

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

Agenda for Board of Commissioners' Meeting # 0291

May 12, at 10:00 AM

ZOOM Audio Open Meeting

Port Ludlow Fire District Meeting Hall, 7650 Oak Bay Road, Port Ludlow WA 98365

COVID-19 NOTICE NO IN-PERSON PUBLIC ATTENDANCE IS ALLOWED AT THE MEETING PURSAUNT TO JEFFERSON COUNTY RESOLUTION NO. 45-21

Please join us with this Audio Zoom Link:

<https://us06web.zoom.us/j/87285387974?pwd=aDdHL3BFL2FDUIhGNHo3UHlvYm05QT09> Meeting ID: 872 8538 7974 Passcode: 206221

Telephone Audio-only: Dial 1 (253) 215-8782 Meeting ID: 872 8538 7974 Passcode: 206221. This option will allow you to listen to the meeting live on your telephone. If you wish to provide public comment press *9 to "raise your hand". Participation will be up to the Chair of the meeting.

If you do not have access to a phone, please email commish@pldd.org or districtadmin@pldd.org for help joining the meeting.

Per Proclamation by the Governor; Amending and Extending Proclamations 20-05 and 20-20 et seq. There will be no in-person component available for this meeting as no outside parties currently have access to the use of the Port Ludlow Fire Hall.

1. Call to Order:

2. Roll Call:

3. **Public Comment:** *The public comment period is for any items not specifically listed on the current Agenda or for items listed on the Consent Agenda. The Chair may place time limits on public comments to allow the meeting to be conducted in an efficient and orderly manner.*

4. Agenda Approval:

5. Consent Agenda:

Items listed below have been distributed to the Commissioners in advance for study and will be enacted by one motion. If separate discussion is desired on an item, that

item may be Removed from the Consent Agenda and placed on the Regular Agenda, at a specific time, at the request of any of the Commissioners.

Consent Action: *Approve a motion to accept the Consent Agenda as presented.*

5.a. Minutes April 14, 2022, meeting 0290.

5.b. 291 Voucher Summary: numbers 22-025 through 22-032 totaling \$3,611.06 with \$841.94 for payroll and \$2769.12 for supplies and services.

6. Commissioner Communications:

7. Old Business:

7.a. Presentation of Draft Amendments for Maintenance At Ludlow Cove II “Cottages”, Ebb Tide Court And Waterhouse Lane and Field Trip to Ludlow Cove II “Cottages, Ebb Tide Court and Waterhouse Lane followed by a Field Trip to the Three Developments.

Recommended Action: The Commission will review maps with revised maintenance areas and activities at Ludlow Cove II “Cottages”, Ebb Tide Court and Waterhouse Lane developments. The Commission will also review a draft contract amendment with Yard Dogs Landscaping, Inc. that will integrate the revised maintenance activities into the contract amendment.

7.b. 201 Montgomery Court

Recommended Action: Chair Rygmyr will provide a report summarizing information learned from follow-up with Monte Reinders, P.E. Public Works Director of Jefferson County, Barry Baker, PLDD District Engineer, and the homeowner and recommend some next steps.

7.c. Report on Port Ludlow Drainage District Records Management Guidelines (July 2021) and the Washington State Archives [Local Records Grant Program](#) Grant.

Recommended Action: Receive a report from Commissioner Cole and the Administrative Coordinator.

8. New Business:

8.a. Discussion of South Bay Homeowners Association (HOA) questions about maintenance at the Olympic Terrace Development.

Recommended Action: Receive a report from Commissioner Nilssen about recent communications with representatives of the South Bay HOA at the Olympic Terrace Development.

9. Reports:**9.a. Report of Financial Activities**

1. Report of Account Balances and Changes for April 2022 – PLDD
2. Statement of Financial Expense Budget Performance for April 2022 – PLDD
3. Jefferson County Receivable Summary April 2022 – PLDD
4. Update on State Auditors Report

Recommended Action: The Commissioners will receive a report on the financial activities of the District from Commissioner 3.

10. Signing of the Documents will be done via Docu-Sign within 5 business days of the approval as provided for in Resolution 2020-01 and 2020-02.

11. MEETING ADJOURNMENT.

Port Ludlow Drainage District (PLDD)
April 14, 2022
Board of Commissioners Meeting - #0290
Zoom Meeting - Minutes

1. **CALL TO ORDER:** Chair Gary Rygmyr called Meeting #0290 of the Port Ludlow Drainage District to order at 10:04 a.m. at the Port Ludlow Fire District meeting room. Chair Rygmyr noted that the meeting was not open to the public, but the public is welcome to join by telephone via Zoom.

2. **ROLL CALL:** Commissioner 1, Gary Rygmyr, Commissioner 2, Dean Cole, and Commissioner 3, Michael Nilssen present. District Engineer Barry Baker, Russ Lowry of Yard Dogs Landscaping, Inc and the District Maintenance Contractor and Administrative Coordinator Mary Paxton were also present. County Commissioner Greg Brotherton arrived later.

3. **AGENDA APPROVAL:** Chair Rygmyr introduced the agenda. Commissioner Nilssen explained there was a procedural error with the scheduling of the field trip on item 9.a. of the agenda. The field trip should have been scheduled as a special meeting with specific times for the visit to each development and a defined location. It was determined that Chair Rygmyr would conduct a site visit with Barry Baker, District Engineer and Maintenance Contractor, Russ Lowry after the meeting adjournment to review the maintenance maps included with agenda item 9.a. in the field.

4. **PUBLIC COMMENT:** There were no comments from the public.

