

**MEETING AGENDA**

**Somerset County Sanitary District, Inc.**

**Somerset County Sanitary Commission – Regular Meeting**

**Date: January 10, 2019  
1:00 PM**

**Location: Somerset County Office Complex  
Room 111 Princess Anne, MD**

<b>PRINCESS ANNE SUBDISTRICT - INFORMATION</b>	
1	PASE Update
2	Deal Island Road Water Main Loop Project Update
3	Princess Anne Waste Water Treatment Plant Solar Project Update
4	Princess Anne Waste Water Treatment Plant Energy Reduction Mixers Project Update
5	Disinfectants and Disinfection Byproduct Rule notice from MDE
<b>SMITH ISLAND SUBDISTRICT - INFORMATION</b>	
1	Smith Island Clean Water Project Update
<b>FAIRMOUNT SUBDISTRICT - INFORMATION</b>	
1	Fairmount Decommissioning Project Contract Update
<b>CRISFIELD SUBDISTRICT - INFORMATION</b>	
1	Mariner's Road Water Line Update
<b>GENERAL BUSINESS - ACTION</b>	
1	Approval of Invoices
2	Ratification of the following Phone Poll: <ul style="list-style-type: none"> <li>• Authorization to forgive charges for property at 2970 Ape Hole Road for the Somerset County Commissioners</li> </ul>
3	Approval of regular and executive session minutes dated December 13, 2018
4	Update Purchasing Policy and Resolution
5	Update Job Descriptions
<b>PUBLIC INPUT</b>	

2:45 p.m. – Closed Session – Anthony Stockus, Starr Mister, Sanitary District Attorney

The Somerset County Sanitary Commission will convene a closed session by the Authority General Provisions Article of the Annotated Code of Maryland, Subtitle 3-305(b)(1) for the appointment, employment, assignments, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; (a)(7) to consult with counsel on a legal matter; and (b)(8) to consult with staff, consultants, or other individuals about pending or potential litigation. Upon the adjournment of the closed session, the Somerset County Sanitary Commission will convene in open session and adjourn the Regular Meeting.

A regular meeting of the Somerset County Sanitary Commission was held on Thursday, January 10, 2019 at 1:00 p.m. in Room 111 of the Somerset County Office Complex. Members present were Adam Riggan, Chairman, Charles Bagley, Vice-Chairman, Ellen Bush, Secretary-Treasurer, and Drenda Hall, Member. Also in attendance were Anthony Stockus, Manager, Jennie Marshall, Administrative Aide, Earl Ludy, Superintendent, Starr Mister, Office Manager, Josh Taylor, P.E., Davis Bowen & Friedel, Heather Konyar, Attorney, Cockey, Brennan and Maloney and Richard Crumbacker, Somerset County Times. Maxine Landon, Member, was absent. Public attendees included Michael Hall.

Mr. Riggan called the meeting to order at 1:00 p.m.

### **Princess Anne-Information**

Mr. Stockus stated he had a meeting with Senator MaryBeth Carozza to discuss the PASE Project. Ms. Carozza was unfamiliar with the project but appeared supportive. Mr. Stockus will follow up with Ms. Carozza for any progress. There has been no movement in regards to the PASE project since the last meeting. Mr. Stockus gave Ms. Hall, recently appointed to the Somerset County Sanitary District Commission as the Princess Anne Representative, a brief background of the PASE Project.

Mr. Stockus stated there has been no movement since the last Commission meeting regarding the status of the Deal Island Road project. MDE is reviewing the project to determine if it is impacted by the Critical Area. Mr. Stockus has received the plans for the project; he and Mr. Ludy will review the plans before bringing to the Board for approval.

Mr. Stockus stated he has received the plans for the Princess Anne Waste Water Treatment Plant Solar Project and will be reviewing with Mr. Ludy before bringing to the Commission for approval. Mr. Stockus explained the benefits of the project such as decreasing utility cost at the PA WWTP.

