

Meeting Minutes of the Town of Smyrna
Storm Water Advisory Committee
August 16, 2007 at 6:30 PM
Smyrna Town Hall /Utilities Department Conference Room

Members Present:

Paul Johns
Tim Warren
Rhett Kimble

Gunner Miller
Steve Steele
Ray Lee

Rob White (absentee)

Staff Present:

Dwaine Lawson (ex-officio)
David King (ex-officio)
Greg Upham (SWM Program Coordinator)

Steve called the meeting to order at 6:30PM on August 16, 2007.

- I. The SWAC members were asked if they found holding the SWAC meeting and Guest Speaker Forum on the same day as the planning commission meeting to be awkward and would like to change the arrangements. A consensus of the six present SWAC members indicated that a change to the arrangements not be made.
- II. The following 2006-2007 annual report issues were discussed.
 - A. The goals of any MS4 program are delineated in the original Notice of Intent (NOI) submitted to and approved by TDEC in early 2003. This document categorizes, by the six EPA-mandated Minimum Measures, and defines the goals each local entity (MS4 permittee) must meet in order to remain compliant with its National Pollutant Discharge Elimination System (NPDES) permit. Not to do so could mean fines would be levied against that permittee.
 - B. The TDEC annual report, required to be submitted to the Division of Water Pollution Control each year by September 30th, uses the same categorization of goals found in each NOI to define how well the local permittee achieved its goals for that particular permit year.
 - C. Each MS4 permit has a life expectancy of five years. As of July 1, 2007 each MS4 permittee entered into its fifth and final year of its first five-year permit.
 - D. By July 1, 2008, not only will each MS4 permittee be required to submit its second five-year permit NOI to TDEC, but TDEC will have had to issue the second five-year permit to each of the MS4 permittees.
 - E. One of the roles of the SWAC is to review and approve every annual report. In addition, the SWAC will also be required to review and approve the NOI for the second five-year permit.
 - F. It is also rumored that TDEC will require each MS4 permittee to submit a five-year annual report by the June 30, 2008, which would also be reviewed by the SWAC (inadvertently, not presented at SWAC meeting).
 - G. On August 2, 2007, the first SWAC meeting was held, but a quorum was not achieved (only 3/7). Nevertheless, the annual report was reviewed and the three SWAC members and four staff members reached consensus that goals (BMPs) 2A, 3A, 4A, and 5A were achieved. The Storm Water Management (SWM) Program Coordinator originally stated that because no revisions to the SWM Ordinance were made the goal was not achieved. The meeting consensus was that the original goal stated "if necessary" and since it was not deemed necessary by the SWM Program the goal was achieved. This issue was presented to the quorum at this (8-16-07) SWAC meeting and the six SWAC members unanimously agreed with the August 2, 2007 consensus.
 - H. Goals 1A and 2D both related to the initiation of Adopt-A-Watershed programs, which the SWM Program Coordinator could not achieve. It was cited that stream cleanup projects were poorly attended, so how would a citizen-dependent Adopt-A-Watershed program ever achieve fruition?
 - I. Goal 2B related to the use of Storm Water Administration Board, which has not been established. The SWAC members unanimously agreed that this should be an achievement because the Town adopted using the Town Council to serve as an appeals forum.
 - J. Goals 3B (1) and 3D related to the SWM Program placing all of its storm water outfalls (where runoff is discharged to a drainage ditch, sinkhole, stream, or river). This was left as a deficiency because there has not been a staff member with the GIS Department or SWM Program to facilitate this effort. David King added that the Town does plan to contract this work and have all outfalls entered into a GIS by the close of permit Year-5.
 - K. Only goal 3B (2), grease receptacle inspections, was achieved in permit Year-4 because the SWM Program did not hire its second employee until June 4, 2007. Consequently, goals 4D and 5B were not achieved.

- L. Goal 5C was not achieved, but there is an existing TDEC-approved MTAS-written 'post-construction manual' that can be adopted by the SWM Program by revising the SWM Ordinance and performing a mass mailing campaign.
- M. Goal 5D, non-structural strategies for post-construction runoff control, were not achieved in permit Year-4, but can be achieved by initiating the recently adopted Maryland Visual Assessment Protocol, which will be called Visual Assessment Program in Tennessee. In deed, the August (permit Year-5) Guest Speaker Forum highlighted Ms. Beth Chesson, who assists in the facilitation of this new program.
- N. Goals 6A, 6B, and 6C, completion of municipal pollution prevention plans, initiation of systematic right of way inspections and maintenance efforts, and staff training, respectively, were not achieved because there was not enough staff time with just one staff to achieve these goals. The SWM Program did not hire its second employee until June 4, 2007.
- O. By the close of the SWAC meeting, Table III indicated that 17 of the original 28 permit Year-4 goals were achieved.

SWAC members please note,

- 1) *that there were two errors in the version of the annual report you reviewed on August 16, 2007, as cited in line item K. Goal 3B (2), grease receptacle inspections, was achieved during the final month (June) of permit Year-4, while goal 4D, construction site inspections, was not.*
- 2) *that there is a TDEC-approved 'post-construction BMP manual' listed in the TDEC-approved MTAS ordinance that the Town of Smyrna used to create its SWM Ordinance. Unfortunately, during the early stages of the Town's review of this 'manual', it was inadvertently deleted from the SWM ordinance list of manuals to be used. Hopefully, a simple revision of the SWM Ordinance can list this 'manual' in the ordinance, thereby satisfying the permit requirement so long as the SWM Program alerts all developers, contractors, and home builders of its existence via a mass mailing campaign.*
- 3) *Duplicated BMP codes had numbers added to them to distinguish them.*
- 4) *Projected completion dates were added in column five of Table IA.*

The next meeting of the Town of Smyrna SWAC is scheduled for October 4, 2007.

There being no other business, Steve called for the adjournment of the meeting, which was promptly and democratically approved at 7:45PM.

Kevin Rigsby, Secretary

cc: Mayor and Council Members
Mark O'Neal, Town Manager
Michele Elliott, Town Attorney
Planning Commissioners
SWAC Members