

Minutes of the 125th Port Ludlow Drainage District
Regularly Scheduled Meeting
Thursday February 12, 2009 10:00 a.m.

~ APPROVED ~

Call to order: The 125th regularly scheduled meeting of the Port Ludlow Drainage District (PLDD) was called to order by Chairman, Commissioner Leland Amundson at 10:00 a.m.

PLDD Commissioners present were Leland Amundson, Walter Cairns and James Laker.

The minutes of the regularly scheduled 8 January, 2008 meeting were approved as written.

Expenses:

The PLDD Commissioners discussed and approved Drainage District expenses that accrued from 08 January 2009 to 11 February, for the total amount of \$6,938.07. A breakdown of this total is shown below:

VOUCHER#	VENDOR	AMOUNT
09-007	THE LEADER	120.00
09-008	GRAY & OSBORNE	5,404.69
09-009	UNITED STATES TREASURY	206.56
09-010	LMC	650.40
09-011	SUSAN BARTKUS	132.75
09-012	WALTER CAIRNS	140.00
09-013	VIRGINIA BROWN	283.67

Public Forum:

- North Bay resident and Ludlow Maintenance Commission (LMC) Greenbelt Committee (GBC) Chair, Ted Buehler stated that he was attending this meeting to discuss lot numbers 2-3-112 (belonging to David & Janice Daniels) and 1-2-022, 1-2-023 (belonging to Michael & Elizabeth Fessler). Each lot to be discussed as per today's meeting agenda.

Old Business:

- The **Montgomery/Condon Lane Drainage Improvement Project** has been completed. Chairman Amundson confirmed that the retainage has been released to Seton. Engineer Nancy Lockett will consult with PLDD bookkeeper Ginger Brown as Ms. Brown had some questions regarding the North Condon Lane drainage retention amount. This project is now complete and will be removed from the agenda.
- By a motion duly made, seconded and unanimously approved Commissioners accepted the **McCurdy Lane** project as complete. This item will now be removed from the agenda.
- Engineer Nancy Lockett discussed a draft of the **PLDD/ Jefferson County Administrative Rule Agreement** with the PLDD Commissioners. Ms. Lockett suggested that the PLDD should wait until after the County sends confirmation to the PLDD that they are implementing this agreement before withdrawing the PLDD request for a UDC Amendment. Since April, 2008 the PLDD has been working with the Planning Staff to comprise what would best serve both entities regarding the Status of proposed Unified Development Code (UDC) changes that were submitted to the county in April of 2006 by the PLDD, regarding the preference of Jefferson County to use infiltration, which is not optimal in the Port Ludlow Drainage District. Direct discharge is the preferred means of drainage here, with dispersion second and infiltration last. The PLDD had been advised to go through an administrative change via Jefferson County Planning Staff for these changes rather than a UDC Amendment, in which case the County would be forced to charge high fees. PLDD Commissioners agreed that whatever the case, a written agreement of some form needed to be obtained.

