

RESOLUTION #2023-01

**Port Ludlow Drainage District
Jefferson County, Washington
P.O. Box 65261, Port Ludlow, WA 98365**

Approving the Bylaws

WHEREAS the Port Ludlow Drainage District (PLDD) is a Special Purpose District formed under RCW 85.38 for the purpose of operating a drainage district in Jefferson County; and,

WHEREAS the PLDD has promulgated Bylaws in compliance with the **RCW 85.06.010.**; and

WHEREAS the PLDD Board of Commissioners (PLDD Commissioners) reviewed the Bylaws at Commissioner meetings on December 8, 2023, January 12, 2023, February 9, 2023 and March 9, 2023; and

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the PLDD Commissioners approve and adopt the Port Ludlow Drainage District Bylaws presented in Exhibit A.

PASSED at Meeting #0303 of the Port Ludlow Drainage District Board Commissioners on Thursday, March 9, 2023


Gary Rygmyr (Mar 10, 2023 1:14 PST)

Gary Rygmyr, Chair, Commissioner 1


dean cole (Mar 13, 2023 13:21 PDT)

Dean Cole, Vice Chair, Commissioner 2



Michael Nilssen, Commissioner 3

EXHIBIT A

BYLAWS

Of the Jefferson County, Port Ludlow Drainage District (PLDD)

Implemented 03/09/2023

SECTION 1 - AUTHORITY: These bylaws are promulgated in compliance with the [RCW 85.06.010](#)

Districts authorized—Powers—Management. Any portion of a county, requiring drainage, which contains five or more inhabitants and freeholders therein may be organized into a drainage district, and when so organized such district and the board of commissioners hereinafter provided for shall have and possess the power herein conferred or that may hereafter be conferred by law upon such district and board of commissioners, and said district shall be known as The Port Ludlow Drainage District (PLDD) a Jefferson County Special Purpose District of the state of Washington, and shall have the right to sue and be sued by and in the name of its board of commissioners hereinafter provided for, and shall have perpetual succession, and shall adopt and use a seal. The commissioners hereinafter provided for and their successors in office shall, from the time of the organization of such drainage district, have the power, and it shall be their duty, to manage and conduct the business and affairs of the district, make and execute all necessary contracts, employ and appoint such agents, officers and employees as may be required, and prescribe their duties, and perform such other acts as hereinafter provided, or that may hereafter be provided by law. The Port Ludlow Drainage District has quasi-judicial authority.

SECTION 2 - MEMBERSHIP: The PLDD shall be comprised of three members from North Bay District Map Boundaries of the Port Ludlow Drainage District, Jefferson County. The board of drainage commissioners shall consist of three elected commissioners. The initial commissioners may be appointed, and then elected, as provided in chapter [85.38](#) RCW. The board shall have exclusive charge of the construction and maintenance of all drainage systems which may be constructed by said district and shall be the executive officers thereof, with full power to bind said district by their acts in the performance of their duties as provided by law.

SECTION 3 - MEMBER'S RESPONSIBILITIES AND DUTIES: The duties and responsibilities of the PLDD Commission shall be as follows:

The PLDD shall review and manage the operations and planning to determine if the PLDD plans, goals, policies, land use and regulations are promoting orderly and coordinated development within the District.

The PLDD may hold public hearings in the exercise of its duties and responsibilities as it deems necessary.

The PLDD shall have such other duties and powers as heretofore have been or hereafter may be conferred upon the commission by District Resolution 2023-01

SECTION 4 - OFFICERS: Officers of the PLDD shall be chair and vice chair. Candidates for chair and vice chair shall be nominated and elected annually at the first regular meeting in January from among its active members.

SECTION 5 - OFFICERS' RESPONSIBILITIES AND DUTIES: The chair of the PLDD shall: (1) preside at all meetings and execute the agenda of such meetings in an orderly manner and (2) officially represent the commission before organizations or groups. The vice chair shall officiate as chair in the chair's absence.

SECTION 6 – FURTHER DUTIES OF THE COMMISSIONERS: The Commissioners shall select individual Commissioners to provide oversight and manage the facilities and administrative components of the District. The following positions shall be:

Administrative Commissioner: Oversight of clerical processes, records management, insurance, correspondence log, and website administration.

