delegating action to staff. He found that the opposite was sometimes also true, with an example being the Comprehensive Plan, as he felt the Commission was not thoroughly involved in that process.

Commissioner Hopley noted that the voucher list passed earlier in the evening included payment of the Port's portion of funding for the Resource Conservation Manager (RCM). He expressed that he would like to have some way of measuring what the RCM does for the Port. Executive Director Hyde reported that the RCM is presently in the data collection phase and has been working with Port Operations Manager Jason Chandler on obtaining Port data.

UPCOMING MEETINGS

Commissioner Rubin reviewed the Commission's upcoming meeting schedule. There will be a Public Hearing regarding SEPA for the former Scott Paper site on February 18, 2009 at which members of the Commission may be in attendance. The next Regular Port Commission Meeting will be a Work/Study Session on February 19, 2009, at 7:00 P.M.

PUBLIC COMMENT PERIOD

Commissioner Rubin opened the public comment period for items not on the regular agenda.

1. Ms. Boshie Morris, 1618 7th Street, Anacortes, addressed the Commission. Ms. Morris requested to know what the acronym SEPA stood for.

Executive Director Hyde explained that SEPA stood for State Environmental Policy Act.

Ms. Morris noted that some meetings concerning the Scott site were held at other times and locations and wondered why all meetings concerning the SEPA weren't all part of the Public Hearing. On another note, Ms. Morris observed that it appeared that not all of the filmed Commission meetings were appearing on Channel 10, public access television. It seemed to her that the Channel 10 feed is cutting off before the meeting is concluded. She also advised speakers at Port meetings to use the microphone and to speak more directly into it so as to be heard on the Channel 10 broadcast.

2. Mr. Roland Culbertson, 2505 Puget Way, Anacortes, addressed the Commission. Mr. Culbertson stated he had a complaint about this moorage bill, thinking it was too high. Under the current financial circumstances, Mr. Culbertson believed what he saw as a raise in his rate to be excessive and that rate increases were not justified.

Director of Operations & Facilities Hachey noted that no increases have been made. Port staff will examine Mr. Culbertson's bill to insure its accuracy and explain fees charged.

Hearing no others with a desire to address the Commission, the public comment period was closed.

EXECUTIVE SESSION

Commissioner Rubin noted that as published on the meeting agenda, the Commission would take a brief recess and then enter into Executive Session for the purpose of discussing an environmental litigation matter. He noted the Executive Session was expected to last for one hour and that action might or might not be taken.

The Commission entered into Executive Session at 7:30 P.M. At 8:49 P.M. the Commission came out of Executive Session. Commissioner Rubin stated that no action would be taken at this time regarding the environmental litigation matter discussed.

ADJOURNMENT

With no further business to come before the Commission, Commissioner Mooney moved to adjourn, which was seconded by Commissioner Niver. Commissioner Rubin called for the vote on the motion which carried 4-0 and at 8:50 P.M. the meeting adjourned.

Attest:

Keith Rubin, President

Pat D. Mooney, Vice-President

Ray Niver, Secretary

Steve Hopley, Commissioner

William L. Short, Commissioner

Julie Johnson Lindsey, Administrative Coordinator
February 5, 2009