

**Open Work Session  
Stormwater Management Update  
December 19, 2017**

Mr. Dallas Baker, Director of Public Works, came before Council. He said this past month on their stormwater programs they have concentrated on the two hotspots in the County from the August storms, Pratt Road and Kaywood Drive. He said the culvert in question on Pratt Road that the community had issues with has since been removed, the area has been stabilized, and he believes there are pictures in Council's briefing packet. Mr. Cannon asked, if the purpose of the culvert initially was to be able to take heavy equipment across there to clean out that ditch, how are they going to clean out that ditch now, to which Mr. Baker responded, it is his understanding that the property owner has since granted the County permission to turn around in his yard. He said a lot of the contention was that at first he was not happy with the 15-foot-wide, 30-ton Gradall doing a U-turn in his front yard. Mr. Dodd asked if the property owner has grass, to which Mr. Baker responded, yes, he does have grass. Mr. Baker showed pictures of Pratt Road where the culvert used to be, and showed where the straw matting has been placed down with seeding. He showed a picture that was taken the day of the removal of the culvert. He said they cannot see any grass growing up there quite yet. He said all of these shots are of the same thing, just from different angles, and he referred to a view on Pratt Road heading down towards Pemberton Drive. He said they just took pictures of the stabilization for documentation. Mr. Cannon said this covers one item on Pratt Road, but where are they as far as a larger plan, such as the rest of the ditches further down Pratt Road, or the water that is going to be going down into the Nithsdale area. He asked if they have an overall idea of how they want to address those issues. He said, as it is right now, even removing the culvert, his guess is, if they have another rain similar to what they had before, they may see a duplication of problems unless the ditches are cleared all the way through that area, and they might see the same problem in Nithsdale as well. Mr. Cannon clarified, he is just talking about this area right now. Mr. Baker responded, at the last meeting they discussed doing a feasibility study, and it was his impression that Council did not want to do that, so he has not proceeded with that any further. He said that would be the direction he would recommend, if they are looking for more of an area-wide approach to drainage. Mr. Kilmer said he thought they did want to do the study, and Mr. Cannon added that he thought Mr. Baker had said he was hiring George, Miles and Buhr to get a grant for a feasibility study. Mr. Kilmer said he thought the culvert was being removed for a short-term solution, but for a longer-term solution, he thought there was support for the study. Mr. Baker said that is his misinterpretation then. Mr. Matt Holloway said there had been a dollar figure for the study, and he thought Council balked at that. Mr. Cannon said he thought part of what Mr. Baker was going to do was engage the resources of an engineering firm, and the engineering firm was going to pursue a grant for a feasibility study, to which Mr. Baker responded, yes, that was his plan. Mr. Matt Holloway said he agrees with Mr. Baker, and he thought it was Council's consensus that they did not like the dollar figure that was attached to them just trying to get the grant. Mr. Baker said there were examples given of ball field and fire department feasibility studies, and why the County did not like them, so the message to him was clear – do not do the feasibility study. Mr. Dodd said that was a high consultant study then, to which Mr. Baker responded, no, it was \$15,000, and he can actually pull that report up. Mr. Cannon said he thinks part of the concern was why the County itself could not do the work, and that Mr. Baker made the comment that he only had one person working for him, to which Mr. Baker responded, that is correct, and he only has one engineer. Mr. Cannon said they do want a solution, and he asked how they are going to get there, and plan for the next storm, to which Mr. Baker responded, for that he needs the feasibility study. He said he cannot just go out and pull pipes out of the ground, and throw the larger pipes in without knowing what the impact of that is going to be on folks downstream, or to know if that is even the most cost-effective alternative. He said it might be that the storm gets rerouted into another

