

**MINUTES
REGULAR SESSION
ST. MARY'S COUNTY METROPOLITAN COMMISSION
MAY 14, 2015**

Following a one-hour work session on Section 113 Code Revisions for the 2016 Legislative Session, the regular session portion of the meeting commenced at 3:05 p.m. In attendance were Commissioners Willing, Barthelme, Gaskin, Mummaugh, Pessagno, Thompson, and Oliver (On behalf of Captain Heidi Fleming, Commanding Officer, NAS Patuxent River). MetCom staff in attendance included Ichniowski, Cullins, Shick, Elberti, Sullivan, Meiser, Hogan, Jarboe, Smouse, and Comeau-Stanley. Others present included Jason Babcock (*The Enterprise*) and Melissa Jerdon.

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

MOTION TO APPROVE AGENDA

Commissioner Thompson moved to approve the Agenda, as presented. Commissioner Barthelme seconded the motion. Motion carried 5-0.

PUBLIC FORUM

Mr. Ichniowski provided a brief overview of Ms. Jerdon's issue for the benefit of the Board members, which surrounds a sewage leak that occurred in April 2011 at the house connection line on her property in the Wicomico Shores Subdivision. Mr. Ichniowski advised that when MetCom crews exposed the line, they determined that a SMECO service cable, which was bored through her sewer service connection to the house, caused the problem. Mr. Ichniowski advised that SMECO was contacted and they relocated the cable and MetCom staff repaired the service line and installed the cleanout. Since that time, Ms. Jerdon has been in contact with us over the years to try to get reimbursement from the incident.

Ms. Jerdon addressed the Board and noted that she has been dealing with water issues since she moved into the house nearly 16 years ago, claiming that her basement has flooded and there was a lot of damage throughout her house. Ms. Jerdon indicated that she contacted her insurance company, who advised her to contact SMECO and MetCom about the issue. Ms. Jerdon provided a brief summary of her communications with SMECO and MetCom and said she still does not have any resolution and all she wants to do is get things fixed, including her floors, kitchen cabinets and vanities. Board members posed a variety of questions to Ms. Jerdon regarding the matter and staff members provided some insight and clarification to the group related to the cleanout installed by MetCom, which was not previously installed by the builder or the plumber at the time of the connection to the service line.

Additional discussion ensued regarding communications between Ms. Jerdon and her insurance provider and it was noted by Ms. Meiser that if a formal claim was never filed, the statute of limitations has now passed. Ms. Jerdon revealed that she spoke to her insurance representative, but never filed a claim and did not receive anything in writing from them. Chairman Willing thanked Ms. Jerdon for presenting this matter before the Board and he indicated that they will take it under consideration and if there is any information we can provide her insurance company, we will certainly do so. Mr. Ichniowski asked that Ms. Jerdon provide us with a copy of the letter from a Mrs. Whitehead, which she referred to during her presentation, and we can look to prepare a response on the matter.

APPROVAL OF CONSENT AGENDA

Mr. Elberti fielded questions from Board members relating to the timing of the work for the site assessment of the potential stray current corrosion at the Piney Point Sewer Force Main, as detailed in the proposal contained in the Consent Agenda materials.

Commissioner Barthelme moved to accept the Consent Agenda, as presented, and to hereby approve all matters contained upon the Consent Agenda. Commissioner Mummaugh seconded the motion. Motion carried 5-0.

APPROVAL OF MEETING MINUTES

Commissioner Mummaugh requested that the Board table the vote on the minutes of the April 9, 2015 meeting, as he did not have an opportunity to read them in advance.

Commissioner Barthelme moved to approve the minutes of the March 26, 2015 meeting, as presented, with minor edits. Commissioner Thompson seconded the motion. Motion carried 4-0-1. Commissioner Gaskin abstained, as she was not in attendance at the March 26, 2015 meeting.

Hearing no objections from Board members on the Commissioner Mummaugh's request, Chairman Willing announced that the vote on the minutes of the April 9, 2015 meeting would be tabled.

EXECUTIVE DIRECTOR'S REPORT

A. Final presentation of FY 2016 Capital Improvement Budget and FY 2017-2021 Capital Improvement Plan to the Commissioners of St. Mary's County (CSMC)

Mr. Ichniowski announced that on April 14, 2015, staff made a presentation of MetCom's FY 2016 Capital Improvement Budget, and FY 2017-2021 Capital Improvement Plan to the CSMC. Mr. Ichniowski noted that there were several questions posed by the CSMC at the meeting and Ms. Meiser captured those in her notes. Since then, a response letter addressing all questions was prepared and submitted to the CSMC. Mr. Ichniowski advised that the final presentation of the budget is scheduled for Tuesday, May 26, 2015. Mr. Ichniowski noted that a time has not yet been set for that presentation, but staff will notify all Board members once that information is published. Mr. Ichniowski identified that a copy of the complete budget submittal has been provided today for each Board member's use and review.

B. St. Clements Shores: Response to the Commissioners of St. Mary's County (CSMC)

Mr. Ichniowski performed a review of the materials contained in the Board members binders regarding the St. Clements Shores Wastewater Treatment Plant (WWTP), specifically correspondence between MetCom and the CSMC regarding the current treatment capacity, residents identified with failing septic systems who wish to connect, and the waiting list of those in the community requesting connection. Mr. Ichniowski indicated that MetCom is currently working with the Health Department to determine which properties have failing systems. A meeting is being scheduled between MetCom, the Department of Land Use and Growth Management, and the Health Department to discuss varied aspects of the issue, including, but not limited to, the process of

changing the Comprehensive Water & Sewerage Plan in order to modify the No Planned Service (NPS) classification for that area. Mr. Ichniowski advised that as we go through this process, MetCom and its Board members would have to determine if this is a risk we want to take, citing the limitations of the spray irrigation fields and the rapid infiltration basins (RIBs), and the difficulty in treating the sewage in the colder months to achieve the required effluent. Brief discussion ensued amongst the group on the current flows per Equivalent Dwelling Unit (EDU) and steps that could be taken to treat the effluent.

