COUNTY COUNCIL

OF

TALBOT COUNTY

2013 Legislative Session, Legislative Day No.: March 26, 2013

Resolution No.: 204

Introduced by: Mr. Bartlett, Mr. Duncan, Mr. Hollis, Mr. Pack, Ms. Price

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN, SEPTAGE MANAGEMENT PLAN, AND SOLID WASTE MANAGEMENT PLAN TO ADD A NEW CAPITAL PROJECT TO UPGRADE THE TALBOT COUNTY BIO-SOLIDS FACILITY LOCATED AT 9786 KLONDIKE ROAD, TAX MAP 18, PARCEL 57 TO ADD RECEIVING AND TREATMENT CAPABILITY FOR BROWN GREASE, EQUIPPED WITH ODOR CONTROL, PROPOSED FOR FY 2014 WITH FUNDING IN THE AMOUNT OF $6,000,000 THROUGH THE RURAL UTILITY SERVICE PROGRAM, USDA RURAL DEVELOPMENT AGENCY*(Bio-Solids Facility, Klondike Road, Easton, Maryland)***

By the Council: March 26, 2013

Introduced, read the first time, and ordered posted, with Public Hearing scheduled on Tuesday, April 16, 2013 at 5:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By order: Susan W. Moran

Susan W. Moran, Secretary

A RESOLUTION TO AMEND THE TALBOT COUNTY COMPREHENSIVE WATER AND SEWERAGE PLAN, SEPTAGE MANAGEMENT PLAN, AND SOLID WASTE MANAGEMENT PLAN TO ADD A NEW CAPITAL PROJECT TO UPGRADE THE TALBOT COUNTY BIO-SOLIDS FACILITY LOCATED AT 9786 KLONDIKE ROAD, TAX MAP 18, PARCEL 57 TO ADD RECEIVING AND TREATMENT CAPABILITY FOR BROWN GREASE, EQUIPPED WITH ODOR CONTROL, PROPOSED FOR FY 2014 WITH FUNDING IN THE AMOUNT OF $6,000,000 THROUGH THE RURAL UTILITY SERVICE PROGRAM, USDA RURAL DEVELOPMENT AGENCY*(Bio-Solis Facility, Klondike Road, Easton, Maryland)***

WHEREAS, Environment Article § 9-503, Md. Ann. Code, requires Talbot County (the "County") to develop and maintain a Comprehensive Water and Sewerage Plan (the "Plan" or "CWSP"); and,

WHEREAS, the County adopted Resolution 141 on August 28, 2007 to amend the Plan by adopting a Septage Management Plan to the made part of the CWSP as Chapter 3 – "*Septage Receiving, Treatment and Disposal Facility – Septage Management Plan*" (the "Septage Management Plan"); and,

WHEREAS, the County and the United States Department of Agriculture (USDA), Rural Development, have worked collaboratively to secure funding to develop plans for a capital project to upgrade the Talbot County Bio-Solids Facility located at 9786 Klondike Rd., Easton, Maryland, Tax Map 18, Parcel 57 (the "Bio-Solids Facility") to add receiving and treatment capability for brown grease, equipped with odor control, (the "Capital Project"); and,

WHEREAS, the County desires to amend the Septage Management Plan as adopted by Resolution 141 to incorporate the proposed Capital Project for the Bio-Solids Facility into a new Capital Improvement Projects Table within the Septage Management Plan, as set forth herein.

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

Section 1. The above recitals are incorporated by reference as a substantive part of this Resolution.

Section 2. Upon introduction of this Resolution, a public hearing will be scheduled and advertised in a newspaper of general circulation in the County advising the public of the date, time, place, and purpose of the public hearing for receipt and consideration of public comment on the proposed Resolution.

Section 3. Per Environment Article § 9-506(a)(1), Md. Ann. Code, the proposed amendment to the CWSP shall be submitted to the Talbot County Planning Commission and the Talbot County Public Works Advisory Board within 30 days following introduction for

review for consistency with planning programs for the County. Before the County Council may adopt the Resolution, the Talbot County Planning Commission must first certify that the amendment to the Plan is consistent with the County Comprehensive Plan prepared under Ann. Md. Code, Land Use, §3-205.

Section 4. Upon conclusion of the public hearing(s), closing of the public record, receipt and consideration of certifications and recommendations from the Planning Commission and Public Works Advisory Board, the County Council will consider and act upon the proposed amendment.

Section 5. The proposed amendment is as follows:

1. The following Capital Improvement Project Table is hereby adopted within the Septage Management Plan, Chapter 3 of the CWSP, as adopted by the Talbot County Council on August 28, 2007, and the Talbot County Comprehensive Water and Sewerage Plans and the Solid Waste Management Plans shall be amended to add the following capital project:

TABLE 25. BIO-SOLIDS (SEPTAGE) FACILITY CAPITAL IMPROVEMENT PROJECTS		
PROJECT DESCRIPTION	**PROPOSED FISCAL YEAR**	**COMMENTS**
Upgrade the Bio-Solids Facility and construct a Brown Grease Receiving and Disposal Facility with Odor Control	FY 2014	$6,000,000 through the Rural Utility Service Program which is offered by USDA, Rural Development, an agency within USDA

2. Adoption of this amendment to the Plan authorizes the Department of Public Works to amend the Talbot County Comprehensive Water and Sewerage Plan by adding the above capital project subject to the terms of this Resolution and compliance with applicable requirements, rules, and regulations of all local, State, and federal authorities.

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

BE IT FURTHER RESOLVED, that the title is determined to be a fair summary of this Resolution; and further, that the title is not a substantive part of this Resolution. If the Resolution is amended, the title may be administratively revised if required to conform the title to the content of the Resolution as finally enacted; and,

BE IT FURTHER RESOLVED, that if any provision of this Resolution or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Resolution which can be given effect without the invalid provision or application, and for this purpose the provisions of this Resolution are declared severable; and,

BE IT FURTHER RESOLVED, the Talbot County Office of Law, in consultation with and subject to the approval of the County Manager, shall make non-substantive corrections to codification, style, capitalization, punctuation, grammar, spelling, and any internal or external reference or citation to the Code that is incorrect or obsolete, with no further action required by the County Council. All such corrections shall be adequately referenced and described in an editor's note following the section affected.

PUBLIC HEARING

Having been posted and Notice, Time and Place of Hearing, and Title of Resolution No. ____ having been published, a public hearing was held on _____ at _____ o'clock in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland.

BY THE COUNCIL

Read the second time:

Enacted: _____

By Order: _____
Susan W Moran, Secretary

Bartlett -

Hollis -

Pack -

Price -

Duncan -

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