

# North Beach Public Development Authority

Minutes of November 4, 2004

Present: **Board Members Present**

R.D. Williams  
Tom Downer  
Brad Weatherby  
Cheri Jones  
Ken Karch

**Others Attending**

Tom Morrow, NPIA President  
Curt Stephens, NPIA Vice-President  
Bud Cuffel, Pacific County Commissioner  
Jean Cuffel  
Bobbie Reynolds  
David Thompson, Attorney  
Preston, Gates, Ellis

## **Call to Order**

*Motion by Ken Karch to have R.D. Williams chair the first meeting of the North Beach Public Development Authority (NBPDA). Second by Curt Stephens. Motion carried.*

R.D. Williams called the meeting to order at 6:00 p.m. in the Pacific County Fire District 1 Community Room, 26109 Ridge Avenue, Ocean Park, WA.

*Motion by Tom Downer to elect Cheri Jones as recording Secretary for the purpose of this organizational meeting. Second by Ken Karch. Motion carried.*

*Motion by Ken Karch to establish this organization as the North Beach Public Development Authority as adopted by the Board of Pacific County Commissioners, Resolution 2004-073, dated October 26, 2004. Second by Tom Downer. Motion carried.*

Resolution No. 2004-073 also adopted the Charter and Rules and Regulations of the NBPDA as contained in Appendix A of the Resolution. *Motion by Tom Downer to enter these documents into the records of the NBPDA. Second by Curt Stephens. Motion carried.*

## **Election of Officers**

*Motion by Tom Downer to elect R.D. Williams as President of the NBPDA. Second by Ken Karch. Motion carried.*

*Motion by Tom Downer to elect Curt Stephens as Treasurer of the NBPDA. Second by Cheri Jones. Point of order by Ken Karch regarding the election of Curt Stephens as Treasurer if he is not on the Board of Directors. It was noted that officers do not have to be Board members; however, there is a provision in the Bylaws of the NBPDA that the Treasurer assumes the responsibilities of the Secretary under certain circumstances. David Thompson, Attorney with Preston, Gates, Ellis said it would be in the best interest of the NBPDA to withdraw the motion. Bud Cuffel stated that he believes it was the intent of the County Commissioners that the officers be Board members. Tom Downer withdrew his motion. Motion by Brad Weatherby to elect Tom Downer as Treasurer of the NBPDA. Second by Ken Karch. Motion carried.*

*Motion by Tom Downer to elect Cheri Jones as the permanent Secretary of the NBPDA. Second by Ken Karch. Motion carried.*

R.D. Williams noted the NBPDA Bylaws do not call for a Vice-President; however, he recommended that a Vice-President be elected. *Motion by Tom Downer to elect Ken Karch as Vice-President. Second by Brad Weatherby. Motion carried.*

The officers were officially sworn in by Pacific County Commissioner Bud Cuffel as follows:

R.D. Williams, President  
Ken Karch, Vice-President  
Cheri Jones, Secretary  
Tom Downer, Treasurer

Copies of the Oath of Office to be included with the NBPDA documents.

### **Establish Meeting Time and Place**

Discussion was held regarding a regular meeting time and place for the NBPDA Board meetings. *Motion by Tom Downer to adopt Resolution NBPDA-01 scheduling regular Board meetings the second Monday of each month beginning at 6:00 p.m. Meetings to be held in the Pacific County Fire District 1 Community Room, 26109 Ridge Avenue, Ocean Park, WA. The first regularly scheduled meeting to be held on December 13, 2004. Second by Brad Weatherby. Motion carried.*

### **Insurance**

Tom Downer noted that he has been checking into liability insurance for the NBPDA. He has been advised that the NBPDA does have a binder; however, he does not know the rate yet. He asked Bud Cuffel if the NBPDA's insurance needed to align with County standards. Bud Cuffel directed Tom to Verl Hill who is involved with the Pacific County insurance pool and who could explain what the NBPDA needs to have. Bud Cuffel then offered to contact Verl himself. He will have Verl contact R.D. with the information. *Motion by Tom Downer authorizing Brad Weatherby to follow up on this issue on his behalf as he and R.D. will be out of town the beginning of the week. Second by Cheri Jones. Motion carried.*

### **Other Business**

R.D. Williams noted that he would like an opinion from the Pacific County Treasurer as to the handling of NBPDA funds. The NBPDA Charter says that the Board will use the County Treasurer or a bank approved by the County. Bud Cuffel noted that the NBPDA should consider using the County Treasurer because it would eliminate any questions regarding the handling of funds. *Motion by Cheri Jones authorizing R.D. Williams to contact the County Treasurer to determine where the account will be held and to open a temporary account as designated by the Treasurer, if necessary. R.D. Williams requested an amendment to the motion to specify the Bank of Pacific as the bank of choice. Motion by Brad Weatherby to amend the previous motion. Second by Ken Karch. Motion carried.*

A question was raised regarding the posting of special meeting notices. R.D. has requested documents from the State Auditor's office for PDAs. David Thompson read from a Municipal Research Center document that says fax and e-mail do not meet the intent of a public meeting notice unless the organization has an agreement with the local media asking them to accept meeting notices by e-mail. Cheri will prepare a letter to the Chinook Observer asking if they will accept special meeting notices from the NBPDA by e-mail.

