

**Minutes of the 187th Port Ludlow Drainage District
Regularly Scheduled Meeting
Thursday, March 13, 2014 10:00 AM
~ Approved ~**

The, 2014 PLDD Meeting was Called to Order in the Gallery Room at the Beach Club, 121 Marina View Drive, Port Ludlow, Washington at 10:30 a.m. by Chair Commission Dwayne Wilcox.

Roll Call: Chair Commissioner Wilcox, present. Commissioner Uyeda, present. Commissioner Boyer, present. A quorum was reached.

Attendance: Engineer Nancy Lockett, Administrative Assistant Sue Bartkus. Guests included: Brian Belmont, Bruce Eddy, Doug Faraar, Jim Goode, Ron Gregory, Hugh Jennings, Dick Jovag, Bud Kerns, Art Moyer, Lyle Newlin, Nancy O’Neill, David & Sally Pendergast, Richard Regan, Jack Riggen, Katie & Mel Smith, Elizabeth Van Zonneveld, and Diane Wilcox.

Chair Commissioner Wilcox welcomed new Commissioner Jim Boyer. Commissioner Boyer stated that he was a retired Builder and Developer, had lived in Port Ludlow for approximately 11 years, and he had served on a couple of Boards in the community. He was interested in the future of the Drainage District, the ongoing projects, the expenses in the past and that he was here to do what job he could. Commissioner Uyeda newly elected, but has served on the PLDD for the past year introduced himself.

Minutes: Commissioner Uyeda made a motion to approve the minutes of the February 13, 2014 regular Meeting. Commissioner Wilcox seconded the motion. Motion approved 2-0.

Expenses: Commissioner Uyeda made a motion to approve the vouchers from February 11, 2014 to March 4, 2014 for a total of \$10,237.55. Motion was seconded by Commissioner Wilcox. Motion approved 2-0.

Voucher Summary:

Voucher Number	Item Description	Amount
14-015	Seaman Law Firm	\$1,117.50
14-016	Yard Dog Landscaping	\$1,706.36
14-017	Gray & Osborne Inc.	\$296.24
14-018	Glessing & Associates	\$72.69
14-019	Internal Revenue	\$165.37
14-020	Jefferson Co. Auditor	\$6,627.28
14-021	Susan Bartkus	\$252.11

Financial Summary:

PLDD Cash Account	\$ 202,942.80
PLDD Reserve Account	\$ 40,000.00
PLDD Interest Income Reserve Fund	\$ 6,314.75

Expenses – Current Month from above	\$ (10,237.55)
NET TOTAL ALL ACCOUNTS	\$ 239,020.00
Special Assessment 2014	\$ 150,400.00
PAID TO DATE	\$ (3,675.47)
UNPAID (REMAINING)	\$ 146,724.53

Public Forum:

- Guest Ron Gregory questioned the bill from Seaman Law Firm. Commissioner Boyer provided Mr. Gregory with a copy of the recent bill. Commissioner Wilcox explained that Mr. Seaman was the attorney of record for the PLDD, and was preparing a declaratory judgment relating to recent events. Hugh Jennings questioned why this was necessary. Commissioner Uyeda explained that during the recent elections, statements were made in the paper that the PLDD was conducting business in an illegal manner. After many questions by Mr. Jennings, Commissioner Wilcox explained that this was basically getting a judge’s direction to declare that the PLDD was on the right road. Mr. Jennings asked who was accusing the PLDD of illegality. Commissioner Wilcox answered that it was Mr. Gregory. Mr. Gregory responded that in there were two issues in question. That the former PLDD Commissioners had been appointed illegally, not elected, and that former Commissioner Elizabeth Van Zonneveld was not an eligible candidate to serve on the PLDD.

New Business:

1. The agenda item of small works contractor Yard Dogs, performing a clean out on Cascade Lane during recent heavy rains was discussed during the Voucher Summary review portion of this day’s meeting. The company, under a maintenance contract with the PLDD, performed the extra service during a night of extremely heavy rainfall to avoid resident homes on Cascade from being flooded.

