

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY 2020-03
RESOLUTION NO. 07-2020**

Title of Resolution: Amendment - Master Water and Sewer Plan – Town of North East and Artesian Water

Synopsis: A Resolution to amend the Cecil County Master Water and Sewer Plan, Chapter 3 Water Systems, Section 3.2.6 North East; Section 3.2.9 Artesian Water Maryland, Inc.; Section 3.2.10.3 Elkton West/Meadowview Water System; Section 3.2.10.6 Route 7 Water System; Appendix D. Water System Maps; Appendix F. Agreements Incorporated by Reference; and Appendix G. Town of North East and Artesian Water Maryland, Inc. Non Exclusive Water Service Areas; in order to reflect the January 2019 agreement, which supersedes a June 2018 agreement, with the establishment of an additional interconnection between the Town and Artesian on the east side of the Town in order to enable Artesian to purchase up to 200,000 gallons per day from the Route 40 east interconnection.

Introduced by: Council President on behalf of the Department of Land Use and Development Services

Introduced and ordered posted on: February 4, 2020

Public Hearing scheduled on: March 3, 2020 at 7:00 p.m.

Scheduled for consideration on: ~~March 17, 2020~~ APRIL 7, 2020

By: _____
Council Manager

PUBLIC HEARING

Notice of time and place of public hearing and title of Resolution, having been posted by (date) at the County Administration Building, 200 Chesapeake Blvd., Elkton, and having been published according to the Charter on (date), a public hearing was held on (date) and concluded on (date).

By: _____
Council Manager

EXPLANATION:

CAPITALS INDICATE LANGUAGE ADDED TO EXISTING RESOLUTION

~~Strike through~~ indicates language deleted from existing Resolution

Underlining indicates language added to Resolution by Amendment

~~Double Strike~~ Through indicates language stricken out of Resolution by Amendment.

1 **WHEREAS**, pursuant to Section 9-503 of the Environment Article of the Annotated Code of
2 Maryland, each County is required to have a Master Water and Sewer Plan, and to provide for the
3 administration, enforcement and amendment of the Plan; and

4 **WHEREAS**, pursuant to section 9-503 of the Environment Article, each county's governing body
5 has the authority to review, revise or amend the Master Water and Sewer Plan; and

6 **WHEREAS**, amendments have been proposed by the Town of North East and Artesian Water to
7 the Master Water and Sewer Plan, Chapter 3 Water Systems, Section 3.2.6 North East, Section 3.2.9
8 Artesian Water Maryland, Inc., Section 3.2.10.3 Elkton West/Meadowview Water System, Section
9 3.2.10.6 Route 7 Water System in order to suspend the interconnection agreement Town of North East
10 and Artesian Water Maryland, Inc. that was executed in January 2018 and replace it with an agreement
11 executed in June 2019 that includes an additional interconnection between the Town of North East and
12 Artesian Water Maryland, Inc. on the east side of the Town that would enable Artesian to purchase up to
13 200,000 gallons per day from the Route 40 east interconnection; and

14 **WHEREAS**, an amendment has been proposed to Appendix D. Water System Maps of the Master
15 Water and Sewer Plan to delete map 19, North East – Water Service Districts 2018 Cecil County Master
16 Water Plan and insert map 19, Artesian East of the Town; and

17 **WHEREAS**, an amendment has been proposed by Artesian Water to the Master Water and Sewer
18 Plan to amend Appendix F. Agreements Incorporated by Reference in order to insert the Interconnection
19 Agreement between Artesian Water Maryland, Inc. and the Mayor and Commissioners of the Town of
20 North East, dated June 26, 2019; and

21 **WHEREAS**, an amendment has been proposed by Artesian Water to Appendix G. Town of North
22 East Water Service Area and Artesian Water Maryland, Inc. Non Exclusive Water Service Area of the
23 Master Water and Sewer Plan to delete Non Exclusive and Town of North East Water Service Area &
24 Artesian Water Maryland, Inc. Non Exclusive Water Service Areas Map; and insert Town of North East
25 Water Service Agreement for the Elkton West Area by and between Cecil County, Maryland and Artesian
26 Water Maryland, Inc.; and

