

**MEETING MINUTES
MONROE COUNTY DRAINAGE BOARD
9:00 A.M., MARCH 3, 2021
Via Zoom App**

MEMBERS PRESENT: Robert Autio (President), James Faber, Dee Owens, William Riggert, Trohn Enright-Randolph (*ex officio*)

STAFF: Donna Barbrick (Secretary), Kelsey Thetonia (MS4 Coordinator), Technical Services

OTHERS: Andy Knust, Christine Mathew, Marilyn Wood

I. CALL TO ORDER

Robert Autio called the meeting to order at 9:00 a.m.

II. APPROVAL OF MINUTES FOR: February 3, 2021 +*

Autio stated he had a correction on page 1 of the draft minutes to change Clark Creek to Clear Creek and had a question about a zoning acronym on page 4. Dee Owens said it is a designation for residential zoning. **James Faber motioned to approve and Owens seconded the motion. Autio took the vote by roll call: Autio AYE, Owens AYE, Riggert AYE, and Faber AYE. Motion carried unanimously and minutes approved with corrections.**

III. OLD BUSINESS

a. The Trails at Robertson Farm Subdivision (formerly White Oaks)

Kelsey Thetonia said we are expecting a vote today for the Planning department. She said we do have more information since our last meeting. She said Daniel Butler was here to represent the petitioner. She said I sent you all a copy of the wetlands delineation map. She said all of those wetlands are going to be avoided with this project and last night at the Plan Commission meeting there was a discussion of using that as an educational area, which I think is a wonderful idea. She said I'm willing to help with that, as well, if they want any ideas for content on any educational signage, if that helps. She said protecting all of that is a positive on my end. She said as far as stormwater management on site, they have two major drainage areas. She said stormwater on the northeast corner flows northeast that will be captured in one pond. She said the rest of the site flows south/southwest. She said there will be no new crossings under the trails and they are going to use existing culverts under the trails.

She said I asked Daniel Butler to give us more information on the culverts and he was able to confirm that there are two existing pipes under the Clear Creek trail and they are able to show that those pipes can handle the runoff from the site.

She said she received calculations from Daniel that showed there is adequate space for the ponds to hold the runoff in our more stringent release rates. She said she had not been able to look at those calculations yet but they have worked to show that it is a feasible plan.

Owens said it may be feasible, but is it required. She said I'm concerned about the impervious area that is going to be created by 145 lots and the neighbors have remonstrated loudly about extra water coming towards them. She said I'd like to make sure that there are some conditions on this so those ponds are put in. Thetonia said the ponds are required under our local ordinance under state regulations. She said they are meeting stringent criteria that the DB put in place last year. She said they are capturing the water in these ponds and then releasing at a much, much slower rate.

Owens said I am not comfortable with passing this if the calculations are not to your liking. Thetonia displayed a set of calculations concerning pond size and cubic feet of storage that Butler had sent. She said I got these yesterday afternoon and I have not been able to go through them in detail but looking at the cubic feet of storage, it looks reasonable to me. Autio said we would like to give you the opportunity to verify the calculations and confirm that it is, in fact, reasonable.

Autio asked a question about the Plan Commission meeting. Trohn Enright-Randolph said we have a meeting in March to discuss this. He said Dee Owens is the newest member of the Plan Commission. He said I think it may be helpful to have a concise overview of this project from Planning. Autio said I was thinking something similar, Trohn. Thetonia said I was hoping for a vote today on the preliminary drainage plan.

Faber said I am concerned about the extreme density and the possibility of global warming contributing to increased rainfall coming down on this area. Thetonia said I would like to clarify that the DB is going to be looking at how they are managing the runoff from the site and managing stormwater on the site and whether it meets the requirements of the drainage ordinance. She said they are meeting the requirements and they are going above and beyond.

