

Stormwater Management Joint Meeting Minutes
April 12, 2007
6:00 p.m.

Attendees:

Shirley Howe, Co-Chair
Al Graham, Co-Chair
Alton Wright
John Eigenbrode
Larry Miller
Sidney Sandy
Jason Klingler
Jerry Nolan

Absent:

Roy Lewis

Ed Humphries-Indian Trail Town Manager
Shelley DeHart-Indian Trail Planning Director
Patricia Malinowski-Woolpert
Helen Barrett-Secretary

Meeting was called to order.

Ms DeHart stated the minutes from the last meeting were not available.

Ms Malinowski reviewed the agenda. It entails an update on the GIS work, getting all the information to create the utility; year 1 budget estimates for both towns; selection of the Stormwater Utility structure, rates. Ms Malinowski stated that a decision, hopefully at this meeting, will be made on structure and rate. Once these are decided the Ordinance can be created. In order to start the Utility the Ordinance must be passed by the Town Council. At the last meeting the group wanted to talk more about the level of service being provided by the Utility, normally this issue would be decided first, but in this case the Utility needs to be up and running to obtain revenues. There will be discussion on what needs to be done in the May and June meetings to get the Ordinance passed. Public education will need to be done to explain the Utility bill coming in the September tax bill.

The GIS group is just about finished cleaning up the land use parcel data, there is some land use data that is not designated. Aerial photography and other information to identify the parcels are being used. There will be two groups of parcels; single family and everything else, which will be categorized as non-residential commercial. It will include multi family and commercial. The Equivalent Residential Unit calculation is being worked on, which involves taking about 300 random single residential parcels between the two towns and coming up with one number that defines the impervious area. Measuring from the parcel data on the computer, digitizing the percentage of impervious

surface of every non residential parcel will then be done. This will determine the charge for each parcel. This needs to be done by August at the very latest.

Ms DeHart presented services that may want to be offered through the Utility as well as items that are required with the Phase II permit.

1. CIP for large stormwater projects, including material and capital cost.
2. Minor projects- The Town of Indian Trail receives anywhere from 50 to 90 drainage complaints a year. To date many residents have had to be told the Town does not have the man power to provide service for the problem.
3. The cost of the Stormwater Utility Consultant
4. It is required in the Phase II to develop a Stormwater Ordinance which is due year 3.
5. Town Personnel to implement the Utility and projects.
6. Phase II public education.
7. Both jurisdictions are required to do monitoring on Goose Creek-this is a requirement of the Phase II permit.

The project on Clearwater Drive: the area has flooded frequently over the passed years due to undersized pipes. The cost estimate is \$229,000.

The next project is Rosemary Park, again complaints have been heard over the past 3 ½ years. This project needs to start with an engineering study; there could be underground springs in the area. The estimate for the study is \$20,000.

There is a problem that occurs on the town boundary at Kerry Green and Catawba Circle. There is backing up into residential lots that are actually in Stallings. The town maintains the road in between and it comes from another parcel that is in Stallings. This needs to be a joint effort to resolve that problem.

For miscellaneous drainage complaints, an average of 55 a year, an allotment can be put aside of \$3000. per complaint. Some will take less some will take more.

The CIP for the first year will consist of, with just these projects and miscellaneous complaints, \$432,000. Adding other requirements; The Stormwater Ordinance needs to be done by Sept of 08, Stormwater consultant for Utility, based on the agreed contract to share at a 30/70 split; Phase II education and Goose Creek monitoring requirements resulting in a budget estimate of \$691,000. Ms DeHart stated Brian Matthews indicated Forest Park needs to be addressed. Working together resulted in a fee of \$25,000. Using the \$3000. per complaint to address 30 complaints per year would cost \$90,000 for a total CIP of \$115,000. There will be the same requirements by both jurisdictions, 30% for Stallings for the consultant, if the Stormwater Ordinance is done by the consultant it would estimate at \$14,410., personnel figures, obtained from Brian, and the share of the public education and Goose Creek monitoring totaling \$238,000 possibly for the first year.

The summary consists of adding some General Funds to help cover larger projects in the future years. Brian recommended \$50,000 and Indian Trail put in \$140,000. The possible first year stormwater budget total is \$288,000 for Stallings and \$831,000 for Indian Trail. Ms DeHart stated she hopes this will serve as a starting point when considering the rate.

Ms Malinowski continued the discussion on rate structure and rate. Reviewing the structures presented last meeting. Examples were shown of the three types of rate structures: Flat Rate, Equivalent Residential Unit, and Tiered. (file). She explained the ERU for commercial, based on using an average impervious surface for a single residential they ratio the rate for a commercial parcel. If a commercial parcel has for example 10 times the impervious surface of the average rate of a single family residential parcel it is charged 10 times the ERU rate. Most municipalities use this for the commercial and non residential parcels. Woolpert is using this method to compute for the towns. The single residential is mixed between the different municipalities. Using the tiered method for a single family is making the determination by size. Using an average from municipalities Ms Malinowski came up with an average revenue for each of the towns.

Member Howe asked if these rates are the starting rates or have they been increased.

Ms Malinowski replied these are current and does not know the history. Some towns have increased as the project gets up and running.

