

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

Minutes for Commissioners' Regular Meeting # 0222

Thursday, February 09, 2017 at 10:00 AM

Held at the Beach Club
121 Marina View Drive, Port Ludlow, WA. 98365

Call to Order: Meeting was called to order by Chair Commissioner Uyeda at 10:00 a.m. in the Bay View Room of the Beach Club, 121 Marina View Drive, Port Ludlow, Washington 98365

Roll Call: Commissioner Allen Uyeda present. Commissioner Katie Smith present. Commissioner Don Forbes present. No absences. Engineer Nancy Lockett, Assistant Sue Bartkus.

Guests: Walt Cairns, Mel Smith, and Angela Summerfield.

Consent Items: Commissioner Forbes noted that Commissioner Smith had obtained an opinion from the Municipal Research and Services Center (MRSC) that a board generally has discretion to decide whether to approve consent items in one motion. Commissioner Forbes made a motion that the PLDD Board approve the consent items together in one motion. Commissioner Smith seconded the motion. Commissioner Uyeda carried the motion. Motion approved 3-0.

1. Approval of the January 12, 2017 Regular Meeting Minutes
2. Approval of the January 18, 2017 Special Meeting Minutes
3. Approval of Payroll Warrant Transaction in the amount of \$639.23
4. Approval of the Other Voucher/Warrants from January 8, 2017 to February 2, 2017 in the amount of \$5981.99
5. For a total of \$6,621.22

Payroll/ Warrant Transactions	Vendor	Vouchers (Warrant)	Payroll Warrant/ Trans.	Description	Total
17-P04	Susan Bartkus (Payroll)		\$639.23	32 hours wages	\$639.23
Voucher/Warrant					
17-009	Artemis Computing	\$290.00		New project computer services	\$290.00
17-010	Susan Bartkus	\$306.14		Repayment of Office Supplies	\$306.14
17-011	Cross Sound Law Group	\$ 90.00		12/05/2016 Call with Chair re: legal issues. Discussion advice on Board Responsibilities	\$ 90.00
17-012	Glessing & Associates	\$424.23		7 hrs. @ 60.00 4.23 reimbursable expenses	\$424.23
17-013	Gray & Osborne, Inc.	\$3,601.26		WWTP ditch & Mont. Culvert survey	\$3,601.26
17-014	Yarddogs Landscaping, Inc.	\$1,270.36		Inspect and Service all sites as needed	\$1,270.36
Total Payroll/Vouchers		\$5,981.99	\$639.23		\$6,621.22

Financial Information:

PLDD Cash Account	\$107,686.47
PLDD Reserve Account	\$ 40,000.00
PLDD Interest Income Reserve Fund	\$ 6,629.52
Expenses – Current Month from above	\$ (6,621.22)
NET TOTAL ALL ACCOUNTS	\$\$147,694.77
Special Assessment	
PAID TO DATE	(22.59)
UNPAID (REMAINING)	(22.59)

Expenses – Calendar Year to Date (Jan 1 – Feb 2017)	\$25,723.13
Expenses – Budget Year to Date (Jan 23 – Feb 2017)	\$ 8,093.03

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

Correspondence:

1. Commissioner Smith reported that a binder of Correspondence was now available for public review during the meeting, following the pattern of Jefferson County. She noted that it would also be valuable when researching meeting topics and history.
2. Commissioner Forbes asked about the public record request from American Transparency for information about employee data. Commissioner Smith, who responded to the request via email, reported that it was a request having to do with transparency and fiscal austerity and that it had been sent to public agencies nationwide.

