

SPECIAL MEETING, MONDAY, AUGUST 13, 2007

The special meeting of the Hope Mills Board of Commissioners was called to order at 7:00 p.m. by Mayor Dees. Commissioners Luther, Smith, Gorman, Legge, and Collins were present.

Others present were Town Manager Randy R. Beeman, Mr. Bob Nicholl, Public Works Director Bruce McLaurin, and Street Supervisor Ira Peterson.

1. AGENDA ADJUSTMENTS, ADDITIONS, DELETIONS.

Mayor Dees presented the agenda and asked if there were any additions, deletions or adjustments needed to be made to the agenda, and there were none.

2. CONSIDERATION TO ADD TOWN MANAGER RANDY R. BEEMAN AND FINANCE DIRECTOR JEFF SALEEBY AS POINTS OF CONTACT FOR RBC CENTURA.

Commissioner Gorman made a motion to add Town Manager Randy R. Beeman and Finance Director Jeff Saleeby as point of contact for RBC Centura. Commissioner Legge seconded, and the motion carried unanimously.

3. PRESENTATION: MS. MELANIE CLERKLEY, SPRING LAKE STORMWATER ADMINISTRATOR, Stormwater, PHASE II.

Ms. Melanie Clerkley, Spring Lake Stormwater Administrator, distributed information on requirements for a municipal stormwater department. Ms. Clerkley gave a power point presentation on educating the community and citizens on what they can do to clean up stormwater and to make stormwater better for the environment.

Ms. Clerkley briefly discussed the ordinance to establish funding, billing and fees. Ms. Clerkley explained how the Town of Spring Lake set up their stormwater service financing charges and said it was equivalent to \$2.50 per month per residential unit and \$3.50 per commercial or industrial unit. Ms. Clerkley stated this would be the budget and how you would pay for everything for the stormwater department.

In response to a question from Commissioner Gorman, Ms. Clerkley stated the residential unit was \$2.50 per month and was collected through the annual property tax bill.

In response to a question from Commissioner Legge, Ms. Clerkley said basically the residential unit is one (ERU) equivalent residential unit and most of the single family homes would be one ERU.

Commissioner Legge asked if the ERU covered everything on the property that can absorb water. Ms. Clerkley stated the definition of ERU is the unit of measure which provides the basis for comparing the run off generated by one parcel with that generated by another. An ERU is to find the weighted average of impervious area for all single family and mulit-family residential units in the town. The weighted average is determined to be between 2,266 square feet.

Ms. Clerkley briefly explained how the staff would be paid and from the stormwater budget. She stated a lot of the department requirements depended upon the size of the town and what the town could afford from its budget. She stated you would have to have someone that was able to do education, public outreach, field testing, site plan reviews, permitting, infrastructure maintenance, repair and finance. She stated there were a lot of things that

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were involved with the program and she would suggest having more than one person if you can afford it.

Ms. Clerkley explained in detail the Phase II Stormwater program, and said there were six minimum measures:

Measure 1: Public Education and Outreach

Ms. Clerkley stated to start the program you would need public education, outreach and set up action issues. She stated you would also have to do public school education and a website. Ms. Clerkley said that Spring Lake has a stormwater informational website that is linked to the town's website. She also described the different informational items that they have given to the public such as developing print materials, giving workshops and material to businesses and homeowners, water bill newsletters, and teach classes, all of which are funded through the stormwater budget. Ms. Clerkley gave a handout of how to reach the public with information and briefly explained what the state wanted you to do so far as public education outreach such as, radio, television, billboards, etc.

Ms. Clerkley briefly explained the Clean Water Education Partnership. She stated they were working with the Clean Water Education Partnership and they contribute annually, and they provide radio, television and other outreach. She stated you would pay a sum based upon your population and they will provide you radio, TV, and pamphlets. She said she would highly suggest looking into the Clean Water Education Partnership because it would be financially better off than to try and make your own TV commercials and radio announcements.

In response to a question from Commissioner Legge, Ms. Clerkley said that Spring Lake pays an annual contribution of approximately \$2,500.00 and that covers two TV campaigns and two radio campaigns per year and that covers your requirement.

