

**MINUTES  
REGULAR SESSION  
ST. MARY'S COUNTY METROPOLITAN COMMISSION  
SEPTEMBER 22, 2016**

Following a special meeting, the regular meeting commenced at 3:02 p.m. In attendance were Chairman Barthelme, Commissioners Russell, Carey, Gaskin, Mummaugh, Thompson, and Willing. MetCom Staff in attendance were Ichniowski, Cullins, Shick, Elberti, Sullivan, Fehn, Thomas, Harding, and Comeau-Stanley. Others present: Kevin Karpinski (*LGIT Attorney*) and Dick Myers (*The BayNet*).

Commissioner Barthelme welcomed everyone to the meeting.

**Commissioner Russell moved to direct our attorney to proceed, as discussed and directed in Executive Session. Commissioner Carey seconded the motion. Motion carried 6-0.**

Mr. Karpinski exited the meeting at 3:03 p.m.

**APPROVAL OF AGENDA**

Chairman Barthelme performed a review of the agenda, noting that the Public Forum item has been removed. **Commissioner Russell moved to approve the agenda. Commissioner Gaskin seconded the motion. Motion carried 6-0.**

**APPROVAL OF MEETING MINUTES**

**Commissioner Russell moved to approve the minutes of the August 18, 2016 meeting. Commissioner Willing seconded the motion. Motion carried 6-0.**

**Commissioner Gaskin moved to approve the minutes of the August 25, 2016 meeting. Commissioner Willing seconded the motion. Motion carried 6-0.**

Commissioner Mummaugh asked if the attorneys had commented on the minutes of July 13, 2016, as requested at the last meeting. Mr. Ichniowski advised that we have not received a response to our request for their review. Commissioner Mummaugh noted that he would like to hold off on the approval of the July 13, 2016 Executive Session minutes until the review by the attorneys is complete. Chairman Barthelme acknowledged his request and Board members in collective agreement to postpone any action on this set of minutes.

**Commissioner Mummaugh moved to approve the Executive Session minutes of June 9, 2016. Commissioner Thompson seconded the motion. Motion carried 5-0-1. Commissioner Carey abstained, as he was not yet a Board member.**

**Commissioner Mummaugh moved to approve the Executive Session minutes of July 21, 2016. Commissioner Thompson seconded the motion. Motion carried 5-0-1. Commissioner Willing abstained, as he was not present at the meeting.**

## **EXECUTIVE DIRECTOR'S REPORT**

### 1. Meeting Format Change

Mr. Ichniowski addressed the meeting format, which was recently modified to conduct an Agenda meeting on the third Thursday of the month, followed by a Regular meeting on the fourth Thursday of the month.

### 2. Executive Director Interview Panel Selection and Schedule

Mr. Ichniowski announced that 34 applications have been received in response to the Executive Director position advertisement and indicated that the next step in the process is the selection of the interview panel and timeline, noting that Ms. Cullins has recommendations for the Board's consideration. Ms. Cullins advised the Board that in accordance with the policy, she proposes an interview panel for the Board's consideration, recommending Commissioners Carey, Thompson, Russell, and Willing, as well as Mr. Ichniowski and County Commissioner Tom Jarboe serve on the panel. Ms. Cullins noted that the County Commissioners are extremely interested in this and Commissioner Jarboe's experience hiring high-level executives, coupled with his work in the public sector, make him a good choice. Ms. Cullins noted that she, as HR, would also sit on the panel. Mr. Ichniowski reminded the Board that the only members voting on the candidates would be the Commissioners; MetCom Staff and Commissioner Jarboe would strictly be advisory members on the panel. Mr. Ichniowski recommended that the top two candidates selected by the panel participate in a full-Board interview.

Chairman Barthelme indicated that he would like to see Commissioner Mummaugh serve on the panel and after conferring with Commissioner Thompson, Commissioner Mummaugh indicated that he is good with the recommended panel. Commissioner Russell noted that as in the past, the panel would return to the Board with their recommendations, but the final decision would be made by the full Board.

