

Port of Nehalem

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Board Meeting Minutes

August 23, 2023, 6:30 p.m.

NCRD School House Room, Nehalem, OR

Call to order: 6:30pm

Pledge of Allegiance

Commissioners:

Steve Huber – President

Janice Laviolette – Vice President

Dave DeVault - Secretary/Treasurer

Damian Laviolette

Darrell Winegar

Staff: Cammy Hickman

Constituents: Jack Thayer, Ray Steele, Mrs. O'Connor, Ali Ryan Hansen, Oregon Department of State Lands, Margie Neilson, Char von Ahlefeld

1. The meeting was called to order at 6:28 pm.

2. **ODSL- Abandoned/Derelict Vessel Presentation – Ali Ryan Hansen:** Ms. Hansen presented information regarding HB 2914 which established the Abandoned/Derelict Vessel (ADV) program. HB 5029 funded the program at \$18.8 million dollars. ODSL is inviting Commissioners and interested parties to participate in a working group to further define the criteria for identifying and removing ADV's throughout the State.

3. **Tide Runners – Margie Nielson, Char von Ahlefeld:** Tide Runners acquired a different dragon boat. Now have the original dragon boat and two smaller boats. They are requesting possibility to reconfigure storage rack alongside the warehouse to accommodate the additional boat. Commissioners will take a look at the area and get back to them.

4. ADMINISTRATION

A. Accept Board Meeting Minutes for July.

B. Accept Financial Statement for July.

C. Accept Bills for July.

Questions regarding payroll discrepancies, LGIP interest deposit and quarterly sewer bills were made. Cammy will clarify and report to the Commissioners. Janice moved the Minutes, Financial Statements and July Bills be approved subject to clarification. Motion seconded by Damian. Motion carried 5-0.

D. Office Report – Cammy Hickman:

- Accuity on-site Audit will be Wednesday, August 30, 2023.

- A Municipal Audit Report must be filed with the Secretary of State within 90 days after fiscal year end and requires a response to any Auditor findings.
- Morgan Dally, Compliance Officer ODSL will conduct a Site Visit, Friday August 25 at 10:45am. Currently our Lease renewal is in Holdover status due to a 'mix up' ad DSL. The Port's Lease Renewal application and fee were timely filed. Cammy is working with Dario Frisone, ODSL to rectify the issue.
- SDIS is inviting applications for Cyber Security Grant Funds. Applications for matching grants are due by November 15, 2023. Damian asked about updating our website through the Tillamook Visitors Association. Cammy reported we are not eligible for those grant funds. Damian suggested using Unicode to upgrade our site as almost all cybersecurity aspects will be handled by them.
- Office window repaired by Glasco at \$290
- Office Equipment – Brother printer/copier no longer necessary. Following discussion, the printer will be advertised on local 'For Sale' platforms. Unit and supplies at \$50.
- SDAO Training 'Board Member Duties, Responsibilities and Liabilities' report:
 - Recent Law Changes Effective 1/1/2024: HB 2805 and SB 207 Oregon Ethics Commission now has oversight over violations of Public Meeting laws generally, not just Executive Sessions
 - Special Districts must provide remote or telephone access to public meetings "to the extent reasonably possible"
 - Following discussion, Cammy will check costs for ZOOM accounts.

E. Field Operations Report – Dave DeVault: Decals changing the name of the work boat to the D. E. Stockton will be placed tomorrow. NSBW will begin work on the dike next year.

5. OLD BUSINESS

A. SAIF Insurance Coverage Increase: Following discussion it was agreed to increase the Port's SAIF Insurance Coverage to \$3,000,000. The additional premium will be \$38.80. Cammy will notify Veltri Insurance. Cammy will present our general Property Insurance declarations at the September meeting.

B. NFIP BiOp Coalition Meeting Report – Damian Laviolette: *(Following reprinted from his email message of 8/14/2023)*

"The BiOp Agenda item is for an organization called Oregonians for Floodplain Protection – a coalition of industry groups and local jurisdictions – did previously (in 2016-2018) sue FEMA and NOAA-National Marine Fisheries Service asking, amongst other things, that FEMA conduct an environmental review before implementing changes to the NFIP in Oregon. We were successful in getting a commitment from FEMA to conduct an environmental review before changing how it implements the NFIP in Oregon. That environmental review – which has just recently begun - will explain how any changes to the NFIP in Oregon would affect local jurisdictions and property owners, as well as endangered species. The funds that the coalition is seeking now would be used to support our participation in that environmental review process.

At the same time, several environmental groups recently filed a 60-day notice of intent to sue FEMA related to the Oregon NFIP Biological Opinion. We are not a party to that 60-day notice. We anticipate using funds raised as part of this coalition effort to engage FEMA around its response to that 60-day notice – again to ensure that jurisdictions' and property owners' interests are represented as FEMA considers changing how it implements the NFIP in Oregon. It is possible that in the future we will need

to participate in litigation again, but we will come back to you before we engage in any litigation and anticipate that funding for litigation would be solicited and managed separately from the current coalition efforts.

I want to see if we would like to contribute to this activity. I believe they are looking for 5-10K and the funds will go to the purposes listed in the paragraphs above.”

Following discussion, Damian moved to contribute \$5,000 to this coalition on behalf of the Port of Nehalem. Janice seconded the motion. Motion carried as follows: Damian Laviolette – Aye, Janice Laviolette – Aye, Darrell Winegar – Aye, Dave DeVault – Abstain, Steve Huber – Recuse.

6. NEW BUSINESS:

A. Tide Runners – *(See Item #3)*

B. ODSL – Abandoned/Derelict Vessels – *(See Item #2)*

7. PUBLIC COMMENTS:

- Jack Thayer commented on Self-Service Gas pump changes
- Mrs. O’Connor commented on recent City of Nehalem Planning Commission.

8. COMMISSIONERS’ COMMENTS: Commissioners discussed Tide Runners’ request to reconfigure the storage rack for newer boat. Dave moved that all boats should be stored in the open area by their shed, no longer alongside the warehouse building. Motion carried 5-0.

9. ADJOURN: Meeting adjourned at 8:01 pm **Next Meeting will be September 27, 2023 at 6:30pm.**

Submitted:

Cammy Hickman, Office Manager