4. The **Rainier to Oak Bay Greenbelt Drainage** project was briefly discussed. Engineer Lockett reported that the PLDD application for a Public Works Trust Fund (PWTF) Design loan has been reviewed and is currently on the PWT website as an "action" item. Ms. Lockett will call the PWTF and see what stage the process is at. The Construction Loan could be applied for this May and would be at ½% interest with the funding being accessible for construction in July of 2010. Ms. Lockett reported that the engineering is proceeding, with some surveying being done and more remaining, she will be consulting with landscape architect Susan Black who will be subcontracting on this project as well as for the wastewater treatment project.
5. The **Drainage Issues on Foster and Jackson Lanes** along with the nearby Green Belt area have been surveyed, and the design will now begin reported Engineer Lockett. This will involve carrying water from the culvert and multiple lots and getting an easement to carry the drainage down to the greenbelt, away from the Mounts property on lot # 2-3-051 where it has been accumulating and creating a similar situation as on McCurdy and Walker Way. Engineer Lockett will continue to work on a resolution.
6. Commissioner Cairns and Engineer Lockett reported attending a two hour meeting at the Bay Club about South Bay joining the PLDD through an **Area Annexation**, residents directed questions to the PLDD representatives regarding laws, their drainage systems and what would benefit their areas best. South Bay representatives expressed conducting more research prior to taking further action.
7. Discussion was held regarding **lot numbers 1-2-022 & 1-2-023 on Condon Lane**, belonging to **Mike & Elizabeth Fessler**. Ted Buehler, Chairman of the LMC Greenbelt Committee (GBC) stated that Mr. Fessler is concerned that water flow j's from a berm, saturating and eroding his embankment. PLDD Commissioners stated that the drainage pipe in that area has been closed, the water is now diverted to another outfall, and any water coming through his property would now be coming from the road. Mr. Buehler reported that a request for an appeal to the LMC Board by Mr. Fessler's attorney is for a determination about three issues: 1) That trees on his property are under Critical Area Ordinance and/or the Shoreline Master Program and he should not be made to trim them, despite neighbor's complaints that they are planted trees that have grown to obstruct their views. 2) That the PLDD built a berm, or allowed a berm to be built on the greenbelt near his property that he believes forces water back onto his property. 3) That the greenbelt be restored to the same state it was in prior to 2002. Mr. Buehler stated that the LMC would like some documentation from the PLDD for use in the appeal process. Commissioners discussed the history of this situation at length; with Chairman Amundson stating that he would write a letter to the LMC Board of Trustee's that reviewed what action the PLDD took regarding drainage in this area. Commissioner Laker pointed out that in response to Mr. Fessler's complaint, the PLDD did a complete renovation of that street drainage and no water goes from that street, from that drain through the greenbelt anymore, that drain is plugged. Commissioner Cairns stated that that work was completed under contract last year and is a matter of record, and the only impervious surface that Mr. Fessler refers to in his letter that exists, is a Jefferson County right of way. Engineer Lockett will forward a copy of a letter that was written by Engineer Barry Baker to Mr. Fessler, giving his recommendations and opinion about drainage issues on Mr. Fessler's property. Mr. Buehler requested that any correspondence or copies of pertinent documents be forwarded to the LMC as well as the GBC.

New Business:

- Commissioner Walter Cairns discussed the state and county mandates concerning the over **four foot trenching liability** that would apply to plans submitted to him by neighbors and owner David Daniels about **lot # 2-3-112 on Fleet & Pioneer Drive**. Plans and elevation details were discussed with Mr. Buehler and Engineer Lockett, with Mr. Buehler agreeing to amend plans to be in conjunction with Commissioner Cairns recommendations.
- Drainage that has been causing erosion problems on the greenbelt at the end of Warbler Lane was discussed. A resident at the end of the street has been rock lining the area at his own expense. Commissioners and Engineer Lockett will look at the area today during site visitations.
- Keller Lane lot # 2-3-010, belonging to Daniel and Ann Klemp was discussed. The LMC Architectural Control Committee (ACC) was told by Mr. & Ms. Klemp that they wanted to remove all the trees on the lot, except the trees in the Jefferson County right of way. Mr. & Ms. Klemp had told Commissioner Cairns that they only wanted to remove two (2) trees. Resulting from the new LMC ACC policy of allowing trees to be cleared from undeveloped lots, Commissioners decided that the PLDD would deal with runoff as needed, but would not approve nor disprove the cutting of trees on undeveloped lots, nor would the PLDD be able to accurately quantify runoff resulting from tree removal. Commissioner Cairns agreed to write a letter draft,

with the PLDD's policy, he will consult with Commissioners Amundson and Laker, Bud Kerns and former Commissioner Richard Regan. At Mr. Kern's recommendation, this policy will be distributed among all North Bay entities.

- Engineer Lockett will be meeting Seton at Libbey Court tomorrow at 10:00 a.m. to review the catch basin erosion around the manhole cover on the east side of the courtyard, she invited anyone interested to attend.

The next regularly scheduled meeting of the Port Ludlow Drainage District will be held on Thursday March 12, 2009 at 10:00 a.m., at the Beach Club in the Bay View Room.

The February 12, 2009 meeting adjourned at 11:26 a.m.

Respectfully Submitted:

Approved:

Approved:

James Laker
Drainage District
Secretary

Walter Cairns
Drainage District
Commissioner

Lee Amundson
Drainage District
Chairman & Treasurer