PORT OF CENTRALIA
Established 1986

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Minutes
Regular Meeting of the
PORT OF CENTRALIA
August 21, 2024
Port of Centralia Administrative Office & Via Teleconference
3:00 PM

Attendees: Commissioners: Kyle Markstrom, Julie Shaffley, and Peter Lahmann
Port Staff: Kyle Heaton, Executive Director; Amy Graber, Director of Finance
Port Counsel: Ray Liaw, Van Ness Feldman
Public: Gary Odegaard; Dave Nunn; Joe Gaylor; Jan Banevich; Chad Campbell; Brian Dow; Steve Ryan; and Bob Jackins
Teleconference: 4 unknown callers

1) **Call Meeting to Order/Introductions:** Commissioner Markstrom called the meeting to order at 3:00 p.m.

2) **Approval of Agenda:** Commissioner Lahmann made a motion to approve the August 21, 2024, agenda as submitted. Commissioner Shaffley seconded the motion. The motion carried.

3) **Good of the Order/Public Comment:** Commissioner Markstrom opened the meeting to public comment and stated the rules regarding public comment.

   Jan Banevich, of Centralia, commented on her recent conversation with a Seattle attorney regarding Commissioner conduct, how the public should treat Commissioners, and how the Port should have the Port of Centralia 2.0 Facebook group taken down.

   Joe Gaylor, with the Sheet Metal Workers Local Union 66, questioned who was responsible for making sure public works projects were performed adequately and at a good value.

4) **Approval of Minutes:** Commissioner Shaffley made a motion to approve the August 7, 2024, regular meeting minutes. Commissioner Lahmann seconded the motion. The motion carried.

5) **Approval of Warrants:** Commissioner Lahmann made a motion to approve warrants 23907 through 23927 with an aggregate amount of $94,702.92. Commissioner Shaffley seconded the motion. The motion carried.

6) **New Business:**

   a) **Resolution 2024-04:** Ray Liaw, of Van Ness Feldman, gave an overview of Resolution 2024-04 Repealing Resolution 2004-04 and Establishing Purchasing Policies and Procedures.

      Commissioner Lahmann asked why the resolution was not available online for the public to view prior to the meeting.

Commissioner Shaffley asked if Commissioner Lahmann should recuse himself due to his line of work since the resolution pertains to apprenticeship programs. Ray Liaw replied that that would not be necessary because the resolution is following existing state law.

Commissioner Lahmann stated that he would like to have language added that encourages contractors to work with Centralia College and Centralia High School and their building trades program.

Commissioner Lahmann made a motion to table Resolution 2024-04 until the next regular Commission meeting to give the constituents a chance to look at it and for the Commissioners to see if they had any concerns. Commissioner Markstrom seconded the motion.

Commissioner Shaffley felt that Resolution 2024-04 is concise and follows state law. Commissioner Markstrom asked if tabling the Resolution would impact any pending contracts or work that the Port has. Kyle Heaton replied that potentially it would and said that the Resolution can be revisited for future amendments.

Commissioner Markstrom opened the agenda item for public comment.

Chad Campbell, with the International Union of Operating Engineers Local 612, commented on the apprenticeship utilization portion of the Resolution.

Brian Dow, of Centralia, supported the motion to table the Resolution to let the public review it.

Joe Gaylor, with the Sheet Metal Workers Local Union 66, supported the motion to table the Resolution to let the public review it and commented on the apprenticeship utilization portion of the Resolution.

Jan Banevich, of Centralia, did not understand why the Resolution could not be tabled so the public could review it.

Paul Crowner, of Centralia, commented on the use of the word "generally" throughout the Resolution and asked for clarification on the emergency declaration procedure portion of the Resolution.

Steve Ryan, of Chehalis, commented that the Commissioners were elected to make decisions for the Port of Centralia and that it seemed like the motion was going backwards by involving citizens who would never be satisfied. He asked the Commissioners to make the decision that they have been elected to make.

Bob Jackins, of Chehalis, commented that the public do not vote on the Resolution.

