

**PORT OF GRAYS HARBOR**  
**COMMISSION MEETING MINUTES**  
**December 12, 2023**

The Port of Grays Harbor Commission Meeting December 12, 2023 was called to order at 9:00 AM. This meeting was both a virtual meeting conducted using Zoom and an in-person meeting. The public was able to access this virtual meeting using either the Zoom platform or by calling in.

Aaron Aschim led the flag salute.

Those in attendance at the meeting were as follows:

**COMMISSION AND STAFF**

Stan Pinnick	Commissioner
Phil Papac	Commissioner
Tom Quigg	Commissioner
Gary Nelson	Executive Director
Leonard Barnes	Deputy Executive Director
Arthur Blauvelt	Legal Counsel
Mike Folkers	Director of Finance & Administration
Randy Lewis	Director of Health, Safety & Environment
Kris Koski	Port Engineer
Alissa Shay	Satsop Business Park General Manager
Molly Bold	Westport Marina General Manager
Kayla Dunlap	Director of Government & Public Affairs
Lisa Benn	Accounting Manager
Tracy Ewing	Accounting Specialist
Aaron Aschim	Contracts Manager
Nolan Wyatt	Marine Terminal Superintendent
Cynthia Crisp	Reception
Chris Hunt	IT Director
Emily Penttila	Business & Operations Specialist
Janet Blackmun-Johnson	Accounting Specialist

**VISITORS**

Linda Orgel	FOGH
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Mark & Stacy Andrews

Sky Harbor Shuttle

## **REPORTS:**

### **Legislative Priorities**

Kayla Dunlap, Director of Government & Public Affairs presented the legislative priorities for 2024.

She stated that she will be working on 2<sup>nd</sup> half of a \$3.5 million capital budget request for the Terminal 4 expansion. She further reported there were State and Federal requests on the priority list as well as continuing education of legislators on issues important to Grays Harbor.

### **2023 Communications Plan**

Kayla Dunlap, Director of Government & Public Affairs presented the 2024 Communications Plan.

She explained the communication goals and the audience she intends to communicate with during 2024. She further listed the tools that will assist with implementing the communication goals. She emphasized additional Port social media tools that will be launched in 2024.

### **Fall Round 2023 Dredging Recap**

Aaron Aschim, Contracts Manager, reported that American Construction completed dredging at Terminals 1, 2 and 3 over 5 days between October 30<sup>th</sup> and November 3<sup>rd</sup> removing a total of 39,430 cubic yards of material. He concluded by reporting the cost of this round of dredging was \$497,662.26.

### **Chehalis Pilot Boat Haul Out – Final Update**

Aaron Aschim, Contracts Manager, reported the Pilot Boat Chehalis was at WCT Marine in Astoria to perform annual maintenance from August 1<sup>st</sup> to October 5<sup>th</sup>. He further reported that the repairs included new paint, repairs to the boarding platform, galley escape hatch, and the antenna mount on the Roof. He stated that the total cost of repairs was \$177,662.

### **Friends Landing Year in Review**

Emily Penttila reported on the revenue history and expenses at Friends Landing as well as details about the Dump Station.

Alissa Shay reported on Friends Landing including the marketing efforts, projects completed including bridge repairs, boardwalk repairs and firewood vending. She

further reported that next year they will be focusing on social media targeted advertising and planning the boat launch parking lot upgrade.

### **T4 Expansion & Redevelopment Project Report**

Kris Koski, Port Engineer, updated the Commissioners on the T4 Expansion Project. He reported that internal reviews of the 90% design documents are ongoing. He further reported that the Shoreline Permit Applications have been submitted to Aberdeen & Hoquiam.

Kayla Dunlap, Director of Government & Public Affairs, discussed the outreach efforts.

### **Public Information Report**

Kayla Dunlap, Director of Government & Public Affairs, reported that at last month's Commission meeting there will still a few local election results that were up in the air and those results have now been certified and recounts completed.

She further reported that both the House and the Senate passed a CR on the day of our commission meeting that will fund the government through January 19 and February 2, depending on the agency. She stated that unfortunately, the lack of an FY2024 will likely delay the NOFOs for several important federal grants.

She continued by reminding Commissioners that Harbor Lights, Summit Pacific's holiday laser show on the towers at the Satsop Business Park will take place tomorrow night and Thursday night at 5, 7, and 9pm. She reported that tickets are free but required and going fast.

### **Vessel Report**

Leonard Barnes, Deputy Executive Director, reported that in November the Port had calls from 9 deep-water vessels, which resulted in 308,366 metric tons of cargo being handled. Year to date there have been 82 deep-water vessels and 24 barges for a total of 2,960,927 MT of cargo.

Kayla Dunlap gave the virtual participation instructions.

### **VISITORS/PUBLIC COMMENTS:**

None

Items discussed and action taken where required are as follows:

**MINUTES:**

1. By motion made by Commissioner Pinnick seconded by Commissioner Papac and unanimously approved, the Commission adopted the Minutes of November 14, 2023, Regular Commission Meeting as recorded in the Minutes Book No. 23 on pages 23 through 31 inclusive.
2. By motion made by Commissioner Pinnick seconded by Commissioner Papac and unanimously approved, the Commission adopted the Minutes of November 30, 2023, Special Commission Meeting as recorded in the Minutes Book No. 23 on pages 32 through 33 inclusive.

**VOUCHERS:**

1. By motion made by Commissioner Papac and seconded by Commissioner Pinnick the Commission unanimously approved for payment those Payroll Vouchers issued November 20th, 2023, and December 5, 2023, ACH/Wire Transfers No. 99902060 through and including No. 99902073, and General Disbursement Vouchers No. 111457 through and including No. 111650 for payment in the amount of \$4,321,858.37.

