

MEETING AGENDA

Somerset County Sanitary District, Inc.

Somerset County Sanitary Commission – Regular Meeting

**Date: February 14, 2019
1:00 PM**

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

PRINCESS ANNE SUBDISTRICT - INFORMATION	
1	Financial Report Quarterly Analysis
2	PASE Update
3	Deal Island Road Water Main Loop Project Update
4	Princess Anne Waste Water Treatment Plant Solar Project Update
5	Princess Anne Waste Water Treatment Plant Energy Reduction Mixers Project Update
6	MOSHA Inspections Update
SMITH ISLAND SUBDISTRICT - INFORMATION	
1	Smith Island Clean Water Project Update
FAIRMOUNT SUBDISTRICT - INFORMATION	
1	Fairmount Decommissioning Project Contract Update
CRISFIELD SUBDISTRICT - INFORMATION	
1	Mariner's Road Water Line Update
WESTOVER SUBDISTRICT - INFORMATION	
1	Tabernacle Worship Center Update
GENERAL BUSINESS - ACTION	
1	Approval of Invoices
2	Ratification of the following Phone Poll: <ul style="list-style-type: none"> • Approval of invoice to Murtech for second payment of \$163,301.65 for the Smith Island Clean Water Project • Authorization to forgive charges on properties assumed by the Somerset County Commissioners through Tax Sale <ol style="list-style-type: none"> 1. 26813 Johnson Creek Road totaling \$4,976.84 2. 3615 Freedomtown Road totaling \$2,925.31 3. 7496 Division Street totaling \$83.30 4. Division Street Lot totaling \$140.40 5. Lower Hill Road Lot totaling \$111.09
3	Approval of regular and executive session minutes dated January 10, 2019
PRINCESS ANNE SUBDISTRICT - ACTION	
1	Beckford Manor Common Area EDU Request
2	Somerset County request of Courtesy Credit, 30409 Maple Street Ball Complex
3	Arden's Run FFA Adjustment Request
4	Approval of Plans – Greenwood Road
5	Approval of Plat – Lot reconfiguration, Sherree Lane
SMITH ISLAND SUBDISTRICT - ACTION	
1	Request of Courtesy Credit, 2909 Tylerton Road
2	Award of Vender for MBR for the SIWWTP
FAIRMOUNT SUBDISTRICT - ACTION	
1	Request of Courtesy Credit, 27008 Fairmount Road
CRISFIELD SUBDISTRICT - ACTION	
1	Approval of Plats – Lot consolidation: <ul style="list-style-type: none"> • East Pear Street • Clarence Christy Drive • Cullen Parkway
PUBLIC INPUT	
Please sign in with the Administrative Aide, 2 minutes will be allotted per person	
CLOSED SESSION	
2:00 p.m. – Closed Session, Anthony Stockus, Starr Mister, Sanitary District Attorney	
Topics Discussed include: <ul style="list-style-type: none"> • Personnel Matter 	

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. Upon the adjournment of the closed session, the Somerset County Sanitary Commission will convene in open session and adjourn the Regular Meeting.

Somerset County Sanitary Commission
Minutes of February 14, 2019

A regular meeting of the Somerset County Sanitary Commission was held on Thursday, February 14, 2019 at 1:00 p.m. in Room 111 of the Somerset County Office Complex. Members present were Adam Riggin, Chairman, Charles Bagley, Vice-Chairman, Ellen Bush, Secretary-Treasurer, Maxine Landon, Member 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, Chris Derbyshire, P.E. George, Miles & Buhr, Heather Konyar, Attorney, Cockey, Brennan and Maloney and Richard Crumbacker, Somerset County Times. Public attendees included Ida Wilson and Lisse Hall.

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

General Business-Information

The Sanitary District Financial Quarterly Analysis report was presented. Ms. Mister stated once project reimbursements are received we will have ended the second quarter of Fiscal Year 2019 with a surplus of \$45,746.99.

Princess Anne-Information

Mr. Stockus stated there has been no movement in regards to the PASE project since the last meeting. Mr. Taylor, DBF, stated he is preparing an additional blending evaluation requested by MDE to include the minimum level of runtime to keep PASE operational. He expects to have the evaluation to them by the end of February.

Mr. Stockus stated he met with MDE Tidal Wetlands at the Deal Island Road Project site to discuss the drainage issue. The residents affected by the project have verbally agreed to an easement upon resolution of drainage problems.

Mr. Taylor stated DBF has received comments from Critical Area Storm Water and MDE in regards to the Princess Anne Waste Water Treatment Plant (PA WWTP) Solar Project; he is conducting a response.

Mr. Derbyshire, GMB, updated the Commission regarding the PA WWTP Energy Reduction Project (Mixers). The new mixers are going to require some modifications demanding a separate power supply that the Sanitary District and GMB did not anticipate. Mr. Derbyshire stated he should have more information to report by the next Commission meeting.

