The meeting commenced at 3:08 p.m. In attendance were Commissioners Werner, St. Clair, Tudor, and Owen; MetCom staff Meiser, Ichniowski, Elberti, Cullins, Shick, Fehn, Sullivan, Edwards, and Comeau-Stanley.

**MOTION TO APPROVE AGENDA**

Commissioner St. Clair moved to approve the Agenda as presented by staff. Commissioner Owen seconded the motion and approval was unanimous.

**APPROVAL OF MINUTES**

Commissioner Owen moved to approve Minutes of the Regular Session, dated August 12, 2010. Commissioner Tudor seconded the motion approval was unanimous.

**APPROVAL OF CONSENT AGENDA**

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

**DIRECTOR’S REPORT**

A. Introduction of new Chief Engineer David Elberti

Ms. Meiser introduced our new Chief Engineer, David Elberti, to the Board Members, noting that Mr. Elberti started with us at the end of August. Ms. Meiser provided a brief summary of Mr. Elberti’s background and prior work experience and also indicated that he has been busy meeting all of the agency representatives, developers, and engineers. Ms. Meiser noted that Mr. Elberti has stepped right in and is quickly getting up to speed with development projects, with the help of the engineering staff.

B. BOCC Joint Meeting Follow Up

Ms. Meiser provided a review of the meeting topics discussed at the Joint Meeting with the Board of County Commissioners, to include an update on the ENR status as well as the Co-Generation project status at Marlay Taylor, also Task Force Recommendations and need for additional capacity at the Leonardtown Treatment Facility to accommodate the jail. Ms. Meiser reported that the next meeting will, for the first time, include the Planning Commission for the first time. That will likely occur in approximately 6 months.
C. 2010 Retreat

Ms. Meiser announced that the 2010 Board Member Retreat is being planned. This event is conducted each year and typically takes place at Greenwell State Park. In addition to a regular meeting, the retreat provides an opportunity for Board Members and staff to discuss additional work items and/or to bring in additional informational programs which are beneficial to both Board and staff. Ms. Meiser indicated that either of the two October meetings dates would work and sought Board members input on their preference in the coming days. Ms. Meiser stated that the meeting would run from 8:30 am until 3:30 pm. Ms. Meiser also noted that there will likely be only one meeting in November, due to the Thanksgiving Day holiday occurring on our regularly scheduled meeting.

ASSISTANT DIRECTOR’S REPORT

A. Public Informational Meetings

Mr. Ichniowski advised the Board that we conducted two public informational meetings on August 19 for the water main extensions on Chancellors Run Road and Great Mills Road in Great Mills. Although two of our Commissioners attended the meetings, none of the residents or members of the general public were in attendance. Mr. Ichniowski noted that our staff created great presentations for both meetings.

Mr. Ichniowski noted that in accordance with the Notification Policy, those residents who were to get new service as a result of these extensions were notified of the hearings by certified mail. When the design plans reach 90% completion, additional meetings and hearing will be conducted with the public and those residents to be served.

B. Annual Report Update

Mr. Ichniowski announced the completion of our Annual Report for 2009. Mr. Ichniowski thanked staff for all of their efforts in putting this together. An electronic version will be placed on the website for public viewing. All Board Members were provided with two copies for their use.

C. Pisces Award

Mr. Ichniowski advised the Board that we have been nominated for a CWSRF (Clean Water State Revolving Fund) Pisces Award through Environmental Protection Agency (EPA) by the Maryland Department of the Environment (MDE) for part of the Marlay Taylor Co-Generation project. It could be some time before we hear the outcome of the award; Mr. Ichniowski will keep our Commissioners apprised.
FISCAL OFFICER'S REPORT

