

**MINUTES
REGULAR SESSION
ST. MARY'S COUNTY METROPOLITAN COMMISSION
JUNE 11, 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 3:04 p.m. In attendance were Commissioners Willing, Russell, 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, Fehn, Meiser, Gilman, Edwards, and Comeau-Stanley. Others present included Dick Myers (*The BayNet*) and Jason Babcock (*The Enterprise*).

Chairman Willing welcomed everyone, performed a review of the meeting agenda, and advised that the Executive Session discussion surrounding Personnel Matters would be postponed until the next meeting, to allow for the full representation of the Board.

MOTION TO APPROVE AGENDA

Commissioner Russell moved to approve the draft Agenda, as presented. Commissioner Gaskin seconded the motion. Motion carried 5-0.

APPROVAL OF CONSENT AGENDA

Following questions from Commissioners Mummaugh and Thompson to staff regarding the materials included in the package, **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 5-0.**

APPROVAL OF MEETING MINUTES

Commissioner Russell advised Chairman Willing that he plans to abstain, as he was not present for the May 14, 2015 meeting.

Commissioner Mummaugh moved to approve the minutes of the May 14, 2015 meeting. Commissioner Gaskin seconded the motion. Motion carried 4-0-1. Commissioner Russell abstained.

EXECUTIVE DIRECTOR'S REPORT

A. Board Elections

Mr. Ichniowski announced that each June, Board elections are conducted for the Chairperson and Vice-Chair positions.

Commissioner Pessagno made a motion to defer the Board Elections until the full Board is present.

Brief discussion ensued between Chairman Willing and staff on the ability to delay the proceedings until the next meeting and Ms. Meiser advised that provided the elections are held on or before June

30, as required under the By-Laws, the election could be delayed. Mr. Ichniowski noted that because neither he nor Ms. Meiser can attend the June 25 meeting, the June 25 meeting would have to be cancelled, but suggested that a meeting be held next week to facilitate the Board elections. Chairman Willing advised that a special meeting could be held on Thursday, June 18 and reminded the Board members that there is a motion on the floor.

Commissioner Mummaugh seconded the motion. Motion carried 4-1. Commissioner Russell opposed the motion.

Ms. Meiser advised that a special meeting will be held next week and provided there is a quorum of members present, the elections must be conducted, regardless of having all Board members present.

B. Debt Capacity Study

Mr. Ichniowski advised that the Commissioners of St. Mary's County (CSMC) issued a letter to MetCom regarding the Debt Capacity Study, in which they identify three (3) short-term recommendations by Davenport & Company that they request the Metropolitan Commission implement. Mr. Ichniowski directed Board members to the letter contained in their binders and performed a review of the recommendations, advising that staff is currently working with Davenport in order to have some options and proposals for the Board's consideration and further discussion at the next regular meeting. With the Board's concurrence, Mr. Ichniowski advised that he would prepare a response to the CSMC letter.

DIRECTOR OF HUMAN RESOURCES

A. Local Government Insurance Trust (LGIT) Training Grant Award

Ms. Cullins introduced Ms. Judy Gilman, MetCom Safety and Training Coordinator, and advised that a few months ago she procured a training grant from LGIT and announced that she has successfully procured another training grant, totaling \$4,700.00, for Tower Climbing Safety and Rescue. Ms. Cullins commended Ms. Gilman for her efforts in keeping our staff safe and seeking out these cost-free training opportunities.

At the request of Chairman Willing, Ms. Cullins provided an update on the search for an Executive Director, noting that 28 applications have been received and approximately 12 appear to be qualified. Ms. Cullins advised that the advertisement is open until June 15 and thereafter, an interview panel will be proposed and voted upon at the June 18 Commission meeting.

Commissioner Thompson inquired about the Assistant Director vacancy and Mr. Ichniowski provided some background information for the benefit of the new Board members, advising that after an unsuccessful attempt to fill the position last year and following the retirement announcement by Mr. Ichniowski, the Board made a decision to forego filling the position until a new Executive Director was hired. Mr. Ichniowski explained that the new Executive Director could then participate in the process and an Assistant Director could be hired who possesses knowledge, skills and ability that complement the Executive Director.

CHIEF FINANCIAL OFFICER'S REPORT

A. FY 2015 Operating Budget Amendment

Ms. Shick advised Board members that the proposed Operating Budget Amendment for FY 2015 serves to adjust funds between line items in the Sewer, Water, Engineering, and General Administrative sections of the budget. Ms. Shick performed a review of all of the associated adjustments in each division, as shown in the support data contained in the meeting binders. Ms. Shick noted that there is no change in net income from services charges as a result of this budget amendment.

