

Somerset County Sanitary Commission – Regular Meeting

**Date: December 10, 2020
1:00 PM**

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

Due to State regulations with COVID-19, social distancing will be observed during the meeting and members of the public in attendance must wear a facemask. Live audio of the meeting will be available by clicking on the link provided on the County's website, or by entering this web address in your internet address bar: <http://mixlr.com/sanitary101>. Public comments will be accepted until 1:45 p.m. by emailing jmarshall@somersetmd.us. We thank you for your cooperation during this time.

GENERAL BUSINESS - INFORMATION	
1	Audit Presentation – FY 2020
PRINCESS ANNE SUBDISTRICT - INFORMATION	
1	Industrial Park Tank Recoating Update
2	Princess Anne Waste Water Treatment Plant Solar Project Update
3	Deal Island Road Water Main Loop Project Update
4	Princess Anne Waste Water Treatment Plant ENR Upgrade Update
SMITH ISLAND SUBDISTRICT - INFORMATION	
1	Smith Island Clean Water Project Update
FAIRMOUNT SUBDISTRICT - INFORMATION	
1	Fairmount Decommissioning Project Update
GENERAL BUSINESS - ACTION	
1	Approval of Invoices
	Ratification of the following Phone Polls:
2	<ol style="list-style-type: none"> 1. Approval of Invoices: <ul style="list-style-type: none"> • Freemire & Associates, Inc. totaling \$4,824.79 • Webb, Cornbrooks, Wilber, Vorhis, Douse & Mathers, LLP totaling \$1,950.00 • Hopkin's Construction, pay app #13 totaling \$106,594.00
3	Approval regular and executive session minutes dated November 12, 2020
4	Resolution to updated EDU Policy
5	Industrial Park Loan and Truck Loan Resolution
6	Approval of Job Description - Temporary Sample Technician
7	Collection Action for Delinquent Septage Hauler accounts
PRINCESS ANNE SUBDISTRICT - ACTION	
1	Industrial Park change order #1
2	Request of courtesy credit – 30259 Bowland Hill Circle
SMITH ISLAND SUBDISTRICT - ACTION	
1	USDA Water and Waste System Grant Agreement
2	USDA Loan Resolution (\$83,000)
3	Execution of Deed of Easement: <ul style="list-style-type: none"> • 3141 Marsh Road • 3159 Marsh Road
APPOINTMENT	
1:45 PM – Theodore Cropper, 11396 Greenwood Road	
2:00 P.M. PUBLIC HEARING	
Proposed Quarterly Debt Service Rate for the 2021 Calendar year	
PUBLIC INPUT	
Please sign in with the Administrative Aide, 2 minutes will be allotted per person	
CLOSED SESSION	
2:10 p.m. – Closed Session, Anthony Stockus, Sanitary District Attorney	
Topics Discussed include:	
<ul style="list-style-type: none"> • Fairmount Decommissioning Project – Pending Litigation • Personnel 	

The Somerset County Sanitary Commission will convene a closed session by the Authority General Provisions Article of the Annotated Code of Maryland, General Provisions, 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.

Somerset County Sanitary Commission
Minutes of December 10, 2020

A regular meeting of the Somerset County Sanitary Commission was held on Thursday, December 10, 2020 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, General Manager, Jennie Marshall, Administrative Aide, Starr Mister, Office Manager, Earl Ludy, Superintendent, Heather Konyar, Attorney, Cockey, Brennan & Maloney, Josh Taylor, P.E., Davis Bowen & Friedel, and Richard Crumbacker, Somerset County Times. Also in present was Public Attendee, Francis Hooks.

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

General Business - Information

The Audit Presentation for Fiscal Year 2020 has been postponed until the January 14, 2021 Commission Meeting.

Princess Anne - Information

Mr. Stockus updated the Commission on the Princess Anne Industrial Park Tank Recoating stating the project is complete.

Mr. Ludy updated the Commission on the Princess Anne Wastewater Treatment Plant Solar Project stating construction is complete. Awaiting final authorization and Staff training of equipment.

Mr. Stockus updated the Commission on the Deal Island Road Water Main Loop Project stating the District selected Hopkin's Construction (Low Bidder) for the project during the November 12, 2020 Commission meeting.

