

**MINUTES
REGULAR SESSION
ST. MARY'S COUNTY METROPOLITAN COMMISSION
AUGUST 27, 2015**

The regular session of the meeting commenced at 3:02 p.m. In attendance were Commissioners Willing, Russell, Barthelme, Gaskin, Mummaugh, Pessagno, and Thompson. MetCom staff in attendance included Sullivan, Cullins, Shick, Elberti, Fehn, Meiser, Potter, Smouse, and Comeau-Stanley. Others present included Lynne Putnam (*Dewberry*), Jason Babcock (*The Enterprise*), Dick Myers (*The BayNet*), Steve Chadwick, Mike Hewitt (*County Commissioner*).

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

MOTION TO APPROVE AGENDA

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

APPROVAL OF CONSENT AGENDA

Commissioner Russell moved to accept the Consent Agenda as presented. Commissioner Barthelme seconded the motion. Brief discussion ensued regarding on-line payments, bank counter payments, and treated water and wastewater for the July reporting period. Following discussion, Chairman Willing called for the vote and motion carried 6-0.

APPROVAL OF MEETING MINUTES

Commissioner Russell moved to approve the minutes of the August 4, 2015 special meeting, as presented. Commissioner Mummaugh seconded the motion. Motion carried 4-0-2. Commissioners Gaskin and Barthelme abstained, as they were not present for the August 4, 2015 meeting.

Commissioner Russell moved to approve the minutes of the August 13, 2015 meeting, as presented. Commissioner Barthelme seconded the motion. Motion carried 5-0-1. Commissioner Gaskin abstained, as she was not present for the August 13, 2015 meeting.

ACTING EXECUTIVE DIRECTOR'S REPORT

A. St. Clement's Shores Wastewater Treatment Plant: Allocation for Failing Septic Systems

Mr. Sullivan performed an overview of the matter surrounding the St. Clement's Shores Wastewater Treatment Facility Connections, specifically the waiting list of properties seeking allocations to the facility. Mr. Sullivan advised that the list is managed by the Department of Land Use and Growth Management (LUGM) and is prioritized in order of those with failing septic systems. Mr. Sullivan noted that the Commissioner of St. Mary's County (CSMC) asked MetCom to allow the connection of those properties with failing systems.

Mr. Sullivan reported that representatives from MetCom, LUGM, the Health Department (HD), and the Maryland Department of the Environment (MDE) have met over the past several months to

discuss the matter and during that time, the HD performed a survey of the properties on the list and identified those with failing septic systems and determined that of the seven properties, one is currently in failure with an order to install a holding tank or connect to public sewer, if available. Four of the properties are operating with marginally functioning septic systems and they were unable to make contact with the owners/occupants of the two remaining properties.

Mr. Sullivan performed a review of the three options for the Commissioner's consideration, as well as the associated risks for each. A review of future considerations and issues were presented by Mr. Sullivan, as well as details surrounding the MDE discharge permit and fines for permit violations.

Extensive discussion ensued amongst the Board members, MetCom staff, Ms. Putnam, and audience members Steve Chadwick and County Commissioner Mike Hewitt, on a wide range of issues related to the treatment facility. Discussion included, but was not limited to, the following: potential connection for properties in various stages of septic failure; additional property connections; the need for the intended service area to be identified by the County (LUGM/Planning Commission); the existing MDE discharge permit requirements and penalties for chronic violations; spray irrigation; completion of a feasibility study to determine if an upgrade and expansion of the treatment plant is possible for short and long term solutions; timing of the study; and potential cost for the system design and expansion.

Commissioner Russell moved that the Commission allow the connection of one (1) property to The St. Clement's Shores Wastewater Treatment Facility. Said property is currently under an action order by the St. Mary's County Department of Environmental Health. No second received for the motion. Motion fails.

Commissioner Thompson moved that the Commission adhere to the current St. Clement's Shores Wastewater Treatment Facility sewer connection moratorium, thereby not allowing any additional allocations to the facility. Further move to revisit this issue in six (6) months. Commissioner Mummaugh seconded the motion. Motion carried 5-1. Commissioner Russell opposed the motion.

Commissioner Mummaugh moved to direct staff to obtain proposals to look at the upgrade of the St. Clements Shores Wastewater Treatment Plant. Commissioner Russell seconded the motion. Motion carried 6-0.

Chairman Willing noted his desire to Commissioner Hewitt to meet in the fall with the County Commissioners and the MetCom Board to pull this project back into MetCom's seven-year plan. Additional discussion ensued on the need to determine the number of properties intended to be served by the plant, which should be a topic for consideration at a future Joint Meeting with the Commissioners of St. Mary's County.

