

**MINUTES OF THE METCOM TASK FORCE**  
**CHESAPEAKE BUILDING \* LEONARDTOWN, MARYLAND**  
**Wednesday, October 28, 2009**

Members present were Elliott Burch, Ford Dean, Glen Ives, Shelby Guazzo, Joe Densford, Mary Lynn Stone, Robert Jarboe, and Susan McNeill. James Spence and Frank Taylor were excused. Support Staff Present were Jacki Meiser, Metcom Director; Dan Ichniowski, Metcom; Chet Frederick, Metcom; Phil Shire, LUGM Deputy Director; Dave Chapman, LUGM; Robin Parker Cox, UMD; and Richard Lawrence, UMD.

Mr. Densford called the meeting to order at 9:06 a.m.

**Opening & Approval of Minutes**

Ms. Guazzo made a motion to approve the minutes of September 21, 2009 and Ms. Stone seconded. The motion passed by an 8-0 vote. Mr. Burch made a motion to approve the minutes of October 14, 2009 and Mr. Ives seconded. The motion passed by an 8-0 vote.

**METCOM Comparisons**

Ms. Cox gave an overview of the Water and Sewer Service in Maryland Counties handout stating there are seven (7) other counties in Maryland that have a separate entity like Metcom distributing their water and sewer services.

Mr. Lawrence gave an overview of the Comparative Review: Metcom and Charles, Calvert, and Somerset handout and the Comparative Review: Metcom and Cooperative Model handout including population, water/sewer provider, creation, governance, powers, staff size, and geographical scope of operations, total customers, and capacity in million gallons per day, operating budget, funding, user rates, and EDU allocation.

Ms. Stone asked where the cooperative model information was collected and if this is a typical model. Mr. Lawrence stated the information was received from Co-Chairs Mr. Densford and Ms. Stone and the chart is a conceptual representation of the cooperative model. Ms. Stone asked if any feedback was given as to why some of these counties converted. Ms. Cox stated she can obtain this information. Ms. Stone asked that the strengths and weaknesses, before and after the transition be included in this information. Mr. Densford asked that the reasoning for the transfer also be included in this information. Ms. McNeill asked that the percentage of services provided by the County versus the water and sewer authority be included as well. Ms. Guazzo asked what cities have independent operations and if the County has any type of governance on that operation. Ms. Guazzo stated if the County has any governance on the operation can we find out which department has the governance i.e. public works, etc.

**Planning Commission**

Ms. Guazzo submitted an outline of historical data pertaining to the implementation of Metcom and how it meshes with County Government. Ms. Guazzo gave a brief historical overview from the 1640s through today. Ms. Guazzo described the duties of the Planning Commission when reviewing water and sewer amendment and the two ways to change a parcel of land. Ms. Guazzo gave an overview of the Metcom service categories for times/staged growth in growth areas and in the rural preserve areas. Ms. Guazzo highlighted some quirks in the system and the challenges to come in the future. *Ms. Guazzo's full testimony can be found on file at the Department of Land Use and Growth Management.*

Ms. McNeill gave an overview of Planning Commission CWSP hearings held over the past five years providing details on the prerequisites for a hearing, duties of the Planning Commission during the hearing, timeline for commercial and multi-family projects, timeline for subdivision projects, major issues or tensions, legal standards, and practical considerations. Ms. McNeill used Glazed Pine, Mohawk Drive, Mill Cove Manor, and Mill Cove Harbor as examples. Ms.

*McNeill's full testimony can be found on file at the Department of Land Use and Growth Management.*

## **BREAK**

Ms. Meiser clarified that Metcom does not have anything to do with the Leonardtown facilities and that the Comprehensive Water and Sewer Plan is a County document, Metcom does not prepare or warrant this document. Ms. Meiser stated the bay interceptor is not "access denied"; it is the zoning that does not support connection to this line.

## **Q&A on County Code Sect. 113-5 and 113-26**

Ms. Meiser stated both provisions provide that the BOCC has the authority to pay for a project in advance and Metcom would reimburse the county. Ms. Meiser stated this does not happen frequently but the ability to operate this way is there. Ms. Meiser stated the BOCC has never expressed an interest in working this way. Ms. Guazzo asked if Metcom is required to pay the BOCC back. Ms. Meiser stated 113-5C states Metcom is required to pay back the monies however the BOCC can waive this requirement. Mr. Jarboe stated he would like to see the difference between the language in the past and the language now as far as a liaison goes. Ms. Guazzo stated 113-1 was repealed in 1979 and Chapter 417 took over and asked if the Task Force could have history as to why this was done. Ms. Cox stated this would be provided.

## **Q&A on Rate Payer Deferral Guidelines**

Ms. Becky Shick of Metcom gave an overview of the rate payer deferral guidelines stating there are two mechanisms. Ms. Shick stated there are the capital contribution payment plan and a system improvement deferral plan. Ms. Shick stated we also give applicants a list of other organizations that may be able to help with the payments such as local churches, etc. Ms. Shick stated the Capital Contribution Plan is 24 months. Ms. Stone asked what happens if you become delinquent in this plan. Ms. Meiser stated this is not possible.

## **Q&A on HR Internal Policies and 2007 Comparative Pay Scale Study**

Ms. Cullins asked for specific questions regarding the information submitted. Mr. Dean recommended time be given for the Task Force to review all the items provided prior to the next meeting. Mr. Densford recommended leaving 15 minutes on the next agenda to discuss this item. Ms. Guazzo asked that the hiring and recruitment policies also be deferred to the next meeting.

