

REVISED
MEETING AGENDA

Somerset County Sanitary District, Inc.

Somerset County Sanitary Commission – Regular Meeting

Date: March 11, 2021
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	Drenda Hall, Commission Member, Resignation Letter
2	Financial Report Quarterly Analysis
3	Substance Abuse Policy Draft
PRINCESS ANNE SUBDISTRICT - INFORMATION	
1	Princess Anne Waste Water Treatment Plant Solar Project Update
2	Deal Island Road Water Main Loop Project Update
3	Princess Anne Waste Water Treatment Plant ENR Upgrade Update
4	Princess Anne Fire Hydrants
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
2	Approval of Phone Polls: <ul style="list-style-type: none"> • Personnel Poll • Approval of invoices: <ol style="list-style-type: none"> 1. Cockey, Brennan & Maloney totaling \$3,722.50 2. George, Miles & Buhr totaling \$574.00 3. Hopkins Construction for Pay App #15 totaling \$189,847.53 4. Davis, Bowen & Friedel totaling \$10,568.50 • Request by Somerset County Commissioners to forgive charges for 3615 Freedomtown Road totaling \$393.73 • Approval of PKS Minimum Wage Study Engagement Letter
3	Approval of Regular Session Minutes dated January 14, 2021
4	Additional Authorized Signer
PRINCESS ANNE SUBDISTRICT - ACTION	
1	Approval to Grant Final Acceptance to Harkins Builders for The Reserve at Somerset Commons – Phase 2
2	Approval of Credit – 11345 Stewart Neck Road
3	Request for EDU Adjustment – 30550 Dr. William Hytche Blvd.
4	Request for Toilet Leak Credit – 11575 Progress Lane
5	Request for forgiveness of charges- Premier Building Group
6	Approval of Purchase Offer – Westfield Estates
7	Approval of Plat - Somerset Crossings
8	*PA WWTP Solar Project – Change order #1
SMITH ISLAND SUBDISTRICT - ACTION	
1	Smith Island Clean Water Project – USDA Right of Way Certificate
FAIRMOUNT SUBDISTRICT - ACTION	
1	Execution of Quit Claim Deed – Fairmount Road
CRISFIELD SUBDISTRICT - ACTION	
1	Request by Somerset County Commissioners to forgive charges – 3254 Sackertown Road
PUBLIC INPUT	
Please sign in with the Administrative Aide, 2 minutes will be allotted per person	
NO CLOSED SESSION SCHEDULED	

Somerset County Sanitary Commission
Minutes of March 11, 2021

A regular meeting of the Somerset County Sanitary Commission was held on Thursday, March 11, 2021 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, and Maxine Landon, Member. Also in attendance were Anthony Stockus, General Manager, Jennie Marshall, Administrative Aide, Starr Mister, Office Manager, Earl Ludy, Josh Taylor, P.E., Davis Bowen & Friedel, Heather Konyar, Attorney, Cockey, Brennan & Maloney, and Richard Crumbacker, Somerset County Times. There were no Public Attendees.

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

General Business - Information

Ms. Drenda Hall has resigned as Member of the Sanitary District Board due to relocating outside the district in which she served. Mr. Riggin stated the Sanitary Commission appreciates the time Ms. Hall spent on the Sanitary Board and wishes her well.

The Sanitary District Financial Quarterly Analysis report was presented. This quarterly appears to have high revenue vs. expenses of \$66,840.86. However, \$254,650.00 of grant reimbursements are due to the District, bringing the actual revenue vs. expenses to \$321,490.86.

A draft of the Sanitary District's Substance Abuse Policy was previously distributed to the Commission for their review. Ms. Konyar reviewed the updates to the Policy with the Board; the Board will vote on the proposed changes to the Policy and Resolution during the SCSD April Commission meeting.

Princess Anne - Information

Mr. Stockus updated the Commission on the Princess Anne Wastewater Treatment Plant Solar Project stating Delmarva Power has conducted their walk-thru inspection and the Solar Panels are now online. A final change order will need to be executed to close out the project.

