PORT OF CENTRALIA
Established 1986

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Minutes
Regular Meeting of the
PORT OF CENTRALIA
February 15, 2023
Port of Centralia Administrative Office & Via Teleconference
3:00 PM

Attendees: Commissioners: Kyle Markstrom, Peter Lahmann, and Julie Shaffley
Executive Director: Kyle Heaton
Port Counsel: Ray Liaw, Van Ness Feldman, LLP, via teleconference
Press: Owen Sexton, The Chronicle
Public: Rick Reichardt; Jan Banevich; Scott Tennant; Kelly Stanley; Chad Campbell; Brian Dow; and Bob Jackins
Teleconference: Six 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 February 15, 2023, 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 time. 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, thanked the Commissioners for the changes in Resolution 2023-01 that allow citizens to receive responses to comments while still at the meeting. She commented that the Port's personnel policy and procedures manual said that Port Commission shall review the executive director's performance and salary annually prior to the first meeting in November or more often if requested by the Commission. She said that many people would like to know why the reviews are not being done pursuant to the Commissioners' own policies and procedures. She said that in the amended resolution, she understands that she will receive a response at the end of the public comment period.

   Scott Tennant, of Chehalis, said that he was not there to receive an answer to his comment. He commented that according to Zoom, their business class subscription costs $250 a month, which includes all the bells and whistles and encryption. He said that it can be purchased for the next

four years with the money that was spent for the change orders that Midway has charged the Commission.

Brian Dow, of Centralia, said that he attended the latest Centralia City Council meeting and he counted five requests from the Mayor, or openings, for public comment during the two hours that he attended the meeting and they had more after he left. He said that the Mayor will also ask if there is any public comment from the audience and Zoom followers that did not sign up. He said that he spoke twice on an issue and a number of people did, too. He said that it is open and so easy and he does not know what the difficulty is. When the issue was discussed a couple of weeks prior at the Port, he said that he was under the impression that there was going to be further discussion on moving public comment down the agenda or adding more comment time. He said that he hoped that would happen sooner rather than later.

4) **Approval of Minutes:** Commissioner Shaffley made a motion to approve the February 1, 2023 regular meeting minutes. Commissioner Lahmann seconded the motion. The motion carried.

5) **Approval of Warrants:** Commissioner Lahmann made a motion to approve warrants 22922 through 22950 with an aggregate amount of $145,340.28. Commissioner Shaffley seconded the motion. The motion carried.

Commissioner Lahmann asked what account Warrant #22941 to the Centralia Downtown Association came out of and if it was part of the Port's marketing budget. Kyle Heaton replied that it was community relations.

Commissioner Markstrom said that he appreciated Port staff for making room in the budget for that. He said that the Downtown Association does a lot of great things and the flower baskets are a part of that.

A member of the public interjected and Commissioner Markstrom informed him that public comment was closed. The individual continued to speak and Kyle Heaton informed him that public comment was closed and called for order in the room.

6) **New Business:**

a) **Executive Director Report:** Kyle Heaton reported that the Brotherson Road Apartments asbestos abatement has been completed. The Port has issued a Notice to Proceed to KD&S Environmental for the demolition of the 12-plex and it should be completed per the contract by March 10, 2023.

Commissioner Markstrom asked Kyle Heaton to stop his report and addressed a member of the public. He told the individual that if he was going to stare and try to intimidate, then Commissioner Markstrom was going to have to ask him to leave. The individual said that he saw traffic moving. Commissioner Markstrom told the individual that he was creating a disturbance in a public meeting and he was going to be asked to leave if he did not stop. The individual that said he saw traffic go by and apologized.

Kyle Heaton said that the Port is continuing to sort out utilities with the City of Centralia, as well as other various utility providers. He reminded the Commissioners that the locates were

not accurate in the area and there are not a lot of quality as-builts either, but the Port is working with the City to create good as-builts for the work that is being done when the Port has completed the project. The Port's engineer is working with City of Centralia Engineer, Patti Page. He said that he believes they have found a way to avoid a lot of the conflicts on the south side catchbasins. The storm pipe will be moved 12 feet back onto Port property and the City will be granted a perpetual easement. He said that will be within the setback area that would not have been constructed on anyway, and it will be behind the sidewalk and buried three feet down. He said that he thought it was a good solution and that Patti Page and Steve Hatton had worked through that over the previous week and a half. They will come up with a legal description and an exhibit and at the end of the project when the Port dedicates the roads to the City and will likely dedicate the easement as well.

