

**MINUTES
REGULAR SESSION
ST. MARY'S COUNTY METROPOLITAN COMMISSION
APRIL 14, 2016**

The regular session of the St. Mary's County Metropolitan Commission meeting commenced at 3:03 p.m. In attendance were Commissioners, Willing, Barthelme, Gaskin, Mummaugh, Pessagno, Russell, and Thompson. MetCom staff in attendance included Bundy, Cullins, Shick, Elberti, Sullivan, Fehn, Meiser, Edwards and Brown. Others present were Steven Clemons, Diana Clemons, Tim McLane, Jason Babcock (*Reporter, The Enterprise*), Dick Myers (*Reporter, The Baynet*).

Chairman Willing welcomed everyone and performed a review of the meeting agenda.

MOTION TO APPROVE AGENDA

Commissioner Russell moved to approve the Agenda, as presented. Commissioner Barthelme seconded the motion. Motion carried 6-0.

PUBLIC FORUM – *Steven Clemons, Water Bill Dispute*

Mr. Steven Clemons, tenant and Mr. Tim McLane, property owner addressed the Board on the matter of a water bill totaling almost \$5,300.00 from a pipe rupture in February 2016 at a home Mr. Clemons and his family are renting from property owner, Mr. McLane.

Mr. Clemons explained that a MetCom meter technician visited his residence on February 16, 2016 because of a very high water bill; after some investigation, the meter technician showed Mrs. Clemons the location of a ruptured underground pipe on their property. A meter technician was out approximately one (1) week later to ensure the meter was working properly and found that an additional 87k gallons had leaked. Mr. Clemons and his family had no knowledge a leak occurred or where the leak was located, due to snow and the home's location on a hill surrounded by a lake; otherwise, they would have immediately addressed the issue. Mr. Clemons appealed to the Board to forgive the large bill, as they simply cannot afford it. He outlined previous and water bills they received at a non-metered rate and the newer bills at the metered rate and inquired why they weren't advised of the change in billing.

Discussion ensued amongst the Board members, Staff, Mr. Clemons and Mr. McLane about the leak and issue surrounding the large water bill. Mr. Bundy requested we not attempt to collect on the bill until the issue is rectified and discuss a policy of how to handle issues of this nature and what MetCom is authorized to do in these instances.

Commissioner Gaskin moved to waive fees. Commissioner Pessagno seconded the motion. Chairman Willing initiated discussion to clarify that the motion would waive excess charges over and above the non-metered rate for two (2) months. Following discussion, Commission Gaskin modified the motion, to charge the unmetered rate for the two (2) months. Commissioner Pessagno seconded the motion. Motion carried 6-0.

Mr. Bundy advised the Board that a policy would need to be developed to address issues of this nature.

APPROVAL OF CONSENT AGENDA

Commissioner Russell moved to accept the Consent Agenda, as presented, and to hereby approve all matters contained upon the Consent Agenda. Commissioner Gaskin seconded the motion. Motion carried 6-0.

APPROVAL OF MEETING MINUTES – *March 10, 2016*

Chairman Willing offered one minor text edit on Page 3 at the end of Paragraph 1; requested unit pricing be changed from \$3.06 to \$3.26 per gallon to \$3.06 to \$3.26 per 1,000 gallons.

Commissioner Russell moved to accept the meeting minutes of March 10, 2016, as amended. Commissioner Thompson seconded the motion. Motion carried 5-0-1. Abstention by Commissioner Gaskin, who was not present at the March 10, 2016 meeting.

EXECUTIVE DIRECTOR'S REPORT

Mr. Bundy gave an overview of the agenda for the Joint Board meeting between the Commissioner of St. Mary's County and the MetCom Board members, scheduled for May 10, 2016 at 9:00 am at MetCom Administrative offices; he requested that the Board members advise him if they have additional items they wish to add to the agenda.

Mr. Bundy advised that the presentation of MetCom's Capital Improvement Budget and Plan to the Commissioners of St. Mary's County is scheduled for Tuesday, April 19, 2016, at 9:00 am at the County's offices.

Mr. Bundy provided a brief overview of the Public Rate Hearing, held on April 7, 2016, noting that the record for public comment remains open until April 19, 2016. Mr. Bundy advised that responses to public comments are being prepared by staff and additional information, along with comments received by the public, would be provided to the Commissioners for their review and consideration at the April 28, 2016 meeting.

Mr. Bundy presented information to the Commissioners in response to a request made at the last board meeting concerning employees' reasons for leaving. Mr. Bundy outlined the number of employees who left MetCom's employ in 2-year spans, between 2012 - 2013 and 2014 to present, and discussed the various reasons for their departure.

Mr. Bundy advised that between 2012 and 2013, 14 employees left. Of those 14, six (6) were terminated and one (1) retired; of the seven (7) remaining, three (3) employees indicated during their exit interview they were leaving for higher pay and four (4) gave no specific reason. During this time frame, there was a total turnover rate of 16%, 7% discharged and 9% voluntarily separated; of the 9% who voluntarily separated, 43% left for more money.