## **Additional Questions & Comments**

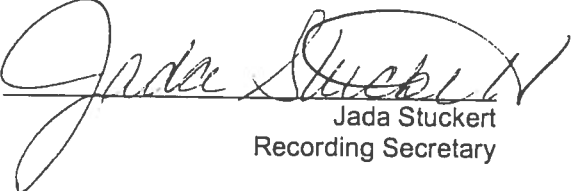
Mr. Dean asked if the right to establish a private system is written in the state law. Ms. Meiser stated the right is under section 113 of the County Code as well as in state law. Ms. Meiser clarified if a system is owned by more than one owner it then becomes a public system. Mr. Dean asked to establish a private system if you have to get a water and sewer category change. Ms. Meiser stated this is for public systems only. Mr. Dean asked about the policy requiring a property owner to connect to a public system. Ms. Meiser stated this would depend on the zoning category. Mr. Dean asked anytime a line is proposed to be built regardless of who pays for it, if it is in the right zoning etc. if an abutting property owner is required to hook up to the system. Ms. Meiser stated an area where system is failing it comes to Metcom for a special taxing district and the debt is divided between all persons in the taxing district. Mr. Jarboe asked if the Health Department determines the failing systems and how. Ms. Meiser stated she would rather this question be asked of the Health Department as she does not know the standards they use to determine what is failing. Ms. Cox stated she would obtain this information from the Health Department. Mr. Jarboe stated these failing systems are determining where water and sewer is going in certain districts and he does not feel this is the correct course of action.

## **Closing**

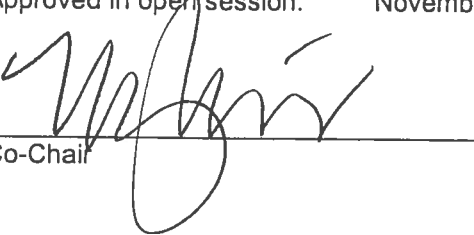
Ms. Cox stated the next meeting is Friday, November 20, 2009 at 9:00 a.m. the Task Force discussed possibly holding additional meetings on Wednesday evenings and Friday mornings.

**Adjournment**

The meeting was adjourned at 12:00 p.m.

  
Jada Stuckert  
Recording Secretary

Approved in open session: November 20, 2009

  
Co-Chair

**MINUTES OF THE METCOM TASK FORCE**  
**CHESAPEAKE BUILDING \* LEONARDTOWN, MARYLAND**  
**Friday, November 20, 2009**

Members present were Frank Taylor, James Spence, Susan McNeill, Robert Jarboe, Mary Lynn Stone, Joe Densford, Shelby Guazzo, Glen Ives, Ford Dean, and Elliot Burch. Support staff present was Dan Ichniowski, Metcom; Mary Ann Cullins, Metcom; Derick Berlage, LUGM Director; Robin Parker Cox, UMD; and Richard Lawrence, UMD.

Ms. Stone called the meeting to order at 9:04 a.m.

**Opening and Approval of Minutes**

Mr. Taylor made a motion to approve the minutes of October 28, 2009 as amended and Mr. Burch seconded. The motion passed by a 10-0 vote.

**Q&A on HR Internal Policies and 2007 Comparative Pay Scale Study**

Ms. Cullins gave an overview of the amended pay scale stating a salary study was completed in 2006 and determined 52% of our positions were below market. Ms. Cullins stated the pay scale was compared to other counties and utility districts. Ms. Cullins stated the new pay scale was implemented in two phases in 2007. Ms. Stone asked if everyone was adjusted up and down. Ms. Cullins stated none were adjusted down; however some positions remained the same. Ms. Stone asked if any position was paid at a higher rate than what the study suggested. Mr. Taylor stated he is unaware of any position which was paid at a higher rate than what was suggested by the study. Mr. Taylor explained further that over a period of time, it became clear that Metcom found it difficult to find qualified applicants based on the then pay scale. Mr. Taylor stated this was a principal reason for the salary study. Ms. Stone asked for the amount of the overall increase. Ms. Cullins stated the overall increase in pay for all positions was \$300,000. Ms. Stone asked if the Metcom pay scale is now comparable to the County's pay scale. Ms. Cullins stated yes, the two are comparable.

Mr. Ives stated the process Metcom went through is pretty consistent with what other companies do to be competitive with other jurisdictions. Mr. Taylor stated another reason to conduct the salary study was employee retention because Metcom was losing talent to other jurisdictions. Ms. McNeill asked if the new pay scale has improved Metcom's ability to retain qualified employees. Ms. Cullins stated we have successfully been able to fill positions and keep qualified employees.

Ms. McNeill asked how positions are advertised. Ms. Cullins stated Metcom uses newspapers, websites etc. for advertising their available positions. Ms. McNeill asked if most engineers commute or do they live in the County. Ms. Cullins stated at the time most live in the County.

Mr. Jarboe asked if job descriptions for upper level positions are included in the overview that was provided. Mr. Ichniowski stated they should be included, however if any are missing, please let him know and he will provide them. Ms. Stone asked if general counsel was estimated within these amounts. Ms. Cullins stated there is no contract for general counsel; at this time both the director position and the general counsel position are combined in the same salary.

