

# Port Ludlow Drainage District

Post Office Box 65261

Port Ludlow 98365

Minutes of the 89<sup>th</sup> Regularly Scheduled Meeting  
10:00 a.m., 9 February 2006

## Call to order and Approval of Minutes:

The 89<sup>th</sup> regularly scheduled meeting of the Port Ludlow Drainage District (PLDD) was called to order by the Commissioner Chairman Richard Regan with the first order of business being approval of the minutes of the regular 12 January 2006 meeting. The minutes were approved as written. Commissioner Laker did not attend this meeting.

## Expenses:

The PLDD Commissioners discussed and approved Drainage District expenses that have accrued from 12 January to 9 February 2006 for the total amount of \$3,327.45. A breakdown of this total is shown below:

Voucher Number	Amount	Item Description
06-008	137.14	OLGA WILSON
06-009	433.20	LMC
06-010	1,787.20	GRAY & OSBORNE
06-011	769.91	KNAUSS LAW FIRM
06-012	200.00	VIRGINIA BROWN

## Public Forum:

Walt Taylor reported legal notice of availability of a draft National Pollutant Discharge Elimination System (NPDES) permit for OWSI Wastewater Treatment Plant to discharge to Port Ludlow Bay at Admiralty Inlet. This notice was recently published in the Port Townsend Leader and is a standard required permit for wastewater treatment plant discharge.

Tom and Polly Peters, McCurdy Lane property owners, stated that until they decided to sell their lot they were not aware of the drainage requirements for lot development and expressed their concerns that the population at large might not be aware of them either. The commissioners responded by explaining that they do their best to relate drainage information to the PLDD membership through all and every media source available to them. The PLDD even has a web site. The information is available and accessible for those who express interest.

The Peters are also concerned that there is no authority in Port Ludlow to help with obtaining drainage easements when one is required for lot development. They have tried and failed to secure an easement through the property below to discharge their property

runoff downstream, which would be the easiest, the cheapest, and the most natural way to drain. Barry Baker, PLDD engineer, has designed a slow dispersion system that will allow draining the Peters' property without asking for an easement. This is a second time in three years that an easement was denied. The commissioners assured the Peters that there are ways to properly drain any property whether an easement is available or not.

The PLDD received a letter from the LMC Board of Trustees concerned with the PLDD Large Greenbelt Project's impact on the LMC greenbelt. The LMC prefers to preserve community greenbelts in their natural state and does not see the need for this particular project. Commissioner Amundson drafted a letter of response to the LMC Board of Trustees explaining that the project is necessary to correct the failing drainage patterns in the area. He assured the Board that the PLDD intends to do the work with as little disturbance to the greenbelt as possible. He informed the Board that the PLDD is presently working on this project design and promised to keep the Board informed of any new developments regarding this project. Commissioner Amundson also reminded the LMC Board that community greenbelts were designated for drainage. The letter was signed by the PLDD Chairman and sent to the LMC.

#### **Old Business:**

1. Mr. Baker reported attending a hearing on the Resort Extension Application and giving a testimony on behalf of the PLDD. The hearing examiner set up a second hearing and a site visit due to the volume of information and comments received. A prolonged discussion of the PLA plans and PLDD options regarding the lagoon followed. The PLDD has a right to refuse taking over any drainage facility that is not designed according to the current stormwater management manual.
2. Mr. Baker reported that easements necessary to start work on the Wastewater Treatment Plant Ditch Improvement Project had been signed, recorded, and expected to be delivered to the club any time (the documents have been delivered before the meeting has adjourned).
3. Mr. Baker reported checking on the drainage by the new house constructed on the Condon Lane property lot # 1-2-024 and finding no evidence of this system effecting the neighboring property (Michael Fessler's house). Presently, there is no visible erosion of the bank. Mr. Baker recommended semiannual inspections of the area.
4. Oak Bay Conveyance Repair Project Phase I System appears to be in good shape and working well. Mr. Baker will not be able to go down to the beach to check the system until April or May when the tides are low.
5. The intensity of the recent rainstorm measured up to a two-year storm. This winter rainfall is average.
6. Commissioner Regan reported meeting with new people at the PLA office. Among the subjects discussed was new house construction project for Resolute Lane lot # 2-

2-065. The PLDD had filed a petition with the WA Superior Court for reconsideration of the county decision to issue a building permit for PLA Resolute Lane lot # 2-2-065 new house construction project against PLDD advise. Since then, the PLA has directed their engineer to redraw the drainage plan. A revised plan appears to be another unacceptable version. Court date is set for March 3. Unless an acceptable drainage plan is submitted before this date, the PLDD will have no choice but to take this case to court.

