PORT OF CENTRALIA
Established 1986

3508 Galvin Road · Centralia, WA 98531-9002
Phone 360-736-3527 · Fax 360-330-5666
www.portofcentralia.com

Minutes
Regular Meeting of the
PORT OF CENTRALIA
August 4, 2021
3:00 PM

Attendees: Commissioners: Julie Shaffley, Peter Lahmann, Kyle Markstrom
Executive Director: Kyle Heaton
Press: Susan Delaire, Business to Business
Public: Gary Odegaard; Rick Schnatterly; Alicia Fox, Centralia-Chehalis Chamber of Commerce; Adam Warren, Centralia-Chehalis Chamber of Commerce; Sean Swope, Lewis County Board of County Commissioners; Bill Ralph; Brian Dow; and Jan Banevich

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

2) **Approval of Agenda:** Commissioner Markstrom made a motion to approve the agenda as submitted. Commissioner Lahmann seconded the motion. The motion carried.

Commissioner Lahmann stated that he believed the meeting was being held in violation of RCW 42.30.070. With public agencies, he said the agenda should be available no later that 24 hours and nothing in that RCW modified that. He said that he did not get it early enough to raise the issue earlier where it could have been done in a timely manner. He said that he waited until 11:30 the previous night and it wasn't posted, so that concerned him and he wanted to note it for the record. Kyle Heaton responded that his concerns were duly noted and incorrect. He said that the Port is in full compliance with the RCW. He said that a response had been sent to Commissoner Lahmann and invited him to review it. Commissioner Lahmann asked when it was sent. Kyle Heaton responded that it was not sent at 11:30 the night before, but it was sent that morning. Commissioner Lahmann stated that he had not received it. He said that he had also requested in the email that Amy Graber call him to inform him if the meeting was being held because he was out of communication. Kyle Heaton responded that she was not available to do so as she was tasked with other things. He said that he took care of it personally. Commissioner Lahmann asked him if he had called him. Kyle Heaton responded that he had not called or texted Commissioner Lahmann, nor will he. He said that he sent an email clarifying the situation with the RCW and also clarifying that this was not the first time Commissioner Lahmann had raised this issue, as he had done so in October 2020. The issue had been addressed then, so he thought it was well understood. He said the entire text of the RCW was provided so it shouldn't be a problem in the future, and he encouraged Commissioner Lahmann to read it. Commissioner Lahmann said that he would appreciate legal guidance on the issue, because he has read it multiple times and that is how he interprets it. He said that Kyle may be correct and his interpretation may be wrong, which he is open to, but he would like legal interpretation on it. Commissioner Shaffley asked Kyle Heaton if he had the email available so he could summarize it. Kyle Heaton responded that he did and he had reviewed the RCW with the Port's auditor, and they both believe it has been reviewed by the state auditor in the past. The Port is in compliance. He stated that there is an exemption for all public agencies with less than 10 employees. He said that Commissioner Lahmann cannot just read the parts of the RCW he likes, but the four corners of the

statute. Within the four corners of the statute, it clearly states that those with 10 employees or less are not required to post agendas to their website. He said that the Port has 1.5 office employees outside of himself and two maintenance crew members, so the Port is well within that. He said that the Port does its best to go above and beyond to get them on the website, but it's short-staffed, the staff is busy, and it didn't get posted. Commissioner Lahmann replied that the part of the RCW before that says if you have a website that the agendas are posted, and the Port has set precedent because agendas are routinely posted. Kyle Heaton agreed that the Port has set precedent going above and beyond what the statute requires. The Port is not required to do that so there is no violation whatsoever. Commissioner Lahmann said that he would still like to get a legal opinion on it. Kyle Heaton responded that if the other Commissioners would like to spend $450 on it then he will get an opinion.

3) **Approval of Minutes:** Commissioner Lahmann made a motion to approve the July 21, 2021, regular meeting minutes with amendments. Commissioner Markstrom seconded the motion. The motion carried.

4) **Approval of Warrants:** Commissioner Markstrom made a motion to approve warrants 21985 through 22013 with an aggregate amount of $85,785.85. Commissioner Lahmann seconded the motion. The motion carried.

5) **New Business:**

   a) **Executive Director Report:** Kyle Heaton reported that the maintenance crew has been working on repairing sidewalks on Midway Court that had root damage. He said that they have also been spot-spraying for poison hemlock. The state has had quite the infestation this year and there is a lot of information on it. He said that it looks like Queen Anne's Lace, but it has purple spots on the stems and is very poisonous. He said that the Noxious Weed Control Board has been very helpful with the correct sprays to use and the maintenance crew has been attacking it heavily. The north side of Galvin Road is where it usually is and it typically resurges year after year, but the Port will continue to fight it.