Mr. Bundy further advised that between 2014 and 2016, 25 employees left. Of those 25, eight (8) were terminated, one (1) retired and one (1) passed away; of the remaining 15, eight (8)

employees indicated during their exit interview they were leaving for higher pay, four (4) were leaving the area, one (1) to care for a sick relative and two (2) gave no specific reason. During this time frame, there was a total turnover of 27%, 9% discharged and 18% voluntarily separated; of the 18% who voluntarily separated, 53% left for more money.

Commissioner Pessagno asked what level of employees had left; Mr. Bundy stated that it was a mix of highly technical positions and white-collar employees. Commissioner Mummaugh requested a spreadsheet of the information Mr. Bundy provided so the Board can focus on where we need to pay more money. Commissioner Thompson requested length of employment be included on the spreadsheet of employees that have left.

Commissioner Pessagno inquired whether Commission gave employee raises; no raises or had any pay cuts and whether employees were leaving even with raises given; discussion amongst the Commissioners ensued. Mr. Bundy will include employee raise and Cost of Living Allowance (COLA) information, along with the other requested data for the Commissioners review.

Mr. Bundy contacted Singer Associates, who conducted the Salary Study in 2006-2007, to determine if they still conduct Salary Studies and inquired about their ability to update the prior Study, so that we could build on those findings.

CHIEF FINANCIAL OFFICER'S REPORT

A. FY 2017 Rate Public Hearing Update

Ms. Shick reported that they have not received any written comments since the FY 2017 Rate Public Hearing on April 7 and noted that written comments and other information are being prepared for presentation at the next Board meeting.

B. FY 2016 Operating Budget Amendment

Ms. Shick gave an overview of the FY 2016 Operating Budget Amendment, outlining the requested changes, noting that the increase to the Leonardtown Wastewater Treatment fees is due to their ENR project and increase in their dewatering and disposal costs, noting that MetCom pays a portion of their operating costs.

Ms. Shick also noted the Engineering Professional Services increased in order to enable additional survey work, and the Bank Fees/On-Line Payment Fees are being increased due to the increased use of the online payment service. Ms. Shick also outlined the card access system proposed for the Petty Building, to improve security at the facility; a line item is also being added for administrative staff furniture. Ms. Shick advised that the IVR/Pay by Phone service is not moving forward this year.

Commissioner Willing inquired whether there have been any security issues and Mr. Sullivan advised that the key issue is doors left ajar, which results in the building not being secure. It was

noted that staff would like to implement the same card system currently in use at the Camden office, which would allow employees to use the same access card for both buildings.

Commissioner Mummaugh asked why the money for Leonardtown's Treatment Plant was not coming out of Capital Funds. Ms. Shick and Mr. Bundy explained that it is not related to the construction of the project and through an agreement, MetCom pays a share of their operating costs.

Commissioner Russell moved to amend the FY 2016 Operating Budget, as recommended by the Commission's Chief Financial Officer, to adjust expenditure line items as follows, which amendment will result in no change in Net Income from Service Charges:

**Increase the Leonardtown Treatment Plant line item by \$24,000;
Increase the Engineering Professional Services line item by \$7,000;
Increase the Bank Fees/On-Line Payment Fees line item by \$3,300;
Decrease the Sewer Contingencies line item by \$24,000;
Decrease the Engineering Contractual Labor line item by \$7,000; and
Decrease the Payroll Taxes line item by \$3,300.**

Further move to amend the Capital Equipment and Expenditures in the FY 2016 Operating Budget as follows, which amendment will result in no net change to Capital Equipment and Expenditures:

Add a new line item for Card Access for Petty Building for \$10,000; Add a new line item for Furniture for Admin Staff for \$2,500; and Reduce the IVR-Pay by Phone line item by \$12,500. Commissioner Thompson seconded the motion. Motion carried 5-1-0, with Commissioner Gaskin voting against the motion.

C. Single Audit

Ms. Shick provided an overview of the Single Audit, which she noted is required by all entities who receive over \$500K of Federal assistance. Ms. Shick noted that the objective is to ensure that Federal Funds are spent accordingly. The Single Audit was submitted to the Federal Audit Clearinghouse, along with the data collection sheet, as required. Ms. Shick advised that MetCom received Federal assistance in the amount of \$3,182,657 from the Environmental Protection Agency through the Maryland Department of the Environment (MDE) for the AMR Water Meter project. No weaknesses were found; the Opinion received did not state any findings. In closing, Ms. Shick advised that we received an overall clean report.

CHIEF ENGINEER'S REPORT

A. Marlay-Taylor Water Reclamation Facility ENR Upgrade: Dell Server Purchase

Mr. Elberti presented an overview of the Dell Server and record keeping software for the Marlay-Taylor WRF ENR Upgrade project (Contract #8-38-S) to the Board, which was tabled

from the last meeting. Mr. Elberti advised that the Software will assist operators with daily record keeping and has the ability to maintain digital and historical records.

Commissioner Russell moved to accept and approve the price quote dated April 7, 2016, from Dell, for an amount not to exceed \$1,444.74, to purchase one (1) server to host historical and reporting software, for the Marlay-Taylor WRF ENR Upgrade project, Contract #8-38-S, as reviewed and approved by the MetCom IT Director and as recommended by the Chief Engineer. Commissioner Thompson seconded the motion. Motion carried 6-0.