Mr. Stockus updated the Commission on the Deal Island Road Water Main Loop Project stating the Approval of Bid has been submitted to the Maryland Board of Public Works for their approval. Bond Counsel is working on a Resolution needed in order to receive approved funding from MDE.

Mr. Stockus stated there were no updates to report regarding the Princess Anne Wastewater Treatment Plant ENR upgrade project.

Mr. Stockus stated the Princess Anne Volunteer Fire Company performed test inspections on the hydrants in the town and found a few hydrants in poor condition. The Sanitary District is aware of their concerns and is currently working with the PAVFC to resolve the matters found during their inspections.

Smith Island - Information

Mr. Stockus updated the Commission on the Smith Island Clean Water Project stating the USDA is requesting consent of the Environmental Report from MDE before they will release the funds for the

project. Our Engineers are communicating with both parties to resolve their concerns so the District can move forward with the project.

Fairmount - Information

Mr. Stockus updated the Commission on the Fairmount Decommissioning Project stating the work is complete with the project. The Sanitary District will grant final payment to Hopkin's Construction once the punch list items (including the Ring property) and final work order are complete.

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. (Service dates 1/02/21 to 1/29/21)

- Invoice dated 2/18/21 for On-call Funding Acquisition Assistance in the amount of \$735.00.
- Invoice dated 2/18/21 for On-call The Reserve at Somerset in the amount of \$180.00.
- Invoice dated 2/18/21 for Somerset Crossing (FKA Old Princess Anne Commons) On-call SCSD in the amount of \$1,094.30.
- Invoice dated 2/18/21 for Design Phase/Plan Review Services – Westfield – SCSD in the amount of \$314.30.
- Invoice dated 2/18/21 for Construction Phase – Deal Island Road Watermain Project in the amount of \$1,175.00.
- Invoice dated 2/18/21 for Construction Phase – Princess Anne WWTP Solar Project in the amount of \$180.00.
- Invoice dated 2/18/21 for Design Services – SCSD Pump Station for Parker & Associates in the amount of \$9,300.00.

Cockey, Brennan & Maloney, P.C.

- Invoice dated 2/25/21 for Professional Services for the month of February in the amount of \$1,200.00 if paid by 3/16/21, a discount from original amount of \$1,440.00.
- Invoice dated 2/25/21 for Professional Services - the Smith Island Clean Water Project for the month of February in the amount of \$245.00.

Miller's Land Services, Inc.

- Invoice dated 2/19/21 for various jobs totaling the amount of \$5,062.50.

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

following Phone Polls.

- 2/11/21 – Approval of Invoices ;
 - ◆ Cockey, Brennan, and Maloney for Professional Services for the month of January in the amount of \$3,722.50.
 - ◆ Independent News Media for the SICWP Environmental Assessment totaling \$574.00.
 - ◆ Hopkins Construcion for the FMT Decommissioning Project Pay App #15 totaling \$189,847.53.
 - ◆ Davis, Bowen & Friedel for invoices during the month of January totaling \$10,568.50.
- 2/16/21 – Approval of PKS Minimum Wage Study Engagement Letter.
- 2/16/21 – Approval to forgive changes requested by the Somerset County Commissioners for 3615 Freedomtown Road totaling \$393.73.

Approval of Minutes

The Sanitary Commission regular session minutes dated 1/14/21 were previously distributed. On a motion by Mr. Bagley and seconded by Ms. Bush it was unanimously carried to approve the regular session minutes dated 1/14/21.

Additional Authorized Signer

Ms. Mister is requesting an additional Authorized Signer in the event one of the two current Signers (Mr. Stockus and Ms. Bush) are unavailable as our insurance company requires two signatures for all transactions. Ms. Mister recommended that the Chairman be the additional Authorized Signer. Ms. Bush made a motion for the Chairman to be an Authorized Signer on behalf of the Sanitary District. Mr. Bagley seconded the motion; the motion carried unanimously.

