

A MEETING OF THE STORMWATER ADVISORY COMMITTEE OF THE COUNTY OF JAMES CITY, VIRGINIA, WAS HELD ON THE TWENTIETH DAY OF JANUARY, TWO-THOUSAND FIFTEEN, AT 4:00 P.M. IN THE FREEDOM PARK MEETING ROOM AT THE FREEDOM PARK VISITORS CENTER, 5537 CENTERVILLE RD, JAMES CITY COUNTY, VIRGINIA.

**A. ROLL CALL**

**Committee Members Present:**

Darren Curtis, Berkeley  
Nitant Desai, Powhatan  
Phillip Doggett, Stonehouse  
Robert Gasink, Jamestown  
Doug Haller, Roberts  
Gerald Hanley, Roberts  
Roger Schmidt, Stonehouse  
Aaron Small, Jamestown  
Angela Whitehead, Jamestown  
Alexandra Younica, Berkeley

**Committee Members Absent:**

Allen Ayers, Stonehouse  
Malcolm Martin, Jamestown  
Richard Strenkowski, Berkeley  
Randy Taylor, Stonehouse  
Bob Winters, Powhatan

**B. PUBLIC COMMENT** – None.

**C. APPROVAL OF MINUTES** – The November 18, 2014 Regular Meeting of the SPAC minutes were approved.

**D. Order of Business**

**a. Organizational Meeting**

- i. **Review of By-Laws** Need to add a committee size update to the By-Laws. It was agreed that the committee should consist of 2-4 members from each voting district, with a maximum of 15 members total. If anyone needs to add anything new to the agenda, they need to inform the secretary no less than two weeks from the next meeting date. Also Committee officers will serve a two-year term and are eligible for only two consecutive terms at a time.
- ii. **Election of Officers** - The committee voted for Aaron Small as Chairman, Phil Doggett as vice-Chairman, and Fran Geissler as Secretary.
- iii. **Approval of 2015 Calendar** – The Calendar was approved as modified.

- b. **Neighborhood Drainage Program Report** – Fran Geissler shared that the Board of Supervisors budget retreat would take place on January 31 and a presentation of the proposed drainage program will take place.

**E. Staff Updates –**

- a. Staff shared with the committee the readiness to move into BMP education and outreach planning. The objective is to develop an outreach program that is meaningful to BMP owners and results in effective BMP maintenance. The committee agreed that the importance of this program will necessitate a committee-wide information and brainstorming session to take place at the March regular meeting.
- b. The James River Festival will take place on April 25 from 10-3 and committee members are encouraged to participate in this outreach event.

**F. Committee Requests – None**

**G. The next meeting will be March 17, 2015 at 4:00 PM, 107 Tewning Road, Conference Room**

**H. ADJOURNMENT** - The meeting was adjourned at 5:24 pm



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Aaron B. Small, Chairman



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Frances C. Geissler, Secretary

PUBLIC COMMENT – Frank Polster, 420 Hemstead Road, Williamsburg.

I started attending your SPAC meetings this last Feb and that first meeting discussed the impacts of the new *Virginia Storm Water Management Regulations* and the required updates to the county's storm water ordinance. As I listen to your discussion my impression of the committee members was the thoughtfulness of your questions, the quiet competency of the county staff and that sixty-four thousand dollar question – “Is this going to improve the Water Quality in the State?”

As I attended subsequent meetings I have come to understand the complexity of storm water and the interrelationship of run-off, flooding, stream restoration, BMPs, watersheds and drainage on water quality. Though the goal is improved water quality, attaining it seems to be a slow, gradual process, navigating itself through resource constraints, competing priorities, regulatory mandates without the requisite resources, shortfalls in citizen understanding of the issues and their responsibilities, to name a few.

Your discussions surrounding the Neighborhood Drainage Program have navigated them selves through these issues but not lost their focus on the sixty-four thousand dollar question – “Is this going to improve the Water Quality in James City County?”