27 **WHEREAS**, the Division of Planning and Zoning of the Department of Land Use and Development
28 Services has recommended approval of this amendment to the Master Water and Sewer Plan; and

29 **WHEREAS**, a public hearing was held on these proposed amendments before the Planning
30 Commission on January 22, 2020; and

31 **WHEREAS**, the Planning Commission determined that the text and map amendments are
32 consistent with the County's Comprehensive Plan; and

33 **WHEREAS**, before the county governing body adopts any revision or amendment of its county
34 plan, the governing body must conduct a public hearing; and

35 **WHEREAS**, all requirements of the Environment Article of the Annotated Code of Maryland have
36 been met with regard to the amendment of the Cecil County Master Water and Sewer Plan.

37 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
38 **MARYLAND**, that the text amendment to the Master Water and Sewer Plan, Chapter 3, Water Systems
39 is hereby adopted as follows:

40 **Section 3.2.6 North East**

41 A. Existing System

42 The Town of North East ~~presently~~ owns and operates two water treatment plants (WTP), the Rolling Mill
43 WTP and the Leslie WTP. The combined maximum design treatment capacity is 2.83 million gallons per
44 day. The water system presently provides potable water and fire protection to a population of
45 approximately ~~8,965~~ ~~8,390~~ people and to the Maryland Transit Authority Rest Stop on Interstate 95.

46 **IT ALSO PROVIDES WATER TO ARTESIAN WATER VIA AN INTERCONNECTION ON RED TOAD ROAD.** A
47 combination of five elevated and three underground storage tanks provide a total reserve of
48 approximately ~~2,960,000~~ ~~2,325,000~~ gallons.

49 (intentionally left blank)

50 The Rolling Mill WTP is rated at 2.0 million gallons per day. ~~The capacity was obtained with the intention~~
51 ~~of meeting the future water needs of the Town and the Town's Growth Area through the year 2030.~~

52 The Rolling Mill WTP is a package surface water treatment plant with two separate filter trains and has
53 provisions for a future third filter unit. As part of the Rolling Mill WTP, a raw water pumping station near
54 the mouth of the North East River allows the Town to pump water from the river and discharge it into the
55 raw water reservoir at the Rolling Mill WTP. This pumping station is used under severe drought
56 conditions and other emergencies.

57 (intentionally left blank)

58 ~~Using chlorine dioxide, flocculators, and ultraviolet disinfection,~~ The Leslie WTP has a capacity to treat
59 830,000 gallons per day. ~~During periods of significantly low flow in the North East River, and when the~~
60 ~~raw water pumping station is in use, the Leslie WTP will not operate.~~ The design of the Rolling Mill

61 WTP allows transfer of water to the higher pressure zones currently served by the Leslie WTP.

62 (intentionally left blank)

63 B. Proposed Improvements

64 The Town of North East’s priorities for improvement of the water system include:

65 **WORK IN PROGRESS**

66 ~~1) Rehabilitate Irishtown Road water booster pump station;~~

67 ~~2) Rehabilitate the Razor Strap Road water booster pump station;~~

68 ~~4) 1) Install powder activated carbon additions at both water treatment plants;~~

69 ~~5) 2) Install tank mixers in finished water storage tanks;~~

70 ~~6) 3) Dredge the raw water pond at the Leslie water treatment plant:~~

71 ~~3) 4) Replace the Rolling Mill finished water booster pump station:~~

72 ~~7) Perform various SCADA upgrades;~~

73 ~~8) Construct a new water storage tank and booster pumping station to serve Zone 3; and~~

74 ~~9) Install a third filter at the Rolling Mill WTP to provide for future expansion.~~