Ken Karch asked a question regarding meeting as a group with three or more of the Board members in attendance. David Thompson explained that two can meet; however, three

members cannot meet because it would be a quorum. For special meetings the paper needs to be notified; however, the meeting notice does not need to be published.

Board members need to be notified at least 24 hours in advance. The Board can hold workshops, which are informational sessions only; however, no action can be taken. There are specific reasons that an executive session can be held. These are outlined in the public meeting notice information and include legal, purchasing, and personnel issues. Before going into executive session, the topic needs to be noted in the minutes and the estimated time that the executive session will be held. The Board can invite anyone they wish into the executive session, which needs to be announced.

**Executive Session**


R.D. Williams then adjourned the meeting to executive session for the purpose of discussing legal matters surrounding the potential purchase of real property rights. David Thompson to be included in the executive session. The meeting was adjourned to executive session at 7:10 p.m. for approximately one and a half hours. No action to be taken.

The meeting was reconvened at 8:20 p.m.

**Meeting Adjourned**

*Motion by Ken Karch to adjourn the regular meeting at 8:22 p.m. Second by Cheri Jones. Motion carried.*

Approved as read:

  
\_\_\_\_\_  
R.D. Williams, President of the Board

1-10-05

  
\_\_\_\_\_  
Cheri Jones, Secretary to the Board

**Agenda**  
**North Beach Public Development Authority**  
**November 4, 2004**  
**Pacific County Fire Protection District # 1**  
**26109 Ridge Ave.**  
**Ocean Park, WA 98640**  
**6:00 pm**

**Call to Order**

**Order of Procedure**

**Election of Secretary**

**Declaration to organize and purpose of said organization**

**Review of the Constitution and Adoption**

**Election of Presiding Officer**

**Election of Vice Chairman**

**Election of Treasurer**

**Swearing in of Officers**

**Procedural Issues:**

**Establish a meeting time and place and frequency.**

**Authorization to open an bank account**

**Public comments**

**Adjournment**

**Executive Session**

*e*

**NOTICE OF SPECIAL MEETING**

Notice is hereby given that a special meeting of the Board of Directors of North Beach Public Development Authority will be held at the Ocean Park Fire Station, 26109 Ridge Ave., Ocean Park. The meeting will begin at 6:00 p.m. on the evening of Thursday, November 4, 2004. Agenda items include the appointment of officers, establishment of bylaws, and any other matters that may come before the Board.

Published November 3, 2004

Legal No. 832

# PACIFIC COUNTY COMMISSIONERS

## Commissioners

Jon Kaino  
District #1

Norman "Bud" Cuffel  
District #2

Pat Hamilton  
District #3



PACIFIC COUNTY COURTHOUSE  
National Historic Site

Commissioners Office/ Meeting Room  
1216 W. Robert Bush Drive  
P.O. Box 187  
South Bend, WA 98586

Willapa Harbor Area – (360) 875-9337  
Peninsula Area – (360) 642-9337  
Naselle – (360) 484-7337  
North Cove Area – (360) 267-8337  
FAX – (360) 875-9335  
TDD – (360) 875-9400

## Oath of Office

I, Cheri Jones do solemnly swear that I am a citizen of the United States of America and of the State of Washington; that I will support the Constitution and Laws of the United States of America, and will to the best of my judgment, skill and ability, truly, faithfully, diligently and impartially perform the duties as a member of the Board of Directors of the North Beach Public Development Authority as such duties are prescribed by law, so help be God.

  
Cheri Jones

Subscribed and sworn to before me this 4<sup>th</sup> day of November 2004.

  
Norman B. Cuffel, Chairman  
Pacific County Board of Commissioners

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## Oath of Office

I, R.D. Williams do solemnly swear that I am a citizen of the United States of America and of the State of Washington; that I will support the Constitution and Laws of the United States of America, and will to the best of my judgment, skill and ability, truly, faithfully, diligently and impartially perform the duties as a member of the Board of Directors of the North Beach Public Development Authority as such duties are prescribed by law, so help be God.

R.D. Williams

Subscribed and sworn to before me this 4<sup>th</sup> day of November 2004.

