

CARROLL COUNTY DEPARTMENT OF PUBLIC WORKS
MINUTES OF UTILITIES ADVISORY COUNCIL
March 24, 2011
Carroll County Government Office Building
225 N. Center Street, Rm. 003/004
Westminster, MD 21157-5194
7 p.m.

Attendees: *Council:* Michael Wilmore, Matt Candland, Kevin Hann

County Staff: Tom Rio, Jeff Topper, Sheree Lima, Joe Barrington, Rob Burk, Robin Hooper, Penny Gist

Absent: Tom Devilbiss, Jenny Hobbs

Reports

Minutes from meeting of 11/18/10: Mr. Wilmore asked for clarification of a portion of the minutes regarding the lined pipe presentation on 11/18/10; 3rd paragraph. Following is the clarification: “Mr. Barrington said the County started using this pipe 4 years ago to avoid excavation and other costs. The process takes much less time to install, and costs less per linear foot. For example; to lay a linear foot of traditional pipe 4 feet under the ground costs \$200 per linear foot; using the liner it costs \$40 per linear foot.”

Master Plan updates/revisions: The Fall 2010 Special Amendment to the Carroll County Master Plan for Water and Sewerage – Hampstead Water and Sewer Service Areas has went through the approval process and will be included as an update. For more information, please see the 8/26/10 and 11/18/10 Utilities Advisory Council meeting minutes.

A future change for the Westminster water service area regards an area known as Bramble Hills involving about 13 residences. The County currently operates the system. An agreement was reached between the County and the City of Westminster where the County will transfer ownership of a well on the Gesell property, located off of MD Rte. 27, including the Bramble Hills system to the City of Westminster. The easement area is being surveyed in order to move forward with the transfer of ownership. The goal for completion of the transfer is by the end of the calendar year.

Old Business

Citizen concerns:

Water Theft: Ms. Michele Fluss had previously contacted the Council and Carroll County Government staff, regarding several issues. For more information, please see the 11/18/10 Utilities Advisory Council meeting minutes. A copy of the Carroll County Bureau of Utilities Water Theft Policy dated 10/6/10 was distributed to council members. The fine is now \$1,000; used to be \$500. Mr. Barrington noted that a second station to legally obtain water is being established at the Freedom Water Treatment Plant. It is hoped that this will help in deterring water theft. Also, fire hydrant rings have been purchased by the Bureau of Utilities and will be placed throughout the operating system area. The durable flat rings have this warning: “Fire Department Use Only Unauthorized Use Is Theft”. There have been over 20 cases of reported water theft. In most cases, the culprits are not caught in the act, making it difficult for prosecution. The fees collected for water usage have been very minimal through the court system. Mr. Candland suggested sending a letter to the judges that explains the potential damage and costs to the hydrants and the operating system. A copy of the

policy could be included. Mr. Hann stated that there is also a risk of cross-contamination of water when the hydrants are opened. Subsurface damage to pipes and connections can also occur when hydrant discharges are started and stopped due to water pressure forces.

Bark Hill area representative: Due to the resignation of Kathy Everly, a representative is needed to fill the balance of the term that expires December 31, 2011.

Business community representative: This council seat for the Freedom area remains to be filled.

Freedom area representatives (two): A representative is needed to fill the balance of the term that expires December 31, 2012. Mr. Wilmore was reappointed to serve; term expires December 31, 2013.

Hampstead area representative: Kevin Hann was introduced as the Hampstead area representative. His term expires on December 31, 2013.

Department of Public Works' 8/18/10 request to consider a rate study of EDU vs. meter connection fees: *Background from the 8/26/10 meeting:* Mr. Evans wrote a memo to Steve Powell, Chief of Staff, dated 8/18/10 regarding calculation of water and sewer rates, a copy of which was mailed to the Council. In that memo, Mr. Evans proposed an engineering rate study to determine connection rates and maintenance fees based on EDU's (equivalent dwelling units) and asked to require the engineer to make a recommendation on equitable methods of calculating user rates as well. At the 8/26/10 meeting, a scenario using a 2" meter connection and EDU was explained to the Council. It was thought that using the EDU for calculation of maintenance fees would be more equitable especially regarding small vs. large lots. Only a few meter sizes are used and they do not well represent the wide ranges of customer connection flow rates. Gary Dye noted that in cases of fire emergency, a bypass would take effect to allow for adequate supply. *From 11/18/10 meeting:* There is a line item in the Bureau of Utilities Capital Budget set apart as a future water and sewer rate/allocation study. *Update:* This line item has been removed from the current Capital Budget. Staff will meet to discuss alternative means and put together a recommendation.