Mr. Stockus stated there was no update regarding the Princess Anne Wastewater Treatment Plant ENR upgrade project.

Smith Island - Information

Ms. Konyar updated the Commission on the Smith Island Clean Water Project stating the final easements will be presented for execution during the action portion of the meeting. Also in the action portion is the approval of the USDA Water and Waste System Grant Agreement and Loan Resolution for \$83,000.00.

Fairmount - Information

Mr. Taylor updated the Commission on the Fairmount Decommissioning Project informing the Commission the Camp Road Station is still pumping under its expected flow of 300 Gallons per minute. DBF is investigating the cause and is confident they will resolve the pumping issue. A walk-thru inspection is scheduled for 12/15/20.

General Business - Action

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

Cockey, Brennan & Maloney, P.C.

- Invoice dated 12/01/20 for Professional Services for the month of October in the amount of \$3,585.00; however they will accept \$3,250.00 if paid in full by 12/15/20.
- Invoice dated 11/25/20 for Professional Services - the Smith Island Clean Water Project for the month of October in the amount of \$3,252.50.

Davis, Bowen & Friedel, Inc.

- Invoice dated 11/18/20 for Preliminary Engineering Report – Westover Water Service Project for the period of 10/03/20 to 10/30/20 in the amount of \$750.00.
- Invoice dated 11/18/20 for Westover PS/FM Evaluation – on-call SCSD for the period of 10/03/20 to 10/30/20 in the amount of \$1,575.50.
- Invoice dated 11/18/20 for General On-call Planning/Engineering Services – Mariner’s Road Water for the period of 10/03/20 to 10/30/20 in the amount of \$763.00.
- Invoice dated 11/18/20 for Inspection Services – Industrial Park Water Tower Recoating for the period of 10/03/20 to 10/30/20 in the amount of \$6,798.00.
- Invoice dated 11/20/20 for General On-call Services for the period of 10/03/20 to 10/30/20 in the amount of \$360.00.
- Invoice dated 11/18/20 for Construction Phase – Princess Anne WWTP Solar Project for the period of 10/03/20 to 10/30/20 in the amount of \$1,175.00.
- Invoice dated 11/18/20 for Environmental Report – Westover Water Service Project for the period of 10/03/20 to 10/30/20 in the amount of \$500.00.
- Invoice dated 11/18/20 for Construction Administration – Industrial Park Water Tower Recoating engineering for the period of 10/03/20 to 10/30/20 in the amount of \$795.00.
- Invoice dated 11/18/20 for Design Phase – Deal Island Road Watermain Project for the period of 10/03/20 to 10/30/20 in the amount of \$1,200.00.
- Invoice dated 11/18/20 for Design Services – SCSD Pump Station for Parker & Associates for the period of 10/03/20 to 10/30/20 in the amount of \$6,200.00.

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

- Approval of Invoices:
 1. Freemire & Associates, Inc. for the Fairmount Decommissioning Project totaling

\$4,824.79.

2. Webb, Cornbrooks, Wilber, Vorhis, Douse & Mathers, LLP for legal Issues and contracts with the City of Crisfield in the amount of \$1,950.00.
3. Pay App #13 for Hopkins Construction for Fairmount Decommissioning Project totaling \$106,594.00.

Approval of Minutes

The Sanitary Commission regular and executive session minutes dated 11/12/20 were previously distributed. On a motion by Mr. Bagley and seconded by Ms. Bush it was unanimously carried to approve the regular and executive session minutes dated 11/12/20.

Resolution to updated EDU Policy

The Sanitary District has become aware of sections of the EDU Policy that need revision and/or clarification, to include, but not be limited to, 1) revising the Policy to allow for the consideration of peak flow when determining a property's proper EDU allocation, 2) clarifying the Policy to state that transfer of ownership of a property shall not affect EDU allocation unless there is a change in use, and 3) clarifying the policy with regard to specific class designations. Mr. Bagley made a motion to approve the updated EDU Policy presented. Ms. Hall seconded the motion; the motion carried unanimously.

