

Russell County Planning Commission
Meeting Minutes
February 5, 2008-4:30 PM EST

The adjourned meeting of the Planning Commission was called to order by Chairman R.C. Adams. Members present were J.C. Batchledor, Gordon Cox, Dillie Elliott, Bill Friend, David Ellis and Dr. Thomas Shelton. Planning Commission Attorney, Walter Gray was in attendance and the minutes were kept by County Administrator LeAnn Horne. Also present were the County Engineer Harry Ennis, Ben Elliott of the Engineering Department, Johnny Burell of the Health Department and Roger Mr. Conner of the Russell County Water Authority.

The minutes of the January 15th, 2008 meeting were distributed. Due to the length of the January meeting, approval will be tabled until the February 19th 2008 meeting.

The first business was the registry at Westgate and a request for a variance. The developer presented the problem the subdivision was facing with certain lots, which were narrow at the front of the properties but, widen at the back. These lots are 100 feet wide by 100 feet depth; approximately 40 of the 347 lots fit these criteria. If the dimension of the lots were not as they are we would be in violation on another subdivision regulation, which states the property line must be perpendicular to the street right away. Both conditions could not be satisfied. We tried to accommodate and there would be sufficient size (100 feet) at the building line. We are seeking primary plat approval for this registry of this phase and variance.

J.W. Brannen stated, if Ben Elliott from Engineering doesn't have a problem with it, I think it's the thing to do.

Ben Elliott, Engineering Representative, answered he has 100 feet or more on the building line. I don't see a problem.

R.C. Adams asked Ben Elliott if he recommends accepting the plat.

Ben Elliott was in agreement.

David Ellis motioned to accept the primary plat approval with the variance based on Engineering recommendation. Dillie Elliott seconded the motion, and the Planning Commission voted unanimously to approve.

Roger Conner of Russell County Water and Sewer Authority brought forth more information on Decentralized Sewage Package Systems. I have summarized where we began and the systems we have looked at. July 2007; we traveled with our engineering firm, Goodwyn, Mills and Cawood to Newnan Utilities to discuss decentralized systems. They cover their own utility area but, they also install these systems though-out Georgia, some in the panhandle of Florida; currently working with North Carolina installing systems there too. Newnan Utilities at present use equipment that is made by Innovative Wastewater Solution. Sept 13, we traveled to South Alabama Utilities in Mobile County where they use the Orenco System. Mobile County has the largest number of these systems installed, currently 18 systems in the county. They serve 2000 plus households. One system could handle up to 30,000 gallons of sewage per day. Typically a household has 200 to 300 gallons of discharge per day. This is for a an extremely large, high-end subdivision and the system fits in well with this neighborhood. I have been working with our engineering firm about 3 months trying to get minimum standards for package systems for the subdivision rules and regulations.

Last Thursday I sent a set of standards to Ben Elliott; there are copies of those in the packets I have provided for you.

I want to make it clear to you how this works as far as sewer authorities go. If a developer comes into our community, and wants to provide a sewage system, they have to come to us, provide us with the engineering, the design of the equipment they want to use. We mandate, because we have adopted standards, what equipment they are to use. They have

to meet our approval as well as our engineering firm's approval, as to who is going to use/ install a system. There is to be soil samples, and all the engineering studies have to be completed. It has to be approved by Russell County Sewer Authority first, along with our engineering firm which is currently Goodwyn, Mills and Cawood. This is the adopted procedure. This information is provided to any local engineering firm in fact I talked to Chris Camp about it some, in regards to Gray Fox. James McGill called me several months ago and wanted to know what company we were looking at. I told him we are considering the Orenco System for The Russell County Sewer Authority. He went on his own and investigated as well. There were developers in Columbus wanting to build in the Russell County area, so I also provided them with this information and process.

There were several questions about ADEM at the last meeting, so I have contact information I will also provide to you. I spoke with Joe Kelly; who is the one permitting these systems. Today there are in excess of 100 systems permitted through out Alabama. This covers various sizes of communities, schoolhouses, cities, subdivisions, etc. They see it as a positive way to replace central systems because those systems discharge BOD; total suspended solids are much higher than what these systems are capable of producing. The EPA is in favor of the systems. I also have a contact, who is the General Director of the EPA, also listed in the packets. These men are very familiar with the systems, and are very positive in their use. Currently they permit anything that is going into the ground, 10,000 gallons per day and up. Joe told me they were working with the State Health Department on an agreement where they will take over permitting everything on these systems. The Health Department doesn't want to deal with these type sewer systems. All permitting for them will go through ADEM.