In response to a question from Commissioner Gorman, Ms. Clerkley stated Spring Lake's stormwater budget is approximately \$175,000.00 a year. Mayor Dees asked how many employees did they have, and Ms. Clerkley answered she was the only employee for that department.

Measure 2: Public Involvement

Ms. Clerkley briefly explained how to get the public involved. She stated you would have to set up a Stormwater Committee which is made up of volunteers from the community that want to be involved in stormwater, and it is up to the Town how much involvement they would have. Ms. Clerkley said some municipalities have people that appeal to their Stormwater Committee when they have a grievance with the stormwater department or if they have been issued a notice of violation and they could appeal to the Stormwater Committee. Ms. Clerkley said you would also have to do community involvement projects.

In response to a question from Commissioner Legge, Ms. Clerkley stated Spring Lake set up their Utility Ordinance three years ago and she started running the program two years ago. She said the Utility Ordinance was in place for about one year before they actually started doing the program so they did have funding when they began the program.

Ms. Clerkley stated the Town would have to do storm drain

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stenciling, and noted Spring Lake purchased stick on disks that they placed on the storm drains instead of the stenciling due to the paint may go into the storm drains.

In response to a question from Commissioner Legge, Ms. Clerkley stated they have a base map that has a unique ID number for all stormwater outfalls, and they actually went through a consulting company to have it done. Ms. Clerkley briefly discussed the Adopt-A-Drain program, the school logo design contest, and school poster contest planned. Also, she stated the state would like for you to have an Adopt-A-Stream and stream clean ups.

Measure 3: Illicit Discharge Detection and Elimination

Ms. Clerkley briefly discussed the illicit discharge detection and elimination. She stated the first thing you must do is have a storm sewer map, locations for all of your catch basins and outfalls in case you were to have a spill you will know what is happening and where the spill is going. She stated they had set up an Illicit Discharge Ordinance where people can be fined if they have illicit discharges, but that would not be their first course of action. Ms. Clerkley noted a big portion of your expense would go to field testing. She stated in the program you would have to do employee training annually and a stormwater hotline recording set up to take calls 24 hours a day. In response to a question from Mayor Dees, Ms. Clerkley stated you could use your Code Enforcement Officers, but the problem with that is, if you have an illicit discharge 99% of the time it will not be easy to detect, so when someone calls in you have to get out there within 20 to 30 minutes to find it, or someone is pouring something in the drain you need to be able to get there in a hurry because you cannot issue a violation if you did not see them.

In response to a question from Commissioner Legge, Ms. Clerkley stated Spring Lake's Ordinance reads "that swimming pool discharge has to be dechlorinated for five or more days," but technicality anything that goes in the storm drain system other than stormwater is an illicit discharge.

In response to a question form Commissioner Legge, Ms. Clerkley stated that in Spring Lake, commercial carwashes had to have a grease separator if they make money from the operation and it is not for charity. Commissioner Legge asked if someone fertilizes their lawn what is the difference if it rains and the water goes into the drain system, or he waters his lawn and washes it into the system, would they be guilty of illicit discharge. Ms. Clerkley stated yes if he over fertilizes his yard, but we need to educate the citizens on not over fertilizing the lawns and not to do it again. She stated a lot of the program is about educating people on better practices to improve the quality of our stormwater.

In response to a question from Commissioner Legge, Ms. Clerkley stated she was not sure what the state will require the Town of Hope Mills to do so far as testing when the lake is being filled with water again, but from a stormwater perspective you will not be responsible for testing.

Measure 4: Construction Site Runoff

Ms. Clerkley briefly discussed construction site runoff, and noted that this was state regulated through NC DENR, but you could implement your own construction site runoff requirements at the town level.

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Measure 5: Post Construction Runoff Control

Ms. Clerkley stated this was a fairly important measure and Spring Lake had just implemented this on June 11th by setting up their Post Construction Ordinance. She stated the ordinance requires a (BMP) the Best Management Practice such as stormwater retention ponds, bio retention areas, dry retention ponds, grass swells, etc., to be installed on all new construction over one acre and over 24% built upon area, and you would have to issue a stormwater permit which goes along with the building plan permitting.

