

**Minutes of the 210<sup>th</sup> Port Ludlow Drainage District**  
**Regularly Scheduled Meeting**  
**Thursday, February 11, 2016 10:00 AM**  
~ Approved ~

The February 11, 2016 Port Ludlow Drainage District (PLDD) Meeting was Called to Order in the Bay View Room at the Ludlow Maintenance Commission (LMC) Beach Club, 121 Marina View Drive, Port Ludlow, Washington at 10:00 a.m. by Chair Commissioner Jim Boyer.

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

**Attendance:** Engineer Nancy Lockett, Administrative Assistant Sue Bartkus. Guests included: Brian Belmont, Ron Gregory, Ronald Kletti, James Martin, and Mel & Katie Smith.

**Minutes:** Commissioner Boyer made a motion to approve the Minutes of the January 14, 2015 Regular Meeting as written. Commissioner Uyeda seconded the motion. Commissioner Wilcox carried the motion. Motion approved 3-0.

**Expenses:** Commissioner Boyer reviewed expenses. An omitted voucher was corrected, and a revised Agenda was distributed to all present. Commissioner Wilcox made a motion to approve the vouchers (as listed below) from January 11, 2016 to February 8, 2016 for a total of \$6,049.86. Motion was seconded by Commissioner Uyeda. Motion was carried by Commissioner Boyer. Motion approved 3-0.

Voucher Number	Item Description	Amount
16-012	Susan Bartkus	\$ 625.79
16-013	Gray & Osborne, Inc.	\$ 351.88
16-014	Seaman Law Firm, PLLC	\$ 967.50
16-015	Yard Dog Landscaping	\$ 1,270.36
16-016	Ludlow Maintenance Commission	\$ 2,616.00
16-017	Glessing & Associates	\$ 218.33
Total		\$ 6,049.86

PLDD Cash Account	\$185,840.62
PLDD Reserve Account	\$ 40,000.00
PLDD Interest Income Reserve Fund	\$ 6,411.43
Expenses – Current Month from above	\$ ( 6,049.86)
NET TOTAL ALL ACCOUNTS	\$226,202.19
Special Assessment * No information provided on County Reports	
PAID TO DATE	\$ (143.02)
UNPAID (REMAINING)	\$ (143.02)

**New Business:**

- Commissioners discussed the **PLDD Website**, and the recommendation of Diane Allen, of Artemis Computing to transfer the website host to FutureQuest, and the domain name to another entity, possibly GoDaddy. Email options for the Commissioners were discussed as well, Ms. Allen mentioned Rackspace in an email, for the archival options they offer. Commissioners scheduled a Workshop meeting for Thursday, February 25, 2016 at 10:00 a.m. in the Bay View Room, of the

Beach Club, to focus on having Ms. Allen give a presentation regarding the website, and to answer questions about her recommendations for the website and for email service options. An advertisement will be put into the Port Townsend Leader about this meeting. Commissioner Wilcox made a motion to conduct Workshop meetings on the fourth Thursday of each of the next six months, the February 25, 2016 to work on the website (and possibly the BARS) coding, with the upcoming meeting topics to be announced. Commissioner Boyer seconded the motion. Commissioner Uyeda carried the motion. Motion approved 3-0.

2. Commissioners discussed having an outside agency **audit** PLDD books, regarding the Washington State Budget, Accounting and Reporting System (BARS) coding and PLDD compliance with these requirements. Commissioner Boyer noted that it will be slated to be discussed, if time permits, for the next Workshop meeting (on February 25, 2016).
3. Commissioner Boyer reported attending the **Community Development meeting regarding Port Ludlow Associates (PLA) plans to expand** building townhouses, a restaurant, and new Marina around the Lagoon, and more condominiums near the Admiralty Complexes. PLA proposed starting projects this summer. This will include removal of the Harbormaster Restaurant; to be followed by the construction the first four buildings, which will be condominium units with models. The second step will be removal of the marina store, with plans to provide a new building with two levels of commercial lease spaces and PLA offices. Finally, construction will be done to build new townhouses on the road that goes through the Admiralty complex, and possibly a Dog Park. A planning folder will be posted on the PLA website. The first model condominiums are in the permitting process.
4. Commissioner Boyer noted that going forward; all **email** from the public will be read in each meeting, they will be added onto the monthly agenda as **Correspondence**.