Some discussion ensued amongst the group regarding the number of position vacancies that have occurred over the last six weeks, as well as the varying levels of those positions. Ms. Cullins advised that eight openings currently exist due to employees leaving for better paying positions. The vacancies range from fiscal clerks, construction laborers, sewer system operators, to an assistant engineer.

Commissioner Russell moved to amend the FY 2015 Operating budget, as recommended by the Commission's Chief Financial Officer, to adjust revenue and expenditure line items, which amendment will result in no change in Net Income from Service Charges. Commissioner Gaskin seconded the motion. Motion carried 5-0.

B. Prior Intent Resolution 2015-01

Ms. Shick presented the Prior Intent Resolution 2015-01, explaining that this is an IRS requirement and serves as an official notification that MetCom intends to spend in-house funds on Capital Improvement Projects prior to the issuance of a loan. Ms. Shick advised that following the loan closing, MetCom would be reimbursed using the tax-exempt loan proceeds. Ms. Shick identified the four (4) Sewer projects and the five (5) Water projects associated with the Prior Intent Resolution and noted that all but two (2) of those are FY 2016 projects.

Commissioner Gaskin moved to approve Resolution 2015-01, as recommended by the Commission staff, to authorize the use of proceeds from future loans or bond issuances be used to reimburse the Commission for project costs incurred prior to the loan or bond issuance closing for the projects specified within the resolution. Commissioner Thompson seconded the motion. Motion carried 5-0.

CHIEF OF FACILITIES & OPERATIONS

A. Sanitary Sewer Manhole Rehabilitation & Sealing Award

Mr. Sullivan provided a description of the work associated with the Sanitary Sewer Manhole Rehabilitation & Sealing Contract, citing that it includes preparation and sealing of manholes, rebuilding and installation of manhole benches for prevention of infiltration and inflow. Mr. Sullivan noted that the work, which will be performed in the San Souci and Wildewood Subdivisions this year, is completed annually and the funds budgeted this year are \$95,000.00. Mr. Sullivan advised that it is typical to rehabilitate 50 manholes on an annual basis under this contract,

depending upon the depth, as the cost is per vertical linear feet and covers varying types of materials.

Commissioner Thompson moved that the Commission approve the allocation of \$77,706.06, under the Indefinite Duration/Indefinite Quantity Contract with D&S Contractors, of Ashland, Virginia, for work to be completed in FY 2015 on the ongoing Sanitary Sewer Manhole Rehabilitation & Sealing Project, Contract #14-12-F. Commissioner Gaskin seconded the motion. Motion carried 5-0.

GENERAL LEGAL COUNSEL'S REPORT

A. Melissa Jerdon

Ms. Meiser provided an update on the matter surrounding the alleged sewer damage to the home of Ms. Melissa Jerdon in Wicomico Shores, advising that a letter was received from the customer's insurance provider, which indicates that they intend to file a claim against MetCom for the cost of the damages they are required to pay out to their customer. Ms. Meiser pointed out that it was reported by the customer to her insurance company that the incident occurred on May 19, 2015, when in fact it occurred in 2011. Ms. Meiser further advised that this claim has been forwarded to our insurance company, who is aware of the fact that the incident occurred in 2011. In closing, Ms. Meiser advised that no further correspondence related to this matter has been received from the customer since her presentation before the Board on May 14, 2015.

Chairman Willing took a moment to remind the group that the Executive Session planned for today has been postponed and will be addressed at the top of the agenda at the June 18, 2015 meeting.

Chairman Willing asked that the Board members be given a few minutes to review the Executive Session minutes of May 14, 2015.

APPROVAL OF EXECUTIVE SESSION MINUTES

Commissioner Mummaugh moved to approve the Executive Session minutes of May 14, 2015, as presented. Commissioner Gaskin seconded the motion. Motion carried 4-0-1. Commissioner Russell abstained, as he was not in attendance at the May 14, 2015 meeting.

COMMISSION MEMBERS' TIME

No items to address at this time.

ADJOURNMENT

There being no further business, **Commissioner Russell moved to adjourn the meeting at 3:44 p.m. Commissioner Gaskin seconded the motion. Motion carried 5-0.**



Laura Comeau-Stanley, Corporate Secretary