



MINUTES OF THE BUSINESS MEETING
Held August 20, 2018

The August 20, 2018 Business Meeting was called to order at 5:15 p.m., by President Martin. The meeting was held at the Port of Sunnyside's Administration Office located at: 2640 E. Edison Avenue, Ste. 1, Sunnyside, WA.

Commissioners and Staff present at the Business Meeting:

Arnold Martin, Commission President
Jim Grubenhoff, Commission Vice President
Tyler Schilperoort, Commission Secretary
Jay Hester, Executive Director
Nicole Jech, Finance Officer
Lucia Navarro, Administrative Assistant
Rob Faber, Legal Counsel

GUESTS: None

DISCUSSION/ACTION ITEMS:

FINANCE OFFICER:

- Nikki shared the results from the recent Department of Revenue Audit that concluded in June. She stated the findings included a sewerage tax on the lateral lines from the industries to the Industrial Waste Water Treatment Facility. Commissioner Grubenhoff asked if this cost will be passed onto the industries. Jay responded that if the Port does accept the findings as is, then yes the cost would be passed to the industries. Commissioner Martin asked if the \$38,000 assessment fee is a one-time total cost. Jay responded no, the increase would be annual and the \$38,000 is an estimate based on the IWWTF's annual billed amounts. Commissioner Schilperoort asked if any other ports operate a waste water treatment plant. Jay responded that Moses Lake is the only other Port that operates a waste water treatment plant but we haven't yet reached out to them.

GENERAL COMMENTS:

Staff Comments: Jay shared with the commission that he attended a meeting between the Department of Ecology and Chino Valley Truck Wash (CVTW) earlier in the day. CVTW purchased land on the corner of Alexander and McLean Roads and is hoping to discharge their waste water to the Port in the future. The property is not within city limits and would need a significant amount of development to be able to run utilities and waste water lines to it. Commissioner Martin stated he would like further research to be done regarding the development of the property before any decision is made by the Port.

Legal Comments: Rob shared that the executive session will be held to discuss legal and real estate issues.

Commissioner Comments: Commissioner Grubenhoff shared that he just celebrated his 22nd

wedding anniversary with his lovely wife Kathy.

ACTION ITEMS:

- The consent agenda includes:

Minutes of the Business Meeting held on August 6, 2018. Payables issued on July 27, August 6, and August 10, 2018 in the amount of \$165,089.84, totaling \$165,089.84. Commissioner Grubenhoff moved to approve, Commissioner Schilperoort seconded. Motion approved 3-0.

Commissioner Martin stated that as permitted by RCW 42.30.110(1)(i), an executive session will be held to discuss with the Port's legal counsel potential litigation which includes a discussion of litigation or legal risks of a proposed action when public discussion is likely to result in an adverse legal or financial consequence to the Port. Additionally, he stated as permitted by RCW 42.30.110(1)(b), an executive session will be held to consider the acquisition of real estate purchase since public knowledge regarding such consideration would cause a likelihood of an increased price. Such consideration will include the following factors:


1. The Price of the Property.
2. The total acres included within the Property.
3. The location of the Property.
4. The availability of the utilities to the Property.
5. The Port's potential use of the Property.
6. The potential effects of not purchasing the Property.
7. The availability of funds to purchase the Property.

Final action may be taken.

EXECUTIVE SESSION: The Executive Session was opened at 5:44 p.m. by President Martin to discuss real estate and legal issues as allowed by RCW 42.30.110 subsection C & I respectively. The session was expected to last 20 minutes. At 6:04 p.m. the session was extended for five minutes by President Martin. At 6:09 p.m. another five minute extension was called by President Martin. The session closed at 6:14 p.m.

ACTION ITEMS: To approve the assumption of the buyer's rights and obligations under the Commercial & Investment Real Estate Purchase & Sale Agreement, between G & S Cattle Company, as seller, and DK Bain Real Estate, Inc. and /or assigns, as buyer, for the purchase of approximately 18.5 acres of real property identified as Yakima County Assessor's parcel numbers 231030-11401, 231030-11402, and 231030-11004, and authorize Jay Hester to sign such assumption on behalf of the Port. Commissioner Schilperoort moved to approve, Commissioner Grubenhoff seconded. Motion approved 3-0.

ADJOURNMENT: The Business Meeting adjourned at 6:17 p.m., peace and harmony prevailing.



Arnold Martin, President

ATTEST:


Tyler Schilperoort, Secretary