

Utility Commission
July 6, 2020
VIA TELECONFERENCE

The regular scheduled meeting of the Delmar Utility Commission was called to order by Madam Chair Pase. Due to COVID-19, this meeting is taking place via teleconference. The phone number and access code has been provided to all the members as well as the general public via, meeting agenda, Town's website and Facebook Page. In attendance were: Madam Chair Pase, Commission Member Lori Dewald, Council Member Greg Smith, Deputy Mayor Lloyd Unsell, and Town Manager Bynum- King.

Madam Chair Pase took a roll call for attendance to establish a quorum. All members were present.

Approval of Minutes

A motion was made, seconded (Dewald / Smith) and carried to approve the minutes. Madam Chair Pase took a roll call vote and the motion passed with 3 ayes and 1 abstain (Unsell).

Unfinished Business –

Town Manager Bynum-King informed the Commission members that the Wastewater Treatment was running well. The Superintendent is still working hard to get some of the operating equipment that has been out of service for a long while, functional and back in service. Some of the repairs are occurring in house some has to happen by outside skilled professionals.

New Business –

Town Manager Bynum-King stated she received an email from a Yorkshire Estate subdivision resident requesting a discount on the utility bill for having to go an entire day into the evening without water and sewer services. Town Manager Bynum-King explained that on April 6, 2020 there was a water/sewer tap into the main that occurred as a result of the Stage Road Water/Sewer Extension Project. During the tap a leak developed and caused the need for extensive repair resulting in an unscheduled 8 hours of no utility services to the Yorkshire residents. The residents were inconvenienced during the time when everyone was under the shelter in home restrictions due to COVID-19 and supplies such as bottle or jug water was very limited. The Municipal Clerk suggested a \$5.00 credit to the Yorkshire residents.

The Commission discussed the request and concluded by the majority to grant a \$5.00 credit to the Yorkshire residents. Madam Chair Pase asked for a motion to grant a \$5.00 credit to the Yorkshire residents due to the inconvenience of no utilities for an unscheduled 8 hour repair to the main during the COVID-19 shelter in home Executive by the Governor.

The motion was made, seconded (Unsell/Smith) and carried to approve the credit of \$5.00 to the Yorkshire Residents. Roll call vote was 3 Ayes / 1 Nay (Dewald)

Town Manager Bynum-King also advised the Commission that she received a request from Mr. Alan Perry regarding the Phase II Ponds Edge seeking consideration for financial relief from the burden COVID-19 has had on the ability to move the project forward. Just before the pandemic, the utility portion of the project was underway. Mr. Perry's communication expressed that he realized the Commission would not waive or reduce the impact fees, now he wondered if consideration could be given to allow the impact payment to be staggered. Mr. Perry requested authorization to pay half of the impact fees at the issuance of the Certificate of Occupancy and the remaining half be paid a year from the date of the first payment.

Madam Chair Pase, said that we are all feeling the impact of the pandemic and it is hard to make an adjustment for just one developer because we have other projects going on as well. Town Manager Bynum-King, suggested that because the water and sewer impact fees revenue we anticipate from these types of projects are accounted for in the fiscal year budget perhaps the Commission would consider an option that will not impact the projected revenues. She suggested that the developer satisfies the first half of the impact fees at the issuance of the building permit and the remaining balance at the issuance of the certificate of occupancy or the end of the fiscal year if it comes first. Commission Member Unsell said he would be agreeable to the Town Manager's suggestion. The consensus of the remaining of the Commission members agreed as well.

Madam Chair Pase, asked for a motion to grant permission for the Ponds Edge Phase II impact fees be paid in two parts, the first half of the fee due at the issuance of the building permit and the remaining balance due at the issuance of the Certificate of Occupancy or by the end of the fiscal year if it comes first. The motion was made/seconded (Unsell/Smith) and carried with a roll call vote 4 Ayes.

Town Manager Report –

- As an FYI, Cindy Fisher, Clerk of Council retired as of June 16, 2020 and Alonzo Hardin, WWTP Operator retired as of June 30th. We are in the process of conducting interviews for the Clerk of Council and seeking qualified applicants for the WWTP Operator position.
- On June 17, 2020 there was a virtual conference with representative from the Maryland Department of the Environment to discuss the projected schedule for design, bidding and construction for the Sewer Main Replacement Project. The State issued the Town a project schedule and during the discussion there was some tweaks to the schedule. The Town representatives were also made aware we would need to secure Request for Qualification from qualified Engineering Firms for the project design and construction. In addition to the Town Mgr., the meeting included Josh Taylor and Rob Duma with DBF, Matt Marshall and Sunita Boyle with MDE.
- On June 19, 2020 there was an in person meeting with Jason Loar with DBF, Frank Daniels, WWTP Superintendent and Town Mgr. Bynum-King regarding preparation of a response letter to the Attorney General's Office, Department of the Environment June 10, 2020 letter pertaining to the pending Consent Order. We had to address all of the progress the Wastewater Treatment Plant has accomplished since the initial pending Consent Order was submitted November 20, 2018 to the Town. The Town was able to

identify several items on the initial list as completed and several items that we needed to make adjustments to the estimated time of repair or upgrade completion. The response letter is due back to the State thirty days from the letter date.

Council Comments

Madam Chair Pase, Deputy Mayor Unsell and Council Member Smith - No Comments.

Commission Member Dewald- Acknowledged Cindy Fisher's retirement, wishing her much happiness and that she would be missed.

Adjournment

A motion was made, second (Dewald/Smith) and carried to adjourn with a roll call vote of 4 ayes.

Sara Bynum-King, Town Mgr.
Interim Clerk of Council