

Port Ludlow Drainage District (PLDD)
March 14, 2024
Board of Commissioners Meeting #0319 Zoom/In
Person Meeting Minutes

1. **CALL TO ORDER:** Chair Rygmyr called the meeting to order at 10:00 a.m.
2. **ROLL CALL:** Commissioner 1, Chair Gary Rygmyr; Commissioner 2, Vice Chair, Dean Cole; and Commissioner 3, Michael Nilssen were present. Mary Paxton, Administrative Coordinator was present.

PUBLIC: Vaughn Bradshaw and Ernie Lewis, of the North Bay Condominium 1 (NBC1), were present.

ZOOM: Kerri Sidebottom, Gray and Osborne Consulting Engineer and Katie Smith were present. Brian Tracer, Assistant Fire Chief of the East Jefferson Fire & Rescue joined later.

3. **COMMISSIONER COMMUNICATIONS:** Chair Rygmyr suggested that an update to the Port Ludlow Drainage District Storm Master Plan be placed on the April agenda.

Commissioner Nilssen reported that he would need to leave the meeting at 11:00 for a medical appointment and that he will not be available for the June meeting.

4. **PUBLIC COMMENT:** There was no public comment.
5. **AGENDA APPROVAL:** Chair Rygmyr introduced the agenda. He recommended adding as new Business item 9.d. the Administrative Coordinator' email regarding time off.

MOTION: Chair Rygmyr moved to approve the Agenda and Vice-Chair Cole seconded. The motion passed unanimously.

6. ELECTION OF OFFICERS:

MOTION: Commissioner Nilssen moved to elect Commissioner Cole to serve as the Chair starting with the April 2024 meeting through March 2025. Chair Rygmyr seconded the motion. The motion passed unanimously.

MOTION: Vice Chair Cole to elect Commissioner Nilssen to serve as the Vice Chair starting with the April 2024 meeting through March 2025. Chair Rygmyr seconded the motion. The motion passed unanimously.

7. PUBLIC INQUIRIES:

7.a. NORTH BAY CONDOMINIUMS FOLLOW-UP: Chair summarized three tasks the Commissioners requested for the representatives of NBC1 at the February 8, 2024 meeting. The representatives reported the following:

- 1) NBC1 did not provide the Commission with a financial thirty (30) year reserve plan for maintenance of the NBC1 Homeowners Association properties because the current plan contains mistakes. They hoped to furnish an updated plan. The Commissioners requested a copy of the current plan even if it includes mistakes.
- 2) NBC1 did not contact Jefferson County Public Works to determine how surface water runoff could be diverted from flowing from public right-of-way to the NBC parking lot. Commissioner Nilssen provided phone numbers with the Jefferson County Public Works Department and reiterated that the PLDD is not responsible for surface water runoff from public roads. The Commissioners recommended that the NBC1 representatives contact the Jefferson County Public Works.
- 3) NBC 1 did not request a free 15-minute consultation with the Jefferson County Department of Community Development because they thought it was premature - they are still exploring options.

Chair Rygmyr reported that he consulted Andrew Tsoming, the District's consulting attorney with Ogden Murphy & Wallace to determine if the funding of improvements to the North Bay Condominiums 2 in 2011 set a precedent and to and clarify the District's responsibility. Chair Rygmyr reported that prior funding did not set a precedent. Chair Rygmyr shared that there is nothing that legally requires the District to assist with drainage issues on private property but the District has the discretion to provide assistance and should at least consider requests. Chair Rygmyr said that in 2011 the District used its discretion to provide assistance to the North Bay Condominiums 2.

Consulting Engineer Keri Sidebottom was directed to review records to determine if the \$27,000 spent in 2011 for NBC2 was for design, construction, or design & construction and whether money funded all or part of the project. If possible, find a record of why it was done.

Vaughn Bradshaw asked whether the PLDD provide guidelines and review of their drainage plans and issues. Commissioner Nilssen explained that the Jefferson County will issue permits for any drainage improvements, the PLDD does not have permitting authority.

Vaughn Bradshaw mentioned the term "common property" and suggested that the PLDD should be responsible for drainage issues on the common property of the NBC1 like the other common areas that the PLDD maintains.

The Commissioners explained that the NBC1 common areas are common to the private property of the NBC2 homeowners' association. The common areas that District maintains and occasionally makes improvements to are common areas in the greenspace of the LMC and PLA.

The Commissioners reiterated that NBC2 should provide the District with a copy of the reserve plan, contact Jefferson County Public Works, and schedule a free 15-minute consultation with the Community Development Department. Chair Rygmyr asked if the representatives had reviewed their insurance policy as suggested at the last meeting. Commissioner Nilssen left the meeting at 11:00 a.m.