Commissioner Markstrom closed the agenda item for public comment.

Commissioner Lahmann made a motion to table Resolution 2024-04 until the next regular Commission meeting. The motion failed.

Commissioner Shaffley made a motion to adopt Resolution 2024-04 Repealing Resolution 2004-04 and Establishing Purchasing Policies and Procedures. Commissioner Markstrom seconded the motion.

Commissioner Lahmann stated that he would like more time to review the Resolution. Commissioner Markstrom replied that the Commissioners had had sufficient time to review the Resolution. Commissioner Lahmann commented on the apprenticeship utilization portion of the Resolution. Commissioner Markstrom stated that the Commissioners could amend the Resolution at any time.

Commissioner Shaffley asked Ray Liaw if the Port or the Washington State Department of Labor and Industries oversaw the apprenticeship utilization portion of the Resolution. Ray Liaw replied that it would start with the Port and then the Washington State Auditor's Office. Kyle Heaton added that the Legislation is new, and he expects it to be revised for clarification in the future. Commissioner Lahmann added that there is someone at L&I that oversees apprenticeship utilization in public works projects.

Commissioner Shaffley made a motion to adopt Resolution 2024-04 Repealing Resolution 2004-04 and Establishing Purchasing Policies and Procedures. Commissioner Markstrom seconded the motion. Commissioner Lahmann opposed the motion. The motion carried.

b) **Commissioner Reports:** Commissioner Shaffley congratulated the new owner of Gorham Printing.

Commissioner Lahmann commented that a constituent had asked him what the Port is doing about the Port of Centralia 2.0 Facebook group. Commissioner Markstrom replied that the Port's counsel had sent a cease-and-desist letter.

Commissioner Markstrom commented on the concern Commissioner Lahmann had raised in the previous meeting about the turn radius from Yew Street onto the ramp not being large enough for truck traffic. He continued that the ramp and turning areas had been designed by the Washington State Department of Transportation. He was concerned that that had been brought forth to make it appear like the Port could have done a better job. Commissioner Lahmann said that he revisited the site and there was no signage that stated it was not a truck route. Kyle Heaton replied that it was in Winco's construction management plan that is enforced by the City Engineer. Commissioner Markstrom said that he thought the Commissioners should be focused on the appropriate work and to be cautious not to get in the way of the private developer's contractors. Commissioner Lahmann asked Commissioner Markstrom if the Commissioners should not bring up constituents' concerns. Commissioner Markstrom replied that that was not the case at all. He said that Commissioner Lahmann could have easily learned that the Port did not have a say in the turning radius instead of bringing it up in a public meeting to make it look like Port staff could have done a better job, which he takes exception to as Commissioner Lahmann regularly attempts to make Port staff look bad by bringing things up in public meetings that could be easily addressed in an email or could have been answered with the appropriate amount of homework.

Commissioner Shaffley stated that she had been asked by a constituent at the Centralia Station reception why Winco had not been invited because a Commissioner was saying they were not.

She said that she was surprised because Winco had been invited. She added that Commissioner Lahmann had posted on social media that he had been surprised that Winco's contractor was unaware of the reception and that he had provided them with the information himself. She felt that was insulting to Port staff who worked very hard to put on the reception and if Commissioner Lahmann had asked he would have learned Winco was invited. She said that Commissioner Lahmann continually brings up issues that insult Port staff, their work ethic, and past Commissioners, that could easily be cleared up with better communication. Kyle Heaton added that he received a complaint from Winco and their contractor regarding Commissioner Lahmann visiting the construction site. Commissioner Markstrom asked Commissioner Lahmann if he had visited Winco's construction site uninvited. Commissioner Lahmann confirmed that he had. Kyle Heaton said that was trespassing.

7) **Adjourn:** Commissioner Shaffley made a motion to adjourn the meeting at 3:48 p.m. Commissioner Lahmann seconded the motion. The motion carried.

COMMISSIONER

Rita Lahmann
COMMISSIONER