A. FY 2011 Capital Improvement Budget Amendment

Ms. Shick provided Board with details of the proposed FY2011 Capital Improvement Budget amendment, which moves $86,500.00 from Sewer Contingencies to the Greenhouse Gas Inventory project, as it cannot be funded through the ENR state loan because it covers more than the Marlay Taylor WRF. As discussed at the July 29, 2010 Commission meeting, performing the greenhouse gas inventory will allow MetCom to establish a baseline quantification of the greenhouse gas (GHG) emissions from our wastewater treatment plants and the entire utility. While the inventories may be required at some point in the future, we plan to perform the inventory now, as opposed to later, because we want to capture the benefits that will be recognized by reducing the greenhouse gases emitted once the Co-Gen project comes on line. Ms. Shick indicated that we plan to perform an inventory of the entire system because it is more cost effective to do it all at once. Ms. Shick announced that there are sufficient funds in the reserves to pay for this.

Commissioner Tudor moved to amend the FY 2011 Capital Improvement Budget, as recommended by the Commission's Chief Financial Officer, to re-allocate $86,500.00 from sewer contingencies to provide $86,500.00 to perform the Greenhouse Gas Inventory. This Budget amendment does not change the total budget amount in the FY11-FY16 Capital Improvement Budget. Commissioner Owen seconded the motion and approval was unanimous.

B. FY10 Financial Statements (Unaudited)

Ms. Shick reviewed the FY10 Financial Statements with the Board, detailing the operating income and expenses from the sewer division, water division, engineering division, general and administrative division, along with other income and expenses and debt service funds. Ms. Shick reported that overall, MetCom had a good year.

Ms. Shick announced that as we are working on the audit, all Board Members have been sent letters from her and quite possibly Murphy and Murphy. Ms. Shick encouraged all members to send in those letters and to please contact her if you have any questions.

Commissioner Tudor asked Ms. Shick to clarify that GAP stands for General Accounting Principles, so that the general public watching the video taped recording of the meeting will understand its meaning. Commissioners Tudor and St. Clair then made reference to letters that they had received some weeks back regarding risk and oversight. Ms. Shick confirmed their legitimacy.

ENGINEER'S REPORT

Mr. Elberti thanked Ms. Meiser for the great introduction.
A. Design Manual Update

Mr. Elberti advised the Board that the first Design Manual was sent out in July 2009, thanks to his predecessor Mr. Chet Frederick. Updates to that Design Manual were sent out yesterday, to additions, clarifications and a few minor corrections. Those who ordered the design manual online are those who are receiving copies of the updates. We are updating our website to include the Design Manual Update. Mr. Elberti indicated that we are also working with our IT department to

Mr. Elberti indicated that a general memo was sent to the engineering development community, indicating that we now have an addendum to our 2009 Design Manual. Automatic updates will be provided to those who ordered our design manual. Ms. Meiser stated that we only now have the appropriate mechanisms in place to track this, so it is a big step forward to ensure that people have good updates to the general specifications in a timely manner.

Mr. Elberti announced that a pre-construction meeting was held today on the Piney Point Well. This well will eventually allow the joining of the two water systems and will provide capacity to the planned development within the Piney Point development.

FACILITIES MANAGER’S REPORT

A. FEMA Snowstorm Reimbursement Update

Mr. Sullivan advised that we received a letter from the Maryland Emergency Management Agency (MEMA) that the Federal Emergency Management Agency (FEMA) has reviewed and approved the reimbursement request for $12,646.00 for the expenses incurred in the February 2010 snowstorm. That figure represents 75% of our expenses incurred during that heavy snow event. It is expected that we should have a check in the next 3 weeks.

B. Water Restrictions Update

Mr. Sullivan reported that as a result of the August Reporting period, Level 1 water restrictions are still in place for Forrest Farms, Leonardtown Farms, The Villages at Leonardtown, Wicomico Shores, and Wilderness Run. Mr. Sullivan indicated that this update has been posted on the website. While the water usage in these communities has decreased since the restrictions were implemented. The usage is still above 90% of the permitted water withdrawal limitations.