Trohn said I do think that we should try to keep this in a timely matter with Plan Commission. Owens said I still have the same concerns. She said I do not think we have all the information. She said we have not heard from remonstrators yet. Riggert said Kelsey has what she needs for review and for projects like this we typically delegate that to the drainage engineer. He said if we are looking at the drainage aspects, there is nothing else that we can really do. He said I don't know what other measures we can do from a drainage aspect. Owens said we can consider what is going on in the neighborhood.

Thetonia said I do not think it is a reasonable expectation to have a full drainage plan approved before the plan is approved. She said Terry reviewed this and I have reviewed this. She said I would like for us to not stray too far from what DB needs to do. Autio asked if the other DB members were able to meet in two weeks to give her an opportunity to look over the calculations.

William Riggert suggested a motion to continue this case until March 17, 2021 at 9:00 a.m. Faber seconded the motion. Vote by roll call: AUTIO AYE, FABER AYE, OWENS AYE, RIGGERT AYE. Motion carried unanimously.

There was a discussion of having a presentation from the Planning side of things. Thetonia said usually if a project is presented to the Plan Commission prior to the DB you can also go to those meetings since they are open to the public.

IV. NEW BUSINESS

a. Monroe County Public Library Southwest Branch

Thetonia said this is the first time that DB is seeing this project. She said this is for the new library by Bachelor Middle School, on West Gordon Pike at the point of Rogers Street. She said they have already gone through the process to get a new parcel of land just south of the middle school. She said we received our first preliminary drainage report and we've had discussions already. She said Terry and I met with Bill and Andy from Bledsoe Riggert Cooper James (BRCJ) to discuss the preliminary design and the requirements for this project, since it is located in one of the critical drainage areas. She said the engineers have expressed some concerns about the release rate requirements for the critical drainage area and whether they are going to be able to meet it with the constraints on the site. She said they are concerned with the amount of space they have and they say that they are constrained because they are trying to minimize their impact on the existing wooded area, the vegetated area on the north and east sides of the site. She said there were some intentional plantings in that area and there are those who are very concerned to preserve as much as possible so that decreases the footprint of the project. She said because of that decrease in the footprint the engineers are requesting that they not be held to that critical drainage area release rate. She said I know that this is coming in on that transition period when we approved

these release rates last October and now these projects already starting their development are caught in the middle concerning when did we actually draw the line on requiring these release rates to be met. She said so that is the conversation I would like you all to have. She said from my point of view, I would like every project to be held to these standards because that is what we had to do to protect the Clear Creek watershed. She said we have provisions in our ordinance that state that government projects are not exempt from these requirements but I also want to be sensitive to the fact that this project already has a fixed budget because of grant funding. She said they can probably explain that better than I can but that is the preliminary information that I have.

Riggert commented that he would excuse himself for this portion of the meeting.

Andy Knust spoke about the project on behalf of BRCJ as a drainage engineer. He talked about the new drainage ordinance being relatively new guidance. He said we began the planning process nearly two years ago, before the critical watershed flow rates were adopted. He said had we known that we were supposed to be aiming for those criteria, the whole planning process might have gone differently and it feels like it is late in the game to be shifting the requirements. He said Christine Matthew is the project architect and is on the call as well.

Christine Matthew spoke. She said with regard to preservation of site, we are putting in a full garage underneath the building in order to preserve the site and also taking advantage of a sloped site condition. She said we are trying to be as responsive as possible to the existing site conditions and using them to the benefit of preservation of the site.