The Sanitary District received several violations from the Maryland Department of Labor, Licensing and Regulation Division of Labor and Industry, Maryland Occupational Safety and Health Administration (MOSHA). MOSHA performed surprise inspections on 2/15/18, 5/01/18 and 5/21/18 at the PA WWTP. As a result of the inspections, certain alleged hazards/violations were disclosed to the Sanitary District and required by law to correct. Mr. Ludy received a call on 2/06/19 from MOSHA stating all cases are closed and filed as abated with no penalties.

Smith Island-Information

The Commission received updated pictures of the progress on the Smith Island Clean Water Project-Timber Deck. Mr. Derbyshire stated that the project is about 54% complete as of 2/08/19. He anticipates Murtech submitting a non-compensatory time extension for the project due to the inclement weather conditions over the last few months. The third progress meeting is scheduled for February 15, 2019 at the PA WWTP to discuss the status of the project with the Contractors.

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 was contacted by Elaine Dietz, MDE, regarding the Mariner's Road Project. She had a few questions on the status of ownership of the lines. There has been no movement from the Property Owners with outstanding Mariner's Road Water Project Easement Release Agreements. The USDA is requiring all Agreements before moving forward with the Project.

Westover-Information

The Sanitary District received a Notice of Foreclosure Sale for the Tabernacle Worship Center on Fairmount Road scheduled for March 7, 2019 on the premises. The previous Foreclosure Sale on January 17, 2019 was unsuccessful.

General Business-Action

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

Davis Bowen & Friedel, Inc.

- Invoice dated 12/31/18 for On-call Hawk Plaza/Manokin Village Engineering services for the period of 10/27/18 to 11/30/18 in the amount of \$487.50.
- Invoice dated 1/30/19 for On-call Hawk Plaza/Manokin Village Engineering services for the period of 12/01/18 to 12/28/18 in the amount of \$360.00.
- Invoice dated 1/30/19 for On-call legal support for the period of 12/01/18 to 12/28/18 in the amount of \$238.00.
- Invoice dated 1/30/19 for General On-Call Services for the period of 12/01/18 to 12/28/18 in the amount of \$562.50.

George, Miles & Buhr, LLC

- Invoice dated 1/19/19 for Smith Island DSDC Services for the period of 11/29/18 to 12/26/18 in the amount of \$4,563.93.
- Invoice dated 1/21/19 for Smith Island Construction Administration for the period of 1/1/19 to 1/31/19 in the amount of \$13,000.00.
- Invoice dated 1/19/19 for Smith Island WWTP Final Design for the period of 11/29/18 to 12/26/18 in the amount of \$1,950.00

Jones Asphalt, Inc.

- Invoice dated 1/14/19 for Installation of 2 Patches in Princess Anne in the amount of \$1,200.00.

James A. Briddell & Son, Inc.

- Invoice dated 1/28/19 for various jobs from November to January in the amount of \$20,487.50.

Miller's Land Services, Inc.

- Invoice dated 2/12/19 for various jobs from December to February in the amount of \$8,450.00.

Cockey, Brennan & Maloney, P.C.

- Invoice dated 1/30/19 for Professional Services for the month of January in the amount of \$3,000.00 if paid by 2/15/19, a discount from total due of \$3,450.00.

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

Authorization to forgive charges

- 1/23/19 - Approval to pay second payment to Murtech for the SICWP-Timber Deck in the amount of \$163,301.65.
- 1/28/19 - Authorization to forgive charges for the following properties assumed by the Somerset County Commissioners through the County Tax Sale:
 1. 26813 Johnson Creek Road totaling \$4,976.84
 2. 3615 Freedomtown Road totaling \$2,925.31
 3. 7496 Division Street totaling \$83.30
 4. Division Street (lot) totaling \$140.40
 5. Lower Hill Road (lot) totaling \$111.09

Approval of Minutes

The Sanitary Commission regular and executive session minutes dated 1/10/19 were previously distributed. On a motion by Ms. Bush and seconded by Mr. Bagley it was unanimously carried to approve the regular and executive minutes dated 1/10/19.

Princess Anne-Action**Beckford Manor Common Area**

Mr. Michael Hall, Managing Member, Beckford Manor, LLC is requesting an adjustment to their Debt Service Bill. Mr. Hall is requesting the Common Area of the Beckford Manor Subdivision's EDU be revised from one to zero due to the fact that the property is a non-buildable lot with zero property value. A motion was made by Ms. Bush and seconded by Mr. Bagley to adjust the EDU from one to zero for the Common Area of the Beckford Manor Subdivision. The motion carried unanimously.