A February 4, 2016 email from Katie Smith regarding BARS coding for the Cascade Flood Abatement Project was read. Ms. Smith inquired if

*“After reviewing the “County 2106 Budget Account” document prepared by the County Auditor, and considering the inconsistencies in the Final 2016 Budget for both cash on hand and Expenditures in 2016, will there be a revised budget issued? For instance, the PLDD 2016 Final Budget shows \$5,302 as “Surplus from Prior Year” vs. \$212,131 shown on the Jan-2016 Agenda. The 2016 Budget allows “0” for Capital Projects in 2016 vs. about \$140,000 that will be paid to Seton in 2016 for Cascade, for which there is “0” coded. Therefore, it is not so much an issue of whether there are adequate funds, but rather if there will be an appropriate Budget and Coding against which to measure actual Expenditures throughout the year. I heard Chair Boyer state in the Jan 14 meeting that he had spoken with the State Auditor’s office and they indicated that the BARS coding is not really important. This seems counter to RCW 43.09.200”.*

Commissioner Wilcox agreed that he would meet with Katie Glessing and/or Rose Ann Carroll, to discuss re-coding the (Cascade Lane Flood Abatement) project. The matter will be put onto the March 10, 2016 meeting agenda, but if all parties can make it, possibly for the February 25, 2016 Workshop agenda. Commissioner Wilcox will check with Ms. Glessing, and the County to see when/if they could be available. It was noted that it had been recommended to Commissioner Wilcox, by the County and to Commissioner Boyer, by the Washington State Auditor, to pare down the PLDD Budget to four or five categories of coding.

Commissioner Boyer read another email inquiry from Ms. Smith, dated February 4, 2016.

*“The attached online draft Agenda for this month shows the PLDD Website as a topic under New Business. To begin, let me thank the Commissioners for authorizing the purchase of the first District-owned computer in March-2015. Even though several of the stated efficiencies at that time have not materialized, it was still an excellent expenditure. As part of the Website discussion, I would like to ask for clarification on the Commissioners' long-standing use of personal email accounts vs. the now-possible use of PLDD official email that resides on the new server with domain hosting. Additionally, is it be possible to discuss the electronic **transmission** (not forwarding, but actual transmission) of prior official PLDD email from Sue's personal "MSN" account to the official PLDD email account. As you may recall, in Sue's 3.14.2015 message, she indicated that all historical PLDD email resides in a separate folder in her personal email account at MSN. Transfer of that one folder (PLDD) from her personal email account should not be that difficult. I have verified this process with PT Computing, but perhaps Diane Allen could confirm. Having printed copies of all past emails, in the basement of the Beach Club, should not be the only official domicile of these historical public records, when electronic redundancy for recordkeeping is so readily available at minimal cost. Thank you for your consideration”.*

Commissioner Boyer responded that this is in the process of being changed from Sue's personal PLDD emails to her PLDD email. Diane Allen estimated that it will take approximately 4-6 hours to do this at \$40.00 per hour. Commissioner Boyer made a motion to authorize Diane Allen to transfer all PLDD emails from Sue's personal email account to her PLDD email account. Commissioner Wilcox seconded the motion. Commissioner Uyeda carried the motion. Motion approved 3-0.

A lengthy email exchange between Katie Smith and Sue, regarding Ms. Smith's February 1, 2016 inquiry about the longstanding agenda category of "Drainage Issues Workshop" was reviewed briefly by Commissioner Boyer. He commented that Ms. Smith was correct about the Open Public Meetings Act (OPMA), requirements. Since receiving the training, the Commissioners have taken special pains to avoid contacting each other. All drainage issues to be discussed have been emailed to Sue by one Commissioner, and then Sue emails each of the other Commissioners to notify them. Commissioner Boyer did note that usually after a meeting if things needed to be viewed, or a site study done, one Commissioner would go, usually Commissioner Uyeda. Commissioners agreed to take turns with this duty. The "Drainage Issues Workshop" line item will be removed from the regular ongoing agenda. In addition, Commissioner Boyer suggested that as projects are winding down, one Commissioner at a time walk through maintenance areas once per month with Russ of Yard Dogs to evaluate the ongoing maintenance. Ms. Smith commented that her email wasn't a question of the validity of the workshop, but rather defining it separately. Workshop scheduling and advertising was further discussed.

5. Engineer Lockett reported receiving two project **Drainage Reviews** from Jefferson County. One for the Johnson property at 300 Walden Lane, which had no Stormwater site plan and another for a new Medical Office building in the Village Store area. Nancy noticed that drainage will go through a wetland in Ludlow Cove II, and suggested that a detention structure be included for the structure.

#### **Old Business:**

1. Engineer Lockett reported on the progress of the **Cascade Lane** Project. She recommends that the contractor be allowed to extend the contract restrictions, and to allow work to be continued when the weather is better, which will take us until mid-May. Nancy will prepare a change order, a no cost change order, just a time change, at the Commissioners direction. Ms. Lockett also reported that Mr. Mott's property has been hydro-seeded. Commissioner Uyeda asked Nancy to direct Seton to move a structure farther down a culvert to allow better flow, Engineer Lockett asked

Commissioner Uyeda to accompany her to the site to show her exactly what he is concerned with.

Brian Belmont commented that he had noticed standing water in the strip of land between the greenbelt area and the culvert coming off of Gamble Lane. Nancy responded that she will take a look at it. Commissioner Boyer made a motion to extend the contract with Seton for 100 days. Commissioner Uyeda seconded the motion. Commissioner Wilcox carried the motion. Motion approved 3-0.

