

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

The meeting commenced at 3:01 p.m. In attendance were Commissioners Willing, Russell, Gaskin, Mueller, and Mummaugh. MetCom staff in attendance included Meiser, Cullins, Shick, Elberti, Sullivan, Pelham, Smouse, and Comeau-Stanley. Also in attendance was Dick Myers (The BayNet).

Chairman Willing welcomed everyone and performed a review of the meeting agenda, noting that Ms. Meiser will be filling in for Mr. Ichniowski, who is on vacation this week.

MOTION TO APPROVE AGENDA

Commissioner Russell moved to approve the Agenda, as presented. Commissioner Mueller seconded the motion. Motion carried 4-0.

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 Gaskin seconded the motion. Motion carried 4-0.

Commissioner Russell inquired about the number of monthly grinder pump service calls, specifically if forty-five (45) is considered a high amount of calls in a one-month period. Mr. Sullivan advised that on average, we typically receive two (2) calls per day.

APPROVAL OF MINUTES

Commissioner Russell moved to approve the minutes of the November 20, 2014 meeting, as corrected. Commissioner Gaskin seconded the motion. Motion carried 3-0-1. Commissioner Mueller abstained, as he was not present at the November 20, 2014 meeting.

EXECUTIVE DIRECTOR'S REPORT

A. Update: Presentation of FY 2015 Capital Improvement Budget (CIB) Amendments to St. Mary's County Board of County Commissioners

Ms. Meiser advised that staff presented two (2) amendments to the FY 2015 Capital Improvement Budget (CIB) to the Board of County Commissioners for approval on December 16, 2014. Ms. Meiser indicated that the amendments included the new Piney Point Sewer Line Replacement Project, which was not in the approved FY 2015 CIB, as well as the allocation of additional funds for the Lynn Drive Pump Station Project. Ms. Meiser advised that the County Commissioners approved both CIB amendments.

B. Proposed Joint Meeting with the Board of County Commissioners

Ms. Meiser announced that the Commissioners of St. Mary's County (CSMC) identified Tuesday, February 3, 2015, as a potential date for the next Joint meeting with the Metropolitan Commission

Board members/Commissioners. Ms. Meiser noted that an exact time and location have not yet been determined. Board members collectively indicated that no schedule conflicts exist with the proposed date. Ms. Meiser advised that staff would contact the CSMC office and confirm the date and once additional details have been finalized, information would be forthcoming.

C. Marlay-Taylor Water Reclamation Facility (WRF) Maryland Department of the Environment (MDE) Stipulated Penalty

Ms. Meiser provided Board member with details surrounding the Stipulated Penalties assessed to MetCom by MDE for the total nitrogen violations that occurred in calendar year 2013 at the Marlay-Taylor Water Reclamation Facility, totaling \$8,400.00, under the Consent Order. Ms. Meiser noted that the stipulated damages of \$100.00 per day is far less than those assessed had we had not entered into the Consent Order, which are \$10,000.00 per day.

Brief discussion ensued amongst the group on testing and quality control standards, as well as the anticipated fines for 2014, which Ms. Meiser reported that a 93-day violation occurred, as the Marlay-Taylor plant met its nitrogen limit on September 30, 2014. In closing, Ms. Meiser advised that until construction of the ENR Upgrade at Marlay-Taylor is complete, we will likely continue to exceed the nitrogen limits and can anticipate penalties associated with those violations.

CHIEF FINANCIAL OFFICER'S REPORT

A. FY 2015 First Quarter Financial Statements

Ms. Shick provided an overview of the First Quarter Financial Statements for FY 2015, covering the period from July 1, 2014 through September 30, 2014. 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.

B. FY 2015 Operating Budget Amendment

Ms. Shick advised Board members that the proposed Operating Budget Amendment for FY 2015 provides additional funding in the Capital Equipment and Expenditures section of the Budget for a Steel Machine Shed to house equipment at the St. Clements Wastewater Treatment Plant. Ms. Shick further advised that this budget amendment would provide additional funding for training, tools, personal protective equipment and other items to meet OSHA Standards, as well as additional funding for bank fees and on-line bill payment fees. Ms. Shick explained that the budget amendment adjusts funds between line items in the Sewer, Water, Engineering, and General Administrative sections of the budget. Ms. Shick performed a detailed review of all of the associated adjustments in each division for the benefit of the Board members.

C. FY 2016 Operating Budget Calendar

Ms. Shick announced that staff is currently working on the FY 2016 Operating Budget and a presentation of the first draft will be made at the February 26, 2015 Commission meeting. Ms. Shick performed a brief review of the Operating Budget calendar included in the meeting binders.

D. FY 2016-2021 Draft Capital Improvement Budget

Ms. Shick was joined by Mr. Elberti for her presentation of the Capital Improvement Budget (CIB) and the rates to support that budget, and the CIB timeline. Ms. Shick noted that staff was not planning to discuss the budget in detail today; however, it is an agenda item planned for the next two Commission meetings. Ms. Shick and Mr. Elberti suggested that a CIB Work Session be conducted one-hour prior to the January 22, 2015 meeting, which would afford staff an opportunity to perform a thorough review with the Board members.

