

**FRUITLAND CITY COUNCIL  
MONDAY, MAY 18, 2009  
SPECIAL MEETING  
MINUTES**

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The Fruitland City Council met in work session at City Hall on Monday afternoon, May 18, 2009 at 4:00 p.m. with the following members present:

*President Gregory J. Olinde, Treasurer Gloria J. Ortiz, Councilman Raymond D. Carey,  
Councilman Theodore O. Lokey, and Councilman Richard F. Tull.*

Also present were:

*City Manager John F. McDonnell, City Solicitor Andrew C. Mitchell Jr., Director of Public Utilities Joseph P. Derbyshire, Public Works Director P. Cooper Townsend, Code Enforcement Officer Daniel M. Scholl, and City Clerk Diane Nelson.*

Our guests included:

*Amanda Pollack of George, Miles, and Buhr (GMB), Brian Foret, Director of Facilities, Wicomico County Board of Education(WCBOE), Leisl Ashby ,Facility Planner, WCBOE, Ingrid Balea, Erika Campbell, Chris Mason, and Kenny Mills.*

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President Olinde called the work session to order at 4:00 p.m. for the purpose of discussing the potential for building a school within Fruitland City limits and the associated inherent issues for both the City of Fruitland and the WCBOE; he gave a brief synopsis of the previous Special Meeting that took place between the City of Fruitland and the WCBOE on Monday, April 27, 2009.

Although no vote was taken during that Special Meeting Work Session, there seemed to be consensus among Councilors that the Council favored having Bennett Middle School (BMS) locate in Fruitland and that most issues relating to the new middle school could be resolved. City Solicitor Mitchell had advised Councilors at the May 12, 2009 Regular Meeting that there may not be consensus among Councilors as had been thought at the conclusion of the April 27, 2009 meeting; therefore this meeting was scheduled to specifically address the issue of the Southwest Interceptor and the improvement of Malone Street.

President Olinde opened the discussion by noting that although the City of Fruitland would have preferred to see the Southwest Interceptor Project come to fruition prior to BMS locating in Fruitland, Amanda Pollack of GMB and Utilities Director Derbyshire confirmed at the April 27, 2009 meeting that the Camden Sewer Shed's capacity would support the school's needs with upgrades to both the Camden/Sharp's Point and Allen Cut-off Lift Stations, with the understanding that the school will tie in to the Southwest Interceptor when it becomes available.

Discussion ensued regarding Malone Street, the Camden Avenue/South Division Street intersection, the Rt.13/South Division Street intersection, the Southwest Interceptor, and the relationship between the Southwest Interceptor and Bennett Middle School as compared to the relationship between the Northwest Interceptor and Rowen's Mill Subdivision.

**After discussion, Councilman Lokey adopted as his motion the following statement which was seconded by Councilman Carey:**

*Subject to formalizing this in a Public Works Agreement or some sort of mutual understanding, the Wicomico County Board of Education has come to the City Council requesting that they be able to put the school in utilizing the Camden sewer shed. They will work as will we with the County to obtain the necessary Equivalent Dwellings Units from the County's allotment. They will hook into the Southwest Interceptor at some future time whenever it is put in, and will just pay whatever their share is at that time which will be far less than it would be now. They will make the necessary upgrades to the Camden sewer shed, two lift stations, in order to accommodate their needs, and they will also make the necessary upgrades to South Division Street between South Camden Avenue and Rt. 13. The City Council is in agreement that they can do that with the understanding that there will be a traffic study on South Camden Avenue, Rt. 13, and probably the four-way stop. The City is in agreement that subject to all of this being included in a formalized agreement, the City will permit the use of the Camden sewer shed.*

***The motion carried on a four to one vote, with Councilman Tull the dissenting vote.<sup>1</sup>***

Mr. Foret then acknowledged that Messrs. Baker, Jeffers, and Mitchell, respective solicitors for Wicomico County, WCBOE, and the City of Fruitland could now work toward an agreement that would allow the WCBOE to access EDUs for the school from Wicomico County's allocated capacity at the Fruitland Wastewater Treatment Plant (WWTP).

With no further business to discuss, **on motion made by Councilor Lokey seconded by Councilor Carey with a unanimous vote in favor, the work session adjourned at 5:02 p.m.**

*Diane C. Nelson*

Diane C. Nelson, City Clerk

*Approved, September 8, 2009 dcn*

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<sup>1</sup> The foregoing motion was provided as an excerpt of these minutes on May 21, 2009; a copy of the excerpt is attached.