Knust said we have a five-acre site and the project impacts 2.7 acres of it and the remaining 2.3 acres (roughly) would remain as a wooded site. He talked about the new stormwater technical standards and there being multiple criteria in play in the new ordinance. He said in a certain way they work against each other. He said one of the goals is to preserve existing wooded area but then if we add three times more detention volume than I have already designed into the stormwater system, then I think we would be forced to put in a surface detention pond, which would take up a significant footprint. He said we would need to triple the amount of detention storage on the site to hit that and that would force us into the wooded area. He said I think we could potentially increase the underground storage but it would be challenging to meet the .4 or .5 cfs per acre. He said from reading through the new stormwater technical standards for the general county in areas that are not critical watersheds, the target flow rate is 0.9 cfs per acre for a 100-year flood event and in that scenario, we would have to substantially increase but it would be a more reasonable target. He said considering the project was started long before the critical flow rates were adopted or the new ordinance, the request is for us to meet the former guidelines from when the project was first discussed with Planning more than one year ago.

Autio said those rectangular shapes are the underground vaults. Knust said yes, that is a preliminary layout of underground detention storage units. He said those are prefabricated plastic units that are buried and surrounded by drain rock so there is quite a bit of subsurface storage in those areas. He said all of the runoff from the rooftop and the parking lot would go into that area. He said I know that Kelsey is interested in pursuing low impact development on this site and I think it is an admirable goal and there may be opportunities to replace some of the underground storage with green infrastructure without affecting the project's budget. He said the challenge is the total volume of storage that would be needed to meet cfs requirements for a critical drainage area.

Autio asked about storage under the parking garage. Knust said it is a subsurface parking garage and in that part we already have to excavate some bedrock. He said in the corner, we could do some surface detention there perhaps. He said it does not all have to be underground detention but there is not a lot to do to increase the volume of storage without cutting into the wooded area.

Trohn said this sounds like two different conversations and I am trying to separate the two. He asked is it a volume issue or a budget issue or are the standards just too high. He asked is it really a feasibility discussion. He asked are we looking at the budgetary effect of putting in more underground detention. He said is it going to change the building itself. He said there are a number of different things. He talked about bioretention. He said the DB actually implemented these standards during a project. He talked about minimal control measures and the

county leading by example. He said as we build this site it should not have any negative impacts on the surrounding area. He asked what is a good middle ground. He said I think we need to be a little more blunt of what we can and can't do and then how the DB can then take that into consideration.

Knust said you mentioned concern about the budget or about the feasibility; I think you know there are concerns about both. He said I do not have all the information about the project budget. He said I was brought in recently to tackle the drainage design. He said I know that the project has a fixed budget and if the project needs to drastically change to meet requirements that we weren't aware of while we were in the preliminary design stages, it could sink the project. He said that is my understanding.

Trohn said I think that is the heart of our discussion here and the fact that that kicked in after that fact, after things were planned, should be considered, in my opinion.

Marilyn Wood spoke. She said a couple of years ago, when we began the discussions with county planning and with highway department and others, we were under the impression we were working with a particular set of rules and guidelines and we have already started the process of getting a bond. She said this would upset the apple cart completely.

Knust said I think it would be reasonable to meet the water quality goals and the channel protection volume goals, as stated in the stormwater technical standards. He said I think we can pretty reasonably do that and incorporate some green infrastructure and low impact development because I agree the county should be setting an example on county projects. He said however, adding the critical watershed flow rates on top of that for this particular site would be a challenge and that is where we need some relief. He said if we could design the storm detention system to either match existing site flow rate, which is the typical standard or perhaps even go a little beyond that if that is the desire of the drainage board but I think really the main issue is the flow rates. He said I think we can incorporate some elements without blowing up the project.

Autio asked about calculations. Knust said under existing conditions, in a ten year event we have got about 8 cfs coming off the site and that out to 1.6 cubic feet per acre. He said for 100 year event we've got about 15 cfs coming off the site so that's about three cubic feet per second per acre. He said so that's under existing conditions. He said with proposed underground detention in preliminary design, all the underground storage detention would reduce those peak flows to about 90 percent of what is there today coming off the site. He said this project with preliminary underground detention storage would reduce the peak flows that are coming off the presently undeveloped site. He said if you look at it on a per acre basis, that is about 1.5 cfs per acre in a 10-year event and 3 cfs per acre in a 100-year event. He said the critical watershed flow rates that I was referring to would be 0.25 cfs per acre whereas today on the existing site we have 1.5 cfs per acre. He said it is like cutting the existing flow off the undeveloped site by six times and it's about the same for 100-year event. He said at the very least we can reduce the peak flow from the project so that it is less than existing peak flows.