Mr. Ichniowski indicated that the next step in this process is to respond to the CSMC letter of April 21, 2015 and a draft response has been prepared for the Board's consideration. Mr. Ichniowski made mention of the substantial costs for each lot to connect to our system, which could range from \$20,000 - \$35,000, as the work to be performed is extensive.

Mr. Sullivan provided details to the Board on plant treatment operations during typical winter months and meeting MDE permit regulations. Mr. Ichniowski provided data to the Board members on the consequences of fines from the Maryland Department of the Environment (MDE) for violation of our Discharge Permit and discussion ensued amongst the group.

In closing, Ms. Meiser advised that the only action needed today is the Board's authorization to submit the draft response to the CSMC, which merely suggests that we continue to work with other agencies to come up with some acceptable resolution. Chairman Willing indicated that he is comfortable with the draft letter prepared and would sign it, co-sign it or allow the letter to be submitted under the Executive Director's signature.

Commissioner Thompson moved to forward a response to the County Commissioners letter, dated April 21, 2015, as discussed. Further, move that the response shall be signed by the Director. Commissioner Gaskin seconded the motion. Motion carried 5-0.

CHIEF FINANCIAL OFFICER'S REPORT

A. FY 2015 Third Quarter Financial Statements

Ms. Shick provided a brief overview of the Third Quarter Financial Statements for FY 2015, covering the period from January 1, 2015 through March 31, 2015. Ms. Shick's report included the highlights of revenues and expenses for the Sewer, Water, and Engineering divisions, as well as a review of the General and Administrative expenses, other income and expenses, and the Debt Service Funds income. Ms. Shick fielded a few questions from Board members during her presentation.

B. Debt Policy Study Update

Ms. Shick performed a review of the recommendations identified in the Debt Policy Study, prepared by Davenport & Company, which includes extending the loan terms from 20-years to 30-years; establishment of a Debt Policy; and lastly, if MetCom should come out from under the reign of the County with regard to backing of bonds. Ms. Shick noted that the latter would require a change in the current law. Ms. Shick advised that if the Board is interested, staff could arrange for Davenport & Company to meet with the Board to further discuss the recommendations, loan

refinancing and Debt Limit Policy. Brief discussion ensued amongst the group on debt refinancing and current rates. Chairman Willing noted his support of a meeting and presentation with Davenport & Company and other Board members noted their desire to explore available options with the Davenport representatives. Ms. Shick advised that she would solicit a proposal for their services.

CHIEF OF FACILITIES & OPERATIONS

A. Duplex Grinder Pump Purchases

Mr. Sullivan advised the Board members that as part of the FY 2015 Grinder Pump Replacement Project, staff is requesting to purchase two (2) complete duplex grinder pump units for installation at Piney Point Elementary School and Ridge Elementary School to replace the aged and worn units at each location. Mr. Sullivan explained that preliminary plans include coordination with the School Board staff to replace the units while school is out of session. Mr. Sullivan noted that just two (2) grinder pump manufacturers meet our specifications and pricing was solicited from both representatives.

Commissioner Barthelme moved that the Commission approve the procurement of two (2) Myers Duplex Grinder Pump Units from STH, Inc. of Frederick, Maryland, for the total price of \$26,650.00, as submitted in their quotes dated April 23, 2015 and April 24, 2015. Commissioner Mummaugh seconded the motion. Motion carried 5-0-1. Commissioner Pessagno abstained.

EXECUTIVE SESSION

Commissioner Mummaugh moved to go into Executive Session at 4:26 p.m. to discuss Personnel Matters. Commissioner Barthelme seconded the motion. Motion carried 5-0.

Meeting reconvened at 5:09 p.m.

Commissioner Mummaugh moved to go forward with the response to the formal grievance, as presented and discussed in Executive Session. Commissioner Barthelme seconded the motion. Motion carried 5-0.

APPROVAL OF EXECUTIVE SESSION MINUTES

Commissioner Mummaugh moved to approve the Executive Session minutes of March 26, 2015, as presented. Commissioner Barthelme seconded the motion. Motion carried 4-0-1. Commissioner Gaskin abstained, as she was not in attendance at the March 26, 2015 meeting.

Commissioner Thompson moved to approve the Executive Session minutes of April 9, 2015. Commissioner Pessagno seconded the motion. Motion carried 5-0.

COMMISSION MEMBERS' TIME

Commissioner Pessagno indicated that since our last meeting, he had an informal conversation with one of the County Commissioners and they discussed several items that have some merit. He noted that he plans to provide a list of those items to the staff to disseminate to the Board members and then discussion can occur at a future meeting to determine if any of the recommendations warrant adoption.

A. Sample Motions

Commissioner Mummaugh asked that the draft motions for the meetings be included in the advance mailing and noted that he believes it is an easy way to provide a summary of what the Board is going to do. Mr. Ichniowski indicated that staff would prepare draft motions for inclusion with the advance meeting materials prior to the next meeting.

ADJOURNMENT

There being no further business, **Commissioner Thompson moved to adjourn the meeting at 5:13 p.m. Commissioner Barthelme seconded the motion. Motion carried 5-0.**



Laura Comeau-Stanley, Corporate Secretary