

Port Ludlow Drainage District Board of Commissioners'

Special Meeting Agenda, Meeting #0316

January 4, 2024 at 10:00 AM

ZOOM and In Person Meeting

Beach Club, 121 Marina View Drive, Gallery Room, Port Ludlow WA 98365

You can join us in person or live with Zoom audio on your computer or telephone. Use the following Computer Zoom Audio Link to join us:

<https://us06web.zoom.us/j/86404230991?pwd=Bog8XsckEbnsepub7g2U8Rmutwnol.1>

Meeting ID: 864 0423 0991 Passcode: 919758

For Telephone Audio-only: Dial 1 (253) 215-8782 and use the Meeting ID and Passcode above. This option will allow you to listen to the meeting live on our 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.

1. Call to Order:

2. Roll Call:

3. Public Comment: The public comment period allows members of the public to comment, limited to three minutes each, on any items not specifically listed on the Agenda or for items listed on the Consent Agenda. Prior to any public comment, members of the public must first be recognized by the Chair or the designated Chair of the meeting, and are not permitted to disrupt, disturb, or otherwise impede the orderly conduct and fair progress of the Commission's meeting.

4. Agenda Approval:

5. New Business:

5.a. Discuss the format for the Special Election Candidate Forum.

Recommended Action: The Commissioners will discuss the format and setup for the candidate forum and recording.

5.b. Contract between the Jefferson County Auditor and Port Ludlow Drainage District for the 2024 Special Election

Recommended Action: The Commissioners will receive a status report.

5.c. Appointment of Three Election Officials

Recommendation: The Commissioners consider whether to appoint Port Ludlow Drainage District Commissioners 1 and 3 to serve as election Officials at the February 6, 2023 Special Election, one or more eligible voters in the Port Ludlow Drainage District and/or contract with Jefferson County Auditor staff to serve as one or all the three Officials.

6. Meeting Adjournment.

ACTIVITY	RCW FOR DRAINAGE AND DIKING SPECIAL DISTRICTS WITH MORE THAN 500 VOTERS	JEFFERSON COUNTY AUDITOR (JCA) RESPONSIBILITY	PORT LUDLOW DRAINAGE DISTRICT (PLDD) RESPONSIBILITY
Presumed eligible voters' list	85.38.110	If the PLDD fails to provide the list by November 1 st to the JCA, the JCA shall prepare the list and bill the PLDD for the cost.	PLDD to maintain a presumed eligible voters' list and provide to the JCA by November 1 st before the PLDD special election on the first Tuesday following the first Monday of the next year.
Jefferson County Auditor (JCA) Publishes Notice of filing period for a Commissioner seat	85.38.120 (2) Notice of Election	JCA publishes in the Port Townsend Leader legal notice of the filing period and location to file for candidacy for a special election at least seven days before prior to the close of the filing period.	Monitor.
Vouchers reimbursement ongoing.	85.38.120 (3) County auditor costs		The Port Ludlow Drainage District (PLDD) must reimburse the JCA for all costs incurred by the JCA for the special election.

ACTIVITY	RCW FOR DRAINAGE AND DIKING SPECIAL DISTRICTS WITH MORE THAN 500 VOTERS	JEFFERSON COUNTY AUDITOR (JCA) RESPONSIBILITY	PORT LUDLOW DRAINAGE DISTRICT (PLDD) RESPONSIBILITY
Notification about election.		<p>JCA notifies PLDD whether an election will be held based on the filings. In 2023 this was Dec. 11 to 15th (Monday to Friday) the second week of December.</p> <p>If there is an election, JCA notifies PLDD of provisions in RCW 85.38.120 (2) (3) and 85.38.125 (2)</p>	<p>If no one or only one person files as a candidate, NO further PLDD action per RCW 85.38.115.</p> <p>Two or more candidates file: The PLDD schedules a special meeting in week 3 or 4 of December.</p>
Port Ludlow Drainage District holds a special meeting with an invitation for participation from the County Auditor and all candidates to discuss the February special election in week 3 or 4 of December.	85.38.125 (2)	Response to invitation to JCA to participate in special PLDD meeting.	<p>Special meeting for PLDD to decide whether to contract with Jefferson County Auditor (the "JCA") to either:</p> <ol style="list-style-type: none"> 1. Contract with the JCA to conduct the election by mail or; 2. Port Ludlow Drainage District will administer an in-person election and contract with the JCA to specify the responsibilities of the PLDD and the JCA.

