

Minutes of the 138th Port Ludlow Drainage District
Regularly Scheduled Meeting
Thursday March 11, 2010 10:00 a.m.

~ Approved ~

Prior to the commencement of the regular PLDD business, the Honorable Donna Eldridge, Jefferson County Auditor, administered the oath of office to Leland Amundson for PLDD Commissioner, Position number three.

Call to order: The 138th regularly scheduled meeting of the Port Ludlow Drainage District (PLDD) was called to order by Chairman Commissioner Leland Amundson at 10:00 a.m.

Attendance: Present were Chairman Commissioner Leland Amundson, Commissioner Walter Cairns, and Commissioner Secretary James Laker.

Minutes: PLDD Commissioners approved as written the Minutes of the regularly scheduled February 11, 2009 meeting.

Expenses:

By a motion made and carried the PLDD Commissioners approved Drainage District expenses that accrued from 10 February, 2010 to 10 March, 2010 for the total amount of \$\$12,521.43. A breakdown of this total is shown below:

VOUCHER#	VENDOR	AMOUNT
10-021	WALTER CAIRNS	90.00
10-022	GRAY & OSBORNE	4,560.83
10-023	JEFFERSON COUNTY DCD	42.60
10-024	JEFFERSON COUNTY AUDITOR	7,046.30
10-025	LMC	216.80
10-026	VIRGINIA BROWN	274.00
10-027	SUSAN BARTKUS	290.90

Public Forum:

- Dwayne Wilcox, owner of lot number 2-1-049, reported that he has observed the **Libby Court Catch Basin Erosion Protection Project**, since completed and is very pleased to see that it's functioning well. Mr. Wilcox had reported to PLDD Commissioners during the July 2009 meeting, that he had planted grass in the Greenbelt area near his Montgomery Lane property (as per his maintenance agreement with the LMC Greenbelt Committee). Commissioners had advised Mr. Wilcox to be aware of the basin above the area, and the pipe buried underneath. Engineer Lockett at that time reported that Seton Construction had filled in the hole that was in the area and that they would be making a berm around the catch basin, she assured Mr. Wilcox that replanting would also be a part of the maintenance contract. During the February meeting Ms. Lockett reported that Seton Construction would be installing a grate at an estimated cost of approximately \$2,400.00, this work is now complete. (4:33)
- There was brief discussion of the recent election for PLDD Commissioner six year term, and the fees charged to PLDD by the Auditor's office for the election, which amounted to \$7,046.30. (5:28)

Old Business:

1. (10:36)The **Rainier to Oak Bay Greenbelt Drainage** project was discussed briefly. Engineer Lockett reported that the surveyors had completed their work. Ms. Lockett also reported that the Public Work Trust Fund had sent out new applications, but there is no guarantee that they will distribute any funding. Ms. Lockett will apply electronically on behalf of the PLDD, prior to the deadline on May 10, 2010.
2. (12:36)**Oak Bay Road to the Wastewater Treatment Plant (WWTP)** is now complete. Engineer Lockett brought with her to this day's meeting a final project estimate, and notices to the Department of Revenue and the Department of Labor, for signature. Ms. Lockett and Chairman Commissioner Amundson will sign the change order necessary for completion later this day at the Seton Construction office.
3. (14:00) Previously, Commissioner Walter Cairns requested that there be a study to investigate the **Water Flow into the Bioswales and the Detention Pond**; he became concerned because he hadn't observed any water coming down into the area, suspecting that there must be an obstruction with the water going somewhere else. Engineer Lockett reported speaking with Larry Smith, president of Olympic Water & Sewer (OWS), regarding mowing maintenance around the Detention Pond and whether Port Ludlow Associates (PLA) would grant the PLDD permission to contract this work. Mr. Smith consented. Engineer Lockett also spoke with Jefferson County regarding the bioswale located at the detention pond, they informed Ms. Lockett that it has been worked on at least two (2) times, Phase I and Phase II. A drainage design report needs to be obtained from Larry Smith to ascertain how the system is supposed to work, prior to any steps being taken to correct failures. Mr. Smith has told Ms. Lockett that he has the original plans available for her review; she will go and look at them after this day's meeting.
4. (14:47)Commissioners and engineer Lockett recently conducted site visits regarding an issue with runoff on lot # 2-3-205, belonging to **Clarence and Catherine Garrison, owners of lot #'s 2-3-205 and 2-3-206, 33 Adventurer Lane**. Mr. Garrison's recently revised request may involve runoff coming from an adjacent reserve area, down the slope and onto his lot. In February 2010, Commissioner Cairns reported that the Ludlow Maintenance Commission (LMC) Greenbelt Committee (GBC) notified the PLDD of this situation; Mr. Garrison brought to the Commissioners attention a matter of runoff coming onto his property from his neighbors' property, lot # 2-3-190. Commissioners determined at that time, by looking at the Platt map that there is no green belt or easement between lots 206 and 190, there is a sewer easement adjoining lots 190, 191 and 205; therefore since this situation involves private property runoff, the PLDD could not address correcting the matter. Though Mr. Garrison had surveyors establish boundaries, which indicated an easement, there are in fact none. Commissioners and engineer Lockett advised Mr. Garrison to either contact the County for a legal description, or access it online. Commissioners discussed the current situation, and methods to resolve the matter. Commissioner Cairns read a 1997 letter from attorney Karen Willie regarding surface water being "the common enemy", and that you must use due care when managing it, also citing a January 10, 2000 Washington State Supreme Court decision. Commissioner Laker stated that we have two sources of water going onto the Garrison's property, that being from the Greenbelt and from the uphill neighbors discharge. Commissioner Cairns suggested that the PLDD could pay for a berm (as that is on