Mr. Stockus stated that we received a grant to upgrade our mixers at the PA WWTP known as the Princess Anne WWTP Energy Reduction Project (Mixers). The new mixers are going to require some modifications that the Sanitary District and DBF did not anticipate. The Engineers are working on the cost associated with the modifications and will update the Commission during the next SCSD meeting.

Elevated levels of total trihalomethanes (TTHM) were detected in the Princess Anne's distribution system in 2016 and 2017, which required the Sanitary District to perform increased (quarterly) monitoring. MDE informed the Sanitary District on January 2, 2019, based on results from the most recent four quarters of disinfection byproducts monitoring results; Princess Anne meets the criteria for the resumption of routine annual monitoring. Mr. Stockus credited Mr. Ludy for lowering the levels of TTHM, annual monitoring will lower Disinfectants and Disinfection Byproduct lab costs by 75% this year.

### **Smith Island-Information**

Mr. Stockus stated construction of the Timber Deck at the SI WWTP is underway. A Progress Meeting is scheduled for January 15, 2019 to discuss the status of the project and tour the construction site with the Engineers and Contractors of the Project, Murtech, Inc. Mr. Ludy and Ms. Marshall will be in attendance along with any SCSD Commissioner who wishes to attend.

After placing a RFP (Request for proposal) for the Membrane Bioreactor (MBR) Selection of Vendor, the consensus decision of the evaluation committee was selection of Zenon Environmental Corporation as the MBR Vendor. Due to the U.S. Government shutdown, we are unable to receive approval to award the project by the USDA.

### **Fairmount-Information**

MDE has responded to the Sanitary District's plans submitted by DBF for the Fairmount Decommissioning Project. Mr. Taylor, DBF, is addressing MDE's concerns and plans to resubmit with expectation to advertise for bids once approved.

### **Crisfield-Information**

Mr. Stockus educated Ms. Hall about the Mariner's Road Project. There are still five outstanding Mariner's Road Water Project Easement Release Agreements from four property owners affected by the Mariner's Road water line. The USDA is requiring all Agreements before moving forward with the Project.

### **General Business-Action**

On a motion by Ms. Bush and seconded by Mr. Bagley it was unanimously carried to approve the following Invoices:

#### **Davis Bowen & Friedel, Inc.**

- Invoice dated 12/31/18 for General On-call services for the period of 10/27/18 to 11/30/18 in the amount of \$525.00.
- Invoice dated 12/31/18 for On-call legal support for the period of 10/27/18 to 11/30/18 in the amount of \$225.00.
- Invoice dated 12/31/18 for Design-Fairmount WWTP Decommission & Transmission Project for the period of 10/27/18 to 11/30/18 in the amount of \$404.00.
- Invoice dated 12/31/18 for Construction Phase Services-Fairmount WWTP Decommission & Transmission Project for the period of 10/27/18 to 11/30/18 in the amount of \$1,500.00.

#### **George, Miles & Buhr, LLC**

- Invoice dated 12/17/18 for Smith Island DSDC Services for the period of 11/01/18 to 11/28/18 in the amount of \$3,300.00.
- Invoice dated 12/17/18 for Smith Island WWTP Final Design for the period of 11/01/18 to 11/28/18 in the amount of \$5,650.00.

#### **PKS & Company, P.A.**

- Invoice dated 12/20/18 for Final Bill: Audit of financial statements, including planning, fieldwork audit

procedures, preparation of reports, review of draft, and management and communication letters for the year ended June 30, 2018, in the amount of \$11,000.00.

**Cockey, Brennan & Maloney, P.C.**

- Invoice dated 1/07/19 for Professional Services for the month of December in the amount of \$2,400.00 if paid by 1/12/19, a discount from total due of \$2,640.00.

On a motion by Ms. Bush and seconded by Mr. Bagley it was unanimously approved to ratify the following Phone Poll:

**Authorization to forgive charges**

- Authorization to forgive charges in the amount of \$46.20 for property located at 2970 Ape Hole Road assumed by the Somerset County Commissioners through the County Tax Sale.

