

MINUTES
ST. MARY'S COUNTY METROPOLITAN COMMISSION
REGULAR MEETING
SEPTEMBER 24, 2009

The meeting commenced at 3:30 p.m. In attendance were Commissioners Werner, Lancaster, St. Clair, Barthelme and Tudor; staff members Meiser, Ichniowski, Frederick, Shick, Cullins, Sullivan, Fehn and Bryan.

MOTION TO APPROVE AGENDA

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

LENGTH OF SERVICE AWARD

Commissioner Werner presented DuWayne Potter, Superintendent, Marlay-Taylor WRF, with a Meritorious Service Award in appreciation of his 25 years of service with the Commission. Mr. Potter thanked the Board, noting the superior quality of staff; and extended an open invitation for Board members to tour the Plant at their convenience.

APPROVAL OF MINUTES

Commissioner Lancaster moved to approve Minutes of Regular Session dated September 10, 2009. Commissioner St. Clair seconded the motion and approval was unanimous, with the exception of Commissioner Tudor who abstained from voting because of his absence at the meeting.

APPROVAL OF CONSENT AGENDA

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

DIRECTOR'S REPORT

A. Joint Meeting with BOCC re: Navy Privatization

Ms. Meiser noted that there was some discussion at the previous joint meeting regarding the resurgence of the Navy Privatization effort. As a result, a further joint meeting is proposed for late October or early November to deal specifically with this issue, and she requested that the Commissioners inform her of their preferred dates and times so that they can be offered to the County for consideration.

B. Task Force Update

Ms. Meiser reported that proceedings of the Task Force's first substantive meeting held on September 21st went well. Each of the Department Heads offered a brief presentation corresponding to their particular sections, followed by a Question and Answer exchange.

The second half of the meeting involved LUGM's presentation, therefore, Mr. Frederick and Ms. Cullins have been requested to attend their next scheduled meeting on October 14th in order to complete their presentations.

In conclusion, she reported that Task Force tour dates for Marlay-Taylor are currently being processed, and that the Memorandum of Understanding between the County and MetCom to equally fund services of the University of Maryland's Facilitator, was approved by the BOCC on Tuesday.

C. Streetscape Public Meeting.

A Public Informational Meeting on this project was held on September 3rd, and was well attended.

CHIEF FINANCIAL OFFICER'S REPORT

A. DHCD Loan Prior Intent Resolution

Ms. Shick reported that there were no attendees at the scheduled Public Hearing on this issue held at the Petty Building on September 17th. There were also no comments received within the 10 day period. She, therefore, requested Board approval to adopt Resolution 2009-02, a copy of which is attached to the Minutes. She also requested that Chairperson Werner be authorized to sign the Department of Housing & Community Development Loan Application.

Commissioner St. Clair moved to adopt Resolution 2009-02, to authorize the use of proceeds from the Department of Housing & Community Development (DHCD) loan to reimburse the Commission for project planning and design expenses incurred prior to the loan closing. Commissioner Barthelme seconded the motion and approval was unanimous.

Commissioner St. Clair further moved that the Chairperson be authorized to sign the Department of Housing and Community Development (DHCD) loan application

in the amount of \$12.5 million. Commissioner Lancaster seconded the motion and approval was unanimous.

ENGINEER'S REPORT

A. Co-Generation Update

Mr. Frederick reviewed bid results for this project, which were opened yesterday afternoon. He noted that the low bid was higher than the Engineer's estimate by approximately \$150,000, and that staff is currently investigating additional funding sources. He further noted that mobilization cost was a significant factor in the overall total, and that Dewberry is currently analyzing bids to ensure that they are consistent. He hopes to present the Board with a resolution at next month's meeting.

B. Public Hearing, Engineering Fees

There were no attendees at the Hearing, and no public comments have been received to date.

NEW BUSINESS

A. Connection Deferral Policy

Ms. Meiser reviewed the proposed Connection Deferral Policy, which is currently aimed at requests received from Ms. Coombs, Mr. Adkins and Mr. & Mrs. Schillinger.

Following a lengthy discussion, Ms. Meiser noted the following direction from the Board:

- Approved extensions will not exceed 18 months from the Ready-to-Serve date, with verifying documentation from the Health Department that installation of a new well or septic system was installed within the most immediate year prior to the date that Notice of Public Hearing was received. Special consideration will be given to property owners whose systems failed prior to this date.
- Installation of a well or septic system following the Public Hearing Notice will be brought before the Board for consideration on a case-by-case basis.
- Staff will prepare a Guideline/Policy to assist the Board in determining whether each deferral request, regardless of the proper documentation during the year of Public Hearing, should be brought before them.
- Ms. Meiser to prepare the accompanying motion to the Policy for presentation at

the October 8th meeting; at which time those guidelines will be applied to the three pending requests.

NEW BUSINESS

A. Mr. R. Adkins

Ms. Meiser referred to Mr. Adkins request, in which he asks for an exemption or, at the very least be afforded some form of extension, because his well is properly performing. He does not make any representation as to the date the well was installed, so he will be requested to provide additional information in this regard. His request will be addressed following implementation of the Policy/Guideline.

B. Mr. & Mrs. J. Schillinger

Ms. Meiser referred to a plat of the Schillinger property on Great Mills Road, which is within the area of a newly constructed waterline. A copy is attached to the Minutes. She noted the presence of several mobile homes on it that are currently served by a community well which has been problematic since approximately 2004/2005. It was necessary to replace the well pump in 2008, at a cost of \$4,000, and they are now requesting a deferral considering the fact that this investment was only made relatively recently. She concluded that the Ready-to-Serve date on this project was issued on May 11, 2009.

C. Ms. J.A. Coombs

Mr. Frederick reported that State Highway Administration has agreed to relocate the wall within the timeline of the contract. However, Ms. Meiser noted that a further letter was received from Senator Dyson indicating that Ms. Coombs is dissatisfied with its proposed relocation. She has informed the Senator by letter today, of the circumstances surrounding this case.

EXECUTIVE SESSION

Commissioner Tudor moved to adjourn into Executive Session at 4:52 p.m. to discuss property acquisition, potential litigation and personnel. Commissioner Lancaster seconded the motion and approval was unanimous.

The meeting readjoined into Regular Session at 5:53 p.m.

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Commissioner Lancaster moved to approve Minutes of Executive Sessions dated August 13, 2009 and September 10, 2009. Commissioner Tudor seconded the motion and approval was unanimous.

Commissioner St. Clair moved to approve the provision of vacation and holidays to contract employees as discussed in Executive Session. Commissioner Tudor seconded the motion and approval was unanimous.

For the general public's information, Chairperson Werner clarified at this point that October Board meetings will commence at 3:00 p.m instead of at 3:30 p.m. In addition, because of the intervening holidays, there will only be one Board meeting (held on the second Thursday), for the months of November and December.

At this point, Mr. Ichniowski reminded the Board of the "Going Green" Exposition which will be held at the Technical Center on October 15th.

With relation to the Retreat, he also reported that staff at Greenwell State Park has informed him that its schedule is relatively open during the last two weeks in October. He will, therefore, provide the Board with proposed dates in the near future for their consideration.

ADJOURNMENT

There being no further business, **Commissioner St. Clair moved to adjourn at 5:56 p.m. Commissioner Lancaster seconded the motion and approval was unanimous.**

Lilian J. Bryan, Secretary

