

OREGON INTERNATIONAL PORT OF COOS BAY
Coos Bay, Oregon
SPECIAL
COMMISSION MEETING
Monday, November 26, 2007
12:00 Noon
Port of Coos Bay Conference Room
125 Central Ave, Coos Bay

ATTENDANCE:

Commission: David Kronsteiner, President; Caddy McKeown, Vice President; Brady Scott, Treasurer; and Jerry Hampel, Commissioner; Dan Smith, Secretary was absent due to illness.

Staff: Jeffrey Bishop, Executive Director; Mike Gaul, Deputy Executive Director; Donna Nichols, Director of Finance and Administration; Bob Thomas, Port Counsel; Andrea Wall, Executive Assistant; Martin Callery was absent.

Media and Guests: Elise Hamner, *The World*

1. CALL TO ORDER: The President called the Special Commission meeting to order at 12:50p.m.
2. ACTION ITEMS:
 - A. Agreement with CORP

After discussion in Executive Session, the following motion was voted on:

The recommendation is for the Commission to authorize the Executive Director of the Port to enter into a settlement with Foss Maritime in exchange for payment of \$1,663,000 for release of its liability for damaging the east end of the Railroad Bridge, with those proceeds to be paid to an escrow account to be administered under a separate contract to be entered into by the Port and Central Oregon and Pacific Railroad to use the funds to pay for the repairs to the bridge under contract between CORP and Knutson Towboat Company as well as KPFF, separate contracts to be entered into by CORP and those entities under the separate repair agreement; and that all of these agreements are to be concurrently made and are each conditioned on the other being made for the repairs to the bridge to occur during the 2007-2008 in-water work window and the immediate time beyond the work window for the above water work under the CORP/Knutson contract.

Commissioner McKeown moved to approve the above, and it was seconded by Commissioner Scott. The vote was taken and the motion passes.

Jeff Bishop said for the record and because we don't want to convene back to another Special Meeting, he would like the following:

In the event that the settlement agreement is not reached this week, it indicates that the contractor that CORP has selected will be able to complete the work in the in-water window, we would seek authorization to file suit against Central Oregon and Pacific Railroad for damages to Port owned assets.

Upon a motion by Commissioner Scott (second by Commissioner Hampel) the Board of Commissioners approved the authorization stated above. The motion was voted and passed.

3. COMMISSION COMMENTS: No other comments.
4. NEXT REGULAR COMMISSION MEETING DATE: -Thursday, December 20, 2007
5. ADJOURN: The meeting was adjourned at 12:55pm.