Industrial Park Loan and Truck Loan Resolution

A Resolution was presented to the Sanitary Commission authorizing the issuance of bonds in the aggregate principal amount of \$192,618.00. The District intends to issue a note in the amount of \$170,000.00 to Hebron Savings Bank at a fixed rate of interest not to exceed 3.81% per annum, and issue a single vehicle purchase note in an amount of \$22,618.00 at a fixed rate of interest not to exceed 3.81% per annum. Both loans were approved in the FY21 Budget. Ms. Landon made a motion to approve the Industrial Park Loan and Truck Loan Resolution as presented. Mr. Bagley seconded the motion; the motion carried unanimously.

Approval of Job Description

The Commission was presented with the job description for Temporary Sample Technician. This position is classified in the Selig System as a Grade 6, limited to 20 hours per week with no benefits. Ms. Landon made a motion to approve the job description for Temporary Sample Technician. Ms. Hall seconded the motion; the motion carried unanimously.

Collection Action for Delinquent Septage Hauler Accounts

Prior to the Pandemic, the Sanitary District had planned to send all Septage Haulers with a delinquent account a disconnection notice allowing them x amount of days to pay their past due balance before terminating their service and sending them to collections. However, due to the Executive Order by the Governor's Office regarding the ban on disconnections, the Sanitary District was not able to send disconnection notices until November 15, 2020. The District has since mailed the delinquent notices

to the Haulers and would like permission from the Board to send unpaid accounts a final notice letter with a deadline to pay before pursuing collections. Mr. Bagley made a motion authorizing the Sanitary District to pursue Collections for Septage Haulers with unpaid accounts. Ms. Bush seconded the motion; the motion carried unanimously.

Princess Anne – Action

Industrial Park change order #1

Minoan, Inc., Contractor for the Industrial Park Tower recoating, has submitted a change order for adjustment of quantities of bid items to reflect actual quantities used to complete work. This change order results in a credit to the Sanitary District in the amount of \$5,225.00. Ms. Bush made a motion to approve change order #1. Ms. Landon seconded the motion; the motion carried unanimously.

Request of courtesy credit

Albert White, Property Owner of 30259 Bowland Hill Circle, is requesting a courtesy credit on his water and sewer bill. Mr. White cited in his letter to the Commission he is in a financial strain due to the pandemic and other unforeseen circumstances including the closure of his Barber Shop. The tenants of this property vacated the home leaving the water bill unpaid. He has made a payment agreement with the Office Manager for the balance on the account; it is Management's recommendation to not issue a courtesy credit for fear of setting a precedence. The Commission took no action on his request.

Smith Island – Action

USDA Water and Waste System Grant Agreement/Loan Resolution

The Commission was presented with the USDA Water and Waste System Grant Agreement for the Smith Island Clean Water Project. The Agreement states the Grantee (Sanitary District) has determined to undertake a project of acquisition, construction, enlargement, or capital improvement of a water waste system to serve the area under its jurisdiction at an estimated cost of \$9,261,341.00. Grantee is able to finance not more than \$6,261,341.00 of the development costs through revenues, charges, taxes or assessments, or funds otherwise available to Grantee for such project development costs. Grantor has agreed to grant Grantee a sum not to exceed \$3,000,000.00. As a condition of this grant agreement, the District must acquire a loan in the amount of \$83,000.00 from the USDA.

Ms. Bush made a motion to accept the USDA Water and Waste System Grant Agreement. Mr. Bagley seconded the motion; the motion carried unanimously.

Mr. Bagley made a motion to approve the USDA Loan Resolution for \$83,000.00. Ms. Bush seconded the motion; the motion carried unanimously.

Execution of Deed of Easements

Cockey, Brennan & Maloney have prepared two Deed of Easement Agreements, appraised at zero value, between Gladys Bishop (Grantor) and the Somerset County Sanitary District (Grantee). The Easement, for property located on Rhodes Point, is needed for installation of an underground pipeline required in order to proceed with the Smith Island Clean Water Project. Mr. Bagley made a motion for the Chairman to execute the Deed of Easement Agreements donated by Ms. Bishop. Ms. Hall seconded the motion; the motion carried unanimously.

Cockey, Brennan & Maloney have prepared a Deed of Easement Agreement for the appraised value of \$1,950.00 between Edward Landon, Dorothy Landon, Edward Landon Jr. and Everett Landon (Grantors) and the Somerset County Sanitary District (Grantee). The Easement, for property located on Rhodes Point, is needed for installation of a gravity sewer line required in order to proceed with the Smith Island Clean Water Project. Mr. Bagley made a motion to accept the appraised value offer of \$1,950.00 and for the Chairman to execute the Deed of Easement Agreement between the Landon's and the Sanitary District. Ms. Hall seconded the motion; the motion carried unanimously. Ms. Landon abstained from this vote.