Ron Kletti reported that in the ditch on Cascade, on the side where the houses are at, weeds are not cleared out and are impeding the flow. Engineer Lockett noted that was the homeowner responsibility, but that she would mention it to Jefferson County.

Engineer Lockett also noted that permanent easements are needed for the pipe, and for the Barnes, Mock and Carter properties. She will work on obtaining those. She gave two easement agreements to Brian Belmont for the Ludlow Maintenance Commission (LMC) to sign. Brian will send them back to her, after LMC Trustees sign them, she will then record them with the County.

Mr. Kletti brought up another issue with rock material that shifted in the culvert from the recent heavy rains. He asked Engineer Lockett if cement could be used instead of rock to eliminate future erosion. Ms. Lockett will look at the area he mentioned.

2. Engineer Lockett noted that near the end of **Condon Lane** (where Mr. Johnson will be building a home) the area drains north, he should make sure that his drainage plan will drain to the ditch. Mr. Johnson came in prior to this day's meeting, to ask advice from Engineer Lockett. She will give him suggestions for his drainage plan when he returns.
3. Commissioner Wilcox commented on the draft **Memorandum of Understanding (MOU)**, prepared by PLDD attorney Seaman. This draft is an attempt to establish a written agreement of what would be PLDD's responsibilities, what would be Jefferson County's responsibilities, and individual property owner's responsibilities regarding drainage issues in the North Bay area. Commissioner Wilcox noted that Jefferson County owns the right of way, which PLDD depends on to drain storm water, and the way the law is written, both parties have to help each other, both are responsible. We (the PLDD) have to have the entire use of the right of way. There is no permanent case law. We need to set up a meeting with Mr. Morley quarterly, on a continuous basis, to communicate issues and maintenance.

Ron Gregory asked the Commissioners if there had been any response from the County regarding the draft MOU. He mentioned that back in the 1990's there were some drainage issues with the Eckman property. A contractor and others, including him, had shoveled to relieve the flooding that happened. He added that he will lead a movement to disband the PLDD and have the County take over, as it appears to him that the only way to get relief is to kill the Drainage District, who will take care of the ongoing maintenance cost? This is what happens when you jump into something with the best of intentions, it comes back to bite you in the butt. Commissioner Wilcox asked him who would take care of the installations that PLDD had constructed. Commissioner Boyer stated that we have to maintain what we've established. Katie Smith noted that the County offered for PLDD to begin the draft MOU and they are willing to work with PLDD.

Walt Cairns commented that he could remember shoveling gravel to help out Mr. Eckman, as the previous ditch dug by the contractor Mr. Gregory mentioned was too small. There was no jumping in to form the Drainage District, it was a long process and voted in by a majority. Until

the PLDD, with Gray & Osborne, worked to install a 24" outfall that established a drainage system, we were at a point where we either sued the County and PLA, or take the money that would have been used for legal expenses, to form a District and take care of the problems. Mr. Cairns added that the PLDD can resolve to disband, but they have to have an entity willing to take over the maintenance, and the only one capable of doing this is Jefferson County.

Mr. Gregory asked if the MOU could be negotiated from some sort of strength. Commissioner Wilcox told him the PLDD is working on it. Uyeda asked Mr. Gregory if there is something in his mind telling him that the PLDD isn't trying to move forward with this. Mr. Gregory replied that the County basically said that it's our problem, time to put tape on that leak. People here are doing more than their share paying for roads, the County doesn't need to have an engineer (for projects) they just go ahead and do it. They take care of South Bay. Engineer Lockett pointed out to Mr. Gregory that South Bay was developed a lot later than North Bay and under different and improved Stormwater plans.


4. Commissioners worked on setting up a Workshop schedule to be advertised, deciding on the fourth Thursday of each month in the Bay View Room of the Beach Club, 121 Marina View Drive. A legal notice will be put into the Port Townsend Leader. A schedule will also be on the website at [pldd.org](http://pldd.org) and posted on the PLDD bulletin board in the Beach Club lobby.

Commissioner Wilcox made a motion to adjourn the meeting at 11:34 a.m. Motion was seconded by Commissioner Uyeda. Motion was carried by Commissioner Boyer. Motion approved 3-0.

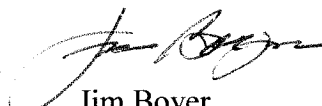
The next regularly scheduled meeting of the PLDD will be held on Thursday, March 10, 2016 in the Bay View room at the Beach Club at 10:00 a.m.

Respectfully Submitted by: Susan Bartkus, Administrative Assistant

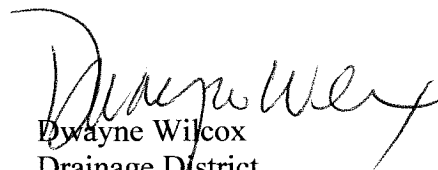
Approved:

  
Allen Uyeda  
Drainage District  
Commissioner

Approved:

  
Jim Boyer  
Drainage District  
Commissioner

Approved:

  
Dwayne Wilcox  
Drainage District  
Commissioner