

**CARROLL COUNTY DEPARTMENT OF PUBLIC WORKS  
MINUTES OF UTILITIES ADVISORY COUNCIL**

**May 5, 2011**

**Carroll County Government Office Building**

**225 N. Center Street, Rm. 003**

**Westminster, Maryland 21157-5194**

**7 p.m.**

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

*County Staff:* Tom Rio, Joe Barrington, Tom Devilbiss, Robin Hooper, Jenny Hobbs, Penny Gist

*Absent:* County Staff: Jeff Topper, Sheree Lima, Rob Burk

### **Reports**

**Minutes from meeting of 3/24/11:** Some clarification was given to the paragraph under “Projected Rate Changes” and changes will be made accordingly. The revised minutes will be distributed to council members for approval.

**Master Plan updates/revisions:** 3/24/11 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 Maryland Route 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. **No change.**

### **Old Business**

#### **Citizen concerns:**

**Water Theft:** Background: 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. **From 3/24/11 meeting:** 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. **Update:** A dispensing area at the Freedom Water Treatment Plant has begun operation, with 6 users so far. The most recent water theft occurred from a hydrant on

4/29/11. Mr. Barrington passed around the fire hydrant ring that is being placed on county hydrants to prevent water theft. Fifty rings have been ordered so far and it is hoped that about 250 will be placed eventually. Mr. Wilmore stated it's important for the public to know that violators are being prosecuted to the extent possible. There was discussion as to whether the fine should be posted. If the fine is not paid then it would be taken to court. Mr. Hann noted that the Town of Hampstead locked their hydrants in the past, which is costly; thieves won't pull along Main Street due to this but they will go to a secluded spot. It was suggested that criminal records be checked to determine if the water thieves are wanted felons.

**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. **No change.**

**Business community representative:** This council seat for the Freedom area remains to be filled. **No change.**

**Freedom area representative: Update:** A representative is needed to fill the balance of the term that expires December 31, 2012. Ms. Ellen Dix previously expressed interest in serving on the council. We are awaiting approval from the Board of County Commissioners. Mr. Rio mentioned that he can notify the Board of interested applicants. Periodically, the Board puts out a press release that they are seeking members for various boards, councils and commissions.

**Department of Public Works' 8/18/10 request to consider a rate study of equivalent dwelling units versus 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 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 equivalent dwelling units was explained to the Council. It was thought that using the equivalent dwelling units for calculation of maintenance fees would be more equitable especially regarding small versus 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. *From 3/24/11 meeting:* This line item has been removed from the current Capital Budget. Staff will meet to discuss alternative means and put together a recommendation. **Update:** Mr. Rio noted that the County wants to come up with a resolution, but since this is not an immediate concern, attention has gone to other issues. Mr. Wilmore asked if there are a lot of businesses connecting. Mr. Candland stated there isn't a lot of activity.

**Department of Public Works' 8/3/10 letter to Maryland Department of the Environment reference Hampstead Wastewater Treatment Plant:** *Background from the 8/26/10 meeting:* Mr. Evans wrote a letter to Shari Wilson, Maryland Department of the Environment, dated 8/3/10 regarding the Hampstead Wastewater Treatment Plant biological nutrient removal/enhanced nutrient removal upgrades in follow up to his 6/17/10 letter (copies of which were mailed to the Council). The Hampstead Wastewater Treatment Plant is a candidate for biological nutrient removal/enhanced nutrient removal 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 for temperature for several years. The biological nutrient

removal/enhanced nutrient removal requirements may be effected by temperature, so planning and construction cannot move forward until temperature limits are received from Maryland Department of the Environment. Mr. Evans' letter says that we cannot go forward until we know what our permit limits are. *From 11/18/10 meeting:* Maryland Department of the Environment communicated last week that they will be sending a response within a month regarding the temperature limits. *From 3/24/11 meeting:* Maryland Department of the Environment has still not responded. Mr. Candland serves on the Water Resources Coordination Council. This council has discussed the issue of total maximum daily loads. There are still many uncertainties that must be addressed before any changes to the Hampstead Wastewater Treatment Plant can be implemented. **Update:** Mr. Candland stated that at the 5/4/11 Water Resources Coordination Council meeting discussion was raised about total maximum daily loads regarding the withholding of permits if there's not enough reduction in load. Focus would be on the wastewater treatment plant getting the permit. Point source and non-point source will have an impact on the funding and operations. Until further direction is given, we are operating under the current permit.

**DPW's 8/3/10 letter to Maryland Department of the Environment reference Freedom District Wastewater Treatment Plant:** *Background from 8/26/10 meeting:* The Council was reminded that the plant is owned and operated by 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, Maryland Department of the Environment/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 Maryland Environmental Service are working on upgrading the plant to enhanced nutrient removal 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 enhanced nutrient removal 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 Environmental Protection Agency's decision that the entire whole effluent toxicity ("WET") 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 Code of Maryland Regulations 26.08.02.03-2D (4). The additional biomonitoring testing is based on the whole effluent toxicity test results and Environmental Protection Agency's revised guidelines. Additional reasoning for the added testing is noted in the letter. Environmental Protection Agency'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 total maximum daily loads. Total maximum daily loads are not defined for all items that are discharged. The Environmental Protection Agency's total maximum daily load limits are watershed based and include all sources. *From 11/18/10 meeting:* Maryland Department of the Environment responded to Maryland Environmental Service and the Department of Public Works that they are adhering to the criteria. *From 3/24/11 meeting:* Ms. Lima recently spoke with Maryland Environmental Service. .013 parts per billion is the limit as per the permit. The permit requires Freedom District Wastewater Treatment Plant to meet that limit within 3 years from October of 2010.