7.b. Chair Rygmyr reported that a report had been emailed from Zenovic & Associates (Z&A) with additional recommendations to address the drainage issues near the East Jefferson Fire & Rescue station parking lot. Brian Tracer, Assistant Fire Chief of the East Jefferson Fire & Rescue commented via zoom that he contacted Russ Lowry of Yarddogs about the cost for improvements recommended in the Z&A report. Russ had informed him via email that the cost could range from five to eight thousand dollars (\$5,000 - \$8,000). Vice Chair Cole noted that the cost for Task Order YA 2024-01 approved last month for two thousand five hundred dollars (\$2,500) was significantly less. Vice Chair Cole suggested that Engineer Kerri Sidebottom review the scope of services in the Z&A to assess where additional costs are warranted.

8. CONSENT AGENDA

8.a. MINUTES OF FEBRUARY 8, 2024 MEETING #0318.

8.b. 319 VOUCHER SUMMARY: NUMBERS 24-014 THROUGH 24-24 TOTALING \$10,944.19 WITH \$1,258.55 FOR PAYROLL, \$398.27 FOR SUPPLIES, AND 9,287.37 FOR SERVICES.

MOTION: Chair Rygmyr moved to approve the Consent Agenda and Vice-Chair Cole seconded. The motion passed unanimously.

9. NEW BUSINESS

9.a. AMENDMENT TO THE BYLAWS: Chair Rygmyr introduced the amendment to the bylaws.

MOTION: Chair Rygmyr moved to approve an amendment to the Bylaws changing the timing of the Election of the Chair and Vice Chair from January to March. Vice Chair Cole seconded the motion. The motion carried.

9.b. REVIEW OF A CAPITAL RESERVE DEPRECIATION FUND: The item was continued to the April 11, 2024 meeting.

9.c. REVIEW OF COMMISSIONER 2 COMPENSATION IN RELATION TO THE REVISED CODE OF WASHINGTON (RCW) 85.38.075 REGULATIONS FOR "SPECIAL DISTRICTS – DIKING, DRAINAGE.: Chair Rygmyr shared some email communication information from the District legal counsel, Andrew Tsoming.

MOTION: Chair Rygmyr moved on behalf of Commissioner Nilssen, per RCW 85.06.380 Payment of Compensation of Drainage Districts per RCW 85.35.05 to increase the daily compensation of Commissioner Cole effective March 1, 2024 to one hundred sixty-one

dollars (\$161.00) per day not to exceed fifteen thousand, four hundred and fifty-six dollars (\$15,456) in an any year.

After the motion was passed Katie Smith questioned the validity of the motion because the increase occurred after Commissioner Cole took office and the end of 2023. The Administrative Coordinator was directed to place a review of the validity of the motion on the April agenda. Chair Rygmyr said he would ask Commissioner Nilssen to review the validity of the motion.

9.d. DISCUSSION OF THE ADMINISTRATIVE COORDINATOR’S EMAIL

REGARDING TIME OFF: Administrative Coordinator Mary Paxton to do the following information at the April meeting: 1) Contact Peninsula Legal Secretarial services to determine minutes can be taken at the July meeting and other meetings; 2) provide an updated job description of duties performed 3) clarify commitment was directed to clarify her expectation for the future,

10. OLD BUSINESS

10.A. WEB SITE CONTENT REVIEW: The item was continued to the April 11, 2024 meeting.

10.b. ADMINISTRATIVE CALENDAR: The item was continued to the April 11, 2024 meeting.


11. REPORTS:

11.a. FINANCIAL REPORTS: Chair Rygmyr noted that financial reports are included in the agenda materials and the District is under budget even with the recent election expenses.

12. SIGNING OF THE DOCUMENTS will be done via Adobe E-Sign within 5 business days of the approval as provided for in Resolutions 2020-01 and 2020-02.

MEETING ADJOURNMENT.


MOTION: Chair Rygmyr moved to adjourn the meeting and Vice-Chair Cole seconded. The motion passed unanimously. The meeting was adjourned at 11:15 a.m.


Dean Cole (Apr 13, 2024 12:22 PDT)

Commissioner 2, Dean Cole, Chair

04/11/2024

Date


Gary Rygmyr (Apr 15, 2024 10:23 PDT)

Commissioner 1, Gary Rygmyr

04/15/2024

Date

Michael Nilssen

Commissioner 3, Michael Nilssen

04/12/2024

Date

The Port Ludlow Drainage District (PLDD) posts minutes and meeting recordings on its website.

