

Port Ludlow Drainage District (PLDD)
P.O. Box 65261, Port Ludlow, WA 98365

Minutes for Board of Commissioners' SPECIAL Meeting # 0235s

Monday, March 26, 2018 at 10:00 AM

**Held at the Fire Hall –Training Room
7650 Oak Bay Road, Port Ludlow, WA. 98365**

Call to Order: Meeting was called to order by Chair Commissioner Forbes at 10:07 a.m. in the Training Room of the Port Ludlow Fire & Rescue Headquarters Fire Station 31, 7650 Oak Bay Road, Port Ludlow, Washington 98365.

Roll Call: Commissioner 1- Katie Smith present. Chair Commissioner 2- Don Forbes present. Commissioner 3 -Deborah Helleson present. No absences. In attendance: Engineer Nancy Lockett.

Guests: Brian Belmont, Walt Cairns, and Mel Smith.

Public Forum: No drainage issues were brought to the Commissioners' attention.

Chair Commissioner Forbes stated the **purpose of this Special Meeting** is to review and finalize an MOU to be presented to LMC as a potential replacement document to the 2002 "*Agreement Regarding Drainage Control.*" Commissioner Helleson began by saying that since LMC manager Brian Belmont was in attendance to represent the ACC and LMC, she suggested that rather than putting forth a draft and setting expectations for today's meeting, the commissioners could follow an outline to focus the discussion. Primary questions include 1) will agreement be useful and 2) what the mechanics would be in order to make sure an agreement, in whatever form, will be useful to both parties.

Mr. Belmont stated from his perspective it would help to understand what role PLDD would like LMC/ACC to play in this, knowing that the LMC board is considering cancelling the current agreement, does PLDD have ideas on what they want LMC to work with the District on. Commissioner Helleson noted that the District has a lot of infrastructure and a responsibility to make sure water flows as efficiently as possible; not having communication about development makes that difficult to maintain the infrastructure. Mr. Belmont agreed there needs to be communication and it is a matter of what the District needs, and then will hear from LMC and go from there. By having a clean slate we can truly see what is needed by PLDD and whether LMC can make it work on their part. Chair Forbes noted that it was helpful to have LMC call into question the 2002 document because it appears largely irrelevant at this point, and thanked LMC for that. After meeting with the County DCD earlier this month, that discussion helped to understand our task, which is unique in the County due to geology. Having this opportunity to communicate with LMC, we can hopefully develop something that is straightforward and short. Commissioner Smith was asked for input and noted for example the District's capital project on McCurdy in 2008 at a construction cost of \$32,000, adjacent to a recent approval by ACC for removal of nine (9) trees, and asked if that would be a situation where LMC/ACC would consider communications. Mr. Belmont stated that it comes down to the just how much information does the District want, each tree, or just how many, and asked for Engineer Lockett's input. Her response was that tree removal is important, not only for where the infrastructure is, but that size of project is important. Mr. Belmont asked for clarification that we are not seeking to be part of decision-making process, but just be informed.

Engineer Lockett responded regarding areas of concern for PLDD: 1) Tree removal, 2) Lot clearing that does not fall under construction, and 3) Greenbelt area items. Commissioner Helleson asked what is the criteria used by committees for tree removal. Mr. Belmont noted that with LMC's current major review of governing documents, and with the typical turnover on the volunteer committees, the ACC position has changed. Currently, if an owner requests tree removal on their own property, the committee rarely says no. In response to replanting, ACC and GBC do not require replanting for tree removal. LMC does not want to see anything that delays the ACC approval process, which is 30 days for new construction. All LMC governing documents are being revised and forms will be changed. Chair Forbes suggested that triggering the conversation is important and that we keep it simple. **Mr. Belmont suggested having Engineer Lockett meet with the committees, and new chairs, on an annual basis.** After discussion, it was suggested that for tree removal, a threshold of four or more trees larger than 6" diameter at breast height on a single lot, would trigger ACC to send a copy of the application to PLDD. PLDD would respond within 7 days. Engineer Lockett clarified that, because the ACC rarely says no, the district goal would be to say "here is the impact this could have and recommended mitigation." If a proposed project is next to a district-maintained facility the loss of trees or land clearing activities may have more serious consequences; however, these same activities could also cause a problem on adjacent property. Mr. Belmont expressed concern on how any recommended mitigation fits into ACC authority. It would be understood that the committee(s) would present any PLDD recommendations to the homeowner, to be sent as a courtesy. "Clearing" can vary and may not meet LMC criteria for approval; the term needs to be defined. Engineer Lockett suggested maybe a one-page handout for ACC to have relating to erosion control.

Following discussion relating to **Greenbelt tree removal**, it was suggested that when a "cluster" of two or more trees in a hundred foot radius is removed, the GBC would notify PLDD, not for approval, but advisory. Mr. Belmont stated there are actually three committees that could be involved: ACC / GBC and Operations Committee, for properties such as Kehele Park. It was agreed that to keep it simple, slope would not be a factor, but rather rely on the "cluster" definition.

This agreement would be understood to be a **good faith effort, with a purpose to protect the drainage features that serve the entire community.** PLDD has no enforcement authority, and LMC enforcement is limited to the governing documents. LMC as a major rate payer of the District, perhaps the largest, has a direct interest in the maintenance expense.

Mr. Belmont described that this process will take some time to meet with the three committees and have their input prior to bringing it to the LMC Board of Trustees. He asked that the agreement combine GBC and Operations for this process. Chair Forbes noted that having covered all substantive points in this meeting, we will have a draft by April 12 for LMC to respond to.

After further discussion, Lot clearing will be defined to include "earth-disturbing equipment." Definitions could be an appendix (Erosion control measures, Lot Clearing, etc.).

Engineer Lockett affirmed we want this document to be short, and should be able to have something within a week. Commissioner Smith suggested that we receive a draft and return our comments to Engineer Lockett. Commissioner Helleson will forward a pdf file to Engineer Lockett, for her to convert to a Word doc.

On another topic, It was agreed to invite Public Works to the April 12 meeting.

Commissioner Smith suggested that we plan in advance for a quorum in May to process vouchers for the month.

Meeting Adjournment:

Commissioner Smith made a motion to adjourn the meeting. Commissioner Helleson seconded the motion. Motion carried 3-0.

The March 26, 2018 special meeting of the Port Ludlow Drainage District adjourned at 12:19 p.m.

The next regularly scheduled meeting of the PLDD will be held in the Training Room of the Port Ludlow Fire and Rescue Station, 7650 Oak Bay Road, Port Ludlow, on Thursday, April 12, 2018 at 10:00 a.m.

Approved:

Approved:

Approved:



Don Forbes, Chair
Drainage District
Commissioner 2



Katie Smith
Drainage District
Commissioner 1



Deborah Helleson
Drainage District
Commissioner 3