

MINUTES
ST. MARY'S COUNTY METROPOLITAN COMMISSION
AGENDA MEETING – REGULAR SESSION
JULY 21, 2016

The regular session of the St. Mary's County Metropolitan Commission Agenda Meeting commenced at 3:02 p.m. In attendance were Vice-Chairman Russell, Commissioners Carey*, Gaskin, Mummaugh, and Thompson. MetCom staff in attendance included Bundy, Cullins, Shick, Elberti, Sullivan, Fehn, Meiser, Hallissy, Engleson, Edwards, Thomas and Comeau-Stanley. Others present included Jason Babcock (*Reporter, The Enterprise*) and Dick Myers (*Reporter, The BayNet*).

Vice-Chairman Russell welcomed everyone and made a brief announcement regarding the new meeting format, advising that the meeting today is intended to allow the Commissioners to interface with MetCom staff to ensure there is a full understanding of items on the agenda; however, the Board will not take action on any items today. Vice-Chairman Russell noted that decision and actions from the Board would occur at the next meeting one week from today.

Vice-Chairman Russell announced that present are Commissioners Thompson, Mummaugh, and Gaskin (**Commissioner Carey joined the meeting a few minutes late*). Brief mention of the Boards' and Commissions' Training Session scheduled for 5:30 p.m. today at the Governmental Center, which he and others are planning to attend. Vice-Chairman Russell noted his desire to complete the meeting today by 5:15 p.m. in order to allow Board members the time to travel to Leonardtown for that training.

PROPOSED APPROVAL OF MEETING MINUTES

Regular Session Meeting Minutes for the Board's consideration include May 26, 2016, June 1, 2016, June 9, 2016, and June 23, 2016. Executive Session Meeting Minutes of June 9, 2016. Board members were in collective agreement to place all for review and approval at the July 28, 2016 Meeting.

PROPOSED EXECUTIVE DIRECTOR'S REPORT

1. Cobb Property Status

Mr. Bundy provided an update on the Piney Point property recently purchased, originally slated for subdivision to facilitate the sale of a portion of property not needed for access to the current water and wastewater facility. Mr. Bundy advised that staff has recommended retention of the entire property for use as a water station in the future, as the opportunity may not exist when and if the property is sold. Some discussion ensued amongst Board members and staff on the existing structures, demolition of existing house, proposed entrance, relocation of driveway coupled with access for adjacent property owner, and any potential zoning issues associated with MetCom's intended use.

2. Potential Property Acquisition

Mr. Bundy advised that this matter should be discussed in Executive Session later in the meeting.

3. Fee Waiver

Mr. Bundy advised Board members of a matter regarding a property in St. Clements Shores, which

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the Board voted to take off the Tax Sale list this past year, due to a customer dispute with Land Use and Growth Management (LUGM) over the Equivalent Dwelling Unit (EDU) associated with his property, when it was believed that his lot was not buildable. Mr. Bundy noted that since that time, LUGM has conceded that the lot is not buildable and have rescinded the EDU. In light of this decision, Mr. Bundy recommends that the Board waive all of the fees charged to his account.

Board members were in collective agreement to place all Executive Director Agenda items for consideration and action at the July 28, 2016 Meeting.

PROPOSED CONSENT AGENDA

1. Operating Budget Purchase: MicroC 2000™
2. Fiscal Standard Report – June 2016
3. Engineering Standard Report – June 2016
4. Operations Standard Report – June 2016
5. Check Registers 6/23, 6/30, 7/07, & 7/14
6. MDE Stipulated Penalty: MTWRF 2015 Total Nitrogen Violations

Following presentations by staff of the consent agenda items, some discussion ensued on various procurement and report items, including the Operating Budget Purchase of MicroC 2000™, used in the denitrification process at the Marlay-Taylor Plant; volume of delinquent accounts reflected in the Fiscal Standard Report; additions and modifications made to the Engineering Standard Report, and total nitrogen violations at Marlay-Taylor WRF and associated penalties for 2015, which are expected to be the last for the plant as we approach ENR Upgrade project completion.

Following discussion, Board members were in collective agreement to place all Consent Agenda items for consideration at the July 28, 2016 Meeting.

PROPOSED NEW BUSINESS

1. Department of Housing and Community Development (DHCD) Prior Intent Resolution 2016-01

Ms. Shick provided details of the Prior Intent Resolution, citing that through this, MetCom indicates its intent to reimburse itself for work done on capital projects if funds are expended before any loan closing occurs. Ms. Shick advised that the projects cited in the Resolution are already in the Capital Improvement Budget, noting that the Resolution does not authorize any new debt. Ms. Shick indicated that the Prior Intent Resolution is an IRS requirement, as we issue tax-exempt debt. Brief discussion ensued amongst the Board and staff and Ms. Shick advised that this Resolution is tied to the reprogramming of the 2013 DHCD Infrastructure Bond.

2. Water Quality Financing Administration (WQFA) of the Maryland Department of the Environment (MDE) Prior Intent Resolution 2016-02

Ms. Shick advised that as in the case with the previous item, this Prior Intent Resolution also authorized MetCom to reimburse itself for work done on capital projects if funds are spent before any loan closing occurs. Ms. Shick indicated that this particular resolution applies to the WQFA/MDE State Loan Program. Brief discussion ensued amongst the group on compliance of IRS Regulations regarding the issuance of tax-exempt debt.

3. Oversize Meter Project, Phase 2 Surveying Services

Mr. Elberti performed a review of the scope of work associated with the project, which includes survey services in connection with water meter vault easements in Glen Forest Military Housing, St. Clements Crossing, and Suburban Mobile Estates, as well as preparation of utility easement exhibits required for the future installation of oversize meters in these areas, which are currently non-metered. Brief discussion ensued amongst the Board and Mr. Elberti on the hourly rates and fees associated with the each task completion provided in the proposal submitted by Mudd Engineering, MetCom's on-call Surveying Services contractor.

