

# Plan is needed for port

Editor, *The Herald*:

On January 9, the Port of Tahuya commission presented a request to Mason County Superior Court to dissolve the Port of Tahuya. The request was met with opposition. Instead of presenting oral arguments at the scheduled hearing, all interested parties met and reached a settlement without the need for a hearing. This settlement resulted in an agreed order to allow the Port of Tahuya to be dissolved. This order was signed by all interested parties and then by Judge James B. Sawyer on January 23. The agreed order can be viewed at [www.tahuya.org](http://www.tahuya.org).

Basically, the order required the port to transfer its small park to a qualified entity and immediately commence the winding-up of its affairs for which seven items were identified. The agreed order provides for 120 days, dating from January 9, to accomplish this task.

Unfortunately, the majority of the commission (chairman Jim Christen and financial officer Brad Smith) have chosen to not comply with the order. Every attempt to have the commission get organized by discussing the order and identifying the steps necessary to comply with it have been thwarted by the majority of the commission by refusing to even discuss the agreed order. The majority of the commission has willfully acted in bad faith by using its majority position to stall the "immediate commencing of winding-up its affairs" portion of the order. In addition, the majority of the commission continues to violate the State of Washington Open Public Meetings Act, RCW 42.30, by admittedly discussing port business between each other, one way or another, outside of open public meetings.

More specifically, to date the commission has not even identified, let alone discussed, considered or evaluated any potential claims (assets) the port may have against other entities and individuals. And as Christen has said, there are some potential claims of significant financial potential.

The commission has not addressed any outstanding or current requests for public disclosure of public records and writings re-

ceived by the port. Christen has, without commission discussion, provided some documents but without proper organization and management controls. In fact, the commission appointed me to be the port's secretary. I was even told in writing by Christen that I would have all the files within a few days so that I could get started. I attempted to pick up the files on January 26 and Christen refused to turn them over. How am I, having been assigned the responsibility as the secretary for complying with public records law, supposed to do my job? It's a set-up. Put me in charge and then withhold the documents from me.

Needless to say, the liability to the taxpayer for the commission's failure to comply with the public records act is growing. Additionally, the commission has not discussed or acted on collecting and marshaling any of its assets, an essential legal and fiduciary requirement which must be done prior to dissolution of the port. Finally, the commission has not discussed its records, let alone assembled, organized and prepared them for archiving in accordance with applicable law.

In fact, Christen some time ago and without authorization of the commission, took over the port's Web site stating that it was his personal property, and then allowed the Web site to expire, losing all the public records, writings and software that were to be organized for archiving! In fact, Christen ignored advice and counsel on the matter, and has unlawfully destroyed port records from his personal computer, claiming that any record there, directly or indirectly related to the port, is his personal record to do with as he pleases. This flies in the face of the law and the Washington State Attorney General's recently published guidelines.

Every time I attempt to address these issues, the majority of the commission refuses to allow even a discussion on the matter.

The implementation of the order was to have satisfied all parties. Unfortunately, it appears that the commission majority was avoiding the work necessary to

"wind-up" the affairs of the port and was planning all along to quit the task once the park had been transferred. This is not right. A contempt of court motion will be filed and relief will be requested.

A solution: Give me at least one commissioner who understands the value of a plan and is willing to follow the agreed order, and the mission to dissolve the port will be accomplished with little or no litigation.

Brad Carey  
Tahuya

## Closure of bridge was a headache

Editor, *The Herald*:

I hope that a lot of people from our fair city were caught in the traffic mess Monday. Maybe someone will get off their you-know-whats and do something or send a letter to the department of transportation or whoever we have to write to. I am speaking of the traffic mess we had when the Tacoma Narrows Bridge was shut down.

I voted for a tax increase so we could have a traffic light installed at the junction of State Route 106 and State Route 3. Where is it and how much longer do we have to wait? Also, what has happened to the Belfair Bypass?

What I want to know is this: What are the people of our fair town going to do if while the Hood Canal Bridge is shut down for repairs, and then something like an accident shuts down the Tacoma Narrows Bridge during the same period of time? Can you imagine the mess?

Granted, I know we need a sewage system and sidewalks, but let's get our priorities in a line. It is a known fact the the Hood Canal Bridge is going to shut down for repairs; I believe it is next summer. Wouldn't it be a good idea to be prepared for some unforeseen "accident" on the Tacoma Narrows Bridge just in case?

I would like to take this opportunity to acknowledge the polite drivers that were coming down the hill from Allyn who let the many cars backed up on State Route 106 take turns getting onto the highway. I was one of the lucky few.

Billie Scott  
Belfair

## Belfair Herald

P.O. Box 250, Belfair, Washington 98528

Telephone 275-6680

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KEVAN MOORE ..... Editor  
HARVEY MORRIS ..... Advertising Manager  
LIZ CASE ..... Office Manager/Reporter  
Office Telephone (360) 275-6680

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