Engineering-Maintenance Commissioner: Oversight of inquiries from landowners, maintain facility documentation, oversee maintenance of existing facilities, and visit each facility at least annually, and oversee all drainage engineering and maintenance functions, and new development requiring State Environmental Policy Act (SEPA) permits.

Financial Commissioner: Oversight of budgeting, invoices, vouchers, external and internal financial reports, and governmental reports.

SECTION 7 – ADMINISTRATIVE COORDINATOR: The Administrative Coordinator (AC) shall be provided by the PLDD. The AC’s duties shall be to record the proceedings of all Commission meetings. (1) prepare for future meetings with the chair, (2) distribute agendas for meetings and workshops, (3) assist with administrative duties and the preparation of the annual budget, (4) account for and process expenditures, (5) notify members by email of workshops, and (6) act in any other manner deemed necessary by the PLDD.

SECTION 8 - MEETINGS AND WORKSHOPS: Meetings of the PLDD are subject to the Open Public Meetings Act (OPMA) Chapter 42.30 RCW. Notification to the public of all meetings shall be made on the PLDD website. Before the start of the calendar year, the PLDD shall notice dates for the upcoming year of all regularly scheduled meetings. Changes to this schedule shall be noticed according to the OPMA. Meetings requiring public notification include but are not limited to: (1) regular meetings, (2) special meetings, (3) public hearings, (4) workshops, and (5) retreats, or any meeting where a quorum of the PLDD Commissioners shall be present. Notification of public hearings will appear at least ten (10) days prior to the hearing date. If a meeting needs to be cancelled due to a lack of a quorum, a notice shall be posted on the door of the meeting place.

Official action can take place at any regular meeting or public hearing. Official action may take place at any other gathering of the PLDD where a quorum is present, if the agenda of the meeting, including the topic of action, is included in the agenda and that agenda is posted at least twenty-four (24) hours before the start of the meeting. Under the OPMA, an “action” is defined broadly to include “the transaction of the official business ... including but not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, evaluations, and final actions.”

When appropriate and necessary, the chair shall establish committees and appoint members to them. If a committee is made up of less than a quorum then the committees are not governed by the OPMA and therefore such committee meetings do not require public notice or an audio record.

The OPMA generally requires that meetings of the governing body be open to the public and that no conditions preventing attendance by the public, except for orderly conduct, may be imposed. Therefore, a District legislative body shall not ban the use of recording

devices or video cameras from the open portion of a meeting held pursuant to the OPMA. The District legislative body may impose restrictions on the use of recording devices, but only to the extent necessary to preserve the orderly conduct of the meeting.

With the exception of passively receiving information, emails between members addressing matters before the PLDD could be construed to be a public meeting, particularly if there was any response to such communication. Therefore, all emails related to matters before the PLDD should be forwarded to the Administrative Coordinator at districtadmin@pldd.org for appropriate distribution.

SECTION 9 - CONDUCT: Except where in conflict with these bylaws, Roberts Rules of Order shall guide the conduct of all public meetings and hearings of the PLDD.

SECTION 10 - QUORUM: A majority of the PLDD membership, being not fewer than (2) two, shall constitute a quorum for the consideration of most items of business, with a majority vote of those present being sufficient to take action.

In the event of a challenge to a member or members of a decision-making body that would cause a lack of a quorum or would result in a failure to obtain a majority vote as required by law, any such challenged member(s) shall be permitted to fully participate in the proceeding and vote as though the challenge had not occurred, if the member or members publicly disclose the basis for disqualification prior to rendering a decision. Such participation shall not subject the decision to a challenge by reason of violation of the appearance of fairness doctrine (RCW 42.36.090, Participation of challenged member of decision-making body).

SECTION 11 - VOTING: All members are entitled to one vote. A vote shall be either (1) yay/yes, (2) nay/no, or (3) abstain. An abstention per Roberts Rules of Order is not counted as a nay vote. If a member recuses themselves, they shall leave the room and not take part in any of the discussion pertaining to the matter before the Planning Commission. As per the OPMA, no action can be taken by secret ballot. The chair is a PLDD member and is therefore allowed one vote on all issues.

All matters acted on shall be recorded as written motions. The PLDD shall not take any action in the form of a consent agenda, other than the acceptance of documents pertaining to matters that are currently before the PLDD. The “action” in this case is the

acceptance of these documents such that a written motion of acceptance will be recorded into the minutes.