J.W. Brannen asked, is ADEM stating they want the Health Department to handle permitting.

Roger Conner stated, no ADEM will take care of all permitting, not the Health Department. At present the Health Department permits everything up to 10,000 gallon per day and ADEM permits everything over 10,000 per day. If the agreement is finalized, ADEM will take over permitting on all these systems regardless of their capacity. If the waste waters are discharged into a creek or river then that falls under different guidelines the permitting will change. It requires a class 5 under ground injection control permit. This permit is good for 5 years and is renewable every 5 years. They require testing on a monthly basis like we do with the water system. We have to have an independent lab to do the test and they supply the results to ADEM every month; it is the same way with this. We have already received a permit application which varies depending on size of the system and how it is discharged. You have to provide them with a geological engineering soil report, type and condition of the soil, system layouts, designs, and the quality of waste water to be discharged. This is just an overview of what they look at, and the testing required is dependent on the method of discharging.

Mr. Adams asked, who will do the testing, the Health Department?

Mr. Conner stated, no, that it would be an independent lab, like now our water is tested by TTL, out of Tuscaloosa, Alabama. Some of our samples go to Phenix City Water Treatment Plant for testing. All the results have to be submitted to ADEM. Something we found out currently ADEM requires limited discharge, 30 parts per million BODs, 30 parts per million on total suspended solids. We have some case studies where some of these systems were realizing as low as 20 parts per million from their discharge. That indicates that these systems do work, and are less than what the state requires.

From a service stand point; each system average maybe only 7 service calls per year. That is over a five plus year period. They are actually trouble free. I was talking to the utilities in South Alabama who installs the equipment themselves. They do their monthly checks, but do not have to continually sit with the system. They are able to be monitored by telemetry like we currently do with our water system. We are able to observe our wells and tanks and we can view these systems the same way. We will be able to analysis each pump at every household, know what the treatment system is doing, and also what is being flushed through the pipes.

Mr. Conner affirmed the reason I like the Orenco system is it's totally American made. If something should go wrong you don't have to wait to get parts for months. You are able to get them over night.

Contact names I have supplied you with, Bob Freeman who is the regional director with the EPA, and Dr. Kevin White, who is in civil engineering at the University of South Alabama, and have worked heavily in designing and implications of these systems.

I have four case studies for you to look at. The second one is from south Alabama and is the one that most relevant to our state and our area, also there is equipment information. Are there any questions?

Mr. Friend asked, have you ever talked to Mr. Grassiano in Montgomery at ADEM?

Mr. Conner responded with no, Mr. Kelly is the one that handles permitting. He is the one responsible for that so that is who I talked to.

Mr. Friend replied, I spoke with Mr. Grassiano for approximately 30 minutes. He said some of the bigger systems, like you are describing, they can get the waste down to 1%; almost drinking water, like we were talking about at the last meeting.

Mr. Conner stated, this is not determined by the size but, by the quality of filtration and the way it is broken down.

Mr. Friend retorted, larger systems would break the waste down that far. They are about 18 to 24 months out from being approved by ADEM I understand. The reason he explained this to me is; you take all the nutrients out of it, and if you get down to store it, becomes a green slim. If you discharge it into a creek or holding pond it becomes pea soup.

Mr. Conner said, you do not understand what these systems do. If you go into a drip field this is an underground discharge; it is immediate it's not stored. It's not drinking water, its a few steps from drinking and is called gray water. Some call it a purple pipe system, where they sell it back to the customer for washing their cars, used for irrigation, etc. Primarily what South Alabama does, and understand these are not big systems. One that is 30,000 gal a day is not larger than this room, and it is underground. I don't know what he is referencing. The person you need to talk to is Joe Kelly, not Grassiano. He is the one experienced, and responsible for permitting these systems. Then you need to talk to Mr. Freeman of the EPA, who is also well versed in these systems.

Mr. Adams, asked what plants have been permitted the most by Mr. Kelley?