She stated the calculation of the average single family impervious area will be available next week. The commercial will not be available until July. Based on what has been done in other communities the estimated revenue was based on 10 residential to 1 commercial.

Member Miller asked if the method should be decided, expressed concern over the cost and time of measuring; and should the revenue be brought in right away to start on the project.

Ms Malinowski explained the measuring in based on a statistically significant number based on the total number of parcels. This has been estimated on about 300 that will actually be measured. If the average is wide ranged the tiered method might be best. If they are similar, which they probably won't be, flat could be used.

Member Eigenbrode asked if it is taken into account the percentage of the parcel that is impervious. Small lots with big houses have a lot more runoff than a small house on a big lot.

Ms Malinowski replied there is information on lot size and percent impervious. The number they will come up with is just percent impervious. She stated the rate should be decided.

Ms DeHart stated she is to understand the rate should be decided and the structure can be determined once the data is received.

Ms Malinowski replied yes. All the commercial data will be available in August.

Ms DeHart stated when projecting the first year budget the totals came over the \$2.00 structure. She stated concern when news gets out determining the level of service that will be provided there will be a lot more people wanting to get on the CIP program. It appears the rate should be well over \$2.00 in anticipation of the future years. Should we get what we need up front or have to increase the charge in the future.

Discussion continued on the rate to be charged. It was agreed to get more than needed the first year than to have to raise the fee.

Ms Malinowski suggested looking at all the other municipalities in the vicinity.

Member Klingler stated Charlotte is going to be raising their fees.

Member Wright suggested the starting rate be \$3.61. He stated it is easier to fix things than tell residents it can not be done by the town. There will probably be more needs than estimated.

Ms DeHart asked for a consensus vote on the rate.

Member Nolan asked where the \$3.61 amount came from.

Ms Malinowski replied it was an average of all the rates in the listed municipalities.

It was agreed to \$3.50.

Member Wright stated this will be *above average service for below average rates.*

Member Miller stated he personally would like to see a flat rate to start off with.

Member Wright stated this could be less confusing.

Member Nolan stated this rate can be adjusted.

Ms Malinowski stated the rate must be decided before we have all the data on impervious surface, for the commercial parcels.

Discussion continued.

A vote was taken and all agreed to the \$3.50 rate. The structure will be determined when more data is available.

Ms Malinowski continued the discussion of the Ordinance. She stated the estimate presented by Ms DeHart for the Stormwater Ordinance is separate from the Utility Ordinance. There are two separate ordinances. The Utility Ordinance will get the utility up and running, give the authority to collect fees, the process, and set the structure and rate. The draft will be emailed to members. It is modeled from Concord's. The only decision will be in Article I, describing the jurisdiction, what the authority is to implement the utility, and definitions related to stormwater regulation. Article II is the establishment of the Utility, the creation of the accounting; how the funds can and cannot be used. The next section will be the service charges, where the rate and structure are defined, this is the committee's decision; the billing method, which will be the Union County tax bill; payments provisions, how are unpaid bill handled; how adjustments and credits will be applied. This will not be defined in the Utility, it will be referred to a manual or what ever is prepared; the limits of responsibility. Article III defines what the Advisory Committee does and the authority with the Utility. Article IV includes items that some communities put in their stormwater ordinance; illegal discharge, illicit connections. The Utility Ordinance can be done by June to be up and running.

Member Graham brought up the issue of enforcement.

Ms DeHart stated she has identified some personnel time. Phase II of this process will include outlining personnel, procedures and costs for caring this out.

Ms Malinowski defined the process in Phase II once the Utility Ordinance is in place and the town has revenue and is able to fund this. The next phase of work for Woolpert will be to develop the Stormwater Management Program for the two towns. As part of that will be for the towns to define where the services are; extent of service, elements of the systems to be responsible for; and level of service which will include enforcement.

Member Miller asked if there will be one person working for both towns.

Ms DeHart replied it is being explored; it would be a partnership and joint effort.

Mr. Wright suggested it might have to be an outside source for a while.

Member Howe suggested Bill Bost and asked if a person like that would be eligible.

Ms DeHart stated he would need more training on the stormwater aspect.

Ms Malinowski stated once the Utility Ordinance is in place they will come into both towns and discuss what services are currently being provided, what facilities there are, equipment, personnel, and what the pay is. Revisions and recommendations will be made to meet the requirements. A cost of service analysis will then be done. Once that is established the annual budget requirements will be determined and a five year cash flow analysis will be done. All the stormwater projects will need to be defined with an estimate and prioritized.

Regarding the next two meetings; by June the Ordinance will need to be finalized.

Member Howe suggested a joint Council meeting to do a presentation.

Ms Malinowski stated there needs to be a public meeting before adoption and suggested the end of May. There can be a public information fact sheet put on the web site.

Ms DeHart suggested it be put in the public notice and newspaper. They would have it when they come to the meeting.

The next committee meeting was scheduled for Monday the 30th of April at 6:00 in the Stallings Civic Bldg.

Tuesday the 29th of May 7:00 pm was scheduled for a joint public information meeting at the Stallings Fire Department.

Meeting Adjourned.