75 **ADDITIONALLY, THE TOWN HAS COMPLETED AN UPDATED 20-YEAR CAPITAL IMPROVEMENT STUDY.**

76 **THIS STUDY HAS IDENTIFIED AND EVALUATED POTENTIAL CAPITAL IMPROVEMENTS THAT WILL NEED**

77 **TO BE COMPLETED OVER THE NEXT 20 YEARS.**

78 **FUTURE PROJECTS:**

79 **5) REHABILITATE IRISHTOWN ROAD WATER BOOSTER PUMP STATION;**

80 **6) REHABILITATE THE RAZOR STRAP ROAD WATER BOOSTER PUMP STATION;**

81 **7) VARIOUS WATER MAIN REPLACEMENT PROJECTS.**

82 **8) REHABILITATE/REPLACE LESLIE WTP RAW WATER PUMP STATION;**

83 **9) ADDITIONAL WATER STORAGE TANK TO SERVE ZONE 2;**

84 **10) PERFORM VARIOUS SCADA UPGRADES;**

85 **11) CONSTRUCT A NEW WATER STORAGE TANK AND BOOSTER PUMPING STATION TO SERVE**

86 **ZONE 3; AND**

87 **12) INSTALL A THIRD FILTER UNIT AT THE ROLLING MILL WTP TO PROVIDE FOR FUTURE EXPANSION.**

88 C. Service Area Agreements

89 The Town and the County have entered into various agreements during the last four decades. In

90 November 1972, the Town and County entered into an agreement outlining the scope of the Town’s

91 responsibilities for the service area on the periphery of the Town. Subsequent agreements were entered
92 into in June 1983, November 1986, February 1989, and March 2002. The 2002 agreement superseded the
93 previous agreements. Cecil County Government has also permitted the Town to serve portions of
94 Candlelight Ridge and Bedrock Subdivisions.

95 (intentionally left blank)

96 In January 2018, the Town and Artesian Water Maryland, Inc. finalized an interconnection agreement that
97 would enable Artesian to purchase a minimum of 35,000 gallons a day from the town, with the option to
98 eventually increase that amount to as much as 150,000 gallons. **IN 2019, THE INTERCONNECTION**

99 **INFRASTRUCTURE ON RED TOAD ROAD WAS CONSTRUCTED AND SERVICE BEGAN TO BE PROVIDED. IN**
100 **JUNE 2019, A REVISED AGREEMENT WAS EXECUTIVED WITH ARTESIAN WATER WHICH SUPERSEDEDS**
101 **THE 2018 AGREEMENT. THIS REVISED AGREEMENT ALLOWS ARTESIAN WATER TO TAKE UP TO 350,000**
102 **GALLONS PER DAY, WHICH INCLUDES A SECOND CONNECTION FROM THE BAY BERRY TANK. ~~As of this~~**
103 **writing (late 2018), the actual interconnection infrastructure (proposed to be located on Red Toad Rd)**
104 **has yet to be constructed. According to the agreement, Artesian will pay all costs associated with**
105 **construction of the interconnection infrastructure, but the Town will own and maintain the**
106 **interconnection point.**

107 **SHOULD THE TOWN RECEIVE A REQUEST TO EXPAND THE AGREEMENT BEYOND 350,000 GALLONS PER**
108 **DAY, SOME OF THE PROJECTS NOTED ABOVE WILL NEED TO BE COMPLETED TO MEET THE REQUEST.**

109 **Section 3.2.6 Service Area Agreements**

110 **C. IN JUNE 2019, THE TOWN AND ARTESIAN WATER MARYLAND, INC. EXECUTED A SUBSEQUENT**
111 **INTERCONNECTION AGREEMENT THAT SUPERSEDED THE JANUARY 2018 AGREEMENT WITH THE**
112 **ESTABLISHMENT OF AN ADDITIONAL INTERCONNECTION BETWEEN ARTESIAN AND THE TOWN ON THE**
113 **EAST SIDE OF THE TOWN THAT WOULD ENABLE ARTESIAN TO PURCHASE UP TO 200,000 GALLONS PER**
114 **DAY FROM THE ROUTE 40 EAST INTERSECTION.**

115 (intentionally left blank)

