

**MINUTES  
REGULAR SESSION  
ST. MARY'S COUNTY METROPOLITAN COMMISSION  
OCTOBER 8, 2015**

The regular session of the meeting commenced at 3:05 p.m. In attendance were Commissioners Willing, Russell, Barthelme, Gaskin, Mummaugh, Pessagno, Thompson, and Oliver (On Behalf of Captain Heidi Fleming, Commanding Officer, NAS Patuxent River). MetCom staff in attendance included Bundy, Shick, Elberti, Sullivan, Fehn, Meiser, Petty, Smouse, and Comeau-Stanley. Others present included Charles Day, (*Department of Housing & Community Development*), Dick Myers (*The BayNet*), and Jason Babcock (*The Enterprise*).

Chairman Willing welcomed everyone 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, and to hereby approve all matters contained upon the Consent Agenda. Commissioner Barthelme seconded the motion. Brief discussion ensued on the nature of the failure identified in the materials. Following discussion, Chairman Willing called for the vote and motion carried 4-0.**

**APPROVAL OF MEETING MINUTES**

**Commissioner Gaskin moved to approve the minutes of the September 24, 2015 meeting, as presented. Commissioner Thompson seconded the motion. Motion carried 5-0-1. Commissioner Mummaugh abstained, as he was not present for the meeting.**

**PRESENTATION: DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT  
STATE LOAN PROGRAM OVERVIEW**

Mr. Charles Day greeted the Board members and presented a detailed overview of the Local Government Infrastructure Finance Program under the Maryland Department of Housing and Community Development. Mr. Day advised that he is the loan program Administrator, which enables Maryland's local governments to access the capital markets and obtain reasonable interest rates at reasonable terms. Mr. Day noted that this is particularly suitable for jurisdictions that do not issue bonds routinely, those with limited access to the Capital Markets, or jurisdictions for which administering a public bond offering on its own is inconvenient or expensive.

Mr. Day's presentation included a review of the advantages associated with the program, along with a mention of the County's and jurisdictions within Maryland that are taking advantage of the State's mechanism, noting that MetCom has nine distinct times from 2005 to 2014. Mr. Day fielded a variety of questions from Board members during the course of his presentation and discussion ensued amongst the group, which included, but was not limited to, the backing of MetCom's loans by the County as it applies to the State Aide Intercept pledge and consequences of not having the

County's backing. Following the presentation and discussion, Mr. Day complimented MetCom's team and noted what a pleasure they are to work with.

## **EXECUTIVE DIRECTOR'S REPORT**

Mr. Bundy announced November 17 as the tentative date for the Joint Meeting with the Commissioners of St. Mary's County and once confirmation is received, Board members will be notified. Mr. Bundy noted that a location and time have not yet been determined.

Mr. Bundy made mention of the Health Fair hosted last week and credited members of the Wellness Committee for organizing this great event for the MetCom employees.

Mr. Bundy briefed the Board members on the recent issues surrounding the online bill payment system and advised that SunGard, our vendor, will be upgrading our system tomorrow, which should remedy access for our customers using Chrome and Firefox as their browser. Mr. Bundy and Chairman Willing thanked the IT Team for their quick attention to the matter.

Mr. Bundy announced that he and Chairman Willing met with Commissioners Hewitt and Guy last week, as well as Steve King, Dan Ichniowski, Jacki Meiser, Joe Mitchell, Dr. Bridgett, and Phil Shire. St. Clements Shores and the structure of MetCom were just a few of the items discussed. Mr. Bundy noted that the discussion was good and he believes it will lead to more regular meetings with County representatives. He then indicated that he met separately with Dr. Bridgett just yesterday. Discussion ensued amongst the Board members and Mr. Bundy on St. Clements Shores and the direction needed from the County in order to plan and design a plant expansion. Mr. Bundy indicated that as a result of that meeting, Commissioner Hewitt met with Secretary Grumbles of the Maryland Department of the Environment yesterday, and has indicated that there may be some movement on the State level regarding the matter, but what they are willing to do is not yet known.

Mr. Bundy briefed the Board on the flooding that occurred over the weekend on St. George Island, as well as the sewer leak in the area due to a mechanical joint failure, which was likely caused by excessive pumping, coupled with the ground pressure of the water. Mr. Bundy advised that staff is looking at what the best approach may be in the future to replace these joints. Mr. Sullivan provided additional details of the issue and brief discussion ensued amongst the group.

## **CHIEF FINANCIAL OFFICER'S REPORT**

A. FY 2016 Capital Improvement Budget Amendment Presentation to the Commissioners of St. Mary's County (CSMC)

Ms. Shick advised that staff has requested to present the FY 2016 Capital Improvement Budget Amendment, just approved by the MetCom Board at the last meeting, to the Commissioners of St. Mary's County on Tuesday, October 20. Ms. Shick noted that a time for that presentation has not yet been determined.