Mayor Dees asked if Ms. Clerkley issued the stormwater permits for Spring Lake, and she replied yes.

In response to a question from Commissioner Legge, Ms. Clerkley stated it would be up to the Town what they charged for stormwater permits. She said Spring Lake charges \$250.00 for the permit per plan, which the developer pays. Ms. Clerkley briefly discussed the process of issuing the permits and stated you will have to go out and inspect during and after construction to receive a certificate of occupancy.

Measure 6: Pollution Prevention and Good Housekeeping

Ms. Clerkley stated this would involve your municipal facility which has to be inspected annually, check for stormwater programs, offer employees training on what your town can do within its own facilities to clean up stormwater. Ms. Clerkley said the state has does perform audits, and this is one of their main areas of audit, because they think if the town is not taking care of their own facilities, their own stormwater, how can you expect your citizens to take care of their's.

Ms. Clerkley stated they have done employee training, and they do have a couple of areas they need to clean up and they will be getting to those fairly quickly in order to be in compliance.

In response to a question from Mayor Dees, Ms. Clerkley stated they did purchase a street sweeper for the stormwater department, because it is a direct stormwater benefit and was purchased using stormwater fees.

In response to a question from Commissioner Legge, Street Department Supervisor Ira Peterson said the Town's street sweeper could be used by other departments.

In response to a question from Mayor Dees, Ms. Clerkley stated the state was responsible for maintaining the state roads that run through Spring Lake.

In response to a question from Commissioner Legge, Ms. Clerkley said they try to educate the citizens on pine straw washing into the gutters. She stated they were hoping to get citizens involved in the Adopt-A-Drain program, because basically the program is for a person to adopt a drain and once or twice a month to clean all the debris off the drain and make sure there are no problems with the drain.

In response to a question from Commissioner Collins, Ms. Clerkley said community involvement has been an obstacle, and there are not a lot of people that want to get involved in the program. In response to a question from Commissioner Collins, Ms. Clerkley

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stated if the Town of Spring Lake gets much bigger, then eventually they will need more than one person to handle the stormwater department.

In response to a question from Mayor Dees, Ms. Clerkley said the state has not audited them before. She said the state just last year started auditing some of the Phase I communities, and Phase I started seven years ago, and they are in Phase II.

In response to a question from Commissioner Gorman, Mr. Beeman stated the Town did not have a Stormwater Committee.

In response to a question from Mayor Dees, Mr. Beeman said the Town received its permit in July, 2005.

Commissioner Gorman stated that this was the first time so far as he knows that they had been informed formally about any sort of stormwater program. He asked if this was something that could be put on the agenda for updates, and Mr. Beeman stated that it could be done.

In response to a question from Mayor Dees, Mr. Beeman stated what he would like to do is once the budget is adopted, ask Kimberly Lockamy, Human Resources Administrator, acquire a job description, and working with Ms. Clerkley and other agencies to help set up the program. He stated it would be at least three months before they could get a Stormwater Administrator hired depending on the availability and the qualification of that person.

Mayor Dees asked if the \$100,000.00 that was budgeted in the proposed budget was for starting up the stormwater program, and Mr. Beeman responded yes and they wanted to make sure the Town was moving in the right direction. Mr. Beeman stated that at one time they were investigating opportunities where the Town would need to establish several ordinances such as Illicit Discharge Ordinance, Fee Ordinance, and Residential Usage Ordinance. He stated based on that you will be developing a budget, but at the same time that process would take a period of time so we would want to be deliberate, but we want to be certain that we are going in the right direction. Mayor Dees stated that it would not be ready to approve for the upcoming fee schedule. Mr. Beeman said the complication with that was they had looked at possibly a January time line, and the complication there was the only tool that we have that most of the residents received billing through PWC for water/sewer. He said, however, his understanding in the past history, PWC will not cut your water and sewer off if you do not pay the stormwater fee, and what we need to do is look more at the tax billing where you do have more of an ability to collect those fees. Mr. Beeman stated that they may actually wait until the 08-09 tax billing.

