

**MINUTES
REGULAR SESSION
ST. MARY'S COUNTY METROPOLITAN COMMISSION
OCTOBER 22, 2015**

The regular session of the meeting commenced at 3:02 p.m. In attendance were Commissioners Willing, Russell, Barthelme, Mummaugh, 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. Several staff on hand for the length of service award presentation to Kevin Quinn. Others present included Mike Evans (*Camp Merrylande*), 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 4-0.

LENGTH OF SERVICE AWARD

Following a review of his service and contributions to the Metropolitan Commission by Ms. Cullins, Chairman Willing presented a 10-Year Length of Service Award to Kevin Quinn, Wastewater Treatment Operator.

PUBLIC FORUM – MIKE EVANS, CAMP MERRYELANDE

Mr. Evans addressed the Board to protest an invoice sent by MetCom for services rendered in conjunction with an emergency sewer call over the July 4th holiday weekend. Mr. Evans detailed the nature of the problem and the services performed by MetCom, noting that he did nothing wrong and this is a maintenance issue, for which he should not be billed. Board members queried Mr. Evans about his operation and facilities. Discussion ensued amongst the group and Mr. Sullivan clarified that the pumps, pump station, lines out to the system, and the control panel are owned and maintained by MetCom; however, the gravity lines to the pumps are owned and maintained by Mr. Evans. Following discussion, Chairman Willing thanked Mr. Evans for his presentation and indicated that the Board would take his protest under advisement and will contact him following the Board's decision.

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 Mummaugh seconded the motion. Motion carried 4-0.

APPROVAL OF MEETING MINUTES

Commissioner Mummaugh indicated that he would like language included in the minutes to reflect his request that staff provide a full accounting of the costs associated with the Piney Point Force Main Repairs, once complete.

Commissioner Russell moved to approve the minutes of the October 8, 2015 meeting, as amended to include Commissioner Mummaugh's comments. Commissioner Barthelme seconded the motion. Motion carried 4-0.

EXECUTIVE DIRECTOR'S REPORT

Mr. Bundy advised that the Joint Meeting with the Commissioners of St. Mary's County is scheduled for November 17, 2015 with a tentative start time of 9:00 a.m. That meeting will occur here at MetCom. Mr. Bundy noted that once confirmation is received, the information would be passed along to the Board members.

As reported at the last meeting, Mr. Bundy noted that the SunGard system was successfully upgraded on October 23 to allow customers making payments to use Google Chrome and Firefox.

Mr. Bundy reported that in order to move forward with the St. Clements Shores Feasibility Study, a presentation to the Planning Commission is required to amend the Capital Improvement Budget and Plan, which will occur on Monday, October 26. Once approved by the Planning Commission, a presentation to the Commissioners of St. Mary's County will occur on Tuesday, November 3 to seek approval of the Budget Amendment. Brief discussion ensued on the review and approval process, as it relates to this matter.

Mr. Bundy announced that the Maryland Department of the Environment (MDE) has approved the Revolving Fund Loan for the St. Clements Shores Water System Improvement Project, for \$5,000,000.00.

Mr. Bundy reported that management staff participated in Reasonable Suspicion Training last week, conducted by Local Government Infrastructure Trust (LGIT).

Mr. Bundy announced the November 4 Training and Orientation for Members of Boards and Commissions, which was reported in a recent County Press Release. Mr. Bundy noted that Dr. Bridgett, County Administrator and George Sparling, County Attorney, is conducting this training.

In closing, Mr. Bundy made a brief mention of the passing of Commissioner Gaskin's Aunt late yesterday, which prevented her from attending the meeting today. Mr. Bundy noted that she is in our thoughts and prayers.

CHIEF FINANCIAL OFFICER'S REPORT

A. FY 2017 Budget Schedule

Ms. Shick performed a review of the schedule for the FY 2017-2022 Capital Improvement Budget and Plan and the FY 2017 Operating Budget, highlighting the presentations to the Planning Commission and the Commissioners of St. Mary's County. Brief discussion ensued amongst the Board and Ms. Shick on the aggressive schedule, as compared to prior budget cycles.