5. **CONSENT AGENDA:** Chair Rygmyr introduced the items on the Consent agenda including the Minutes of the March 10, 2022, Meeting #0289 and the #0290 Voucher Summary numbers 22-014 through 22-024 totaling \$5,872.75 with \$1,748.86 for payroll, \$4,435.93 for supplies and services and \$199.96 for tax withholdings.

MOTION: Commissioner Cole moved to approve the Consent Agenda and Commissioner Nilssen seconded. Motion carried unanimously.

6. **COMMUNICATIONS:** Commissioner Nilssen shared that an article in the *Port Townsend Leader* reported financial errors were found in the state review of Jefferson County's audit of its financial records. He reported that he will be meeting with the County auditors to assure that the Port Ludlow Drainage District (the PLDD) is receiving revenues that should be collected by Jefferson County for the PLDD.

7. **NEW BUSINESS:**

7.a. **Report on Port Ludlow Drainage District Records Management Guidelines (July 2021) and the Washington State Archives [Local Records Grant Program Grant](#).** The Agenda Item 7.a. was continued to the May 12, 2022 PLDD meeting at the recommendation of Commissioner Cole.

7.b. 201 Montgomery Court. Chair Rygmyr explained that he has communicated via phone calls and email with resident Valerie Scott of 201 Montgomery Court after a referral from Commissioner Nilssen. He reported that he had reviewed plat maps for the property at 201 Montgomery Court and conditions of approval from the development. Commissioner Nilssen reported that he also conducted a site visit but did not enter the residence. There was consensus with the Commission that it is important to obtain a clear understanding of the drainage problem, areas of responsibility and solutions. It was determined that Chair Rygmyr will follow-up with Monte Reinders, P.E. Public Works Director of Jefferson County, Barry Baker, PLDD District Engineer, and the homeowner to identify some next steps for developing solutions and what entity(s) is/are responsible for the resolving the problem.

8. REPORTS:

8.a. Report of Financial Activities: Commissioner Nilssen reported that the financial reports in the agenda packet show that the PLDD is on track with the 2022 budget to date. He reported there have been \$7,900 in revenues, \$9,600 in expenses and a \$1,700 deficit. Commissioner Nilssen noted that the 2022 budget was approved to draw from reserves, so the current deficit is consistent with budgeted expenditures for the year.

Commissioner Nilssen reported that he reviewed Resolutions 2018-04 and 2021-01 with the Administrative Coordinator. He cited from Resolution 2021-01 that it delegates authority to the District bookkeeper to set guidance for payment of Commissioners and payment of payroll taxes. He reported each Commissioner will be paid monthly based on documentation of meeting attendance in the minutes and that there is no need to modify Resolution 2021-01.

9. OLD BUSINESS:

9.a. Presentation of Draft Amendments for Maintenance At Ludlow Cove II “Cottages”, Ebb Tide Court And Waterhouse Lane and Field Trip to Ludlow Cove II “Cottages, Ebb Tide Court and Waterhouse Lane followed by a Field Trip to the Three Developments. District Engineer Barry Baker shared draft maintenance maps with four new areas on Figure 1 – Areas 22, 26, 27 and 28. He noted that Maintenance Area 22 was added because it is shown on a plat map but there may not be any maintenance. Commissioner Nilssen asked whether Areas 27 and 28 were just lawn or lawn and pipe. Barry said it is a combination.

Commissioner Nilssen emphasized the importance of clarifying areas of responsibility. For example, pipes in streets are the responsibility of the Homeowners Associations (HOA’s) and not the PLDD. He recommended obtaining copies of the HOA’s Covenants Code & Restrictions from the three developments. Commissioner Nilssen mentioned that the South Bay HOA contacted him with questions about the maintenance of the Olympic Terrace development. It was recommended that the South Bay HOA inquiries be placed on a future agenda.

Barry Baker explained that the maintenance review process will help clarify the legal responsibilities of the District for the location and type of maintenance and clearly define the expectations for maintenance in the amended maintenance contract.

Commissioner Cole requested that all maps be labeled as draft documents to avoid a misinterpretation of the District's maintenance commitments. There was also a request to provide clearer definitions of the type of maintenance (e.g., Light Maintenance, Heavy Maintenance) on the tables on the Figures.

Mark Baker, Ebb Tide Court, asked that the District review prior agreements from the PLDD directors in 2005. Chair Rygmyr asked that he provide the recorded documents.

Chair Rygmyr reported that he would conduct a site visit and review the maps with Russ Lowry of Yard Dogs Landscaping and District Engineer Barry Baker after the meeting is adjourned to confirm there is consensus on the changes to the maintenance responsibilities of the District. The District will then review the maintenance map based on the post-meeting site up. The next step would be to present the revisions to maintenance to the HOAs. Barry Baker reported that he would provide revised maps based on the discussion and post meeting site visit and a contract amendment with Yard Dogs Landscaping, Inc. at the next meeting.

10. Signing of the Documents will be done via Docu-Sign within 5 business days of the approval as provided for in Resolution 2020-01 and 2020-02.

11. MEETING ADJOURNMENT:

MOTION: Commissioner Cole moved to adjourn the meeting. Commissioner Nilssen seconded that motion and it passed unanimously. Chair Rygmyr noted the meeting adjourned at 11:07 a.m.

