

# Closing the Port of Tahuya continues to be problematic

By LIZ CASE

The Port of Tahuya is under court order to cease operation in less than seven weeks and it's in a mighty struggle to get its affairs in order before time runs out.

The struggle, however, isn't due solely to the complexity of its affairs. The real conflict seems to be between commissioners as to the best method of accomplishing the shutdown itself.

The port convened for its regular business meeting at 7:30 p.m. on Wednesday, March 15, and didn't adjourn until 11:45 p.m., still having three items on the meeting's agenda left unfinished.

Commissioner Brad Carey again spoke about the port's need for an orderly shut-down process, advocating Robert's Rules of Order as an operating standard. He had filibustered the port's February 23 meeting on the same issue and had indicated that he was preparing to do so again.

**WHEN HIS** motion to adopt Robert's Rules failed for lack of a  
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**PORT OF** Tahuya Commissioner Jim Christen says that the port may be able to finally close its doors for good this month, especially when the county officially takes over Menard's Landing, a popular park near the Great Bend of Hood Canal,

# Commissioners are at odds over closure

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second, commissioner Jim Christen moved for a moratorium on all discussion of Robert's Rules until May 10; the port officially closes on May 9. That motion was seconded and carried.

The port's attorney, Robert Goodstein, was also in attendance and was asked about the port's legal bills. It appears that no billings had been made in approximately the last 13 months. Goodstein said that a bill would be in the mail soon and would be about \$24,000.

Carey again protested that, saying that since he was made a commissioner in December, he has not been allowed to amend an agenda, and that although he has been the port's secretary since January, he has never received the port records and has not been given a key to the port's post office box.

**HE CONTENTS** that matters that are legally essential to the port's brief continued operation and eventual shutdown, including port compliance with public records requests (including his own), have not been met and are willfully being stalled by his fellow commissioners, Jim Christen and Brad Smith.

"The port officially doesn't even know what all the claims against it are and we have to turn that information over to the insurance company," Carey said. "The port has also not allowed a marshaling of assets and the commission chairman [Christen] has repeatedly deleted e-mails of port business, which is a deliberate destruction

of port records."

Christen maintains that he routinely deletes any e-mails that are flagged as regarding port business, as he does not want his private e-mail account subject to public disclosure laws. He has instead required all port communication to be conducted through faxes, through the mail via the port's post office box or delivered at public meetings.

Christen also notes that the lack of action on Carey's records requests has been intentional.

**"CAREY HAS** notified the port in writing of his intent to sue the port," Christen noted. "We were advised by [port attorney] Robert Goodstein and [his associate] Ralph Klose that we should not turn over copies of port records to anyone who would be in a position to use them against us. We've held them back for that reason."

Attorney Goodstein was also in attendance at this port meeting and openly expressed his amazement at the dissension between the commissioners.

"This meeting has been highly irregular, as it was intended to be," he stated. "I have never been to a public meeting like this!"

His presence nevertheless allowed the commissioners to resolve various issues as they arose, quoting the Revised Code of Washington in relation to several questions and apparently forestalling another filibuster by Carey regarding agenda amendments.

**CAREY MAINTAINS**, however, the validity of his records requests and agenda items.

"Basically we are on a collision course with failure to complete the agreement signed by the court," he insisted, and added for the record at the meeting that he considers there to be a criminal conspiracy on the part of the other two commissioners.

After four hours and 15 minutes, the meeting was finally adjourned. A special meeting was later scheduled for Tuesday, March 21, to discuss and possibly act on related port matters.

On a brighter note, Christen later reported that the final paperwork for the transfer of the port's Menard's Landing park was received last Thursday and was personally handed over by Christen to T.J. Martin, the Deputy Prosecuting Attorney for Mason County who has been specifically working on this issue.

**THE LION'S** share of the park's construction had been funded with a grant through an Aquatic Lands Enhancement Account and this final paperwork transferred the grant to the county.

"Now the transfer of ownership of the park just requires the county to sign off on it," Christen said. "We could be out of the port business by the end of March."

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**MENARD'S LANDING** has a hand launch for kayaks and canoes that utilizes this lagoon in order to gain access to Hood Canal.