direction, and for that he needs a consultant to take a look at it, and reply back with the most cost-effective option they can do to address the issue. Mr. Dodd said, if he remembers correctly, they have had three severe flooding situations within a twelve-month period, and they wanted to resolve that because the last one will not be the last one. Mr. Baker said it is still his recommendation to move forward with the feasibility study. He said, if Council would like that, he certainly can. Mr. Dodd asked if there are any other options, to which Mr. Baker responded, he needs the report to tell him what the options are. He said he cannot just go out and pull a pipe out and put another one in. Mr. Dodd clarified, he was wondering about other options, other than the feasibility study. Mr. Kilmer said there was a discussion about Pratt Road, but there are also wider issues, obviously, such as down in Allen, and Council has talked about a wider County stormwater plan, to which Mr. Baker responded, there are other efforts going on. He said they are still following along with their 3-E approach of Engineering, Education, and Enforcement. Mr. Kilmer said he guesses maybe they did not really come to a consensus about a larger Countywide effort that would, obviously, include Pratt Road, to which Mr. Baker responded, the area they are talking about with Pratt Road does cover almost 460 acres of drainage area, and that is a sizable chunk. He further said they are still talking about moving forward with the regional meetings throughout the County. Mr. Dodd asked if they have done any of those meetings yet, to which Mr. Baker responded, no, they have not started any yet, but they have their drainage maps out, and they are planning the areas they want to address. Mr. Dodd said that Mr. Baker was going to let Council know so that Councilmembers could attend some of those meetings, to which Mr. Baker responded, yes, and they are expecting those to start in 2018. Mr. Dodd said that is a good idea. Mr. Matt Holloway said the question right now is whether or not Council has the appetite to fund the \$15,000 to get the engineer to pursue grants. Mr. Baker said he has money in his Public Works budget that can cover this. Mr. Joe Holloway asked if this should come from the County Executive to Council, and then Council approves it, to which Mr. Baker responded, it is money he has in his budget, and he has bid this out through their process. Mr. Cannon asked Mr. Baker if he has done an RFP, to which Mr. Baker responded, yes. He said he had been asked to send that to Council shortly after that last meeting. Mr. Dodd asked if the feasibility study includes all areas, or just Pratt Road, to which Mr. Baker responded, it includes Pratt Road. Mr. Dodd then asked, just Pratt Road, to which Mr. Kilmer responded, that encompasses other land in the area, such as Hunters Mill, and it affects a lot of that area. Mr. Dodd clarified, but not on the Eastside, and they have a lot of concerned citizens on the Eastside. Mr. Baker said, again, he has to start somewhere, and the direction he understood was to start with Pratt Road. He said if they want to do the whole County, the price will go up. Mr. Cannon said he does not know that they want to piecemeal it out, but he thinks they should get a broader idea of what it is going to take as a whole. He said, as Mr. Baker has said many times, the problem with Pratt Road does not just start on Pratt Road, but it starts in another sector of the County, to which Mr. Baker responded, and that is why the drainage study would cover the full 460 acres. Mr. Kilmer said, to Mr. Dodd's point, and he knows they have talked about this before, but he does think there needs to be a Countywide examining of stormwater that is not just Pratt Road, to include the Eastside, but they do need to start somewhere. Mr. Baker then asked, does Council want to do the feasibility study?

Mr. Joe Holloway asked if the \$15,000 is just to try to get the money to do the feasibility study, or is the \$15,000 to actually do the feasibility study? Mr. Cannon clarified, it is \$15,000 to do the feasibility study, and they were also going to try to seek out a grant, to which Mr. Baker responded, exactly. He said it is \$15,000 for the full study, and then, he believes, if all they were funding was the grant writing proposal, it would be approximately \$3,500. Mrs. Hurley asked for clarification. She asked if the grant fund money would be used to do a Countywide study, to which Mr. Baker responded, it is for Pratt Road to do the drainage feasibility study. Mrs. Hurley asked if the grant fund money is just for Pratt Road, to which Mr. Baker responded, they would pay the consultant \$3,500 to solicit the project to State agencies for grant