Minutes prepared by Mary Paxton, Administrative Coordinator

Approved:

Commissioner 1, Gary Rygmyr, Chair

Date

Commissioner 2, Dean Cole

Date

Commissioner 3, Michael Nilssen

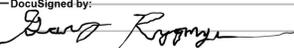
Date

*The Port Ludlow Drainage District (PLDD)
Meeting minutes are recorded and posted on the website.*

HDR	DUE DATE	INVOICE DATE	INVOICE NUMBER	VENDOR NUMBER	REMIT NUMBER	VENDOR NAME	DESCRIPTION	INVOICE TOTAL	ORG CODE	OBJECT CODE	AMOUNT-DTL
1	4/18/2022	4/1/2022	V22-14-090	8925		0 MARY PAXTON	M PAXTON PAYROLL	647.38	69500589	589400	647.38
1	4/18/2022	4/1/2022	V22-15-090	9255		0 DEAN COLE	COMMISSIONER COMPE	629.94	69500589	589400	629.94
1	4/18/2022	4/1/2022	V22-16-090	9228		0 MICHAEL NILSSEN	COMMISSIONER COMPE	471.54	69500589	589400	471.54
1	4/18/2022	3/31/2022	V22-17-090	9227		0 GARY RYGMYR	REIMBURSEMENT LAPTC	592.22	69500589	589400	592.22
1	4/18/2022	3/31/2022	3429-V22-18-090	9022		0 FALGE BOOKKEEPING SERVICES	FEB BOOKKEEPING & EXT	325	69500589	589400	325
1	4/18/2022	3/4/2022	860879V22-19-090	5610		695 OGDEN MURPHY WALLACE PLLC	LEGAL THROUGH FEB 28	648	69500589	589400	648
1	4/18/2022	4/3/2022	202204-V22-20-090	8781		0 YARD DOG LANDSCAPING INC	MARCH MAINTENANCE	1829.02	69500589	589400	1829.02
1	4/18/2022	3/28/2022	1-V22-21-090	3041		0 GRAY & OSBORNE INC	MAINT CONTRACT DEV T	529.69	69500589	589400	529.69
1	4/18/2022	4/5/2022	V22-22-090	2338		0 EMPLOYMENT SECURITY DEPAR	Q1 PAID FAMILY MEDIC/	18.8	69500589	589400	18.8
							Q1 FICA FEDERAL WITHHOLDING				
							US TREASURY INTERNAL				
							MEDICARE & SOCIAL SECURITY				
1	4/18/2022	4/5/2022	V22-23-090	9032		695 REVENUE SERVICE		170.40	69500589	598400	170.40
1	4/18/2022	4/5/2022	V22-24-090	9038		0 WA STATE DEPT OF LABORY & IN	Q2 FICA FEDERAL WITHH	10.76	69500589	598400	10.76
								5872.75			5872.75

I, THE UNDERSIGNED BOARD OF COMMISSIONERS DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN, THAT ANY ADVANCE PAYMENT IS DUE AND PAYABLE PURSUANT TO A CONTRACT OR IS AVAILABLE AS AN OPTION FOR FULL OR PARTIAL FULFILLMENT OF A CONTRACTUAL OBLIGATION, AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST JEFFERSON COUNTY AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

APRIL MONTH TOTAL WARRANT AM 5872.75

DocuSigned by:

 581591D5D4ED42C
 4/14/2022
 CHAIRMAN, COMMISSIONER

DocuSigned by:

 903253C1DE1245D
 4/14/2022
 COMMISSIONER, MEMBER

DocuSigned by:

 5DA5E0D4B162409
 4/17/2022
 COMMISSIONER, MEMBER

ATTACHMENT TO COUNTY CHECK REQUEST PLDD #0290
 PLDD Voucher Summary for Fund #695 001 010
 April 14, 2022

Voucher Number	Vendor Services	Vendor Number	Account to be Charged (BARS)	Amount	Total Voucher Amount
22-14	Mary Paxton – Employee Payroll Hours worked	8925	53150.10.0010	\$647.38	\$647.38
22-15	Dean Cole - Meetings Jan 20, Feb 17, March 3, March 10, Feb 3 meeting with Ogden Murphy & Wallace, Feb 4 tour of Drainage District facilities with Yard Dogs Landscaping.	9229	53150.10.0020 Commission Meetings	\$629.94	\$629.94
22-16	Michael Nilssen Meetings Jan 20, Feb 17, March 3 and March 10.	9228	53150.10.0020 Commission Meetings	\$471.54	\$471.54
<i>Payroll Subtotal \$1,748.86</i>					
22-17	Reimburse Gary Rygmyr Purchase of Laptop for Administrative Coordinator	9227	53150.31.0020 Office Supplies	\$592.22	\$592.22
22-18	Falge Financial, Inc. February Bookkeeping \$250 and additional services \$175m Invoice 3429	9022	53150.41.0150	\$325.00	\$325.00
22-19	Ogden Murphy Wallace, Legal services thru Feb. 28 Invoice 860879	5610-695	53150.41.0100	\$648.00	\$648.00
22-20	Yarddogs Landscaping, Inc Maintenance – March Invoice 202204	8781	53150.31.0030	\$1,829.02	\$1,829.02
22-21	Gray & Osborne, Inc. – Maintenance Contract Development Feb 26 – March 26	3041	53150.41.0010	\$529.69	\$529.69
<i>Vouchers for supplies and services subtotal \$4,435.93</i>					
22-22	Employment Security Department WAPFML Q1	2338-695	53150.20.0020	\$18.80	\$18.80
22-23	United States Treasury FICA Q1	9032	53150.20.0010	\$170.40	\$170.40
22-24	WA State Department of Labor & Industries Q1	9038	53150.20.0020	\$10.76	\$10.76
<i>Vouchers for taxes subtotal \$199.96</i>					
TOTAL					\$5,872.75

I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as described herein, and the claim is a just, due and unpaid obligation against the district herein and that I am authorized to authenticate and certify to said claim.

SUBSCRIBED THIS __14th DAY OF APRIL 2022

DocuSigned by:
Gary Ryzny
581591D5D4ED42C...