7. Mr. Baker brought in an estimate for Olympic Lane drainage improvement project. The owners of the Olympic Lane lot # 1-4-026 had recently discovered a drainage problem that appears to be affecting more than their property. The PLDD is considering getting involved in resolving this drainage situation for the benefit of that area. The problem appears to be similar to Adventurer Lane problem resolved in 2005. There is a utility easement along the properties effected. Two versions of improvement project were presented and discussed. Cost sharing option, with PLDD paying for the pipe and the owners paying for the labor, was considered. This matter will be further discussed at the next (March 9) PLDD meeting.
8. Further discussions were held pertaining to requiring engineered drainage plans. Ted Knauss, PLDD attorney, advised the commissioners that PLDD had an authority to require engineered drainage plans. However, the PLDD does not have any enforcement authority. A PLDD requirement that all drainage plans are drafted, inspected, and sealed by a licensed engineer will have to be passed as a county ordinance to become and be enforced as a county requirement. The commissioners discussed offering drafting drainage plans for a \$500 fee, which will guarantee the applicants that their drainage plans be approved. The commissioners agreed that making engineered plans a requirement did not guarantee that PLDD would get the designs they would be willing to approve. Mr. Baker provided commissioners with Normandy Park Ordinance to be used as a model. Following prolonged discussion, the commissioners decided to go see Jefferson County Commissioners with regards to this matter before directing Mr. Knauss to prepare an ordinance. Commissioner Amundson will try to get on the agenda for the County Commissioners' meeting on Monday, March 13. Mr. Baker will be accompanying the commissioners to that meeting. He was charged with preparing an information package to be submitted to the County Commissioners. A copy of the information package will be send to Al Scalf, Director of Community Development Department.
9. Having inspected Montgomery Court lot # 5-0-008, Mr. Baker reported that a drainage system built there had definitely been placed outside of a designated drainage easement. Mr. Baker expressed concerns with the system design (specifically with the pipe not been anchored and the road embankment not been properly supported). The system appears to be working. However, bringing this system to the PLDD standards maybe a sizable project to undertake. Following discussion, the commissioners decided to ask for a legal opinion on PLDD liability if this system failed.

10. At the last PLDD meeting, Melvin Smith, a Grove Court resident, expressed his concerns with the amount of water coming out of the county culvert draining on his lot # 16. Having checked elevations of the culvert and the ditch 20' south of the culvert, Mr. Baker reported that adjustments were in order. Since the contract with Seton Construction of Port Townsend is still open, the contractor will be called in to re-grade the problem spot.
11. Mr. Baker reviewed and found acceptable the drainage plan submitted for the new Kitsap Bank building. Minor changes were recommended.

**New Business:**

1. Mr. Baker brought in for the PLDD records a booklet on funding sources.
2. Mr. Regan asked Mr. Baker to check five new house construction projects with dispersion systems.

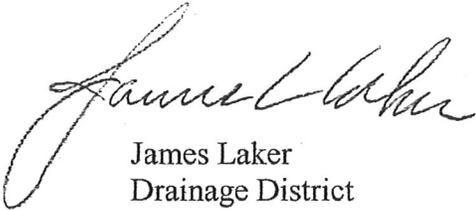
The next regularly scheduled meeting of the Port Ludlow Drainage District will be held on 9 March 2006 at 10:00 a.m. at the Beach Club Bay View Room.

The 9 February 2006 meeting adjourned at 11:55 a.m.

Respectfully Submitted:

Approved:

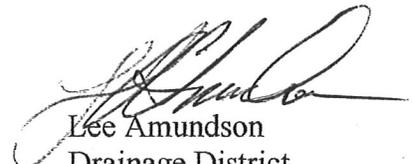
Approved:



James Laker  
Drainage District  
Secretary



Richard Regan  
Drainage District  
Chairman



Lee Amundson  
Drainage District  
Treasurer