

JEFFERSON COUNTY WATER ADVISORY COMMITTEE MEETING (WAC)
Minutes
October 20, 2003 - 3:00 p.m.

Meeting was held at the Old Charles Town Library County Meeting Room located at 200 East Washington Street, Charles Town at 3:15 in the afternoon.

In attendance were Carol Boughton-United States Geological Survey, Joseph Hankins-The Conservation Fund (Freshwater Institute), Lee Snyder-Jefferson Utilities, Janet Stine - Representative of the Eastern Panhandle Soil Conservation, Jefferson County Commissioner Al Hooper, Robert Schnably – United States Department of Agriculture and Natural Resource Conservation Service and Peter Vila-Shepherd College Environmental Stream Ecologist. Brad Reed-West Virginia Department of Health, Sherry Kelly-Charles Town Chief Planner, and Lisa Dunn-Jefferson County Department of Health were absent due to prior commitments.

Motion by Co-Chairman Vila, second by Snyder to dispense with the reading of the Minutes for the meeting held on September 15, 2003, and to approve the minutes as amended to reflect the correct date from August 18, 2003 to September 15, 2003. Motion carried.

Commissioner Hooper questioned the breakdown of the costs for the USGS proposal and questioned were the figures changed from a year ago when the proposal was first suggested. Chairman Hankins stated that those were the latest figures provided from Hugh Bevins. Co-Chairman Vila stated the figures are broken down by fiscal years, and Commissioner Hooper commented USGS fiscal year and Jefferson County fiscal year start and end at different times of the year.

Chairman Hankins opened the meeting by stating the mission of this meeting was to allow those members who were absent at the last meeting to discuss priority issues or concerns this committee should be undertaking.

Stine stated the issue of Storm Water Management is a main concern of the Soil Conservation District. Stine mentioned the Soil Conservation District has one-day conferences that discuss Storm Water Management and invited developers to attend the conferences. Chairman Hankins stated that with the municipalities and the county regulations for Storm Water Management do not always match up which could develop a possible consensus of what the Storm Water Management regulation could be.

Stine stated that for well testing results are returned to the consumer, the consumer does not know how to read the test results and what do the results mean. Chairman Hankins suggested a public education program explaining the legal meaning and what the consumer should do to correct the problem.

Co-Chairman Vila questioned what parameters should be measured, other than fecal coliform, hardents, and nitrates. Snyder stated that the Health Department usually test for fecal coliform with the only reliable solution is chlorination to remove fecal matter and the best way is to have a bacterial analysis completed, but due to expense the bacterial analysis isn't usually completed.

Snyder commented that a problem with privately owned wells, that many pumps don't have any liquid in the chlorinator. Commissioner Hooper commented that for new development the health department requires super-chlorination and if there is presence of coliform bacteria a building permit cannot be issued and in addition to chlorination the health department is now allowing the use of ultraviolet testing.

Snyder questioned Commissioner Hooper if a well is dug before the house is built and Commissioner Hooper replied one couldn't receive a building permit in the County with out a well drilled. Snyder questioned what happens if the well shows bacteria and Commissioner Hooper replied a red flag goes up and the owner knows that they have to get a chlorinator or ultra violet and usually the bank will require that for the final approval of the loan.

Chairman Hankins questioned if there was a requirement for onsite drinking water systems there seems to a be a presence but not require continuing management or maintenance. Chairman Hankins suggested a possibility of Public Service Districts monitoring the onsite drinking water systems. Stine stated it would be good to make the public aware of monitoring their-own personal wells once a year because of changing.

Chairman Hankins stated the prioritization of issues and responses from the last meeting in order for the committee to develop areas of concern and how or why the Committee wants to take action on those issues.

Boughton commented stated was unsuccessful in obtaining additional copies of the previous study. Chairman Hankins stated that he has obtained three copies and they are in the process of being scanned, the HABA Study, and two late 80's Berkeley and Jefferson County studies.

Chairman Hankins questioned the Committee how to address the identified issues. Co-Chairman Vila suggested the issues be categorized such as surface water, groundwater, supply, and contamination, threat of terrorism. Co-Chairman Vila continued that this Committee should be proactive and seek to resolve these issues or a summary statement of the issues to pursue further study for reporting purposes back to the County Commission. By the prioritization of the issues, possibly creating sub-committees from the categories. Schnably stated the identification and prioritization of the issues would be researching alternatives to make recommendations to obtain the "most bang for the buck" or the do the best job on making recommendations to the Commission. Basically here is the problem, here is the priority and here are some potential fixes or alternative to pursue to provide answers or possible solutions for identifying the need be given to the Commission. Boughton suggested a good launching

point would be if and when the Berkeley County SWAP report comes to fruition that a lot of those issues could be utilized here in Jefferson County with many of the topics from that report would be a good place to start.