APPROVED
Port Ludlow Drainage District

Commissioners Signatures

DocuSigned by:
Gary Ryzny
581591D5D4ED42C...

DocuSigned by:
Dean Cole
903253C1DF1745D

DocuSigned by:
Michael Nilssen
5DA5EDD4B162409...

Audited By _____

Date: _____

HDR	DUE DATE	INVOICE DATE	INVOICE NUMBER	VENDOR NUMBER	REMIT NUMBER	VENDOR NAME	DESCRIPTION	INVOICE TOTAL	ORG CODE	OBJECT CODE	AMOUNT-DTL
1	5/16/2022	5/2/2022	V22-025	8925		0 MARY PAXTON	M PAXTON PAYROLL APF	501.19	69500589	589400	501.19
1	5/16/2022	5/2/2022	V22-026	9229		0 DEAN COLE	APRIL MEETING COMPEN	104.99	69500589	589400	104.99
1	5/16/2022	5/2/2022	V22-027	9228		0 MICHAEL NILSSEN	APRIL MEETING COMPEN	117.88	69500589	589400	117.88
1	5/16/2022	5/2/2022	V22-028	9227		0 GARY RYGMYR	APRIL MEETING COMPEN	117.88	69500589	589400	117.88
1	5/16/2022	4/30/2022	3490-V22-029	9022		0 FALGE BOOKKEEPING SERVICES	APRIL BOOKKEEPING & S	428	69500589	589400	428
1	5/16/2022	4/25/2022	2-V22-030	3041		0 GRAY AND OSBOURNE INC	ENGINEERING SERV MAIN	296.1	69500589	589400	296.1
1	5/16/2022	4/8/2022	861920-V22-031	5610		695 OGDEN MURPHY WALLACE PLLC	LEGAL THROUGH MARC	216	69500589	589400	216
1	5/16/2022	5/3/2022	220205-V22-032	8781		0 YARD DOG LANDSCAPING INC	APRIL MAINTENANCE	1829.02	69500589	589400	1829.02

I, THE UNDERSIGNED BOARD OF COMMISSIONERS DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN, THAT ANY ADVANCE PAYMENT IS DUE AND PAYABLE PURSUANT TO A CONTRACT OR IS AVAILABLE AS AN OPTION FOR FULL OR PARTIAL FULFILLMENT OF A CONTRACTUAL OBLIGATION, AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST JEFFERSON COUNTY AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

MAY TOTAL WARRANT AM 3611.06
MONTH

CHAIRMAN, COMMISSIONER GARY RYGMYR

COMMISSIONER, MEMBER DEAN COLE

COMMISSIONER, MEMBER MICHAEL NILSSEN

ATTACHMENT TO COUNTY CHECK REQUEST PLDD Meeting # 0291 May 12, 2022
 PLDD Voucher Summary for Fund #695 001 010

Date

Voucher Number	Vendor Services	Vendor Number	Account to be Charged (BARS)	Amount	Total Voucher Amount
22-025	Mary Paxton – Employee Payroll Hours worked April	8925	53150.10.0010	\$501.19	\$501.19
22-026	Dean Cole – April Meeting Attendance #0290	9229	53150.10.0020 Meetings	\$104.99	\$104.99
22-027	Michael Nilssen – April Meeting Attendance #0290	9228	53150.10.0020 Meetings	\$117.88	\$117.88
22-028	Gary Rygmyr – April Meeting Attendance #0290	9227	53150.10.0020 Meetings	\$117.88	\$117.88
<i>Payroll Subtotal \$</i>					\$841.94
22-029	Falge Financial, Inc. Invoice# 3490 April Bookkeeping \$250 and State Audit Preparation \$178	9022	53150.41.0150	\$428.00	\$428.00
22-030	Gray & Osborne, Inc. General Engineering April 2022 Invoice #2	3041	53150.41.0010	\$296.10	\$296.10
22-031	Ogden Murphy Wallace, Legal services thru March 31 Invoice 861920	5610-695	53150.41.0100	\$216.00	\$216.00
22-032	Yarddogs Landscaping, Inc Maintenance thru April 2022 Invoice 202205	8781	53150.31.0030	\$1829.02	\$1,829.02
<i>Vouchers for taxes subtotal \$</i>					\$2,769.12
TOTAL					\$3,611.06

I, the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered, or the labor performed as described herein, and the claim is a just, due and unpaid obligation against the district herein and that I am authorized to authenticate and certify to said claim. SUBSCRIBED THIS 12 th DAY OF Mary 2022 APPROVED Port Ludlow Drainage District		Commissioners Signatures

Audited By _____
 Date: _____

April 6, 2022

Port Ludlow Drainage District
P.O. Box 65621
Port Ludlow, WA 98365

Re: Ludlow Cove II Storm Water Management Facility

Dear Commissioners,

As president of the Ludlow Cove Division 2 Homeowners Association, I am writing to you about the stormwater management facility constructed by Port Ludlow Associates LLC to serve the plat of Ludlow Cove Division 2. This facility is listed on the District's November 2017 inventory under "Other Area Maintenance Activities" and is the subject of a July 14, 2014 maintenance agreement between PLA and the District.

Paragraph 2.3 of the maintenance agreement states that the District "will see that such stormwater facility stays free from unwanted vegetation and any accumulated debris." The District's inventory describes this obligation as cleaning catch basins and states that it begins "after construction of all properties within the development are completed." This obligation triggering event occurred on March 15, 2022 when PLA sold lot 29, located at 354 Anchor Lane.

Paragraph 2.1 of the maintenance agreement allocates to PLA responsibility for construction and maintenance of the facility. PLA has constructed a facility that includes two level spreader/infiltration trenches that discharge stormwater onto the shoreline between homeowners' properties and Port Ludlow Bay. These level spreader/infiltration trenches have performance issues that have produced waterfront bank erosion and signs of potential future bank failure.

