

**Port of Shelton**  
**Special Commission Meeting Minutes**  
March 5, 2009



**I. Call to order**

**Commission Chairman Miles** called to order the special meeting of the **Port Shelton Commission** at **2:00 p.m.** on March 5, 2009 in the **Port of Shelton Commission Chambers**.

The following persons were present: Commissioner Hupp, Commissioner Byrd, Terra Dittmer, Office Manager; Al Frey, Maintenance and Environmental Manager; Debbi Hufana, Finance Manager; Charles Houser, Port Attorney, John Eaton, David Brown, Dedrick Allan, KMAS; Jeff Green, Shelton Journal; Drew Mikkelsen, King 5.

**II. Business**

Discussion Flag Protocol: Chairman Miles opened the meeting with a statement stating that he was sad that we had to call a special meeting regarding his decision to order the flag be at half mast in honor of Paul Harvey. He stated that the Port has no policy on lowering the flag or when it is appropriate, and it was his understanding that the heads of state agencies and other forms of government had the authority over their buildings and grounds under their jurisdiction. He cited the honors that Paul Harvey had received over the years, the Presidential Medal of Freedom awarded by President Bush in 2005 and the Tex McCrary Award for Journalism from the Congressional Medal of Honor Society, it seemed to the honorable thing to do and with good intentions.

Commissioner Byrd stated that he also honors Paul Harvey, when the flag was lowered the Port started getting calls asking what we were doing, stating that there is protocol for lowering the flag. The decision to lower the flag did not come as a consensus of the Commission. He read an e-mail from Terra Dittmer to the Commission stating that she spoke with Commissioner Miles and that he stated his order stands. He emphasized that the Commission need to work together, not one person ordering.

Commissioner Hupp stated that he did not impugn Commissioner Miles attempt to honor Paul Harvey, he was uncomfortable in the manner the decision was unilaterally made without consultation with the other two Commissioners. He cited over twenty years of service in the US Navy and expressed great passion and emotion for the US Flag, he also stated that he spoke with Commissioner Miles after the regular meeting on the 3<sup>rd</sup> and told him that he did not agree with his decision, and from his perspective it should go back up. Lowering the flag is within the authority of the President of the United States or the Governor of the State of Washington. Commissioner Miles asked both Commissioners why they are objecting, now, he had lowered the flag before for Dave Gunter, a County employee, just six weeks ago.

Commissioner Byrd stated that the County had received permission from the Governor's office.

Commissioner Byrd moved to adopt the State of Washington Policies and Etiquette on Flag Lowering, Commissioner Hupp seconded; motion carried with Chairman Miles voting against.

Attorney Houser cited flag protocol stating that it was custom to follow the federal and state procedures for lowering the flag, there are no statutes specific to lowering the flag at half mast.

A copy of the RCW's and associated back up regarding flag protocol is attached hereto.

Discussion Press Releases: Attorney Houser recommended that the Commission address some guidelines for press releases to better assist staff.

**III. Commissioner Comment**

Commissioner Byrd read the Ten Commandments for a Port Commissioner from the Washington Public Ports Association Resource Guide:

1. Thou shalt never spend the public's money in secret.
2. Thou shalt not accept personally more money or benefits than any other fellow commissioner.
3. Thou shalt not require the port staff to do more work than necessary to inform (please) you when they could be occupied in improving the business of the port.
4. Thou shalt not speak as the official spokesperson of the port without knowing officially that you have been so designated by the commission majority.
5. Thou shalt not use the press against your fellow commissioners.
6. Thou shalt not use port property for unofficial business, not even a paper clip. Paper clips are cheap, buy your own. Use your own car, too.
7. Thou shalt not argue with, grill, or embarrass port staffers in public. They'll hate you for it and get back at you in a thousand ways without your ever knowing it or leaving a scrap of evidence.
8. Thou shalt not depend on the news media to keep the public informed of the activities and purposes of the port. Have your own PR program and carry it out.
9. Thou shalt not align yourself closely with a certain group of port tenants or users. Your motives will always be aligned with that group regardless of the issues. And the group will turn on you if you don't support them every single time.
10. Thou shalt not become involved in hiring anyone but the port manager and the port auditor.

**IV. Staff Comment**

None.

**V. Adjournment**

With no additional business and no action, Commission Chairman Miles adjourned the special meeting of the Port of Shelton Commission at 2:24 p.m. in the Port's commission chambers.

Minutes submitted by: Terra Dittmer, Office Manager

Minutes approved by: Commission Chairman Miles \_\_\_\_\_

Minutes approved by: Commissioner Byrd, Commissioner \_\_\_\_\_

Minutes approved by: Commissioner Hupp, Commissioner \_\_\_\_\_