B. Hollywood & Charlotte Hall Well Construction Contract Award

Mr. Elberti provided an overview of the Hollywood and Charlotte Hall Well projects to the Board, advising that the Hollywood Well is a 400gpm well, which will serve the Broad Creek and Twin Ponds subdivisions and developments along MD Route 235; the Charlotte Hall Well is a 250gpm well, which will increase capacity and fire flow, as well as additional/potential EDUs in the Charlotte Hall area.

Mr. Elberti advised that MetCom received just two (2) bids from qualified commercial well drillers, both of whom have provided successful well drilling services to MetCom in the past. Both bids were analyzed, and the bid from A. C. Schultes was recommended.

In response to a comment made by Commissioner Pessagno at a prior meeting, Mr. Elberti advised that he consulted with a hydrogeologist, who indicated that they had not heard of impacts on foundations related to withdrawals from depths of confined aquifers. Mr. Elberti prepared a sketch for the Commissioners, which depicts that the pilings from the Hollywood well are at 52 feet deep and the confined aquifer is 1,130 feet deep. Discussion ensued regarding the impacts of the proposed wells drilled on site next to the elevated storage tanks.

Commissioner Thompson moved to approve and accept the bid dated March 17, 2016, from A. C. Schultes, Inc. of Millersville, Maryland, in the amount of \$759,980.00, for the Hollywood Well at Broad Creek and Charlotte Hall Well, Project #8092WL and Project #0091WL, 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 Barthelme seconded the motion. Motion carried 5-1-0, with Commissioner Pessagno voting against the motion.

EXECUTIVE SESSION

Commissioner Russell moved to go into Executive Session at 3:56 p.m. to discuss Real Property Acquisition and Personnel Matters. Commissioner Mummaugh seconded the motion. Motion carried 6-0.

The meeting reconvened into regular session at 4:52 p.m.

Commissioner Russell moved to direct staff to proceed with the real property matter, as discussed in Executive Session. Commissioner Pessagno seconded the motion. Motion carried 6-0.

Commissioner Russell moved to direct staff to proceed with the personal matter, as discussed in Executive Session. Commissioner Pessagno seconded the motion. Motion carried 6-0.

COMMISSION MEMBERS' TIME

A. Exempt Employees / Contracts

Commissioner Mummaugh inquired about the Employee Handbook and its application to Department Heads and other Exempt Employees. Mr. Bundy advised that the Handbook is applicable to all MetCom employees. Discussion ensued concerning the verbiage of the Employee's Handbook, specifically the section outlining employees pursuing other employment during their normal working hours. Following review of the text by staff and Board members, additional discussion ensued amongst the group to include, but not limited to employees using leave, which is earned and tracked on an hourly basis. Commissioner Barthelme cited concerns over what he believes to be a possible misuse of leave when staff members take a few hours of a vacation leave here and there, vice a week at a time. Chairman Willing and Commissioner Gaskin collectively cited that vacation hours are earned by the employees; when and how they chose to use it is their decision and cannot be dictated by Management or the Board.

B. Salary Study

Chairman Willing initiated discussion regarding Staff's recommendation that the salary study, completed in 2007, be updated for the Commission by an outside consultant, to include a review of salaries to determine if they are in line with industry practice. Chairman Willing advised that based on dissention related to salaries during the budget discussions, he believes that having this information is important and is in support of obtaining a cost proposal for that work. Brief discussion ensued amongst the Board on initiating such a request. Following discussion, staff was directed to move forward with a request for proposal (RFP) for this scope of work.

Commissioner Pessagno indicated his desire that the study compare a company structure similar to MetCom's, and if possible, within this region, noting that he is not satisfied with the past study information. He further indicated that he would like to see which salaries they plan to study, to determine if it is a fair comparison; perhaps going so far as to identify that requirement in the RFP. Commissioner Pessagno advised that our neighboring counties have their water and sewer services performed under their respective Public Works Department, so it is a different situation. Mr. Bundy advised that staff would discuss consultant's methodology in advance, but noted that there likely would be some out of the area, based upon our field of work; however, he would relay that information to the Board.

Commissioners discussed their collective desire to see comparisons of entities that have similar structures and functions.

Commissioner Mummaugh returned to the matter of outside employment, defined in the Employee Handbook, to seek clarification on the ability for an employee to do whatever they wish during their lunch hour, provided it does not affect their job. Mr. Bundy confirmed that to be correct. Commissioner Thompson noted that one of the requirements of an employee is to be available when you have a question during normal working hours, for the good of the organization. Chairman Willing noted that on numerous occasions, he has contacted staff after hours, on holidays, and during their vacations and has always had an immediate response; never a problem or an instance when someone was not responsive.

ADJOURNMENT

There being no further business, **Commissioner Russell moved to adjourn the meeting at 5:10 p.m. Commissioner Thompson seconded the motion. Motion carried 6-0.**



Laura Comeau-Stanley, Corporate Secretary