Thetonia said she would like to speak to the calculated release rates and those more stringent standards. She said Christopher Burke engineering, when they were helping us with our new ordinance and technical standards manual, did a countywide study using stream stats on release rates that would be appropriate for the conditions in our county and that is how they came up with 0.9 and 0.5 cubic feet per second per acre release rates. She said when the new ordinance passes that will be the standard to be held to because we have had significant issues in critical watersheds. She said we reduce those by half and Terry did his own calculations to make sure that it would be feasible for a standard project in this area. She said obviously not taking into account other factors unique to each project but those rates are similar to other release rates that other counties hold new development to. She said so that is how we came up with them. She said there is also going to be some language in the new technical standards stating that if developers want to contract out a study to see what that specific watershed can handle they are more than welcome to do that and we will incorporate that into our local standards but if they don't, then they are going to be held to the more restrictive measures. She said that is to remediate issues from past development where we have had significant issues with erosion and flooding.

Autio said I'm throwing out ideas. He said it looks like drainage on that site goes to the east. He asked about a surface water detention pond in that area. Knust said it could be possible to put something there. He said I cannot speak to the value of the trees that are to be preserved. He said I think that an arborist may have looked at the site and did an evaluation and I do not know the details of that. Autio said as you heard earlier today, DB is trying to hold another new development to the new standards and I am hesitant to provide an exception because we are trying to implement these new standards. He said I hope that maybe there is a design alternative.

Owens said as I look at the color picture that was in the packet, you can see all the housing surrounding this area and that last thing we want to do is have a problem with water in this area. She said I think the idea of having some detention area outside there might be worth the trade-off and I'd like to see also if the arborist had anything to say about that.

Faber said I think people were concerned about retaining the trees, especially the students at the school; they wanted to retain as many of those trees as possible. There was a discussion of preserving trees and where a pond might be put in. Knust talked about a wetland area that is on the property of the school district and then the flow goes into a culvert pipe near the roundabout and from there goes into the creek so any peak flows coming off this site would not impact on the adjacent housing in the immediate neighborhood. He said I can't speak to what else happens downstream with Clear Creek. Autio mentioned a drainage easement. Thetonia said that was discussed previously and I think it is still on the table, not just capturing runoff from this project but also from the middle school. She said there is a private sanitary sewer main that goes from the roundabout directly up to the school. She said that would be very restrictive.

Autio said obviously we hope you exceed the standards but given the constraints of the project if you can make it better then I think I would be more comfortable. He said he would be willing to talk to the library board about Drainage Board's concerns. Knust said the point I'd like to make again is that we started planning for the project before any of the current standards were in effect so I feel like that should at least buy us some grace if not, you know, a complete waiver from the new standards.

Trohn said I just wanted to add that I do believe that we should give that consideration but we should strive to achieve the best that we can. Trohn said it is a tricky spot to be in and it's one of the times I'm actually happy that I am a non-voting DB member. He said I would like to move it forward to our next meeting so that maybe they could adjust something and present it back to us as far as some of the solutions you were alluding to. He said I am curious how Andy or Marilyn would respond to that.

Marilyn Wood said we are moving forward with our bond request that is based on our current funding model and we have been carefully choreographing the design and the bond to hit at a point in time when it doesn't affect the tax rate. She said if we do not stay on track then we cannot do that and so the tax rate and all of our funding will be seriously impacted. She said this is actually a huge deal for us.

