

**PUBLIC WORKS COMMITTEE
MINUTES
APRIL 27, 2010**

The Public Works Committee met on Tuesday, April 27, 2010 in the Committee Room, located on the second floor of the Administration Building beginning at 1:07 p.m. Mr. Derrick, Committee Chairman, presided.

Members Attending:

William C. Derrick, Chairman	John W. Carrigg, V Chairman
Bobby C. Keisler	William B. Banning, Sr.
James E. Kinard, Jr.	

Also attending: Katherine Hubbard, County Administrator; Joe Mergo, Deputy 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.

Hallman Mill Road Partial Legal Closing - Public Works - John Fechtel, Director -

Mr. Fechtel presented a request from the Hallman Family for the legal closing of a portion of Hallman Mill Road, for a total of 2,800 feet. After letters were sent to property owners and the proposed section posted, one objection was received from Ms. Barbara Gaines. Mr. Fechtel reported a pond is located on the portion requested to be closed but the pond dam is not part of the road; however, if any problems occur with the pond the County would be responsible for repairing the portion damaged. Staff has no objections with the road closure and has notified the necessary Public Safety Departments. He confirmed the County's policy that if any objections to a legal closure were received, Council would not necessarily object to the closing but would not pay the legal costs for the closure. The Committee asked if this section is closed how the County will maintain the other sections of road. Mr. Fechtel responded it would be maintained along with the other roads in the same general area. He recommended as part of the legal closure that some type of turnaround area or cul-de-sac for emergency vehicles be included. If Council approves, Mr. Fechtel recommends sending a letter to all the property owners explaining Council has no objections to the road closure, property owners are to pay all legal fees for the closure, and turnarounds must be included. Also, if property owners pursue the legal closure, and the road was ever to be reopened, the County would require a 50 foot of right-of-way and pave to County standards.

A motion was made by Mr. Kinard, seconded by Mr. Banning to recommend to full Council to approve the request from the Hallman Family to legally close a portion of Hallman Mill Road.

In Favor:	Mr. Kinard	Mr. Banning
	Mr. Carrigg	Mr. Derrick

Opposed: Mr. Keisler

Preliminary Evaluation for Kinley Creek Watershed - Public Works - John Fechtel, Director and Randy Edwards, County Engineer - Mr. Fechtel and Mr. Edwards presented staff's preliminary study of Kinley Creek, K-1, and K-2. The following options were presented for discussion and consideration; 1) channel improvements, 2) detention ponds, 3) a combination of both channel improvements and detention ponds, and 4) selection and removal of existing structures with flooding conditions. For FEMA consideration, all options need to be considered with related cost figures and hydrology studies to be eligible for funding. Mr. Fechtel said the County could be funded up to 75 percent from FEMA for channelization or detention and utility relocations. Potential funding sources may be available through the Department of Natural Resources and the Emergency Management Division only after the study is complete and dependent on various criteria and competitive application. Other possible funding sourcing are special tax districts, stormwater utility fees, and in-kind matches, etc.

Mr. Fechtel reported the Kinley Creek Project could be addressed in project phases at \$4 million increments which is FEMA's maximum allowance. (The FEMA grant would be a 75/25 percent match fund.) However, the County could not apply for additional FEMA funding until each project phase is completed. Staff has estimated that the preliminary cost for a complete study is approximately \$250,000. This does not include other potential costs after the study is complete which would be wetland mitigation credits, additional easement widths, etc. Mr. Fechtel said staff would be able to utilize the County's LiDAR information and save money on the engineering study.

The County owns 11.79 acres on Piney Grove Road across from Nottingham Road that could be converted into a detention pond, reducing the flows in Kinley Creek. Mr. Fechtel said that additional property would need to be identified and purchased to be able to provide detention ponds for the other flood areas. The complete study will need to be conducted prior to proceeding and would be eligible for the FEMA 75 percent match if the application is made with solutions. The grant would cover majority of the expenses, including utility relocation and purchase of property. Mr. Fechtel will verify if the 11.79 acres can be used as an in-kind match. The Committee requests the Administrator to find funding for the preliminary project study after staff has confirmed with a qualified firm the actual cost of the study.

A motion was made by Mr. Carrigg, seconded by Mr. Banning to request the County Administrator to locate funding for the initial Kinley Creek, K-1 and K-2 Watershed Study as presented after staff provides costs for the engineering firm, preliminary study, and project.

The vote in favor was unanimous.

Sarah Ann Road Partial Legal Closing - Public Works - John Fechtel, Director - Mr. Fechtel presented a request for the partial legal closing of Sarah Ann Road. Mr. James Bruner, property owner and attorney, with Mr. Johnny Johnson of Power Engineering were available for questions. Mr. Fechtel reported there were property owners in objection to the

partial road closing. He said there is a 500 foot pond dam located on the 1,600 feet section of road to be closed that is very narrow with no guard rails. Mr. Fechtel said Public Safety and the Sheriff's Department have been notified and have no objection to the closing. He also reported access to both ends of the closed section has been discussed with Mr. Bruner. The property owner has agreed to pay all legal costs for the closure and provide access for law enforcement and emergency vehicles.

A motion was made by Mr. Kinard, seconded by Mr. Carrigg to recommend to full Council that there are no objections to allow the legal closure of Sarah Ann Road and the property owner to pay all legal costs as well as provide emergency access to the property.

In Favor: Mr. Kinard Mr. Carrigg
Mr. Derrick Mr. Banning

Opposed: Mr. Keisler

Uncontested Legal Road Closures - Public Works - John Fechtel, Director - Mr. Fechtel presented staff recommendations for an uncontested legal road closure policy for review and approval. He reported staff would proceed in the same manner as before but instead of bringing the request before full Council staff would notify the Council Chairman, Council member in which property is located, the County Attorney, and the County Administrator. The policy as outlined would allow the County Administrator authority to handle uncontested legal road closure requests and only contested closings would be presented to Council.

A motion was made by Mr. Banning, seconded by Mr. Kinard to recommend to full Council to approve staff's recommendations for the proposed uncontested legal road closures policy but notify all council members of requests for road closures.

The vote in favor was unanimous.

Old Business/New Business - Traffic Congestion, Alternate Material for Road Swells, New Road - Corley Mill/Riverchase, Assessment of Ponds Inventory - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Judy R. Busbee
Assistant to the Clerk

William C. Derrick
Chairman

Diana W. Burnett
Clerk