Commissioner Barthelme moved to adopt the schedule for the review and approval of the FY 17 Capital Improvement Budget, the FY18-22 Capital Improvement Plan and the FY17 Operating Budget, as presented by the Chief Fiscal Officer. Commissioner Thompson seconded the motion. Motion carried 4-0.

B. FY 2016 Operating Budget Amendment

Ms. Shick provided a review of the needs associated with the amendment, citing two large emergency sewer line repairs on Piney Point Road, large water line repairs in Town Creek and Wicomico Shores, additional funding for Meter Reading Expenses, as well as the purchase of a large server to accommodate Cityworks with GIS capability. Ms. Shick noted that the Budget Amendment adjusts funds between line items in the Sewer and Water Divisions and the Capital Equipment and Expenditures section of the budget. Ms. Shick fielded a small number of questions from Board members during the course of the presentation.

Commissioner Russell moved to amend the FY 2016 Operating Budget, as recommended by the Commission's Chief Financial Officer, as follows, which amendment will result in no change in Net Income from Service Charges:

- (1) increase the Sewer Maintenance line item by \$45,000;**
- (2) increase the Water Maintenance line item by \$30,000;**
- (3) increase the Water Meter Reading line item by \$4,243;**
- (4) reduce Contingencies by \$79,243 to offset these increased costs.**

Further move to amend the Capital Equipment and Expenditures of the FY 2016 Operating Budget as follows, which amendment will result in no net change to Capital Equipment and Expenditures:

- (1) reduce the MS Lync Server for Communications – Audio, Video and Instant Messaging line item by \$5,000;**
- (2) reduce the Dell Servers (2) Run & Support MS Reporting for Marlay-Taylor & St. Clements shores Wastewater Treatment Plants line item by \$3,200; and**
- (3) add a new expense line item for Cityworks Upgrade Server with GIS Capability in the amount of \$8,200.**

Commissioner Mummaugh seconded the motion. Motion carried 4-0.

CHIEF ENGINEER'S REPORT

A. Hollywood & Charlotte Hall Water Towers Construction Contract Award

Mr. Elberti performed a review of the scope of the contract for the Hollywood and Charlotte Hall Towers, citing the erection of two (2) spheroid water towers in Hollywood at Broad Creek and Charlotte Hall, noting that included in the construction are water pumping stations and all appurtenances. Using the overhead monitors, Mr. Elberti displayed the site renderings for both locations and provided a breakdown of the budget for each tower and details of the bid information, to include the Bid Option and Add Alternate Item. Brief discussion ensued on the Bid Option of moving the County Owned water tower from Myrtle Point to the Charlotte Hall site, which Mr. Elberti advised none of the bidders elected to do, as it involves lead remediation.

Commissioner Barthelme moved to approve and accept the bid dated September 23, 2015, from Caldwell Tanks, Inc. of Louisville, Kentucky, in the amount of \$4,973,959.00 for the Hollywood Water Tower at Broad Creek & Charlotte Hall Water Tower, Project #8092WT &

0091WT, as recommended by the Chief Engineer. Commissioner Thompson seconded the motion. Motion carried 4-0.

B. Marlay-Taylor WRF ENR Upgrade: Contract Change Order No. 11

Mr. Elberti initiated his presentation noting that October is the 2-year anniversary of the Notice to Proceed (NTP) for the ENR Upgrade for Marlay-Taylor and we have reached 75% project completion. Mr. Elberti performed a detailed review of the seven (7) elements associated with Contract Change Order No. 11, which result in a contract cost increase of \$132,385.00, but no additional contract time. Mr. Elberti fielded a variety of questions during the presentation and displayed site drawings on the overhead monitors, which depict the location of all work identified in the change order. Mr. Elberti noted that \$567,000.00 remains in project contingencies and the planned construction end date is April 29, 2016.

Commissioner Russell moved to approve Change Order No. 11, dated October 22, 2015, to Contract #8-38-S (Marlay-Taylor WRF ENR Upgrade) with MEB General Contractor of Chesapeake, Virginia, to incorporate the seven (7) items, as described on Exhibit A to the Change Order. The approval of change order No. 11 is recommended by the Chief Engineer and will result in a contract cost increase of \$132,385.00 and no additional contract time with a completion date of April 29, 2016. Commissioner Thompson seconded the motion. Motion carried 4-0.