Mr. Conner replied, he did not say. I don't know if he would be willing to reveal that. South Alabama is the largest in the Mobile County area with the terms of quantity and numbers of permits.

Mr. Adams stated, Jay said there are some suits going on about some of these plants.

Mr. Friend answered, that is Baldwin County.

Mr. Conner also replied, its Baldwin County. That has nothing to do with treatment systems. It is the County Commissioners being sued by the District Attorney. One of the county commissioners, and a man named Grady Harmon, tried to set up an organization that the D.A. felt was unethical. Mr. Harmon is also involved with this same county commissioner, who is a CPA for a sewer system, which was built in Baldwin County in the 80's and is now bankrupt. It was a conventional centralized system, not a decentralized system. It was the same type system you have here in Phenix City. The sewer company left the county holding \$23 million in bonds. That has passed. The lawsuit is being handled thru the D.A. of Baldwin County.

Bill Friend inquired what kind of bond can be put in place to keep that from happening?

Mr. Conner asked, to keep what from happening?

Mr. Friend responded stating if the system failed or a tornado came in and ripped all the pipes out and all of it had to be redone. When you have a system like that and I know is not new and it's the way of the future, but it seems like the people putting it in would like to have a bond on it in case of a failure.

Mr. Conner answered, typically what you do, and that is in our subdivision regulations, it's one of the things J.W. Brannen mentioned last time, was a performance bond. The first year anything that has to be done to that system has to be paid for by the developer. The utility owns and operates it from that point on. That is why you build in to your rate structure funds to support, and maintain that system through-out its life time.

R.C. Adams asked, do you have any cost estimates for the property owner per month?

Mr. Conner stated, each company has different ways of charging. South Alabama charges a cost per thousand gallons. The first 2000 gallons is \$13.00 or \$15.00 every thousand \$4.15 per thousand thereafter. The average bill is \$35.00 a month. Newnan Utilities charges a flat rate they charge \$35.00 to \$40.00 a month. They said the rate is enough to cover any maintenance, and to pay their staff. The personnel that have water certification do their testing. They do not have to watch this system the way you do with a central system. Mr. Adams, to answer your question, we are still working on a rate structure.

Mr. McGill added, one way you have to look at it. It's \$8,500.00 to \$10,000.00 per lot where that is shared, with the homeowner paying half, or the government was paying half per house. It is assessed to the property or lot.

Mr. Conner said, again different utilities do different things. South Alabama share in the cost by doing the installation. The developer purchases everything based on their specifications. They have to go out and install it, and the developer has to deed the land over to the utility after everything is complete. Newnan contracts with whoever is going to do all the installation, just like with conventional sewer installation. The developer takes care all the installation of the equipment, but, it has to be inspected by the utility and has to meet their guidelines. The utility after inspections sign off on the project and then they go forward.

Commissioner Cox asked, are the permits given by ADEM public record?

Mr. Adams responded, if they are, can we pull the records up?

Mr. Conner answered I have not pulled them up but I can call Mr. Kelly and find out.

Bill Friend of Building Inspections asked, are all of them in the Mobile area or are they spread-out.

Mr. Conner answered, no they are spread out. There are 18 in Mobile County, but are about 100 in the state of Alabama, I believe.

J.W. Brannen replied, we are only looking at one system and one company?

Mr. Conner affirmed, that is correct.

J.W. Brannen retorted, we are not going to look at alternative companies?

Mr. Conner countered we have looked at alternative companies. The reason we want to standardize is; if we are going to have to maintain something, I don't want to have a Toyota, Chevy, or Pontiac sitting out there, to keep up with all the different maintenance specifications. We just need one.

Mr. Brannen said I understand your point of view, but, from the developer's point of view, he might want to go with a system, he has had experience with or can afford if it meets our standards.

Mr. Conner stated; I understand that, but, once the developer has installed it he is gone. Afterwards we have to deal with maintaining the system because it is ours. We should specify a particular system.

R.C. Adams asked, can you do that legally?

Mr. Conner maintained, yes I can.

Mr. Adams stated, it sounds like a monopoly to me.

Mr. Brannen agreed, it sounds like a monopoly to me also. If I were a developer, I'd want a choice. What do you think about it James?