## **CHIEF ENGINEER'S REPORT**

### **A. Piney Point Force Main Repairs**

For the benefit of the newest Board members, Mr. Elberti provided a brief history surrounding the two force main breaks that occurred in April and June of 2014 in the Valley Lee/Piney Point area of Route 244. Mr. Elbert provided a scope of work associated with the proposed Piney Point Force Main repairs, citing the replacement of 1,100 LF of 10" force main. Mr. Elberti noted that the low bid for this effort over budget in order to stay within budget, bids were secured for each of the four (4) components of the project and a decision made to manage the construction in-house. Mr. Elberti performed a review of the bids and brief discussion ensued amongst the group regarding the project costs and internal tracking of same. Commissioner Mummaugh asked staff to provide a full accounting of the project at its completion.

Additional discussion ensued on the survey/assessment performed in June 2015, which determined that the corrosion in the pipe does not resemble that which is caused by stray currents in the soil; further, the proximity to the SMECO substation appears to be a coincidence and not the source. Mr. Elberti noted that work is currently underway to obtain pricing to analyze the entire pipe, as was recommended in the report.

**Commissioner Barthelme moved to approve and accept the following bids, for the necessary services and materials to complete Project No. 5151SR, the oversight of which work will be provided by MetCom Construction Services:**

- 1) Bid dated August 14, 2015, from AB&H Excavating, Inc. of Callaway, Maryland, in the amount of \$152,899.00 plus \$10,000.00 contingency, for a total for \$162,899.00, to provide directional drilling services;**
- 2) Bid dated September 29, 2015, from Xylem Dewatering Solutions, Inc. of Upper Marlboro, Maryland, in the amount of \$15,836.43, to provide bypass pumping services;**
- 3) Bid dated July 14, 2015, from Ferguson Enterprises, Inc. of Newport News, Virginia, in the amount of \$34,514.06, to provide pipe and related materials; and**
- 4) Bid dated August 18, 2015, from Fox Tapping, Inc. of Wrightsville, Pennsylvania, in the amount of \$14,805.00, to install insertion and tapping valves.**

**All as recommended by the Chief Engineer. Commissioner Russell seconded the motion. Motion carried 6-0.**

## **GENERAL LEGAL COUNSEL'S REPORT**

### **A. Update: Chapter 113 Code Revisions**

Mr. Bundy initiated discussion on Chapter 113 Code Revisions, noting that during his meeting with Dr. Bridgett yesterday, he was advised that the CSMC had said some time ago that they were not going to meet with the Southern Maryland Delegation. However, there are reports today that they

will in fact be meeting on November 17. Mr. Bundy indicated that the Board held several work sessions over the past year, which resulted in a thorough and comprehensive update to Chapter 113 and in light of the short amount of time to present this material to the CSMC for review and consideration, is recommending that we not submit our proposed update. Mr. Bundy further cited the magnitude of the document and the outcome of the Code Home Rule under consideration by the CSMC, as reasons to delay that submittal until the next Legislative Session. Ms. Meiser reinforced Mr. Bundy's recommendation and noted that we were advised by the County that because of the pendency of Code Home Rule, they were not going to put forth any Legislative Proposals this session. The result of that decision is what kept us from pushing harder to have our proposed updates to Chapter 113 sent over for incremental review by the Commissioners. Discussion ensued amongst the Board members, Mr. Bundy and Ms. Meiser on the matter. Chairman Willing, along with several other Board members, noted their concern over a rushed review of such a significant document by a new Board of Commissioners and new Delegation and indicated their desire to delay that submittal until next year. Commissioner Pessagno noted his desire to not delay the submission of the document.

**Commissioner Russell moved that we hold on to the most up to date version of Chapter 113, until it becomes apparent that something is going to be done with it by the County, either through Code Home Rule or the current Legislative process. Further move that we not submit it now. Commissioner Thompson seconded the motion. Motion carried 5-1. Commissioner Pessagno opposed the motion.**

#### **COMMISSION MEMBERS' TIME**

Commissioner Barthelme inquired about the items presented under Commission Members' Time at the last meeting and asked when those items would be voted on by the Board. Chairman Willing advised that there was a good discussion on all of the points presented for consideration; however, there were no motions made or actions taken on any of the items discussed. Commissioner Barthelme asked when those items were going to be taken up or put on the next agenda to vote on. Chairman Willing recommended that Commissioners Barthelme and Mummaugh review the video of the meeting and should they wish to discuss any of the items further or take action, they present it for consideration at a future meeting. Staff advised that a DVD of the meeting would be created for both Commissioners. Commissioner Gaskin stated that once the video is viewed, if there are specific items that either of the Commissioners wishes to address, they should present it at the next Commission Members' Time. She requested that the Board not revisit the entire discussion, for the benefit of those members who were not present, as it has never been her expectation that if she misses a meeting, any matters discussed in her absence be discussed in their entirety again.

#### **ADJOURNMENT**

There being no further business, **Commissioner Russell moved to adjourn the meeting at 4:44 p.m. Commissioner Gaskin seconded the motion. Motion carried 6-0.**



Laura Comeau-Stanley, Corporate Secretary