

PORT OF ANACORTES

Special Meeting and Executive Session June 12, 2009

The Port Commission of the Port of Anacortes held a Special Meeting and Executive Session on June 12, 2009. The purpose of the Special Meeting was to hold an Executive Session to discuss an environmental litigation matter, and to hold a community signing ceremony and groundbreaking for the former Scott Site clean-up project.

The meeting was held beginning at the Port Main Office, 1st & Commercial Avenue, Anacortes, Washington.

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

Also in attendance for the Executive Session: Executive Director Hyde, Director of Engineering Elsner, Director of Finance & Administration Johnson, Director of Operations & Facilities Hachey, and Port legal counsel Frank Chmelik and Ryan Neale.

At 10:03 A.M. Port Commission President Rubin called the Special Meeting to order. Commissioner Rubin announced that the Commission would enter into Executive Session to discuss an environmental litigation matter. He noted the Executive Session would last up to one and one half hours and that action might or might not be taken. The Port Commission entered into Executive Session at 10:04 A.M. At 10:47 A.M. the Commission came out of Executive Session. Commissioner Rubin requested a motion regarding the environmental litigation matter discussed.

Commissioner Niver moved to authorize the Commission President and Commission Secretary to 1) Execute the Consent Decree with the Department of Ecology, and 2) Authorize the Executive Director to execute the Comprehensive Settlement Agreement with Kimberly-Clark Corporation and the various agreements with landowners at the Scott Site, and 3) Authorize the use of funds from the Property Sales Proceeds Fund to manage cash-flow pending Ecology reimbursement. Commissioner Rubin seconded the motion and called for any discussion. Hearing none, he called for a vote on the motion, which carried 4-0 with Commissioner Hopley absent.

Commissioner Rubin called for a recess to allow the Commission and staff to travel to the Port's Seafarers' Memorial Park building for the signing ceremony and groundbreaking for the former Scott Site clean-up project. The Commission recessed at 10:49 A.M.

At 11:30 A.M. Commissioner Rubin reconvened the Special Meeting at the Seafarers' Memorial Park Building, 601 14th Street, Anacortes, Washington.

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

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 Darden, Project Manager Dossen, Project Manager Rowe, Accounting Manager Behan, Marina Manager Fowler, Assistant Marina Manager George, Marina Coordinators Nelson and Smith, Administrative Coordinator Lindsey, Operations IV Beaner, Operations IV Krause, Operations III Johnson, Operations I Wray, Tenant and Special Projects Administrator Pittis, Accounts Payable Bookkeeper Valoven, Accounts Receivable Bookkeeper Siechen, Human Resource Generalist and Operations Assistant Herrick, Office Assistant McCartney, and Port legal counsel Frank Chmelik and Ryan Neale.

Others in attendance included Tim Nord, Department of Ecology, Mike Dunning, Attorney General's Office, and Howard Sharfstein and Tony Fedel representing the Kimberly-Clark Corporation.

Approximately eighty members of the public also attended including Representative Jeff Morris, City of Anacortes Mayor Dean Maxwell, members of the City Council and City staff, as well as representatives of the Samish tribe, Elder Rosie Cayou, and Swinomish Planning Director Charlie O'Hara. Don Wick, Executive Director of the Economic Development Association of Skagit County, Port of Skagit County Executive Director Patsy Martin, and Mitch Everton, Executive Director of the Anacortes Chamber of Commerce, were also in attendance.

Following a welcome by Executive Director Hyde, Mr. Nord presented both Director Elsner and Mr. Fedel with commemorative plaques signifying their leadership and cooperation in bringing the clean-up to fruition. Following speeches by all of the primary parties, Port representatives Commissioner Rubin, Commissioner Niver, and Executive Director Hyde signed the respective documents on behalf of the Port, as did the representatives of Kimberly-Clark.

The group then processed to the Park's beachfront area for the groundbreaking ceremony and ribbon cutting ceremony, signifying the official start of the project. Following the ribbon cutting, the Port hosted a community barbeque for all in attendance.

With no further business to come before the Commission during the Special Meeting, Commissioner Mooney made the motion to adjourn, which was seconded by Commissioner Niver. Commissioner Rubin called for a vote on the motion which carried unanimously and the meeting adjourned at 1:05 P.M.

Attest:

Keith Rubin, President

Pat D. Mooney, Vice-President

Ray Niver, Secretary

Steve Hopley, Commissioner

William L. Short, Commissioner

Julie Johnson Lindsey,
Administrative Coordinator