Chairman Barthelme further indicated that he has a problem with Commissioner Willing serving on the panel because of his handling of things with the prior Director. Discussion ensued between Commissioner Willing and Chairman Barthelme on the matter and Chairman Barthelme continued to state his desire that Commissioner Willing not serve on the panel. Some discussion ensued amongst the Board and Ms. Cullins on the time commitment for those who would serve on the panel. Chairman Barthelme asked for the removal of Commissioner Willing and proceed with just three Commissioners on the panel; Ms. Cullins advised that is not her decision and indicated the Board would need to vote on the panel. Discussion ensued amongst some of the Board members and Ms. Cullins on the policy and By-Laws, which outline this interview process and the panel selection.

**Commissioner Russell moved that Commissioner Willing be allowed to serve on the interview panel. Commissioner Gaskin seconded the motion. Discussion ensued and Commissioner Thompson recommended that the motion be amended to name all the Commissioners on the panel, rather than exclude someone from the panel. Commissioner Russell amended the**

**motion and moved that Commissioners Willing, Russell, Carey and Thompson serve on the interview panel for the new Executive Director, as recommended. Commissioner Gaskin seconded the motion. Motion carried 5-1. Commissioner Mummaugh opposed the motion.**

Ms. Cullins noted that the applications are ready for review and the panel members can come in anytime to review them. Mr. Ichniowski reiterated the timeline and process for all Board members.

In response to the inquiries regarding painting of the Hollywood Water Tower by Commissioner Thompson at a previous Commission meeting, Mr. Ichniowski advised that staff plans to make a presentation to the Board next month regarding water tower painting. Mr. Ichniowski noted that following review and discussion, the Board may wish to consider establishing guidelines and a policy for future requests. Commissioner Thompson indicated that there are some in Hollywood who would be willing to support the funding of this. Brief discussion ensued amongst the group on the matter and Mr. Ichniowski advised that we would continue the discussion at the next meeting.

Mr. Ichniowski made an announcement of the St. Clements Shores Subdivision potable water system public meeting, which is scheduled for October 4 at 6:30 p.m. Mr. Ichniowski encouraged Board members to attend.

#### **APPROVAL OF CONSENT AGENDA**

1. Property Taxes on Cellular Communications Sites
2. Legal Services Invoice
3. Vehicle Purchase (Safety Coordinator Use)
4. Vehicle Purchase (Engineering/Inspections Department Use)
5. Vehicle Purchase (Engineering/Inspections Department Use)
6. Dumpster Service Contract Award
7. Fiscal Standard Report – August 2016
8. Engineering Standard Report – August 2016
9. Operations Standard Report – August 2016
10. Check Register 8/25, 9/01, 9/08, & 9/15
11. Annual Maintenance Fees for Sungard Financial Software

Commissioner Willing inquired about the legal services invoice included in the Consent Agenda, specifically various charges associated with an employment agreement with Mr. Bundy, which occurred after Mr. Bundy tendered his resignation and after the Board had previously declined to offer him an employment agreement. Commissioner Willing questioned the charges for discussions between the attorneys and individual board members, outside of those leading up to and during the July 13 meeting, which the full board was privy to. Commissioner Willing indicated that to the extent that it can be explained in open session, he is curious about the nature and content of those discussions. Commissioner Mummaugh indicated that Human Resources brought a matter to the Board's attention, which had to be addressed. Additional discussion ensued between Chairman Barthelme, Commissioners Willing and Mummaugh on the matter before mention that any further discussion on this would have to occur in Executive Session.

Commissioner Willing addressed Consent Agenda No. 6 to make sure that all questions posed at the last meeting have been addressed and suggested that when this contract comes up for renewal, it be brought to the Board's attention earlier to allow more opportunity to solicit bids.

Commissioner Carey initiated discussion on Consent Agenda No. 3, the Vehicle Purchase for the Safety and Training Coordinator, requesting that staff provide additional justification of the need for this vehicle. Mr. Sullivan advised that the Safety and Training Coordinator is a relatively new position and provided data regarding the duties of the position and vehicle use. Mr. Sullivan noted that this staff member is currently using a combination of the general use vehicle and her personal vehicle to travel to various plants and construction sites in order to perform safety inspections, respond to incidents, and conduct training.

