

FEAB MEETING MINUTES
May 13, 2015
9:00 a.m.
Delchamps Room, Fairhope, AL

Members: Gary Gover, Michael Shelton, Shawn Graham, Ron Allen, Tony Pritchett, Jeanine Normand

Honored Guests: Jim Watson, Jim Horner

City Liaison: Kim Burmeister, Planning Department

1. **New Members:** Gary welcomed new members (Ron Allen, Tony Pritchett) and everyone gave an introduction. Rick Fredrick with Mobile NEP has submitted an application for membership. Gary will follow up with Rich Mueller to check on status of Rick's membership. Jeanine said he would be valuable to the group.
2. **FEAB By Laws:** Gary wants to make sure all members have a copy of the ordinance that governs the board. He will bring a copy for new members at the next meeting. Gary said the ordinance states the time and date of the FEAB meetings to be the 2nd Wednesday of every month @ 9:00 a.m. This is an inconvenient time for Michael and Jeanine. Gary wants to revise the language to say "Board shall determine time and date" but wants it to be consistent every month for notification purposes. Gary said the City has a notification program (through the Clerk's office) for reminders of all meetings. It is called the Public Meeting Notice Distribution List. To get on this, send Lisa Hanks, City Clerk, a letter or email stating you want to be added: lisa.hanks@cofairhope.com. Ordinance also states the board can have 6 to 10 members. Gary thinks this should remain as is. Jeanine suggested adding language stating quorum is at 5 members. Gary said he will have to check to see if this would be allowed, legally.
3. **FEAB Chairperson:** New Chairman announced, Michael Shelton. Gary said his term as Chairperson has ended (May 2015). He asked for a motion to nominate someone else (Michael Shelton for example had been suggested as a candidate last year). Michael said he is okay with this suggestion. One year was suggested as the term. Ron made a motion for new chairperson (Michael Shelton) and Tony and Jeanine both seconded the motion. Michael Shelton is the new chairperson for the Board, effective June 2015.
4. **Storm Water Bacteriological Testing of Swimming Beaches:** Gary presented a watershed map of the North and South Beach Park areas (Stack Gully; Big Mouth Gully and a min watershed in between). The map was provided by David Powell, City of Fairhope GIS. Gary noted that a warning/ swimming advisory was recently posted at North Beach Park (which is where the swimming area is) because of high enterococcus counts (ADEM testing). Michael explained that enterococcus is an indicator for the possible presence of harmful pathogens such as fecal matter. Testing for enterococcus is used in brackish waters as opposed to e. coli in fresh waters. Enterococcus in itself is not harmful to humans, it is just an

indicator. Gary noted that high counts can be contributed to wave action causing bacteria blooms; storm water run off from area watersheds; or a combination of the two (per Jeanine). He didn't seem to think the waste water treatment plant outfall was a contributing factor. Jim Horner mentioned that storm water from the bluff area drains to the duck pond and beach areas. It is likely the duck pond is a contributing factor. Gary said he has been testing the duck pond overflow (a popular wading spot for toddlers) and is getting alarmingly high counts of bacteria. He noted past studies indicated that more than 20% of swimmers at this beach suffer from gastro-intestinal issues after swimming. Most go unreported, but this is a serious health concern. Gary stated that the system of ponds (duck ponds) are directed to the sand filter (simulated wetland pond) but that there is also an overflow outfall which is always discharging into the tidal area where kids and people wade. People are unaware of the danger of this overflow tidal pool because the City does not have signage depicting warnings. Ron asked if the duck ponds could be evaluated for consideration of all the duck pond water to be directed into the "simulated wetland pond", and upsize the wetland pond if necessary. Kim said Jennifer Fidler is aware of the overflow issue, and she (Jennifer) has recently asked local engineer Trey Jinright to give an opinion on retrofitting this system to eliminate the overflow/tidal pool area. Kim suggested the Board invite Jennifer (and perhaps Trey) to the next meeting for a status update. Timeline needs to be established. Michael agreed to invite Jennifer and bring her up to speed with the Board's concerns. This area (North Beach Park, including duck ponds and wetland pond), is maintained by the City Public Works Dept. Jennifer Fidler is the Public Works Director. Gary said that Fly Creek is sometimes a polluted creek but that it should not be impacting the swimming beaches of Fairhope. Gary said he has walked Stack Gully but not Big Mouth as of yet. Michael reminded everyone that the City has an inventory of outfalls, "Storm Sewer Inventory" (organized by watershed). This is available on line (Planning Dept. page) and in hard copy (Building Dept.).

- 5. Parks Brochure:** The FEAB produced a "Parks Brochure" a few years ago. It is on line (Parks and Recreation Dept. as well as Visitors page). Gary said this is a comprehensive list of City parks and it needs to be evaluated yearly (as do the parks themselves). He said that the last time he evaluated the parks was in 2011, and several issues were noted : Storm water treatment needed in parks (duck pond areas); bluff erosion; greater use of pervious materials such as sidewalks and parking areas., etc. He has emailed the board members a copy of this report and the findings from 2011. Gary said more than half of the findings/recommendations are still unresolved to date. Also a current inventory of park features needs to be done (picnic tables, etc.). Gary said the parks brochure is an effective means of letting residents and visitors be aware of park areas, and the brochure should be maintained and available. Kim said that these brochures are not available in hard copy at this time. For future printing consideration, contact Sherry Sullivan to request printing costs be added to the budget for 2016. There are a few minor edits to be done before reprinting, per Kim, who has the editable Publisher file for this document. Jim Horner said Post Net did the last printing, of about 500 copies. Gary said he will check with Sherry to see if

brochure can be reprinted in 2016, so that hard copies can be available at the Welcome Center and City offices.