Princess Anne – Action

Approval to Grant Final Acceptance

Davis, Bowen & Friedel are recommending the Sanitary District grant Final Acceptance for The Reserve at Somerset Commons – Phase 2 to Harkins Builders. This project completes the water mains for the fire system loop, extends the fire main loop to the north of Loretta Village Subdivision, and the water metering equipment for each building. Ms. Bush made a motion to grant Final Acceptance to Harkins Builders for The Reserve at Somerset Commons – Phase 2. Mr. Bagley seconded the motion; the motion carried unanimously.

Approval of Credit

Michael White, Utility Accounts Clerk, is requesting approval to credit the water and sewer account for 11345 Stewart Neck Road due to a faulty meter; the meter has since been replaced and consumption is back down to minimum usage. Ms. Mister recommended crediting the account based on average

consumption. Mr. Bagley made a motion to approve the credit for 11345 Stewart Neck Road as recommended by Management. Ms. Landon seconded the motion; the motion carried unanimously.

Request for EDU adjustment

Michael Potosky, managing member of HDA Enterprises LLC, 11825 Hytche LLC, and 30505 Prince William LLC, is requesting a reduction in the number of EDUs being billed by Debt Service for 30550 Dr. William Hytche Boulevard. Mr. Potosky stated that of the three buildings with similar consumption he manages, are only being billed 1 EDU whereas 30550 Dr. William Hytche Boulevard is assessed 2 EDUs. Ms. Mister stated she and Ms. Marshall performed a consumption audit on all three accounts and concluded the following:

	<u>EDUs currently billed</u>	<u>EDUs based on peak flow</u>	<u>EDUs based on average usage</u>
• 30550 Dr. W Hytche Blvd.	2	4	2
• 11825 Beechwood St.	1	4	2
• 30505 Prince William St.	1	1	1

The Policy on Allocation of Water and Sewer Benefit Assessments states the following:

Property classified as Commercial shall be assessed an EDU allocation based upon the use and in accordance with MDE Design Guidelines for Wastewater Facilities (2013). If a commercial water or a commercial water and sewer customer desires to have its EDU allocation modified, and can produce at least two (2) years of empirical data and/or meter readings regarding the property’s water or sewer use, the customer can directly petition the Sanitary District Commission for such relief. Commercial sewer only customers shall be assessed based on MDE Design Guidelines or metered private well readings from a meter authorized by the Sanitary District Commission. Absent extraordinary circumstances, a property is eligible for modification of its EDU allocation when at least two (2) years have passed from the most recent allocation assessment, modification or petition for modification. The Sanitary District Commission shall consider a property’s metered average daily flow and peak usage flows when considering recalculation of rates. The Sanitary District Commission shall make allocation assessments, and modifications thereto, which it deems, in its sole and absolute discretion, to be reasonable and in the best interest of the public in general. The transfer of ownership of a property classified as Commercial shall not affect EDU allocation unless there is a change in use. The effect of a change in use on the EDU allocation shall be at the sole and absolute discretion of the Sanitary District.

Mr. Taylor, DBF, recommended using average flow instead of peak flow based on the size of the line and meter they have. The Commission took no action on his request to adjust his EDUs because his average EDU and billed EDU are both 2.

In regards to 11825 Beechwood Street, because the average usage will potentially require that the EDUs be increased to 2, the Commission requested it be placed on the April Agenda as an action item to be discussed.

Request for Toilet Leak

Alan Goodman, property Owner of 11575 Progress Lane, is requesting a sewer credit for a toilet leak he repaired himself. The Leak Policy states an Owner can receive a one-time credit up to \$200 for leaks that go through the sewer system; unfortunately Mr. Goodman already received a \$200 credit for a toilet leak on 10/25/13. The Commission took no action on this request.

