

**MINUTES
REGULAR SESSION
ST. MARY'S COUNTY METROPOLITAN COMMISSION
OCTOBER 23, 2014**

Following a one-hour work session on the 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, Gaskin, Mueller, Mummaugh, Pessagno, and Russell; MetCom staff in attendance were Ichniowski, Cullins, Shick, Elberti, Sullivan, Fehn, Meiser, Edwards, and Comeau-Stanley.

Chairman Willing welcomed everyone and performed a review of the meeting agenda, noting that Ms. Evelyn Taylor, who is scheduled to make a public forum presentation to the Board, is not present. Chairman Willing indicated that if she does make an appearance, would try to fit her back into the agenda.

Chairman Willing announced that Commissioner DeMauro has tendered his resignation to the Board of County Commissioners (BOCC), citing health concerns and work commitments are preventing him from giving the necessary attention to serving as a MetCom Commissioner. Chairman Willing thanked Commissioner DeMauro for his service and noted that his absence creates a vacancy on the Board and we await word of a replacement from the BOCC. Mr. Ichniowski mentioned that his departure creates a vacancy in the Vice-Chair position. Therefore, an election for a new Vice-Chair will be conducted at a future Board meeting.

MOTION TO APPROVE AGENDA

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

APPROVAL OF CONSENT AGENDA

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

APPROVAL OF MINUTES

Commissioner Gaskin moved to approve the minutes of the September 25, 2014 meeting, as written. Commissioner Pessagno seconded the motion. Motion carried 3-0-2. Commissioners Mummaugh and Russell abstained.

EXECUTIVE DIRECTOR'S REPORT

A. Board Retreat

Mr. Ichniowski suggested that due to the very few agenda items proposed for the Board Retreat, we forego a full-day Board Retreat on November 13, but meet at 2:00 p.m. for a one-hour work session on the Code Revisions to Chapter 113 and then proceed with our regular meeting. Mr. Ichniowski noted that staff could present the other suggested items, such as a brief presentation of the proposed changes to the Capital Budget format, as part of their individual reports at the meeting. Mr. Ichniowski further

proposed that following this brief budget presentation, Capital Improvement Budget work sessions could be conducted prior to future meetings, as we move forward with the budget development under the new format. Chairman Willing and Mr. Ichniowski solicited input from Board members on topics to consider at upcoming meetings.

B. MD State Highway Administration (SHA) Route 4 Widening Update

Mr. Ichniowski announced that the Maryland State Highway Administration (SHA) has begun work on Maryland Route 4 between Oak Drive and Patuxent Boulevard to convert the shoulder into a travel lane. Mr. Ichniowski advised that there is a 12" water line in a portion of the roadway, which was built to serve the Woods at Myrtle Point. Mr. Ichniowski indicated that the work performed by SHA will also require the relocation of our water line and as such, the addition of this project into our Capital Improvement Budget was performed in June 2013 to facilitate that work by SHA. Mr. Ichniowski advised that a Letter of Agreement between MetCom and SHA is currently being prepared and will be executed in the weeks ahead. Brief discussion ensued amongst the group on the project budget, bid prices received by SHA, and SHA's prior rights in the right-of-way on Route 4. In closing, Mr. Ichniowski advised that he would update the Board if any changes occur to the project.

Mr. Ichniowski announced that in conjunction with the new Rate Structure Study, performed by Burton & Associates, the first public informational meeting has been scheduled with the commercial customers, which will be held on November 5, 2014 at 1:00 p.m. at the Bay District Volunteer Fire Department Social Hall in Lexington Park. Mr. Ichniowski noted that a notice was mailed to all of our commercial customers regarding this meeting and the hope is that there will be a good turnout and input can be obtained from the attendees.

