

COUNTY COUNCIL

OF

TALBOT COUNTY

2008 Legislative Session, Legislative Day No.: December 23, 2008

Resolution No.: 158

Introduced by: Mr. Bartlett, Mr. Duncan, Mr. Foster, Mr. Harrison, Mr. Pack

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER & SEWER PLAN, AS ADOPTED BY TALBOT COUNTY RESOLUTION 100, TO EXTEND THE SERVICE AREAS OF THE EASTON WATER AND WASTEWATER SYSTEMS TO CERTAIN AREAS THAT INCLUDE TAX MAP 17, PARCELS 38, 129, AND 75 AS W-1 AND S-1, IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY, MARYLAND; PURSUANT TO THE POWER AND AUTHORITY CONTAINED IN THE ENVIRONMENTAL ARTICLE, TITLE 9, SUBTITLE 5, OF THE ANNOTATED CODE OF MARYLAND

By the Council: December 23, 2008

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, January 13, 2009 at 2:00 p.m. in the Bradley Meeting Room, Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order: *Susan W. Moran*
Secretary

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER & SEWER PLAN, AS ADOPTED BY TALBOT COUNTY RESOLUTION 100, TO EXTEND THE SERVICE AREAS OF THE EASTON WATER AND WASTEWATER SYSTEMS TO CERTAIN AREAS THAT INCLUDE TAX MAP 17, PARCELS 38, 129, AND 75 AS W-1 AND S-1, IN THE FIRST ELECTION DISTRICT, TALBOT COUNTY, MARYLAND; PURSUANT TO THE POWER AND AUTHORITY CONTAINED IN THE ENVIRONMENTAL ARTICLE, TITLE 9, SUBTITLE 5, OF THE ANNOTATED CODE OF MARYLAND

WHEREAS, the County Council of Talbot County, State of Maryland, by Resolution Number 100 has adopted the October 2002 Report of the Review of the Comprehensive Water and Sewerage Plan (the "Plan"); and

WHEREAS, the owner, Talbot County, of Parcels 38, 129, and 75 on Tax Map 17, in the First Election District, Talbot County, Maryland, requested to extend the service areas of the Easton Water and Wastewater Systems; and

WHEREAS, on Parcel 38 on Tax Map 17, the Talbot County Community Center exists and is presently served by an on-site sewage disposal system with an existing daily average flow of 5,000 gallons per day with the future design daily average wastewater flow ranging from 10,000 to 15,000 gallons per day; and

WHEREAS, Parcels 129 and 75 on Tax Map 17 shall be developed for the new Regional Health Care Facility and related uses with a proposed daily average wastewater flow of approximately 200,000 gallons per day at full build-out; and

WHEREAS, the Town of Easton, in the First Election District, Talbot County, Maryland, has processed this request to extend the service area and program the water and sewer service designations of the Easton Water and Wastewater Systems; and

WHEREAS, after January 1, 2007, the new wastewater treatment facility consisting of Enhanced Nutrient Removal technologies for the Town of Easton was completed; and

WHEREAS, Flow Allocation for sewer service will be made in accordance with the Easton Utilities' service tariff; and

WHEREAS, the Talbot County Council has considered the request, and hereby approves the same, subject to the terms of this Resolution and compliance with applicable design and technical requirements, rules, and regulations of all local, state, and federal authorities; and

WHEREAS, the County has verified that these facilities are to be within the boundaries of the municipal corporation of the Town of Easton, thus permitting the Easton

Water and Wastewater System service improvements to be extended to the areas specified in this Resolution;

NOW, THEREFORE, BE IT RESOLVED, by the County Council of Talbot County, Maryland as follows:

Section 1. The County Council is acting pursuant to Title 9, Subtitle 5, of the Environmental Article of the Annotated Code of Maryland.

Section 2. The Talbot County Comprehensive Water and Sewerage Plan shall be amended to show Parcels 38, 129, and 75 of Tax Map 17 having the water and sewer classification of W-1, S-1, immediate priority status.

Section 3. The proposed subdivision shall follow the Flow Allocation for sewer service in accordance with the Easton Utilities' service tariffs.

Section 4. The Amendment to include immediate priority for sewer utility extension shall be in accordance with the attached additions and changes and shall be permanently entered into the currently effective Comprehensive Water and Sewerage Plan as part of Chapters 1, 2, and 3.

Section 5. Inclusion of the proposed utility extension, planned for immediate priority in the Talbot County Comprehensive Water and Sewerage Plan, shall record capacity demand increases, as identified by the recitals herein, on the serving wastewater treatment facilities.

Section 6. Adoption of this amendment, by the County Council of Talbot County, shall authorize the construction of the projects in accordance with and subject to the approval of the municipal, county, state, and/or federal agencies, as may be required, effective from the date of adoption.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon its date of passage.

PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. 158 having been published, a public hearing was held on Tuesday, January 13, 2009 at 2:00 p.m. in the Bradley Meeting Room, Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the second time:

Enacted: **January 13, 2009**

By Order: Susan W. Moran
Secretary

- Foster - Aye
- Pack - Aye
- Duncan - Aye
- Bartlett - Aye
- Harrison - Aye