

BOONSBORO KEEDYSVILLE WATER ADVISORY BOARD
SPECIAL MEETING MINUTES
Wednesday, March 24, 2021

Voting members present Austin Abraham, Chairperson; Terry Davis (B), Howard Long (B), Matt Hull (K), Brandon Sweeney (K)

Members absent none

Others present Paul Mantello (B), Boonsboro Town Manager, Ken Lord, Keedysville Mayor (K Alternate), Lisa Riner (K) Assistant Town Administrator, Keedysville, Water and Wastewater Superintendent Pete Shumaker, Sarah Baker (K-alternate), Amanda Wells, Recording Secretary

The meeting convened at 6:30 PM at Boonsboro Town Hall Meeting Chambers.

This special work session was for the purpose of discussing 2 aspects of the draft new agreement between the two towns, which is set to expire in 2033. Chairperson Abraham stated he felt any new agreement should include terms covering capacity allocation and the development of new sources. Chairperson Abraham emphasized the work session was limited for general discussion to explore possible ways to approach these issues in the new agreement.

The current agreement, which was drawn in 1958, and amended several times since, gives Boonsboro rights to water from the Keedysville Spring, makes Boonsboro the operator of the system, and Keedysville, as a partner, pays a percentage to Boonsboro for this service based on water usage. Chairperson Abraham stated the process to draft a new consolidated agreement began 5 years ago, but the work has slowed as the Towns got a better understanding of water capacity commitments made to developers. Both parties concur that a new agreement needs to be reached prior to the expiration of the existing agreement.

On page one of the handouts prepared by Chairperson Abraham, the production of the entire system was evaluated. It was noted that annual production since 1996 has decreased. Boonsboro's usage has declined for the last several years and Keedysville's usage has remained relatively unchanged since 2011. Boonsboro received 2% less water in 2020 than in 1997 and Keedysville received 9.35% less water in 2020 than in 1997.

On page two, permitted withdrawal and demand was evaluated. It is important to note that the Warrenfeltz Spring can only be run in warmer months and therefore is not a reliable source

when evaluating capacity. Superintendent Shumaker stated that production can increase at the Keedysville Spring and at the Shafer Park Well and Well 8 if necessary, to reach times of higher demand. These increases are well below the withdrawal permits currently held from MDE. Member Davis asked if the water from the Warrenfeltz Spring could be engineered differently to allow use during the colder months. Chairperson Abraham asked Boonsboro Town Manager Mantello if the current water model was able to address this? Town Manager Mantello stated that the water model and engineering were currently evaluating all source water in the system. Superintendent Shumaker reiterated that the improvements done at the Shafer Park well have led to an increase in yield, however it was unknown if that was a temporary fix or a more permanent solution. In summary, if current capacity is used to evaluate available EDU's (Boonsboro defines an EDU as 250 gallons per day, Keedysville defines as 200 gallons per day), and if 10% of permitted capacity is held in reserve, the system has 183 or 229 EDU's remaining, respectively.

Page three summarized the EDU commitments to others made at one time by the Town of Boonsboro. Town Manager Mantello clarified the existing commitments as: King Road Associates 554 sewer taps; TT&K 18; Easterday Commercial 8 taps. These promised taps clearly exceed the number of capacity that is available in the system. Keedysville Mayor Ken Lord asked Boonsboro Town Manager Mantello if Boonsboro will require developers to pay for new sources of water, to which Town Manager Mantello stated the water model would be utilized by any future developer to determine development of a new source and that he expects new sources to be funded by developers. Keedysville Town Administrator Bishop questioned the development of a new source given the Town of Boonsboro's continued water loss issues. Town Manager Mantello stated Boonsboro would not be seeking a new allocation permit or an increase in the current withdrawal permits, but rather seeking alternative sources for water. He added that a test will soon be completed on the well in the Fletchers Grove development. Keedysville Town Administrator and Member Hull both stated that Keedysville has no plans for annexation or growth at this time and only a very limited expansion of their distribution system to potential new homes is planned.

On pages four through six, the issues of developing new or expanding existing sources as well as dividing available capacity was discussed in great depth. Keedysville representatives appeared to agree with Option #2 which states "Keedysville will share in the cost of new or expanded sources only if the Keedysville Spring capacity drops below 110,000 GPD. Town Manager Mantello stressed that as the operator of the system, Boonsboro bears more responsibilities and that Keedysville should help to cover costs associated with exploring and developing new water sources. He mentioned that as new sources are developed and current water loss is curbed, he believes the demand from Boonsboro for Keedysville water will decrease significantly, or even completely stop. If and when that occurs, Town Manager Mantello

expressed his belief that Keedysville and Boonsboro will no longer need a partnership, but rather a customer agreement. Boonsboro Mayor Long was quick to mention that if and when that occurs it would be several years down the road and MDE would need to approve such a change. Chairperson Abraham stated that it is unlikely MDE would allow the towns to separate the water system since that would leave Keedysville with only one source. And since redundancy is required in the system to back up the largest well water source, both Keedysville and Boonsboro have an interest in establishing sufficient source redundancy to meet demand should a source become unstable. Member Hull emphasized that Keedysville residents do not want to pay for development in Boonsboro. He maintained that maintenance is one thing but paying for the development of new sources is not in the best interest of the taxpayers of Keedysville. Town Manager Mantello informed that the cost to develop and implement a new water source would be borne by a developer, through mitigation. Member Hull clarified his remarks saying that the cost of maintenance, for existing and new sources, would continue to be shared between the two towns as costs are shared now. Member Sweeney asked what would happen if a developer paid for source failed? Would Keedysville then be forced to pay for the repair or the replacement? These are all issues that need to be worked through and addressed in the new agreement. Chairperson Abraham noted that there is some support for Option #2 and the discussion shifted to dividing available capacity.

Member Hull expressed some support for Option #3 which “utilizes first-come first-served allocation until total withdrawal and commitments reach 80% of total withdrawal capacity. Once this occurs, the towns would divide up remaining capacity. Member Hull added that he would like to see a timeframe instituted, such as referenced in 3B to prevent developers from holding allocations they do not intend to utilize. Member Sweeney suggested Option #2 which allocates a specific number of EDU’s to Keedysville with the balance allocated to Boonsboro. Keedysville Town Administrator Bishop suggested 70 EDU allocations, while Boonsboro Town Manager suggested 40. After several minutes of discussion, Keedysville seemed to request 60 EDUs be allocated, though nothing was voted on.

Chairperson Abraham suggested Boonsboro complete an MDE capacity management plan. During the meeting there was discussion of the previously proposed term of 75 years for of the new agreement. Near the end of the meeting, Chairperson Abraham, based on the various discussions, suggested the term of the new agreement be no more than 25 years but with extensions conditioned on approval by both Towns.

Boonsboro Town Manager Mantello informed the group that the reservoir test would take place on April 13th. This test will attempt to determine if and where the reservoir is leaking. He also stated that the funding for the Weir Wall repair had made the first cut in the State budget.

He is hopeful this project will make the final cut and that the money will be awarded to the Town to pay off the debt incurred to make this critical, emergency repair.

Being that there was no additional discussion, Chairperson Abraham adjourned the meeting at 8:54 pm. The next regularly scheduled meeting is Wednesday, May 12th, with the meeting place to be determined.

Submitted by Amanda Wells Administrative Assistant Town of Boonsboro