PORT OF CENTRALIA
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Minutes
Regular Meeting of the
PORT OF CENTRALIA
November 2, 2022
Port of Centralia Administrative Office & Via Teleconference
3:00 PM

Attendees: Commissioners: Kyle Markstrom, Peter Lahmann, and Julie Shaffley
Executive Director: Kyle Heaton
Public: Scott Tennant; Jan Banevich; and Brian Dow
Teleconference: Five 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 November 2, 2022, agenda as submitted. Commissioner Shaffley seconded the motion. The motion carried.

3) **Good of the Order/Public Comment:** Commissioner Markstrom stated that this time during the Port Commission's meetings is for the public to provide their comments. The Port Commission welcomes and encourages their comments and participation. He said that the public is welcome to comment on items on the agenda or items not on the agenda; however, this is not time for the Commission to answer questions. He said that if the public asks a question and would like a follow-up, to please provide contact information and the Port will do its best to follow up at a later date. He said that those attending remotely via teleconference or others who are unable to attend can submit written comments to agraber@portofcentralia.com before 2:00 p.m. the day of the meetings. Those written comments will be attached to the meeting minutes. He added that everyone is lucky to live in a great community where they are all passionate about making the community a great place to live. While everyone might not always agree on how to achieve that, it is important that everyone recognizes that they can all be passionate about their ideas while also respecting each other. He reminded everyone that they have three minutes for their comments and if the time limit is reached, he will ask them to wrap up their comments.

   Jan Banevich, of Centralia, commented that for several months they have been asking or suggesting that the Port upgrade the website to include information that other ports have on their websites. She said that Commissioner Markstrom keeps saying that it will be done by the end of the year. She asked if that will be part of the $45,000.00 budget for community relations before that. She said that there is not much left of the year and asked when the public will see an upgrade and an acceptable website. She added that they have continued to ask the Port to utilize Zoom or an equivalent method for people to attend the meetings and comment remotely. She said that Commissioner Markstrom has said that the Port is looking into it and several months have passed and still nothing has come of it. She asked when the Port will make the decision to utilize the same technology that every other entity is using for their meetings. She asked if the Port is going to continue using the telephone for the public to call in, the same telephone that the Commissioners are calling into when they cannot attend in person, why can it not be used by the citizens for oral remote comments.

Scott Tennant, of Chehalis, thanked the Commissioners for allowing him to speak. He said that he was a retired member of the UBC 96 and commented that he was attending the meeting to inform the Port that at the last Lewis County Board of County Commissioners meeting he provided them a copy of the motion for a citizen's governance committee for the Centralia Port, as well as the Centralia City Council at their previous meeting. He said that he has distributed the motion in good faith to all parties and he thanked the Commissioners for allowing him to do so.

Paul Crowner, of Centralia, said that he was planning to comment on the website rebuild and since Jan Banevich already had done so he was going to pass.

4) **Approval of Minutes:** Commissioner Shaffley made a motion to approve the October 24, 2022, regular meeting minutes. Commissioner Lahmann seconded the motion. The motion carried.

5) **Approval of Warrants:** Commissioner Lahmann made a motion to approve warrants 22742 through 22766 with an aggregate amount of $108,693.21. Commissioner Shaffley seconded the motion. The motion carried.

6) **New Business:**

a) **Executive Director Report:** Kyle Heaton reported that the Port continues permitting the projects discussed at the previous regular meeting.

Kyle Heaton reminded the Commissioners that the 2023 budget hearing will be held at the next meeting and that if they have comments or suggestions to please feel free to email them to Port staff and they will try to get them incorporated.

b) **Resolution No. 2022-04 – Adoption of Tax Anticipation Line of Credit:** Kyle Heaton explained that as was discussed earlier in the year that the Port was looking to increase its line of credit to allow the Port to be able to make pay estimates with Midway Construction. He said that based on the size of the project, pay estimates are likely to exceed $1 million from time-to-time. The Port has worked with its bank, and he said that he was unwilling to renegotiate the Port's existing line, which is locked in at 4.6%. Instead, the Port has authorized an additional line that will be at current interest rates. It is a $1 million line of credit that is floating at prime, which was 6.25% the morning of the meeting and had already increased to 7%. He said that the Port hopes to not use the line much and to resolve it within 30 days when it does, so it is merely an insurance policy for the Port to keep its contractors moving. He said that the Port's attorney had reviewed and approved the anticipation note, as had Columbia Bank's attorney.

