

# PORT OF GRANDVIEW

## Regular Meeting

Tuesday, December 12<sup>th</sup>, 2023  
6:00 pm

1313 W. Wine Country Rd., Suite #101  
Grandview, Washington 98930

## MINUTES

### 1. CALL TO ORDER

The Regular Meeting was called to order by President Richard Shenyer at 6:18 p.m. on Tuesday, December 12<sup>th</sup>, 2023. Present were Commissioners Jim Sewell, Richard Shenyer, and Frank Lyall, Executive Director Randy Tucker, Office Assistant Felicia Peña; Cody Nelson, Broker, DK Bain Real Estate; and Trent Ball, YVC Agriculture Program, Chair.

### 2. PUBLIC PARTICIPATION -None

### 3. CONSENT AGENDA

#### a) Warrant Approval – 610-0210 – General Fund

- Warrant #6517 to #6533 in the amount of \$13,167.34
- Warrant #6534 in the amount of \$691.90

#### b) Minutes of the November 14<sup>th</sup>, 2023 Regular Meeting

#### c) Minutes of the November 21<sup>st</sup>, 2023 Special Meeting

*Commissioner Lyall moved and Commissioner Sewell seconded a motion to approve Consent Agenda. Motion carried.*

### 4. COMMUNICATIONS – Written & Oral

#### a) Yakima Co. Treasurer Reports Fund Bal. 11/30/2023

610-0210 - \$	157,059.31
610-0220 - \$	28,293.87
610-0240 - \$	53,655.74
TIP - \$	1,598,322.00

#### b) Port Auditor's Monthly Budget Report

*Commissioner Sewell moved and Commissioner Lyall seconded a motion to accept the Communications Reports. Motion carried.*

### 5. EXECUTIVE SESSION (if necessary) to consider the disposal and/or acquisition of property and/or personnel matters as permitted pursuant to RCW 42.30.110(1)

**EXECUTIVE SESSION CALLED TO ORDER AT 6:19 ;  
TO LAST 30 MINUTES. ADDITIONAL 45 MINUTES.  
EXECUTIVE SESSION ADJOURNED AT 7:32 WITH NO ACTION TAKEN     .**

**6. OLD BUSINESS**

- a) **Tax Levy Amount Approved**
- b) **Bond Funds Transfer Completed**
- c) **Parcel B & Remaining Parcel A Earnest Money**
- d) **SEPA Conditions**
- e) **Motion to Approve Funds Transfer for Payment of Final Retainage to Colbert Construction for Wallace Way West Project**
  - i. **Transfer Funds from 610-0210 General Fund to 610-0220 Construction Fund (Funds Transfer)**

*Commissioner Lyall moved and Commissioner Sewell seconded a motion to approve Transfer of Funds from 610-0210 General Fund to 610-0220 Construction Fund for Payment of Final Retainage to Colbert Construction for Wallace Way West Project. Motion carried.*

f) **Comprehensive Plan Update**

- Set public hearing date – It was decided to set the hearing date at the next regular meeting.

**7. NEW BUSINESS**

- a) **IRS Notice (Karen Mortenson)** – Commissioners and staff discussed IRS notice and making contact with Karen Mortenson, who is currently listed under the Port of Grandview mailing address.
- b) **Auditor – Certificate of Canvass** – Commissioners reviewed canvass certificate letter received from the Yakima County Auditor.
- c) **Lease Amendments** – Commissioners and staff discussed lease increase due to lease expiration in March of 2022 as well as upgrading second entrance door to be handicap accessible.
  - i. **Lease Increase – Tim Nelson**
  - ii. **Renew Lease (March 2022 Ended)**

d) **YCDA 2024–2028 Campaign Investors** – Commissioners discussed requested increase in donation to YCDA.

e) **Backup Modules Eagle Sign**

*Commissioner Lyall moved and Commissioner Sewell seconded a motion to approve removal of old port sign*

**[OTHER BUSINESS]**

**Rollinger Lease – Parcel A Water Bill Reimbursement**

f) **Election of Officers**

g) **Resolution No. 23-11** – Establishing Regular Meeting Dates & Times for the Port of Grandview

*Commissioner Sewell moved and Commissioner Lyall seconded a motion to approve Resolution No. 23-11 Establishing Regular Meeting Dates & Times for the Port of Grandview. Motion carried.*