Commissioner Legge stated the Town will have to put money up front to run the program until the tax billing cycle goes completely around which will be January, 2009. Commissioner Legge asked if there will be enough money to cover the expenses that the Town will be facing with the program. Mr. Beeman stated he believed the Town will be able to afford at least one person with the availability of materials that are readily available free and with this person working diligently to help formulate the ordinances, we can get a lot of ground work done during this first year with the \$100,000.00 well spent. He said the other side of that would be that once we do establish our fees and rates we will reimburse the general fund for those monies out of the stormwater fees.

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Commissioner Legge stated the Board never had anything like this with as much information in it as was given tonight. He said, however, we were told at one time that this was mandated but unfunded, so we kind of knew that this was coming and he wanted to pick up from now and move forward and do what we are supposed to do and do it the right way.

Mr. Beeman said he we have been in dialog with the State Water Quality, DENR, and we are being diligent and deliberate and trying to move forward. In response to a question from Commissioner Gorman, Mr. Beeman stated the Town was behind approximately 2½ years.

In response to a question from Mayor Dees, Mr. Beeman said when he worked in Riverbend, his expertise was in grass swells in the development aspect where you could use these as catch basins or the best management practices area, and he had worked diligently where new developments did not use the curbing at all. He said when you do piping, guttering, curbing and all the impervious surf areas it speeds the flow of the stormwater and it hits estuarine system almost directly without any way to drop out your solids and to do treatments just through simple management practices of grassy swells.

In response to a question from Mayor Dees, Ms. Clerkley stated she was not sure if the state would stop putting concrete medians. Mr. Beeman said of the new technology looks like normal concrete, but it is pervious and it does have a dramatic impact on the run off as well as some of the asphalt surfaces also have the pervious, but you cannot tell by driving on it and it is very costly.

In response to a question from Commissioner Legge, Ms. Clerkley stated they only had one building and one apartment complex that has a BMP in the area. She said now as of June 11th with the Post Construction Ordinance, any development that comes in from then has to put in a BMP. Mr. Beeman said he had spoken with Mr. Jeff Hughes, Enviromental Center, and Chapel Hill had informed him two weeks ago that NC State University is now offering a program of certification for individuals and best management practices. He said one of the things they were finding in the Wake County area is the large developments and homeowner associations, what Wake County and Raleigh are doing as well, is that they are charging fees to the homeowners association for perpetuity because once you get the retention pond you have to maintain that forever, and the aspect of that falls on the government to maintain, so those fees are established to the homeowners association.

In response to a question from Commissioner Legge, Mr. Beeman stated that over time the lagoons would have to be cleaned out, cleared of vegetation, and sealed.

In response to a question from Commissioner Legge, Mr. Peterson stated the Town did treat the retention ponds in Town and upon request by some residents with areas of standing water they may treat those, but it is not a regular situation.

In response to a question from Mayor Dees, Ms. Clerkley stated it was a learning experience and she had not done stormwater before, her background was in education, so it was all new to her.

Commissioner Luther commented that they needed to look at the lagoons, and she had been talking about them for years. She felt they were really going to have to look at the vegetation around

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them. She stated it seems like the developer just puts it there and that's it. Commissioner Luther said she thought they should look into adopting an ordinance to make them comply with what we have to comply with. Ms. Clerkley commented that in the Post Construction Ordinance, Spring Lake has done an operations and maintenance agreement with the Town and they are required to do annual inspections and they also have to have a maintenance schedule of things that have to be done quarterly, semi-annually, and annually to keep their BMP in place, and that will protect the Town from having to go in and be responsible for that BMP as well, and the owner will always be responsible for the maintenance.

Commissioner Luther stated that was one of the things she had been asking for in the 2030 Land Use Plan, to do something about controlling the lagoons county wide.

Mayor Dees thanked Ms. Clerkley and said she had been very helpful and he had learned a lot, and he knows which direction the Town needs to head in. He stated he hoped they could continue to call on her if they have any questions.

4. STAFF COMMENTS

There were none.

5. OFFICIAL COMMENTS

Commissioner Luther commented as follows:

1. Thanked Ms. Clerkley for the presentation and information, and said the Board had a hard road ahead but they will make it.
2. Asked to be excused from the Monday, August 20th meeting, and she said if she had realized they would be working on the budget, she would not have made plans. She said she has been over the budget and she agrees with it and if she did not agree she would not be leaving.