There's a 75% chance that Maryland Department of the Environment 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. **Update:** New discussion ensued regarding where alleged copper is coming from and how numbers are arrived at. Mr. Barrington noted that water from the plant has no corrosive issues and when tested at homes, they're not seeing it either. So the source of the alleged copper is not known at this time. Streams in the United States are analyzed to get a basis for numbers. Plants are not to introduce more copper than what is in the stream.

**Water Sleeve Across Maryland Route 26 near White Rock Road, Eldersburg:** From 3/24/11 meeting: Mr. Wilmore noted that due to a current private development that there is on-going road work with traffic control features on Maryland Route 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 Maryland Route 26. As lines fail, the line can be run from the loop rather than running another line under Maryland Route 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. **No change.**

**Town of Sykesville Water Pipe Replacement Request:** From 3/24/11 meeting: 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. **Update:** A total of 1,015 linear feet of water and sewer line was replaced on Spout Hill Road. Mr. Candland stated it will be about two years until the project is paved. Spout Hill Road is worked on in this manner every 20 years or so.

**Environmental Protection Agency's Total Maximum Daily Load Implementations and Impact on Water and Sewer Users/Operations:** From 3/24/11 meeting: Mr. Rio noted that Tom Devilbiss, Acting Director of Land Use, Planning and Development, was to speak about this agenda item but could not attend. 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. **Update:** Mr. Devilbiss spoke to the Council regarding what the Environmental Protection Agency and Maryland Department of the Environment want to accomplish. Major plants are scheduled to be worked on to get their enhanced nutrient removal to meet the total maximum daily loads stipulation. Part of the strategy to do this is to either have the plants on line or in the construction phase by 2017. Various areas were studied within the County: agricultural run-off, urban run-off, septic systems (30,000 pound reduction), wastewater treatment plants. Stormwater management areas were retrofitted at a significant cost and it only amounted to a 300 pound reduction. Smaller ones may have to be done in order to meet

the goal year. Technically there should be no new septic systems allowed. Also, we cannot connect homes with failed septic systems on lots too small to make repairs to existing facilities because there is no excess capacity remaining at existing wastewater treatment plants in most of the towns. There are many unknown factors relating to addressing total maximum daily load and all this could have significant impacts not only on wastewater treatment but many other discharge sources. Mr. Barrington noted that compostable items and animal fat that end up going down drains are hard to treat and deal with at plants. Mr. Candland stated that Montgomery County has a stormwater utility similar to a water and sewer system and is front-foot benefit assessment funded. Stormwater systems in Carroll County aren't interconnected to go to one area. This is an unfunded mandate that would be passed on to users of the system.

**Bureau of Utilities Fiscal Year 2011-2012 Operating Budget:** (For background see minutes of 3/24/11.) **Update:** Ms. Hooper explained that the only change to the operating budget is that the Board of County Commissioners voted to do a water main looping project along the proposed Dickenson Road Extended project. Funding was added to an amount already requested. Completing these two projects at once will result in cost and time savings. Plus, design is being done in-house.

## **New Business**

**Discussion on rates:** The Board of County Commissioners confirmed that rates will remain the same. Ms. Hobbs stated this is due to a flat budget. Factors considered: Consumption was reviewed; the County is expecting about \$100,000 less in revenues (some in reserve to cover it). The financial report for 2010 prepared by the Comptroller's Office, overseen by an external auditor, is available on the County's website or hard copies can be requested. Mr. Wilmore noted that the Town of New Windsor announced a huge increase in rates.

**Asset Management:** Mr. Rio spoke on asset management, which Mr. Topper, Mr. Barrington and Ms. Lima are spearheading. This involves the use of a database with a geographic information system (GIS). Data is entered regarding utility projects, for example, location, date installed, etc. This will enable a better determination of funding. Reserves are being set aside now but we will know what is really needed once the data base is completed. Initial, basic work is being done in-house and is slated to be done within a year. The oldest project is the Freedom area projects from the 1960's.

Mr. Hann asked about the status of the crack in the main gravity sewer line going to the Hampstead Wastewater Treatment Plant. Mr. Barrington said a 28' piece of pipe was replaced. An inspection camera was used, which showed groundwater still coming through the gravity pipes. Wastewater wasn't found going out into the ground. There is another point almost as bad that hasn't collapsed yet.

The meeting was adjourned. The next meeting will be held on 8/25/11 at 7 p.m. at the Carroll County Government Office Building, 225 N. Center Street, Rm. 003, Westminster, Maryland. The meeting scheduled for 5/28/11 does not need to be held.

*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, Land Use, Planning & Development  
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: Utilities Advisory Council member list

Utilities Enterprise Fund Summary prepared by Robin Hooper

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