CHIEF OF FACILITIES & OPERATIONS REPORT

A. Purchase of Large Water Meters

Mr. Sullivan reviewed the scope of this Sole Source procurement, citing the purchase of two (2) six-inch (6") Neptune water meters with Automated Meter Reading capability, for Queen Anne and Indian Bridge Apartments. Mr. Sullivan noted that these oversized water meters serve large commercial and multi-family complexes. Mr. Sullivan further noted that this is a separate project from the Water Meter Project, which covers purchase and installation of meters sized to three-inch (3"). In closing, Mr. Sullivan noted that he expects to be back before the Board for future approval of the meter installation expenses, as well as the purchase of additional large meters for other complexes, as identified in the Capital Improvement Budget.

Commissioner Russell moved that the Commission accept and award the procurement of two (2) 6" Water Meters with AMR Capabilities to HD Supply Waterworks of Martinsburg, West Virginia, for the total price of \$24,000.00, as submitted in their quote dated August 11, 2015. Commissioner Barthelme seconded the motion. Motion carried 4-0.

B. Ferric Chloride Procurement Contract Award

Mr. Sullivan performed a review of the scope of the contract for Ferric Chloride, an iron salt solution for phosphorus removal at the Marlay-Taylor Facility. Mr. Sullivan noted that the contractor's supplier notified us in August that the manufacturer would discontinue the formula and concentration of ferric chloride we use by late September. As a result, the contractor declared a force majeure event and MetCom prepared a new solicitation for the 37% solution contract. Mr. Sullivan fielded a variety of questions from the Board, to include the use of this chemical in the

treatment process at Marlay-Taylor, budget impacts, and the reason six (6) of the nine (9) bidders who requested packages did not provide a bid. Mr. Sullivan cited the industrial nature of the chemical and the 6,000-gallon delivery, which far exceeds the 55-gallon drum size that many bidders provide.

Commissioner Barthelme moved that the Commission accept and award the contract for procurement of 37% Ferric Chloride to Kemira Water Solutions, Inc. of Lawrence, Kansas, for the contract price of \$443.46 per dry ton, as submitted in their quote dated October 14, 2015. Commissioner Russell seconded the motion. Motion carried 4-0.

COMMISSION MEMBERS' TIME

Commissioner Mummaugh advised that he has some questions regarding Mr. Evans and Mr. Bundy recommended that the Board go into Executive Session to discuss this matter, on the basis that it could result in potential litigation. Ms. Meiser concurred.

Chairman Willing thanked staff for their assistance and attention on a customer matter involving one of his colleagues.

Chairman Willing made mention of the recent complaints surrounding large water bills received from customers with irrigation systems. Although we anticipated that those who are irrigating might see significant increases, the solution for many may be the installation of a separate meter for their irrigation system, which eliminates the sewer component from their bill. Chairman Willing requested that staff determine what the cost is to add an irrigation meter, as this information will be helpful as we continue to receive more complaints. Brief discussion ensued between Board and staff on the matter.

EXECUTIVE SESSION

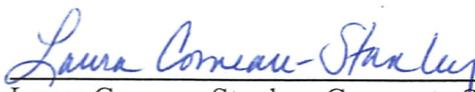
Commissioner Barthelme moved to go into Executive Session at 4:01 p.m. to discuss potential litigation. Commissioner Russell seconded the motion. Motion carried 4-0.

Meeting reconvened into Regular Session at 4:37 p.m.

Commissioner Russell moved that regarding the Camp Merryelande issue; propose to move forward with the collection, as discussed in Executive Session. Commissioner Thompson seconded the motion. Motion carried 4-0.

ADJOURNMENT

There being no further business, **Commissioner Russell moved to adjourn the meeting at 4:38 p.m. Commissioner Barthelme seconded the motion. Motion carried 4-0.**



Laura Comeau-Stanley, Corporate Secretary