Mr. Sullivan announced that Cedar Cove was the one community that was removed from the water restrictions, due to their most recent permit renewal increased their water withdrawal limitations.
C. County Fair and Green Expo

Mr. Sullivan extended an open invitation to two upcoming events in the County. The first is the County Fair on September 24, 25 & 26 to our Board members. Mr. Sullivan indicated that we will have some materials and brochures on hand for distribution. The second event is the Going Green Expo, which will be conducted October 9th at the James A. Forrest Career and Technology Center, also known as the Tech Center at the Leonardtown School Complex. Mr. Sullivan indicated that there will be several other vendors displaying green technologies at this event.

CONTINUING BUSINESS

A. Task Force Recommendations Prioritization & Implementation Plan Update

Ms. Meiser announced that to begin implementing some of the recommendations, she has been working with the County on proposed modifications to Section 113 of the County Code. Additionally, Mr. Meiser and Mr. Ichniowski met with Delegate John Bohanan on Tuesday, September 7, to discuss with the delegation, their insights on how some of the recommendations will be implemented, as well as describe for their benefit how we envision some of the legislative packages moving forward, because all of them may not move forward in 2011. In that meeting, Delegate Bohanan requested that this Board draft a letter to the Delegates indicating the status of each of the recommendations and how we intend to move forward with the recommendations. While we have drafted a similar letter to the Board of County Commissioners, one was not sent to the Delegation. Ms. Meiser has prepared a draft of a letter, for Board’s consideration. Ms. Meiser asked members to review this letter in the coming days, as we would like to get it finalized for Commissioner Chair Werner’s signature and mailing.

EXECUTIVE SESSION

Commissioner Tudor moved to adjourn into Executive Session at 3:45 p.m. to discuss Personnel Matters and Potential Litigation. Commissioner St. Clair seconded the motion and approval was unanimous.

The meeting readjourned into Regular Session at 4:50 p.m.

Commissioner St. Clair moved to proceed in accordance with the discussion from executive session relating to potential litigation. Commissioner Tudor seconded the motion and approval was unanimous.

Commissioner Owen moved to approve Minutes of Executive Session, dated August 12, 2010. Commissioner Tudor seconded the motion and approval was unanimous.
ADJOURNMENT

There being no further business, Commissioner St. Clair moved to adjourn at 4:52 p.m. Commissioner Owen seconded the motion and approval was unanimous.

__________________________________________
Laura Comeau-Stanley, Corporate Secretary
RESOLUTION 2010-03

WHEREAS, the St. Mary's County Metropolitan Commission (the Commission) intends to make application to one of several loan programs administered by the State of Maryland (the “State Loan”), for purpose of financing certain Capital Improvement Projects; and

WHEREAS, specifically it is intended that funds will be borrowed to complete the following Capital Improvement Projects (the Projects):

- FDR Boulevard Water Line, Phases 1 and 2
- King & Kennedy Water System Improvements
- MetCom Facilities
- Oversize Meter Installations
- Southgate Wastewater Pumping Station
- Vao-Con Truck

WHEREAS, the Commission intends to expend in-house funds for the implementation of the Projects, including but not limited to the costs of planning, design, administration and construction of the Projects, prior to the receipt of any State Loan proceeds in order to expedite the progress of the Projects; and

WHEREAS, the Commission intends to be reimbursed from the proceeds of the State Loan for these in-house funds expended prior to the receipt of said State Loan proceeds; and

NOW THEREFORE, be it resolved that: it is hereby the intent of this Commission that the in-house funds expended for the implementation of the aforesaid Projects shall be reimbursed to the Commission from the proceeds of the appropriate State Loan;

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect at the date of its passage.

Passed and approved on this 23 day of September 2010.

Attest:

[Signature]
Laura Comers-Stanley
Secretary

St. Mary's County Metropolitan Commission

[Signature]
Kathleen M. Werner, Chairperson

[Signature]
Thomas Tude, Commissioner

[Signature]
Thomas C. Lanier, Commissioner

[Signature]
Paul Colonna, Commissioner

Brenda L. Hanson, Commissioner

[Signature]
Charles V. Owen, Commissioner

Approved as to Legal Sufficiency

[Signature]
Jacquelyn V. Meister, General Counsel