

MINUTES OF THE
STORM WATER APPEALS BOARD (SWAB)
MEETING OF JANUARY 24, 2018

1. **OPENING** – The Storm Water Appeals Board (SWAB) met in session on Wednesday, January 24, 2018 at 8:30 a.m. in the Auditorium of the Williamson County Administrative Complex. Chairman Dorie Bolze called the meeting to order. A quorum was present. Attendees were:

1.1 Board Members

Dorie Bolze, Environmental Representative, Chairman
John Kinnie, Agricultural Representative, Vice-Chairman
Brad Hoot, Community Representative, Secretary
Betsy Hester, County Commission Representative
Davis Lamb, Development Representative
Andy Reese, Engineering Representative
Rob Adams, Jr., Building Representative

1.2 Staff

Michael Scott, Storm Water Quality Coordinator
Floyd Heflin, County Engineer
Kristi Ransom, County Attorney
Debbie Smith, Engineering Administrative Assistant

2. **APPROVAL OF MINUTES** – Dorie Bolze opened the floor for comments on the October 24, 2017 minutes. Brad Hoot made a motion to approve; seconded by Davis Lamb. The motion was unanimously approved.

3. **01-24-18-02 – Waiver by James Stroud for property located at 3774 Perkins Road.**

3.1 Introduction by Staff - Mr. Scott reviewed the Staff report for the record.

3.2 Appellant Case – Bob Seigenthaler, Land Surveyor, represented the item. Mr. Seigenthaler indicated there is currently a house under construction and MTEMC is requiring the existing power lines to be moved to the Right-of-Way on Perkins Road. The applicant is requesting permission to record a 12 foot easement in addition to MTEMC 20 foot easement to allow the poles to be placed within the WNA.

3.3 Public Hearing – No Comments

3.4 Board Discussion – Andy Reese asked if the existing pole was to be removed. Mr. Seigenthaler indicated it would not be removed, only 2 replacement poles would be installed and the overhead wire re-routed to the new poles. Mr. Reese indicated there currently is no room between Perkins Road

and the WNA and wondered if anyone had mentioned moving the drainage area back into the property a little further.

Brad Hoot asked for clarification on the map that was provided as a reference.

John Kinnie asked why the creek area had been clear cut and was it approved. Mr. Scott indicated it was not an allowed use and it was being done by the property owner. Mr. Scott noted that, once the electric lines are installed within the ROW, the owner would then be responsible for the maintenance and growth in the ROW.

John Kinnie asked if the power would be underground from the road. Mr. Kinnie stated if the poles were placed on the other side of the creek, then the underground lines would not have to disturb the creek.

Rob Adams asked if the owner had any ideas on the placement of the poles. Mr. Seingthaler indicated that MTEM C did not ask the owners about placement, and that it was staked with only MTEM C requirements being considered.

Dorie Bolze asked why this was in front the Board since it was a utility district requiring the poles to be moved. Mr. Heflin indicated since a plat was being recorded, it was required.

Brad Hoot asked for a summary of the request. Mr. Seingthaler stated the existing line would be moved to the ROW and the pole located at the driveway will be placed underground to the house and cabin located on the property, requiring it to cross the creek.

Mr. Seingthaler indicated the owner has agreed to plant underbrush within the WNA that runs along the property that will meet MTEM C requirements for line maintenance. Mr. Scott indicated there is a note on the plat that mentions the re-vegetative plantings.

Kristi Ransom stated that the waiver is for a 12 foot easement to be in addition to the existing ROW for the electric easement; the creek crossing is perpendicular and is not under the review of this Board.

3.5 Board Action – Andy Reese moved to approve the waiver as submitted, seconded by Rob Adams

John Kinnie moved to amend the motion to add that the applicant follow MTEM C program to re-vegetate under the power line, seconded by Brad Hoot. The amendment was unanimously approved.

The motion, as amended, was unanimously approved.

Though not a conflict of interest, Davis Lamb and Brad Hoot recused themselves from Item 4 in order to avoid the appearance of a conflict of interest.

4. 01-24-18-03 – Waiver by John Rochford for property located in Stephens Valley Subdivision, Phase 1, Section 2.