Thetonia said I want to reiterate that we are not required to vote on this today; this is the preliminary presentation of the project and we haven't received a preliminary drainage report yet, just the conceptual design. She said we still have time to see this develop before the DB needs to make a decision. Owens said I appreciate Bob's suggestions to find alternatives. She said I understand it feels like the rules have changed and the rug is yanked a little bit. She said you have to draw a line somewhere, though, for the entire area and so it needs to be balanced and since there are other potential options, then I think we should examine all of those.

Christine Mathew talked about the site being chosen because it is next to Batchelor Middle School and can serve not only the entire southwest county population but in particular the middle school children for after school programs. She said the site seemed to work very well from the standpoint of those needs. She said it was not until into the initial phases of this project that we discovered that there as going to be a roundabout put in. She said we responded by changing the design and relocating the building further east and then many of you may have seen letters to the editor in the paper on the issue of the trees and we again redid the entire design to

accommodate those conditions. She said this community project is so important for the Monroe County community that has been underserved for a long time.

Autio said thank you, Christine. He said I think we all understand the important of this project and its critical nature. He said the importance of this community asset could be one of the reasons why we may choose a variance of these new standards. He said Andy, if you and Bill could come back with the preliminary design so that we could have something to vote on in the next meeting I think that would be a good way to move forward.

There was a discussion of continuing the discussion on March 17th.

b. John and Amy Pullman Project

Thetonia said I wanted to quickly present this so that DB is aware of it. She talked about Carmola Drive lacking adequate stormwater infrastructure. She showed the existing site and talked about its detention pond. She said this detention pond was designed to existing drainage ordinance standards which allow the water to leave the pond very quickly. She said the pond has a 24-inch outlet pipe. She said the pond is sending a lot of stormwater out. She said we cannot require the developer to go back and change the existing pond without assuming some kind of liability for it. She said that is why Terry decided not to do anything with it. She said the most we can do is require them to make sure it is functioning as designed. She said the water leaves the outfall structure here, flows across the southern portion of this parcel and then sheet flows into this pasture. She said the second part of this discussion is Carmola Drive itself and how to handle the storm sewer so it will play nicely with the discharge leaving this pond so that we are not causing any inappropriate burden to this property owner and that we are handling this in a non-erosive and non-intrusive way. She said there is also a lot of water coming from the north and into the back of the one parcel. She said the homeowners have been communicating with Terry and he said he would make sure that this is all considered with the design of the new road. She said we have been communicating with the homeowners so I wanted to make sure that this is on the record and that you are all aware of the existing issues. Owens said this sounds good, Kelsey, and is a good example of what we have been talking about and why we have to be really careful about what we approve because how it plays out in the future when it becomes the county's responsibility is a really big issue.

Autio asked if the stormwater pipe would go north and south. Thetonia said it is not fully designed yet. She said anything on private property would require a drainage easement, obviously. Riggert asked when we do our new road projects in the county is the county going to observe the new stormwater management requirements that we have agreed upon and everyone else is living up to. Thetonia said that is the goal. She said I have that on my mind and I am ready to implement that as best as I can. Riggert asked about whether a pond was built according to the design. Thetonia said I have not looked at the plans myself. She said I would contact the HOA to give them a notice about maintenance items. She said I could also go in the planning department to see what we have on the outlet structure design. There was a discussion about whether the outlet was fully constructed as designed.

Trohn spoke about bringing in a stormwater inspector which could help with matters like this. Autio spoke about the possibility of the county having to purchase property to create a detention pond. Thetonia said I will work with the engineers on this. She said it is something I am definitely interested in, making sure that the county is compliant.

V. PUBLIC COMMENT

James Faber talked about a drainage problem at Arlington Road and Maple Grove Road. He said property owners were trying to clear out a ditch recently. He also talked about having agenda and minutes sent out in a different manner. Thetonia talked about using DropBox as a method to share files.

VI. CONTINUING THE MEETING

At approximately 10:37 a.m., Autio continued the meeting to March 17 at 9 a.m.

Minutes approved: _____

President

Secretary