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Approval of Contract with JCA for contract for special election.	85.38.125 (2)	Jefferson County prepares the contract and submits to PLDD for review	<p>Post special December meeting where an election will be held, PLDD notifies the JCA ASAP whether there will be a contract with JCA to administer the election or a contract with JCA for the PLDD to administer the election.</p> <p>January PLDD special or regular meeting Commissioners consider approval of contract.</p>
Notification and establishment of location and hours for in-person polling.	85.38.130		December/January PLDD notifies JCA of date, time (at least six consecutive hours) and location for polling for Special election between 7:00 a.m. and 8:00 p.m.
Notification and establishment of location and hours for in-person polling and availability of absentee ballots no more than 45 days before the election.	85.38.130	JCA provides an absentee ballot to each voter on the list of presumed eligible voters or who submits information to the JCA that establishes in their option the eligibility to vote.	PLDD posts information about the date, time of in person voting and how to secure absentee ballots and when to be mailed on web site, Beach Club bulletin board, etc.

ACTIVITY	RCW FOR DRAINAGE AND DIKING SPECIAL DISTRICTS WITH MORE THAN 500 VOTERS	JEFFERSON COUNTY AUDITOR (JCA) RESPONSIBILITY	PORT LUDLOW DRAINAGE DISTRICT (PLDD) RESPONSIBILITY
Appointment of Election Officials:	85.38.130		January regular or special meeting PLDD appoints three eligible election officials: 1) Commissioners may act as election officials; and or 2) Commissioners may appoint eligible voters in the PLDD; and or 3) Commissioners may contract with JCA to provide one or more election officials.
Printing of ballots	85.38.130		PLDD prints ballots. PLDD prints clearly marked numbered "challenged" ballots starting with the number one on different colored paper for voters with questionable eligibility.
Public Notice of special election in a newspaper of general circulation.	85.38.120 (1)	JCA publishes a public notice of the election in the newspaper of general circulation (<i>Port Townsend Leader</i>) not more than 10 days or less than 3 days before the election. The notice will be published on January 31, 2024	

ACTIVITY	RCW FOR DRAINAGE AND DIKING SPECIAL DISTRICTS WITH MORE THAN 500 VOTERS	JEFFERSON COUNTY AUDITOR (JCA) RESPONSIBILITY	PORT LUDLOW DRAINAGE DISTRICT (PLDD) RESPONSIBILITY
Voting Day	85.38.130	JCA provides a voting booth, ballot boxes, trays and will be present on voting day (for staff cost) at the request of the PLDD.	
Closing of Polls	85.38.130		PLDD to deliver ballots to JCA by 12:00 p.m. following the day of the election (February 7, 2024) unless a JCA staff person working as an election official delivers the ballots to JCA.
		Starting February 7, 2024 JCA counts the ballots.	

RCW 85.38.100 General elections. General elections shall be held in each special district on the first Tuesday after the first Monday in February in each even-numbered year. The auditor of the county within which a special district, or the largest portion of a special district, is located may provide for special elections whenever necessary. [1991 c 349 § 5; 1985 c 396 § 11.]

RCW 85.38.110 Presumed eligible voters' list—Notice of requirements of voting authority—Copy of voter's list to county auditor. A list of presumed eligible voters shall be prepared and maintained by each special district. The list shall include the assessor's tax number for each lot or parcel in the district, the name or the names of the owners of such lots and parcels and their mailing address, the extent of the ownership interest of such persons, and if such persons are natural persons, whether they are known to be registered voters in the state of Washington. Whenever such a list is prepared, the district shall attempt to notify each owner of the requirements necessary to establish voting authority to vote. Whenever lots or parcels in the district are sold, the district shall attempt to notify the purchasers of the requirements necessary to establish voting authority. Each special district shall provide a copy of this list, and any revised list, to the auditor of the county within which all or the largest portion of the special district is located. The special district must compile the list of eligible voters and provide it to the county auditor by the first day of November preceding the special district general election. In the event the special district does not provide the county auditor with the list of qualified voters by this date, the county auditor shall compile the list and charge the special district for the costs required for its preparation. The county auditor shall not be held responsible for any errors in the list. [1991 c 349 § 13; 1985 c 396 § 12.]

RCW 85.38.115 Elections—When not required. No election shall be held to elect a member of a special district governing body, or to fill the remainder of an unexpired term which arose from a vacancy on the governing body, if no one or only one person files for the position.

If only one person files for the position, he or she shall be considered to have been elected to the position at the election that otherwise would have taken place for such position.

If no one files for the position and the upcoming election is one at which someone would have been elected to fill the expired term, the position shall be treated as vacant at the expiration of the term.