Mr. Densford asked how positions are filled in most departments and who decides whether or not to advertise the position. Mr. Densford asked if hiring management without advertising a position is common practice for a public agency. Mr. Ichniowski stated he believes the County hires from within the same way, as they have hired public works directors, the county attorney and others without advertising positions. Mr. Densford asked who makes the decision to hire within for certain positions. Ms. Cullins stated we advertise the position, which is a common practice everywhere, and explained that in most cases it would be the department head, director, and human resources who make the decision to hire from within. Mr. Ives asked if there is a written

policy for this. Ms. Cullins stated yes and it is included in the packet. Ms. Cullins stated it was provided as supplemental information in an email.

Ms. Stone stated she does not recall this information being provided. Ms. Cullins read the policy aloud. Ms. Stone asked if this is consistent with a public agency. Mr. Ichniowski read the County policy to compare the two.

#### **METCOM Comparisons**

Mr. Lawrence gave an overview including new information on the Comparative Review: Metcom and Charles, Calvert, and Somerset Counties. Mr. Lawrence stated there is not a uniform rate structure; rates vary across the service areas.

Mr. Lawrence gave an overview of St. Mary's, Somerset, Dorchester, and Caroline Counties, stating these counties have outside authorities that are not operated under county government. Mr. Lawrence described a Dorchester County shared facility which is a water or sewer system that serves more than one lot or a series of water or sewer systems that each serves one lot. Mr. Lawrence explained a shared facility may only be built outside an incorporated area.

Ms. McNeill asked why Caroline County converted. Mr. Lawrence stated for the most part it had to do with the failing septic systems. Mr. Dean asked if Calvert and Charles had a functioning sanitary commission or other entity handling water and sewer. Mr. Lawrence states as far as he knows all the counties that began with a separate entity have since combined with county governments. Mr. Lawrence state a presentation regarding this will be given at the next meeting. Mr. Jarboe asked if the statutes repealing the separate status of these public water and sewer authorities, bringing them under County government, could be provided at the next meeting.

#### **Next Steps**

Ms. Cox gave an overview of the next steps, explaining upcoming presentations for the December meeting, forming recommendations for the future of Metcom, and discussion of public hearings to gather input. Ms. Cox asked that the task force think about other information they would like provided. Ms. Cox stated a calendar will be sent around to schedule meetings from January to June and be decided on at the next meeting.

#### **Input from Members**

Mr. Taylor stated he looks forward to discussing whether or not the service currently being provided by Metcom is sufficient. Mr. Taylor stated from this discussion, members can focus on the Task Force's purpose and make what suggestions the members feel is appropriate. Mr. Ives recommended laying out the questions we have which are relevant to the task at hand. Ms. Stone stated we have an opportunity today to define what these questions are. Ms. McNeill stated she would like to know where the communication break-down is between Metcom and Land Use and Growth Management.

Mr. Spence recommended getting guidance from the County as to whether or not they would want to assume responsibility for Metcom. Mr. Densford stated figuring out the impact to the County may be the hardest part. Mr. Dean stated he sees three options: 1) leaving Metcom intact; 2) doing away with Metcom and making it a department in county government; and 3) a combination of the two. Mr. Dean stated he feels we need to make a determination as to what the recommendation might be prior to having the recommendation reviewed by a fiscal specialist. Mr. Densford stated we would need to know the fiscal impact prior to making a recommendation. Ms. Guazzo stated she would like to hear from the County's Finance Director, Elaine Kramer prior to making a recommendation.

Mr. Burch stated he does not want Metcom to feel they are here on trial and this needs to change as they have bent over backwards to provide all the information we've requested. Ms. Stone agreed stating it is not the intent of the Task Force to make Metcom feel this way. Mr. Ives stated

he hopes Metcom doesn't feel like they're on trial and he appreciates all the work and effort they have provided.

Ms. Stone stated we are at a turning point and need to look at our next phase. Mr. Burch stated he would like to know if there are specific issues between the county and Metcom and/or Land Use and Growth Management and Metcom. Ms. Stone stated this may come out during the public hearing process. Mr. Taylor stated he feels this opportunity for open dialogue is very important in our process. Mr. Taylor also commented about Delegate Bohannon's remarks to the Task Force members at the first meeting in August when Delegate Bohannon stated that Metcom was driving development rather than the Planning Commission. Mr. Taylor stated Metcom is responsible for putting into place the infrastructure for water and sewer where directed by the County Commissioners through the input of the Planning Commission. Mr. Taylor advised, as the Task Force moves forward into the public hearing phase, the Task Force members temper what they are hearing with the entire process and incorporate the information we have received to this point.

Mr. Taylor stated those entities such as the County Commissioners, Land Use and Growth Management, Metcom, the Planning commission and others involved with directing growth should meet jointly on a periodic basis to discuss various issues. When Mr. Dean had served on the Board of County Commissioners it had been the practice that a County Commissioner member served on each of the major boards and commissions. Mr. Ichniowski explained joint meetings are held between Metcom and the County Commissioners on a pretty regular basis. Mr. Ichniowski stated that while Metcom and the Planning Commission do not normally meet, Metcom always has a representative at the Planning Commission meetings and participates in the preparation of the Capital Budget. Ms. Stone stated she understands which meetings Metcom attends and asked who attends Metcom's meetings. Mr. Ichniowski stated no representatives from other Board, Committees, or Commissions attend Metcom's meetings. Ms. Guazzo asked if the Metcom meeting minutes are sent to anyone in the County. Mr. Ichniowski stated they are posted on the website and sent to the County Commissioners. Ms. McNeill stated she is concerned as a Planning Commission member that there is no input from Metcom for the overall Comprehensive Planning process.

