

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

Minutes for Commissioners' Regular Meeting # 0221

Thursday, January 12, 2017 at 10:00 AM

Held at the Beach Club
121 Marina View Drive, Port Ludlow, WA. 98365

Call to Order: Meeting was called to order by Chair Commissioner Uyeda at 10:04 a.m. in the Bay View Room of the Beach Club, 121 Marina View Drive, Port Ludlow, Washington 98365

Roll Call: Commissioner Allen Uyeda present. Commissioner Katie Smith present. Commissioner Don Forbes present. No absences. Engineer Nancy Lockett, Assistant Sue Bartkus.

Guests: Brian Belmont, Walt Cairns, Bruce Eddy, , Terry & Shelley O'Brien, and Mel Smith.

Consent Items:

Minutes:

1. Commissioner Smith made a motion to approve the **December 08, 2016 Regular Meeting Minutes**. Commissioner Forbes seconded the motion. Commissioner Uyeda carried the motion. Motion approved 3-0.

Vouchers:

2. Commissioner Smith made a motion to approve the **Payroll** in the amount of \$529.00 (Payroll/Warrant # 17-001). Commissioner Forbes seconded the motion. Commissioner Uyeda carried the motion. Motion approved 3-0.
3. Commissioner Smith explained that due to the power outage the prior day (January 11, 2017) PLDD accountant Glessing & Associates office was closed and could not process PLDD voucher/warrants that day. Usually, this action would take place on the Tuesday prior to the regular meeting. This month, at the request of PLDD, Glessing delayed processing to allow time for confirmation of Release of Retainage to arrive in the mail from the Department of Labor & Industries (L & I) for the Cascade Lane Flood Abatement Project. This project was deemed complete during the September 8, 2016 meeting. To assure that the \$8,907.13 retainage would be taken from the 2016 PLDD Budget, and that the contractor Seton would receive this as soon as possible, Commissioner Smith and assistant Bartkus prepared the vouchers for the voucher summary packet for delivery to the Auditor's office. Commissioner Smith made a motion to approve the **other vouchers/warrants**, numbering 17-002 through 17-007, and dated December 5, 2016 to January 8, 2017 in the amount of \$17,101.10 for an overall Total of \$17,630.10. Commissioner Forbes seconded the motion. Commissioner Uyeda carried the motion. Motion approved 3-0.

Financial Information:

Payroll/Warrant	Item	Description	Amount
17-001	Susan Bartkus (Payroll)	23 Hours	529.00
Voucher/Warrant			
17-002	Artemis Computing	Website Update & Maintenance	1,468.40
17-003	Yarddogs Landscaping	Maintenance & Site Monitoring	1,270.36
17-004	Gray & Osborne	November Engineering Services, Assessment Roll, Project Review	2,933.92
17-005	Gray & Osborne	December Engineering Services	1,823.79
17-006	Seton Construction	Release of Retainage for Cascade	8,907.13
17-007	Seaman Law Firm	Phone & Letter	697.50
Total Vouchers			17,630.10

PLDD Cash Account	126,765.66
PLDD Reserve Account	40,000.00
PLDD Interest Income Reserve Fund	6,606.93
Expenses – Current Month from above	(17,630.10)
NET TOTAL ALL ACCOUNTS	155,742.49
Special Assessment	89,999.29
PAID TO DATE	(89,862.73)
UNPAID (REMAINING)	136.56

Expenses – Year to Date (Feb-Dec 2016)	166,424.77
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Public Forum:

Terry O'Brien, resident of Baldwin Lane, asked why the 2017 PLDD Budget/Assessment had increased from the 2016 Budget/Assessment. Commissioner Smith and Engineer Lockett pointed out that the 2016 budget had used reserve funds to complete the Cascade Lane Flood Abatement Project, thereby depleting the operating reserve funds. Funding for the PLDD operating expenses and for slated 2017 projects (Montgomery Lane and the Waste Water Treatment Plant Overflow Containment) would be insufficient if the operating reserve funds was not restored.

Correspondence:

1. Commissioner Smith reported that she reviewed coding and budget amounts that were sent with a December 20, 2017 memo received from Rose Ann Carroll, Jefferson County Auditor. The memo (sent to all Jefferson County Special Purpose Districts) asked each to review their respective attached Budget for accuracy. Figures forwarded by the Auditor for the PLDD 2017 Budget did not match the approved 2017 PLDD Budget amounts. In addition, many of the coding amounts were incorrect. Commissioner Smith corrected these figures and asked Engineer Lockett to review and confirm them as well. When confirmed, Commissioner Smith will deliver the vouchers and corrected figures to the Auditor's office this day.
2. Commissioner Smith noted for the record that a hard copy of a November 9, 2016 letter from Philip Morley, County Administrator for Jefferson County had been received. The letter confirmed that on November 7, 2016 the Board of County Commissioners (BOCC) unanimously passed a Motion at their regular meeting setting a Performance Bond amount at \$5,000.00 for the Port Ludlow Drainage District Commissioners, consistent with RCW 85.38.080. Pursuant to state

statute, the bond shall be conditioned on the faithful performance of his or her duties as a member of the governing body of the special district and shall be filed with the County Clerk of the county within which the special district is located. Commissioner Smith directed assistant Bartkus to file the letter with the Commissioner Bonds in a single file.