If no one files for the position and the upcoming election is one at which someone would have been elected to fill the remaining term of office, the person appointed to fill the vacancy shall be considered to have been elected to the position at the election and shall serve for the remainder of the unexpired term. [1991 c 349 § 6.]

RCW 85.38.120 Elections—Auditor's assistance—Notice—Auditor's costs. The auditor of the county within which a special district, or the largest portion of a special district, is located shall assist such special district with its elections as provided in this section.

(1) The county auditor shall publish notice of an election to create a special district and notice of all special district elections not conducted by mail in a newspaper of general circulation in the special district at least once not more than ten nor less than three days before the election. The notices shall describe the election, give its date and times to be held, and indicate the election site or sites in the special district where ballots may be cast.

(2) If a special district has at least five hundred qualified voters, then the county auditor shall publish in a newspaper of general circulation in the special district a notice of the filing period and place for filing a declaration of candidacy to become a member of the governing body. This notice shall be published at least seven days prior to the closing of the filing period. If the special district has less than five hundred qualified voters, then the special district shall mail or deliver this notice to each qualified voter of the special district at least seven days prior to the closing of the filing period.

(3) All costs of the county auditor incurred related to such elections shall be reimbursed by the special district. [1991 c 349 § 14; 1985 c 396 § 13.]

RCW 85.38.125 Elections—Auditor to conduct. (1) If a special district has less than five hundred qualified voters, then the special district must contract with the county auditor to conduct the special district elections.

(2) If a special district has at least five hundred qualified voters, the special district may contract with the county auditor to conduct the election. A special district with at least five hundred qualified voters may also choose to conduct its own elections. A special district that conducts its own elections must enter into an agreement with the county auditor that specifies the responsibilities of both parties. [2011 c 10 § 83; 1991 c 349 § 15.]

Notice to registered poll voters—Elections by mail—2011 c 10:
See note following RCW 29A.04.008.

**RCW 85.38.127 Elections—Special flood control districts—
Qualified voters.** All registered voters within a special flood control district consisting of three or more counties are qualified voters in special flood control district elections. [2009 c 144 § 2.]

RCW 85.38.130 Election officials—Duties—Voting hours—

Challenged ballots—Absentee ballots. For special district elections that are not conducted by mail, the governing body of each special district shall appoint three voters of the special district, who may be members of the governing body, to act as election officials, unless the special district contracts with the county auditor to staff the election site. The election officials shall distribute a ballot or ballots to each voter of the special district who arrives at the voting place during the hours for the election on the day of the election and requests a ballot. Ballots shall also be provided to those persons arriving at the polling place during the hours for the election on the day of the election who present documents or evidence sufficient to establish their eligibility to vote. A person arriving at the polling place at such times who demands a ballot, but who fails to present documents or evidence which in the opinion of the election officials is sufficient to establish eligibility to vote, shall be given a ballot clearly marked as "challenged" and shall be allowed to vote. Each challenged ballot shall be numbered consecutively and a list of such persons and their ballot numbers shall be made.

The governing body of each special district shall designate those hours from 7 a.m. to 6 p.m. during which the election shall be held: PROVIDED, that at least six consecutive hours must be designated. When the election is over, the election officials shall secure the ballots and transport the ballots to the county auditor's office by noon of the day following the election. The auditor may, at his or her discretion, station a deputy auditor or auditors at the election site who shall observe the election and transport the ballots to the auditor's office. The auditor shall count the ballots and certify the count of votes for and against each measure and for each candidate appearing on the ballot. A separate count shall be made of any challenged ballots. A challenged ballot shall be counted as a normal ballot if documents or evidence are supplied to the auditor before 4:00 p.m. on the day after the election that, in the opinion of the auditor, are sufficient to establish the person's eligibility to vote.

Additionally, voting by absentee ballot shall be allowed in every special district. A request for an absentee ballot may be made by an eligible voter by mail or in person to the county auditor who supervises the special district elections. An absentee ballot shall be provided to each voter of a special district requesting such a ballot under this section. A person requesting such a ballot may present information establishing his or her eligibility to vote in such a special district. The auditor shall provide an absentee ballot to each person requesting an absentee ballot who is either included on the list of presumed eligible voters or who submits information which, in the auditor's opinion, establishes his or her eligibility to vote. The names of these persons so determined to be eligible to vote shall be added to the list of presumed eligible voters for the appropriate special district. The request for an absentee ballot must be made no more than forty-five days before the election. To be valid, absentee ballots must be postmarked on or before the day of the election and mailed to the county auditor. [1991 c 349 § 16. 1985 c 396 § 14.]