



## TOWNSHIP OF FERGUSON

### **Ferguson Township – Stormwater Advisory Committee (SAC) Meeting #6 March 21, 2018 (@ 12pm)**

#### **Attendees**

**Ferguson Township:** Dave Modricker, Ron Seybert, Lance King, Kevin Bloom

**Amec Foster Wheeler / Gannett Fleming Team:** Elizabeth Treadway, P. Eric Mains

**Stormwater Advisory Committee:** As listed on attached Sign-In Sheet

The following minutes/notes are intended to be an overview of the presentation and discussion that occurred at the above referenced meeting. There are provided to document the general content of those discussions such that they can be used as a tool with future meetings and stormwater program discussions. They are not intended to be a transcript of the meeting. However, any noted differences, exclusions, or variations from personal notes of the meeting should be brought to the attention of the Township so that they can be considered for the final record.

The following minutes were captured;

#### **Introductions – Dave**

- ) Three SAC members are absent, Larry Fennessey attended in Rob Cooper's place.
- ) Final SAC Meeting: April 18, 2018

#### **Draft Cost Projections – Elizabeth**

- ) The goal of the study is to determine 'feasibility'. Is administratively feasible? Yes. Is it operationally feasible? Yes. Is there sufficient cause to invest in stormwater services, different than how it is currently allocated in the Township?
- ) Showed SAC spreadsheet as a tool to provide projected costs to the level of services as have been previously discussed. Noted that if the Board determines that they want to proceed, the next effort would be to establish how it would be funded. The Board is the approving body for this decision.
- ) This document does not show the only approach, it simply shows that we can achieve certain goals at these certain costs (with different timing such as 5 year, 10 year, etc.). These are strategies and not the only way it can be done.
- ) The document outlines changes to the cost centers-such as addition of staff, equipment resource additions, etc. There are studies and assessment that would be done ahead of some of these (i.e. How old is equipment, what is complete inventory, etc.).
- ) Permit / Chesapeake Bay Compliance is built into this program projection.
- ) There is a proposed investment into creating an inventory of CCTV for the Township system as part of a condition assessment, setting the stage for investment in piping relining.
- ) This document shows two different ways the investment can occur over 5 years and 10 years.
- ) It was noted that Township helped to establish the cost model in coordination with the Finance Director.

## Policy and Program Aspects - Elizabeth

- J Mr. Fennesey inquired about the “perspective” for the projected costs (was it lowest, or the highest), ET affirmed that this is indeed the upper cost. This shows a move from reactive to proactive regarding the Township stormwater program. It shows a strategy.
- J SAC offered that we need to know what community thinks of the scope of the program. For example, why purchase a CCTV rig. Dave discussed for example, ownership or sharing model can create operational issues (timing, availability, etc.). As example, recently Township needed to investigate a sinkhole, but had to use sewer authority, and their primary CCTV rig was not available, so had to use their backup (lesser quality) equipment.
- J Group discussed scope of pipe assessment. It was noted that without a complete assessment, the Township doesn’t know what is critical (because they lack the CCTV/assessment data). It was discussed that knowing condition of even smaller items can provide some value. To avoid unplanned repairs which could be costlier.
- J The Township will use a “decision tree” BEFORE the purchase of any equipment.
- J Operations budget has to pick up cost for ownership of any new equipment. They are noted to break a lot of equipment.
- J ET reiterated that even with the public meeting, the goal is NOT to set the rate. It is to define if there is a need for additional funding and how do we address that need to operate the stormwater program differently.
- J Jason discussed that only have inspected and assessment on basins, without a line item for costs to do the retrofits. ET indicated that there are additional materials and capital built into budget (but as general), as “operating” side of budget.
- J Dave discussed the varying opinions of public (ranging from just maintenance, to some who would like Township to own private stormwater systems).
- J ET noted that a dedicated stormwater crew was built into the cost model. This provides a means/resource to address some of the above ground infrastructure.
- J Dave noted that old philosophy was that HOS own the facility, not to have Township own. Right now, this occurs through a process of inspection and notices of violation.
- J ET also added, with regard to inspection, that investment is made in cost model to increase time for inspection and to augment with intern labor (at lower unit cost), so that this can be given priority, at reduced cost.
- J Discussion ensued regarding inspection of channels, basins and connecting pipes (in a privately-owned setting). Trigger was determined to be public runoff being conveyed or managed.
- J Larry asked for a clarification of the current system of inspection, assessment and action. It was noted that Township lacks inventory (pre- 2003), but have others in a program of inspection. Larry wanted to clarify that it may be functioning as intended, but not serving an augmented purpose (like water quality).
- J Jason asked how the General Fund is affected if this was implemented. Is this proposal revenue neutral? ET noted that the Board will establish revenue management policy should a fee be adopted. It has to be decided if General Fund will be used in conjunction with this new funding source, OR will it be transferred out of General? Dave noted that he has been augmenting the budget (general) to account for stormwater...which may skew how this is viewed.
- J It was asked what other communities do relative to ownership of private facilities. Dave noted that adjacent communities are similar to Ferguson (public owns public, private owns private).