**Approval of Minutes**

The Sanitary Commission regular and executive session minutes dated 12/13/18 were previously distributed. On a motion by Mr. Bagley and seconded by Ms. Bush it was unanimously carried to approve the regular and executive minutes dated 12/13/18.

**Update Purchasing Policy and Resolution**

Ms. Mister stated a Federal Procurement Process clause has been added to the Purchasing Policy as recommended by PKS during the FY18 Audit. A new law will go into effect in fiscal year 2020 which will require the Federal clause. On a motion by Ms. Bush and seconded by Mr. Bagley it was unanimously carried to adopt the amended Purchasing Policy and Resolution. Please see attached for updated Purchasing Policy and Resolution.

**Update Job Descriptions**

Job descriptions for Administrative Aide and Utility Accounts Clerk were previously distributed to the Sanitary Commission Board. Ms. Mister stated an addition was made to the examples of work section of the job descriptions, however there were no change to salary or grade. On a motion by Mr. Bagley and seconded by Ms. Bush it was unanimously carried to approve the updated job descriptions for Administrative Aide and Utility Accounts Clerk.

A motion was made by Mr. Bagley and seconded by Ms. Bush to go from open to closed session at 1:40 p.m.

**Closed Session Summary Report January 10, 2019**

The Somerset County Sanitary Commission met in a closed session by the authority of the General Provisions Article of the Annotated Code of Maryland, Subtitle 3-305(b)(1) for the appointment, employment, assignments, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; (a)(7) to consult with counsel on a legal matter; and (b)(8) to consult with staff, consultants, or other individuals about pending or potential litigation.

Topics discussed in Closed Session include:

- EDU Hearing Procedure; persons present – Adam Riggan, Charles Bagley, Ellen Bush, Drenda Hall, Anthony Stockus, Heather Konyar, Josh Taylor, Jennie Marshall, Starr Mister and Earl Ludy.
- Manokin Village; persons present – Adam Riggan, Charles Bagley, Ellen Bush, Drenda Hall, Anthony Stockus, Heather Konyar, Josh Taylor, Jennie Marshall, Starr Mister and Earl Ludy.
- Tabernacle Worship Center; persons present – Adam Riggan, Charles Bagley, Ellen Bush, Drenda Hall, Anthony Stockus, Heather Konyar, Josh Taylor, Jennie Marshall, Starr Mister and Earl Ludy.
- Personnel Matter; persons present – Adam Riggan, Charles Bagley, Ellen Bush, Drenda Hall, Anthony Stockus, Heather Konyar, Jennie Marshall, Starr Mister and Earl Ludy.

On a motion by Ms. Bush and seconded by Mr. Bagley it was unanimously agreed to go from closed to open session and adjourn at 2:21 p.m.

Approved by:



Ellen Bush  
Secretary-Treasurer  
Somerset County Sanitary Commission

Respectfully Submitted:



Jennie Marshall  
Administrative Aide  
Somerset County Sanitary District

Somerset County Sanitary District Inc.  
Purchasing Policy

The Somerset County Sanitary District requires that all departments purchase work, materials and supplies based upon the following policy:

1. An advertised, competitive bid process is not required for purchases that do not exceed \$5,000, so long as funds for such purchases have been provided within the appropriate departmental budget. The Department Head has the responsibility to ascertain that adequate budgeted funding exists before approval of any purchases. It shall be the Department Head's responsibility to ensure the selection of a vendor that can deliver within the required specifications at the lowest and/or best cost.
2. Department Heads shall use the advertised, competitive bid process for any purchases that exceed \$5,000. This includes advertising in at least one local newspaper.
3. Contracts involving design or professional consultation services such as accounting, architecture, auditing, engineering, law, planning and surveying may be negotiated by the general manager and approved by the Sanitary District Commission rather than competitively bid.
4. If a department head or general manager determines the need for an emergency purchase, the Sanitary District Commission shall retroactively approve any resulting contracts in regular Open Session, with a statement as to the need for the Emergency purchase. Emergency procurements may be negotiated on a sole-source or limited competition basis as dictated by the circumstances surrounding the emergency. An emergency procurement is justified only when an emergency

condition exists that threatens one or more of the following: the health or safety of any person(s) or animal(s); the preservation or protection of property; or the continuance of necessary Sanitary District or other County functions. Emergency procurements shall be limited to the procurement of only the types of items and quantities or time sufficient to meet the immediate threat and shall not be used to meet long-term requirements.