Chairman Hankins commented that the conversation last weekend with Bill Stubblefield and Bill Alexander and they are approaching a completed draft that they plan to place on the website for comment. Chairman Hankins agreed with Boughton that the Berkeley County SWAP report should be used as a template for issues of concern for this Committee.

Chairman Hankins commented that this Committee would be seen less as advocacy group and more have an informational resource to provide reasonable information and alternatives to the Commission. Boughton commented a compilation of existing issues such as where are we now with the issues. Commissioner Hooper stated there should be coordination between Planning Commission and between the Municipalities for planning purposes.

Snyder commented that the Jefferson County Planning Commission does have a good Engineering staff to deal with permitting and inspection but it is not being duplicated on the city level due to the recent annexation. Commissioner Hooper commented that Kelley had mentioned that the Municipalities don't have regulations on issues such as Storm Water Management.

Chairman Hankins suggested that for the next meeting the Committee review the issues for workable numbers such as 2-3-4 issues at a time for achievable outcomes. Snyder commented that the Storm Water Management for the cities and recharge areas should be discussed as the Comprehensive Plan.

Chairman Hankins suggested a review of the Comprehensive Plan to evaluate if the WAC issues are represented in the plan, which is the document that controls, effects growth within the County. Snyder stated that there are more issues than just Storm Water Management issues, such as water related environmental issues.

Commissioner Hooper stated that the Commission does have one more session on revamping the Draft of Comprehensive Plan to go back to the Planning Commission within a month. Chairman Hankins questioned where is the draft of the current document located and Commissioner Hooper stated he would obtain copies for this Committee to review.

Chairman Hankins questioned the Committee if the commenting on the Comprehensive Plan would be a priority issue. By consensus the members agreed unanimously that the WAC should have the opportunity to comment on the Plan.

Chairman Hankins mentioned that he has been contacted by several different sources regarding advocacy on the Jefferson County Public Service District Cattail Run Road Sewer Treatment Plant Project such as what role of the WAC would be and is the

Committee planning on taking a position on that Project, making comments on that Plan.

Chairman Hankins questioned the feeling of the Committee on Public Service District issues. Boughton commented that those issues are relevant to Karst Geology and should be reviewed scientifically and engineering aspect but not from an advocacy standpoint. Chairman Hankins questioned if one or more members would like to complete the review due to the voluminous documents on this project and make comments back to this committee. Commissioner Hooper stated that there is to be a public hearing on this issue on the 27th of October.

Boughton commented that her hope for this Committee would be that in the future if something like this issue would be coming up, that the Commission would request the opinion of this Committee. Commissioner Hooper stated the Commission is not involved with the Public Service District due it being a separate political entity.

Stine commented on the Duffield case that was taken to the Supreme Court stating that the Comprehensive plan does not have enough emphasis on ordinances it needs to be more complete. Commissioner Hooper commented that the Comprehensive Plan is not designated as the law it is to be used a planning tool to make ordinances. Chairman Hankins stated the agreement with Stine that the emphasis needs to be on more strict ordinances and the Comprehensive Plan is just a guide to create ordinances, which is the controlling language, not the overall good intent.

Chairman Hankins mentioned the State Journal that the WVU Law School was sponsoring legislation on ground water and water use legislation, also stated was comments on the lawsuit between Virginia and Maryland regarding water withdraws of the Potomac River.

Chairman Hankins stated that a letter was received from Hugh Bevins regarding the USGS lineament study and a copy was distributed through email, and also attached was the copy of the study. Chairman Hankins stated that this Committee would review the study and make recommendations back to the Commission.

Boughton provided a copy of the new lineament study that was completed in Berkeley County and over-laid by previous lineament study. Chairman Hankins commented this type of study would be beneficial in that it would identify higher yielding wells, high fracture zones and more readily available water. Chairman Hankins stated it would be of interest the Planning and Protection density.

Chairman Hankins questioned of what use would this lineament study be to Jefferson County to be used as a planning and protection document. Boughton stated determining the density and data that is captured by this analysis, is significantly greater than what was previously mapped so that the County could use the results for Planning and Protection. Boughton continued, the hydrological conductivity potential could be used for high yield areas for protection as well.

The next meeting was scheduled for November 17th, at 3:00 p.m. at the Old Charles Town Library County Meeting Room.

The meeting was adjourned at 5:00 p.m.