



**MINUTES OF THE BUSINESS MEETING**  
**Held February 6, 2023**

The February 6, 2023 Business Meeting was called to order at 5:15 p.m., by President Schilperoort. The meeting was held at the Port of Sunnyside's Business Administration Office located at 2640 E. Edison Avenue, Suite 1, Sunnyside, WA.

**Commissioners and Staff present at the Business Meeting:**

Tyler Schilperoort, Commission President  
Arnold Martin, Commission Vice President  
Jim Grubenhoff, Commission Secretary  
Jay Hester, Executive Director

Adam Smith, Project Manager  
Jasmine Chavez, Administrative Assistant  
Rob Faber, Legal Counsel

**GUESTS:** Frank Chmelik – Chmelik Sitkin & Davis P.S. (Executive Session)

**GUEST COMMENTS:** None

**DISCUSSION / ACTION ITEMS:**

**Executive Director:**

- **Midvale Industrial Park Project** – Jay discussed the grant we received from Department of Commerce in December in the amount of \$416,000. These funds will need to be spent by June 30, 2023 and will provide funding for a large portion of the preliminary engineering and surveying.
- **Task order 2023-01** – This task order is to authorize HLA to do the preliminary engineering and surveying for the Midvale Industrial Park project using the grant funding we recently received. Commissioner Schilperoort asked why we decided to work with HLA, and Jay responded that we chose them because they are familiar with the project based on work that they have already performed on it.
- **YV-Tech Termination Lease** – Jay mentioned that we have received the signed document from Sunnyside/Yakima School District terminating the lease and giving the YV-Tech building to the Port. Rob mentioned that the school wanted to confirm with OSPI that they were agreeable to donating the building to the Port, therefore the timeline was a bit longer than anticipated.

**Project Manager:**

- **Hoptown** – While finishing up the demolition phase of the project, four steel columns were discovered inside existing walls. These weren't anticipated in the overall design. The buried columns were supporting sections of two interior beams. Additional work was required to relocate two of the columns and another beam was added so that the remaining two columns could be removed. Change order #1 in the amount of \$18,321.44 needs to be ratified for the additional work performed.

**STAFF COMMENTS:** Jasmine mentioned that Klompe Dairy had submitted a request to have their late fee waived. The Commissioners inquired about the billing date and the payment due date. After review and discussion, the commissioners agreed to waive the late fee to Klompe Dairy.

**COMMISSIONER COMMENTS:**

Arnold commented that we continue to move forward and are doing great things.

Jim commented that he attended the reception that WPPA held recently and it was a nice event.

**ACTION ITEMS:**

The consent agenda includes:

- Minutes of the Business Meeting held on January 17, 2023 and minutes of the WPPA Special Meeting held on January 24, 2023. Payroll issued on January 20, 2023 in the amount of \$48,398.45 and February 3, 2023 in the amount of \$55,729.87 totaling \$104,128.32. Payables issued on January 18, 2023 and January 25, 2023 in the amount of \$274,388.76. Commissioner Martin moved to approve; Commissioner Grubenhoff seconded. Motion approved 3-0.
- Motion to approve the Department of Commerce grant in the amount of \$416,000.00 for the development of the Midvale Industrial Business Park and authorize Jay Hester to sign on behalf of the Port. Commissioner Grubenhoff moved to approve; Commissioner Martin seconded. Motion approved 3-0.
- Motion to approve task order 2023-01 regarding the General Agreement between Port of Sunnyside and HLA Engineering and Land Surveying, inc. (HLA). Commissioner Martin moved to approve; Commissioner Grubenhoff seconded. Motion approved 3-0.
- Motion to approve assignment and termination of Lease Agreement (Ground Lease) dated July 1, 2012 between the Port of Sunnyside and Yakima School District NO.7 YV-Tech Skills Center and authorize Jay Hester to sign on behalf of the Port. Commissioner Grubenhoff moved to approve; Commissioner Martin seconded. Motion approved 3-0.
- Motion to ratify change order #1 to M Sevigny Construction for the additional beam and column support in the amount of \$18,321.44 plus tax. Commissioner Martin moved to approve; Commissioner Grubenhoff seconded. Motion approved 3-0.
- Motion to waive the late fee of \$7,577.50 to Klompe Dairy. Commissioner Grubenhoff moved to approve; Commissioner Martin seconded. Motion approved 3-0.

**EXECUTIVE SESSION:** The Executive Session was opened at 5:50 p.m. by President Schilperoort to discuss Real Estate, Personnel, and Legal issues as allowed by RCW 42.30.110 subsections C, G, and I, respectively. The session was expected to last 20 minutes with no action expected.

At 6:10 p.m. President Schilperoort called for the session to adjourn and continue on February 8, 2023 at noon, at the Port administration office located at 2640 E. Edison Ave., Suite 1.

The continuation of the February 6, 2023 meeting was called to order at 12:08 on February 8, 2023 by President Schilperoort.

At 12:09 the executive session was opened by President Schilperoort to discuss Real Estate, Personnel, and Legal issues as allowed by RCW 42.30.110 subsections C, G, and I, respectively. The session was expected to last 10 minutes with no action expected.

At 12:19 the session was extended by 5 minutes. The session ended at 12:24.

**ADJOURNMENT:**

The Business Meeting adjourned at 12:25 p.m., peace and harmony prevailing.



Arnold Martin, Vice President

**ATTEST:**



Jim Grubenhoff, Secretary