VOUCHER INVOICE VENDOR REMIT	INVOICE NUMBER	INVOICE NUMBER	VENDOR NUMBER	VENDOR NUMBER	VENDOR NAME	DESCRIPTION	INVOICE TOTAL	CHARGED BARS	AMOUNT DTL
2/29/2024 V24-14	8925	0	MARY PAXTON	FEBRUARY HOURS		\$ 595.95	5535210	\$ 595.95	
2/29/2024 V24-14	8925	0	MARY PAXTON	FEBRUARY ELECTION HOURS		\$ 325.07	5144010	\$ 325.07	
2/29/2024 V24-15	9255	0	DEAN COLE	FEBRUARY 8 REGULAR MEETING		\$ 103.99	5535230	\$ 103.99	
2/29/2024 V24-16	9228	0	MICHAEL NILSSEN	FEBRUARY 8 REGULAR MEETING		\$ 116.77	5535230	\$ 116.77	
2/29/2024 V24-17	9227	0	GARY RYGMYR	FEBRUARY 8 REGULAR MEETING		\$ 116.77	5535230	\$ 116.77	
PAYROLL SUBTOTAL									
							\$ 1,258.55	\$	1,258.55
3/6/2024 V24-23	8925	0	MARY PAXTON	ELECTION SUPPLIES		\$ 33.68	514430	\$ 33.68	
3/6/2024 V24-23	8925	0	MARY PAXTON	OFFICE SUPPLIES		\$ 160.47	5535331	\$ 160.48	
3/7/2024 V24-24	9255	0	DEAN COLE	POST OFFICE RENTAL		\$ 170.00	5535341	\$ 170.00	
3/7/2024 V24-24	9255	0	DEAN COLE	OFFICE SUPPLIES		\$ 34.11	5535331	\$ 34.11	
SUPPLIES SUBTOTAL									
							\$ 398.27	\$	398.27
2/29/2024 V24-18	4466	0	FALGE FINANCIAL	BOOKKEEPING FEBRUARY		\$ 285.00	5535443	\$ 285.00	
12/4/2023 V24-19	12	3041	GRAY & OSBORNE INC	ENGINEERING SERVICES 11/5 TO 12/2/2023		\$ 2,728.67	5535140	\$ 2,728.67	
12/4/2023 V24-19	4	3041	GRAY & OSBORNE INC	BUDGET ASSISTANCE 11/5 TO 12/2/2023		\$ 355.32	5535442	\$ 355.32	
2/26/2024 V24-19	2	3041	GRAY & OSBORNE INC	ENGINEERING SERVICES 1/28 TO 2/24		\$ 1,518.19	5535140	\$ 1,518.19	
2/12/2024 V24-20	5325	4574	LUDLOW MAINTENANCE COMMISSION	REG MTG ROOM RENTAL W/ OWLS FEB 8		\$ 136.38	5535341	\$ 136.38	
2/12/2024 V24-21	887896	5610	OGEN MURPHY WALLACE	GENERAL LEGAL SERVICES		\$ 132.40	5535443	\$ 132.40	
2/12/2024 V24-21	887896	5610	OGEN MURPHY WALLACE	ELECTION LEGAL SERVICES THRU 1/31		\$ 2,151.50	51440	\$ 2,151.50	
3/4/2023 V24-22	202315	8781	YARD DOG LANDSCAPING INC	FEBRUARY MAINTENANCE		\$ 1,979.91	5535040	\$ 1,979.91	
SERVICES SUBTOTAL									
							\$ 9,287.37	\$	9,287.37
TOTAL									
							\$ 10,944.19	\$	10,944.19

SIGNATURES
COMMISSIONER 1, CHAIR
COMMISSIONER 2, VICE CHAIR
COMMISSIONER 3

Gary Rygmyr
 Gary Rygmyr (Mar 18, 2024 1:31 PDT)
Dean Cole
 Dean Cole (Mar 16, 2024 23:43 PDT)
Michael Nilssen

I the undersigned do hereby certify under penalty of perjury, that the materials have been furnished, the services rendered or the labor performed as describebd herein, and the claim is a just, due and unpaid obligation against the district herin and that I am authorized to authenticate and certify to said claim.
 SUBSCRIBED THIS 14th DAY OF MARCH 2024

Gary Rygmyr
 Gary Rygmyr (Mar 18, 2024 1:31 PDT)
03/18/2024

DATE











03 14 2024 0319 PLDD VOUCHER ATTACHEMENT

Final Audit Report

2024-03-19

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By:	Mary Paxton Paxton (districtadmin@pldd.org)
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-  Document emailed to Gary Rygmyr (commissioner1@pldd.org) for signature
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Gary Rygmyr (Mar 18, 2024, 13:31 PDT)

COMMISSIONER 2, VICE CHAIR

Dean Cole
Dean Cole (Mar 16, 2024, 23:43 PDT)

COMMISSIONER 3

Michael Nilsen

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SUBSCRIBED THIS 14th DAY OF MARCH 2024


Gary Rygmyr (Mar 18, 2024, 13:31 PDT)

APPROVED **03/18/2024**

DATE











03 14 2024 0319 PLDD VOUCHER ATTACHEMENT

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2024-03-19 - 1:31:05 AM GMT












Binder1

Final Audit Report

2024-04-15

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