

Port Ludlow Drainage District

Post Office Box 65261

Port Ludlow 98365

Minutes of the Jefferson County Board of Commissioners

Public Hearing

7:00 PM, 24 July, 2001

County Commissioners Present: Glen Huntingford, Dan Titterness, Richard Wojt, and James Pearson.

PLDD Commissioners Present: Walt Cairns, Bill Wilke, and Richard Regan.

Call to order: The meeting was called to order by the Chairman Glen Huntingford at 7:05 PM, with the first order of business was introduction of the Commissioners present. Commissioner Huntingford then explained that public hearing was called together to take testimony from the affected persons in favor of or against an ordinance establishing an Assessment System for the Port Ludlow Drainage District, pursuant to the requirements of Chapter 85.38 Revised Code of Washington (RCW). With the hearing scheduled to start at 7:30 PM, a workshop on the Assessment System was presented prior to the hearing. Mr. Barry Baker P. E., Gray and Osborne Inc., made a presentation.

Assessment Methodology Workshop:

When Port Ludlow Drainage District was formed Jefferson County hired Gray and Osborne, Inc. consulting engineering firm to prepare an assessment rate schedule for the district in compliance with Washington State Law. District revenue needs were identified. They included preparation of a surface water management plan; undertaking phased program of improvements; operation, maintenance and restoration of the existing drainage facilities; making necessary repairs to and/or replacements of the drainage system; planned capital improvements, and repayment of the loan advanced to the district by the county.

Revenue methodologies were presented. As RCW does not allow collection of revenue based on the property value, other objective criteria had to be found. Mr. Baker explained that revenue collection could be based on benefit, use, or combination of the two. Therefore, besides collecting a flat fee, revenue could be collected as gross area charge, impervious area charge, or a combination of the two. The PLDD Commissioners recommended that a combined gross-impervious assessment method with a 35:65 split be used in the Port Ludlow Drainage District.

In his presentation Mr. Baker suggested that the district could be divided into three assessment zones. Zone 0 will include areas, which are currently undeveloped and have no potential to be developed in the future. Zone 0 will only include green belts and parks but will exclude large residential parcels. Assessment on Zone 0 properties will be 0. Zone 2 will include the five-acre parcels west of Osprey Ridge Drive. Zone 2 parcels would pay 25% of gross area charge and regular impervious charge. Zone 1 will include the remainder of the land within PLDD boundaries and will be assessed by gross-impervious assessment method with a 35/65% split.

Based on the information taken from the Jefferson county tax rolls, Gray and Osborne Inc. has compiled PLDD database allowing to calculate individual assessments. All the commercial areas within the PLDD boundaries have been measured. All single-family residences were entered as Equivalent Residential Units (ERU) and assumed to have 3000 square feet of impervious area. The multiple-family residences (condominiums, apartments, etc.) would be assessed as 0.75 ERU. County roads coming through Port Ludlow are not included in the PLDD, and, therefore, will not be assessed.

First assessment tables were created in May 2001. Now, when more data have been collected, an assessment roll draft based on real estimates has been presented to the Jefferson County Commissioners for consideration. PLDD includes 1168 parcels with total acreage of 611.2 acres and total impervious area of 1,107.424 square feet.

The commissioners and the audience then were asked to take a look at the handouts made by Gray and Osborne Inc. showing relative impact from various rate methods. Three scenarios were presented as follows: Zone 0 excluded, Zone 0 included, and Zone 0 and 2 paying 25% of gross area charge.

Answering the questions, Mr. Baker stated that multiple lot owners would be assessed for one lot with ERU and one or more undeveloped lots they own. He estimated that PLDD budget would be set at around \$80,000.00, considering the costs of the comprehensive study and repayment of the county loan issued to startup the district. PLDD application for a five-year loan at 0.5% interest from Centennial Clean Water Fund was approved this month.

Mr. Baker recognized the fact that Port Ludlow #7 has an established storm water management system. Legally, he said, assessment credits could be issued to the residents of that area. However, he noticed that drainage system must be inspected for proper maintenance. That would be a part of the comprehensive study. The study is estimated to take 18 to 24 months (at least one winter needed to collect the data plus the time for the data analysis).

Until the study is completed, Mr. Baker continued, no credits could be issued for on-sight engineered drainage systems.

County roads going through Lake Stevens Drainage District are not assessed for storm water management. They are assessed only for water quality purposes. As Port Ludlow has no water quality problems, water quality assessment cannot be applied to the PLDD. If the roads are to be included into the PLDD, the county will have to ask Port Ludlow Drainage District to annex the roads and add them to the PLDD assessment roll. County Commissioner Glen Huntingford agreed that the county has to assume some responsibility for the run-offs caused by the county roads.

Public Hearing:

Comments are taken in person and in writing. All decisions will be made by the Board August 6, 2001.

