



PORT OF CHELAN COUNTY
Board of Commissioners
"Special" Meeting Minutes
238 Olds Station Rd, Suite A, Wenatchee, WA 98801
March 30th, 2008
8:30 am

Present: JC Baldwin, President
 Craig N. Larsen, Vice President
 Michael H. Mackey, Secretary
 Mark Urdahl, Executive Director

Pete Fraley, Legal Counsel
 Dayle Rushing, Property/Facilities Director
 Judy Bradford, Recording Secretary

Others:

Commission President Michael Mackey called the meeting to order at 9:00 am. The meeting immediately recessed to Executive Session to discuss real estate matters.

Regular session was reconvened at 9:30 am.

Termination of the Storm Water Agreement

Mark Urdahl requested authorization of the commissioners to sign all closing documents necessary to terminate the Storm Water Agreement with Chelan County. Having Chelan County operate the system will be a cost savings to Chelan County taxpayers and users since the County already owns and operates a storm water utility.

Motion No. 03-08-09
Moved By: JC Baldwin
Seconded By: Craig N. Larsen
To authorize Mark Urdahl, Executive Director, to sign any and all necessary closing documents consistent with the Storm Water Termination Agreement with the County.
Motion Carried.

Mark Urdahl explained the next step is to terminate the storm water agreements the Port has with existing users in the Olds Station area from when the Port was managing the storm water system before the County agreed to take over. The Port has 11 separate agreements with users. All have agreed to terminate agreements with the Port.

Motion No. 03-09-09
Moved By: Craig N. Larsen
Seconded By: JC Baldwin
To approve the 10 agreements, each of which are entitled "Termination of the Storm Water Connection Agreement", as presented, and authorize Mark Urdahl, Executive Director, to sign the 10 agreements terminating the 11 Storm Water Connection Agreements previously entered into by the Port.
Motion Carried.

Sale of real property to Chelan County for a recycling & transfer facility*

Mark Urdahl explained this transaction is part of the negotiations for the transfer of the storm water system. He also explained the advantages to having the County administer the storm water utility in Olds Station. This is the sale of .95 acres of property at the north end of the storm water retention system. The property has been declared surplus by Port, and is being purchase by Chelan County for \$200,000, for the sole purpose of siting a moderate-risk, waste recycling and transfer facility. The agreement contains a reverter clause if the property is not developed for said purpose. In addition, the Port retained the first right of refusal to purchase the property back with a \$140,000 credit to

MHM/MHM CNE/CN JCB [Signature]

March 30th, 2009

reflect the difference between the appraised value of \$336,000 and the current sale price of \$200,000.

Motion No. 03-10-09
Moved By: JC Baldwin
Seconded By: Craig N. Larsen

To approve the purchase and sale agreement with the County to purchase approximately 0.95 acres located south of Olds Station Road, as presented, and authorize Mark Urdahl to sign said agreement and any and all necessary closing documents consistent therewith, on the express condition that closing of the stormwater termination agreement occur before or simultaneously with the signature of the Executive Director. Motion Carried.

Commissioner Baldwin was excused from the meeting due to prior commitment.

After further discussion, the motion was amended as follows:

The motion made today concerning the sale of real property to Chelan County for a recycling and transfer facility authorizes the Executive Director to sign the necessary closing documents consistent with the purchase and sale agreement. In the Executive Director's absence, the port commission president or any other port commissioner in his absence, is authorized to sign all necessary closing documents.

Motion to amend motion 03-10-09 was moved by Commissioner Larsen and seconded by Commissioner Mackey. An attempt to reach Commissioner Baldwin by phone was to no avail. The motion to amend was approved by a vote of the two commissioners present.

There was no further discussion and the "special" meeting was adjourned at 9:58 am.

Dated and signed this 16th day of April, 2009.

BOARD OF COMMISSIONERS

Michael H. Mackey, President

Craig N. Larsen, Vice President

JC Baldwin, Secretary

MHM *[Signature]* CNL *[Signature]* JCB *[Signature]*

March 30th, 2009