CHIEF ENGINEER'S REPORT

A. Lynn Drive Force Main Upgrade & Replacement

Mr. Elberti provided details on the scope of work associated with the Lynn Drive Force Main Upgrade and Replacement project, citing that it is for the installation of 3,000 feet of 6" sanitary sewer force main. Mr. Elberti noted that as mentioned at the last meeting, this item was bid with the Lynn Drive Wastewater Pump Station (WWPS) and is a separate and approved Capital Project. Mr. Elberti performed a review of the bid analysis spreadsheet as well as the site exhibit for the Board members. Mr. Elberti further explained that the line has been sized to handle discharge from the future Essex Woods Pump Station and this line will accept flows from the Lynn Drive WWPS, which will alleviate stresses on the system. Discussion ensued amongst the Board members and Mr. Elberti on the budget for both projects referenced. Additional discussion ensued regarding the old and new sewer gravity lines depicted on the site exhibit. Additional discussion ensued regarding staff's knowledge of the proposed Essex Woods single-family homes development and the future pump station for that site, which will be built by the developer and then acquired by MetCom.

Commissioner Russell moved to approve and accept the bid dated September 24, 2014, from JLW Associates, Inc. of Leonardtown, Maryland, in the amount of \$350,070.00, for the construction of the Lynn Drive Force main Upgrade & Replacement Project #8121FM, as recommended by the Chief Engineer. Commissioner Mueller seconded the motion. Motion carried 4-0-1. Commissioner Pessagno abstained due to a potential conflict of interest.

CHIEF OF FACILITIES AND OPERATIONS REPORT

A. Landings at Piney Point Pump Station Pump Replacement

Mr. Sullivan advised the Board that included in the 2014 Capital Improvement Budget is a project to replace the package pump station and other improvements at the Landings at Piney Point Pump Station, which serves that community. Mr. Sullivan noted that the current average daily flow is 28,000 gallons, which is received from the 88 residential grinder pumps in the community and then transfers that wastewater to the larger pump station down in Piney Point. Mr. Sullivan noted that the station was placed into service in 1992 and since then, it has been very reliable and corrosion from hydrogen sulfide has been the only issue. Mr. Sullivan further noted that last year the wet well was relined and epoxy coated to protect against the hydrogen sulfide corrosion.

Mr. Sullivan explained that the approval sought today is for the purchase of a replacement package station, identical to the existing pump. Mr. Sullivan further explained that the installation will be completed using our mechanical repairs and electrical services contractors and a crane rental will be necessary. Furthermore, the installation will be completed in one-day and operations staff will set up a by-pass to the station during the process. Brief discussion ensued on the measures that will be taken to prevent corrosion at new station, specifically the metal deck. Mr. Sullivan provided details regarding the activated charcoal filter odor control measures they expect to use. In closing, Mr. Sullivan noted that although the piping and other components are corroded, the pumps are in good shape and will be kept as spare units for this and a number of other stations.

Commissioner Mueller moved that the Commission approve the procurement of one (1) Smith & Loveless Classic Pumping Station, from Smith & Loveless, Inc. of Lenexa, Kansas, for the total price of \$50,234.00, in accordance with the quote, dated September 16, 2014. Commissioner Mummaugh seconded the motion. Motion carried 5-0.

Chairman Willing announced a brief recess of the meeting at 3:36 p.m. to allow Board members an opportunity to review the Executive Session Minutes.

Meeting reconvened at 3:41 p.m.

APPROVAL OF EXECUTIVE SESSION MINUTES

Chairman Willing noted a minor typographical error, discovered by Commissioner Mueller; the word "addition," should read "additional."

Commissioner Mueller moved to accept the Executive Session minutes of September 25, 2014, as amended. Commissioner Gaskin seconded the motion. Motion carried 3-0-2. Commissioners Mummaugh and Russell abstained.

COMMISSION MEMBERS' TIME

Commissioner Mummaugh indicated that he asked staff a question regarding the calculation of EDUs this week. Discussion ensued between Commissioner Mummaugh and Mr. Ichniowski on the topic. Mr. Ichniowski provided the requested information, specifically regarding the calculation and charges

for EDUs for a single-family home versus an apartment, each with varying bedroom sizes. Commissioner Mummaugh made mention of the Town of Leonardtown's water meter project and indicated that they now have the ability to evaluate different properties and can charge a percentage of an EDU based upon usage. Commissioner Mummaugh cited that a study done by the Town revealed that a 2-bedroom apartment was using 100 gallons a day and a home was using 250 gallons per day.