1. **Charles Wright**, President of the LMC Board of Trustees.
On behalf of the LMC Board of Trustees, Mr. Wright encouraged the Board of County Commissioners to listen to all public testimonies carefully with an open mind and treat them as fair as possible. He publicly thanked the PLDD Commissioners for their work and pledged his support to the district.

2. **Greg McCarry**, Olympic Property Group LLC
On behalf of the Olympic Property Group LLC, Mr. McCarry expressed his gratitude for the opportunity to comment on proposed assessments for the PLDD and expressed support of the formation and implementation of the district. However, he continued, OPG feels that the assessment methodology needs modification in order to be equitable. First, impacts to drainage systems occur when properties are developed and impervious surfaces have been created. Therefore, the idea of assessing vacant, undeveloped, and forested properties is questionable, as they have not impacted downstream storm systems. These properties can be assessed once development has taken place and impervious surfaces been created. Second, the language regarding undeveloped reserve areas is somewhat ambiguous. Mr. McCarry wondered if it applies to all reserve areas in all developments. Also, he continued, if undeveloped vacant land (owned by individuals) was to be assessed, then it seems that undeveloped reserve areas of the various North Bay properties should be assessed as well, otherwise the owners that are not in some kind of association will be picking up a disproportionate burden. Third, the initial motivation for forming the District was in response to drainage problems in the older portions of Port Ludlow that were developed before modern storm water systems were required. The proposed assessment strategy needs to differentiate between older and newer developments. For instance, there are several areas (such as Port Ludlow #7) that were recently developed with storm drainage systems that conform to the DOE Storm Water Manual. Due to this, the downstream impact from these areas is considerably less than the one from the older portions of the District. The homeowners associations for these newer developments already provide much of the maintenance for these sophisticated systems. In conclusion, Mr. McCarry suggested bringing all the older drainage systems up to a modern standard through the use of a special capital assessment that applied only to those areas. Once the old facilities have been modernized, he continued, PLDD should take over the maintenance responsibilities of the homeowner associations and charge a uniform rate for ongoing upkeep and maintenance. Finally, Mr. McCarry stated that OPG strongly recommends that methodologies utilized by the other municipalities be compared to the current proposed assessment structure in order to devise the most equitable solution.

3. **Bruce Halvorson**, Lot 2 Division 6
Mr. Halvorson owns a five-acre lot. He was surprised and angered with the assessment scenario sent to the PLDD members last month. The assessment seemed to be too big. Then, Mr. Halvorson continued, he realized that partly it was his own fault, he did not follow the assessment methodology development, he has never attended a PLDD meeting to express his concerns. Mr. Halvorson said that the owners of the five five-acre parcels included into PLDD believe that their properties would not benefit from a drainage system that is to be developed in the North Bay. They are confident that their parcels do not contribute to the drainage problems of the PLDD. However, Mr. Halvorson continued, the owners of the five-acre lots feel

that being a part of the Port Ludlow community they should contribute to the community projects. They believe they need to be assessed as much as the rest of the community and, therefore, strongly recommend a flat rate assessment.

Later that night, Mr. Halvorson, asked the Commissioners not to include LMC properties into assessment as all LMC members are already assessed an LMC membership fee. He also suggested that not-improved areas would benefit from Drainage District if their drainage problems were taken care of.

4. **Ron Gregory, 22 McCurdy Lane**

Mr. Gregory owns two lots. He does not find a flat fee assessment fair. He supports the PLDD, feeling that there is a need in the community for the storm water management system. However, Mr. Gregory wants to see the PLDD budget established before an assessment is done. He is concerned about the high costs of the engineering consultants for the district and wants to make sure the money is wisely spend. Mr. Gregory also wants to see the reserve assessed. He believes that everybody within the PLDD boundaries has to contribute to the PLDD. Finally, Mr. Gregory stated that his property does not have 3,000 square feet of impervious area and requested that a detailed study is done and the assessment reflects precise property measurements.

5. **Inga Bartlett**

Mrs. Bartlett, an owner of two five-acre lots, spoke on behalf of the Stevens family, also owners of a five-acre lot, when she stated that they believe that before discussing an assessment a budget has to be established and plans outlined. The Bartletts went to the Montgomery Lane, known to have a drainage problem. They agree there is a problem in that area and they sympathize with the property owners of the Montgomery Lane. They want to help solve drainage problems of the community as they feel it is their duty as community members. However, Mrs. Bartlett does not think that proposed Zone 2 assessment is fair enough. She asked the Commissioners to create zones according to the degree of benefit from the drainage system that is to be developed in the PLDD. Mrs. Bartlett finds the assumption that all ERUs in the district are 3,000 square feet for the assessment purposes fair and votes for the assessment based on impervious area only. Finally, Mrs. Bartlett said that a flat fee scenario seems possible. However, it could be considered unfair by the owners of undeveloped lots, which to her believe do not create a drainage problem unless surrounded by developed lots, at which point they actually fail to absorb all the water that flows through them.