4. Patuxent Park Phase 4 Design Services Award

Using the overhead monitors, Mr. Elberti illustrated the site location and phasing for the project and then turned the presentation over to Mr. Engleson, who performed an overview of the scope of services associated with the Patuxent Park Phase 4 project, which includes preparation of contract documents or the replacement and rehabilitation of existing water and sewer lines. Brief discussion ensued on the combined efforts and coordination of MetCom and the Department of Public Works on the various phases of work in the Patuxent Park neighborhood; brief mention that no effort has been initiated by other utilities or providers to perform work underground in that neighborhood.

5. St. Mary's Square WWPS Replacement Design Services Change Order No. 1

Mr. Elberti provided details regarding Change Order No. 1 for the St. Mary's Square Wastewater Pump Station (WWPS) Replacement Design Services and provided background on the original contract bid conducted in 2015. Mr. Elberti performed a brief review of the additional scope of services associated with the effort.

6. Lynn Drive WWPS & Force Main Upgrade & Replacement Change Order No. 1

Mr. Elberti advised the Board that Change Order No. 1 for the Lynn Drive Wastewater Pump Station (WWPS) and Force Main includes a cost reduction of \$3,586.00 and increases the project completion date by 120 days for the replacement of the cast-in-place wet well with a pre-cast wet well. Mr. Engleson performed a brief review of the nature of the project delays and some discussion ensued amongst the Board and staff on the change order, unit pricing and cost summary.

7. Great Mills WWPS Change Order No. 2

Mr. Elberti & Mr. Engleson performed a review of the site location using exhibits displayed on the overhead monitors and detailed the work associated with Change Order No. 2 for the Great Mills Wastewater Pump Station (WWPS), which includes additional engineering services to relocate the original alignment of the proposed sewer force main and gravity main to extend more west along the right-of-way of Point Lookout Road (Route 5). Mr. Engleson advised that the extended alignment is necessary to avoid conflicts with an existing utility and property. Discussion ensued amongst the Board and staff regarding easements, purchase agreements for property, completion of a boundary line adjustment plat, and the stringent schedule for bid solicitation and award in order to obtain the loan funding from the Maryland Department of the Environment.

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8. Charlotte Hall Tower & Hollywood Tower Change Order No. 2

Mr. Elberti detailed the items associated with Change Order No. 2 for the Charlotte Hall Water Tower, citing 3' over-excavation and #57 stone replacement cost, which are required to ensure a suitable subgrade for the tower's foundation, in conjunction with the 12" mud mat approved under Change Order 1 in June. Brief discussion ensued amongst the Board and staff on the geotechnical testing performed, project budget and contingencies.

9. Charlotte Hall Tower & Hollywood Tower Change Order No. 3

Mr. Elberti detailed the items associated with Change Order No. 3 for the Charlotte Hall Water tower, citing a proposal by the contractor to use the tank as the conductor for lighting protection in lieu of providing copper down leads from the top of the tank to a grounding grid at the base of the tank. Mr. Elberti advised that this would result in a cost reduction of \$3,434.40.

10. Marlay-Taylor Water Reclamation Facility ENR Upgrade: Design Services Change Order No. 10

Mr. Elberti detailed the items associated with the Consultants Change Order No. 10 for construction phase services support through the end of the project, to include closeout activities, through October 2016. Mr. Elberti performed a review of the change orders to date from the Consultant for the benefit of the Board and noted that it is hoped that this would be the last construction services fee; however, there is another item in support of the SCADA program in negotiations now, so there will likely be another request forthcoming to complete the SCADA design. Extensive discussion ensued amongst the Board and staff on the project budget, history of change orders to include the design change from IFAS to BioMag process, as requested by MDE.

11. Chopper Pumps for California Run WWLS

Mr. Sullivan detailed the scope of contract for this item, which includes the replacement of two (2) existing pumps in California Run Wastewater Station, one of MetCom's largest pump stations, with a chopper style pump. Mr. Sullivan advised the Board that this was bid collectively with the St. Mary's City pumps, but there were insufficient funds in FY 2016 to purchase pumps for both stations at that time; however, the vendor agreed to honor the price quoted in April. Mr. Sullivan indicated that nine (9) bids distributed, however only one bidder responded. Brief discussion ensued amongst the group on the lack of bids received and inquiries made to vendors who picked up packages, but did not submit a bid.

Following presentation of all proposed New Business Items, Board members in collective agreement to place all items on the meeting agenda for July 28, 2016.

PROPOSED OLD BUSINESS

No items to address at this time.

PROPOSED EXECUTIVE SESSION

Commissioner Thompson moved to go into Executive Session at 4:39 p.m. to discuss potential property acquisition. Commissioner Mummaugh seconded the motion. Motion carried 4-0.

Meeting reconvened at 4:58 p.m.

Mr. Sullivan advised the Board that a water main break has occurred in Country Lakes, which resulted during the installation of a storm drain by the Department of Public Works, at which time they struck a water main at the ball field on Asher Drive. Mr. Sullivan reported that the system is back up and the areas affected for the next few hours are Beverly Drive and Cox Run until the main is repaired.

COMMISSION MEMBERS' TIME

No items to address at this time.

CLOSING STATEMENT

No items to address at this time.

ADJOURNMENT

There being no further business, **Commissioner Mummaugh moved to adjourn the meeting at 4:59 p.m. Commissioner Gaskin seconded the motion. Motion carried 4-0.**



Laura Comeau-Stanley, Corporate Secretary