**RESOLUTION NO. 23-11  
A RESOLUTION ESTABLISHING  
REGULAR MEETING DATES AND TIMES FOR  
THE PORT OF GRANDVIEW**

*WHEREAS, pursuant to RCW 42.30.075, the Port of Grandview Board of Commissioners must establish regular meeting dates and times;*

*NOW THEREFORE BE IT RESOLVED, by the legislative body of the Port of Grandview within Yakima County, State of Washington as follows:*

- 1. That all prior resolutions regarding meeting times and dates are hereby revoked.*
- 2. That the regular meeting times of the Port of Grandview Board of Commissioners shall be the second Tuesday of each month at the hour of 6:00 p.m.*
- 3. That the location of the regular meetings of the Port of Grandview Board of Commissioners shall be 1313 W. Wine Country Road, Suite 101, Grandview, Washington.*

*PASSED AND ADOPTED by the Commissioners of the Port of Grandview of the County of Yakima on this 12th day of December, 2023.*

*PORT OF GRANDVIEW COMMISSION*

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*Richard Shenyer  
President*

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*C. James Sewell  
Commissioner*

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*Frank A. Lyall  
Secretary &  
Investment Officer*

**h) Resolution No. 23-12 – Authorizing Investment of the Port of Grandview Monies in a Local Government Investment Pool**

*Commissioner Lyall moved and Commissioner Sewell seconded a motion to approve Resolution 23-12 Authorizing Investment of the Port of Grandview Monies in a Local Government Investment Pool. Motion carried.*

**RESOLUTION NO. 23-12  
A RESOLUTION AUTHORIZING INVESTMENT OF  
THE PORT OF GRANDVIEW MONIES  
IN A LOCAL GOVERNMENT INVESTMENT POOL**

*WHEREAS, pursuant to RCW 36.29.022, a Local Government may authorize the County Treasurer to combine their monies for the purpose of investments: and*

*WHEREAS, the Port of Grandview does hereby find that the deposit and withdrawal of money in a local government investment pool in accordance with the provisions of the chapter for the purposes of investment as stated therein are in the best interests of the Port of Grandview; and*

*WHEREAS, we attest by our signature that we have been duly authorized and empowered to enter into this agreement;*

*NOW THEREFORE, BE IT RESOLVED that the Port of Grandview does hereby authorize the deposit and withdrawal of monies in a local government investment pool with the Yakima County Treasurer in accordance with this chapter for the purposes of investment as stated therein; and*

*BE IT FURTHER RESOLVED that pursuant to the attached form the investment officers shall be authorized to order the deposit or withdrawal of monies in a local government investment pool.*

*PASSED AND ADOPTED by the Commissioners of the Port of Grandview of the County of Yakima on this 12th day of December, 2023.*

*PORT OF GRANDVIEW COMMISSION*

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*Richard Shenyer  
President*

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*C. James Sewell  
Commissioner*

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*Frank A. Lyall  
Secretary &  
Investment Officer*

**i) Resolution No. 23-13 – Authorizing Signatures for Financial Transactions on Behalf of the Port of Grandview**

*Commissioner Sewell moved and Commissioner Lyall seconded a motion to approve Resolution No. 23-13 Authorizing Signatures for Financial Transactions on Behalf of the Port of Grandview. Motion carried.*

**RESOLUTION NO. 23-13  
A RESOLUTION AUTHORIZING SIGNATURES  
FOR FINANCIAL TRANSACTIONS ON BEHALF OF  
THE PORT OF GRANDVIEW**

*WHEREAS, the Port of Grandview Board of Commissioners find it necessary to issue warrants on a regular basis for expenses incurred by the Port; and*

*WHEREAS, warrants are reviewed and signed by the Port Auditing Officer or Deputy Auditing Officer and any one of the Port Commissioners;*

NOW THEREFORE, BE IT RESOLVED by the Commissioners of the Port of Grandview that effective the 1st day of January 2024 and extending through the calendar year 2024 these signatories as indicated above be authorized to sign the Warrant Registers and warrants for issue on behalf of the Port of Grandview.

PASSED AND ADOPTED by the Commissioners of the Port of Grandview of the County of Yakima on this 12th day of December, 2023.