4.1 Introduction by Staff - Mr. Scott reviewed the Staff report for the record.

4.2 Appellant Case –David Horwath, Land Innovations, represented this item with a brief PowerPoint. Mr. Horwath indicated that 1 alley in Section 1 has been completed and the water test was done so that a report could be made to this Board. He stated during the water test it performed as expected and no failure occurred. Mr. Horwath stated this request is for 2 additional alleys located in Section 2 that will run into the existing approvals for Section 1.

4.3 Public Hearing – No Comments

4.4 Board Discussion – Rob Adams asked how long it would be before it's to a point that they can show the Board that this concept is working and will not have to return to the Board as often.

Mr. Horwath indicated that Alley 1 and 5 will be completed within the week and all wire backed silt fencing is being installed. Rob Adams asked if the construction traffic was being kept off the alleys at this time. Mr. Horwath sated currently yes, traffic is not allowed within the completed alleys, but at some point during construction, traffic will be required to use these alleys.

Andy Reese asked how many inches of fine stones were under the pavers currently. Mr. Horwath indicated the minimum section is 12 inches and the maximum section is 30 inches. Allen Thompson with Ragan Smith indicated the voids are in the #2 stone, the filtration cleaning is from the top down.

Rob Adams asked if the lot stabilization was to be sodded or seed and straw. Mr. Horwath indicated he wasn't sure, but at the price point of these homes, it would be assumed it would be sodded. Rob Adams also asked if upon completion of homes, would the alleys be cleaned. Mr. Horwath stated that upon completion of homes located on the alleys the street cleaner would come in and clean the alleyways.

Mr. Heflin asked Mr. Thompson about the use of the pavers in future Sections. Mr. Thompson stated they are always looking for new or better ways to accommodate stormwater.

Betsy Hester indicated she is still concerned about long-term maintenance and asked if the association has been established. Kristi Ransom indicated the Covenants of the HOA were recorded with the first Section, that the HOA was created with the first Section and the Covenants provides for HOA fees to be collected as well as the escrow account for the alley maintenance that the Board required with its approval of Section 1.

Andy Reese asked that the developer possibly consider changing from a filter fabric under the base rock to another rock filter and taking the pipe up about 2 inches to increase filtration by 30 to 40%. Mr. Thompson stated those were both excellent options and they would look into those suggestions.

Betsy Hester stated she is still concerned with future homeowners calling the County about debris on the roads and if the debris over the years fills up the Bio Swales they will start to complain about their open areas being taken away.

4.5 Board Action – John Kinnie moved for approval of this waiver for Phase 1 Section 2 and the run-on ratio of 5.1 and add a note to the plat showing all bio swale areas needed based on 2:1 run-on ratio; also a waiver to Section 3:H. noting the alley ways are not located in open space; the alley ways are specifically covered by the Operation and Maintenance Agreement, that an escrow account be set up by the Developer/HOA to cover future cost of the alleys and a note be required on the final plat regarding the maintenance of the alley ways, seconded by Rob Adams.

John Kinnie move to amend the motion to allow the approval to extend in the Section 3 via an alley located in Section 2 and 3, seconded by Betsy Hester. The amendment was unanimously approved.

The motion, as amended, was unanimously approved.

At the time, David Lamb and Brad Hoot returned to the meeting.

5. 01-24-18-04 – 2018 Schedule for the Storm Water Appeals Board.

5.1 Board Action – Brad Hoot moved for approval, seconded by Davis Lamb. The motion was unanimously approved.

6. 01-24-18-04 – Review of the revisions to the Storm Water Regulations.

6.1 Introduction by Staff - Mr. Scott reviewed the Staff report for the record. He stated the County is still waiting to learn how the State plans to respond the challenges that have been made to their regulations.

Floyd Heflin stated that fees and penalties have been discussed within the Department and will be discussed with the Mayor at the appropriate time. The County will delay any revisions until the issues with the General Permit were resolved with the State.

Dorie Bolze stated there is currently a Stormwater Bill in the Legislature, that is difficult to understand, but her sense is the part that is post construction (run off) would be in rule making at the State level. Each local jurisdiction, when adopting the ordinance, might have to go back to the legislation for approval.

Rob Adam asked what the bill number was so he could research what is happening at the state level. Dorie Bolze indicated she would look into that and send it to each member and Staff.

ADJOURNMENT - There being no further business, Brad Hoot moved for adjournment, seconded by John Kinnie. The motion was unanimously approved.

Chairman

Date