CHIEF FINANCIAL OFFICER'S REPORT

A. FY 2015 Fourth Quarter Financial Statements

Ms. Shick provided an overview of the Fourth Quarter Financial Statements for FY 2015, covering

the period from April 1, 2015 through June 30, 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. Brief discussion ensued regarding the capital contribution charges collected in conjunction with the number of new sewer and water connections made prior to the end of the fiscal year.

B. FY 2016 Operating Budget Amendment

Ms. Shick provided an explanation of the needs associated with the proposed FY 2016 Operating Budget Amendment, which affects the Capital Equipment and Expenditures section of the budget, citing the need for an incubator for the lab, bulletproof glass for the windows in the customer service area, and an upgrade to the telephone system.

Commissioner Barthelme moved to amend the FY 2016 Operating Budget, as recommended by the Commission's Chief Financial Officer, to:

- (1) Reduce the Generator for Mulberry South Water Pumping Station line item by \$1,260;**
- (2) Reduce the AED for 3 Buildings line item by \$940;**
- (3) Reduce the Applicant Tracking Software line item by \$15,000;**
- (4) Add a line item for an Incubator at MT WWTP in the amount of \$8,200;**
- (5) Add a line item for Bullet Proof Glass in Customer Service in the amount of \$8,000; and**
- (6) Increase the line item to upgrade the Phone System by 1,000.**

Commissioner Gaskin seconded the motion. Discussion ensued on the level of protection with the bulletproof glass. Ms. Sullivan advised that he would obtain that information from the Safety Coordinator and report back to the Board. Chairman Willing called for the vote. Motion carried 6-0.

C. FY 2016 Capital Improvement Budget Amendment

Ms. Shick performed a review of the needs and changes associated with the proposed FY 2016 Capital Improvement Budget Amendment, citing that it provides adequate funding in the water portion of the Patuxent Park Phase 3 project and transfers excess funds for the sewer portion of the same project to Contingencies. Ms. Shick noted that there is no change in the total cost of the entire Patuxent Park Phase 3 Water and Sewer project and explained that the construction bid for the water portion of the project is over budget, while the construction bid for the sewer portion is under budget.

Commissioner Barthelme moved to amend the FY 2016 Capital Improvement Budget, as recommended by the Commission's Chief Financial Officer, to:

- (1) Provide additional funding for the Patuxent Park Water Replacement Phase 3 Project in the amount of \$628,360;**
- (2) Reduce Water Contingencies by \$628,360;**

- (3) **Reduce the Patuxent Park Sewer Replacement Phase 3 Project in the amount of \$628,360;**
- (4) **Increase Sewer Contingencies by \$628,360.**

Commissioner Thompson seconded the motion. Motion carried 6-0.

CHIEF ENGINEER'S REPORT

A. Patuxent Park Phase 3 Water & Sewer Rehabilitation Construction Contract Award

Mr. Elberti performed a review of the scope of work associated with the Patuxent Park Phase 3 Water and Sewer Rehabilitation project, which includes the rehabilitation of water and sewer lines in the Patuxent Park Subdivision, primarily in the areas of Midway Drive, Saratoga Drive and Yorktown Road. Using the overhead monitors, Mr. Elberti displayed aerial site maps to illustrate the location of the work, as well as MetCom's Water and Sewer Improvements Phase Plan in conjunction with the County's Department of Public Works and Transportation Road Construction Improvement Phasing Plan. Brief discussion ensued amongst the group on the timing of this work and the future Phase 4 work. Mr. Elberti advised the Board of the fragile condition of the water system within the development and noted that the water rehabilitation work will be performed prior to the sewer work, as movement of heavy construction equipment is causing breaks and leaks on the existing water lines.

Commissioner Barthelme moved to accept and approve the bid dated August 12, 2015, from Great Mills Trading Post, Inc. of Great Mills, Maryland, in the amount of \$3,413,820.00, for the Patuxent Park Water & Sewer Replacement Phase 3, Project #8122WR & #8124SR, as recommended by the Chief Engineer. Commissioner Russell seconded the motion. Motion carried 5-0-1. Commissioner Pessagno abstained.

B. Town Creek Phase 1 & 2: Design Services Contract Award

Mr. Elberti was joined by Mr. Lynne Putnam, Dewberry Consulting Engineer, who assisted him in the presentation of the scope of work associated with the Town Creek Phase 1 & 2 Project, which includes the engineering services associated with the design and construction of the Water System Replacement Project for the Town Creek Subdivision. Using the overhead monitors, Mr. Elberti displayed site plans to perform a review of the limits of the water system in Town Creek. Mr. Elberti advised that there would be 9 new connections with Phase 1 of the project, while no new connections would occur with Phase 2. Mr. Elberti indicated that placement of larger lines and fire hydrants would occur in these phases and will include the placement of larger lines to facilitate the installation of water meters and improvement of the main lines serving the development. Discussion ensued on the size, age and condition of the system, which MetCom took over in the late 1970s.