Request of Courtesy Credit

Mr. Clint Sterling, Director of Somerset County Parks and Recreation, is requesting a courtesy credit to the December 2018 quarterly water and sewer bill for the Maple Street Ball Complex. The County Maintenance staff on two separate occasions encountered a running spigot at the Ball Complex. The water never entered the sewer system. Ms. Landon made a motion to credit the sewer portion of the bill based on their average usage. Ms. Ellen seconded the motion; The motion carried unanimously.

Arden's Run FFA Adjustment Request

Ms. Lisse Hall, Sr. Finance & Operations Manager, Rinnier Management, is requesting that the Front Foot Assessment bill for UMES Boulevard-Arden's Run for 2017 and 2018 be adjusted to the EDU bill amount for 2019. Ms. Hall stated in her request, the EDU method appears to be more equitable with a reduction from approximately \$30,000 per year to approximately \$18,600 per year. In 2015, the Commission signed an agreement with Blair Rinnier reducing the Front Foot Assessment due to a dispute over the footage calculation on an odd shaped lot. At that time, it was believed that the new EDU method would go into effect in January 2018. The County Commissioners did not approve the EDU method until late 2017 causing the EDU method to begin 2019. After consulting with Legal Counsel, it is Mr. Stockus's recommendation to honor the EDU price for 2018 and waive all penalties charged to the accounts. Mr. Stockus stated there is an abundance of student housing in Princess Anne and all of the large rental companies are facing a struggle because of the lack of student enrollment at UMES. Mr. Bagley made a motion to credit the Arden's Run 2018 bill to reflect the 2019 EDU amount billed and credit back all penalties charged to the account in the amount of \$15,100.47. Ms. Bush seconded the motion; The motion carried unanimously.

Approval of Plans

Mr. Paul Thornton is requesting to consolidate two lots by deleting a boundary line on two properties he owns on Greenwood Road. This will not affect the Sanitary District, as there are no change in EDUs. Mr. Bagley made a motion seconded by Ms. Hall to approve the Chairman to execute the plans for Mr. Thornton. It was unanimously agreed by the Commission to approve the plans.

Approval of Plat

Sherree Marshall and Jeffrey Sharpless are requesting a reconfiguration for their property located at 11902 Sherree Lane. Prior to the meeting, Mr. Stockus requested Planning and Zoning provide the Sanitary District with a plat presenting the utilities prior to plat approval. The Commission decided to table approval until a plat providing utilities can be presented.

Smith Island-Action

Request of Courtesy Credit

Ms. Patty Laird, of Tylerton, is requesting her Mother's (Peggy Corbin) home on Tylerton Road sewer be credited for the current year. Ms. Landon confirmed that Ms. Peggy Corbin is now in a Nursing Home therefore her residence is vacant. Ms. Bush made a motion to credit the balance of her sewer bill in the amount of \$744.64. Mr. Bagley seconded the motion; The motion carried unanimously.

Award of Vender

After placing a Request for proposal(RFP) for the Membrane Bioreactor (MBR) Selection of Vendor, the consensus of the evaluation committee was to select Zenon Environmental Corporation as the MBR Vendor. GMB has prepared a contract between the Sanitary District and Zenon Environmental Corporation as the Vendor to supply a Membrane Bio-Reactor (MBR) System and appurtenances at the Smith Island WWTP. Mr.

Stockus recommended we have our attorney evaluate the contract before it is approved. The Commission agreed to Table the Contract until it is reviewed by our Attorney.

Fairmount-Action

Ms. Darlene Youngbar, Executor of Estate for Lorraine Youngbar, is requesting a courtesy credit for the Estate located on Fairmount Road. A transfer reading was requested for the property in October 2018 totaling \$159.95 (minimum bill-\$124.95 plus reading fee-\$35.00). The property did not transfer until January 2019, which required another reading totaling the same amount. Ms. Youngbar was unaware of the Sanitary District's policy of 30-day time limit on transfer readings. As recommended by Ms. Mister, Office Manager, Ms. Bush made a motion to credit back the minimum bill of \$124.95 for the transfer reading in October 2018 because the owner was unaware of the transfer reading policy. Mr. Bagley seconded the motion; The motion carried unanimously.

Crisfield-Action

Approval of plats

Mr. Gary Mormello is requesting the Sanitary Commission Board's approval to consolidate his two properties at 26381 East Pear Street and 26371 East Pear Street. By consolidating the two properties, the owner will be billed for one EDU for the Debt Service billing in the future. Mr. Bagley made a motion, seconded by Ms. Bush, to approve the Chairman to execute the plat consolidation for 26381 and 26371 East Pear Street. The motion was carried unanimously.

Mr. Edwin Heath and Ms. Susan Heath are requesting the Sanitary Commission Board's approval to consolidate two vacant lots on Clarence Christy Drive. By consolidating the two lots, the owners will be billed for one EDU for Debt Service billing in the future. Mr. Bagley made a motion, seconded by Ms. Landon, to approve the Chairman to execute the plat consolidation for Lot 83 and Lot 85 of Map 64. The motion was carried unanimously.