Ms. Guazzo stated she sees a lack of communication between the Planning Commission, Land Use and Growth Management, Board of County Commissioners and Metcom. Ms. Guazzo stated the Metcom website even states "we are not a county government agency" which is not something to be proud of. Mr. Ives asked if there is a policy in place to describe how these entities communicate. Mr. Ives asked if Metcom has ever placed water or sewer lines in an area of the County that the Planning Commission or the Board of County Commission did not recommend and/or approve. Ms. McNeill stated there was the Mohawk Drive project, which was described in documents distributed at the last meeting.

Ms. Stone asked that information be provided at the next meeting on how commissions or services that are separate from county government communicate with other boards and entities.

## **BREAK**

### **Leonardtwn Sewage Treatment Plant**

Ms. Laschelle McKay gave an overview of the Leonardtown sewage treatment plant, stating it is nearing capacity as far as allocations. However, operationally, we are at 63% of our design capacity. Ms. McKay stated we are working with the County Commissioners to free up capacity for the expansion of the Detention Center. Ms. McKay stated after meeting with Metcom staff there isn't really any additional capacity available at this time under the old agreement. Ms. McKay stated the only additional allocations within the past year have been allocations which we haven't used. Ms. McKay stated we were given a list of allocations in 1989 from Metcom and we have tracked them from that point on. Ms. McKay stated Land Use and Growth Management tracks and assigns the Equivalent Dwelling Units (EDUs). Ms. McKay stated we've met probably

three times over the past 10 years with Metcom and Land Use and Growth Management to make sure all our numbers are in line with one another.

Ms. McKay stated our debt service is based on the actual number of allocations. Ms. McKay stated we upgraded in 2003 to ENR which Metcom paid a percentage of based on the percentage of allocation. Ms. McNeill asked how many customers receive services. Ms. McKay stated our plant serves approximately 2,720 EDUs. Mr. Burch asked if the town controls the EDUs. Ms. McKay stated yes. Ms. Guazzo stated it is her understanding that the expansion is on hold and asked if all the approvals have been received for the expansion when it comes time to expand. Ms. McKay stated we were in the first phase of grant funding for the ENR upgrade; the expansion portion would be paid for by impact fees. Ms. McKay stated our design is 90% complete so when development moves forward we may be able to move forward with the expansion. Ms. Stone asked how the fee schedule compares to the Metcom fee schedule. Ms. McKay stated she has not seen recent numbers and would rather not compare the two. Ms. McKay stated we are in the process now of installing water meters and should be completed by the end of the year. Ms. McKay stated we will monitor the meters and come up with a new rate structure for residential units. Mr. Jarboe asked if the town is tied to both water and sewer. Ms. McKay stated yes except for Bannaker and a few customers north of town and by the fairgrounds.

Mr. Dean asked for an elaboration on how the system works. Ms. McKay stated our utility department reviews everything yearly and places it into a report for tracking throughout the year. Ms. McKay stated it is a per EDU flat fee. Ms. Guazzo asked if 2% is an automatic increase. Ms. McKay stated we have a resolution which establishes this. Ms. McKay stated yes and our impact fee is now paying a higher impact fee in anticipation of development coming in.

Ms. Stone asked about Leonardtown's budget standings. Ms. McKay stated we are on currently track. Ms. McNeill asked if Leonardtown has a Comprehensive Water and Sewer Plan. Ms. McKay stated no, however we have a water and sewer study.

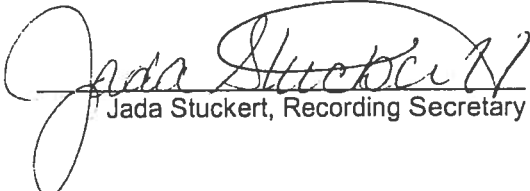
Ms. Stone asked how projects are funded. Ms. McKay stated it depends on our budget standings however we normally do not have to borrow the money for these projects as they are paid for by the impact fees.

#### **Closing**

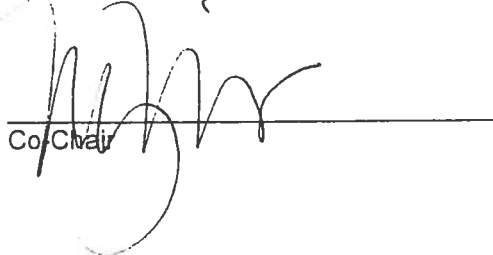
The next meeting will be held on Friday, December 18<sup>th</sup> from 9:00 a.m. to 1:30 p.m. Ms. Cox asked that the members please respond to the 2010 calendar for scheduling possible upcoming meetings. Ms. Cox stated the public hearing process needs to have some level of guidance and asked that the members think about this for the next meeting. Mr. Densford asked if we could find out who makes the decision as to how other jurisdictions handle forward-funding for public water and sewer projects. Ms. Cox stated her staff would look into this.

#### **Adjournment**

The meeting was adjourned at 11:38 a.m.