community property, namely the Greenbelt) and possibly the uphill neighbors could be persuaded to pay for the drainage pipe to alleviate runoff coming onto the Garrison's from their property. It was also noted that the original drainage plan from the uphill neighbor property included drywells, which had been changed at the location at some point with no documentation submitted. Commissioners asked engineer Lockett to analyze the issue and see what would be needed.

5. (30:45) Engineer Lockett reported that approximately two (2) weeks prior to this day's meeting, she and Commissioner Cairns went up to Machais Loop after receiving a call from Ms. Orchanian that there had been standing water in the reserve area, in spite of the recently finished project. Ms. Lockett noted that it now appears that water is running along the peaty area of the property and is potentially circumventing the pipe. Ms. Lockett spoke with Paul from Seton Construction, but he recommends waiting for dryer weather so as not to get it all muddy, as this will take some excavation to put a "T" in for the drain, Seton employee's also noted that they observed water just spurting out of the pipe. By a motion made, seconded and unanimously approved, Commissioners directed engineer Lockett to provide a change order to Seton to take care of the Machais Loop project.
6. (38:20) Chairman Commissioner Amundson reported that he had received a few telephone calls regarding the **Procedure Sheet for placement in the LMC Architectural Control Committee (ACC) package** that would address vacant lot clearing items, i.e. the number of trees to be cut, location on lot or reserve area, and determination of area from drip line. The procedure sheet will help track compliance with the Washington State Department of Ecology (DOE) Storm water Manual laws. This would not be to control tree cutting, but to control what happens to the storm water drainage after the fact. A set of base maps will be maintained by PLDD engineering and all tree removals will be tracked with records kept. The ACC will not have the responsibility of monitoring drainage; they would just pass along the PLDD requirements.

New Business:

- (40:00) Discussion was held regarding a retaining wall that was requested of the LMC Architectural Control Committee (ACC), by Mr. Webber, son of Helen Weber who owns property on Harms Lane. The ACC requested that Mr. Webber submit copies of his plans to the PLDD for their review of how this wall may affect drainage, prior to their committee approving the construction of the wall. Engineer Lockett will review the plans as requested by the Commissioners.
- (41:47) Mel and Katie Smith, residents of Grove Court, reported during the December 2009 meeting that more sand had accumulated in the area of a previous project on the east side of Oak Bay and that rocks were beginning to wash down, creating deep channels and gouges. Previously by a motion made, seconded and unanimously approved, Commissioners directed PLDD Engineer Nancy Lockett to hire and supervise Joe Thompson to perform the repair work necessary to correct the situation; including bringing in more rock, at the cost of \$550.00. Ms. Lockett reported visiting the site with Commissioner Cairns and also discussing the matter with Joe Thompson, she believes that the problem could be resolved by broadening the path at the end of the pipe after the

catch basin, which would make it wider and slower, thereby dissipating the flow. Commissioner Amundson commented that he would like to take a look at the area prior to action being taken.

Commissioner’s Reports and Comments:

- (45:53) Commissioner Cairns reported that he attended a meeting at South Bay, and spoke with Mike Porter, a former fire commissioner, who would like to see how they could get service from PLDD, Mr. Porter is also concerned with cleaning up Port Ludlow Bay and getting the current “red” rating (unsafe to eat the shellfish) changed to “blue” (clear to eat the shellfish). Commissioner Cairns reported to Mr. Porter that the PLDD does not currently monitor or treat water runoff, the Department of Ecology is responsible for monitoring this, and that the PLDD cannot serve South Bay unless there is contiguous service requested or voted for by South Bay membership. Also, upon hearing that one person accused the PLDD of stating that the Bay was polluted, Commissioner Cairns disputed that statement and wrote a letter to Larry Nobles to that effect.

The next regularly scheduled meeting of the Port Ludlow Drainage District will be held on Thursday April 8, 2010 at 10:00 a.m., at the Beach Club in the Bay View Room.

The March 11, 2010 regular meeting of the Port Ludlow Drainage District adjourned at 11:02 a.m.

Respectfully Submitted:

Approved:

Approved:

James Laker
Drainage District
Secretary

Walter Cairns
Drainage District
Commissioner

Lee Amundson
Drainage District
Chairman & Treasurer

Amendment to the Minutes of the 138th Port Ludlow Drainage District
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Commissioner's Reports and Comments:

Excerpt

- (45:53) Also, upon hearing that a gentleman said that the PLDD made a statement that Ludlow Bay was polluted; Commissioner Cairns informed him that the PLDD never made this comment and therefore had no basis upon which to make this determination; this would be under the purview of the Department of Ecology and/or Jefferson County Health Department, etc., and would therefore be their responsibility.

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