

Minutes of the Rutherford County Stormwater Advisory Committee

September 13th, 2022 at 6:00 p.m.

Commission Chambers

Historic Courthouse

Members Present

Delia Goodman
Bonnie Ervin
Diane Patterson
Josh Upham
Marvin Whitworth

Others Present

Mike Hughes
Phyllis Fultz
Jeff Phillips

Delia Goodman called the meeting to order at 6:00 p.m. A quorum was established with five voting members present.

Minutes: Chairman Goodman called for questions or approval of the September 21, 2021 meeting minutes. "Marvin Whitworth moved, seconded by Diana Patterson that the minutes be accepted. The motion passed unanimously by voice acclamation."

Chairman Goodman turned the meeting over to Mr. Hughes who opened the floor for nominations for Chairman. "Bonnie Ervin moved, seconded by Josh Upham to continue with Delia Goodman as Chair. The motion passed unanimously by voice acclamation."

Chairman Goodman opened the floor for nominations for Vice Chair. "Marvin Whitworth nominated Diane Patterson to serve as Vice Chair. Ms. Patterson declined, and Mr. Whitworth withdrew his nomination." "Josh Upham moved, seconded by Diane Patterson, for Marvin Whitworth to serve as Vice Chair. The motion passed unanimously by voice acclamation."

Chairman Goodman opened a public hearing on the 2021-22 MS4 Annual report. Mr. Phillips requested a copy of the annual report. He had no comment, and the Public Hearing was closed. Mike Hughes gave highlights of the annual report:

-Permit mandated by EPA, yearly report to TDEC

-Illicit Discharges – Outfalls and pipes. Summer interns continue to look at these. We received six illicit discharge complaints and they were all investigated. The county had 75 construction sites active during this report period, with 20 total complaints – 8 land disturbance, 7 drainage, 1 mud tracking, no construction or dumping, and 3 other complaints.

-Construction Site Runoff Control Program – reviewing plans, work with contractors to properly install BMPs, preconstruction meetings, engineering inspector (averages 6 sites a day), all active sites are priority sites, and are all inspected.

-Post construction stormwater control measures. Reviewed and approved 45 subdivision and site plan applications this report period. Twenty-nine preconstruction meetings were held, and 104 final plats were recorded.

-Stormwater management for municipal operations. Involves various inspections – some are done by summer apprentices at all county sites, parking lots, garages, and maintenance facilities.

-Review and Updating Stormwater Management Programs. Mr. Hughes read Section 8B – the self assessment summary written by Ms. Huffmire. Planning and Engineering is working toward a new paperless tracking system and review system. Education and outreach are great.

- Enforcement Response Plan. Inspectors are Level 1 EPSC trained and make corrections in the field. However, we do have to issue warnings and written notices occasionally. We issued 7 stop work orders, usually without any permits and erosion control measures. We request folks come in and talk to the engineers, get a permit, and make corrective actions.

-Education & Outreach – Bonnie Ervin presented this portion of the report. There's general and targeted outreach. Under general outreach, Ms. Ervin visits teachers, classrooms, participates in Earth Day, Stones River Waterfest, Sam Davis Home festivals and is a part of their outdoor field trip twice a year. Ms. Ervin also participates in the Rutherford County Farmers Market at the Ag Center. Targeted outreach reaches to specific groups. Education is done at preconstruction meetings and there are various flyers for contractors and construction workers. Project WET is major education outreach. This year 628 school children were educated, 47 teachers were trained and educated about stormwater. RC mailed eight letters about Tree Day to homeowners with stream buffers. The Solid Waste collected 11,088 of hazardous material from the county residents. The Sheriff's Office collected 1,444 lbs. of prescription drugs. The stormwater website has 1,718 hits. Waterfest was cancelled in September of 2021 due to the Omicron surge and rescheduled for May 2022.

Delia Goodman asked if the report would remain on the website. Mr. Hughes said yes, a signed copy would be uploaded. There are currently annual reports on the Stormwater page from 2012 to the current report.

Josh Upham commented on working with the interns and the amount of work they do. He also complimented Ms. Ervin on the education work she does that covers the county and cities.

- New NPDES Phase II Permit Discussion. Mr. Upham said that our new permit became effective on September 1, 2022. Most important are the Notice of Intent, the Enforcement Response Plan, the Monitoring Plan, and the Implementation Plan of the new permanent stormwater management program (post-construction). These are all due within 90 days of the effective date of the new permit.

- The new permit is prescriptive for groups being educated. All six measures in the current permit are contained in the new permit. The new post-construction stormwater management rule must be reported, this defines the buffer zones and their widths, along with their averaging rule. Our regulations must match what TDEC requires, however we can be

more stringent. TDEC wants some type of inspection of stream buffers. We also must keep a list of all stormwater control measures. Training is required for county personnel. Overall, the new permit is very similar to the old one, but there are a few new measures.

Mike Hughes stated that we may have to have a special called meeting in spring of 2024 with public hearing on changes to the Stormwater Regulation and the Zoning Resolution to comply with TDEC requirements.

We have two vacancies on the committee, both Chuck Clark and Rick Cantrell have resigned. We need two others appointed. There was discussion of the length of appointment and the need to have two vacancies filled. Marvin Whitworth moved, seconded by Josh Upham that we leave the appointment period at two years and ask the Mayor to fill the two vacancies. The motion passed unanimously by voice acclamation.

Chairman Goodman asked if there was any new business. There is none. Jeff Phillips was recognized and offered the opportunity to speak. He asked Mike Hughes about violations, especially repeat violators. Mr. Hughes went through the steps the county can take to encourage the developer to follow the stormwater management. Mr. Phillips suggested that the annual report be provided to the Public Works Committee and the full Board of Commissioners for educational purposes.

Ms. Goodman brought up the annual meeting in September 2023. It is scheduled for Tuesday, September 12, 2023. We will need to schedule an extra meeting in 2024 to make changes to the Stormwater Ordinance.

With no other comments or questions, Chairman Goodman adjourned the meeting at 6:56 p.m.

DELIA GOODMAN, CHAIR

DELIA GOODMAN, CHAIRMAN