  
Jada Stuckert, Recording Secretary

Approved in open session: December 18, 2009

  
Co-Chair

**MINUTES OF THE METCOM TASK FORCE**  
**CHESAPEAKE BUILDING \* LEONARDTOWN, MARYLAND**  
**Friday, December 18, 2009**

Members present were Frank Taylor, James Spence, Susan McNeill, Robert Jarboe, Mary Lynn Stone, Joe Densford, Shelby Guazzo, Ford Dean, and Elliot Burch. Glen Ives arrived at 10:00 a.m. Support staff present was Jackie Meiser, Metcom Director; Becky Shick, Metcom Finance; Derick Berlage, LUGM Director; Dave Chapman, LUGM Capital Improvement Planner; Daryl Calvano, Health Department Director; Robin Parker Cox, UMD; and Richard Lawrence, UMD.

Mr. Densford called the meeting to order at 9:05 p.m.

**Opening and Approval of Minutes**

Mr. Burch made a motion to approve the minutes of November 20, 2009 as amended and Mr. Taylor seconded. The motion passed by a 9-0 vote.

**Criteria for Failing System**

Mr. Calvano stated the Health Department operates under the authority of COMAR 2604.02. Mr. Calvano gave an overview of the criteria for a failing septic system including the State recognized failures, how the failing systems are reported, inspected and repaired or replaced.

Ms. Guazzo stated Mr. Calvano referenced a four foot separation and asked what the separation is for. Mr. Calvano stated this is specifically for drain fields; a four foot separation from the water table and the drain fields. Mr. Spence asked if research has been done for mound systems and their capabilities. Mr. Calvano stated he has not researched mound systems however the Maryland Department of the Environment may have the research.

Mr. Jarboe asked if the Health Department looks at the water and sewer system for upgrades. Mr. Calvano stated we are one of the agencies involved in the building permit process with the Department of Land Use and Growth Management and explained the review process. Mr. Jarboe asked if there is a mechanism for reworking an old system rather than replacing it. Mr. Calvano stated we look at conventional technologies to do this however it depends on the circumstances.

Mr. Jarboe asked if there is an educational process in place to make people aware of how to use and maintain septic systems properly. Mr. Calvano stated we have DVD's available upon request as well as running this information on the County's Channel 95 from time to time. Mr. Calvano stated we are always looking for more ways to get this information out to the public. Ms. McNeill asked if there is a standard publication which recommends how often to empty your septic tank. Mr. Calvano stated the Health Department recommends pumping the system every 3 to 5 years. Ms. McNeill asked what the percentage of septic failures is for not maintaining it properly. Mr. Calvano stated a septic system has a finite amount of years it will last if maintained properly.

Mr. Densford asked which agencies are the key players for a regional problem where several septic systems fail in one area. Mr. Calvano stated all three agencies play a roll with the key player being the Health Department, then Metcom, and LUGM. Mr. Calvano stated we identify the areas of need. Mr. Densford stated in designing a solution of a situation like this would the Health Department play a key roll. Mr. Calvano stated yes, we are part of the discussion of recommending public water and sewer for areas in need. Mr. Densford asked if a public sewer line is extended, does the agency have any authority to inform persons that they must hook into the new line and abandon their septic system. Mr. Calvano stated the Health Department is obligated to follow the Comprehensive Water and Sewer Plan.

Ms. Stone asked when and where the Health Department gives their input towards the Comprehensive Water and Sewer Plan. Mr. Calvano stated we are involved in the re-write of the Plan, we look are areas we feel should be looked at as areas of need. Mr. Calvano stated we work with LUGM and Metcom on properties for waivers for certain projects. Ms. McNeill asked if



he is a strong advocate for the public water and sewer. Mr. Calvano stated public water and sewer is better for the environment and he is a strong supporter.

Mr. Dean stated at one point in time the State regulations on the Eastern Shore allowed for septic system effluents to be discharged into the surface water tables and asked if this is still the case. Mr. Calvano stated this is still the case on the Eastern Shore. Mr. Calvano stated if a jurisdiction chooses to have a ground water penetration report prepared by qualified consultants. Mr. Calvano stated that water has already been ruled out for human consumption on the Eastern Shore due to their ground water penetration reports.

Mr. Taylor asked for an outline of the steps for someone in the RPD with the availability for public sewer if their system is failing. Mr. Calvano stated once we are notified, an evaluation is done; if the soils are insufficient for conventional system we would make a recommendation to LUGM for public sewer. Mr. Burch stated we are not allowed to use shallow wells anymore and asked if this is our County or Statewide. Mr. Calvano stated no new shallow wells are allowed in the State unless done by a licensed well driller.

### **Financing Overview and Questions**

Ms. Becky Shick gave an overview of Metcom's debt structure including benefit assessments under front foot approach and under EDU approach. Ms. Shick discussed problems with repair and replacement of aging structures, the 2007 rate re-structure, and when and for what purpose does Metcom now incur debt. Mr. Spence asked how the public reacted to the change from the front foot method to the EDU approach. Ms. Meiser stated everyone became a uniform rate therefore the changeover went very smoothly.

