

Kevin Frye read into the minutes a letter he wrote to the Board of Supervisors, Planning Commission, and County Staff, and also included a letter from Mike Faulkner with ESI. Letters are attached to the minutes.



20 November 2016

Members of the Board of Supervisors, Planning Commission & County Staff

The Board of Supervisors, and by extension, the Planning Commission, has not just the authority but also the responsibility to act in the best interests of the health, safety and welfare of the residents of Lafayette County. When the Board of Supervisors made the decision to adopt our Subdivision Regulations and create our Planning Commission it acted upon just this authority. The underlying purpose of the Lafayette County Subdivision Regulations, and the rules set forth therein, is "to improve the health, safety and general welfare of the community."¹

Together we began the process of updating our comprehensive plan early this year, and that process has included multiple opportunities for the public to voice concerns in public forums and committee meetings. At each meeting, concerns were expressed related to growth and what steps were being taken to manage that growth and protect the residents of our community. Specific questions about water service and fire protection were raised at our public meeting at the Oxford Conference Center on June 9th, at Taylor on July 7th and at College Hill on July 14th.² The current draft of our Comprehensive Plan, which incorporates the concerns of our community residents, includes the goal to "provide and serve Lafayette County with the highest level of fire protection as possible"³ as well as to "serve Lafayette County with the highest level of public water and public sewer available in order to sustain and promote future growth and denser developments."⁴

There should be no doubt that Lafayette County is in the business of providing fire protection and ensuring adequate water and sewer in new developments. We fund the Lafayette County Fire Department, we adopted the International Building Code (which includes provisions relating to fire protection and sewer) and our Subdivision Regulations require that water systems in subdivisions "shall be designed to furnish domestic water supply and fire protection to every lot in accordance with accepted design criteria."⁵ Further, "installation of the water

¹ Lafayette County Subdivision Regulations, Article I, Section 2.

² See, Minutes of Lafayette County Board of Supervisors Special Meeting, June 9, 2016, July 7, 2016 & July 14, 2016.

³ Lafayette County Comprehensive Plan, 9.23.16 Draft, Community Facilities, Goal 3.

⁴ Lafayette County Comprehensive Plan, 9.23.16 Draft, Community Facilities, Goal 5.

⁵ Lafayette County Subdivision Regulations, Article V, Section 4(A).



system, including fire hydrants, shall be subject to the approval of the Governing Authority/Utility Owner, Department of Public Health *and* the Board of Supervisors.”⁶ The ability to furnish fire protection impacts the health, safety and welfare of our residents in obvious ways, but also in less obvious ways such as impacting the cost homeowners insurance.

Currently, the approval process for subdivisions provides for a three step process of interactions between a developer and Lafayette County. The process set forth includes first an optional Pre-Application Review before the full Planning Commission,⁷ then application for Preliminary Plat approval,⁸ and finally application for Final Plat approval.⁹ It is critical to understand that each step not only requires the submittal of certain documents, but that Preliminary and Final Plat Approval allow developers to proceed with certain improvements to the subject property and also trigger required inspections by our staff to confirm compliance with our Regulations.

In my opinion, the proposed modifications to our Subdivision Regulations would be an abdication of Lafayette County’s responsibility and oversight authority in relation to fire protection, water and sewer. Quite simply, the revisions create a shortcut to convenience developers at the potential expense of future residents.

While I obviously have a strong opinion, it is informed by careful study of our regulations and education by persons more familiar than I with the nuances of these issues. That said, I am certainly willing to entertain alternate viewpoints based on the expertise of others. I suggest that we hold a joint work session of the Planning Commission and the Board of Supervisors, including representatives from our staff and other subject matter experts, so that we may all arrive at an understanding of the tradeoffs inherent in the proposed revisions.

Kindest Regards,

⁶ Lafayette County Subdivision Regulations, Article V, Section 4(E) (emphasis added).

⁷ Lafayette County Subdivision Regulations, Article III, Section 1(A).

⁸ Lafayette County Subdivision Regulations, Article III, Section 2.

⁹ Lafayette County Subdivision Regulations, Article III, Section 3.



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October 18, 2016

Mr. Larry L. Britt, PE, PS
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Oxford, MS 38655

RE: Punkin Water Association, System Capacity Questions from Planning Commission
ESI #P15-520

Dear Larry:

We have been contacted by a couple of consulting engineers who are representing proposed developments which lie within the service area of the Punkin Water Association (PWA). At the last meeting of the Lafayette County planning commission (PC), some discussion developed around the capacity of PWA to provide safe and adequate service to certain proposed developments. Although I was not present, both Jeff Williams of Williams Engineering and Shane Cardwell of Precision Engineering have reported that Mr. T.J. Ray requested the PWA engineer attend the next meeting to answer questions. Nobody from the County has contacted ESI directly.

After talking this over with Mr. John Davis with PWA, we offer the following. First, PWA does not intend to come into an open forum and field questions from the floor. If there are specific questions from the planning commission and/or county, we will be glad to address those in writing. PWA is currently and has been in compliance with Mississippi Department of Health regulations, which is the only agency having jurisdiction over a rural water association.

However, there are certain topics that need to be addressed which will hopefully clear things up. First, the development proposed by Mr. Cox, which Jeff Williams represents, does have a will-serve letter from PWA but it is conditional upon PWA having adequate capacity and on PWA's engineer having reviewed the proposed development plans and approving same. We have not seen any plans for this project as of yet. Second, concerns were raised by some residents of The Lakes subdivision regarding their current water supply, specifically related to low pressure and occasional dirty water. On this matter, two factors come into play. One is that during this extended drought, many if not most of the PWA customers are irrigating lawns and gardens. The system was designed for residential use, not irrigation demand. Second, just two weeks ago a new water main was installed between the Lakes and the elevated tank which has had generated significantly better supply at The Lakes. We had a recording pressure gage on the back side of

the Lakes where the 6" supply comes across from County Lake Road and prior to this line going into service, pressure would drop below 30 psi and the average was about 52 psi. Since the new line was opened up, the minimum recorded pressure was 58 psi and the average is over 70 psi. Based on this, PWA and ESI are confident that The Lakes has more than adequate supply capacity. However, if another 150 units as proposed is added in that area, it is likely that a secondary supply main may need to be added. This will be evaluated by ESI, as directed by PWA, if development plans are submitted for review.

Otherwise, PWA will operate based on the capacity rating generated by the Mississippi Department of Health which states that PWA can serve 1190 connections with its current capacity. Obviously, local hydraulic conditions may dictate that main lines would need to be upgraded depending on the requested demand. Water will be made available on a first come first served basis until capacity is exhausted.

One other note: PWA is not a for-profit business and exists solely to provide safe drinking water to its customers. It was and is a rural water association and has never been intended to provide municipal level service such as fire protection. Of late, a number of large scale for-profit developments have been requesting service. Costs for expansion of capacity strictly for the benefit of for-profit developments need to be borne by those who stand to profit. PWA desires to be a good neighbor but it also has a responsibility to individual families who are existing customers.

Please feel free to call me if you have questions, and thank you.

Sincerely,

A handwritten signature in cursive script that reads "Mike Falkner".

Mike Falkner, PE, PS
Principal

CC: Punkin Water Association