Old Business:

1. Discussion was held regarding the **Waste Water Treatment Plant (WWTP) Project for Overflow Containment / Easement and Montgomery Lane surveys**. Engineer Lockett reported that the survey was done primarily to design a ditch at the base of the west embankment on the WWTP site to direct overflows from the ditch in the greenbelt above the WWTP to the outfall pipe. In addition, the surveyors obtained topographic information from the center of the cul-de-sac on Condon down to the base of the hill in the WWTP. This project may also have the potential to collect drainage from the south end of Condon and bring it down through the new overflow ditch. The project assumes a permanent easement would be granted by Olympic Water & Sewer, Inc (OWSI). A survey was also done on Montgomery Lane to look at taking water from the east ditch on Montgomery south of Libby Court, then across the street to the (opposite) west side of Montgomery to enter the catch basin and pipe over the bluff. For the WWTP, Engineer Lockett will put together a scope of work for design, and meet with OWSI to let them know what the PLDD intends. Commissioners, Engineer Lockett and former Commissioner Walt Cairns discussed different issues occurring in the area over the years. Commissioner Forbes commented that PLDD would need to show OWSI a design proposal. Engineer Lockett said that she would set up a time and put together a sketch. Commissioner Uyeda made a motion to allow Nancy to proceed with preliminary plans, and to contact OWSI to set up a meeting. Commissioner Forbes seconded the motion. Commissioner Smith carried the motion. Motion approved 3-0. Nancy noted that she would try to meet with OWSI prior to the next PLDD Regular meeting on March 9, 2017.

2. Commissioner Smith noted that she forwarded a draft resolution to the MRSC about the requirements for appointing an **Agent to Receive Claims**. They advised that the PLDD Chair position could be named as the Agent, a physical address should be included and the time of regular PLDD business hours – which could be the second Thursday of every month between 10:00 am and 11:30 am. An email address for the Commissioners was also recommended. Prior to proceeding, Commissioner Smith is waiting to assemble supporting documents required by the State, including the claim form. She will have legal counsel review her draft.

New Business:

1. Commissioner Smith noted that she reviewed approximately 40 online attorney bio-resumes from three firms recommended by the MRSC, as being firms specializing in Municipal law. Three attorneys, one from each of the firms, deemed to be qualified to serve PLDD were contacted. Engineer Lockett (at Commissioner Smith's request) conducted telephone conversations with the two candidates who responded. After review, **Angela G. Summerfield**, a supervising attorney with the firm of Ogden Murphy Wallace, P.L.L.C. was contacted via email by Commissioner Smith. Angela Summerfield has relevant experience representing drainage, diking, and lake management districts while serving as counsel for Snohomish and Thurston counties. She continues to work on all types of stormwater, shoreline and real property issues. Attorney Summerfield agreed to attend this day's meeting, at no charge, to meet with the Board and discuss PLDD legal needs. After discussion, Commissioners took time to read the terms of the prepared letter of engagement (2 originals) brought by Attorney Summerfield. Commissioner Forbes thanked Commissioner Smith for her due diligence and research. Commissioner Forbes made a motion to accept as PLDD legal counsel the firm of Ogden Murphy Wallace and that Chair Commissioner Uyeda sign the two original letters of engagement. Commissioner Smith seconded the motion. Commissioner Uyeda carried the motion. Motion approved 3-0. Angela kept one original; the other original was given to assistant Bartkus for the PLDD file.
2. Commissioner Uyeda noted that he asked that **Commissioner Roles** be put onto this day's agenda to further define each of Commissioner's responsibilities. He stressed that too much responsibility or power should not be assigned to one individual. Commissioners reviewed their division of duties discussion that occurred during the January 18, 2017 Special Meeting. After this day's discussion, Commissioners agreed that Commissioner Forbes would assume the technical role and be the lead in working with Jefferson County and Engineer Lockett on projects. Commissioner Smith would be taking the lead of financial oversight and administration. Chair Commissioner Uyeda would be overseeing all and presiding over meetings. Commissioner Forbes asked Attorney Summerfield about Commissioner discussion between meetings. She noted with a three-member Board, any discussion of District business between two Commissioners would constitute a quorum and therefore would need to comply with the Open Public Meetings Act, and prior notice requirements. She did note that one-way emails could be sent, for example; notifying fellow Commissioners of an agenda item. She also noted that you could always add to an agenda and act on that item in a Regular Meeting, but that in a Special Meeting, there could be no action taken on anything that had not been advertised. It was observed that open discussion could be had at the end of a meeting during "Commissioner Reports and Comments" prior to adjournment.

