

Minutes of the Rutherford County Stormwater Advisory Committee

August 11, 2009 at 6:30 p.m.

Mezzanine Meeting Room

Goldstein Building

Members Present

Tommy Gentry
Donald Blankenship
Rick Cantrell
John Taylor

Chuck Clark
Joe Crowell
Jim Estes
Mayo Taylor

Others Present

Todd Sullivan
Del Corbitt
Phyllis Fultz

Chairman Gentry called the meeting to order at 6:30 p.m. and roll was called. A quorum was established with nine voting members present by roll call. Del Corbitt led in prayer and Chairman Gentry led the Pledge of Allegiance.

Minutes: "Rick Cantrell moved, seconded by Joe Crowell, to approve the Minutes of the January 20, 2009, Stormwater Advisory Committee meeting with no changes. This motion passed unanimously by acclamation."

Del Corbitt gave an update on the status of the County's MS4 Permit with the state. The County is awaiting a draft of the new permit this fall, with a new permit expected in May 2010. The current County permit expires in May 2010.

Mr. Corbitt also gave a brief overview of the state audit of the Rutherford County Stormwater Program. A reply to the audit findings is due to the State no later than September 6, 2009. He introduced Todd Sullivan to give a presentation detailing the audit findings and the County's response to the audit findings.

Mr. Sullivan began with an update of the summer work performed by the part-time interns. All impaired streams have been walked for a visual check of outfalls/illicit discharges. Water testing has begun on the 12 impaired streams in Rutherford County. Water testing will continue monthly year round, with these streams being walked annually to check for illicit discharges. Interns will be utilized for these inspections/testing. They will also be inspecting each county property annually, or more often, on a schedule set by the County Engineer.

The presentation continued with an update on the MS4 Permit and new BMP manuals to be developed by the state late this year and next year. The Rutherford County MS4 fee has been increased from \$2,500/year to \$3,460/year, part of an across the board 28% fee increase from the state to increase the Environmental Protection Fund – Annual Maintenance Fees. There are public hearings this month to receive comments on the fee increases. A schedule of the public hearings was given to all members present.

Mr. Sullivan went over each area in the Rutherford County Stormwater Ordinance that was found non-compliant or lacking in the state audit. During the discussion, a question arose over the wording of disturbed area found on the Rutherford County Stormwater Quality Design Checklist.

"Rick Cantrell moved, seconded by Donald Blankenship, to have the Engineering Department provide an official definition of the wording 'disturbed area' at the January 2010 meeting. This motion passed unanimously by acclamation."

There was some discussion of various changes being made, a discussion of the definition of agriculture, but no changes were made in the County's recommended response to the State audit.

"Joe Crowell moved, seconded by Mayo Taylor, that the recommended changes be made to the Stormwater Ordinance and sent on to the Planning Commission in November 2009 for approval to go forward to the Board of Commissioners. This motion passed unanimously by acclamation."

Del Corbitt gave a brief update of Stormwater Fees. Fees are currently being charged by various municipalities in the County, and if the County continues to receive unfunded mandates in the Stormwater area, a Stormwater user fee may be charged. Lively discussion followed, but because this was of an informative nature, no action was required.

Chairman Gentry called for the next meeting date to be set. "Donald Blankenship moved, seconded by Joe Crowell, to set the next meeting date on Tuesday, January 19, 2010. This motion passed unanimously by acclamation."

This motion was rescinded by Mr. Blankenship when a conflict of scheduling was presented. "Donald Blankenship moved, seconded by Joe Crowell, to amend the meeting date to Tuesday, January 12, 2010. This motion passed unanimously by acclamation."

Motion to adjourn was made by Donald Blankenship, and seconded by Tommy Gentry. Motion carried by voice vote. Chairman Gentry adjourned the meeting at 8:15 p.m.

TOMMY GENTRY, CHAIRMAN