New Business:

1. Commissioners reviewed and discussed an engagement agreement from Glessing and Associates for 2017 bookkeeping services. Commissioner Forbes made a motion to approve signing this agreement. Commissioner Smith seconded the motion. Chair Commissioner Uyeda carried the motion. Motion approved 3-0.
2. Commissioners discussed at length the need to adopt a new resolution, per Joanne Bisquera of Enduris, to "Appoint an Agent to Receive Claims for Damages", per RCW 4.96.020. Commissioner Smith noted that PLDD no longer has a "Secretary" Commissioner, who was named as the agent in the PLDD Resolution # 5. Different requirements of the statute were discussed, including address, hours, and telephone number. Commissioners will revisit this matter during the next regular meeting after more advice is attained regarding business hours.

Old Business:

1. Discussion was held regarding the **Waste Water Treatment Plant (WWTP) Project for Overflow Containment / Easement and Montgomery Lane surveys**. A cost estimate and scope of work was provided by Engineer Lockett. Commissioner Uyeda made a motion to accept the cost estimate and the scope of work. Commissioner Smith seconded the motion. Commissioner Forbes carried the motion. Motion approved 3-0.
2. Lengthy discussion was held regarding the status of the November 07, 2002 **PLDD – LMC - County Agreement for Drainage Plan Review**. This agreement authorizes the PLDD to review and comment on Drainage plans within the District. Engineer Lockett noted that PLDD provides review service, not permitting, but that it wouldn't hurt to ask the County to reimburse the cost of review. She also noted that in 2006, PLDD had notified Jefferson County that dispersion was preferred rather than infiltration because of the local soil.

Ludlow Maintenance Commissioner (LMC) General Manager Brian Belmont noted that the agreement should be discontinued; he felt it was no longer valid and the LMC Architectural Control Committee could just make sure that there is an approved drainage plan by Jefferson County along with a building permit; PLDD should not bear the cost of having their Engineer review the plans with District residents paying Engineer Fees through their assessments and a Drainage review fee to Jefferson County as well.

Former Commissioner Walt Cairns commented that the original concept was that everything regarding runoff within the District was under the PLDD jurisdiction. PLDD did not just oversee common LMC areas, review service was provided by PLDD, but at the time the County didn't want to give up the review fee so PLDD did not bill because that would be double billing.

Commissioner Forbes noted that the PLDD has a responsibility to make sure that water gets from point A to point B without encroaching onto other properties.

Bruce Eddy, resident of Montgomery Lane relayed his experience when he was building his home in 2006 of having Richard Regan review his plans. Commissioner Smith summarized that the project review value was very beneficial to District residents. In her experience, the County was grateful and would probably be willing to work with PLDD regarding the fees involved. All parties agreed that the original agreement should be reworked and discussed further with the LMC Board of Trustees and Jefferson County. This matter will be researched further.

3. Commissioner per diem history was discussed. Commissioner Smith noted that in reviewing past Minutes, she found on November 14, 2002 a motion was set for \$70.00 per diem for Commissioners. In December a motion was made to go with \$90.00 as past practice, and this negates the November 10, 2016 Resolution to accept \$114.00 per diem for the future. According to Paul Sullivan of MRSC, and given this information, unless someone else can find documentation where another motion or resolution accepting \$90.00 was, \$70.00 would be the current rate of pay, and \$90.00 would be the pay increase for new term Commissioners. A new resolution will be worked on and prepared at a later time.
4. Commissioner Smith reported that she had contacted three legal firms recommended to represent PLDD. She has asked one attorney to come and attend the February 9, 2017 meeting.

Commissioner Uyeda made a motion to adjourn the meeting at 11:53 a.m. Commissioner Smith seconded the motion. Commissioner Forbes carried the motion. Motion approved 3-0.

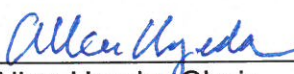
The next regularly scheduled meeting of the PLDD will be held in the Bay View Room of the Beach Club, 121 Marina View Drive, on Thursday February 09, 2017 at 10:00 a.m.


Respectfully prepared by
Sue Bartkus

Approved:

Approved:

Approved:


Allen Uyeda, Chair
Drainage District
Commissioner 3


Don Forbes
Drainage District
Commissioner 2


Katie Smith
Drainage District
Commissioner 1