

MARCH 13, 2006-4:00 PM
STORMWATER WORK SESSION

Commissioners in attendance were Chairman Garrison, David Dyer, Bill Brown, Roger Wehunt & Isaiah Berry. Commissioner Lampp & Commissioner Hendrix was absent.

Staff & media: Michelle Sims, Terry Darragh, Eowyn Tilley & Susan Trepangier, Barrow County News.

Manhard Consulting & Earth Tech representatives made a presentation to the Board about storm water.

Due to the county's growth & development there are impacts such as property loss, infrastructure capacity issues, water quality degradation & habitat loss. In 1972 the Clean Water Act was passed in which the biggest problem was point sources, like wastewater discharges or dumping directly into streams. Then in 1987 there was an amendment addressing non-point sources, which are things that you can't point to because they come from different sources & this is storm water run-off.

We're not only dealing with NPDES regulations, but also TMDL'S or total maximum daily loads, which tell us how much of a pollutant load we can put in our streams. You have to comply with the regulations as they are enforced by the State. The NPDES program has 6 components. You were required to put together a NPDES permit in 2003 & then you must do certain activities for each of these 6 components every year & turn in a report to EPD. You also have FEMA regulations to make sure developments are complying with FEMA regulations so they do not build in the flood plain & to make sure they do not make adverse impacts to streams, upstream or downstream. You're supposed to be putting together a hazard mitigation plan & there are consequences if you do not comply with these regulations.

To have a storm water management program that complies with all these regulations, you not only have to do these activities, you have other responsibilities & you need other personnel resources as well; set your goals, comply with the regulations, keep streams healthy, make sure constituents are safe, take care of your infrastructure making sure capacity is there, perform periodic maintenance & also that you have a way to pay for this.

Some funding options that can be used is Local Option Sales & Use Tax, property tax, or impact fees, however we feel the best funding source for the county is the storm water user charge, which is a fee, but is called a rain tax. The law differentiates between a fee & a tax in that differentiation comes down to

does the cost match the benefits for the service. Why consider a storm water user fee? You need to have a funding source that is consistent & stable & can meet all your storm water program needs & changing regulations. It's set up that you have financial & organizational accountability & can only be used for storm water management. You can use it for all or part of your storm water needs & those service costs are distributed in a fair & equitable manner.

There are 10 steps in setting up a storm water utility & it's tailored to your needs. What services will the fee fund, you need to pass an ordinance, have design manual & credit manual in place, what properties will be exempt, how often to bill, need a credit & adjustment system, make sure staff is trained, public information is important & what kind of opposition will you meet. DISCUSSION.

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ATTEST:

Michelle R. Sims

Clerk