

PORT AUTHORITY OF WINONA MINUTES

DATE: January 13, 2022

PRESENT: President Cichanowski, Commissioners: Johnson, Gorman, Borzyskowski, Hansen, Lucas and Interim Executive Secretary Chad Ubl

ABSENT: Commissioner Alexander

STAFF PRESENT: Director of Community Development Lucy McMartin, Development Coordinator Nick Larson, & Finance Director Jessica Wojahn

1. CALL TO ORDER – APPROVAL OF MINUTES

The meeting was called to order at 4:00 PM by President Cichanowski. A motion was made by Commissioner Lucas and seconded by Commissioner Borzyskowski to approve the December 9, 2021 minutes. The motion carried with all Commissioners present voting aye.

2. REMARKS BY PRESIDENT

None.

3. OLD BUSINESS

A. Lease for Dock Facilities in the Commercial Harbor—CD Terminal

Development Coordinator Nick Larson introduced the updated lease proposals for CD Terminal to operate the commercial dock facilities at 890 and 998 Riverview Drive.

Mr. Larson noted the “Assignment or Subletting” section of each lease. Mr. Larson referenced paragraph “a” and the first sentence of paragraph “b” of the “Assignment or Subletting” section within the agenda. Mr. Larson continued that paragraph “a” and the first sentence of paragraph “b stipulates that if the lessee, CD Terminal LLC, wished to make changes to the lease, sublet the premises, or if ownership of CD Terminal LLC and its’ voting shares would change in the future, it would need the written consent of both the Port Authority and MMB.

Mr. Larson stated Enstructure, the parent company of lessee, CD Terminal LLC, requested that due to their rapid growth and gaining rights to operate additional facilities-the composition of their board and voting shares changes frequently and because so, have requested the requirement to receive written consent from the Port and MMB, be removed.

Mr. Larson informed the Commissioners that the Port attorney and MMB reviewed the language and agreed that Enstructure would not have to receive written consent if their ownership, board composition, or voting shares changed. Mr. Larson continued that if the ownership or voting shares of CD

Terminal LLC changed, written consent would be required by the Port Authority and MMB.

A motion was made by Commissioner Lucas, and seconded by Commissioner Borzyskowski, to authorize the President and Interim Executive Secretary to execute both Lease Agreements. All Commissioners present voted aye.

B. Lease—165 West Second Street

Director of Community Development Lucy McMartin noted per the direction provided by the Commissioners at the November 18, 2021 Port Authority meeting, staff negotiated a lease with Winona County for the use of the building and parking lot at 165 W. Second Street for County services and their employees, with the exception of the far west row of parking along Washington Street, to be reserved for the use of the City of Winona and its' employees.

Ms. McMartin stated the lease would be for two-years, with six (6), one (1) month extensions, along with Winona County being responsible for all costs associated with the building, such as, property taxes, maintenance, snow removal, and repairs.

Ms. McMartin noted the lease would be for \$1,500 per month and Winona County staff is to present the lease for the Winona County Commissioners' consideration at the January 25, 2022 Winona County Board meeting.

Commissioner Hansen asked how traffic would be managed in the parking lot. Ms. McMartin noted signage could be used, as well as, the City could provide permits for city employees and the county could do the same.

Commissioner Borzyskowski asked if the property was going to be inspected once the lease expires to make sure the building is in good shape and the parking lot is not full of potholes. Ms. Martin noted the lease contains language that the property is to be in good order, repair, and condition when the lease expires and staff will inspect the property prior to the expiration of the lease.

A motion was made by Commissioner Hansen and seconded by Commissioner Borzyskowski, to authorize the President and Interim Executive Secretary to execute the Lease Agreement. All Commissioners present voted aye.

4. NEW BUSINESS

A. CD Terminal LLC Storage Facility Plan Review at 890 Riverview Drive

Mr. Larson noted the Port Authority entered into a lease agreement with CD Corp., now CD Terminal LLC to operate the dock facilities at 890 Riverview Drive in 2012.

Mr. Larson noted the lease agreement states that CD Terminal LLC is required to submit plans for improvements and auxiliary structures on the premise and the Port Authority is to review the plans, and if approved, provide written consent for CD Terminal LLC to proceed.