116 **D. Water Service Areas**

117 The water service area maps in Appendix D show the various service area categories.

118 **3.2.9 Artesian Water Maryland, Inc.**

119 **Section A. Introduction to Artesian Water Maryland**

120 **A SUBSEQUENT INTERCONNECTION AGREEMENT WAS EXECUTED IN JUNE 2019 BETWEEN THE TOWN**
121 **OF NORTH EAST AND ARTESIAN WATER MARYLAND THAT ESTABLISHED AN ADDITIONAL**
122 **INTERCONNECTION EAST OF THE TOWN AT ROUTE 40 THAT MAKES AN ADDITIONAL 200,000 GALLONS**
123 **PER DAY AVAILABLE TO ARTESIAN.**

124 **Section 3.2.10.3 Elkton West/Meadowview Water Systems**

125 **B. Proposed Improvements**

126 There have been various businesses, developers, and homeowners within Cecil County that have a
127 growing need for a reliable source of water service. Some have production wells that are
128 dropping in capacities, and others are looking to develop land due to the increasing interest in
129 development within Cecil County. Artesian has plans to expand infrastructure throughout the
130 County to prepare for this future growth, as well as to provide reliable water supply and fire
131 protection to existing and future customers. Appendix H depicts the proposed major main
132 extensions and facilities for the area known as "Elkton West," ~~which extends from the~~
133 ~~Maryland/Delaware State line, to Bouchelle Road / Mechanics Valley Road.~~ Artesian Water
134 Maryland proposes to add another 12 inch diameter main on the north side of Interstate 95. A 12
135 inch main will extend north near Appleton Road, crossing under Interstate 95, and connect to the
136 southern portion of the Meadowview system along Airport Road in the Appleton Business Park.

137 (intentionally left blank)

138 In order to have redundant supply and looped systems, Artesian Water Maryland also proposes a
139 12 inch diameter main on the northern side of Interstate 95 to connect the Route 213 main to the
140 Meadowview system. This main would extend east along Johnstown Road, through the proposed
141 subdivision of Baldwin Mills, along Fletchwood Road, crossing the Elk River, and eventually
142 connecting to an existing 10-inch diameter main on the Meadowview system.

143 (intentionally left blank)

144 Continuing off of the extended 20 inch diameter main, Artesian Water Maryland would extend a
145 12-inch diameter main south from the Interstate 95/Route 213 intersection to the Elkton town
146 limits where a flow control valve and meter would be placed in an underground concrete pit
147 should the Town of Elkton desire an interconnection. An additional benefit to the interconnection
148 would be availability of water service to property owners along Ricketts Mill Road.

149 (intentionally left blank)

150 Moving west of Elkton, Artesian Water Maryland would extend water service from the Route
151 213/Interstate 95 intersection parallel to Interstate 95 to Blue Ball Road. The main would then turn
152 south along Blue Ball Road until intersecting with Route 279, where it would then continue south
153 along Route 279 until it tied into an existing interconnection at Route 7. It is here that Artesian
154 currently serves residents via an interconnection with the Town of Elkton. This area, being part of
155 the Artesian Water Maryland franchise, would be connected to the system via this main extension.
156 (intentionally left blank)

157 The proposed main along Blue Ball Road will also serve future subdivisions. One such subdivision is
158 known as Dogwood. In the vicinity of the Dogwood subdivision, Artesian Water Maryland proposes to
159 add an elevated water storage tank on the system. The construction of a 1 MG water storage tank
160 would provide for more consistent water pressure, continued service in the event of power outages,
161 additional supply for peak demands, and fire protection.
162 (intentionally left blank)

163 There are several large proposed subdivisions that will be served from the main extension on Blue
164 Ball Road. The largest of the proposed subdivisions is called Heron Lake. This subdivision received
165 preliminary approval to have approximately 4,000 service connections. Another main is proposed
166 to extend from the rear of the Heron Lake subdivision to Marley Road. This proposed main will
167 run south along Marley Road to the intersection of Nottingham Road, and then continue north
168 along Nottingham Road until it comes to the railroad crossing.
169 (intentionally left blank)