- J SAC inquired (back to previous point) that moving funds into stormwater would provide a certain degree of protection (as an enterprise fund). It was discussed that as it lays in General it is subject to be shifted if need arises. You could have scenario of lesser fee if you leave it in tax...or possible reduction and new stormwater fee (larger). Jason offered that he would be in favor of revenue neutral. With regard to a fee on a tax exempt entity, they would experience a 100% increase and wouldn't benefit for a 'reduction' in taxes with the reallocation to a fee.
- J ET offered that in a fee vs. a tax there is a shift in the contribution. Cited hotel as example. Large assessed value = large tax, but for stormwater, based on footprint, they saw a reduction in what they paid.
- J There was a discussion on how a fee would be assessed. The Township is continuing discussions on variation in fee (urban vs. rural, etc.). Perhaps a factor of lot size to impervious coverage. It all starts with the driver of this (which is development of land) and to that add other factors (ET referenced the single page paper she prepared which discussed MS4 and urban vs. rural).
- J Larry offered that University was parsed out in the PRP modeling and maintain their own MS4 permit. It would seem very necessary take that into consideration for any fee charged.
- J Ansusan asked about what are typical credits. ET offered that you could have systems that are over designed to control more than they have to and given a cost reduction accordingly. Also, incentives are offered where public investment is made through a public-private partnership.
- J General discussion on credit programs was held (what they involve, how are they administered). About 40 to 50 percent of fee programs offer a credit policy; however, this can create an administrative burden in maintaining inventory, inspection, etc. that has to be discussed in conjunction with any credit program.
- J ET discussed contributions by other governmental entities. She noted that Federal rules requires that they pay user fees (as of 2012). Department of Justice said that federal facilities cannot be charged IF other government agencies are not charged.
- J General discussion on assessment of park lands (state and Township) with both noted that they would be assessed.
- J Climate change topic was discussed (over sizing of system?) about concern of existing system not being able to manage if we have larger storms more frequently. Larry offered that if system was designed correctly, we may see storm more frequently but volume shouldn't be changing. The challenge is older facilities that were not properly designed.
- J Discussion was held to type of assessment (ERU, tier, hybrid, etc.). Are they limited to residential rates? Does diversity of housing type affect this decision? Does a mobile home pay what a small mansion pays? ET re-explained for SAC the concept of ERU. Ron reviewed the process of measuring the impervious coverage.
- J ET cautioned on elaborate credits (engineered to the smallest element) as they can water down the message and intent of the program (the equitable distribution of the cost of a public service). Equity can be subjective.
- J Final question. Gut Check. What is the rate that a community could stand...annualized, forget program, just based on palatability. \$ 200...SAC says too much. \$ 100...more acceptable (\$ 10/month). Cannot use "ability to pay" as a factor. You can have programs for hardship cases. Courts do not allow you to set a rate then just spend the money generated. You must show how it supports program.