Request to forgive charges

Terry Esser, Premier Building Group, is requesting the District forgive charges for a water purchase in 2017 for the Great Bay Solar Project. According to Mr. Esser the General Contractor of this project, Phoenix Solar, filed for bankruptcy leaving Premier Building Group with over 10k in unpaid bills. Ms. Konyar recommended we forgive the charges as the Statute of Limitations (3 years) has expired for this bill. Ms. Konyar also stated that fees associated with serving papers and Court Filings in Arizona could be more costly. Mr. Bagley made a motion to forgive charges for Premier Building Group in the amount of \$2,075.50 based on Counsel's recommendation. Ms. Bush seconded the motion; the motion carried unanimously.

Approval of Purchase offer

Dwayne Lockman, on behalf of the Foundation of Elder Care, has offered the Sanitary District \$100,000 to purchase Westfield Estates. The properties previously owned by Malone Investments LLC have an outstanding balance totaling over \$307k. Mr. Stockus recommended taking no action at this time as there may be other opportunities for these properties in the near future. The Commission took no action.

Approval of Plat

A plat was presented to the Commission for Somerset Crossings, which is a proposed commercial complex on Brittingham Lane. Mr. Taylor, DBF, has reviewed the plans and finds them to be satisfactory. Ms. Landon made a motion to approve the Plat for Somerset Crossings. Ms. Bush seconded the motion; the motion carried unanimously.

Change Order #1

Davis, Bowen & Friedel has presented the Commission with a final change order to balance and close the PA WWTP Solar Project. The District will receive a \$5,000.00 credit from Ultra Solar & Wind Solutions. Ms. Landon made a motion to authorize the Chairman to execute Change Order #1. Mr. Bagley seconded the motion; the motion carried unanimously.

Smith Island – Action

USDA Right of Way Certificate

Now that all Easements needed to proceed with the Smith Island Clean Water Project are filed, the USDA is requiring a Right of Way Certificate be executed by our Counsel, the Chairman and the Secretary of Treasurer. Ms. Landon made a motion authorizing the Chairman and Secretary of

Treasurer to execute the Right of Way Certificate for the USDA. Mr. Bagley seconded the motion; the motion carried unanimously.

Fairmount – Action

Quit Claim Deed and Settlement

Cockey, Brennan & Maloney have prepared a Quit Claim Deed of Easement Agreement and Settlement Agreement for the property in which the Sanitary District’s Pump Station sits. Margaret Swensen accepted the following terms offered to her by the District:

The Sanitary District will prepare the deed in accordance with her survey, pay for her survey costs of \$575.00, grind the stumps level with the land, restore her property to pre-construction condition and offer Ms. Swensen \$1,325.00; the District will not purchase and plant the requested trees, and will not pay Ms. Swensen’s Attorney’s fees as they were willing to negotiate without her obtaining an attorney.

Mr. Bagley made a motion to authorize the Chairman to execute the Quit Claim Deed and Settlement Agreement between the Sanitary District and Ms. Swensen. Ms. Landon seconded the motion; the motion carried unanimously.

Crisfield – Action

Request to forgive charges

The Somerset County Commissioners have requested the Sanitary District forgive charges on the following property assumed through the Tax Sale, 3254 Sackertown Road totaling \$570.19. Ms. Bush made a motion to forgive the charges on this property for the Somerset County Commissioners, Mr. Bagley seconded the motion; the motion carried unanimously.

There were no Public Input.

On a motion by Mr. Bagley and seconded by Ms. Landon it was unanimously agreed to adjourn at 2:50 p.m.

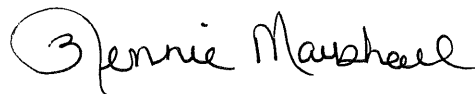
No Closed Session Scheduled

Approved by:



Ellen Bush
Secretary-Treasurer
Somerset County Sanitary Commission

Respectfully Submitted:



Jennie Marshall
Administrative Aide
Somerset County Sanitary District