   Kyle reported that a well pump in Park I is down at the moment so some of the lawns are brown. The contractors are very busy, but will be out to look at in around August 5. In the meantime, the crew is turning everything on manually to try to keep as much of the landscaping alive as possible.

   Kyle reported that the vegetation removal in Park 3 is complete on the former Alderhouse site so the Port is now ready to move forward with the Yew Street extension project bid. On the same contract, vegetation removal near UNFI was also completed. There is some vegetation surrounding a chain link fence that the maintenance crew will need to remove by hand in the fall.

   Kyle stated that the Port will have a bid opening on August 10 for the Yew Street extension project. According to the Port's engineer, there is a large planholders' list. He said that the Port is working with the Washington State Department of Transportation to make sure the paperwork is in line for a potential August 18 bid award.

b) **Lease Agreement – 3802 Galvin Road:** Commissioner Markstrom made a motion to approve the Lease Agreement with TricorBraun Inc for the building located at 3802 Galvin Road. Commissioner Lahmann seconded the motion. The motion carried.

c) **Committee Reports:** Commissioner Lahmann reported that although he did not attend, Sierra Pacific Industries and Scot Industries had a small job fair the previous week. He said that he is looking for employees and Scot Industries has a brand-new apprenticeship program that they're looking for machinists for. He said that if anyone knows someone wanting to be a machinist, then have them try Scot Industries.

Commissioner Shaffley reported that she attended the Centralia-Chehalis Chamber of Commerce's candidate debate on July 22 at O'Blarney's. It was for the Centralia City Council races. She said that it was well-attended, and she encourages everyone to watch them. She said that it was a great way to get to know the candidates.

6) **Public Comment:** Alicia Fox introduced Adam Warren, the Chamber's new marketing manager and gave a brief background on him. She announced that the Chamber putting on a hiring event at Dick's Brewing Company on September 14 from 10:00 am to 6:30 pm. Commissioner Shaffley thanked her and thanked the Chamber for putting on the hiring event. Commissioner Lahmann asked if the Chamber has reached out to Employment Security to partner with on the event. Alicia Fox replied that they had as well as WorkSource. She said that they have virtual staff and did not have any interest in taking part. Commissioner Lahmann said that the state is pretty well shut down. Alicia Fox said that the Chamber had had a difficult time getting people to partner up on the physical side. She said that people are willing to give money, but nobody wants to do it; however, people do want to attend. She said there is a lot of interest in attendance on both sides. Commissioner Lahmann said that another option for the businesses that attend is they can put a job posting on Employment Security. Alicia Fox said that they were aware of that. Commissioner Shaffley thanked her.

Jan Banevich said that the Port's Centralia Station project is going to include Yew Street and a dedicated left turn lane from Yew Street onto Mellen Street. She said that this was going to do away with on-street parking, which is going to greatly impact herself and her neighbors. She said that she would like to know what the Port is planning to do to mitigate that problem, that loss, and the loss of property value because of it. Commissioner Shaffley thanked her and said her comment was duly noted. She asked Jan Banevich if she had any other questions. Jan Banevich replied that she wasn't going to get any answers so there was no point.

Brian Dow said that he was a Centralia citizen and a proponent of the Port, believe it or not. He said that he had voted for it back in the beginning and he still supports the jobs and the effort that everybody makes. He said that he thinks the Port can do a better job with openness and transparency when it comes to informing the public on what is going, what is coming up, and so forth. He said that he is not sure that he agrees with the term 'above and beyond' that the Port is putting forward. He said one example is the agendas from previous meetings that are being eliminated after a few weeks. He wants to know why they can't stay up there so they have a reference to go back to and see what happened at a certain meeting. He said that it was his understanding that they disappear and he wondered why they disappear. He asked what the problem with leaving them up for a year, two years, or six months. He asked if it was that difficult to do. He said that it just seemed part of being transparent. Commissioner Shaffley thanked him for his comments.

Gary Odegaard said that he didn't sign up, but Jan Banevich asked a question at a meeting she was at; it was not a remote meeting. When she asked questions before it was apparently a remote meeting before everyone could get together. When she brought it up when everyone was together again, she was told they were questions the Commissioners didn't have to answer because it was remote. He said that now that Jan is here and asked her question, there isn't anything to come back and explain to her when she might get an answer or if ever. Commissioner Shaffley responded that during public comment, it is the public's time to comment. It is not time for the Commissioners to be answering questions. She said that the Port will be replying to Jan Banevich and to Brian Dow, but it was public comment time and not time for back-and-forth discussions. She said it was the public's time to make comments and that they will get answers.

7) **Adjourn:** Commissioner Markstrom made a motion to adjourn the meeting at 3:24 p.m. Commissioner Lahmann seconded the motion. The motion carried.

COMMISSIONER

COMMISSIONER