PORT OF GRANDVIEW COMMISSION

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Richard Shenyer  
President

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C. James Sewell  
Commissioner

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Frank A. Lyall  
Secretary &  
Investment Officer

**j) Resolution No. 23-14 – Authorizing Appointment of Auditing Officers of the Port of Grandview**

Commissioner Lyall moved and Commissioner Sewell seconded a motion to approve Resolution 23-14 Authorizing Appointment of Auditing Officers of the Port of Grandview. Motion carried.

**RESOLUTION NO. 23-14  
A RESOLUTION AUTHORIZING  
THE APPOINTMENT OF AUDITING OFFICERS OF  
THE PORT OF GRANDVIEW**

WHEREAS, the Port of Grandview Board of Commissioners finds it necessary to appoint an Auditing Officer for the Port of Grandview for the calendar year 2024; and

WHEREAS, it is necessary to appoint an Auditing Officer as provided and required by RCW 53.36.010;

NOW THEREFORE BE IT RESOLVED by the Commissioners of the Port of Grandview, Yakima County, Washington that the Auditing Officer for the calendar year 2024 shall be Angela Pratt CPA. The Deputy Officer, Ryan Smith CPA, shall be authorized to exercise the duties of the Auditing Officer for the Port of Grandview when the Auditing Officer is unavailable;

PASSED AND ADOPTED by the Commissioners of the Port of Grandview of the County of Yakima on this 12th day of December, 2023.

PORT OF GRANDVIEW COMMISSION

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Richard Shenyer  
President

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C. James Sewell  
Commissioner

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Frank A. Lyall  
Secretary &  
Investment Officer

**k) Resolution No. 23-15 – Authorizing Election of Officers of the Port of Grandview**

Commissioner Sewell moved and Commissioner Lyall seconded a motion to approve Resolution No. 23-15 Authorizing Election of Officers of the Port of Grandview. Motion carried.

**RESOLUTION NO. 23-15  
A RESOLUTION AUTHORIZING  
THE ELECTION OF OFFICERS OF**

**THE PORT OF GRANDVIEW**

*WHEREAS the Port of Grandview Board of Commissioners finds it necessary to reorganize the Port of Grandview for the calendar year 2024;*

*NOW THEREFORE BE IT RESOLVED THAT the President for the calendar year 2024 for the Port of Grandview, Yakima County, Washington shall be Commissioner Frank A. Lyall. The Secretary shall be Commissioner C. James Sewell.*

*PASSED AND ADOPTED by the Commissioners of the Port of Grandview of the County of Yakima on this 12th day of December, 2023.*

*PORT OF GRANDVIEW COMMISSION*

<i>Richard Shenyer President</i>	<i>C. James Sewell Commissioner</i>	<i>Frank A. Lyall Secretary &amp; Investment Officer</i>
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**1) Resolution No. 23-16 – Authorizing Appointment of Investment Officers of the Port of Grandview**

*Commissioner Lyall moved and Commissioner Sewell seconded a motion to approve Resolution 23-16 Authorizing Appointment of Investment Officers of the Port of Grandview. Motion carried.*

**RESOLUTION NO. 23-16  
A RESOLUTION AUTHORIZING  
THE APPOINTMENT OF INVESTMENT OFFICERS OF  
THE PORT OF GRANDVIEW**

*WHEREAS, the Port of Grandview Board of Commissioners finds it necessary to reorganize the Port of Grandview for the calendar year 2024; and*

*WHEREAS, it is to the advantage of the Port of Grandview for funds to be invested without delay; and*

*WHEREAS, the Yakima County Treasurer will accept an order for the investment of funds from those granted authorization by resolution approved by the Commissioners;*

*NOW THEREFORE BE IT RESOLVED by the Port Commissioners of the Port of Grandview, Yakima County, Washington that Commissioner Richard Shenyer has the authority to invest and re-invest such funds as are available for a period of one year from January 1, 2024 to December 31, 2024. The Deputy Investment Officer shall be Commissioner C. James Sewell who shall be authorized to exercise the duties of the Investment Officer for the Port of Grandview when the Investment Officer is unavailable.*

*PASSED AND ADOPTED by the Commissioners of the Port of Grandview of the County of Yakima on this 12th day of December, 2023.*

