

COUNTY COUNCIL

OF

TALBOT COUNTY

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

Resolution No.: 160

Introduced by: Mr. Harrison

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER & SEWER PLAN, AS ADOPTED BY TALBOT COUNTY RESOLUTION 100, TO EXTEND THE SERVICE AREA OF THE EASTON WASTEWATER SYSTEM TO THE TOWN OF OXFORD FOR WATER QUALITY IMPROVEMENTS IN THE THIRD 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 Hearings scheduled on Tuesday, February 10, 2009 at 2:00 p.m. and Tuesday, April 14, 2009 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order: _____
Secretary

RESOLUTION NO.

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER & SEWER PLAN, AS ADOPTED BY TALBOT COUNTY RESOLUTION 100, TO EXTEND THE SERVICE AREA OF THE EASTON WASTEWATER SYSTEM TO THE TOWN OF OXFORD FOR WATER QUALITY IMPROVEMENTS IN THE THIRD 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 Easton Wastewater Treatment Plant was improved with Enhanced Nutrient Removal Technologies which allows for the discharge concentrations of Total Nitrogen of 3 mg/l or less and Total Phosphorus of 0.3 mg/l or less at a design flow of 4.0 million gallons per day; and

WHEREAS, the Town of Oxford uses a secondary wastewater treatment system consisting of two stabilization lagoons that discharge to Town Creek, an impaired water body listed by the Maryland Department of the Environment on the 303(d) list; and

WHEREAS, the Town of Oxford requested the extension of the Easton Wastewater Treatment System to the Town to improve the water quality of Town Creek; and

WHEREAS, the Town of Oxford is working with the Town of Easton, Easton Utilities and Talbot County on a comprehensive approach to addressing the degradation of the Chesapeake Bay and its tributaries; and

WHEREAS, the Town of Oxford shall own and operate the pump station(s) and force main used to convey the wastewater to the Easton Wastewater Treatment Plant; and

WHEREAS, Easton Utilities shall own and operate the Easton Wastewater Treatment Plant, and shall provide wastewater service to the Town of Oxford; and

WHEREAS, the Town of Oxford, in the Third Election District, Talbot County, Maryland, shall seek Water Quality Infrastructure Grants and low interest loans from the Maryland Department of the Environment for the construction and construction management of this project; 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;

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 include the attached section of the Wastewater Systems for Oxford.

Section 3. The Town of Oxford shall own and operate the pump station(s) and force main that extends from the Town of Oxford to the Easton Wastewater Treatment System.

Section 4. The proposed pump station(s) and force main shall serve only properties within the incorporated limits of the Town of Oxford.

Section 5. Sewer service shall not be extended to properties along the force main that are not within the incorporated limits of the Town of Oxford.

Section 6. This proposed amendment is contingent upon available grant funds and low interest loans from the State of Maryland.

Section 7. If this project lacks sufficient grant funds to proceed with the construction of the pump station(s) and force main from the Town of Oxford to the Easton Wastewater Treatment System received by December 31, 2012, this resolution shall expire unless the Town of Oxford requests, in writing, that this deadline be extended.

Section 8. 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. 160 having been published, a public hearing was held on Tuesday, February 10, 2009 at 2:00 p.m. and on Tuesday, April 14, 2009 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the third time:

Enacted: ***FAILED* April 14, 2009**

By Order: _____
Secretary

Foster – Nay
Pack – Nay
Duncan – Nay
Bartlett – Nay
Harrison - Nay