James McGill stated, well I have only looked at 2. So I'm not a good one to ask. I have looked at an Orenco and basically they are the same scientifically, and are the filtration systems not much difference. Orenco is a United States based company the parts are made here. They have systems in forty or more countries. I am not sure how many they have sold in the states. We work for the developer. It's whatever he wants; in fact they wanted another company. If it came up and this one is \$5,000.00 and Roger had one that was \$15,000.00 we could argue it out, I guess. We found that the prices were comparable; Orenco is maybe a little bit cheaper.

Mr. Adams asked, you mean on this Orenco system?

Mr. Friend questioned, is this system one that does underground injection?

Mr. Conner replied most all of them do. You can have field lines; you can do drip field injection, inject into creek beds, river beds or pump back to a conventional sewer line. The nice thing about this, it gives the developer options depending on where they want to keep their cost. They can even take the individual home site tank and operate it just like a septic tank. It depends on what they want to do with their lot density. If they want to crunch that lot density and the soil provides for it, then it gives them some options on handle to the sewage discharge components.

J.W. Brannen inquired, on these 100 systems that have been permitted in Alabama, how many have county water systems taken over. Brannen repeated if there are 100 systems right now according to Mr. Kelley. How many of those have been taken over by or maintained by county water systems.

Mr. Conner replied, I can not tell you tell you the number, I know those in Mobile County are maintained by South Alabama. There is a city that took on and started putting these systems in and is maintained by their city utility. Newnan Utility maintains 100 % of their systems throughout the state of Georgia.

Mr. Friend, Building Code Inspector asked, are there other systems besides in Mobile County.

Mr. Conner said they are all throughout Alabama, and North Alabama and schools have had them installed.

Mr. Friend questioned, is there one close by? If you're going out to look at one can I tag along as a spectator, to see what this looks like?

Mr. Conner said, I have an offer to take a group down to Mobile County, to look at some of the larger systems. I've looked at some in the Greenville area, which is below Montgomery, which use Innovative Waste Water. It was set up to handle a small subdivision and a light industrial operation. We also went over to Hyundai parts distributor where one had been set up for their plant.

Mr. Brannen inquired, the system at the Hyundai distributor is it own by them?

Mr. Conner replied, they are served by Innovative Waste Water. They manage the systems.

Mr. Brannen asked, did ADEM permit the system?

Mr. Conner answered, ADEM has to permit them.

Mr. Brannen said; let's talk about a county that has done what we are thinking.

Mr. Conner replied, that would be South Alabama.

Mr. Brannen said, that's a big operation. Where's one like Russell County?

Mr. Conner stated, they had to start with one and we will too.

Mr. Brannen asked, who owns that water system?

Mr. Conner replied South Alabama Utilities.

J.W. Brannen stated, that's different than Russell County.

Mr. Conner asked, I want to know what your recommendations are. We are trying to find a solution to help developers to get sewage out in the county and be fair in the process.

R.C. Adams asked the County Administrator if she had more information from ADEM.

Ms. Horne stated, I do but I think we have a lot to digest and I have other information we need to compare to what Roger has presented today as well. This information came from the retired Director of the Waste Water Systems of the ADEM. This will be their standards that ADEM are looking in, to adopting. Again, it has been a lot of information shared today. I just want everyone to have this information, so we'll know there are other options out there. Roger is right there are some systems that are below the recommended standard level. This information I have provided to you is ADEM standards and recommended procedures for government. These standards have been adopted in Tennessee, Georgia and Florida and are pending in Alabama. It's what ADEM go by. I even have a draft ordinance, for the boards to look at. It's not system driven. Its standard minimum driven that we need to be thinking about. We need to think about some type of bonding (long term), for environment hazards, breakage, and spillage. We should provide protection for citizens. There are two hundred forty one private systems. There are three hundred forty six public systems in the state of Alabama. The private systems, when homeowners are involved, the associations; the developer completes the development and the Association assumes the responsibility. Roger is right it, does need some type of approval from the authority for design work as the Planning Commission now requires of the water boards. If something should happen to one of these systems on the environmental side, who is going to pay? If you have a green slim pond, are you going to go to the homeowner and ask them to pay for the environmental fees that ADEM accesses to us? Who is going to be responsible? Is it going to be the Water Board? I think the Water Board should have environmental insurance, if they don't already. I'm thinking not focusing specifically on a company, but, protecting the developer, protecting the homeowner and the county as best we can. These are some suggestions that ADEM has outlined. The Planning Commission should set some standards and guidelines for operating; sewage package systems that are coming

