

**PUBLIC WORKS COMMITTEE
MINUTES
DECEMBER 12, 2006**

The Public Works Committee met on Tuesday, December 12, 2006 in the Committee Room, located on the second floor of the Administration Building beginning at 1:20 p.m. Mr. Derrick, Committee Chairman presided.

Members Attending:

William C. Billy Derrick, Chairman	Bobby C. Keisler, V Chairman
George H. Smokey Davis	Joseph W. Owens
Debra B. Summers	M. Todd Cullum

Also attending: Katherine Hubbard, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Alternate Funding Source - Public Works - (A) Road Maintenance or Vehicle User Fee - (Goal 3) - Jim Starling, Engineering Associate III - Mr. Starling presented the Committee with an alternative funding source for road maintenance or vehicle user fees. He stated that state law allows local governments to impose a vehicle user fee by ordinance by a positive majority. The revenue generated from the user fee must be used to fund the related service for which the fee was generated. Currently 24 out of 46 South Carolina counties impose such a fee, ranging from \$8 to \$35 per vehicle. The revenue generated would supplement the Road Maintenance Department budget or completely fund it for items such as: paving dirt roads, resurfacing existing paved roads, purchasing equipment, personnel and other routine maintenance activities. Lexington County could generate \$2-6 million dollars annually depending on the amount of the fee imposed. There is an issue with privately maintained roads being imposed this fee. The Committee requested a comprehensive ranking order of unpaved roads. Mr. John Fechtel, Director of Public Works, indicated that research is in process and a report would be made available in January.

A motion was made by Mr. Davis requesting the staff to prepare an ordinance to impose a \$25 per vehicle fee for road maintenance and a comprehensive ranking system and expenditure of the fee, seconded by Mr. Cullum.

Vote on Motion

In Favor: (4)	Mr. Derrick	Mr. Davis
	Ms. Summers	Mr. Cullum
Opposed: (2)	Mr. Owens	Mr. Keisler

(B) Stormwater Utility Fees - (Goal 3) - Synithia Williams, Environmental Coordinator -

Ms. Williams reported that Lexington County is required by the Environmental Protection Agency (EPA) to manage its stormwater discharges via the National Pollutant Discharge Elimination System (NPDES) permit program as an operator of a municipal separate stormwater system (MS4). Not enough communities in South Carolina fall in the same category as Lexington County so there is no data for comparison of information. Ms. Williams showed where Greenville and Horry counties have stormwater budgets; Greenville, a larger county and a Phase I community, implemented fees in 2002 and generates about \$6 million a year; Horry, a smaller county and a Phase II community, generates about \$3.8 million a year. It usually takes one to two years to implement a utility fee. Ms. Williams listed three key issues that need to be addressed prior to implementing a fee; 1) develop a comprehensive stormwater rate study to determine a fee amount, 2) ensure the utility is a true fee and not a tax, 3) educate and involve the public before and after the fee is initiated. Also, it is recommended that a consultant or attorney with the experience in stormwater utility implementation be used to help with any lawsuits that may challenge the legality of the utility. The Southeast Stormwater Association is conducting a survey of the southeastern states about stormwater utilities to be released by spring of next year which should provide more research material. For information only. No action.

Legal Closing of Tarragon Drive - Public Works - John Fechtel, Director - Mr. Fechtel gave a brief overview of the legal closing of Tarragon Drive which is a dirt section of road approximately eight-hundred (800) linear feet long. Ms. Vicki Quattlebaum has requested this closing due to illegal dumping, speeding drivers, four-wheelers, etc. and to enhance future development of a twenty-eight (28) acre tract. On June 28, 2005, the County initially approved staff to proceed with legal closing but after posting the road and sending out letters affected property owners submitted objections. The County notified Ms. Quattlebaum that it would not pursue closing Tarragon Drive. She hired an attorney to pursue the closing and has submitted the closing in two phases with two alternate routes outlined.

A motion was made by Mr. Owens, seconded by Mr. Cullum to recommend to full Council that Council has no objections to the legal road closure proceeding of Tarragon Drive.

The vote in favor was unanimous.

Access for Estates of Persimmon Hill - (Goal 2) - Public Works - Sheri Armstrong, Stormwater Manager - Item Tabled on 11/14/06 - Ms. Armstrong reported back to the Committee on the access for Estates of Persimmon Hill. American Engineering had revised the layout to exclude the access to Garden Pond and use access points at an existing stub out in Wrenwood Subdivision and the existing County road Benjamin Drive. This new proposed layout meets both the zoning regulations and the engineering design criteria for the RL4 and local road classifications.

A motion was made by Mr. Cullum, seconded by Mr. Owens that the motion be brought off the table.

The vote in favor was unanimous.

A motion was made by Mr. Davis, seconded by Ms. Summers to amend the motion to approve the new re-engineered proposal (November 2006) submitted by American Engineering.

The vote in favor was unanimous.

A motion was made by Mr. Cullum, seconded by Ms. Summers to approve the motion as amended.

The vote in favor was unanimous.

Approval of Minutes - Meeting of October 24, 2006 - A motion was made by Mr. Cullum, seconded by Ms. Summers to approve the October 24, 2006 minutes as submitted.

Old Business/New Business - Pending Issues: Subdivision Regulations, Development, Guidelines and Stormwater Ordinance, and "C" Fund Program. No information reported. No action taken.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Judy R. Busbee
Assistant to the Clerk

William C. Billy Derrick
Chairman

Diana W. Burnett
Clerk