Additional discussion ensued on the need for a 4x4 vehicle and Commissioner Thompson made a request for a life cycle analysis of a vehicle to illustrate the cost, mileage and 2-wheel drive vehicle considerations. Mr. Sullivan advised that MetCom typically acquires vehicles from the State contract, which dictates the options available for purchase. Mr. Sullivan noted that a selection of a vehicle outside of those offered under the State contract requires acquisition by another means. Mr. Sullivan cited ground clearance on construction sites as a reason for the request of a 4x4 vehicle. Brief discussion ensued on consideration of an electric or alternative fuel vehicles for the organization, which Mr. Sullivan advised he would look into it further and could provide additional analysis for the Board's consideration at the next meeting. Chairman Barthelme suggested pulling this particular item from the Consent Agenda today and Board members in collective agreement to remove and defer this until additional data can be provided by staff.

**Commissioner Russell moved to accept the Consent Agenda, as presented, except to defer approval of Item No. 3 from the Consent Agenda, and to hereby approve all matters contained upon the Consent Agenda. Commissioner Thompson seconded the motion. Motion carried 6-0.**

## **NEW BUSINESS**

### **1. Audit Required Communications**

Ms. Shick advised that the Audit Required Communications received from the Auditors to indicate that they are in the process of auditing the financial statements for FY 16 & FY 15. Ms. Shick noted that the auditors will report their findings to the Board once complete.

### **2. Local Engineering & Surveying Services Contract Award**

Mr. Elberti announced that three applicants submitted bids for the Local Engineering & Surveying Services and recommended awarding to all three, noting that firms will bid on each capital project and a selection made based upon analysis of the bid.

**Commissioner Thompson moved to accept and approve the proposals from:**

- (1) J Hopson Consulting, LLC, of Solomons, Maryland;**
- (2) Little Silences Rest, Inc., of Leonardtown, Maryland; and**
- (3) Mudd Engineering, LLC, of Tall Timbers, Maryland**

**for the Open-End Engineering & Surveying Services Contract #17-02-E, in accordance with the bid documents, as recommended by the Chief Engineer. Further move that staff be authorized and directed to sign all documentation relating to this Contract award, including but not limited to the contract, any contract renewals and all approved change orders. Commissioner Russell seconded the motion. Motion carried 6-0.**

3. FDR Blvd. Water Main, Phase 1A Engineering Services Requisition

Mr. Elberti advised that this item is for the reimbursement of funds to the St. Mary's County Department of Public Works & Transportation (DPW&T) for the design of Phase 1A of the FDR Blvd. Water Main Relocation.

**Commissioner Russell moved to reimburse St. Mary's County Government for the water main relocation design fee in the amount of \$16,731.00, as indicated on Purchase Order No. 048613, dated March 21, 2016, for MetCom's agreed-upon portion of the professional design engineering service on Project #8171WM, as recommended by the Chief Engineer. Commissioner Gaskin seconded the motion. Motion carried 6-0.**

4. FDR Blvd. Water Main, Phase 1C Engineering Services Requisition

Mr. Elberti advised that similar to the last item presented, this item is for the reimbursement of funds to the St. Mary's County Department of Public Works & Transportation (DPW&T) for the design of Phase 1C of the FDR Blvd. Water Main Relocation.

**Commissioner Willing moved to reimburse St. Mary's County Government for the water main relocation design fee in the amount of \$11,154.00, as indicated on Purchase Order No. 048613, dated March 21, 2016, for MetCom's agreed-upon portion of the professional design engineering services on Project #8171WM, as recommended by the Chief Engineer. Further move to authorize and direct the Executive Director to execute all documents as may be necessary to finalize this payment. Commissioner Russell seconded the motion. Motion carried 6-0.**

5. Glebe Run Wastewater Pumping Station Unit Purchase

Mr. Sullivan performed a review of the scope of work associated with the Glebe Run Wastewater Pumping Station Unit Purchase, which serves the former Willow's Restaurant, the County Fairgrounds, the Leonardtown School complex, and the Hanover Run Subdivision.

