

Port Ludlow Drainage District (PLDD)
February 14, 2019
Board of Commissioners
Regular Meeting - #0245
Final Minutes

The Regular Meeting of the Port Ludlow Drainage District (PLDD) was called to order by Chair Commissioner Don Forbes at 10:03 a.m. on February 14, 2019, at the Training Room of the Port Ludlow Fire & Rescue Headquarters Fire Station 31, 7650 Oak Bay Road, Port Ludlow, Washington 98365. Present:

Katie Smith, Commissioner 1
Don Forbes, Commissioner 2
Deborah Helleson, Commissioner 3

1. **CALL TO ORDER:** Chair Don Forbes called the meeting of the Port Ludlow Drainage District to order at 10:03 a.m.

2. **ROLL CALL:** Chair Don Forbes called for roll call. Present were Commissioner Katie Smith, Commissioner Deborah Helleson and Commissioner Don Forbes.

Commissioner Smith welcomed David Wayne Johnson and Emma Bolin from the Department of Community Development of Jefferson County.

3. **AGENDA APPROVAL:**

Commissioner Smith moved Item No. 9 Engineer Reports to precede Item No. 7 Old Business.

MOTION: Commissioner Katie Smith made a motion to approve the agenda as modified. Commissioner Deborah Helleson seconded the motion. Motion carried unanimously.

4. **PUBLIC FORUM:** There were comments made by Mike Scott, 105 Waterhouse Lane, Port Ludlow, concerning his liability if a tree at the edge of his property fell and damaged the drainage line. Engineer Lockett confirmed this drain pipe was not a PLDD facility. Because the tree is not in the LMC jurisdiction, permission for removal is not required from the ACC, Ludlow Maintenance Commission. David Wayne Johnson, Port Ludlow Lead Planner from the Jefferson County Community Planning Department stated that Shoreline governance would apply and he would take a look at the tree.

Commissioner Smith welcomed Jefferson County Commissioner Greg Brotherton to the meeting.

5. **CORRESPONDENCE:** The log book is available for review at each regular meeting. There were 20 items listed in the correspondence log. Most of the items listed were administration and coordination among various agencies with the exception of several application requests. There was no discussion.

6. **CONSENT AGENDA:**

- a. Review and Approval of December 13, 2018 Regular Meeting Minutes.
- b. Review and Approval of January 10, 2019 Regular Meeting Minutes.
- c. Approval of Voucher/Warrants #19-008 - #19-012 from January 1, 2019 through January 31, 2019 in the amount of \$2,933.60 (Vouchers and Financial detail attached).

MOTION: Commissioner Smith made a motion to approve the Consent Agenda with the correction on Item a. Regular Meeting Minutes of December 13, 2018. Item 7c should be Maintenance Contract, not Old Business: Drainage of Libby Court Trail. Commissioner Deborah Helleson seconded the motion. Motion carried unanimously.

7. **OLD BUSINESS:**

a. LMC **Memorandum of Understanding – Drainage Control (MOU/BMP)**. There was some discussion on what the Board’s position was on the MOU. The LMC is going forward with the communication of the simplified BMP handout. Commissioner Forbes will communicate with Brian Belmont about putting a joint workshop together (PLDD and LMC).

Engineer Reports: (moved from Agenda Item No. 9).

- a. David Wayne Johnson, Associate Planner and Port Ludlow Lead Planner at Jefferson County Community Development Department, and Emma Bolin, Supervisor, gave a presentation of what changes were being made in the department.
 - i. The 2009 Administrative Project Review Policy attachment for Applications for new plats or non-Single Residential (SFR), and SFR Development, within the Port Ludlow Drainage District (Handout No. 1) was reviewed. It was noted that the red lines on the documents were Engineer Nancy Lockett’s revisions.
 - ii. An introduction to the new “Guide to using the stormwater forms” (Handout Nos. 2 and 3).