6. **Howard Morse, 30 Montgomery Lane**

Mr. Morse argued that the community has to realize who will benefit the most when storm water management system is set in place. Storm water is a community problem. The greenbelts seem to carry most of the water, and, therefore, according to Mr. Morse will be the main beneficiaries of the drainage system. Greenbelts as well as other LMC resort properties, Mr. Morse concluded, have to be assessed.

7. **Charlse Baldwin, 42 Wells Ridge, Port Ludlow #7**

Mr. Baldwin resides in Port Ludlow #7, one of the newer Port Ludlow areas with a developed Storm Water Retention System. The property owners of the area are currently assessed a flat system maintenance fee of \$120 a year. Sixteen out of

twenty two lots in the development are developed. The property owners of Area 7 believe they should be credited by the PLDD for maintaining their drainage system.

8. **Michael Cohn**, 104 Wells Ridge

Mr. Cohn owns a house built on two lots. He feels that the PLDD was formed to help our community as a whole. Mr. Cohn suggested that the county helps the PLDD solve the problem of run-offs caused by the county roads running through the drainage district. He also believes that five-acre lot owners deserve a credit and so do the owners of the lots with individual drainage systems.

9. **Ralph Thomas**, 103 Cascade Lane

Mr. Thomas considers drainage a community issue. Up to date, only half of the district is built out. The drainage problem will worsen when all lots are developed, and that, Mr. Thomas emphasized, needs to be considered. Now, he continued, the PLDD has an operational budget. Next year, the costs of the engineering study will be included in the budget and the assessment could double. Therefore, Mr. Thomas suggested, an appeal system should be developed as problems arise.

10. **Bert Loomis**, 113 Osprey Ridge Drive

Mr. Loomis spoke to the County Commissioners regarding the amount of money he had spent developing his on-site drainage system and the fact that no consideration was given to that effort. He demanded that the PLDD consultants do better research.

11. **Leland Amundson**, 32 Navigator Lane

Mr. Amundson opposed the idea of a flat fee. The house he owns is only 1200 square feet. The county tax rolls have information on the square footage of the taxed properties and Mr. Amundson suggested that information would be taken into consideration. He also suggested that assessment zones be defined based on severity of drainage problems.

12. **Jean Fuller**, 110 Warbler Lane

Mrs. Fuller is a homeowner, who has installed a drainage system on her property and feels that she is not going to benefit from the Drainage District in any way. She wants to know what the PLDD budget is going to be before she agrees to be charged an assessment. She asked that another Public Hearing be held to discuss the PLDD budget prior to another Public Hearing on assessment.

13. **Madelin Curll**, 472 Montgomery Lane

Ms. Curll has recently bought a house in Port Ludlow. It is a beautiful place. She hopes the community will do its best to keep it this way and preserve the environment. Ms. Curll believes that storm water is a community problem and it is up to all of us to deal with it. Greenbelts of the community belong to all of us living in the community. They help us control storm water by absorbing it. The greenbelts, the parks, the roads within the PLDD boundaries help us enjoy our life in this community. Therefore, Ms. Curll continued, we, as a community, have to agree to support and protect our environment. We have to set our differences aside and act as a community, we need to do whatever needs to be done to make it better.

14. **Walt Cairns**, PLDD Chairman

Responding to the issues raised by the audience, PLDD Chairman Walt Cairns took the stand. He wondered why nobody questions gross area assessment of the multiple lot owners while claiming that gross area assessment of the five-acre lots is unfair. Regarding Port Ludlow #7, Mr. Cairns announced that PLDD is considering taking over the maintenance of the drainage system installed in the development. If that happens the property owners of Port Ludlow #7 will be relieved of their current assessment, collected for the system maintenance. The only drainage assessment from the area will be collected by the PLDD. Mr. Cairns confirmed that PLDD has secured a five-year State Centennial Loan at 0.5% interest. Finally, the Commissioner asked the audience to try focusing on the methodology not the budget.

15. **Joe Darcy**, 657 Rainier Lane

Mr. Darcy announced that he is ready to quitclaim the Port Ludlow 7's water retention facility to the District right now.

After the assessment methodology is accepted by the County Commissioners, it must be reviewed at least every four years.

After the testimonies were completed, Board of County Commissioners Chairman Glen Huntingford announced that written comments could be submitted for Board consideration till 5 PM on Friday, 27 July 2001. The PLDD assessment methodology is to be discussed, and accepted or amended at the County Commissioners meeting on Monday, August 6, 2001.

Public Hearing adjourned at 9:20 P.M.

Respectively Submitted:

Approved:

Approved:

Richard Regan
Drainage District
Secretary

Walt Cairns
Drainage District
Chairman

Bill Wilke
Drainage District
Treasurer