Beauregard School has a package system. My concern is protection. The developer is looking to us to set some standards for his subdivision. We should look at for parameters for bonding, insurance, and environmental liabilities. I can't image buying a home and being responsible for sewer system failure. As a government we should look at, not making everybody drive a Chevrolet or Toyota. I think we should set minimum standards. If you do the MBR standards, those systems will be designed to be compatible enough and there will not be a nickels worth of difference in the maintenance issues. To me, you need to look at the broader picture. It's time to look at setting minimum standards for package systems closely before we adopt our subdivision regulations. We can at least put our best foot forward by adopting standards; not systems.

Mr. Batchledor spoke for the water board; Roger has investigated that to the best of our ability. We know it's not the only system out and we are going to be opened to different

systems. They come up with a better one than what we have now; we are the first ones that want to know about it.

Ms. Horne said, that is what Mr. Friend was saying, that are some of the standards that the BOD's are lower than the ADEM standards. That's wonderful, because that is what we are all striving for. We all want is everybody to be environmentally safe and set safe standards.

Commissioner Cox stated, I think this is a lot like the county roads. There are certain standards that we go by, that we have set. If they can do better, good, but they can't go below those standards. Once it's turned over to us it is ours to maintain. This will be the same with the sewer plants. I do think if we can find a package plant that is just as good, and will be compatible, and will not stress the utilities department. So long as we are able to have parts available, and don't have to overstock their warehouse. We need to look at other systems not just one. We can start with one system, being open minded there are others and or better ones available. I don't think if this is the best system or this is the one that has been researched we should not hold up a developer from putting this system in because we have not looked at all the systems on the market. We do not want to hold a developer up from his development.

Mr. Adams replied, I feel the same way. Systems are close to being compatible. If one system cost more than this system and the developer wants to go with the more expensive one, it's his choice. The developer needs a choice.

Ms. Horne stated, Mr. Chairman, that's why I would like to look through the information presented today and set minimum standards, like we do with our building authority, and our subdivision regulations. Whatever the developer brings or the water board present should meet those minimum standards or exceed would be preferable. That is all we can ask of a builder. It's up to them how much money they spend, but if the system meets the criteria that ADEM or the Planning Commission approves that should be acceptable. I think it's going to be a wonderful benefit for the county, we just need to protect ourselves too incase of environmental possibilities on both sides (County and Developer).

Mr. Adams asked, Roger Conner, are there any maintenance histories available on these systems other than the one we know about in Baldwin County.

Mr. Conner said there is some information in some of those case studies I gave you. One system, I believe in Arkansas, averaged seven service calls in one year.

Mr. Brannen asked, you don't know any in Alabama.

Mr. Conner said, they are pretty much trouble free. One of the other things we were told too, the home site tank like those in South Alabama, have been in operation for over five years. The utilities check the solids in the bottom of the tanks on a regular basis. There is not more than six to eight inches. The offer stands from the Utilities in South Alabama to bring a group down to show you. It's different when you see it. When I first started looking at it, it was like a ghost. I had to see for myself.

Dr. Shelton stated, the system I had installed has only required a replacement pump and that was after seven years. I have had the system for ten years now.

Mr. McGill explained Dr Shelton wanted to build on County Road 18 which is in the clay belt and his land did not perk. The Health Department told him he could not live there, so we came up with this system which was innovative at the time.

Mr. Brannen asked Mr. McGill, is Dr Shelton's is an aerobic system?

James McGill replied, the Doctor's is a sand field drip system. Mike Bowden has an aerobic system.

Attorney Gray asked Mr. Conner, has ADEM ever pulled one of these permits on any of these systems?

Mr. Kelley did not say they have had any problems, responded Mr. Conner.

They monitor them, is that correct, asked Mr. Friend.

Mr. Conner replied, that is what I stated you've got to supply those test results or they will pull those permits.

Friend said, I heard testing was done every day, but, it was not turned in everyday.

