

**MINUTES OF THE TOWN OF SMYRNA  
STORM WATER ADVISORY COMMITTEE**

December 15, 2008

**1st Item: Call to Order**

The December meeting of the Town of Smyrna Storm Water Advisory Committee was held on Monday, December 15, 2008. The meeting was called to order by Chairman Rob White at 7:00 p.m. at Town Hall, Smyrna, Tennessee.

The following Storm Water Advisory Committee members and staff were present:

Members:

Rob White, Chairman  
Charles King, Vice-Chairman  
Nicole Fabian  
Council Member Paul Johns  
Rhett Kimble  
Ray Lee  
Gunner Miller

Staff:

David King  
Michele, Elliott, Town Attorney.  
Jerome Dempsey, Engineer of Record  
Brad Dilling, Engineer of Record  
Greg Upham  
Dwaine Lawson  
Susan Weber

**2nd Item: Approval of Minutes of the November 17, 2008 Meeting**

The Committee considered a motion by Paul Johns to approve the minutes of the November 17, 2008 meeting as presented. The motion was seconded by Ray Lee. The motion was approved unanimously. A copy of the minutes as approved are attached hereto and marked as Exhibit "1".

**3rd Item: Old Business**

There was no old business to discuss at this meeting.

**4th Item: New Business**

**A. Consent/Correction Agenda**

1. Envirotest—271 Weakley Lane

Staff first presented a correction of the bill recipient for Envirotest. Staff presented documentation from Rutherford County indicating that Rutherford County should receive and be responsible for the storm water billing, based on the County's ownership of the property. The Committee then considered a motion by Rhett Kimble to approve the Consent/Correction Agenda based on the documentation received. The motion was seconded by Nicole Fabian. Following discussion, the motion was approved unanimously. A copy of the Storm Water Fee Consent/Correction Agenda as approved is attached hereto and marked as Exhibit "2."

After reviewing the aerial view of the property, the Committee then questioned 3 additional areas on the property that appear to be impervious. It was agreed that staff will look at those areas and recalculate the amount of impervious surface, if necessary, on said property and report back to the Committee at the January 2009 meeting.

**B. Adjustment Applications**

**1. Smyrna Mini Warehouses-435 9<sup>th</sup> Avenue**

An adjustment application was received from Smyrna Mini Warehouses for the property located at 435 9<sup>th</sup> Avenue. A copy of this application is attached hereto and marked as Exhibit “3”.

Staff reported that they had reviewed the surveyed description of the property from the deed and performed a site inspection of the impervious area. The impervious area as calculated by the owner sufficiently describes the actual site conditions, and staff recommended the impervious surface be changed from 65,096 sf. to 63,609 sf. and billed accordingly.

A motion was made by Charles King to approve the application, as recommended by staff, based on the documentation provided by the applicant, along with concurrence by Staff. The motion was duly seconded by Paul Johns. Following discussion and a review of all documents submitted by the applicant and Staff, the motion was approved unanimously.

**C. Credit Applications**

**1. Nissan North America-983 Nissan Drive**

A credit application was received from Nissan North America for the property located at 983 Nissan Drive. A copy of this application is attached hereto and marked as Exhibit “4”.

Nissan North America requested the following credits:

1. Credit for Deficient Properties – Water Quantity
2. Credit for Deficient Properties – Water Quality
3. NPDES Industrial Storm Water Discharge Permit Credit
4. Water Education Credit
5. Request for cap of \$2000/month

Staff reported that they performed a physical inspection of the site, reviewed the detention calculations provided by the applicant, and met with officials from Nissan North America. Staff made the following recommendations:

1. Recommend approval of maximum allowable credit of 20% for water quantity.
2. Recommend approval of 90.8% of the maximum allowable credit for quality which is a credit of 13.6%.
3. Recommend approval of NPDES Credit which is 25%.
4. Deny request for Water Education Credit as Nissan does not fall under the eligible properties for this credit.

5. Deny request for cap of \$2000/month as this is not permitted under the adopted Storm Water Ordinance or the Storm Water Credit and Adjustment Policy Manual.

Therefore, Staff recommendation is that Nissan North America be granted a 58.6% credit for storm water billing. Staff's written recommendations are attached hereto and marked as Exhibit "5."

No representatives from Nissan North America appeared to present evidence beyond the submitted credit application.

A motion was made by Rhett Kimble to approve the application, to the extent recommended by staff, in accordance with the requirements and provisions of the Utility Credit and Adjustment Policy Manual. The motion was duly seconded by Ray Lee. Following discussion and a review of all documents submitted by the applicant and Staff, the motion was approved unanimously.

**5th Item: Reports of Officers, Committees, or Staff**

- A. David King reported to the Committee that during the previous month, staff received 24 calls/inquires about the Storm Water User Fee and 24 site-specific information packets were mailed out.
- B. David King then reported to the Committee that the Storm Water Quarterly report shall be ready for review at the January 2009 SWAC meeting.
- C. David King informed the Committee that the 3<sup>rd</sup> Monday in January 2009 and February 2009 both fall on a holiday. The Committee was presented with a calendar showing proposed dates to reschedule these two meetings to the next day. As proposed, the meetings would be on Tuesday, January 20, 2009 and Tuesday, February 17, 2009 at 7:00 PM.

A motion was made by Paul Johns to change the date of the Monday, January 19, 2009 meeting to Tuesday, January 20, 2009 and to change the date of the Monday, February 16, 2009 meeting to Tuesday, February 17, 2009. The motion was duly seconded by Gunner Miller. Following discussion, the motion was approved unanimously.

**6th Item: Adjournment**

There being no further business to come before the Committee, a motion was made by Ray Lee to adjourn the meeting and a second by Nicole Fabian. Without objection, the meeting was adjourned at 7:29 PM.

Submitted by:

Certified by:

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Greg Upham,  
Secretary

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Rob White,  
Chairman