PLA and LCD2 HOA have been in discussions for more than a year to resolve the facility deficiencies. While no repairs or modifications have occurred, PLA has assured the HOA that these issues have "the highest priority." The facility maintenance agreement provides the District with enforcement authority.

LCD2 would like to participate in joint discussions with District and PLA representatives about remedying facility performance issues and its future maintenance. If the District contemplates amendments to its contract with PLA for the facility (as suggested in the District's February 17, 2022 minutes), LCD2 would like to participate in the amendment process.

LCD2 looks forward to working with the District and PLA to address drainage facility issues and thanks you for your consideration of this letter.

Very truly yours,

Ludlow Cove Division 2 Homeowners Association

By Robert Grindeland, President

Cc: Port Ludlow Associates LLC

FW: Re: 201 Montgomery Ct. Drainage Problem Summary

From: commissioner1@pldd.org

Sent: Mon, May 9, 2022 at 7:13 pm

To: Commissioner2, Commissioner3, Barry Baker

Cc: District Admin PLDD

Fellow Commissioners, and Barry

FYI. Please review and be prepared to discuss at our meeting on Thursday.

Barry,

Any documents regarding the projects Ms. Scott refers to should be useful.

Thanks,

Gary

-----Original Message-----

From: "Val Scott" <valscott1@gmail.com>

Sent: Monday, May 9, 2022 3:45pm

To: commissioner1@pldd.org

Subject: Re: 201 Montgomery Ct. Drainage Problem Summary

Gary,

I am aware of Mr. Reinders opinion & have presented picture & video evidence to the county & Board of Equalization that Mr. Reinders assessment of the culvert damage is inaccurate. As you are aware, the culvert is a JCPW issue & runs through my property on an easement. I am working with the Jefferson County Tax Assessor & BoE to resolve valuation issues regarding damages to the property & structure from the separated culvert joint. PLDD has no jurisdiction over this matter, nor I did not ask the PLDD to be involved in these negotiations.

I do not have a crawl space. I have a daylight basement that is approximately 2,160 sq ft. It is a slab on a 9 ft deep, step down foundation. When a foundation is poured, the walls are poured first & the slab later. They are 2 separate concrete structures with a small gap between allowing for expansion & contraction. Water coming through the hillside is hydraulically pushing against the 9 ft deep foundation wall, flowing around the footing, & pressing up through the footing & slab joint. Water that doesn't flow into the sump french drain piping, is trapped under the slab & pooling, which was found when the interior push piers & brackets were installed & when the poly foam was injected under the entire slab. The hydraulic stresses on the foundation & slab from the water & slope movement, have caused the entire slab to crack. The footing & slab joint at the southeast end, near the manhole, have separated the widest. On the other side of that separation (outside, at the corner of the house), the electrical cable conduit to the house was pulled apart from slope movement (nearest to the manhole). Inside, against the back wall (parallel to Oak Bay Road) a partial drainage system & sump pump has been installed to move some of the water that is pushing in. The sump & pump are located directly below the area where the geosurvey attempted to auger drill a hole, but flooded at 6 inches. The french drain piping runs along half of the back basement wall footing, but was not continued to the southwest corner, where the culvert separation is located, due to the stairwell, door, studs, drywall, carpeting, etc. having to be removed. The sump pump French drain piping was installed, ready to connect additional drain piping at a future date, to reach the area where the culvert is separated. If the area dries once the culvert is lined, this additional piping may not be needed.

My concern with drainage issues that the PLDD does have jurisdiction over, is the water discharging from the Foster Lane Drain & Jackson-Foster French Drain, built to "direct surface drainage to the north." When my house was being constructed, a 2004 storm water analysis was used, designating the area my house is in as a potential landslide area. Mr. Reinders acknowledged that the county was aware of mudslides occurring during construction. They halted construction, but later allowed it to continue. Agreements that the homeowner would be responsible for drainage on the property were made without the county disclosing the material condition of the culvert joint alongside the foundation & BEFORE the PLDD put in 2 drain fields directing surface drainage to the north, to a trench & basin, at an elevation directly above the back of my house.

I will submit a Public Records Request for documents that may be relevant to my drainage issues.

Regards,
Valerie Scott

On Sat, May 7, 2022 at 12:55 PM <commissioner1@pldd.org> wrote:

Dear Ms. Scott,

I have reviewed all the emails, photos, diagrams, documents, and PLDD projects related to your property and the water intrusion problems you are having. I will try to summarize what I understand the main problem to be.

Water runs primarily from the West side of Oak Bay Road, under and over, and into your property. The water is intruding on both the North and South sides of the property. You provided an ariel photo with lines showing the water flow which was helpful.

In your email of 4/12/22 you said:

"I can't impress upon you enough that the water moving uncontrolled through the hillside on the NORTH end of the house, & runoff from Oak Bay Road not directed into a ditch, are my biggest concerns."

Since your property directly abuts the County road, there is no common property here that PLDD would be responsible for.

You claim that the culvert on the South side is damaged and is causing water intrusion into your crawl space. According to Monte Reinders, Jefferson County Public Works Director, in his email of 4/12 to me:

"We are slip-lining the metal culvert pipe under Oak Bay Road this summer so that it will last for another 50 to 100 years without needing to be replaced. This is unrelated to any drainage complaints Ms. Scott has."

He further elaborated the next day:

"Ms. Scott's property and the ones around it have always been pretty wet. It was a swamp before it was a subdivision. When they built that house, there was mud flowing everywhere."