Mr. Spence asked what source of grant monies is available other than State and/or Federal monies. Ms. Shick stated other than Federal and State monies there are very few sources available. Mr. Dean asked what the current amount of the system improvement charge and the capital contribution charge per EDU. Ms. Shick stated the system improvement charge for sewer is \$8.75 and \$5.27 for water per EDU per month. Ms. Shick stated the capital contribution charge for residential sewer is \$1774.78 and \$774.81 for water. Mr. Dean stated at some point in time these charges are looked at to make sure they are in line. Ms. Shick stated this is looked at yearly along with the Capital Improvement Plan to calculate our debt service. Mr. Spence asked if other jurisdictions are looked at to make sure Metcom is comparable. Ms. Meiser stated yes and ours were the lowest. Mr. Dean asked about the monthly service charge. Ms. Shick stated the residential water is \$15.71 per month per meter and includes 6,000 gallons. Ms. Shick stated sewer is non-metered at \$25.00 per month, per EDU. Mr. Dean asked if all these rates are uniform. Ms. Meiser stated yes except there is a difference between commercial rates and residential rates.

Mr. Jarboe asked if Metcom were to default how the deficit would be dealt with by the County. Ms. Meiser stated the code provides that in the event Metcom were to default and need to rely on the full faith and credit of the County that a County wide tax would be imposed to meet whatever the deficit is at the time. Mr. Jarboe stated it was his understanding that the deficit would be covered by individual sanitary districts rather than County wide. Ms. Meiser stated when we set the different rate of debt we couldn't change the sanitary districts so we had to make sure we set the rate to cover our debt. Ms. Meiser stated we now set our rates annually and uniformly to eliminate the possibility of being in a default state.

Ms. Guazzo stated part of the basis for incoming funds should include new customers and due to the economy monies should be tight therefore it concerns her that the dues are reviewed annually. Ms. Guazzo stated Leonardtown has an annual 2% increase and have the option to raise this percentage if necessary. Ms. Guazzo asked if Metcom has considered doing this. Ms. Meiser stated all factors are considered for any increase; we calculate our customers with an increase of 1.9% per year however, our rates do not automatically go up 1.9% every year.

Mr. Densford referenced the Metcom handout entitled "Discussion of Metcom's Debt Structure" stating he does not agree with the section "What would happen if Metcom constructed system expansion to accommodate new development?" Mr. Densford stated he disagrees with the list of reasons for maintaining the status quo. Mr. Densford stated it is inefficient to build several smaller facilities that are turned over to Metcom rather than expanding on the larger facilities. Ms. Meiser stated these were intended to be points of consideration and not as gospel by any means.

Ms. Stone asked why residents who front a new line and have a perfectly good system are required to hook to the central line. Ms. Meiser stated this requirement comes from Section 113 of the County Code. Ms. Meiser stated this code can be changed at any time. Ms. McNeill stated generally there are very few persons that are made to connect.

Ms. Guazzo stated we are providing a public service with water and sewer and waiting for developers to fund a little patch of land and pay for the nearest hookup is ridiculous. Ms. Guazzo stated we need to do this in a forward thinking manner rather than waiting on construction. Ms. Guazzo stated Metcom has to have forward thinking as their guiding principal. Ms. Meiser stated Metcom is not opposed to this way of thinking; considerations have to be made as to who is going to pay for the expansions and where the forward funding is going to come from. Ms. Meiser if we start paying for expansions we will have to go before the County Commissioners for funding. Ms. Guazzo stated approaching the County Commissioners is one of the problems in the execution of Metcom's capital budget; there is a lot of room in the collaboration. Ms. Guazzo stated there would need to be a significant amount of collaboration between the County Commissioners and Metcom. Ms. Guazzo stated there has not been a good explanation as to why these two boards do not communicate with each other.

Mr. Jarboe asked if there are persons in the growth areas who do not have water and sewer. Ms. Meiser stated yes. Mr. Jarboe asked if there is an appeal process for persons required to hook up to a new line. Ms. Meiser stated Metcom adopted a Connection Deferral Guideline which sets an amount of time by which people are required to connect to the new line. Mr. Taylor stated in his experience Metcom has worked extensively with customers to work out the details of hooking up to a line. Ms. Meiser stated there are also other programs in place to spread your capital contributions out over 24 months to ease the burden of a lump sum payment. Mr. Jarboe stated if you choose to live in the RPD you should be prepared to live with well water and septic systems and not come running to the County when one of the two fails. Ms. McNeill stated we may be able to give incentives to developers to build where we want them to build and do joint financing. Ms. Meiser stated she has not discussed this possibility with LUGM however it is definitely something to be discussed.

## **BREAK**

### **County-Operated Services Overview**

Ms. Cox stated she was tasked with finding out why sanitation districts converted over to municipal agencies and introduced Mr. Ed Donahue of the Municipal and Financial Services Group. Mr. Donahue gave an overview of how rates are set historically stating rates are basically an average of costs. Mr. Donahue stated when setting these fees you need to make sure you set them based on your capacity rather than basing them on new services.

Mr. Densford asked if these counties had a negative impact financially. Mr. Donahue stated no, however, they felt there was not enough accountability. Mr. Donahue warned \$8,000 to \$12,000 is the estimated cost for water and sewer services to build a new home. Ms. McNeill asked if the scope is based on the debt service. Mr. Donahue stated impact fees can and should be raised to handle the cost of water and sewer services.

Mr. Ives stated based on Mr. Donahue's experience what are his thoughts about Metcom's current structure. Mr. Donahue stated we need certified persons handling these issues and the

County may not be able to deal with this whereas Metcom can. Mr. Donahue stated he feels Metcom should remain as is, but receive more bonds from the County for further expansions.