Department of Public Works' 8/3/10 letter to MDE (Maryland Department of the Environment) Re: Hampstead Wastewater Treatment Plant: *Background from the 8/26/10 meeting:* Mr. Evans wrote a letter to Shari Wilson, MDE, dated 8/3/10 regarding the Hampstead Wastewater Treatment Plant BNR (biological nutrient removal)/ENR (enhanced nutrient removal) upgrades in follow up to his 6/17/10 letter (copies of which were mailed to the Council). The HWWTP is a candidate for BNR/ENR upgrades. Funding of \$200,000 was allocated to assist with this project, which would only be a fraction of what would be needed. The County has been working under a consent agreement waiting on an Alternate Effluent Limit (AEL) for temperature for several years. The BNR/ENR requirements may be effected by temperature, so planning and construction cannot move forward until temperature limits are received from MDE. Mr. Evans' letter says that we cannot go forward until we know what our permit limits are. *From 11/18/10 meeting:* MDE communicated last week that they will be sending a response within a month regarding the temperature limits. *Update:* MDE has still not responded. Mr. Candland serves on the Water Resources Coordination Council. This council has discussed the issue of TMDL's (Total Maximum Daily Load). There are still many uncertainties that must be addressed before any changes to the HWWTP can be implemented.

DPW's 8/3/10 letter to MDE (Maryland Department of the Environment) Re: Freedom District Wastewater Treatment Plant (FDWWTP): *Background from 8/26/10 meeting:*

The Council was reminded that the plant is owned and operated by MES (Maryland Environmental Service); located on state property; collection and operations by the County. It also serves the wastewater treatment plant needs for the State's Springfield facility. Mr. Evans wrote a letter to Stephen Luckman, MDE/Water Management Administration, dated 8/3/10 regarding the Freedom District Wastewater Treatment Plant Permit #10-DP-0670 and MD0021512, a copy of which was mailed to the Council. In that letter, Mr. Evans requested a public hearing on the tentative determination to reissue the State Discharge Permit. The County and MES are working on upgrading the plant to ENR status. The County would be significantly responsible for the cost of design and construction. The County is concerned about the construction schedule since there isn't an agreement with the State about how much ENR funding will be available for completion. New limits are being proposed on the amount of copper that can be in the discharge that isn't consistent with what is in the water. Additional biomonitoring and toxic chemical testing will be required by the tentative determination. Mr. Evans asked for an articulation of the basis for EPA's decision that the entire WET "toxics" screen be run, when we are not aware of sufficient indication of the presence of toxins to warrant the heightened protocol. Mr. Luckman responded to Mr. Evans on 8/18/10, a copy of which was distributed to the Council at the August 26, 2010 meeting. A footnote will be included in the permit noting that the copper limit may be modified per COMAR 26.08.02.03-2D (4). The additional biomonitoring testing is based on the WET test results and EPA's revised guidelines. Additional reasoning for the added WET testing is noted in the letter. EPA's guidelines do not allow flexible language in the construction schedule in the discharge permit. A Consent Agreement or permit modification can be requested to adjust the schedule. Mr. Luckman suggested a meeting (which was held 9/10/10) to discuss issues rather than scheduling a hearing, since no other comments or requests for a public hearing were received. Mr. Wilmore inquired about TMDL's (total maximum daily load). TMDL is not defined for all items that are discharged. The EPA's TMDL limits are watershed based and include all sources. *From 11/18/10 meeting:* MDE responded to MES and the Department of Public Works that they are adhering to the criteria. *Update:* Ms. Lima recently spoke with MES. .013 parts per billion is the limit as per the permit. The permit requires FDWWTP to meet that limit within 3 years from October of 2010. There's a 75% chance that MDE will change the limits. Without this effluent limit change, there would be a need for expensive on-site capital improvements. The cost estimate is \$6,977,000 for the County's share.

Bureau of Utilities Fiscal Year 2011-2012 Operating Budget: Ms. Hooper distributed and explained the "Utilities Enterprise Fund Summary/Utilities Operating Summary, which will go through another review during the month of April. A public hearing will be held in the beginning of May. Mr. Burk went over depreciation; how it factored into the budget since it is now a cash-based operation. Mr. Rio shared that presentations to the Commissioners have gone fairly well so far. Discussions ensued and questions answered about the various projects.

General discussion ensued. Mr. Candland asked if reserves are used. Mr. Burk said they are for unexpected repairs. There is some funding in the current year for this. The goal is to generate enough revenue to cover operations and a consistent amount for capital priority projects, which can be shifted over six years. Mr. Candland noted that the Freedom area is faced with difficulties of an aging system. Upgrades need to be occurring now instead of 10 to 20 years from now. Mr. Burk stated that we are actually in better financial shape than ten years ago, before a dedicated long term capital funding plan was in place. Mechanical and environmental needs are expensive. Mr. Rio stated that Mr. Topper, Mr. Barrington and Ms. Lima will be working to assess our infrastructure condition and maintenance schedules.