**Commissioner Russell moved that the Commission accept and award the procurement of a Smith & Loveless Everlast Series 1000 Suction Lift Pumping Station Unit, for the Glebe Run**

**Wastewater Pumping Station, from Smith & Loveless, Inc. of Lenexa, Kansas, for the total price of \$64,470.00, as submitted in their proposal dated August 9, 2016.**

**Further move that staff be authorized and directed to sign all documentation relating to this Contract award, including but not limited to the contract, and contract renewals and all approved change orders. Commissioner Carey seconded the motion.**

Commissioner Carey initiated discussion on the motion and requested the addition of budget columns in the procurement memorandum, which reflect relevant data to help the Board members determine the accuracy of the budget at the time items are considered for approval. Mr. Sullivan noted that he can provide expenditure data moving forward. Additional discussion ensued amongst the group on what happens to the older pumps being removed that are in operating condition. Mr. Sullivan noted that in some cases, they are used for spare parts or scrapped at a salvage yard. Further discussion surrounding running the pumps to the edge of failure before replacement and Mr. Sullivan cited sanitary sewer overflow (SSO) regulations as pressure to maintain equipment and its reliability.

**Following discussion, Chairman Barthelme called for a vote. Motion carried 6-0.**

6. Spring Valley Wastewater Pumping Station Unit Purchase

Mr. Sullivan noted that identical to the previous item presented, the Spring Valley Wastewater Pumping Station in Lexington Park, which serves nearly the entire Spring Valley neighborhood, was placed into service in the early 1980s and was identified several years ago for replacement in the Capital Improvement Budget. Inquiry made by Commissioner Russell regarding the service life of the pump and Mr. Sullivan reported that the Facilities Plan identifies the timing of replacement of station components within MetCom's systems.

**Commissioner Thompson moved that the Commission accept and award the procurement of a Smith & Loveless Everlast Series 1000 Suction Lift Pumping Station Unit, for the Spring Valley Wastewater Pumping Station, from Smith & Loveless, Inc. of Lenexa, Kansas, for the total price of \$62,051.00, as submitted in their proposal dated August 9, 2016.**

**Further move that staff be authorized and directed to sign all documentation relating to this Contract award, including but not limited to the contract, and contract renewals and all approved change orders. Commissioner Willing seconded the motion. Motion carried 6-0.**

**COMMISSION MEMBERS' TIME**

**Commissioner Mummaugh moved that all MetCom staff report directly to the Executive Director, Commissioner Russell moved to modify the motion to include "as appropriate through subordinate supervisors." Commissioner Carey seconded the motion. Motion carried 6-0.**

Commissioner Thompson requested that a study be performed to complete our billing in-house; suggested that because we read meters on a scheduled basis, it may be possible to spread out the billing so that it doesn't occur only once a month. Mr. Thompson noted that this could be a way of providing jobs, rather than contracting out that service. Ms. Shick noted that there has been some consideration of weekly billing and advised that she would provide a report for the Board's review at the next meeting. Discussion ensued amongst the group regarding a review options to determine the most efficient way of performing this function. Commissioner Russell suggested that if materials could be gathered by then, the Board consider this at the next meeting.

Commissioner Carey advised that he has been speaking to Ms. Potter, Procurement Agent, regarding the use of local businesses by MetCom and how we reach out, advertise and promote our contracts to local businesses. Some discussion ensued between Commissioner Carey and Mr. Ichniowski regarding MetCom's past efforts to increase local business participation in our competitive bid process. Mr. Carey noted that Ms. Potter suggested the creation of a page on MetCom's website dedicated to doing business with MetCom. Mr. Ichniowski indicated that staff would put together a spreadsheet for the Board's consideration and discussion on this matter at the next meeting.

Commissioner Carey inquired about conducting a Board Retreat / Strategy Session in the future. Mr. Ichniowski made mention of items that he believes the Board should consider for discussion at an upcoming retreat and indicated that he will put together some data for the Board's review and further discussion at the next meeting.

Commissioner Carey suggested an investigation to address/conduct an Employee Satisfaction Survey and advised that he is looking for data and would welcome ideas from the Executive Director on this topic. Mr. Ichniowski noted that in addition to an employee satisfaction survey, we need an internal audit performed by an outside agency to review the organization. Brief mention of the work performed by Dr. Robin Parker-Cox of the University of Maryland during the Task Force and noted that such an audit can help us move forward in the future.

Mr. Ichniowski suggested that Board members participate in tours of MetCom's facilities to become familiar with our systems and operations.

## **ADJOURNMENT**

There being no further business, **Commissioner Mummaugh moved to adjourn at 4:14 p.m. Commissioner Gaskin seconded the motion. Motion carried 6-0.**

  
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Laura Comeau-Stanley, Corporate Secretary