Kyle Heaton reported that the Port is out to bid for fencing along the rail line portion where the two stormwater ponds are connected. He said that it will be a cedar fence that will replace the remnants of fence that were behind Long Road Mobile Estates and will create a nice, safe buffer fence between the railroad and Long Road Mobile Estates. The Port has one residential property in there so the fence will be extended to cover that as well.

Kyle Heaton stated that the Port is continuing to work on design elements with Winco and has been making good headway. He feels that Winco is likely to make a submission very soon to the City of Centralia; however, that is at their discretion when they move forward with it but he thinks they are very close.

Kyle Heaton reported that the Port finished SEPA on Linden Comansa and Fuller Design is preparing submission for site plan review. He reminded the Commissioners that the Port is constructing about an acre-sized yard for the tenant. He hoped the Port can be through site plan review and finish with the fill and grade permit sometime between February and March. In the April timeframe when things open up the Port will be in a good position to move forward with that project. He said he will keep the Commissioners advised as it moves forward.

Commissioner Lahmann asked on the WinCo property area if the backfill for the lots to bring them up to subgrade is the Port's responsibility or whoever purchases the property. Kyle Heaton replied that it was WinCo's responsibility.

b) **Resolution No. 2023-02: Authorizing the Disposal of Surplus Property:** Kyle Heaton provided the Commissioners with a list of property for disposal after the Port's yearly review. He said the first section items are all broken but they needed to be declared surplus before the Port can dispose of them. In the second section, the utility trailer, tilt deck trailer, and New Holland front deck mower will be sent to the Chehalis Livestock Auction, probably in the first week of March. He said that none of the items on the list are in use at this time or able to be used.

Commission Lahmann made a motion to approve Resolution No. 2023-02: Authorizing the Disposal of Surplus Property. Commissioner Shaffley seconded the motion. The motion carried.

Commissioner Markstrom opened the agenda item for public comment. There was no public comment made.

c) **I-5/Mellen Street Connector Stage 1 – Pay Estimate No. 3:** Kyle Heaton said that Pay Estimate No. 3 from Midway Underground in the total amount of $300,926.95 has been reviewed and approved by the Port's civil engineer. He said the predominant ticket items on it have been an 18- and 24-inch and 30- and 36-inch storm line. He said that has been the majority of what they have been doing over the last few weeks, working their way down Alder Street. He said that there are a few catchbasins in there as well.

Commissioner Lahmann made a motion to approve Pay Estimate No. 3 from Midway Underground in the total amount of $300,926.95. Commissioner Shaffley seconded the motion. The motion carried.

Commissioner Lahmann thanked Kyle Heaton and said that Midway Underground was providing a nice report on their progress.

Commissioner Markstrom opened the agenda item for public comment. Bob Jackins stated that he thinks Midway Underground is a class act from watching them work the few times he has been in the area. He said he was very impressed and he has not seen anyone go about a job more professionally. He added that Centralia Station is really coming along.

d) **Commissioner Reports:** Commissioner Shaffley reported that she and Mayor Smith-Johnston are hosting a nuts and bolts class on being a candidate for election. She said that the class is for anyone who has not previously run for candidacy. They will have some great speakers and will teach everything from what offices there are, how to do a campaign, how much a campaign is going to cost, the easiest way to campaign, and all the nuts and bolts. She said they are very lucky to have former Secretary of State Kim Wyman, who is now working for the federal government, Representative Abbarno, Lewis County Auditor Larry Grove, and Richard Debolt from the Economic Alliance of Lewis County. She added they will have two other companies that will provide press sheets on campaigning. She welcomed everyone to sign up and provided flyers with the email and address for signing up. She said the class will be held on March 4, 2023, from 9:00 a.m. to 4:00 p.m.

7) **Executive Session:** Commissioner Shaffley made a motion to adjourn the meeting to executive session to discuss receipt of complaints pursuant to RCW 42.30.110(f). Commissioner Lahmann seconded to motion. The motion carried. Commissioner Markstrom stated that the meeting would reconvene at 3:30 p.m. with no possible decisions.

8) **Reconvene:** Commissioner Markstrom reconvened the meeting at 3:30 p.m.

9) **Adjourn:** Commissioner Shaffley made a motion to adjourn the meeting at 3:31 p.m. Commissioner Lahmann seconded the motion. The motion carried.

COMMISSIONER **COMMISSIONER**