Mr. Johnson gave a progress report on the following items from his March-2018 meeting:

- 1) Tag parcels adjacent to the Drainage District to alert staff to notify the District to any proposed development. **This was done April of last year.**
- 2) Check with the Building Division regarding curtain drainages. **Not done.**
- 3) Develop handout specific to the District to inform people regarding the process and requirements for development – for example: don’t fill in the road ditches! **Available resources in the department make this difficult to obtain but this will be kept on the list.**
- 4) Get the Building Divisions “punch list” for Stormwater to the district, ACC and Brian for comment. **There was some discussion on this.**
- 5) Propose revisions to the “Administrative Project Review Policy”. Send Word version to Nancy for input/suggested changes. **Working on this.**

- 6) Invite Public Works Stormwater Engineer John Fleming to a District Board meeting. **To be scheduled.**
- 7) What are some of the cumulative impacts expected from climate change that will affect the District? **Keep on list for further discussion.**
- 8) What do other communities like Kala Point do for review of Stormwater or critical areas? **Not done.**
- 9) Review and comment on LMC/PLDD agreement. **The LMC/PLDD have to meet and review the agreement. PLDD to keep DCD informed on progress.**
- 10) Attend LMC meeting. **Done on March 15, 2018.**
- 11) Cleared lot south of Grove and north of Pope appears to be stable and would not require a Stormwater permit, but should have BMPs applied just in case.
- 12) 120/180 Montgomery Lane – pipe in ditch work. It appears that they were putting in a new driveway and possibly a culvert. I did not see any public works permits for the site. I will let Public Works know.

There was a brief report on the new DCD fee schedule. Some staffing positions have been eliminated.

8. NEW BUSINESS:

a. Resolution **2018-05 (Commissioner Compensation) (Handout No. 5)**. Commissioner Helleson gave a short report. PLDD History of Commissioner Compensation was attached to the Handout No.5.

MOTION: Commissioner Deborah Helleson made a motion to rescind Resolution 2018-05 Revising Commissioner Compensation and Establishing an Effective Date. Commissioner Don Forbes seconded the motion. After discussion, Commissioner Helleson voted to approve the motion. Commissioner Forbes and Commissioner Smith opposed. Motion did not pass.

Both Commissioners Helleson and Smith presented research and findings on their positions.

9. ENGINEER REPORTS: This item was moved up after the Consent Agenda to accommodate the speakers' schedules.

10. COMMISSIONER REPORTS AND COMMENTS:

- a. **Commissioner Compensation – Attorney Response**
 - i. Voucher #18-057 – Legal Opinion

MOTION: This motion was carried over from the December 13, 2018, meeting when two legal opinions had been obtained on Voucher #18-057 and for this reason Commissioner Helleson made a motion to delete Voucher #18-057. Commissioner Katie Smith seconded the motion. Motion carried unanimously.

Commissioner Helleson had submitted this voucher for her expenses. The Legal Counsel's opinion was that the expense reimbursement policy would need to be adopted in advance. On the meeting time, the two resolutions consistent with state statute only apply to new terms. Additional meetings not involving a quorum are currently not reimbursed for Positions 1 and 3.

b. Monthly vs. Quarterly Meetings – County Auditor and Legal Responses.

Commissioner Forbes raised the question about the possibility of the PLDD having quarterly meetings as opposed to having monthly meetings. Often there is minimal business on a per monthly basis except for the need to pay the PLDD's vendors. The question was raised could the PLDD provisionally pay the vendors on a quarterly basis and finalize the payments at the quarterly meetings. This action would result in fewer meetings.

Commissioner Smith was asked to obtain legal advice and speak with the County Auditor Rosanne Carroll. The Auditor's response was that the quarterly meeting will not meet item (c) of RCW 42.24.180 which requires that the legislative body approve and submit payment of a claim at its next scheduled public meeting within one month of the issuance. It was the County Auditor's summation that she is not comfortable with only one commissioner being in charge of approving and submitting vouchers for payment.