Mr. Mummaugh referenced two Town projects, which combined were approximately 350 apartment units and indicated that he believes that is what we need to encourage, as we are not servicing 350 grinder pumps and would not be that expensive for us to maintain. In summary, Commissioner Mummaugh said that charging a percentage of an EDU, based upon usage, is something to consider.

In furtherance of the discussion, Mr. Ichniowski provided additional explanation regarding plant capacity, flows, assignment of EDUs and advised that moving towards a new rate structure would help. Mr. Ichniowski suggested that the Board consider funding in the operating budget to perform a study of EDU allocations.

PUBLIC FORUM

Ms. Evelyn Taylor arrived to the meeting at 3:45 p.m. and Chairman Willing provided her an opportunity to address the Board regarding her account.

Ms. Taylor ran through a list of volunteer organizations and charities that she has been affiliated with in St. Mary's County, to illustrate her efforts to help others in the community. Ms. Taylor advised that she has cancer and the burden that MetCom is placing on her, a senior citizen, is tremendous, for services not rendered. Additional commentary by Ms. Taylor on her financial status, medical condition, and the frustration she has with MetCom over her service disconnection for non-payment and the continuation of charges accruing on her account.

Chairman Willing thanked Ms. Taylor for appearing before the Board again and indicated his appreciation for the services that she provides and contributes to the community. Chairman Willing further stated that the Board and MetCom staff has provided every bit of help that we are able to, under the law, and we are currently looking to change Section 113 of the Code, which may address some of these issues. Additionally, MetCom is working on a rate restructuring, which will also help the issues. Chairman Willing advised that by law, we have afforded every opportunity for a waiver of fees that can be waived. Ms. Taylor was encouraged to complete the necessary applications by Chairman Willing and he noted that without her cooperation, there is not anything further we can do. Ms. Meiser noted that the Bay Restoration Fee and the System Improvement Charges could be deferred if the agreement were signed, which would reduce the amount that Ms. Taylor would have to pay each month. Ms. Meiser noted that those charges would accrue against the property as a lien. The part of the charges and fees being deferred would not be included in the past due debt for tax sale purposes, as it is being deferred pursuant to a signed agreement. Ms. Meiser said that it would reduce Ms. Taylor's bill down to just monthly service charges, which could make the monthly bill more affordable.

Ms. Meiser clarified that the System Improvement Deferral program does not address the past due balance, only charges moving forward. However, the new Tax Sale Deferral policy, just approved by the Board at the last meeting, would assist with Ms. Taylor's past due balance. Ms. Taylor continued to criticize the existing waiver offered under the deferral program and the continuation of charges while

her water is turned off, to which Chairman Willing continued to provide an explanation of the charges, based upon the existing law under Section 113. Additional discussion ensued regarding the proposed rate restructuring, coupled with the water meter project, which will allow customers to be billed a flat service fee and charges for water used. Chairman Willing advised that would certainly address her complaint of being charged the same amount for water as a household with more residents, although she uses much less.

Brief discussion ensued between Board members and staff on the turn-off policies and opportunities provided for delinquent customers to negotiate a payment plan, which many customers successfully negotiate before service is terminated.

Chairman Willing advised that we have done all that we can do and he wished Ms. Taylor the best. Ms. Meiser reminded everyone that with the approval of the Tax Sale Deferral/Waiver Application, there is now a mechanism in place to address the past due balance and prevent a customer from going to Tax Sale. Ms. Taylor advised that she would not be signing any deferral agreement.

ADJOURNMENT

There being no further business, **Commissioner Russell moved to adjourn the meeting at 4:05 p.m. Commissioner Gaskin seconded the motion. Motion carried 5-0.**



Laura Comeau-Stanley, Corporate Secretary