



TOWNSHIP OF FERGUSON

Ferguson Township – Stormwater Advisory Committee (SAC) Phase II Meeting #1 April 10, 2019 (@ 12pm)

Attendees

Ferguson Township: David Modricker, David Pribulka, Ron Seybert, Kevin Bloom, Eric Endrensen
Wood / Gannett Fleming Team: Elizabeth Treadway, P. Eric Mains, Virginia Thornton
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.

Welcome and Introductions – Overview of Agenda and Study Goals/Timeline

- Review of Phase II and Introductions to the Program/Study
- Prepare the Township for a decision in the fall on adoption of a dedicated revenue for stormwater.
- If adopted, the goal is to produce revenue in 2020.
- Critical policies, some outstanding from Phase I, will be discussed and recommendations refined for presentation to the Board of Supervisors.

Overview of Stormwater User Fee Study

Phase I Overview

- Evaluating the feasibility of a user fee to fund a stormwater management program from a broad range of issues such as need for change driven by gaps in service; administrative capacity; staffing needs; and infrastructure investment.
- First step was to evaluate the current program and determine the goal of the overall stormwater program.
- Working with staff and the SAC, prioritized the needs to develop the goal program.
- After program development, costs began to pair up with the program elements
- Completed an evaluation of Current Stormwater Program cost overview & breakdown.
- Developing a good understanding of what's in the ground & the condition was recognized as a #1 priority.
- Mandated programs include projects that align with the Pollution Reduction Plan and non-mandated projects, such as replacement ahead of streets projects or repairs, were captured in the program assessment.
- Phase I SAC completed a web survey that evaluated an understanding of the Township's SWM Priorities.
- Levels of Service - different levels of effort, resource requirements, and costs were discussed in detail. Some program elements were considered a low priority, with maintaining the current LOS as adequate while compliance with the MS4 mandates, assessment of the entire system, and repair of inlets were ranked as top priorities.

Infrastructure Overview

- Basins can become a burden for individual homeowners in terms of maintenance and cost of upkeep. Impacts to these facilities can cause issues up/down stream of the facility. There are orphaned basins receiving public area runoff but maintenance is the responsibility of the private land owner. The question was raised regarding the public responsibility for basins and stormwater sewers that handle public area runoff.

- Municipal Separate Storm Sewer System (MS4) carrying mandates that can expose the Township to enforcement actions is not implemented according to permit terms.
- Ferguson Township is an MS4 community, regulated under both DEP & EPA.
- During the assessment of infrastructure systems, additional 'issues' can be uncovered requiring 'emergency' maintenance/replacement and associated funds.
- 20% of existing basins are inspected annually which is a five-year cycle for post 2003 BMPs based on permit requirements.
- Last year's rains may have triggered additional issues for 2019.
- Time seems to be a general concern for all parts of the challenges facing the Township.
- Stormwater "utility" is not necessarily a separate operating unit within a local government. Typically a separate organization is not created.
There is a key question for the Board of Supervisors: "Is there compelling enough reason to raise revenues, dedicated to stormwater, to manage the infrastructure and compliance programs into the future?"
- As time goes on, there are different demands for infrastructure systems as a result of densifying in urban areas & development. Systems will fail if not maintained; rehabilitation through pipe-lining can extend the life of the underground pipe system, reducing cost for replacement.
- Distributing cost based on the LOS (for both incoming revenue and expenditures) links the service to the revenue such as user fee and not the General Fund (since the incoming revenue is based on income tax and is not connected to LOS).
- Phase II does not mean there has been a decision to implement a fee. This stage of the study focuses on a refinement of policy decisions, revenue analysis, program refinement, and long-range goals.
- Phase I study documented that there were not large barriers preventing adoption of a fee and that there are ways to address any potential barriers to move forward, if it is the decision of the BOS.
- The Phase I SAC specifically requested an evaluation of revenue neutrality which was discussed with the BOS.

Update - Activities since June 2018

- Presentation made to Board of Supervisors by staff and the consultant team.
- July/August with budgeting and CAP planning, staff requested & board approved funding for Phase II.
- RFP for Phase II was released late 2018 and a contract was awarded to Wood/Gannett Fleming.
- One Kick Off Meeting with Township and Consultants has occurred.
- SAC has been reassembled with a few new members.
- The Township GIS staff has been reviewing and delineating the impervious areas in the Township. In December, high resolution photos were captured for the entire Township which can be used for multiple purposes.
 - Aim for this to be completed by mid-May (2 full time GIS technicians, 1 is dedicated to this effort for a few months)
 - Gravel, such as compacted travel-ways, is delineated as impervious based on stormwater engineering analysis for runoff characteristics.
 - Farm access roads are not being defined as impervious.
 - The delineation of impervious/pervious documentation is the working document for GIS Techs and will be provided to the SAC.
- For 2019, Stonebridge will have some stormwater improvements as driven by a road improvement project.
- Potential for credits for various stormwater 'improvements' will be part of the policy discussion in Phase II.
- Tree Commission is planning on doing a Township wide tree canopy survey. Trees can reduce the runoff rate and are defined as "pervious".
- Discussion of improvements/relation of tree canopies and impervious surface may be considered in the credit program. The canopy only exists for a specific period of the year.

Review & Discussion

Phase II Focus - Policy

- The additional GIS efforts will allow a parcel by parcel evaluation rather than an "Equivalent Residential Unit" and land use for development of rate policy.
- PSU is a permitted agency and discussions will be held to understand roles and responsibilities shared with the Township.
- In Wood's experience, credit programs targeted to recognize private investment that benefits public services are implemented in about 50% of user fee implementation.
- Will the SAC make a 'recommendation' in Phase II? The recommendation will be provided to the board and will be inclusive of SAC findings.
- There will not be a Board Member on this SAC; however, at Board Meetings the SAC is always encouraged to attend.
- Background documentation from Phase I can be provided to SAC members as requested.
 - The study materials will be available on the website if it is not already.
- There are always additional options for revenue, including grand funds, partnerships, and public/private investments. User fees implemented include more than a single source of revenue.
- The Phase I study considered a fee based on equivalency to residential properties.
- Fixed billing units based on square footage is becoming more common as data sources and availability are improving. For example, 500sf or 1000sf as a billing unit is considered more equitable because it distributes costs in a consistent manner, regardless of property use.
 - Use of a fixed billable unit is helpful when there are wide ranges of housing 'stock', from large homes and small homes, to provide additional flexibility and equitability.
- Some rates consider development intensity of a site; for example, if only 17% of a parcel is developed it suggests a lower impact. When comparing concepts of equitability, using property taxes can create significant issues when there is a smaller impervious cover but greater value than a larger house on a less desirable lot. Property value or income is does not create a rational nexus between revenue contribution from an owner/earner to the need for public stormwater services and infrastructure.
- It is important to reminder that there are stormwater facilities that everyone uses regardless of the property they own.
- Using impervious area as a "meter" does not include calculation of runoff contributions from each property but rather uses impervious area as a form of equitability in distributing costs.
- One approach that can be considered in rural areas is by 'lot frontage' because the LOS that is delivered is primarily from the road, curbing, and ditches.

Future Meeting Logistics

- Next meeting is May 1, 2019
- June 5
- July 17
- August 21 - this meeting date will be confirmed
- Public meetings are being held around these meetings and the SAC may wish to attend.

IMMEDIATE ACTION ITEMS

- *Township will provide information regarding impervious area collection standards.*