- 6. Storm Water Enforcement:** Michael noted that the City of Fairhope has storm water authority within its corporate limits, as per the MS4 (Municipal Separate Storm Sewer System) permit with ADEM. This covers private property as well as municipal property. Kim noted the Planning Department's efforts over the last three years regarding storm water facility maintenance in subdivisions. As of 2007, the Subdivision Regulations require property owners (including Property Owner Associations) to provide certification of storm water ponds (detention / retention), every three years, to ensure these ponds are "operating as originally designed". However older subdivisions (pre-2007) appear to be exempt, unless there is an enforcement issue (such as turbid or sediment discharge into a state body of water). The Planning Dept. has sent a "Courtesy Letter" to over 40 "older" subdivisions since 2013, to make property owners aware of liability issues on downstream properties. These letters formally request the property owner initiate assessment of their respective storm water pond or ponds. The Planning Department facilitates this assessment by providing engineer of record information to the property owner. However, property owner can choose which ever storm water professional they prefer to assess their respective storm water pond. Jim Horner asked if the Woodlands has been contacted. The Woodlands have been sent a "Courtesy Letter" because of concerns with this subdivision's storm water pond on Fly Creek. So far, about four older subdivision ponds have been evaluated and/or maintained as per this effort. Also the City recently amended the Zoning Ordinance to include a requirement for pervious pavement in development projects requiring more than 8 parking spaces (must be 25% pervious). The City of Fairhope Storm Water Annual Report (MS4 Annual Report) as well as the SWMP (Storm Water Management Plan) is available on line , www.cofairhope.com/departments/planning-and-zoning/publications-and-forms
- 7. Winn Dixie Drainage Basin :** Cowpen Creek / Weeks Bay Watershed: Gary noted that the Winn Dixie pond on Morphy Avenue (which serves as a central drainage basin for three shopping centers, plus part of the four-lane) has recently been upsized and upgraded. This was a Baldwin County project. There is still a need for litter control, oil separator and an aerator. An overview of this project was recently given at the City Council Meeting on May 11 (by Cal Markert, Baldwin County). www.cofairhope.com/city-government/city-officials/city-council/city-council-recorded-may-11-2015. This pond is under the ownership of the City of Fairhope. City requires aerators in storm water ponds (retention ponds). City Public Works Department will be maintaining this pond in the future.
- 8. Water Quality Report:** Gary encouraged the board members to review the 2014 Water Quality Report on Fairhope's drinking water. (<http://www.cofairhope.com/home/showdocument?id=6787>). He encourages members to ask questions. If there are any concerns then the board needs to discuss. He wants everyone to be aware of and/or become familiar with water standards. Gary suggested this review take place yearly when the new report is

- released. Dan McCrory is the Water and Sewer Superintendent for the City of Fairhope. Consider inviting Dan when this is reviewed by the Board, or direct questions to Dan. (251) 928-8003. Dan.mccrory@cofairhope.com
9. **City Dredging Projects:** Gary said there is an upcoming proposed dredging project at the Fairhope Pier. The Yard Arm restaurant is now under new ownership (Gambino) as “Shucks” Oyster Bar. Gary questions why dredging is needed since it was done about a decade ago. He is disappointed with the last dredge effort. The spoils were dumped on the shore line. It is very possible the spoil materials contained hazardous waste. Most spoil materials from marinas do. He is hoping the dredge spoils will be tested and hauled off site for appropriate disposal this time. Proper disposal is expensive but important, per Michael. Gary also mentioned a recent dredge project at Fly Creek Marina, end of Sea Cliff Drive (City owned). Kim said it is her understanding spoils were not to be left on site and were to be disposed of in accordance with Corp requirements, including testing of spoils. Jeanine said the Chairperson for the Harbor Board, as per the City website, is Tom Yeager. The board should invite him to an upcoming meeting to discuss the potential dredge project (and all dredge projects in general) to make sure spoil materials are appropriately handled.
 10. **LID Projects:** Michael said the City should consider LID projects around town, but will need financial support, and funding opportunities. He mentioned the Fairhope Avenue “asphalt to greenspace” projects in the median. Projects like these could be done in municipal parking lots. Jeanine said that herbaceous materials, not just trees, can be used, to create rain gardens and bio swales in parking areas.
 11. **Recap of Action Plans:**
 - a. FEAB By-Laws / Ordinance : Gary will work on amendments to language
 - b. Duck Pond issues (bacteriological issues at swimming beaches) – Michael will invite Jennifer (and hopefully she will include Trey) to the next FEAB meeting June 10th
 - c. Parks Brochure – Gary will contact Sherry to see if she will consider adding funds to the 2016 budget for reprinting (500 – 1000 copies). This should last about 2 years.
 - d. Dredging Update – Harbor Board will be contacted at a later date to discuss dredging projects.
 12. **Approval of Minutes:** There were no minutes to approve (last month did not have quorum).
 13. **Meeting Adjourned @ 10:30 a.m.**
 14. **Next Meeting: June 10th, Wednesday, 9:00 a.m.**