PORT OF CENTRALIA
Established 1986

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Minutes
Special Meeting of the
PORT OF CENTRALIA
March 25, 2022
Port of Centralia Administrative Office & Via Teleconference
1:00 PM

Attendees: Commissioners: Kyle Markstrom, Peter Lahmann; Julie Shaffley (via telephone)
Executive Director: Kyle Heaton
Public: Jan Banevich; and one unknown caller (via telephone)

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

2) **Amended Declaration of Restrictive Covenant:** Kyle Heaton stated that the Amended Declaration of Restrictive Covenant amends the Restrictive Covenant that was filed in 2003. The Port invested significant funds in the North Park Drive utilities and Furgerson Schmidt wishes to connect. He explained that the amendment will still ban other properties not owned by the Port from accessing the utilities through the plat without prior Commission approval. He said that permission can be applied for and the covenant further amended. Lifting the Restrictive Covenant will allow the boundary line adjustment with Furgerson Schmidt to be finalized and recorded. He said that it was prepared by the Port's attorney, Larry Fagerness, and review by him.

   Commissioner Shaffley made a motion to accept the Amended Declaration of Restrictive Covenant. Commissioner Lahmann seconded the motion.

   Commissioner Lahmann stated that he thought Lewis County Tax Parcel No. 29343-6 as referenced on the first page was incorrect. He was also confused as to why Lots 7, 8, and 9 were referenced in the second paragraph when they were on the other end of North Park Drive. Commissioner Markstrom replied that they were all subject to the original Restrictive Covenant and the Commissioners were amending it.

   Commissioner Lahmann said that Lots 1 and 2 are the access for Furgerson Schmidt and he didn't see the parcel number in the document. Kyle Heaton replied that the parcel number is not in the document. Commissioner Markstrom said that the parcel was removed from the restriction. Kyle Heaton said that was correct.

   Commissioner Lahmann asked if the other lots are already built on out there. Commissioner Markstrom replied that there were other lots that weren't. Commissioner Lahmann said that these documents were saying that if someone wanted to come and access the Port's utilities, the Port would not allow it at this point.

   Commissioner Lahmann stated that he was concerned about the notice for this meeting and that the public had to have their comments in by 12:00 pm. Commissioner Markstrom asked if they could take the vote first, and Commissioner Lahmann replied that it could affect in his vote. He said that the issue is how people can have comments on the motion when all it says is Amended Declaration

of Restrictive Covenant. It could be anywhere in the three parks so there is no way that someone outside of the room could look at it. He said that he appreciated the explanation, but it was not clear to him when he received it and after reading it why the Commissioners were doing it because it did not say what the Covenant was for. He said that he did not have time to go to the Lewis County Assessor's Office to look it up. His concern was that the Port was not opening it up to the public like it should so they could see it. Commissioner Markstrom replied that the notice for the meeting was within legal requirements. The meeting is open, and the public is able to call in or attend in person. Commissioner Lahmann said that he wouldn't have known about the meeting at all if a member of the public had not notified him of it, so there is a communication issue.

Commissioner Markstrom stated that staff has been working hard on this project. The company that the Port is working with wants to come to the area and build jobs and he appreciates staff's expedience in working on this and trying to get it done for them in order to benefit everybody.

Commissioner Lahmann said that he agreed with the concept and that he thinks there is a communication issue that needs to be worked on. He also said that he would like the tax parcel number corrected before it is sent out for signature.

The motion carried.

3) **Boundary Line Adjustment:** Kyle Heaton said the Boundary Line Adjustment with Reality Homes was a contingency of the end user for the Port to acquire this portion of the property. The Port has been negotiating with Reality Homes for over a year and they were kind enough to deal with the Port on it. The Boundary Line Adjustment was prepared by Ken Frazier and it has been reviewed and preliminarily approved by the City of Centralia. He said the last step was the Commissioners approval.

   Commissioner Lahmann asked if the Port was picking up a piece of property that it didn't have already. Kyle Heaton replied that it is the unimproved pieces of Reality Homes, together with a 12-feet no-build easement that will create a fire lane.

   Commissioner Lahmann made a motion to approve the Boundary Line Adjustment with Reality Homes. Commissioner Shaffley seconded the motion. The motion carried.

   Commissioner Shaffley thanked Port staff for getting this step done. She said this was one step closer to having Centralia Station up and running. She added that she appreciated Reality Homes for working with the Port.

4) **Public Testimony:** Jan Banevich, of Centralia, added to Commissioner Lahmann's previous comments that there is no information given to the public and then it is expected that anybody calling in to the meeting to get their comments in before 12:00 pm for the 1:00 pm meeting. She asked how anyone can ask any questions or make comments. She said that most people aren't going to know what the Amended Declaration of Restrictive Covenant or the Boundary Line Adjustment is, even though the Boundary Line Adjustment is from a previous meeting. They won't have any idea where they are at on Port property and the park numbers won't mean anything to them so they can't make a comment before a meeting when they haven't been allowed to on the phone because they are muted. She said that the Port is effectively eliminating the public from commenting. She added that when the Port has meetings and things like Reality Homes are mentioned, their location

should also be mentioned because a lot of people don't know. Commissioner Markstrom thanked her for her comments.

5) **Adjourn:** Commissioner Lahmann made a motion to adjourn the meeting at 1:11 p.m. Commissioner Shaffley seconded the motion. The motion carried.

COMMISSIONER

COMMISSIONER