**Public Hearing Discussion**

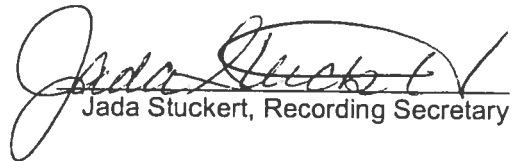
After discussion it was decided to hold the public hearing on January 27, 2010 from 6:30 p.m. to 8:00 p.m. with a snow date of February 10, 2010 for the purpose of soliciting comments of any interested party as a public forum. Mr. Densford recommended identifying issues during the lunch break and inviting developers, engineers, surveyors, and other members of the building trades.

**Closing**

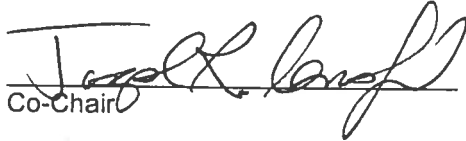
Ms. Cox provided the tentative schedule for 2010 meetings and asked that the members review this schedule and send comments to her. Ms. Cox stated the next meeting will be held on January 27, 2010 from 6:30 p.m. to 9:00 p.m.

**Adjournment**

The meeting adjourned at 12:15 p.m.

  
Jada Stuckert, Recording Secretary

Approved in open session:      January 27, 2010

  
Co-Chair

**MINUTES OF THE METCOM TASK FORCE**  
**CHESAPEAKE BUILDING \* LEONARDTOWN, MARYLAND**  
**Wednesday, January 27, 2010**

Members present were Frank Taylor, James Spence, Susan McNeill, Robert Jarboe, Mary Lynn Stone, Joe Densford, Shelby Guazzo, Glen Ives, Ford Dean, and Elliot Burch. Staff Support present were John Savich, County Administrator; Jackie Meiser, Metcom Director; Dan Ichniowski, Metcom Deputy-Director; Mary Ann Cullins, Metcom Human Resources; Derick Berlage, LUGM Director; Dave Chapman, LUGM Capital Facilities Planner; Robin Parker Cox, UMD; and Richard Lawrence, UMD.

Ms. Stone called the meeting to order at 6:35 p.m. and gave an overview of the structure and charge of the Task Force.

**Opening and Approval of Minutes**

Mr. Taylor made a motion to approve the minutes of December 18, 2009 as presented and Mr. Burch seconded. The motion passed by a 10-0 vote.

**Public Forum**

Mr. Densford opened the public forum.

Commissioner Larry Jarboe

Commissioner Jarboe thanked the Task Force for their service and stated we must put the people of St. Mary's County first. Commissioner Jarboe stated the Task Force has several difficult decisions to make in the near future and he is here tonight to listen.

Dan Morris

Mr. Morris he feels we have some of the finest people working on this Task Force and thanked each member for their service. Mr. Morris asked the Task Force when considering any rate increases to consider tightening the belt.

Chris Graham

Mr. Graham read a statement on behalf of his father Mr. David Graham. Mr. Graham stated his father has been working to hook up to the sewer line for the past three years. Mr. Graham stated he bought the grinder pump and paid the permit fees. Mr. Graham stated when no action was taken by Metcom he personally went to the Metcom office and was told he had apparently fallen through the cracks. Mr. Graham stated this is an issue that has been ongoing for three years now and he would like to see a change in Metcom's process and management.

Henry Camaoni

Mr. Camaoni stated he has watched the Task Force meetings and would like to address some of the issues discussed in the past. Mr. Camaoni stated Metcom did not hook up all the grinders in the St. Georges Island area. Mr. Camaoni stated property owners not only have to pay to connect to the main line but also pay to run the line down to their property.

Mr. Camaoni stated LUGM is supposed to grant EDU's but he has evidence that it is actually Metcom who does this. Mr. Camaoni stated if Metcom is granting EDU's it is in fact unethical for Ms. Meiser to hold the Director position as well as the Legal Council position. Mr. Camaoni stated the Metropolitan Commission asked the Ethics Board for direction on Ms. Meiser's dual positions and it seems the Ethics Board left the decision up to Ms. Meiser. Mr. Camaoni stated he believes Ms. Meiser holding both positions is possibly illegal according to MD law 1.11.d.2. Mr. Camaoni asked why Ms. Meiser is making \$140,000 per year for a part-time position. Mr. Camaoni stated former Director, Steve King was in the office all the time and Ms. Meiser is not. Mr. Camaoni referenced Section 2 of the County Ethics Ordinance stating he believes this section would not support Ms. Meiser holding the dual positions.

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Mr. Camaoni referenced that Metcom owned 110 acres in the Breton Bay area which they are now going to lease for commercial use. Mr. Camaoni stated the engineering documents provided were based on false information for the proposed monopoly. Mr. Densford asked if Mr. Camaoni has pending litigation with Metcom. Mr. Camaoni stated yes. Mr. Densford stated the Task Force will not be able to help with any of this. Mr. Camaoni stated the Task Force should know the truth about Metcom and LUGM. Mr. Densford stated this is not the proper form to be discussing these issues.