Commissioner Shaffley made a motion to approve Resolution No. 2022-04 Concerning the Adoption of a Tax Anticipation Line of Credit Note with Columbia State Bank. Commissioner Lahmann seconded the motion. The motion carried.

Commissioner Lahmann asked if there was a basic fee for the line of credit. Kyle Heaton replied that there was a loan fee. Commissioner Lahmann said that the Port does not pay anything unless it uses the line, other than the fee. Kyle Heaton replied that was correct.

Commissioner Lahmann informed the public that this was a standard item the Port does every year. Commissioner Markstrom added that it allows the Port to continue on with projects it has in the works.

c) **Committee Reports:** Commissioner Shaffley reported that she attended the Economic Alliance of Lewis County board meeting the week before. She said that there was lots of interest in the different companies that were looking at them. She also reminded everyone to vote and send in their ballots. She said that it was a very important election, as every one of them is.

Commissioner Lahmann said that he had attended the Washington State apprenticeship quarterly meeting in Olympia and he happened to talk to a representative from Sierra Pacific Industries and Scot Industries. He said that the question came up during the conversation that when the Port replaced the railroad crossing on Kuper Road they had not received notification that that was going to happen and it impacted their businesses. He said that he did not know how long it took. He said that he hopes in the future when a railroad crossing is going to be worked on that the Port can notify any impacted businesses. He said that the Port could say that it is the railroad's problem, but it is the Port's road and it is the Port's tenants.

Commissioner Markstrom replied that he had spoken to a couple of the different tenants and they said they were notified. Kyle Heaton added that every tenant was notified. All of the materials were stacked next to the crossing for two months and it was well-known that it was happening and the weekend it was happening on. He commented that Puget Sound and Pacific Railroad went out of their way to make the replacement as least impactful as possible. He said that they started the work on Friday after the morning trucks had passed and they were finished before that Sunday. Commissioner Lahmann said that he was just passing it along because the representatives had mentioned that. He said that he had no knowledge of it and does not have a business in that area.

Commissioner Lahmann asked Kyle Heaton how the City Light progress was coming. He said that he had mentioned a meeting ago that the Port had talks with them so he was wondering where the Port was at on that. He asked if they were ready to start laying line at Centralia Station. Kyle Heaton said they were not because there was not a trench. Commissioner Lahmann asked Kyle Heaton when he foresaw having a trench. Kyle Heaton replied that the Port would be laying conduit when it does the joint utility trench. He said there was ample power for the streetlights and WinCo and it is between WinCo and City Light, not for the Port to be involved with. As Centralia Station develops down the road, there will be ample conduit to pull whatever wire is needed. Commissioner Lahmann asked if the Port did not have an agreement between the substation on Summa Street and getting power to the Centralia Station project. Kyle Heaton replied that the Port does not have any agreement between any substation delivering power to any Port industrial park.

Commissioner Lahmann said that Representative Orcutt, Representative Abbarno, and Senator Braun had never had an invitation to come to one of the Port meetings. He said that it was something to think about for the future when the Port has a project that it wants to push it would be helpful to invite them in and to see if they will buy in to the project. Scott Tennant asked if they could be invited to the next meeting. Commissioner Lahmann continued that he was notified that there is a new legislative assistant for Senator Murray's office, which depending on how the election goes it might not make much difference. Commissioner Markstrom said that he

thought there was probably a reason the previous one left. Commissioner Lahmann said that her name was Kyle Shkerich Blair and she is the Port's new contact person in Senator Murray's office.