Commissioner Legge made a motion to excuse Commissioner Luther from the Monday, August 20th meeting. Commissioner Collins seconded, and the motion carried unanimously.

3. Stated the Board was going to do a wonderful job and everyone that has worked on the budget has done a wonderful job. She said we had a lot to deal with and she wanted to thank them in advance and she knows it's going to be a good budget.

Commissioner Smith commented as follows:

1. Thanked Ms. Clerkley for the presentation.
2. Expressed concerns with the street sweeper and asked if it was fully functional. Mr. Peterson said it needed some maintenance work, there were some problems with the hydraulics but it is operational.

Commissioner Gorman commented as follows:

1. Thanked Ms. Clerkley for coming and taking the time to help out.
2. Stated he appreciated Mr. Nicholl and Mr. Beeman for

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helping out also.

Commissioner Legge commented as follows:

1. Thanked Ms. Clerkley and those who attended the meeting tonight, and said the Town had its work cut out but he felt they were ready to back up and pick up the pieces and put it together and hopefully catch up faster than some people may anticipate. He said the information they received tonight was very helpful in answering a lot of unanswered questions they had.

Commissioner Collins commented as follows:

1. Thanked Ms. Clerkley for coming out.
2. Thanked the employees of the Sanitation Department for the good job they had done working in the triple digit heat.
3. Thanked everyone for attending the meeting.

Mayor Dees stated he had two or three County Commissioners call him today that they were getting some phone calls from residents on Church Street. He said there was a development that was going to be heard at the County Commissioners meeting on Monday night, and somehow this development had obtained permits including one from the Corps of Engineers before it had been zoned, and they were planning to build some 74-75 houses in a 65 acre area with a zero lot line. Mayor Dees said it is not in the Hope Mills City Limits, so he did not know if the Town had any control over it as such, but his concern is that a lot of the houses will be built in wet areas, flood plain areas, in the event that the Town ever did want to restore Hope Mills Lake No. 2, they would be in the way. He said the County Commissioners have asked him to write a letter for them for the Monday night meeting saying that is a possibility that someday we may want to restore Hope Mills Lake for hydro power or something else. He said he knows that it may be 10 or 15 years down the road before the Town even begins to think about it, but if there are 30 houses in the middle of where the lake would be, we could not do it. He asked with the Board's permission he would like to write the letter and tell them that it is a possibility. He said he had taken Mr. Beeman to look at the area and there is a 13 acre park in addition to the actual lake area that the Town owns. He stated it is in the Town's municipal influence area and we would be reluctant to approve anything that's going to keep that from not being a possibility some day.

Commissioner Legge made a motion to give the authority to Mayor Dees to write a letter with information pertaining to the possible reconstruction of lake bed no. 2 in the future for hydro power and parks and recreation, seconded by Commissioner Luther.

Commissioner Luther stated in the draft of the 2030 Land Use Plan the lake is included so the Mayor may want to include that in the letter. Mayor Dees stated they had talked to Representative William Brissom about the possibility of mini-lake reservoirs and that will tie into the stormwater project later on, but Big Rockfish Creek water is about double what is in Little Rockfish Creek and it would certainly figure into that clean water, stormwater, and reservoir drinking water possibly down the road. Mayor Dees said we did not have a big lake in the area for reservoir purposes, but with Lake Upchurch, and Lake No. 1 or Lake No. 2 down the road it may figure into as population grows and as

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North Carolina continues to grow, and it has been talked about doing at the state level.

The motion carried unanimously.

Commissioner Legge asked in the Capital Improvement Plan would the Town have a separate ordinance to include future construction of that dam. Mayor Dees said if you are going to put money aside for it, then you would have to.

6. ADJOURNMENT.

At 8:10 p.m., upon a motion by Commissioner Luther, seconded by Commissioner Collins and unanimously carried the meeting was adjourned.

EDDIE DEES, MAYOR

ATTEST:

Natashia F. McCants, Deputy Town Clerk