*PORT OF GRANDVIEW COMMISSION*

<i>Richard Shenyer President</i>	<i>C. James Sewell Commissioner</i>	<i>Frank A. Lyall Secretary &amp; Investment Officer</i>
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**m) Resolution No. 23-17 – Authorizing Appointment of the Legislative Representative of the Port of Grandview**

*Commissioner Sewell moved and Commissioner Lyall seconded a motion to approve Resolution No. 23-17 Authorizing Appointment of the Legislative Representative of the Port of Grandview. Motion Carried.*

**RESOLUTION NO. 23-17  
A RESOLUTION AUTHORIZING  
THE APPOINTMENT OF  
THE LEGISLATIVE REPRESENTATIVE OF  
THE PORT OF GRANDVIEW**

*WHEREAS, the Port of Grandview Board of Commissioners finds it necessary to appoint a legislative representative (Trustee) to the Washington Public Ports Association (WPPA) for the calendar year 2024;*

*NOW THEREFORE BE IT RESOLVED THAT the legislative representative to WPPA for the calendar year 2024 for the Port of Grandview, Yakima County, Washington shall be Commissioner Frank A. Lyall. Alternate Trustee shall be Commissioner C. James Sewell, who shall be authorized to exercise the duties of legislative representative when the legislative representative is not available.*

*PASSED AND ADOPTED by the Commissioners of the Port of Grandview of the County of Yakima on this 12th day of December, 2023.*

*PORT OF GRANDVIEW COMMISSION*

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*Richard Shenyer  
President*

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*C. James Sewell  
Commissioner*

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*Frank A. Lyall  
Secretary &  
Investment Officer*

**n) Resolution No. 23-18 – Delegating Administrative Powers and Duties of the Executive Director**

*Commissioner Lyall moved and Commissioner Sewell seconded a motion to approve Resolution 23-18 Delegating Administrative Powers and Duties of the Executive Director. Motion carried.*

**RESOLUTION NO. 23-18  
A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE PORT OF GRANDVIEW  
DELEGATING ADMINISTRATIVE POWERS AND DUTIES  
OF THE EXECUTIVE DIRECTOR**

*WHEREAS, RCW 53.12.270 authorizes the Commission to delegate administrative powers and duties to the Executive Director;*

*WHEREAS, the Commission now wishes to provide a policy directive on the delegated administrative powers and duties of the Executive Director to execute nondisclosure agreements for the purposes of the Port engaging in due diligence review with potential buyers or lessees of Port property in accordance with this Resolution.*

*NOW, THEREFORE, BE IT RESOLVED by the Port Commission of the Port of Grandview as follows:*

**Section 1.** *The Commission of the Port of Grandview has adopted the below policy directive for the purpose of establishing the delegated administrative powers and duties of the Executive Director. This policy directive will be in effect as of December 13, 2022, and remains in effect until repealed, replaced, or superseded by subsequent resolution of the Commission.*

**Section 2.** All portions of resolutions heretofore approved by the Commission conflicting with the subject matters contained in this resolution are hereby repealed.

**Section 3.** The following policy directive on the delegated administrative powers and duties of the Executive Director is hereby adopted.

**POLICY GOVERNING AUTHORITY TO ENTER INTO NON- DISCLOSURE AGREEMENTS**

**Authority of the Executive Director.** The Executive Director is authorized to enter into non-disclosure agreements on behalf of the Port, provided that the non-disclosure agreement is first reviewed by the Port's Legal Counsel to ensure compliance with applicable law, including laws relating to public records and open public meetings.

**ADOPTED** by the Board of Commissioners of the Port of Grandview this 12th day of December 2023, and duly authenticated in open session by signatures of the Commissioners voting in favor thereof and the seal of the Commission duly affixed.

PORT OF GRANDVIEW COMMISSION

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Richard Shenyer  
President

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C. James Sewell  
Commissioner

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Frank A. Lyall  
Secretary &  
Investment Officer

**8. ADJOURNMENT** – The meeting adjourned at 8:35 pm. The next Regular Meeting will be held at 6:00 p.m. on Tuesday, January 9<sup>th</sup>, 2024, at 1313 W. Wine Country Rd., Suite #101, Grandview, Washington and via Zoom teleconference.

Respectfully,

Frank Lyall, Secretary