It is worthwhile to look backward a bit at the Neighborhood Drainage Program you have managed over the last 6 years as well as to recognize the efforts of this committee since 2008. The criteria and process used to approve those projects, as well as other storm water projects, is an endorsement of the updated criteria and process in your recommendation to the county administrator. But more important is that it underscores the need to continue the program, which helps to maintain an aging infrastructure and improves water quality.

As you know there were 73 drainage projects funded over that period with a total cost just under \$940K.

- 63 of those parcels were all, partially or very near a Resource Protection Area (RPA). The projects clearly contributed to improved water quality and therefore link directly to the county's MS4 permit.
- 41 of those projects were associated with Non HOA neighborhoods and 24 were associated with HOAs, highlighting the fact that there is still a substantial portion of residential neighborhoods with no maintenance. This supports your recommendation to reach out and support the entire community regardless of neighborhood HOA status.

Your *Identified Concerns* section of the report identifies the issues of Lack of Responsible Owners and Maintenance Burden on HOAs as factors that make adequate maintenance of the County's drainage systems difficult or unwieldy. I think you would agree that these concerns apply to other storm water issues facing county residents.

You have correctly pointed out the potential impacts to the county's MS4 from the drainage system. These future financial impacts of TMDL implementation plans for the county's watersheds and the financial implications and regulatory obligations of adding private drainage systems to the county currently owned drainage systems are valid concerns.

The proposed *Drainage Program Components* of the report – Inventory, Routine Inspection, Routine Maintenance, Maintenance Incentives, Enforcements and Outreach, reinforce components of the minimum control measures of the county's MS4 (VAR040037) Program Plan Permit Plan 2-3 July 1 2014-June 30 2016.

The approach for maintenance *Incentives tied to a Grant programs*, exploring the possibility of financial assistance to HOAs is innovative and inclusive and as a minimum reaches out to private HOAs extending technical support, enabling HOAs to solve their repair issues.

I understand that how this program is resourced is out of scope of report and is the responsibility of the county administrator and Board of Supervisor, however I do believe the development of a level of service based funding mechanism is an equitable solution for both Non HOA and HOA, in the short run and meets the need of maintaining an aging drainage infrastructure and improves our water quality.

For the long term I don't believe there is any doubt that a larger funded program is needed not only for an aging drainage system but an ageing set of BMPs county wide, funds required for the implementation of watershed TMDL implementation plans, and future MS4 permit requirements perhaps in the form of a storm water utility

**PUBLIC COMMENT** Judy Fuss, 3509 Hunter's Ridge, Williamsburg

Good afternoon. My name is Judy Fuss; I live at 3509 Hunter's Ridge in the Berkeley District. I have read your draft Evaluation of the JCC Neighborhood Drainage Program and Recommendations for the Future and applaud the committee for looking at all the types of stormwater management systems in the county and examining the differing maintenance challenges presented by the various organizational structures existing in neighborhoods. Many of these systems, installed during the boom years of the 1990's, are now approaching the time when big-ticket maintenance tasks, such as pond dredging and disposal of dredged effluent, are coming due. Your report rightly notes the wide variance in understanding and preparation among neighborhoods to meet these challenges. State laws and expectations for private citizens to fulfill and fund specified maintenance obligations on these systems may be clear but to date they have not been fully comprehended by many of the citizens who must shoulder this burden. Incomplete county data on these systems further complicates the matter.

I find your recommendation of a tiered level-of-service approach reasonable but I am concerned about relying on HOA's to initiate contact for monitoring because of their general lack of understanding of issue and the volunteer nature and high turnover rate of HOA leadership. On paper, HOA's may appear as solid, unified structures but their reality is much more ephemeral. Currently the County has no reliable contact information for identified HOA's, something I can attest to as an HOA board member, and no good way to get and update that information. Since HOA's are required to report their contact information annually to the SCC, perhaps the County could draw on these reports to keep their own HOA information current, facilitating successful communication with these groups.

The time is ripe for the County to seriously address this issue across the full scope of our county neighborhoods and I think this report is a good step in that direction.