The PLDD's Legal Counsel advised that she did not see it as a possibility to have one commissioner process any warrant for quarterly approval. Monthly meetings would be required in order to approve the vouched invoices in a timely manner.

Commissioner Helleson stated that she would like to further explore the idea of quarterly meetings. The advice does not preclude the commission from being able to consider quarterly meetings, but rather defines what changes would have to be made in order to have quarterly meetings. Commissioner Forbes stated that at this time the PLDD will continue to meet monthly.

c. Commissioner Activities, Reports:

Commissioner Deborah Helleson: No report.

Commissioner Katie Smith:

1/24 Attended an Enduris webinar on cyber security.

1/29 Attended Washington Secretary of State Archives webinar on the basics of managing records.

Report on Yard Dogs: Maintenance for this month; the water is not running in the snow melt but the crew will be checking all the sites in the next couple of days. A couple of trees fell into the retention pond fence and they will be taking care of that shortly.

Commissioner Don Forbes: No report.

11. SIGNING OF DOCUMENTS: Documents (vouchers and minutes) were signed during the public meeting format.

12. MEETING ADJOURNMENT:

MOTION: Commissioner Katie Smith made a motion to adjourn the February 14, 2019, regular meeting of the Port Ludlow Drainage District. Commissioner Deborah Helleson seconded the motion. Motion carried unanimously.


The February 14, 2019, regular meeting of the Port Ludlow Drainage District adjourned at 11:42 a.m.

Minutes prepared by
Cammy Brown, Recording Secretary

Approved:



Commissioner Don Forbes, Chair



Date


 **ABSENT**

Commissioner Deborah Helleson

Date



Commissioner Katie Smith



Date

Please note the Port Ludlow Drainage District (PLDD) meetings are audio recorded and are available by request at the PLDD website at www.pldd.org.

VOUCHER SUMMARY		2/14/2019		
VOUCHER NUMBER	VENDOR (Services)	Vouchers (warrant)	Payroll warrant/ transaction	Total
19-008	GLESSING & ASSOCIATES, CPA Accounting Services for Jan, and 1099s (5 hrs)	\$ 300.00		\$ 300.00
19-009	GRAY & OSBORNE Engineering Services ending Dec 31 (2.50 hrs): Dec meeting.	\$ 426.65		\$ 426.65
19-010	OGDEN MURPHY WALLACE Legal Services through Dec 31 (1.3 hrs): Review Invoice processing, commissioner compensation.	\$ 408.20		\$ 408.20
19-011	PENINSULA LEGAL SERVICES, LLC Recording Secretary Services for Dec and Jan (10 hrs): Meeting Attendance and Transcription.	\$ 300.00		\$ 300.00
19-012	YARDDOGS LANDSCAPING Maintenance Services for Jan; Inspect and Service all Sites.	\$ 1,498.75		\$ 1,498.75
		\$ 2,933.60	\$ -	\$ 2,933.60
PLDD Financial Information				
PLDD Cash Account-010 - January 31, 2019 (Includes monthly Interest of \$201.25)				\$ 80,966.06
Expenses - Current Month from Above				\$ 2,933.60
PLDD Cash Account-010 - Subtotal (after today's Vouchers)				\$ 78,032.46
PLDD Investment Account - 010				\$ 100,000.00
PLDD Investment Account - 010 Interest (from inception 12/2017 Included on Line 1)				\$ 2,066.63
PLDD Reserve Account - 040				\$ 46,800.00
PLDD Reserve Account - 040 Interest (Balance on 1/31/2019)				\$ 1,096.48
Net TOTAL All Accounts				\$ 225,928.94
2019 Special Assessment				\$ 80,000.00
Assessment Paid to Date (Included on Line 1)				\$ 183.17
Unpaid 2018 Assessment (remaining)				\$ 79,816.83
Expenditures - Calendar Year to Date (Jan 1 - Jan 31, 2019)				\$ 6,229.19
Expenditures - County Budget Year to Date (Jan 22 - Jan 31, 2019)				\$ 6,229.19