Appointment 1:45 pm – Theodore Cropper

Mr. Cropper was not present for his appointment.

2:00 p.m. Public Hearing

Mr. Rigglin called the Public Hearing to order at 2:00 p.m.

Ms. Mister announced the opening of the public hearing for the review and approval of the Calendar Year 2021 Debt Service Budget and Rates for the Somerset County Sanitary District. Ms. Mister presented the Certification of Publication and read aloud the following proposed Debt Service rate Ad that ran in the County Times on November 25, 2020 and December 2, 2020.

Somerset County Sanitary Commission					
Public Hearing 2:00 P.M. • December 10, 2020					
A public hearing will be held on December 10, 2020 at 2:00 P.M. in Room 111 of the Somerset County Complex Building, 11916 Somerset Ave. Princess Anne, MD for the purpose of establishing the quarterly debt service rates for the 2021 calendar year. Written comments may be mailed to 11916 Somerset Ave. Box 1, Princess Anne, MD 21853					
A sign-in sheet will be provided to those wishing to comment during the public hearing. All persons wishing to comment will be required to speak at the podium and will be allotted 2 minutes of time.					
Residential/Business	Princess Anne Sub District	Smith Island Sub District	Fairmount Sub District	Crisfield Sub District	Westover Sub District
Water Mains Rate per EDU	\$3.20		\$3.20	\$3.20	
Water Shared Facilities Rate per EDU	\$20.30	n/a	\$20.30	\$20.30	n/a
Water Mains Developer Surcharge per EDU	\$1.40		n/a	n/a	
Total Quarterly Water Rate	\$24.90	n/a	\$23.50	\$23.50	n/a
Sewer Mains Rate per EDU	\$23.19	\$23.19	\$23.19	\$23.19	\$23.19
Sewer Shared Facilities per EDU	\$5.06	\$5.06	\$5.06	n/a	\$5.06
Sewer Mains Developer Surcharge per EDU	\$2.10	n/a	n/a	n/a	n/a
Total Quarterly Sewer Rate	\$30.35	\$28.25	\$28.25	\$23.19	\$28.25

Adam Rigglin, Chairman • Charles Bagley, Vice Chairman • Ellen Bush, Secretary-Treasurer • D. Maxine Landon, Member • Drenda Hall, Member

Ms. Bush made a motion to approve the proposed 2021 Debt Service Rates and Budgets. Mr. Bagley seconded the motion; the motion carried unanimously.

Public Input

There were no public input.

On a motion by Mr. Bagley and seconded by Ms. Bush it was unanimously agreed to go into Closed Session at 2:07 p.m.

Closed Session Summary Report December 10, 2020

The Somerset County Sanitary Commission will convene a closed session by the Authority General Provisions Article of the Annotated Code of Maryland, General Provisions, Subtitle 3-305(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.

Topics discussed in Closed Session include:

- Fairmount Decommissioning Project, pending litigation - Adam Riggin, Charles Bagley, Ellen Bush, Maxine Landon, Drenda Hall, Anthony Stockus, Earl Ludy, Starr Mister, Heather Konyar, Josh Taylor and Jennie Marshall.
- Personnel – Adam Riggin, Charles Bagley, Ellen Bush, Maxine Landon, Drenda Hall, Anthony Stockus, Earl Ludy, Starr Mister, and Jennie Marshall.

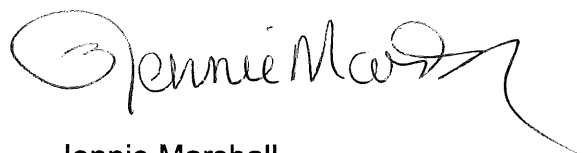
On a motion by Ms. Landon and seconded by Ms. Bush it was unanimously agreed to go from closed to open session and adjourn at 2:44 p.m.

Approved by:



Ellen Bush
Secretary-Treasurer
Somerset County Sanitary Commission

Respectfully Submitted:



Jennie Marshall
Administrative Aide
Somerset County Sanitary District