funding to do a feasibility study for the 460-acre drainage area, of which Pratt Road is part of. Mr. Joe Holloway said, what Mrs. Hurley is asking, and what he is thinking, is, with that \$3,500, why not see if they can get a grant for the whole County while they are at it, to which Mr. Baker responded, he does not have a scope of work for the whole County. He said that is something he can take a look at, but that \$3,500 is for the Pratt Road feasibility study. He said, if they are talking about one for the entire County, that is another RFP that will have to go out, and he will have to come back with how much that is going to cost. Mr. Cannon asked if the \$3,500 is just to pay them to go out and solicit a grant, or also to do the feasibility study, to which Mr. Baker clarified, \$15,000 is to do the study. He said to just write the grant proposals it is \$3,500. Mr. Cannon asked if that is part of the \$15,000, to which Mr. Baker responded, yes. Mr. Cannon clarified, they are talking about \$15,000, and \$3,500 of that is for grants, and the rest of it is to do the feasibility study, to which Mr. Baker responded, correct. Mrs. Hurley clarified, solely for Pratt Road, to which Mr. Baker responded, yes. Mr. Cannon said he agrees with what Mr. Joe Holloway said, and maybe that \$3,500 could be used for looking for a broader range of grants, to which Mr. Baker responded, that is something he can explore. Mr. Joe Holloway said it rains in more places than Pratt Road, to which Mr. Baker responded, it does. Mr. Dodd said that Mr. Baker had said he would have to do another RFP for a Countywide feasibility study, and he would like to see that done. Mr. Baker responded, he can at least do the RFP to find out how much it is going to cost, because that is not a big deal, to which Mr. Dodd responded, that is all he is asking for. He again asked Mr. Baker to come back with figures, because they cannot leave the rest of the County out. Mr. Baker said that was never the intention. Mr. Cannon said they are basing \$3,500 on a very select area, and if Mr. Baker goes back to them and says it is a wider area, then they will probably be looking at \$15,000, which is what they are paying for them to do the feasibility study and the grant work. Mr. Cannon said, obviously, for the amount of work it takes to solicit grants, that \$3,500 is not going to go very far. Mr. Dodd said they cannot stop there and they need some figures to decide whether they are going to do this or not, because Council knows the people on the Eastside are very concerned about this, to which Mr. Baker responded, everybody is. Mr. Dodd reiterated, they cannot just limit it to one area. Mr. Cannon said they do need to start somewhere. Mr. Davis said they cannot just wait to do a study on the whole County while the other one just sits idle, but they have to start somewhere. Mr. Dodd said that everybody else is sitting idle too. Mr. Hall said they might be a little premature in doing this, and it might end up like some other reports they have had where they go ahead and do the feasibility study, realize they cannot fund it, and put it on the shelf where it sits for the next 15 years. Mr. Matt Holloway said maybe this will be a good litmus test to go ahead and do just Pratt Road to see what the cost estimate would be for actually addressing some of these drainage issues. He said then, looking at the whole County, they can ask themselves if this is something they can even consider doing, or do they just focus on the hotspots. Mr. Kilmer said that makes sense. Mr. Cannon asked if they are in consensus to move forward with it, to which everyone agreed. Mr. Baker said the next time he comes before Council he will have an update on the feasibility study.

Mr. Baker said the second section that was focused on this past month was South Kaywood Drive. He said they partnered with the City of Salisbury for use of their closed-circuit television camera that can run through the storm drain pipes out there, and he can show Council some of the video. He said what he will tell Council is that the pipes are in excellent condition. He said there were no blockages, there were no obstructions, no collapses, and there was barely any root intrusion at the joints. He said most of the joints looked as good as they did when they were first put in. Mr. Dodd asked how big the pipes are, because they look kind of small, to which Mr. Baker responded, they range in diameter starting at 15 and then go up to 18 to 24. He said the smallest they typically use is a 15, and he can show Council all of them if they are interested. Mr. Cannon asked if they are County pipes, to which Mr. Baker responded, no, these are actually the private pipes that run behind Kaywood Drive, and are not County pipes until