**ACTION ITEMS:****Ratify the Actions of the Port's Executive Director, Change Order No. 1 Contract No. 2209 Terminal Maintenance Dredging**

Aaron Aschim, Contract Manager, reported dredging was originally planned to take place between July and August, however coordination of bids with the Army Corps of Engineers delayed the start until the end of October. He further reported that this delay caused a change in the quantities resulting in an additional cost of \$30,269.21 and the Executive Director approved the changes.

A motion to ratify the actions of the Executive Director to approve Change Order No. 1 to American Construction Company for Contract No. 2209 Terminal Maintenance Dredging Summer 2023 was made by Commissioner Pinnick seconded by Commissioner Papac. Motion passed with a vote of 3-0.

**Approval of Port of Grays Harbor 2023 Hazard Risk Ranking to be Included in the Grays Harbor County Hazard Mitigation Plan Update**

Randy Lewis, Director of Health, Safety and Environment reported that Port staff has completed the review and update of the Port's critical facilities and Hazard Risk

Rankings. He further reported that after review staff is proposing not to make any changes to the rankings included in the approved 2018 Port Annex.

A motion to approve the Port of Grays Harbor's 2023 Hazard Risk Ranking to be included in the Grays Harbor County Hazard Mitigation Plan Update was made by Commissioner Papac seconded by Commissioner Pinnick. Motion passed with a vote of 3-0.

## **RESOLUTIONS:**

### **Resolution #3103: Completion and Acceptance of Contract No. 2144 – Fuller Creek Crossing**

Aaron Aschim, Contracts Manager, reported that the Fuller Creek Crossing Project that was awarded on July 12, 2022 has been completed at a cost of \$224,698.27 including Washington State Sales Tax.

Motion to adopt *Completion and Acceptance of Contract No. 2144 – Fuller Creek Crossing* was made by Commissioner Pinnick seconded by Commissioner Papac. The motion passed with a vote of 3-0. Resolution adopted.

### **Resolution #3101: Identifying Certain Safety Sensitive Positions for Which Impairment Due to Cannabis May Present a Substantial Risk of Death**

Mike Folkers, Director of Finance & Administration, reported that on January 1, 2024 a new Washington State Law goes into effect that eliminates pre-employment drug testing for cannabis unless the position is safety sensitive and impairment while working presents a substantial risk of death. He identified the positions of Bar Pilot, 24 M&R, 24 A (Logyard) and Electricians as meeting that criteria.

Motion to adopt *A Resolution of the Port Commission of the Port of Grays Harbor Identifying Certain Safety Sensitive Positions for Which Impairment Due to Cannabis May Present a Substantial Risk of Death* was made by Commissioner Pinnick seconded by Commissioner Papac. The motion passed with a vote of 3-0. Resolution adopted.

### **Amendment to Salary and Benefit Resolution**

Mike Folkers, Director of Finance & Admin., stated that the Salary and Benefit policy adopted by the Port Commission (resolution 2367, as amended) contains the Port's personnel policies and procedures. He stated that the policy includes a list of authorized employee positions and the pay-range for each position. He further stated

that the policy requires that salary range schedules be reviewed annually and recommendations made for changes based upon market conditions and skills analysis. Mr. Folkers reported that the Executive Director is delegated the authority to use these pay-ranges when setting individual employee wage rates. He related that an independent salary review was performed in 1995 for the Port and since 1995, market rate adjustments have been adopted by the Port Commission to ensure the Port's ability to attract and retain highly skilled employees. He recommended that a 4.25% market rate adjustment should be applied to all pay ranges as of January 1, 2024.

A motion to accept *A Resolution of the of the Port Commission of the Port of Grays Harbor Modifying the Port's Salary and Benefit Policy as Adopted by Resolution No. 2367 on January 14, 1997 and as Has Been Amended* was made by Commissioner Papac and seconded by Commissioner Pinnick. Motion passed with a vote of 3-0.

#### **Annual Authorization to Sell Port Surplus Personal Property**

Mike Folkers, Director of Finance & Admin., stated that the ability to sell Port equipment or personal property is restricted by State law. He further stated that before Port property can be sold, RCW 53.08.090 requires that the Port Commission take action stating that the property to be sold is no longer needed by the Port. He also stated that RCW 53.08.090 also allows the Port Commission to delegate limited authority to the Executive Director to take action to surplus and convey property on behalf of the Port Commission, provided the property is valued at \$10,000 or less, or as this amount may be adjusted for inflation. He recounted that such authority can only be delegated for one calendar year. He stated that Resolution No. 3102 will renew this limited delegation of authority to the Executive Director, as has been made by the Port Commission in previous years.

Motion to adopt Resolution No. 3102: *Declaration of Authority to Sell Port Surplus Personal Property during Calendar Year 2024* was made by Commissioner Pinnick and seconded by Commissioner Papac. Motion passed with a vote of 3-0. Resolution adopted.

#### **VISITORS/PUBLIC COMMENTS:**

None

#### **NEW BUSINESS:**

Executive Director Gary Nelson reported on the following:

- There is a Zoom meeting with the 24<sup>th</sup> district tomorrow

There being no further business to come before the Commission, the Regular Meeting recessed at 11:00 AM.

The Board then went into Executive Session to consider the acquisition, sale or lease of real estate and to discuss with Port's legal counsel matters relating to agency enforcement actions, litigation or potential litigation, to review the performance of a public employee and to evaluate the qualifications of applicants for public employment. No action to be taken during Executive Session. Action may be taken when the Commission reconvenes.

It was announced that the Executive Session would start at 11:10 AM and last 120 minutes.

There was one 30-minute extension.

The Executive Session ended at 1:30 PM. The Regular Meeting adjourned at that time.

ATTEST:

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President

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Secretary