SECTION 12 - BUDGET: A preliminary budget for the Port Ludlow Drainage District shall be prepared by the Financial Commissioner, Administrative Coordinator, and the District Engineering staff. An itemized estimate of expenditures for the ensuing calendar year shall be included in the preliminary budget.

The preliminary budget shall be prepared and distributed to all Commissioners in advance of the September Commissioner meeting and placed on the District Website for public review. There shall be a PLDD Budget Public Hearing at the October Commissioner Meeting the Second Thursday in October at the beginning of the regularly scheduled Commissioner Meeting.

The budget shall become final at the November Commissioner meeting. The budget and any amendments thereof shall be prepared in accordance with requirements established by the Jefferson County Ordinance 06-0817-20, Auditor, Treasurer and the PLDD.

SECTION 13 - CLAIMS FOR EXPENDITURES: All claims for expenditures for operating the PLDD shall be made in accordance with requirements established by the Jefferson County Auditor and Treasurer.

SECTION 14 - REPORTS: Reports of official PLDD reviews or official recommendations shall include only that which has been approved by a majority vote of the Commissioners present as expressed in Section 10.

Drafts of reports of official PLDD reviews or official recommendations shall be reviewed, corrected as necessary, and adopted by a majority vote of the Commissioners present.

SECTION 15 - AMENDMENTS: Amendment to these bylaws may be made at any regular meeting of the PLDD, provided the following conditions have been met:


1. The proposed change has been an item of business at the previous meeting,
2. The proposed change has been emailed to the Commissioners ten (10) days prior to the meeting considering the proposed change,
3. The proposed change is not in conflict with the statutes that authorize the PLDD, and,

4. The proposed change receives an affirmative vote with a majority of the Commissioners.

SECTION 16 - REPEALER: All previous bylaws of the PLDD are hereby repealed and replaced.

SECTION 17 - ADOPTION: These bylaws, as amended, are hereby adopted this _____ day of 2023.

Port Ludlow Drainage District


Gary Rygmyr (Mar 10, 2023 12:14 PST)

Chair, Gary Rygmyr, Commissioner 1

Mar 10, 2023

Date


dean cole (Mar 13, 2023 13:21 PDT)

Vice-Chair, Dean Cole, Commissioner 2

Mar 13, 2023

Date



Michael Nilssen, Commissioner 3

Mar 10, 2023

Date











Resolution 2023-01 to approve Port Ludlow Drainage District Bylaws


Final Audit Report


2023-03-13


Created:	2023-03-09
By:	Mary Paxton Paxton (districtadmin@pldd.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAV6jCzOyyJK-TwMHliG5ykbL6nG8XXGSu

"Resolution 2023-01 to approve Port Ludlow Drainage District Bylaws" History

-  Document created by Mary Paxton Paxton (districtadmin@pldd.org)
2023-03-09 - 10:55:35 PM GMT
-  Document emailed to Gary Rygmyr (commissioner1@pldd.org) for signature
2023-03-09 - 10:58:41 PM GMT
-  Document emailed to commissioner2@pldd.org for signature
2023-03-09 - 10:58:41 PM GMT
-  Document emailed to commissioner3@pldd.org for signature
2023-03-09 - 10:58:41 PM GMT
-  Email viewed by commissioner3@pldd.org
2023-03-10 - 12:08:51 PM GMT
-  Signer commissioner3@pldd.org entered name at signing as Michael Nilssen
2023-03-10 - 12:11:13 PM GMT
-  Document e-signed by Michael Nilssen (commissioner3@pldd.org)
Signature Date: 2023-03-10 - 12:11:15 PM GMT - Time Source: server
-  Email viewed by Gary Rygmyr (commissioner1@pldd.org)
2023-03-10 - 10:14:23 PM GMT
-  Document e-signed by Gary Rygmyr (commissioner1@pldd.org)
Signature Date: 2023-03-10 - 10:14:50 PM GMT - Time Source: server
-  Email viewed by commissioner2@pldd.org
2023-03-13 - 8:20:28 PM GMT

 Signer commissioner2@pldd.org entered name at signing as dean cole
2023-03-13 - 8:21:12 PM GMT

 Document e-signed by dean cole (commissioner2@pldd.org)
Signature Date: 2023-03-13 - 8:21:14 PM GMT - Time Source: server

 Agreement completed.
2023-03-13 - 8:21:14 PM GMT