Commissioner Mummaugh inquired about St. Clements Shores Plant Expansion, Holly Gaf Sewer Project, and Airedale Road Treatment Facility, sparking discussion amongst the staff and Board members on the inclusion or removal of those projects from the CIB in out years. Discussion included details surrounding the County Commissioners 2008 request for MetCom to terminate all efforts related to a facility expansion, as they did not want or intend to expand the facility at that time. Following discussion, Board requested that staff generate a letter to the new County Commissioners to request input on moving forward with preliminary planning for a facilities expansion at the St. Clements Shores Waste Water Treatment Facility. Staff also tasked with locating the Health Department reports related to Holly Gaf, specifically identifying that there were fewer number of septic failures than anticipated, which could result in the complete removal of the project from the CIB.

Commissioner Mummaugh inquired about the Marlay-Taylor Expansion project. Mr. Elberti advised that additional information would be presented to the Board at one of the next meetings, which will include an extensive report and presentation by CH2M Hill. Brief discussion ensued amongst the Board and Mr. Elberti on the timing of and funds associated with the project. The discussion concluded with Mr. Elberti providing an explanation of the new out years category in the CIB to the Board members.

CHIEF ENGINEER'S REPORT

A. Lynn Drive WWPS: SMECO Service Connection Upgrades

Mr. Elberti detailed the scope of work associated with the Electric Service Connection Upgrades for the Lynn Drive Wastewater Pump Station, citing that it includes the installation of a new transformer, meter and meter base, and wiring in the existing conduit for the facility. Mr. Elberti explained that this work, which will be performed by Southern Maryland Electric Cooperative (SMECO), is required to upgrade of the station from the existing single-phase service to three-phase service. Brief discussion ensued amongst the group on the details of the work to be performed.

Commissioner Mueller moved to accept and approve the work request dated October 23, 2013, in the amount of \$13,732.23 from Southern Maryland Electric Cooperative (SMECO) of Hughesville, Maryland, for electric service upgrades to the Lynn Drive Wastewater Pump Station replacement, Project #8122SS, as recommended by the Chief Engineer. Commissioner Russell seconded the motion. Motion carried 4-0.

GENERAL LEGAL COUNSEL'S REPORT

A. River Bay Townhouses

Ms. Meiser advised the Board on a situation that has recently developed with River Bay Townhouses, a 170-rental unit townhouse community owned by one company. Ms. Meiser provided details surrounding the matter, citing that MetCom service bills for all units are being sent to the landlord (*at the request of the landlord*), the landlord collects payment from the tenants, and subsequently makes payment to MetCom for only those units whose tenants have paid their bills. Ms. Meiser advised that this is resulting in many delinquent MetCom accounts and water turn-offs. Ms. Meiser explained that the Department of Social Services (DSS) has become involved, as many of the residents are young, low-income families who have sought assistance from DSS to pay for their utility bills.

Ms. Meiser indicated that meetings were conducted with the DSS as well as River Bay Townhouse management, in the hopes of figuring out what could be done to try to reduce the number of service turnoffs. River Bay representatives indicated that they do not want MetCom to turn off delinquent accounts; however, they do not want to pay on accounts for tenants that are not paying them. Furthermore, DSS is weary of the requests from River Bay tenants for assistance. Ms. Meiser noted that there was no resolution following the meetings and further noted that there are policies and procedures in place for MetCom delinquent accounts and this community could not held to a different standard than every other customer.

In closing, Ms. Meiser advised that she wanted to provide this information to Board members so that they had a general understanding of this situation and would be prepared to discuss it, should the matter escalate to County Commissioner involvement. Discussion ensued amongst the Board and staff on the matter and Commissioner Gaskin provided additional information shared with her by a former River Bay tenant, which seem to reveal that there are far more complicating factors to the situation than we know.

EXECUTIVE SESSION

Commissioner Russell moved to go into Executive Session at 4:09 p.m. to discuss contract negotiations. Commissioner Mueller seconded the motion. Motion carried 4-0.

Meeting reconvened at 4:11 p.m.

APPROVAL OF EXECUTIVE SESSION MINUTES

Commissioner Gaskin moved to approve the Executive Session minutes of November 20, 2014, as written. Commissioner Mummaugh seconded the motion. Motion carried 3-0-1. Commissioner Mueller abstained, as he was not present at the November 20, 2014 meeting.

COMMISSION MEMBERS' TIME

Chairman Willing asked Ms. Cullins to provide a brief update on the status of the Executive Director position application packages. Ms. Cullins indicated that all members of the interview panel have reviewed the application packages and three (3) applicants were selected as top picks for all panel

members and a few more applicants were selected as top pics by some, but not all, of the panel members. Chairman Willing suggested that the panel meet to determine which of those applicants should be interviewed and Ms. Cullins advised that she would coordinate a meeting next week.

ADJOURNMENT

There being no further business, **Commissioner Russell moved to adjourn the meeting at 4:18 p.m. Commissioner Gaskin seconded the motion. Motion carried 4-0.**



Laura Comeau-Stanley, Corporate Secretary