

Minutes of the 208<sup>th</sup> Port Ludlow Drainage District  
 Regularly Scheduled Meeting  
 Thursday, December 10, 2015 10:00 AM  
 ~ Approved ~

The December 10, 2015 Port Ludlow Drainage District (PLDD) Meeting was Called to Order in the Bay View Room at the Ludlow Maintenance Commission (LMC) Beach Club, 121 Marina View Drive, Port Ludlow, Washington at 10:00 a.m. by Chair Commissioner Jim Boyer.

**Roll Call:** Commissioner Boyer, present. Commissioner Wilcox, absent with prior notice. Commissioner Uyeda, present. A quorum was reached.

**Attendance:** Administrative Assistant Sue Bartkus. Guests included: Brian Belmont, Mike Bishop, Walt Cairns, Ron Gregory, Bud Kerns, Kathleen Kler (Jefferson County Board of County Commissioners, BOCC), Ron Kletti, Gary Martin, Phillip Morley (Jefferson County Administrator), Lyle Newlin, Mike Nilssen, Monte Reinders (Jefferson County Public Works), Mel & Katie Smith, and Elizabeth Van Zonneveld.

**Minutes:** Commissioner Uyeda made a motion to approve the Minutes of the November 12, 2015 Regular Meeting as written. Commissioner Boyer seconded the motion. Motion carried. Motion approved 2-0.

**Expenses:** Commissioner Boyer reviewed expenses. Commissioner Uyeda made a motion to approve the vouchers from November 9, 2015 to December 4, 2015 for a total of \$92,952.36. Motion was seconded by Commissioner Boyer. Motion carried. Motion approved 2-0.

Voucher	Vendor	Amount
15-080	Susan Bartkus	1,601.77
15-081	Glessing & Associates	120.00
15-082	Gray & Osborne	2,578.57
15-083	Seton Construction	87,331.66
15-084	Seaman Law Firm	50.00
15-085	Yard Dog Landscaping	1,270.36

Financial Summary:

PLDD Cash Account	304,611.51
PLDD Reserve Account	40,000.00
PLDD Interest Income Reserve Fund	6,398.07
Expenses – Current Month from Above	<u>(92,952.36)</u>
Net Total All Accounts	258,057.22
Special Assessment 2015	123,000.00
Paid to Date	(127,824.99)
Unpaid (remaining)	4,824.99

**New Business:**

1. Chair Commissioner Boyer noted that some owners (Gary Martin and Mike Bishop in attendance this day) have expressed concerns over drainage control occurring on their private property, but

that the PLDD mandate must focus on commonly owned property, or runoff occurring from commonly owned property. In particular, overflow that is clearly coming out of the Green Belt area. Some of the spillage that has been happening on Goliah and Condon Lanes may be alleviated when the Cascade project is finished. Commissioner Uyeda noted that when the Cascade project has been completed, that the PLDD could have Yard Dog Landscaping (the current small works contractor conducting PLDD maintenance) clean and clear along the creek bed. Commissioner Uyeda told Mr. Bishop that the PLDD could work with him about access, to further investigate the problems occurring on his property. It was noted that the problem with Mr. Martin's property, 94 Gamble Lane, is that runoff from two uphill properties, and from the road, runs into his driveway and garage. A catch basin and asphalt berm directs it into Mr. Martin's driveway; the berm is in the County right-of-way. The PLDD and the County need to co-ordinate to alleviate the matter. Mr. Martin noted that the simple way to take care of it is to direct it into the ditch, but one more problem is that the ditch functions at the south end of the street but not at the north.

Commissioner Boyer explained that another problem similar in nature is located at the end of Condon Lane, and affects the Babaian and Specter properties. There was a letter written by Engineer Nancy Lockett in 2010 that identified the problem and possible solutions, but since Engineer Lockett is unavailable today at this meeting, she will be asked to look at the matter again upon her return.

Commissioner Boyer noted that the PLDD would like to draft some language, a Memorandum of Understanding (MOU) on what would be PLDD's responsibilities and what would be Jefferson County's responsibilities regarding drainage issues in the North Bay area. Residents pay assessments to PLDD and taxes to the County, and they need proper representation. In the past, the issue has come up, drafts were made, but nothing was ever signed. Commissioner Boyer noted that on Trader Lane the PLDD and Jeff. Co. coordinated to alleviate an issue, on Rainer Lane a culvert was put in and dispersed into the Green Belt.