"If a property owner can point to a piece of PLDD or County infrastructure that isn't functioning or needs maintenance, then that should be addressed, but it is generally up to homeowners to address drainage issues on their property."

While I am probably not aware of all the details and history regarding this culvert, PLDD has no jurisdiction over it so I don't know what PLDD can do to help with this issue.

You also wonder if the drainage improvements made by PLDD at the end of Foster Lane in 2007 and 2010, <https://www.pldd.org/projects/index.php>, may be contributing to your issues. I will ask our consulting engineer about this and to provide any information he might have.

You had a Geosurvey done in June 2018 that indicated quite a bit of groundwater in the 4 holes that were dug. I don't believe you have had any recommendations on how to mitigate your drainage issues.

Please provide any corrections and/or clarifications.

We have your issue on the agenda for our May 12th meeting to review all of this and determine next steps.

Best Regards

Gary Rygmyr

Gary Rygmyr
PLDD Commissioner 1
Commissioner1@pldd.org
(206) 383-4158

MEMO

DATE: May 7, 2022

TO: Port Ludlow Drainage District Commission

FROM: Commissioner 2 and Administrative Coordinator

SUBJECT: Overview of the Port Ludlow Drainage District Records Management and Security

Commissioner Cole and the Administrative Coordinator have met to review the records management for the Port Ludlow Drainage District (the “PLDD”). Table 1 on the following page provides an overview of where the most frequently used public records are stored and how they can be accessed. The PLDD Commission reviewed and accepted Guidelines for management of the PLDD’s public records (chapter 42.56 RCW) last July. A copy of the guidelines is provided in Attachment A to this Memo.

A few things to know about public records and management of them. Public records have been categorized in a Local Governments Commissioner Records Retention Schedule (LGCRRS) that categorizes public records and the minimum period they must be retained by a local governmental entity. The LGCRRS includes categories of public records:

1. **Archival = permanent.** These records can be transferred to the State Archives after the minimum retention period is met. Attachment B includes the list of PLDD archival records that were transferred to the State Archives in 2020. Please note archival records cannot be retrieved by the District once they are transferred. The District can go to the archives. Archival records must be retained in their original medium. Paper must be retained as paper. Email must be retained by the Commissioners and Administrative Coordinator as an email.
2. **Archival – Appraisal Required by Washington State Archives for appraisal and selective retention.**
3. **Non-archival.** Non-archival public records can be shredded after proper documentation that the minimum retention period has been met. Non-archival paper records can be scanned and saved to an electronic records management storage system and the paper records can be shredded with proper documentation.
4. **Non-Essential or Essential for Disaster Recovery**

Beach Club Storage: The PLDD leases space in a storage locker the houses a four-drawer filing cabinet. The top drawer includes binders with financial materials such as invoices, monthly general ledger reports, vouchers and other similar documents from 2016 to 2019. All but the vouchers are non-archival and can be shredded after the six-year period of retention is met. The second drawer is empty. The third drawer includes meeting materials (e.g., agendas, minutes, hand-outs, vouchers, resolutions.) The third drawer also includes the following: 1) archival and non-archival public records that are being stored until the minimum retention period is met; 2) records that need to be organized (petitions to repeal of public works project, old Gray & Osborne proposals and other misc. items. . It is noteworthy that Archival materials will not be transferred to the State Archives until there is enough material to fill a box. The fourth drawer contains office supplies and a recording system that can be used for in person Commission meetings. A very small scanner that was in this drawer is now at the residence of the Administrative Coordinator.

Records Management Grant: The State of Washington Local Records Grant Program has three categories to help facilitate the organization of public records, efficient retrieval of records for public records requests and management of records. The categories are as follows: 1. Organize file room; 2. digital imaging; 3. technology – Electronic Content Management System. At this point in time, it is not recommended to pursue a grant. It may be possible to apply for a grant for a smaller fire-proof filing cabinet in the future.

Considerations for sharing of files, access of public records and cyber security. Table 1 shows that most of the public records related to day-to-day operations are stored on the District laptop. These records are not easily retrievable for the Commissioners (e.g., contracts with vendors, invoices). Chair Rygmyr has emphasized the importance of examining the whole system. Some questions posed with the PLDD insurance renewal questionnaire raised issues the Commission may want to address.

- Do we require Multi-factor Authentication (MFA) to saccess email, intranet, privileged user accounts?
- Do we have a procedure for the timely installation of software patches and updates?

The records Management Guidelines accepted last summer include a goal to replace email-file sharing with a cloud-based storage system. The Commission may want to consider acquiring laptops for each Commissioner to improve security, initiate the use of One-Drive for cloud-based file sharing, developing a procedure for software patches and updates and develop a Multi-factor Authentication system for access to District email and accounts.

TABLE 1 - GENERAL Location of Public Records

General Subject	PLDD Web Site	Beach Club	Laptop	District admin email	State Archives
Meeting agendas, minutes, recordings, resolutions and meeting materials	2001-to present Electronic	Paper copies for 2011-2019 and some paper records from 2020 to present of resolutions and meeting materials	Electronic copies but not 100% Electronic copies of building permit reviews		2001-2010 Paper
Vouchers*	As part of most minutes 2020-2022	2011-2019 paper	2020- present	2014 - 2019	2001-2013
Invoices, Financial Reports Non-Archival	Temporary reports	2016-2019	2020- present	2016- present (considered a copy)	Not applicable
Budgets	Included in resolutions and current budget on web page Finance section		2019 - present		2001-2010 paper
Engineering Construction Documents					Most Transmitted to State Archives May 2020

Agreements, Contracts, MOUs**		Some contracts	Current contracts		Non-Archival
General Subject	PLDD Web Site	Beach Club	Laptop	District admin email	State Archives
Citizen Complaints /Property owner inquiries/Claims for damage			Some information downloaded to laptop by subject e.g., review of maintenance	Most via email keep 3 years after matter closed	Non-Archival
Census surveys			Non-archival		
Archival Documentation			2019-present		

* These public records are Archival because they were handouts at public meetings.