Mr. Larson informed the Commissioners that CD Terminal LLC submitted plans to Port staff on December 9, 2021, to disassemble an existing 50' x 100' material storage building and to construct a larger 100' x 150' material storage building valued at \$375,000 at 890 Riverview Drive.

Mr. Larson noted the aerial maps attached to the agenda item showing the location of the current, smaller storage facility in reference to the proposed larger storage facility, along with the building plans for the Commissioners' review.

Mr. Larson continued that Port staff and the City of Winona's Inspection, Public Works, Planning, and Fire Departments have reviewed and approved the building plans provided by CD Terminal LLC.

Commissioner Borzyskowski asked what type of materials are going to be stored in the facility.

President of CD Terminal LLC, Dan Nisbit noted the facility will be used for over-flow materials, such as, fertilizer, gypsum, and other commodities. Mr. Nisbit continued that the new facility would be used as the current facility is and noted CD Terminal LLC has simply out-grown the capacity of the current facility.

Commissioner Lucas asked if there would be partitions separating the different materials stored in the facility. Mr. Nisbit noted "T" panels will be used to section off the different materials and noted construction would begin right away if consent/permission is provided to CD Terminal LLC by the Commissioners.

A motion was made by Commissioner Lucas, and seconded by Commissioner Borzyskowski, to authorize the President and Interim Executive Secretary to execute the Letter of Consent. All Commissioners present voted aye.

B. MnDOT Trunk Highway 43/Mankato Ave. Easement for Parcel 208

Ms. McMartin noted MnDOT requested a temporary easement for the remnant piece of land owned by the Port Authority, known as Parcel 208, which is a small piece of land by the WNB Financial branch on the corner of Mankato Avenue and Riverbend Drive.

Ms. McMartin stated MnDOT needs the temporary easement for the Highway 43/Mankato Avenue Project and will expire in December of 2024 or sooner, if the project is completed before December 2024. Ms. McMartin added the City had also received an easement request from MnDOT for the project.

President Cichanowski asked if the Port could sell the land to MnDOT. Ms. McMartin noted it would likely remain a temporary easement since it's only needed during construction, but can check into this.

Informational item/no vote required

5. FINANCIAL REPORT

Finance Director Jessica Wojahn stated the Finance Department is working on closing out 2021. Ms. Wojahn noted a wire transfer related to the dock project has been received from the State and the Finance Department will make adjustments and prepare the final year-end financial report once all 2021 invoices have been received and processed.

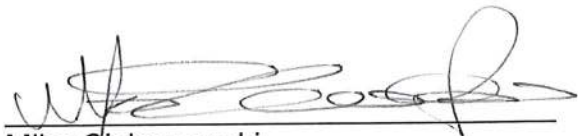
Ms. Wojahn referenced the Winona County Sales Tax Report. General discussion occurred regarding the Sales Tax Report and it was noted that the City of Winona accounts for 85% of the sales tax collected by the County and the County's sales tax does not have a sunset date.

6. ADJOURNMENT

A motion was made by Commissioner Hansen and seconded by Commissioner Lucas to adjourn the meeting. All Commissioners present voted aye. The meeting was adjourned at 4:22 pm.



Nick Larson
Development Coordinator



Mike Cichanowski
President

**PORT AUTHORITY OF WINONA
ROLL CALL AND VOTE SHEET
JANUARY 13, 2022**

Name	Approval of Minutes December 9	CD Terminal LLC Lease Update	165 West Second Street Lease	CD Terminal LLC Facility Plan 890 Riverview Drive	MnDOT Truck Highway 43/Mankato Ave Easement	Financial Report	Adjournment
Cichanowski	Aye	Aye	Aye	Aye	No Vote	No Vote	Aye
Johnson	Aye	Aye	Aye	Aye	No Vote	No Vote	Aye
Gorman	Aye	Aye	Aye	Aye	No Vote	No Vote	Aye
Borzyskowski	2 nd & Aye	1 st & Aye	2 nd & Aye	2 nd & Aye	No Vote	No Vote	Aye
Alexander	Absent	Absent	Absent	Absent	Absent	Absent	Absent
Hansen	Aye	Aye	1 st & Aye	Aye	No Vote	No Vote	1 st & Aye
Lucas	1 st & Aye	2 nd & Aye	Aye	1 st & Aye	No Vote	No Vote	2 nd & Aye