Joanne Coombs

Ms. Coombs stated she has issues with Section 113 of Metcom's revised guidelines. Ms. Coombs stated under the new guidelines you only have 8 months to abandon your well and connect to the main line. Ms. Coombs stated the previous guidelines allowed persons 5 years to connect to the line. Ms. Coombs stated there was also a change in the 50 foot span between the water line and the sewer system; it is a 10 foot separation. Ms. Coombs asked that the Task Force review these new guidelines.

Steve King

Mr. King stated the St. George's Island system was built utilizing a federal grant due to environmental constraints. Mr. King stated this project underwent a very long public hearing process and the issue of which properties to connect was part of this process. Mr. King stated a group of properties towards the end of the island were not included as well as some properties that did not want to connect to the system. Mr. King stated the system was designed as it is now and records pertaining to this are in the files at Metcom. Ms. Stone asked what the alternative was for properties that were excluded. Mr. King stated there was no real hardship so these people stayed with their well water and septic systems. Mr. Spence asked what percentages of properties were served. Mr. King stated approximately 95% of properties are being served. Ms. Guazzo asked about the monopole proposed for Breton Bay. Mr. King stated Metcom owns 110 acres in Breton Bay that has been used as a spray irrigation system since 1982. Mr. King stated the residents of Breton Bay contacted the BOCC and asked for support of a cell tower being placed on this property considering their lack of cell service in the area. Mr. King stated Verizon was required to go through the Board of Appeals process.

Mr. Densford closed the forum to public comment leaving the record open for written comments for the next 10 business days.

**Calendar**

Ms. Cox asked that the meeting calendar be finalized. After discussion it was confirmed that the Task Force will meet on February, 12, 2010 from 9:00 a.m. to 12:00 p.m. and again on February 24, 2010 from 6:00 to 9:00 p.m. Meetings in March will be held on March 3, 2010 from 9:00 a.m. to 12:00 p.m. and again on March 12, 2010 from 9:00 a.m. to 12:00 p.m.

**BREAK**

**Forum Discussion**

Ms. Stone asked if Ms. Coombs was correct in her statements regarding the amendments to the guidelines. Ms. Meiser stated no, the guideline is just that, a guideline and this guideline exists for Ms. Coombs very requests. Ms. Meiser stated the Commission gave Ms. Coombs an additional 6 months on top of the original six months therefore she has a total of 12 months to connect to the water line. Ms. Stone asked about the change in distance from 50 feet to 10 feet. Ms. Meiser stated she is unaware of this and stated Metcom would be providing a written rebuttal to all testimonies given tonight.

Mr. Joe St. Claire stated at the last Board of Director's Meeting a vote was taken to send out certified mailings to every property owner affected by anything of Metcom. Mr. St. Claire stated this would be discussed again tomorrow.

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Ms. McNeill asked if there is a policy that deals with outside employment. Ms. Cullins stated the employee is required to disclose any and all additional employment which is reviewed by Human Resources. Ms. Cullins stated if it is the Director or Assistant Director Position the Board reviews this.

Ms. Guazzo asked if she could receive a list of all the contract positions. Ms. Cullins stated she would provide a list of contract employees reiterating they are mostly inspectors. Ms. Guazzo asked if the Director and/or Assistant Director positions are contract positions. Ms. Cullins stated no they are not contract positions. Ms. Guazzo asked if these are merit positions. Ms. Cullins states yes they are merit positions. Ms. Stone asked if either of the regulations cited tonight in regards to Ethics and MD law were looked at and/or reviewed. Ms. Cullins stated this was brought forth to the Ethics Commission.

#### **Memorandum**

Mr. Densford stated Ms. Cox wrote a memorandum which summarizes potential issues for discussion and asked that Ms. Cox review this with the Task Force. Ms. Cox gave an overview of the list and asked if the items listed are still points of interest for the Task Force for discussion at future meetings.

Mr. Dean stated we should turn our attention to the report that is due in June. Mr. Dean stated he would like to provide each member with a copy of his proposal which includes a summary of the items discussed and the findings that have been made to date as well as a set of proposed recommendations. Mr. Dean stated the purpose is to focus the committee's attention on finishing the report. Mr. Dean asked that this document be placed on a future agenda for discussion.

Ms. Guazzo asked that Metropolitan Commission meeting minutes and any legislation dealing with Metcom be provided. Ms. Meiser stated the legislative amendments are all conceptual however she will go back and review the minutes and provide copies of minutes pertaining to legislative changes to the Task Force.

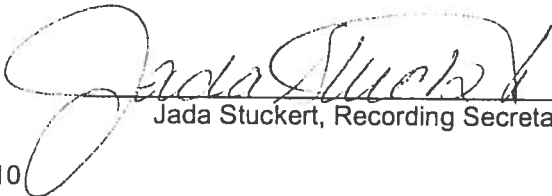
Mr. Burch commended Mr. Dean for starting the process.

#### **Closing**

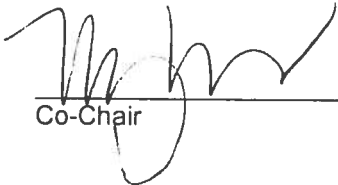
Ms. Cox reminded the Task Force that the next meeting will be held on Friday, February 12, 2010 from 9:00 a.m. to 12:00 p.m.

#### **Adjournment**

The meeting was adjourned at 8:54 p.m.

  
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Jada Stuckert, Recording Secretary

Approved in open session: February 24, 2010

  
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Co-Chair