** Easements are non-archival. Recorded easements are on file at the Jefferson County Recorder's Office. There is a summary of all recorded easements that were part of the records review in 2020 located on the District laptop. This summary could possibly be posted on the District website.

Report of Account Balances and Changes
For April 2022
Port Ludlow Drainage District

Account	January ¹	February ²	March	April	May	June	July	August	September	October	November	December	13th Month	Totals
General Fund (GF):														
GF Beginning Cash Balance	\$ 78,043.62	\$ 68,869.14	\$ 67,862.31	\$ 67,198.92										
GF Receipts	\$ 163.09	\$ 4,722.48	\$ 3,082.88	\$ 18,559.83										\$ 26,528.28
GF Disbursements	\$ (9,337.57)	\$ (5,729.31)	\$ (3,746.27)	\$ (5,872.75)										\$ (24,685.90)
GF Ending Cash Balance	\$ 68,869.14	\$ 67,862.31	\$ 67,198.92	\$ 79,886.00										
GF Investment Pool														
GF Investment Pool Beginning Balance	\$ 148,000.00	\$ 148,000.00	\$ 148,000.00	\$ 148,000.00										
GF Investment Pool Gross Interest	\$ 11.42	\$ 12.27	\$ 28.32	\$ 49.36										\$ 101.37
GF Investment Pool Fee Amount	\$ (0.57)	\$ (0.85)	\$ (1.42)	\$ (2.47)										\$ (5.31)
GF Investment Pool Net Interest	\$ 10.85	\$ 11.42	\$ 26.90	\$ 46.89										\$ 96.06
GF Investment Pool Ending Balance	\$ 148,000.00	\$ 148,000.00	\$ 148,000.00	\$ 148,000.00										
GF Receipts Breakdown														
Special Assessment Revenue	\$ 152.24	\$ 4,710.82	\$ 3,055.98	\$ 18,512.94										\$ 26,431.98
Interest from GF Investment Pool	\$ 10.85	\$ 11.42	\$ 26.90	\$ 46.89										\$ 96.06
Transfers & Other Activity	\$ -	\$ 0.24	\$ -	\$ -										\$ 0.24
<i>GF Receipts</i>	\$ 163.09	\$ 4,722.48	\$ 3,082.88	\$ 18,559.83										

1.) \$9,337.57 disbursements were shown as expenses in the 13th month of 2021, but they impact the cash balance for January 2022.

2.) \$0.24 Transfer & Other Activity: This is the difference between the \$11.42 of net interest transferred out of the investment pool, and the \$11.66 of interest transferred in.