Mr. Morley responded that the County can look into the records. The road system had been functioning, but in the 1970's, 80's, and 90's development has overwhelmed it. The onset of the PLDD came about so residents could deal with problems by self-improvement, we (Jeff. Co) look for those opportunities to coordinate with the PLDD. Jefferson County adopts a six year plan. The County has 400 miles of roadway to take care of in the next six years for an entire county at \$224,000.00 dollars per year. We are really constrained; we match with the State or Federal dollars to stretch to meet urgent needs. We simply don't have the capacity to take on additional responsibility. Commissioner Uyeda noted that some houses that were built earlier have filled in their ditches; he asked Mr. Morley if an owner has filled in their ditch, are they then legally responsible to take care of the problem? Mr. Morley replied yes, but they would still need to get a County permit if it's in the County right-of-way.

Commissioner Boyer said he didn't want Mr. Morley to misunderstand, he wasn't asking the County to take on additional responsibility. He further commented that the PLDD was created to take care of the Green Belt areas and commonly held properties, and we think that we could pre-negotiate some solutions with the County. The County has the ability to go out and do something

the next day if they choose to, they don't have to go through all of the bureaucracy, obtaining permits, engineering, etc....that the PLDD has to do, sometimes at great cost and time, before they can get something done. Mr. Morley responded "Certainly, we all want to serve the property owners, we have and we do partner to take care of problems. Two things, we'll look back and see if there is any formal agreement. We're always willing to consider a proposal. Be realistic and do not expect a major shift in roles". Commissioner Boyer asked former PLDD Commissioner Walt Cairns if he recalled an MOU ever being signed in the past. Mr. Cairns responded that he wasn't a Commissioner at the time one was carefully developed by former Commissioner Richard Regan, but there was to his knowledge a verbal agreement.

Ron Gregory stated "I'm glad the County is here, keep coming back". "In 1994, County water was flooding onto Oak Bay Road and down to Montgomery Lane, Should (of Should Construction) was living on Montgomery Court, people got together to take care of the problem, and that's why PLDD got started, because the County would not respond. I would like you, Mr. Morley to go to the Treasurer's office and see how much Port Ludlow pays for roads, more than anyplace else in Jefferson County, hundreds of thousands of dollars. The County used to come out and mow weeds, clear out ditches. When I last called last year, and this year, they said, we can't do that, we only have one mower working." Kathleen Kler responded to Mr. Gregory that "the amount of taxes, are for the whole County, taxes that come in go to County wide services. There's no way to return dollar for dollar....Port Ludlow is a very special place, and you're very lucky to live in such a special place". Mr. Gregory responded "I'm not saying that. This is a legal tax that you're collecting, we're asking for a very small percent to take care of your responsibilities in the County right-of-way. We paid to live here, we're not lucky to live here, we just want you to do your responsibility". Ms. Kler responded "That's why we're here, to re-identify responsibilities".

Commissioner Uyeda noted that this would not be resolved this day; it's a good start though.

Resident Katie Smith stated that she has lived here since 1980, and that the PLDD was started because of a survey and the PLDD has done some wonderful improvement work since it's inception. Major cooperation happened on other projects. In particular on Montgomery Lane, the County contributed greatly to that. Much more was given by them on that project than on Trader Lane, and much more than has been implied.

Chair Commissioner Boyer closed the matter by saying that we will construct an MOU, suitable to both entities, as to how we can best handle this in the future.

2. Chair Boyer noted that during the last PLDD meeting, Gray and Osborne (Engineer Lockett) agreed to look over the Assessment proposal and certify it. He read for the record a letter formally accepting the Annual Assessment for 2016.

The Port Ludlow Drainage District (PLDD) certifies the final rates of assessment for 2016 as follows:

Amount to Collect:      \$90,000.00

Zone 0 Rate/Acre: \_\_\_ 3.549841 \_\_\_

Zone 1 Rate/Acre: \_\_\_ 70.996875 \_\_\_

Zone 2 Rate/Acre: \_\_\_ 10.649530 \_\_\_

Zone 3 Rate/Acre: \_\_\_ 7.099688 \_\_\_

Zone 4 Rate/Acre: \_\_\_ 3.549843 \_\_\_

Impervious Rate/SF: \_\_\_ .017517 \_\_\_

Commissioner Uyeda made a motion to approve this assessment. Commissioner Boyer seconded the motion. Motion carried. Motion approved 2-0.

Commissioner Uyeda made a motion to adjourn the meeting at 10:57 a.m. Motion was seconded by Commissioner Boyer. Motion carried. Motion approved 2-0.

The next regularly scheduled meeting of the PLDD will be held on Thursday, January 14, 2016 in the Bay View room at the Beach Club at 10:00 a.m.

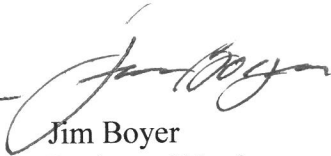
Respectfully Submitted by: Susan Bartkus, Administrative Assistant

Approved:

Approved:



Allen Uyeda  
Drainage District  
Commissioner



Jim Boyer  
Drainage District  
Commissioner