Commissioner Lahmann said that he had a question from several constituents asking when a Commissioner should recuse themselves from a motion for a warrant. He said that he was hoping legal counsel would be at the meeting so they could have a discussion about it. He said that two issues have come up. One was a warrant that he had brought up and it was passed and voted on over his request to have it removed and discussed. Commissioner Markstrom asked Commissioner Lahmann to remind him what warrant that was. Commissioner Lahmann said that he did not remember what the warrant number was. Commissioner Markstrom asked Commissioner Lahmann if he remembered what it was concerning. Commissioner Lahmann replied that it was concerning travel to a conference. He said that he had asked about it before and the Port has the 2005 resolution that talks about the way that that happened. Commissioner Markstrom said that the warrant Commissioner Lahmann is talking about was for the fee for the conference, not for travel. He said there was no travel. Commissioner Shaffley added that there was no compensation for travel costs. Commissioner Markstrom said that it was the fee for the conference and it was made directly to the Washington Public Ports Association. Commissioner Lahmann said that it was still possibly a violation of the Port's 2005 ordinance. Commissioner Markstrom asked Commissioner Lahmann to explain to him how it was a violation. Commissioner Lahmann replied that he did not bring the resolution with him. Commissioner Markstrom said that he would be happy to discuss it further.

Commissioner Lahmann said that the other issue was if a Commissioner should vote on a warrant to an organization that they are the treasurer of. Commissioner Shaffley replied that the issue had been discussed with legal counsel and there is not a conflict of interest on it. Kyle Heaton added that legal counsel reviewed both warrants and there is no conflict of interest or violation. He said that if Commissioner Lahmann wanted to delve into it further and have legal counsel attend to let him know and he would arrange it. Commissioner Lahmann asked that the issues were spoken of with the Port's attorney why he was not present or notified. Kyle Heaton replied that neither were Commissioners Markstrom and Shaffley. Commissioner Lahmann said that Commissioner Shaffley had just said what the attorney said. Kyle Heaton replied that was the case because Commissioner Shaffley had asked him what the attorney said. Commissioner Shaffley added that she herself was not present in the meeting. Commissioner Lahmann said that he was just asking. Kyle Heaton replied that if Commissioner Lahmann had an allegation to formally make an allegation. Commissioner Lahmann said that he was just asking.

Commissioner Lahmann said that the Port's website had already been discussed, but the other thing that he had brought up at the last meeting was the annual executive director's assessment and said he did not see it on the agenda for the meeting. He asked when that was going to be done per the Port's personnel policy.

Commissioner Markstrom said that the Washington Public Ports Association is still in the process of trying to find a permanent new executive director. He said they are having some struggles and challenges trying to fill that position, as most organizations are also having trouble filling open positions. He said that the WPPA is interviewing more candidates and continuing to move forward.

Commissioner Markstrom said that he wanted to speak to the question of Zoom. He said that the question has been answered previously, but the Port has looked into video conferencing options and the decision has been made to continue using the teleconference system that it has. He said that the system allows people to call in and participate in the meetings and that is what the Port is going to do moving forward. Commissioner Lahmann asked who made that decision. Commissioner Markstrom replied that he had made that decision. Commissioner Lahmann asked that it was not a Commission decision. Commissioner Markstrom replied that it was not. He said that he spoke extensively with Port staff and other ports and that the system the Port has works well and that is what we are going to stick with.

7) **Adjourn:** Commissioner Shaffley made a motion to adjourn the meeting at 3:17 p.m. Commissioner Lahmann seconded the motion. The motion carried.

Gitty Lahmann
COMMISSIONER

COMMISSIONER

11/2/2022

For several months now, we have been asking/suggesting that the Port upgrade the website to include information that other ports have on their websites. Commissioner Markstrom keeps saying it will be done by the end of the year. You said part of the $45,000 in the budget for "Community Relations" is for that. There is two months left of this year. When will we see an upgraded and acceptable website?

Also, we have continued to ask the Port to utilize "Zoom" or an equivalent method for people to attend the meetings and comment remotely. Commissioner Markstrom said the Port is looking into it. Several months have passed and still nothing has come of it. When will the Port make a decision to utilize the same technology that every other entity is using for their meetings?

Meanwhile, since the Port uses telephones for the public to "call in" to the meetings, the same phones that the commissioners call in to when they can't be here in person, why can't the Port unmute the citizens for oral remote comment just as they do for the commissioners?

I am submitting my questions in writing to the commissioners, as per Commissioner Markstrom's instructions, in order to receive answers/responses to my questions/concerns.

Thank you.

Below is my contact information:

Jan Banevich

Janevich@msn.com