**Port Ludlow Drainage District
Statement of Financial Income & Expense Budget Performance**

05/09/22

Accrual Basis

April 2022

	Apr 22	Budget	\$ Over Budget	Jan - Apr 22	YTD Budget	\$ Over Budget	Annual Budget
Ordinary Income/Expense							
Income							
351.11 - Investment Interest	49.36			101.61			
368.00 - Special Assessment Capital (SA)	18,512.94			26,431.98			
Total Income	<u>18,562.30</u>			<u>26,533.59</u>			
Gross Profit	<u>18,562.30</u>			<u>26,533.59</u>			
Expense							
5000 - Personnel							
10.0010 - Administrative Personnel	705.38	759.00	-53.62	1,819.13	3,036.00	-1,216.87	9,108.00
10.0020 - Commissioner Meetings/District	1,788.22	0.00	1,788.22	1,788.22	1,110.00	678.22	4,440.00
20.0010 - Federal Taxes							
FICA Expense	145.46			230.66			
FUTA Expense	11.40			18.08			
20.0010 - Federal Taxes - Other	0.00	63.00	-63.00	0.00	345.00	-345.00	1,125.00
Total 20.0010 - Federal Taxes	<u>156.86</u>	<u>63.00</u>	<u>93.86</u>	<u>248.74</u>	<u>345.00</u>	<u>-96.26</u>	<u>1,125.00</u>
20.0020 - State Taxes							
L&I Expense	5.20			10.72			
20.0020 - State Taxes - Other	0.00	17.00	-17.00	0.00	93.00	-93.00	304.00
Total 20.0020 - State Taxes	<u>5.20</u>	<u>17.00</u>	<u>-11.80</u>	<u>10.72</u>	<u>93.00</u>	<u>-82.28</u>	<u>304.00</u>
Total 5000 - Personnel	<u>2,655.66</u>	<u>839.00</u>	<u>1,816.66</u>	<u>3,866.81</u>	<u>4,584.00</u>	<u>-717.19</u>	<u>14,977.00</u>
5001 - Field Expenses							
31.0020 - Temporary Labor	0.00	360.00	-360.00	0.00	720.00	-720.00	2,520.00
31.0030 - Drainage Maintenance Operation	1,829.02	1,830.00	-0.98	5,486.08	7,320.00	-1,833.92	21,960.00
Total 5001 - Field Expenses	<u>1,829.02</u>	<u>2,190.00</u>	<u>-360.98</u>	<u>5,486.08</u>	<u>8,040.00</u>	<u>-2,553.92</u>	<u>24,480.00</u>
5002 - Engineering							
41.0010 - General District Engineering	529.69	1,030.00	-500.31	3,029.59	4,120.00	-1,090.41	12,360.00
41.0030 - Assessment Roll & Certification	0.00	0.00	0.00	0.00	0.00	0.00	1,030.00
41.0050 - Project Review	0.00	0.00	0.00	0.00	0.00	0.00	0.00
41.0060 - Unanticipated Engineering Costs	0.00	380.00	-380.00	0.00	1,520.00	-1,520.00	4,560.00
Total 5002 - Engineering	<u>529.69</u>	<u>1,410.00</u>	<u>-880.31</u>	<u>3,029.59</u>	<u>5,640.00</u>	<u>-2,610.41</u>	<u>17,950.00</u>
5003 - Engineering - Capital Projects							
41.0015 - Miscellaneous Design Project	0.00	0.00	0.00	0.00	5,000.00	-5,000.00	10,000.00
Total 5003 - Engineering - Capital Projects	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>5,000.00</u>	<u>-5,000.00</u>	<u>10,000.00</u>
5004 - Commissioners Mileage & Expense							
43.0010 - Commissioner Mileage/Travel Exp	0.00	0.00	0.00	125.00	100.00	25.00	400.00
Total 5004 - Commissioners Mileage & Expense	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>125.00</u>	<u>100.00</u>	<u>25.00</u>	<u>400.00</u>
5005 - Miscellaneous/Office Expenses							
42.0010 - Postage/Mailings	0.00	15.00	-15.00	0.00	60.00	-60.00	180.00
44.0000 - Advertising	0.00	15.00	-15.00	0.00	60.00	-60.00	180.00
45.0010 - Rent	0.00	0.00	0.00	810.60	0.00	810.60	600.00
46.0000 - Insurance	0.00	0.00	0.00	0.00	0.00	0.00	5,170.00
47.0000 - Website Maint. & Renewal	0.00	370.00	-370.00	360.00	740.00	-380.00	1,480.00
49.0000 - Misc. Filing/Recording Fee	0.00	0.00	0.00	0.00	100.00	-100.00	200.00
Total 5005 - Miscellaneous/Office Expenses	<u>0.00</u>	<u>400.00</u>	<u>-400.00</u>	<u>1,170.60</u>	<u>960.00</u>	<u>210.60</u>	<u>7,810.00</u>
5006 - Assessments/County Fees/Electio							
48.0040 - State Auditor	0.00	0.00	0.00	0.00	1,200.00	-1,200.00	1,200.00
51.0020 - Election Cost - Jeff. County	0.00	0.00	0.00	299.63	11,000.00	-10,700.37	11,000.00
Total 5006 - Assessments/County Fees/Electio	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>299.63</u>	<u>12,200.00</u>	<u>-11,900.37</u>	<u>12,200.00</u>
5008 - Professional Services							
41.0020 - Budget Asssitance	0.00	0.00	0.00	0.00	0.00	0.00	4,000.00
41.0100 - Legal	648.00	735.00	-87.00	849.20	2,940.00	-2,090.80	8,820.00
41.0150 - Accounting Clerk	325.00	260.00	65.00	825.00	1,040.00	-215.00	3,120.00
41.0160 - Recording Secretary	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total 5008 - Professional Services	<u>973.00</u>	<u>995.00</u>	<u>-22.00</u>	<u>1,674.20</u>	<u>3,980.00</u>	<u>-2,305.80</u>	<u>15,940.00</u>
Total Expense	<u>5,987.37</u>	<u>5,834.00</u>	<u>153.37</u>	<u>15,651.91</u>	<u>40,504.00</u>	<u>-24,852.09</u>	<u>103,757.00</u>
Net Ordinary Income	<u>12,574.93</u>	<u>-5,834.00</u>	<u>18,408.93</u>	<u>10,881.68</u>	<u>-40,504.00</u>	<u>51,385.68</u>	<u>-103,757.00</u>
Other Income/Expense							
Other Expense							
49.0100 - Contingency	0.00	6,214.00	-6,214.00	0.00	42,882.00	-42,882.00	105,803.00
Total Other Expense	<u>0.00</u>	<u>6,214.00</u>	<u>-6,214.00</u>	<u>0.00</u>	<u>42,882.00</u>	<u>-42,882.00</u>	<u>105,803.00</u>
Net Other Income	<u>0.00</u>	<u>-6,214.00</u>	<u>6,214.00</u>	<u>0.00</u>	<u>-42,882.00</u>	<u>42,882.00</u>	<u>-105,803.00</u>
Net Income	<u>12,574.93</u>	<u>-12,048.00</u>	<u>24,622.93</u>	<u>10,881.68</u>	<u>-83,386.00</u>	<u>94,267.68</u>	<u>-209,560.00</u>

YEAR-TO-DATE BUDGET REPORT

FOR 2022 12

ACCOUNTS FOR:	ORIGINAL	TRANFRS/	REVISED				AVAILABLE	PCT
695 PT LUDLOW DRAINAGE DIST FUND	APPROP	ADJSTMTS	BUDGET	YTD EXPENDED	ENCUMBRANCES	BUDGET	USED	
69500589 AGENCY DISBURSEMENTS								
69500589 589400 EXPENDITURES	0	0	0	15,350.93	.00	-15,350.93	100.0%	
TOTAL AGENCY DISBURSEMENTS	0	0	0	15,350.93	.00	-15,350.93	100.0%	
TOTAL PT LUDLOW DRAINAGE DIST FUND	0	0	0	15,350.93	.00	-15,350.93	100.0%	
TOTAL EXPENSES	0	0	0	15,350.93	.00	-15,350.93		

YEAR-TO-DATE BUDGET REPORT

FOR 2022 12

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD EXPENDED	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
GRAND TOTAL	0	0	0	15,350.93	.00	-15,350.93	100.0%

** END OF REPORT - Generated by Jona Fitch **