3. Discussion was had regarding the **Commissioner Voucher Submission Schedule**. Commissioner Smith noted that in January of 2014 there was an agenda item and recorded mention by Commissioners to be paid quarterly, but it was not noted in the minutes. Jefferson County Auditor, Rose Ann Carroll told Commissioner Smith that the Auditor's office had asked Chair Uyeda to adopt by resolution a payment schedule. Commissioner Smith volunteered to draft this resolution. She will have Attorney Summerfield review and finalize it prior to Commissioners adopting it.

Chair Commissioner Uyeda called for a 5 minute recess at 10:55 am.

Meeting resumed at 11:00 a.m.

Engineer Reports:

1. Engineer Lockett noted that per the 2005 Ecology Manual, each property of the **Ludlow Cove II Development** should show where they discharge. She recently reviewed **lot 31, Jefferson County Permit application 17-0018**. Nancy also reported that she just did two more reviews for this development; her comments to the County had just been mailed out with copies to the PLDD.
2. A question submitted via email regarding **Drainage for New Construction on lot # 2-3-147 on Explorer Lane** was answered directly (per Commissioner Smith's request) to the owner/builder Michael Casal, by Engineer Lockett. Nancy advised Mr. Casal that the PLDD had no facility for drainage in that area.
3. A site plan **review for a New Construction on lot # 1-02-004, 444 Montgomery Lane** was discussed. Engineer Lockett said that the impermeable surface size was originally in question, it showed on the plan to be approximately 5, 000 sq. ft. in area; Nancy noted that a building of that size would qualify as a large project, and in that case would be subject to different guidelines. David Wayne Johnson reviewed the plan, corrected the project size on the plan, and then forwarded the corrected plan to Engineer Lockett for review.
4. Nancy reported that a site plan review for **New Construction** was done, Jefferson County Bldg. Permit application for **lot # 2-3-117 on Pioneer Drive**, which would be at the end of the McCurdy Lane cut-off trench. She advised the County that the applicant should be required to connect drains into the french drain installed by PLDD. Commissioner Smith noted that this was one time the PLDD review was valuable because without it, the County would not have known about that project.
5. Engineer Lockett noted that Jefferson County receives \$4,000 to \$5,000 for each Building Permit application. PLDD asking for reimbursement for the cost of Engineer Review of the Drainage Plans is not unreasonable (approximately \$150 to \$200). Commissioner Smith encouraged Commissioner Forbes to include Engineer Lockett when he meets with County representatives, as she has a good long-term history with them.

Commissioner Reports and Comments:

1. Commissioners reviewed a flow chart named "**Planning for Construction in Port Ludlow**" prepared last November 2016 by Engineer Lockett. Commissioners agreed that it would be helpful for owners/applicants to have this guide regarding the process, to refer to on the PLDD website. Commissioner Smith will forward the chart to Diane Allen for posting.
2. Commissioner Smith noted that she had been working on "PLDD Public Records Policy" and "Agent to Receive Claims for Damages" resolutions and will try to have them ready by the March meeting.

Commissioner Uyeda made a motion to adjourn the meeting at 11:16 a.m. Commissioner Smith seconded the motion. Commissioner Forbes carried the motion. Motion approved 3-0.

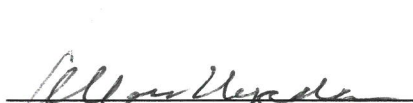
The next regularly scheduled meeting of the PLDD will be held in the Bay View Room of the Beach Club, 121 Marina View Drive, on Thursday March 09, 2017 at 10:00 a.m.

Respectfully prepared by Sue Bartkus,
PLDD Administrative Assistant

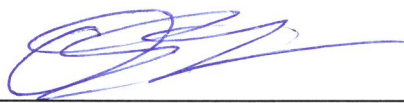
Approved:

Approved:

Approved:



Allen Uyeda, Chair
Drainage District
Commissioner 3



Don Forbes
Drainage District
Commissioner2



Katie Smith
Drainage District
Commissioner 1