

**PUBLIC WORKS COMMITTEE
MINUTES
SEPTEMBER 25, 2007**

The Public Works Committee met on Tuesday, September 25, 2007 in the Committee Room, located on the second floor of the Administration Building beginning at 2:40 p.m. Ms. Summers, Committee Chairman presided.

Members Attending:

Debra B. Summers, Chairman
Bobby C. Keisler
William C. Billy Derrick

M. Todd Cullum, V Chairman
John W. Carrigg, Jr.

Also attending: Katherine Hubbard, County Administrator; Larry Porth, Finance Director/Assistant 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.

Barracks Drive - Mr. James Duke, 1643 Barracks Dr., Gilbert, SC 29054 and Ms. Shirley Towne, 1652 Barracks Dr., Gilbert, SC 29054 – Item canceled, to be carried over to a possible future meeting.

Commercial Stormwater Fees for Low Impact Developments (Goals 2,3) - Public Works -

John Fechtel, Director – Mr. Fechtel presented staff’s recommendation that a commercial project be considered “green” or “low impact” if it utilizes over 50% of the property yet disturbs 30% or less. Once a commercial project has met the criteria to be “green” the following fees would apply:

- 1) The base review fee of \$574 would remain the same. However, the fee per acre would be reduced to \$58 from \$115;
- 2) The inspection fee base would remain at \$1,150 but the per acre fee would be reduced to \$57 from \$115.

Public Works’ staff and the project’s engineer would determine if the “green” concept is met. Mr. Fechtel also recommended that, at a future date, if less than 30% disturbed area is increased to more than 30%, that the project would not be considered “green” and the full commercial rate would apply. Additionally, the fees “saved” on the initial submittal would be made retroactive to the full original fee schedule.

A motion was made by Mr. Cullum, seconded by Mr. Keisler to recommend that full Council approve staff’s recommendations for the commercial stormwater fees for low impact developments.

The vote in favor was unanimous.

Intergovernmental Agreements/NPDES Phase II (Goal 2) - Public Works - Synithia

Williams, Environmental Coordinator – Ms. Williams presented the South Carolina Department of Health and Environmental Control (DHEC) requirements of an Intergovernmental Agreement between the County and the seven municipalities involved with NPDES Phase II and the proposed draft agreement. DHEC has extended the submittal of the agreement date to November 1, 2007. The County

attorney has reviewed and provided initial approval for the proposed draft agreement. It was noted that by the signing of this agreement the municipality acknowledges that if the County does not meet the requirements set forth in the General Permit Section 4.2.4 and 4.2.5 that the City/Town will still be held responsible for requirements and be subject to the penalties associated with noncompliance. The County will have no liability to the City/Town for failing to meet the general permit requirements.

A motion was made by Mr. Keisler, seconded by Mr. Cullum to recommend to full Council to approve the proposed draft of the Intergovernmental Agreement between the County and the seven municipalities involved with NPDES Phase II.

The vote in favor was unanimous.

Land Development Guidelines (Goal 2) - Chapter 4 - Public Works - Sheri Armstrong, Stormwater Manager – Ms. Armstrong presented the revisions to the Land Development Manual, Chapter 4 – Road Design relating to street access and traffic impact study. She also addressed Section 4.3.3 – Existing Non-Paved Dirt Roads concerning subdivision developments and family subdivisions. Staff will look at the separation of these subdivisions and establish criteria. Ms. Armstrong also reported that staff will reevaluate the Water Quality Buffers required in Chapter 3. Section 3.4.4 and report back in October.

A motion was made by Mr. Cullum, seconded by Mr. Derrick to recommend to full Council to adopt the revisions for the Land Development Manual, Chapter 4 – Road Design in its entirety.

The vote in favor was unanimous.

Note: Councilman Davis congratulated Ms. Armstrong and Mr. Wade Hall, Public Works Engineering Associate II, for their professionalism at a recent constitute visit that they attended with Mr. Davis.

Limerock Road Update - Public Works - John Fechtel, Director - Mr. Fechtel reported that at the July 24, 2007 meeting, Council agreed to legally close 2,156 feet of Limerock Road, contingent that the property owners pay half of the \$2,500 legal costs. He said staff contacted the spokesperson for the property owners who were adamant about not paying any of the legal costs. Mr. Fechtel noted that this road recently came into the County's road system in January as it was previously under the State system. He said the road is gated and if the road is not legally closed, the gate would have to be removed and the 2,156 feet of road would need to be passable for public traffic. Because the property owners will not agree to assume half of the legal cost, a decision must be made to either pay the \$2,500 in legal fees for the road closure or remove the gate and resume maintenance of the road. Staff recommended paying the legal costs to legally close the road.

A motion was made by Mr. Cullum, seconded by Mr. Derrick to recommend that full Council approve staff's recommendation to pay the legal costs at the County's expense to legally close the 2,156 feet of Limerock Road.

The vote in favor was unanimous.

Partial Legal Closure - Dick Corley Road - Public Works - John Fechtel, Director - Mr. Fechtel reported that Mr. Christopher Berry contacted his office requesting the legal closure of approximately 260 feet of Dick Corley Road. He said letters were sent to all property owners and signs were posted on each end of the road for a minimum of 30 days. Mr. Fechtel noted that two letters in favor and two in opposition were received. He

reported that Mr. Berry has retained an attorney and has agreed to pay all cost associated with the closure. In addition, Mr. Fechtel requests if this portion of road is closed, that a 100 foot diameter cul-de-sac be given to Lexington County and improved by the requestor to allow vehicles a safe turn-around area. He indicated that if Mr. Berry proceeded with the closure that the judge would even consider legally closing that portion. Staff recommended not approving the partial legal closure of Dick Corley Road.

A motion was made by Mr. Keisler, seconded by Mr. Derrick to recommend that full Council oppose the legal closure of approximately 260 feet of Dick Corley Road.

The vote in favor was unanimous.

Old Business/New Business - Private Roads, Road Maintenance Fee Ordinance, Alternate Funding Sources - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Judy R. Busbee
Assistant to the Clerk

Debra B. Summers
Chairman

Diana W. Burnett
Clerk