they get further south. Mr. Cannon said, even if they are clear from obstruction, they are probably not even large enough to handle what the County has faced. Mr. Baker said, in reference to the camera being bumpy, it is corrugated pipe, and that is also kind of an example of how to tell there is not any obstruction. He said if it was a smooth, flat rolling, that would indicate the dirt would be built up. He said they ran this camera from behind Ms. Walls' property all the way to the pond, and he can tell Council it all pretty much looks like this. He said it is all clean and free of obstruction. He said Council will see the camera stop at the first joint, and will see that they do an inspection of the joints as well. He referred to the video footage as to how the camera can inspect the joints, and said the camera can actually do a full 360. Mr. Joe Holloway asked how it moves through there, to which Mr. Baker responded, it is like a little remote control car with a camera attached, but it is on a wire instead of wireless, and they just run it down from one end to the other. Mr. Cannon said this is one of the neighbor's pipes, but what about the County's pipes, and he asked Mr. Baker if he has that as well. Mr. Cannon then said he guesses Council does not really need to see it, to which Mr. Baker responded, if he brings up the County section, this is what they will see as well. Mr. Cannon asked if there was any obstruction in the pipes to Parker Pond, to which Mr. Baker responded, none at all. He said the pipes were open perfectly. He said what this does is go back to the fact that the system was not sized to handle the amount of rain the County got at that storm. He said they have gone out in storms where they have gotten 3 inches of rain, and the roads were clear, dry, and the system was handling it perfectly fine, but when they get eight inches of rain in six hours, the pipes flood. Mr. Cannon said, in light of what Mr. John Hall said, he thinks it is a really important point that there are two things they are looking at. He said a feasibility study is one, and, for lack of better words, that is what he would call geographical logistics, such as where to put a pipe, where not to put a pipe, and what to do as far as continuing on with the ditch. He said the second part of it is that they are not going to be able to achieve the geographical logistics until they figure out what the responsibilities are of the County versus the landowner, and that is a big part of it. He said they can recognize all the problems and what the solutions will be to fix it, but, sooner or later, as a County, they have to come to some decision of who is responsible. Mr. Baker said that part comes out of the Enforcement side, so when they end up with a section of swale where a neighbor has gone in and filled it in with dirt, or they have built a fence across it, or they are just dumping trash in the back of it, it is the property owner's responsibility to clean that out. He further said, right now, the County does not have any type of tool to make them go out and clean it. Mr. Cannon said he had a call two weeks ago with a citizen saying they wanted to let him know that a neighbor came with a bunch of leaves and dumped them in the ditch across the street, and this was on Pratt Road. Mr. Dodd said this is footage of what belongs to private owners. He asked what the property owner's liability is with that, and what can the County do to encourage them to make some changes. He said it looks like the property owners need bigger pipes if they want to stop the flooding. Mr. Matt Holloway said he thinks the point here is that the pond level got too high and would not allow any flood, no matter what size pipe there was, like in this instance right here, because the pond was above the pipe level, so there is nothing the property owners can do. Mr. Dodd said there is nothing the property owners can do, or the County can do about that situation. Mr. Cannon said, with all due respect, and he was not out there that day, but he does not believe the pond was too high. He said, when looking at the pond during regular weather, it is much lower than where that pipe comes out of the pond. He said it is 10 or 15 feet, to which Mr. Baker responded, what he will tell Council is that during this day when they were out there, the outfall was half submerged. He said this was back on December 6, so the County had not received a tremendous amount of rain at that point, but the outfall was half submerged. Mr. Matt Holloway asked if there is a way to lower that pond level, to which Mr. Baker responded, yes, they can, but then they run into problems with DNR, fishers, and other property owners not appreciating the pond being lower. Mr. Matt Holloway said they did not know this storm was going to come, to which Mr. Baker responded, they do go out and open those gates when they

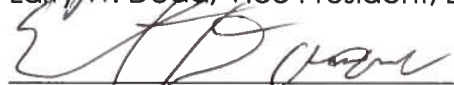
know there is a large storm coming. He said they will go out and open them up to try to mitigate some of that. Mr. Joe Holloway said that Mr. Matt Holloway had mentioned the stormwater coming up and maybe going back, and he asked if there is any way to put backflow preventers in these pipes, to keep the water from coming back up from the pond, to which Mr. Baker responded, he has seen it done at other locations, and it is something that has really never been effective. He said the problem with the backflow preventers on stormwater is that all it takes is a stick getting in there, and that backflow is stuck open. He said it just does not work very well.