Commissioner Russell moved to accept and approve the proposal dated August 6, 2015, from Dewberry & Davis LLC, of Baltimore, Maryland, in the amount of \$463,787.45, under the Engineering Services Contract for professional engineering services required to design Town Creek Water System Phase 1 & 2 replacement plan, under Project #8081WR, as recommended by the Chief Engineer. Commissioner Barthelme seconded the motion. Motion

carried 5-0-1. Commissioner Pessagno abstained, due to his property interest along the route of the development.

C. Marlay-Taylor Water Reclamation Facility (MTWRF) ENR Upgrade: Contract Change Order No. 10

Mr. Elberti and Ms. Putnam performed a review of the changes associated with the MTWRF ENR Upgrade Contract Change Order No. 10, which deletes the Headworks BioFilter and changes the Gravity Belt Thickener BioFilter to a Carbon Scrubber Odor Control System and includes the installation of an additional Gravity Belt Thickener (GBT) in the Sludge Thickening Building. Using the overhead monitors, Ms. Putnam revealed the location of the equipment on the site drawings. Mr. Sullivan provided a brief description of the GBT, its use in the treatment process, and the overall improvement in plant operations with the addition of a second unit.

Board members posed a variety of questions to staff and Ms. Putnam regarding the Odor Control System, the GBT estimate presented previously, BioMag system, and the contract unit pricing and specifications. Following a brief review of the change order spreadsheet, Mr. Elberti noted that this Change Order results in a contract cost increase of \$168,099 and increases the contract time by 35 days.

Commissioner Barthelme moved to approve Change Order No. 10, dated August 27, 2015, to Contract #8-38-S (Marlay-Taylor WRF ENR Upgrade) with MEB General Contractors of Chesapeake, Virginia, to:

- (1) Delete Headworks Bio-Filter & Change GBT BioFilter to Carbon Scrubber Odor Control System Based on Request for Change Order (RCO) #48, thereby decreasing contract costs by \$408,759.00; and**
- (2) Install additional Gravity Belt Thickener at Sludge Thickening Building Based on RCE #49, thereby increasing contract costs by \$579,858.00.**

The approval of Change Order No. 10 is recommended by the Chief Engineer and will result in a contract cost increase of \$168,099.00 and 35 days additional contract time. Commissioner Gaskin seconded the motion. Motion carried 6-0.

GENERAL LEGAL COUNSEL'S REPORT

A. Great Mills Pump Station: Property Acquisition from Maryland State Highway Administration

Ms. Meiser reminded the Board of the property acquisition approved approximately 2 years ago for the relocation and construction of the Great Mills Wastewater Pumping Station. Ms. Meiser advised that during the plat preparation to subdivide the property and create a parcel of record, title issues were discovered. Ms. Meiser explained that a small triangle portion of the property, 0.042 acres in size, is owned by the Maryland State Highway Administration (SHA).

Using the overhead monitors, Ms. Meiser identified the location of the parcel on an aerial map. Ms. Meiser advised that following 2 years of ongoing investigation, discussion and negotiations with both the seller and SHA, SHA has entered into an agreement to sell the parcel to us for a price

of \$1,900. Brief discussion ensued amongst the group on the acquisition, project budget, and anticipated initiation of the of the project work.

Commissioner Russell moved that the chairperson be authorized to execute and agreement with the State Highway Administration (SHA), and all associated documents, as necessary to finalize the acquisition by the Commission, from SHA, of a certain piece of real property for the relocation and construction of the Great Mills Pump Station. Further move to approve the purchase price for said property in the amount of \$1,900, all as set forth in the above-referenced agreement. Commissioner Thompson seconded the motion. Motion carried 6-0.

APPROVAL OF EXECUTIVE SESSION MINUTES

Commissioner Russell moved to approve the Executive Session minutes of August 4, 2015. Commissioner Mummaugh seconded the motion. Motion carried 4-0-2. Commissioners Barthelme and Gaskin abstained, as they were not present for the August 4, 2015 meeting.

COMMISSION MEMBERS' TIME

Commissioner Pessagno announced that some time ago, he advised the Board that he met with one of the County Commissioners and received some input that he would like to pass along to all of the Board members for their consideration. Mr. Pessagno inquired as to how he would go about placing them on a future agenda for a vote. Ms. Meiser advised he could call or send an email to her or Mr. Sullivan and those items could be added to the agenda by Ms. Stanley under Commission Members' Time.

ADJOURNMENT

There being no further business, **Commissioner Russell moved to adjourn the meeting at 5:07 p.m. Commissioner Gaskin seconded the motion. Motion carried 6-0.**



Laura Comeau-Stanley, Corporate Secretary