Norman B. Cuffel, Chairman  
Pacific County Board of Commissioners

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## Oath of Office

I, Tom Downer do solemnly swear that I am a citizen of the United States of America and of the State of Washington; that I will support the Constitution and Laws of the United States of America, and will to the best of my judgment, skill and ability, truly, faithfully, diligently and impartially perform the duties as a member of the Board of Directors of the North Beach Public Development Authority as such duties are prescribed by law, so help be God.

  
\_\_\_\_\_  
Tom Downer

Subscribed and sworn to before me this 4<sup>th</sup> day of November 2004.

  
\_\_\_\_\_  
Norman B. Cuffel, Chairman  
Pacific County Board of Commissioners



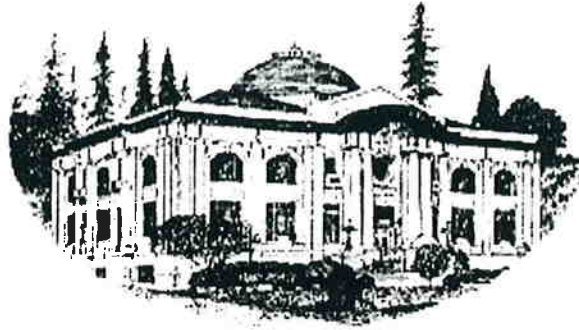
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## Oath of Office

I, Ken Karch do solemnly swear that I am a citizen of the United States of America and of the State of Washington; that I will support the Constitution and Laws of the United States of America, and will to the best of my judgment, skill and ability, truly, faithfully, diligently and impartially perform the duties as a member of the Board of Directors of the North Beach Public Development Authority as such duties are prescribed by law, so help be God.

  
Ken Karch

Subscribed and sworn to before me this 4<sup>th</sup> day of November 2004.

  
Norman B. Cuffel, Chairman  
Pacific County Board of Commissioners

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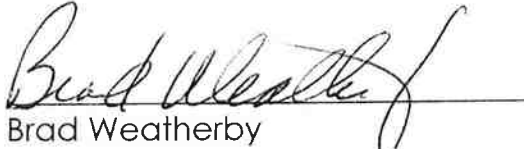
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## Oath of Office

I, Brad Weatherby do solemnly swear that I am a citizen of the United States of America and of the State of Washington; that I will support the Constitution and Laws of the United States of America, and will to the best of my judgment, skill and ability, truly, faithfully, diligently and impartially perform the duties as a member of the Board of Directors of the North Beach Public Development Authority as such duties are prescribed by law, so help be God.

  
Brad Weatherby

Subscribed and sworn to before me this 4<sup>th</sup> day of November 2004.

  
Norman B. Cuffel, Chairman  
Pacific County Board of Commissioners

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
PACIFIC COUNTY, WASHINGTON

RESOLUTION NO. 2004-073

WHEREAS, Pacific County adopted Ordinance No. 155 on October 26, 2004 to enable creation of one or more Public Development Corporations under Chapter 35.21 RCW; and

WHEREAS, certain residents of the northern portion of the Long Beach Peninsula have requested that the Board of Pacific County Commissioners establish a North Beach Public Development Authority including the area north of Cranberry Road for the purposes of improving municipal water and fire suppression service to their communities; and

WHEREAS, the Board of Pacific County Commissioners finds that formation of a North Beach Public Development Authority is in the best interests of the residents of the Long Beach Peninsula north of Cranberry Road, and benefits the health, safety and welfare of area residents; now therefore,

BE IT HEREBY RESOLVED, that the Board of Pacific County Commissioners hereby adopts the attached Charter, and the Rules and Regulations of the North Beach Public Development Authority contained in Appendix A, thereby assuring its formation.

BE IT HEREBY RESOLVED, that Brad Weatherby, R. D. Williams, Tom Downer, Ken Karch and Cheri Jones are appointed as Board members of the North Beach Public Development Authority.

PASSED by the BOARD meeting in regular session at South Bend, Washington, by the following vote, then signed by its membership and attested to by its Clerk in authorization of such passage the 26<sup>th</sup> day of October 2004:

2 YEA; 0 NAY; 0 ABSTAIN; and 1 ABSENT.

APPROVE AS TO FORM

David Burke  
David Burke, Prosecuting Attorney

PACIFIC COUNTY  
BOARD OF COMMISSIONERS

Norman "Bud" Cuffel  
Norman "Bud" Cuffel, Chair

ATTEST:

Kathy Noren  
Kathy Noren, Clerk of the Board

Jon Kaino  
Jon Kaino, Commissioner

Pat Hamilton  
Pat Hamilton, Commissioner