Mr. Conner said, it depends on what your discharge type, and what you're influent is and what your influent is going to be, that is what dictates the testing, that you are mandated to do. To maintain that permit, you have to supply those test results, or they will pull it.

Mr. Adams stated, Roger, I know you have put a lot of work into this. We appreciate all your efforts.

Roger Conner said, we are in our infancy and there still is a lot of work to do. I think it would be good if some members would take advantage of going to South Alabama to see the system there. A date hasn't been set yet, but I want to offer that to the Planning Commission. I wanted to see how many would be interested in the trip.

Mr. Adams said, I would be interested in going, probably Commissioner Cox and some others. If there are not any more questions or comments lets move on.

R.C. Adams asked, if Ben Elliott had anything else.

Bill Friend said, the way I'm looking at this, ADEM has approved the system and we have something to cover us and the homeowner down the line, then that's all we are looking for and if one system is compatible with the other one. I would like to see one of these systems work. It sounds fantastic. As for the liability for the homeowner, the Commission and even the Water Works, you give me an insurance policy, you give me a proven system and ADEM approves it, which is all I'm asking for.

As far as the homeowner is concerned, states Mr. Conner, they have centralized sewer system, conventional in town type system, and the sewer authority is responsible for maintaining it from the house forward. That's what the fees they charge are for to cover the maintenance. They are accountable for that system. If the homeowner is dumping grease in it, then you have a problem with the homeowner.

This is passed on to the homeowner who has the system not the all the rest of us in the county Bill Friend questioned.

Not unless you are paying sewage, stated Mr. Conner

Mr. Adams asked Mr. McGill the client you have is interested in one of these systems.

Mr. McGill said, Yes, we are also going to try to use a funding a tax increments financing we have to have the support of the Commission to do this. It's going to be big. The sewer system alone will probably be 1.5 million dollars. The good news is it is very expandable. We have systems that have gone from residential waste to restaurant waste, which is different, to an industrial complex, and to a school system.

This type system has handled all of that.

Mr. Conner added, for the developer's sake, with the conventional sewer system, you have to install the interstructure up front, with these you don't have to install the tank into the individual lot until it is sold. They don't have to sit on all this cost of the interstructure with hopes of selling the lots down the road. They are totally sealed so you don't have the infiltration of the septic tank.

James McGill commented, the problem you mentioned, a volume of water you have boars 450 and when he didn't say 450 and I saw you light up. That means how many

gallons per household is average use for septic tanks, we have to design it based on 150 gallons per day times the amount of bedrooms. The typical house is no less than 450 and these systems are showing that a similar house is showing less than that. I don't know if ADEM is going to allow us to make a plea that we can design it on a 278 gallon?

Mr. Conner stated you try to design on peak flows anyway and if we take our average customer on water consumption base they average around 6000 gal a month, about 200 per day. That varies it depends on the homeowner.

We will have to find that out and we will come back with the state standards, stated Mr. McGill.

Mr. Adams, asked if there was any more new business?

Mr. Brannen added, I want to mention to James about tax increment financing. That is something the County Commissioners will have to establish before you go anywhere. A tax increment district, the city has yet to establish one. They have been talking about it for four years. Columbus tried to do one and it failed at the ballot box. It's an important thing that the County Commissioners will have to do.

Mr. McGill said, well the Bond Counsel will have to make the presentation.

Mr. Adams said we're moving along are there any more comments under the new business items. We're going to though business subdivision regulations. I think we need to wait on this until we figure out the package systems. Our next meeting will discuss that.

Mr. McGill said, the size of the frontage the last time we met was 100 feet. We would like you to take in consideration where these package plants are installed, to pay for these ultra scale subdivisions you've got to have more density. Will the board please look at less road frontage, something less than 100 feet?

Ben Elliott stated, the new set of regulations was proposed and those with sewage were changed to a 75 foot frontage. I don't know if that's what you're looking for.

Mr. McGill said, we are actually looking for 60 feet frontage, but we can fight it out with these guys.

Mr. Brannen said, the 75 feet frontage should more than pay the difference for the sewage system.

Mr. Adam asked is there any more questions? Our next meeting is in two weeks.

Ms. Horne stated, it would be February 19 unless there are not any agenda items.

Mr. Adams agreed February 19 unless there is nothing to discuss. The meeting is adjourned.