Mr. Barrington noted some more criteria that affects the budget: rising fuel costs, infrastructure failures, funding priorities.

Mr. Candland commended staff on the fine job they did on preparing the budget. It's difficult to capture costs and to deal with underfunding. Mr. Hann noted that the budget is a very clear plan on what the County wants to achieve. The infrastructure won't completely deteriorate with a clear plan in place.

New Business

Water Sleeve Across MD Rte. 26 near White Rock Road, Eldersburg: Mr. Wilmore noted that due to a current private development that there is on-going road work with traffic control features on MD Rte. 26 just east of White Rock Road. Since this area is in a future expansion area, would it make sense to consider adding a sleeve across the road at this time, which would avoid the need for jacking and boring in the future now? State Highway Administration might allow a cheaper cut and cover operation if we could sequence the traffic safely. With the sleeve in place, a water line can be inserted and slipped through at a later time. Of course, to accomplish this would require the cooperation of the State Highway Administration, Carroll County Public Works, and the contractor. Mr. Barrington noted that the County has considered this since there are currently several small lines that cross Rte. 26. As lines fail, the line can be run from the loop rather than running another line under Rte. 26. This procedure would cost less than 20 small lines. There would be strategic points in the system to allow for easy access for repairs. The project has not moved forward before because it is not a pressing need.

Town of Sykesville Water Pipe Replacement Request: Copies of a Carroll County Times article entitled "Board to consider replacing Sykesville water pipes" were distributed. Mr. Candland, Commissioner Howard and Mr. Barrington were quoted in the article regarding the need for replacement. During this council meeting Mr. Barrington stated this winter there have been 26 residential leaks and 6 leaks on the County's side. Mr. Hann said the Town of Hampstead had an unusual amount of leaks in December. Mr. Candland stated portions of the Spout Hill Road roadway is compromised and will be paved after the leaks are fixed. This project is not in the town's budget; it's an emergency measure. Mr. Barrington explained generally what happens when failures occur.

Environmental Protection Agency's (EPA) Total Maximum Daily Load Implementations and Impact on Water and Sewer Users/Operations: Mr. Rio noted that Tom Devilbiss, Acting Director of Planning, was to speak about this agenda item but could not attend tonight's meeting. The County is starting to receive some definition. Mr. Candland stated the decision makers need to study this issue further. Just for the State Highway Administration alone hundreds of millions of dollars would be needed. For example; stormwater runoff would have to be treated before being discharged into a stream.

Projected Rate Changes: Mr. Burk presented information about projected rate changes. The rates are flat and stable. Currently, there is a trend of decline in usage. The current year is in the process of being evaluated; need to get March's information for a full nine month's worth of data. This shows no expected significant change in rates. Factors like the weather, business/restaurant usage, the economy, efficient appliances, lawn watering and swimming pool filling are considered. He believes this is the lowest consumption rate that's occurred in ten years. Mr. Hann noted that the Hampstead area is in their 4th year of increase. Mr. Rio noted that water meters are past their 20 year life span, which has caused incorrect readings, typically under-reporting what is being used. There is a plan in place to purchase and install new ones. Mr. Burk stated there's not a perfect science for rate adjustments. The rates are

based on billed gallons; not produced gallons. They are smoothing costs out so that the rates don't fluctuate over a 6 year period, despite variations in yearly capital costs. Timing, needs and priorities come into play. If there is a rate change, it would be very minor and most of the change would be driven by usage.

The meeting was adjourned. The next meeting will be held on May 5, 2011 at 7 p.m. at the Carroll County Government Office Building, 225 N. Center Street, Rm. 003/004, Westminster, Maryland.

cc: *Council Members*
Thomas J. Rio, Director of Public Works
Jeffrey Topper, Deputy Director of Public Works
Joe Barrington, Chief, Bureau of Utilities
Sheree Lima, Financial Manager, Department of Public Works
Robert Burk, Comptroller
Thomas S. Devilbiss, Acting Director, Planning
Robin Hooper, Budget Analyst, Department of Management & Budget
Jenny Hobbs, Financial Analyst, Department of the Comptroller
Steve Powell, Chief of Staff, Board of County Commissioners
Utilities Advisory Council File

Handouts: Carroll County Bureau of Utilities Water Theft Policy dated October 6, 2010
Carroll County Times News Article-Board to consider replacing Sykesville water pipes
Utilities Enterprise Fund and Operating Summary prepared by Robin Hooper
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