Mr. Reginald Wilson and Ms. Helen Wilson are requesting the Sanitary Commission Board's approval to consolidate their properties located at 4300 Cullen Parkway and the adjacent vacant lot on Cullen Parkway. By consolidating the two lots, the owners will be billed for one EDU for Debt Service billing in the future. Ms. Bush made a motion, seconded by Ms. Landon, to approve the Chairman to execute the plat consolidation for both lots on Cullen Parkway. The motion was carried unanimously.

There was no public input.

Mr. Riggin stated the Sanitary Commission will be convening into closed session. Topics discussed include: Personnel Matter.

A motion was made by Ms. Bush and seconded by Mr. Bagley, it was unanimously agreed to go from open to closed session at 2:11 p.m.

Closed Session Summary Report February 14, 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.

Topics discussed in Closed Session include:

- Personnel Matter; persons present – Adam Riggin, Charles Bagley, Ellen Bush, Maxine Landon, Drenda Hall, Anthony Stockus, Heather Konyar, Jennie Marshall, Starr Mister and Earl Ludy.

On a motion by Ms. Bush and seconded by Ms. Landon it was unanimously agreed to go from closed to open session and adjourn at 2:25 p.m.

Approved by:



Ellen Bush
Secretary-Treasurer
Somerset County Sanitary Commission

Respectfully Submitted:



Jennie Marshall
Administrative Aide
Somerset County Sanitary District

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING ("CLOSING STATEMENT")
UNDER THE OPEN MEETINGS ACT (General Provisions Article § 3-305)**

This form has two sides. *Complete items 1 – 4 before closing the meeting.*

1. **Recorded vote to close the meeting:** Date: 02/14/19; Time: 2:11 PM; Location: Somerset County Office Complex Rm. 111
Motion to close meeting made by: Ellen Bush Seconded by Rev. Bagley; 111
Members in favor: All; Opposed: _____
Abstaining: Ø; Absent: Ø

2. **Statutory authority to close session (check all provisions that apply).**
This meeting will be closed under General Provisions Art. § 3-305(b) only:

- (1) "To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals"; (2) "To protect the privacy or reputation of individuals concerning a matter not related to public business"; (3) "To consider the acquisition of real property for a public purpose and matters directly related thereto"; (4) "To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State"; (5) "To consider the investment of public funds"; (6) "To consider the marketing of public securities"; (7) "To consult with counsel to obtain legal advice"; (8) "To consult with staff, consultants, or other individuals about pending or potential litigation"; (9) "To conduct collective bargaining negotiations or consider matters that relate to the negotiations"; (10) "To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans"; (11) "To prepare, administer, or grade a scholastic, licensing, or qualifying examination"; (12) "To conduct or discuss an investigative proceeding on actual or possible criminal conduct"; (13) "To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter"; (14) "Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process." (15) "To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information . . . or (iii) deployments or implementation of security personnel, critical infrastructure, or security devices."

Continued →

3. For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation (insert # from above)	Topic	Reason for closed-session discussion of topic
§3-305(b) <input checked="" type="checkbox"/>	Request for Employee Sick Leave	To maintain employee confidentiality when discussing sensitive medical information
§3-305(b) <input checked="" type="checkbox"/>	Request for Employee Sick Leave	To consult with counsel on matters involving HIPAA, ADA, etc.
§3-305(b) <input type="checkbox"/>		
§3-305(b) <input type="checkbox"/>		
§3-305(b) <input type="checkbox"/>		

4. This statement is made by Adam Riggan, Presiding Officer.

AJR

WORKSHEET FOR OPTIONAL USE IN CLOSED SESSION: INFORMATION FOR SUMMARY TO BE DISCLOSED IN THE MINUTES OF THE NEXT OPEN MEETING. (See also template for summary.)

➤ For a meeting closed under the statutory authority cited above:

Time of closed session: 2:11 PM
 Place: Somerset County Office Complex, Rm. 111
 Purpose(s): Discuss personnel matter
 Members who voted to meet in closed session: Ellen Bush, Rev. Bagley
 Persons attending closed session: All Commissioners, Tony Stockus, Starr Misker, Jennie Marshall, Earl Ludy, Heather Kongas
 Authority under § 3-305 for the closed session: (b)(1), (b)(7)
 Topics actually discussed: Request for Employee Sick Leave
 Actions taken: Approval of Employee's request for sick leave
 Each recorded vote: All Commissioners (unanimous)

AJR

➤ For a meeting recessed to perform an administrative function (§ 3-104): Time: _____

Place: _____
 Persons present: _____
 Subjects discussed: _____