The meeting commenced at 3:04 p.m. In attendance were Commissioners St. Clair, Hanson, Mummaugh, Willing, and Thomasseau (on behalf of Captain H.E. Mills, Commanding Officer NAS Patuxent River); MetCom staff Meiser, Shick, Sullivan, Cullins, Elberti, Edwards, and Comeau-Stanley.

MOTION TO APPROVE AGENDA

Commissioner Hanson moved to approve the Agenda. Commissioner Willing seconded the motion and approval was unanimous.

APPROVAL OF CONSENT AGENDA

Commissioner Hanson moved to accept the Consent Agenda as presented, and to hereby approve all matters contained upon the Consent Agenda. Commissioner Willing seconded the motion and approval was unanimous.

Commissioner St. Clair announced that we will bypass the approval of the July 12 Meeting Minutes go directly to the Director’s Report.

DIRECTOR’S REPORT

A. New Board Member Introduction

Ms. Meiser announced the addition of a new Board member, Mike Mummaugh, who is representing the 3rd Election District and replaces Tom Tudor, who recently finished his tenure on the Board. Ms. Meiser indicated that Mr. Mummaugh comes to us with an extensive background in development and construction throughout the County and has served on a number of Boards and Commissions and we welcome his expertise.

B. Public Information Meeting Update

Ms. Meiser advised that a public information meeting was held July 24 here at the Commission Offices, for a small water and sewer line project being constructed on the new alignment of FDR Boulevard, in the area of the Bay District Volunteer Fire Department and the Library. Ms. Meiser advised that we had a small turnout, including two Commission members, members of the public and members of the media.

C. Joint Meeting with County Commissioners

Ms. Meiser announced that the next Joint Meeting with the Board of County Commissioners and our Board has been set for Tuesday, September 11, 2012 at 1:30 p.m. The meeting will take
place in this room; the main conference room the Commission Offices. Ms. Meiser noted that of the dates suggested, that particular date seemed to work for all of our members.

**CHIEF FINANCIAL OFFICER’S REPORT**

A. Bond Counsel Contract Award

Ms. Shick advised that we have several projects coming up and we plan to take out loans with the Maryland Water Quality Finance Association and are required to have Bond Counsel to process those loans. Ms. Shick indicated that we advertised for Bond Counsel in the local paper and eMaryland Marketplace website and solicitations were sent to twelve (12) firms that we know are familiar with this kind of work. Nine (9) requests for bid packages were received and responses were received back from three (3) of those firms. Ms. Shick noted that one was deemed non-responsive, as they could not do Department of Housing and Community Development (DHCD) loans. Ms. Shick advised that of the two responsive bids, Whiteford, Taylor and Preston was the lowest, therefore staff recommends awarding the contract to them. Commissioner Mummaugh asked if the firm has ever provided Bond Counsel to the Commission before. Mr. Shick indicated that although they have not, they have done so for other jurisdictions.

Commissioner Willing moved that the Commission accept and approve the proposal, dated June 26, 2012, from Whiteford, Taylor & Preston, LLP of Baltimore, Maryland, to perform all legal counsel services associated with the closing of any loans, financing or bond sales, for the cost of $7,250.00 plus expenses per transaction. Commissioner Hanson seconded the motion and approval was unanimous.

B. Prior Intent Resolution

Ms. Shick provided the Board members with an explanation of the Prior Intent Resolution, which allows MetCom to begin working on several capital projects with funds from loans that have not yet been secured. Ms. Shick went on to indicate that the IRS requires that if we wish to spend the money before we have the loans, we must have an official declaration stating same. Ms. Meiser advised that we do this all of the time and both of the State loan programs have the same requirement. Ms. Meiser further explained that once the loan closes and funds are issued, it allows us to reimburse ourselves for any monies we have advanced on the projects with the loan proceeds, provided there is a Prior Intent Resolution in place. Ms. Meiser indicated that these are all projects that are on the approved Capital Improvement Budget. Brief discussion ensued on the loan process for each of the State programs. Brief mention by Ms. Shick that we will be conducting a required Public Hearing on this Resolution. Notice of that hearing will be advertised in the Enterprise newspaper.