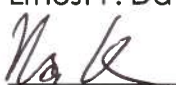
Mr. Dodd said he has a question for the same area. He said he had sent pictures of the area on Mt. Hermon Road prior to Kaywood, and he is not sure who responded, but someone said it was the State area. He said the flooding was crossing Mt. Hermon Road, and, as a matter of fact, when he was there, somebody in a State jacket pulled up in a private vehicle and looked at it. He asked Mr. Baker if he is familiar with what he is talking about, to which Mr. Baker responded, yes. He said when there are areas that they know are flooding due to maintenance concerns on the State system, the State has been cooperating with them. Mr. Dodd said there was a lot of erosion around there, and they do have big boulders for riprap, or whatever they call it, but eventually that road is going to wash out. Mr. Baker said one section the State has recently cleaned out for the County is along Snow Hill Road between Nutters Crossing and Cardinal Drive. He said there is an old driveway there, and underneath there was a culvert, and they could see on the side between the driveway and Cardinal that the ditch was filled with water. He said between the driveway and Nutters, there was nothing, and it was completely dry. He said that was an example of where a pipe was clogged, so they reached out to the State who went out and cleaned it for the County. He said they have been working with the State also in cleaning out sections of Peggy Neck Branch out by the Bypass where there has been some sloughing of the slopes of the Bypass into the branch. Mr. Dodd asked about Canal Woods where it crosses onto Route 13 in the area that caused the flooding in Canal Woods, to which Mr. Baker responded, a lot of that flooding has been related to the railroads, and trying to get those increased. He said, really, that is between the City and the railroads, and, from what he understands, that battle has been going on for many years. Mr. Dodd asked if that is the same situation up by Pep Boys going across the railroad track towards Deershead Hospital, to which Mr. Baker responded, yes. Mr. Dodd said he thinks Route 13 flooded there one time, to which Mr. Baker responded, Route 13 has flooded there several times. Mr. Cannon asked if Mr. Baker would have any staff available who could evaluate what other Counties may be doing for enforcement, and to separate the responsibilities as far as keeping the ditches clean. He said he knows the County went out and actually took care of the backyards for people in Kaywood, and he thought that was a good favor they did for those neighbors. He asked Mr. Baker if they have anyone on staff who could review what other Counties are doing to come to a solution that is really definitive where they could say here is the homeowner's responsibility, because he knows they have that with Homeowners Associations, but they do not have it with the population in general. Mr. Baker responded, that is something they actually asked the Legal Department to take a look at, and pull together what other locations throughout the State have been doing. He said that goes back to what they discussed the last time. Mr. Dodd asked if the dumping of leaves is illegal, to which Mr. Baker responded, they are not supposed to impede the drainage flow, but, unfortunately, on a Public Works side, he does not believe they have any enforcement. He said some of the ordinances that were looked at were drainage appeasement, some nuisance ordinances, and filling or placing of additional sediment. Mr. Dodd asked if that was a recommendation made previously, to which Mr. Baker responded, this is a little of what was discussed at the last presentation in November. He said there was also discussion of storm drain utilities, public drainage associations, and public watershed associations. He said these are all types of legislations that have been active in other jurisdictions. He then said he does not think the County has much interest in trying to take over anyone. He said there was a little bit of discussion on developing it

more like the Urban Services Commission, where someone asks the County to come in and take over their drainage swales, because maybe their HOA has gone defunct, which is usually what typically happens. He said if no one is there to run the HOA, and they have no way to enforce collections, there is not much of a choice. Mr. Dodd asked if that is a requirement for the County, to which Mr. Baker responded, he thinks it is required for condominiums, but he thinks for general subdivisions there are places all over where the HOAs are not collecting their fees. He said that would be a good way to start, by saying they have to maintain their swales and ditches, and give these HOAs some type of teeth to have their owners commit funds to the cleanout of these private areas. He said he can certainly put together more information about these, and maybe have a future Work Session that focuses exclusively on the Enforcement side as he thinks that might be a little bit better. He said maybe moving forward they will focus on specific issues, instead of just bringing forward the feasibility study, but also specify that the Work Session coming up is going to be about the enforcement side. There was no further discussion.


  
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John T. Cannon, President


  
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Larry W. Dodd, Vice President, District 3

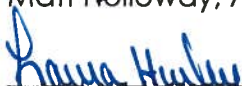
  
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Ernest F. Davis, District 1

  
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Marc Kilmer, District 2

  
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John B. Hall, District 4

  
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Joe Holloway, District 5

  
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Matt Holloway, At-Large

  
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Laura Hurley, Council Administrator