170 Near this railroad crossing, Artesian Water Maryland proposes to construct a 1 MG elevated
171 storage tank. This tank is to support further residential, commercial, and industrial growth in the
172 area. This proposed tank location is in the westernmost part of Artesian Water Maryland's Elkton
173 West franchise territory. Artesian Water Maryland then proposes, via an easement with the CSX
174 Railroad Company, to extend this water main parallel to the railroad and to connect to the existing
175 Mountain Hill water system at Baron Road.
176 (intentionally left blank)

177 On the northernmost portion of the Meadowview system, there is a proposed subdivision called
178 Aston Pointe. A main is proposed to extend from the Highlands to Aston Pointe. A 1 MG elevated
179 storage tank is proposed for construction in the Aston Pointe area. This tank will stabilize water
180 pressures and provide fire protection for the area. The County previously applied for a
181 groundwater appropriation permit for the wells located in the Aston Pointe subdivision. MOE

182 determined that a groundwater appropriation permit in the amount of 0.244 MGD average annual
183 appropriation and 0.355 MGD for the month of maximum use would be issued provided a
184 recharge easement is executed for the full golf course property in the subdivision. A Groundwater
185 Allocation Permit (GAP) issued to the County (CE2005G005(01)) was transferred to Artesian Water
186 Maryland concurrent with final transfer of other assets of the system.

187 (intentionally left blank)

188 Water supply capacity in this system has been substantially expanded by execution of the
189 Interconnection Agreement with Artesian Water. Incremental water supply capacity increases will
190 also be implemented through groundwater well permitting and development described above.

191 **ARTESIAN AND THE TOWN OF NORTH EAST EXECUTED AN INTERCONNECTION AGREEMENT IN**
192 **JUNE 2019 TO PROVIDE UP TO 200,000 GALLONS PER DAY TO THE ELKTON WEST SERVICE AREA.**
193 ~~Artesian also anticipates executing an interconnection agreement with the Town of North East to~~
194 ~~provide an additional source of supply to the western portions of this service area at a location~~
195 ~~near the intersection of Routes 40 and 272.~~

196 (intentionally left blank)

197 **C. Service Area**

198 Maps in Appendices D and H show the location of the Meadowview/Elkton West service area.

199 (intentionally left blank)

200 **Section 3.2.10.6 Route 7 Water System**

201 **A. Existing System**

202 The Route 7 water system is located in the vicinity of the Route 7-Route 40 intersection. There are
203 approximately 24 customers on this system. Supply for this system is provided by the
204 interconnection with the Town of Elkton on Route 279. At this interconnection, Artesian can
205 purchase up to 8,000 gpd from the Town. The Route 7 system is for distribution only. Therefore, no
206 treatment or storage is required or provided. The system presently utilizes an average of
207 approximately 4,400 gallons per day, 55% of the allowable amount per the agreement with the
208 Town of Elkton.

209 **B. Proposed Improvements**

210 The Route 7 system will be connected to another source of supply to the south of Artesian's
211 service territory in the Route 7 area. This source of supply is anticipated to be located on a parcel

212 owned by Artesian Water Maryland on Oldfield Point Road (Cooke parcel). This source of supply
213 will also be connected to Artesian Water Maryland's Pine Hills' water system.

214 (intentionally left blank)

215 Artesian ~~HAS EXECUTED anticipates executing~~ an interconnection agreement with the Town of
216 North East to provide an additional source of supply to this service area at a location near the
217 intersection of Routes 40 and 272.

218 (intentionally left blank)

219 **C. Service Area**

220 Maps in Appendices D and H show the location of the Route 7 service area on the Meadowview
221 maps.

222 **AND, BE IT FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,** that
223 these amendments to the Master Water and Sewer Plan shall be submitted to the Maryland Department
224 of the Environment for its approval pursuant to §9-507 of the Environmental Article of the Annotated
225 Code of Maryland.

226 **AND, BE IT FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY, MARYLAND,** that
227 this Resolution shall take effect on the date of its passage.

INTRODUCED: February 4, 2020

ADOPTED: April 7, 2020

ATTEST:

President of the Council

Council Manager