

Minutes of the 140th Port Ludlow Drainage District
Regularly Scheduled Meeting
Thursday May 13, 2010 10:00 a.m.

~ Approved ~

Call to order: The 140th 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 April 08, 2010 meeting and the amended March 11, 2010 meeting Minutes.

Expenses:

By a motion made and carried the PLDD Commissioners approved Drainage District expenses that accrued from 10 March, 2010 to 7 April, 2010 for the total amount of \$17,883.19. A breakdown of this total is shown below:

| VOUCHER# | VENDOR | AMOUNT |
|----------|-------------------------|----------|
| 10-036 | GRAY & OSBORNE | 9,850.35 |
| 10-037 | SYMPLIFIED TECHNOLOGIES | 86.40 |
| 10-038 | SETON CONSTRUCTION | 7,480.99 |
| 10-039 | WALT CAIRNS | 90.00 |
| 10-040 | SUSAN BARTKUS | 145.45 |
| 10-041 | VIRGINIA BROWN | 230.00 |

Public Forum:

- Mr. David Pike, resident of 105 Waterhouse Lane, Ludlow Cove asked Commissioners about the disposition of a complaint that was made last August 9, 2009 by one of his neighbors, concerning the bioswale located on Waterhouse Lane. Mr. Pike read about this matter on the PLDD website, and was concerned because he had placed some rock on top of the bioswale. Commissioners Amundson and Cairns informed Mr. Pike that at the time, they had inspected the area and saw no harm done by the rock. Commissioner Cairns explained that the other side had a filtration system and was nothing harmed there either. Mr. Pike explained that another homeowner will be taking action and so he wanted to make sure that he had not created a problem. Mr. Pike also asked about a link for the PLDD website on the Port Ludlow Today website, and vice versa. Commissioner Amundson will contact Mr. Jack McKay to provide a link, thereby providing a way for residents to access each site from the other.

Old Business:

1. (9:07) Previously, Commissioners and engineer Nancy Lockett 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 involved 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 involved 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 methods to resolve this matter. During the March PLDD meeting, 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. Prolonged discussions and site visits have been held about this matter, with owners Mr. & Ms. Garrison, Engineer Lockett, PLDD Commissioners and small works roster contractor Joe Thompson. An issue that concerned many was that no public funding be used for private matters. During this day's meeting, in addition to the parties listed above, GBC Chair Ted Buehler attended to present documentation that his committee had prepared regarding this matter and easements that they had prepared for Mr. Garrison. Commissioner Walt Cairns stated that the PLDD is not in charge of surveys or platting, the PLDD is only in charge of surface water, and what the PLDD is limited to and obligated to do is handle surface water on public property, not private property. As directed by PLDD Commissioners, engineer Lockett will use these easements as a template and amend them for the PLDD to obtain an easement from the LMC, prior to work being completed for this issue. By a motion made, seconded, and carried Commissioners directed engineer Lockett to oversee this project (using her design submittal) and have small works contractor Joe Thompson perform work to correct the *surface runoff* coming from the Greenbelt onto the Garrisons property at a cost not to exceed \$813.00, this after an easement is obtained by the LMC. Commissioner Walter Cairns abstained from voting on this motion.

2. (1:00)The **Rainier to Oak Bay Greenbelt Drainage** project was discussed briefly. Engineer Lockett reported that the Public Work Trust Fund (PWTF) loan for \$646,935.00 at ½% interest, with a total project cost of \$836,000.00 for the construction portion of the project had been submitted. Ms. Lockett does not expect that any progress would happen via the paperwork until next year, but the PLDD should know this fall whether the application will be approved.
3. (1:03) Engineer Lockett had nothing new to report regarding the **Water Flow into the Bioswales and the Detention Pond**. Previously, Commissioner Walter Cairns requested that there be a study to investigate this area, 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 that she was able to obtain the original Detention Pond plans from Larry Smith, president of Olympic Water & Sewer (OWS) and she was able to make usable copies, but she was still trying to obtain the original drainage design report, which is needed before any steps are taken to correct failures. The area had been modified, possibly after the play area was moved there sometime in the 1990's.

4. (1:03) Engineer Lockett reported that repair work being done on the **Machias Loop** project is close to being complete, Commissioners were given the final change orders to sign and the paperwork to be sent after this day's meeting. Ms. Lockett did state that now that the weather is moderate, the Foster/Jackson Lane area will be surveyed. She suggests that the area repaired on Machias Loop should be surveyed and recorded for a ten (10) foot easement so Mr. & Ms. Orchanian will know where it is located, allowing them to park elsewhere.
5. (1:06) Previously, Commissioner Cairns reported that due to recent vandalism and theft in the RV area the LMC Greenbelt Committee and Operations Committee are considering clearing vegetation (primarily alder trees) within fifteen (15) feet of the fencing. This **RV Lot Clearing** would allow for possible surveillance and/or security monitoring. Commissioner Cairns spoke with LMC General Manager Brian Belmont as to why they haven't yet submitted plans. Mr. Belmont responded that it was regarding the cost of applying to Jefferson County for tree clearing, which would be \$470.00 per permit for 7,000 square feet; Commissioner Cairns suggested that the LMC submit their plan all at once for a one time application fee, then conducting the work in stages. This item will now be removed from the agenda until such a time as the LMC forwards there plans.

New Business:

- (1:09) Commissioner Cairns reported that he and engineer Lockett will be attending a meeting this day at 1:00 p.m. with **Grace Christian Church** regarding a drainage plan for their Osprey Ridge/Oak Bay property.
- (1:13) Commissioner Cairns reported that real estate agent Sally Derrig submitted a tree removal application, on behalf of her client Bernice Phillips, who owns **lot # 1-5-004** on Machias Loop, copies were provided for PLDD **for tree/brush removal tracking**.
- (1:13:25) Engineer Lockett reported meeting with Jefferson County regarding **culverts on Machias Loop and Walker Way** where there had been some low spots, the county will be building berms to correct the low spots, which should help alleviate ground water runoff to the whole area.
- (1:14) Ms. Lockett also reported that Jefferson County has decided to repair a culvert off of Oak Bay Road where it has corroded, laying new pipe to the last part of the pipe. There is an outfall located there, and at sometime Ms. Lockett recommends that the PLDD should put a dispersion structure there with a manhole or outfall to accommodate the flow.

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

The May 13, 2010 regular meeting of the Port Ludlow Drainage District adjourned at 11:20 p.m.

Respectfully Submitted:

Approved:

Approved:

James Laker
Drainage District
Secretary

Walter Cairns
Drainage District
Commissioner

Lee Amundson
Drainage District
Chairman & Treasurer