Old Business:

2. Engineer Lockett summarized that the **Trader Lane** drainage issues are regarding a pond that developed at the end of the cul-de-sac. PLDD looked at directing the flow to Trader out to Fleet/Baldwin Lanes and then to a structure that the PLDD developed in the early 2000’s. Currently the pond has become a jurisdictional wetland, the project can still be done but now there are a lot of requirements to fulfill. Engineer Lockett noted that she has been working with David Wayne Johnson of Jefferson County on the SEPA permitting. She noted that construction plans are done, preliminary review has been done by the County, and since the pre-application meeting had been done, it would be a 50 foot buffer requirement, rather than the more recently adopted 150 foot buffer. Guest David Pendergast asked why the PLDD would be responsible since the flow originated on Swansonville and would be the County’s responsibility. Engineer Lockett

explained that it's not on Swansonville, the water comes from the Reserve area. Commissioner Uyeda noted that the PLDD was formed originally by a vote of the people, to help solve some of these drainage issues that could not be taken on by the County. Jack Riggen spoke, noting that many solutions to drainage issues had been completed by the PLDD, and that there were considerable reductions to the two remaining projects. Heated discussion among a number of guests regarding payment responsibilities, PLDD assessments, and what the County was responsible for ensued. Commissioner Uyeda noted that the PLDD and Engineers on behalf of the PLDD had spoken on many occasions with the County regarding co-operative efforts. Engineer Lockett explained that the PLDD is in communication on a regular basis with Jefferson County, last August Monte had Reinders been to the PLDD meeting and had said the County will support PLDD efforts but could not contribute financially, but when they see a problem with a direct connection to their areas, such as had occurred last year on Tyee Lane, they will handle the issue.

3. **Funding** for the Cascade Lane project was discussed, with Commissioner Uyeda and Commissioner Wilcox noting that they were looking at ways to reduce the scope and the cost of the project even further, and that the ultimate goal of the PLDD was to complete the final construction of Stormwater mitigation projects and move the PLDD into a maintenance position. Mr. Gregory objected to the PLDD obtaining a Public Works Trust Fund Loan (PWTFL) with a payout over time that indebts the members. Engineer Lockett explained that the PWTFL was carried on the budget, but was not money that has been drawn on, the money is available but it has never been the goal of PLDD to use it, none of that money is obligated but it is available if needed. Mr. Gregory continued to debate this. Engineer Lockett explained that it is available to borrow at 1 % interest, and that it has to be shown on the budget as available, but it is not the intention of the PLDD to do so. If the loan had not been secured and more funding was needed to complete the final projects, the money would have to be collected through assessments that year. Engineer Lockett also explained that if the loan is not used (by 2016), it goes back into the fund for other municipalities to apply for and use.
4. Engineer Lockett provided a review of the **Cascade Trader Lane** project, and explained that this is the second version of a project in the PLDD original Comprehensive Plan to solve drainage issues occurring on Rainier, Camano, Resolute and Goliah Lanes. Ms. Lockett described how surface water runoff goes down from Rainier to Oak Bay Rd; the flow went over to Cascade and flooded out owners on that street as well as residents on Cressey Lane. Residents of those areas requested relief after the Rainier to Oak Bay project was rejected. The project is now 85% designed, with it having been posted on the PLDD bulletin board, presented at PLDD meetings, LMC Board meetings and at LMC Greenbelt Committee meetings. A public hearing regarding the new project was advertised and was held at the Port Ludlow Fire Station on June 25, 2013, with no residents opposing the new project, and quite a few commending the re-design including many who had opposed the former Rainier to Oak Bay project. Commissioners voted to proceed with the Cascade Trader Lane project. Mr. Gregory noted that there is no record of the minutes from that hearing, and no information or plans on

the website. Nancy will forward an electronic copy of the Cascade plans for the website, and Sue will make sure that the minutes get posted on the website.

5. Engineer Lockett provided a letter to Jefferson County with her review and recommendations regarding the Port Ludlow Associates (PLA) drainage plans for the **Ludlow Cove II** development to be built on 42 lots near the old log dump. It is Engineer Lockett's recommendation that the plat owners (PLA) be responsible for the maintenance of the drainage facilities in that area, not PLDD. She explained that though the area is within the PLDD boundary, and that PLA has paid assessments for that area the facilities that they are building will be private and therefore to be maintained by them.
6. Commissioners Uyeda and Wilcox reported that this past week they had attended a **State Auditor** seminar on preparation of year end reports. Art Moyer stated that PLDD had not filed a report for 2012; Chair Wilcox replied that it was filed late, due to the transition from one bookkeeper to the accounting firm of Glessing and Associates, but that it has been filed and that there will be an auditing in 2015.

The March 13, 2014 PLDD Regular Meeting adjourned at 11:28 a.m.

The next regularly scheduled meeting of the PLDD will be held on Thursday, April 10, 2014 in the Gallery room at the Beach Club.

Respectfully Submitted by: Susan Bartkus, Administrative Assistant

Approved:

Approved:

Approved:

Dwayne Wilcox
Drainage District
Commissioner

Allen Uyeda
Drainage District
Commissioner

Jim Boyer
Drainage District
Commissioner