Commissioner Hanson moved to approve and adopt Resolution 2012-04, to authorize the proceeds from future State Loans be used to reimburse the Commission for project costs incurred prior to the loan closings for the projects specified within the said resolution. Commissioner Willing seconded the motion and approval was unanimous.
CHIEF ENGINEER’S REPORT

A. Engineering & Surveying Services Contract Award

Mr. Elberti provided the Board with the scope of services associated with this contract, which is to provide engineering, design and surveying services. Mr. Elberti further explained that engineering and design services would include construction project where the estimated construction cost is $200,000.00 or less and the projects are not Maryland Department of the Environment (MDE) funded. Surveying services include property surveys and construction stakeouts. Mr. Elberti noted that the intent of this scope is for smaller tasks that are performed more economically by local firms, rather than our three current firms located outside of St. Mary’s County. Mr. Elberti advised that 29 bid packages were distributed and received 10 proposals in response, one of which was deemed non-responsive, as it included qualifications but not pricing. Brief discussion ensued on the “buy local” incentive and Ms. Meiser noted that the two firms selected for this contract award presented the best value even without consideration of that initiative. In closing, Mr. Elberti advised that when a task is identified, it will be sent out to both firms for bid and the one with the best value will be selected for a specified task.

Commissioner Willing moved to accept and approve the proposals dated June 27, 2012 from: (1) Mudd Engineering, LLC, of Tall Timbers, MD and (2) NG&O Engineering, Inc., of Leonardtown, MD, for the Open-End Engineering & Surveying Service Contract #2-06-E, in accordance with the bid documents, as recommended by the Chief Engineer. Commissioner Hanson seconded the motion and approval was unanimous.

FACILITIES AND OPERATIONS DIRECTOR’S REPORT

A. Purchase of Macerators for Wastewater Stations

Mr. Sullivan advised the Board members that the Macerator Project is an ongoing project to install the devices at five (5) wastewater stations per year, with an end goal of installing macerators in all of the stations that do not currently have them. Mr. Sullivan noted that macerators are industrial-grade grinders installed directly upstream of wastewater station pumps and are designed to grind any foreign material to prevent clogging and damage to the pumps and piping systems. Mr. Sullivan indicated that the installation of macerators is both a cost and time savings for the Commission. Four (4) bids were submitted and two (2) were received. Mr. Sullivan advised that the two (2) vendors are known and provide the macerators designed for wastewater station, and while there are other manufacturers of macerators, they do not meet our specifications for installation in wastewater collection systems. A brief discussion ensued amongst the Board and Mr. Sullivan on the lifespan of a macerator as well as the warranty for the devices.

Commissioner Hanson moved that the Commission authorize the purchase of five (5) macerators from Franklin Miller, Inc., of Livingston, New Jersey, for a total cost of $102,195.00, as submitted in the proposal dated June 26, 2012. Commissioner Willing seconded the motion and approval was unanimous.
B. Water Restrictions Update

Mr. Sullivan advised that Water Restrictions remain in place for Forrest Farms, Leonardtown Farms, and the Villages of Leonardtown. Mr. Sullivan reminded the Board that Forrest Farms has been under a Level 2 restriction, while the other two communities were under a Level 1 restriction. Mr. Sullivan announced that as of July 20, both of those communities have been upgraded to Level 2 restrictions and Forrest Farm remains at a Level 2 restriction, as the water use did not drop below the criteria needed for meeting the permit limitations.

Mr. Sullivan indicated that MetCom employees have been out on routine patrol of the systems and for the most part, the residents in those systems are complying with our restrictions. However, it appears that the water use is still not dropping below criteria and we have submitted a request to increase the Water Appropriations Permits of those systems through the Maryland Department of the Environment (MDE). Mr. Sullivan provided a detailed explanation of the established criteria based on Equivalent Dwelling Units (EDUs) through MDE. Brief discussion ensued on this issue, specifically permit compliance, ramifications of non-compliance and the impact that the MDE fines have on all MetCom customers, not just those communities mentioned.

EXECUTIVE SESSION

Commissioner Hanson moved to adjourn into Executive Session at 3:34 p.m. to discuss Personnel Matters. Commissioner Willing seconded the motion and approval was unanimous.

The meeting re-adjourned into Regular Session at 3:53 p.m.

COMMISSION MEMBERS TIME

Commissioner St. Clair announced that approval of the July 12, 2012 Regular Session minutes will be carried over to the next meeting.

ADJOURNMENT

There being no further business, Commissioner Willing moved to adjourn at 3:54 p.m. Commissioner Hanson seconded the motion and approval was unanimous.

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Laura Comeau-Stanley, Corporate Secretary