5. Bids received shall be opened, read aloud and recorded in the Somerset County Sanitary District Minutes or in Minutes that shall be maintained by a state/county office that purchases through local procurement procedures.
  
6. The expenditure of funds received from federal sources shall be governed by applicable federal procurement procedures, which shall preclude anything to the contrary set forth herein. Specifically, contracts funded with federal grant or loan funds must be procured in a manner that conforms with all applicable Federal laws, policies, and standards, including those under the Uniform Guidance (2 C.F.R. Part 200).

Approved: 1-10-19

**Somerset County Sanitary Commission**

**RESOLUTION NO. 011019**

A RESOLUTION OF THE SOMERSET COUNTY SANITARY COMMISSION, amending its bidding/purchasing policy to clarify that the District will comply with federal procurement procedures when purchases are made with funds received from federal sources.

WHEREAS, the Maryland Annotated Code, Environment Article, Title 9, Subtitle 6, Part VI, Section 9-655 authorizes the solicitation of bids for project construction and provides related bid limits and procedures; and

WHEREAS, the bidding policy of the Board of County Commissioners for Somerset County is set forth in Resolution No. 1085; and

WHEREAS, the bidding/purchasing policy of the Somerset County Sanitary Commission is set forth in Resolution No. 062118, which complies with the restrictions and procedures set forth in both the Maryland Code, Environment Article and Somerset County Resolution No. 1085; and

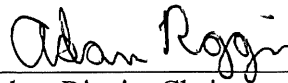
WHEREAS, the Somerset County Sanitary Commission now desires to amend its bidding/purchasing policy to clarify the procedures applicable to the expenditure of federal funds; and

NOW, THEREFORE, IT IS RESOLVED BY THE SOMERSET COUNTY SANITARY COMMISSION, as follows:

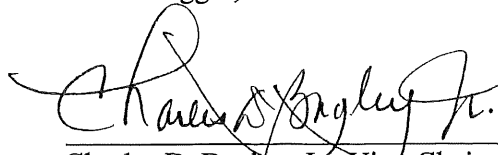
1. The Somerset County Sanitary Commission formally adopts the (amended) purchasing policy attached as Exhibit A.

THE ABOVE RESOLUTION WAS INTRODUCED AND PASSED by the Somerset County Sanitary Commission at a public meeting of the Commission on January 10, 2019.

SOMERSET COUNTY SANITARY COMMISSION

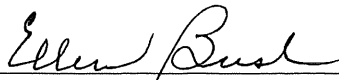


Adam Riggini, Chairman



Charles D. Bagley, Jr., Vice-Chairman

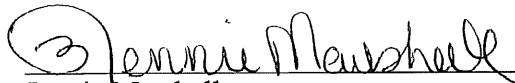


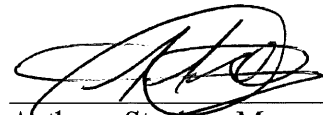
  
Ellen Bush, Secretary-Treasurer

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D. Maxine Landon, Member

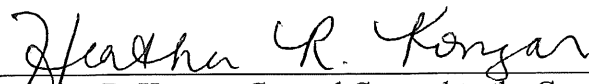
Approved this 10<sup>th</sup> day of January, 2019.

ATTEST:

  
Jennie Marshall

  
Anthony Stockus, Manager

Approved as to form:

  
Heather R. Konyar, General Counsel to the Commission