



# PORT OF NEHALEM

P. O. Box 476  
Nehalem, OR 97131-0476

## REGULAR BOARD MEETING Minutes

September 26<sup>th</sup>, 2018

**6:30 P.M.**

**NCRD BUILDING – Room 7**

**Called to order:** 6:34 p.m.

**Pledge of Allegiance**

**Commissioners:** Steve Huber, Terry Fullan, Dave Devault, Janice Laviolette

**Guests:** Jack & Sheila Weichal, Ray Steele, Char von Ahlefeld, Margie Neilsan, Jack Thayer, Donna Morrow, Darrell Winegar, Mark Tellhed

**Port staff:** Joe Hayes, Gene Dieken

### 1. ADMINISTRATION

- A. Accepted Board Meeting Minutes of August 2018 with one change: no-wake buoy issues at Jetty Fishery rather than Kelly's Marina. Moved: Fullan, second: Laviolette. 4-0 vote
- B. Accepted Financial Statements – July & August 2018, Moved: Fullan, second: Laviolette. 4-0 vote
- C. Accepted: Bills – July & Aug. 2018, Moved: Fullan, second: Laviolette. 4-0 vote
- D. Channel Crew – Joe Hayes
  1. New drain fields for gutters from shop and house installed
  2. Rot repair on soffits, roof repair & painting of warehouse/office
  3. Rewired pump on tug, made platform at the stern and over the winches for more convenient position of power washer.
  4. Preparing for seasonal extraction of buoy. Discussion with board about best way to pull out Crab Rock buoy whether to remove anchor chain. Consensus: remove CR buoy and tie small submerged buoys at ends of chain. Board consensus was to pull all buoys by October 15.
  5. Port dock in repairing dock deck discovered the 6x6 framework was rotted & will need to be considered in budgeting for next year.
  6. Recommended moving office/warehouse downspout to southeast support column of warehouse overhang to allowing water to run out on gravel rather than on warehouse pad as it currently does. Board consensus: move it.
- E. Office Report – Gene Dieken
  1. Reported that the class action suit Linn County v. State of Oregon seeking to terminate timber payments in favor of a lump sum settlement

based on the “Greatest Permanent Value” as conceived in 1939. The case is well-advanced with many favorable preliminary judgements in favor of plaintiff. The Port is a member of the suit’s class.

2. Proposed a strategy for board communication mostly by paper document & mail and not use email. Board was agreeable.

## **2. OLD BUSINESS**

A. Accepted Port’s existing SDIS insurance coverage as compliant with statute ORS 198.220 and in lieu of surety bond. Moved: Laviolette, second Devault, 4-0 vote

B. Accepted current SDIS insurance coverage . Moved: Laviolette, second Fullan, 4-0 vote

## **3. NEW BUSINESS**

A. Board consensus was to explore Commissioner Devault’s proposal for a possible joint project with NB Wastewater Agency to mitigate bank erosion adjacent to NBWA lagoons

B. Discussed issues related to the large wooden range markers along Highway 101 at Nehalem Jetty: improve, remove? Questions about ownership, responsibilities. Preliminary opinion of Coast Guard was that the Port has responsibility. Consensus was table the issue and for staff and Commissioner to get more information.

C. Accepted Tiderunner’s request for over-winter storage of dragon boat on Port property. First option in the fenced-in area south of Port shop or alternatively attached to the Tide Runner boat house.

D. Interviewed interim Position Three Commissioner candidate Darrell Winegar. Consensus was to vote to approve Darrell as interim Commissioner. Moved: Laviolette, second: Devault. 4-0 vote

## **4. MAIL OF INTEREST**

McCormick v. State of Oregon: an Oregon Appeals Court ruling has the potential to increase the recreational liability of Oregon public lands owners. Advisory for the board. FYI for Commissioners re: possible greater liability.

FY19 Energy and Water Appropriations Bill: \$54,000,000 was appropriated by Congress to the Army Corps of Engineers to be allotted for “Small or Remote Port”. Lobbyist for the Oregon Public Ports Association said that our best chance for applying for funds like this is always to have a “shovel-ready” project.

**5. PUBLIC COMMENTS.** Mark Tellhed presented a map that shows that the Port buildings are not in the flood plain on the updated flood hazard maps updated but are surrounded by flood plain.

**6. COMMISSIONERS COMMENTS:** Fullan: USGS will have a presentation on Sedimentation study for the October board meeting.

**7. ADJOURNED SESSION:** 8:03 p.m.

Attest: \_\_\_\_\_ Signed: \_\_\_\_\_

Gene Dieken, Office Mgr.

Steve Huber, Board President

Date: \_\_\_\_\_