

MINUTES OF THE
REGULAR MEETING
FEBRUARY 24, 2022

MINUTES
ST. MARY'S COUNTY METROPOLITAN COMMISSION
REGULAR MEETING
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The regular meeting commenced at 3:00 p.m. Participants included Chairman Russell (J), Vice-Chairman Fairfax, Commissioners Alvey, Antosh, Dugan, Meyerman and Russell (R) (*joined the meeting at 3:03 p.m.*). Participating staff included Erichsen, Stiegman, Cullins, Hollander, Hogan, Harding, Potter, Blank and Comeau-Stanley. Other participants included Chris Beaver (*MetCom Legal Counsel*), Dean Naujoks (*Potomac Riverkeeper Network*), Serena Moncion (*Potomac Riverkeeper Network*), Rita Weaver, Charles Bright, Norm O'Foran, Brian Russell, Sheldon Russell, Paul Simpson & Mandy Burch, and several MetCom staff on hand for the National Employee Appreciation Day proclamation.

The Chairman welcomed everyone to the meeting.

APPROVAL OF AGENDA

The Chairman requested to present the Proclamation for National Employee Appreciation Day immediately after the approval of the meeting minutes. Hearing no objection, the Chairman solicited a motion to approve the agenda, as amended.

Vice-Chairman Fairfax moved that the agenda be accepted, as amended. Commissioner Meyerman seconded the motion. Votes cast in favor of the motion included Chairman Russell (J), Vice-Chairman Fairfax, Commissioners Alvey, Antosh, Dugan, and Meyerman. There were no opposing votes cast. Motion carried 6-0.

APPROVAL OF MEETING MINUTES

The Chairman sought a motion from the Board to approve the January 27, 2022 Regular Session Meeting Minutes.

Vice-Chairman Fairfax moved to approve the January 27, 2022 Regular Session Meeting minutes, as presented. Commissioner Antosh seconded the motion. Votes cast in favor of the motion included Commissioner Russell (J), Vice-Chairman Fairfax, Commissioners Alvey, Antosh, Dugan and Meyerman. There were no opposing votes cast. Motion carried 6-0.

Commissioner Russell (R) joined the meeting at 3:03 p.m.

Commissioner Antosh read aloud the National Employee Appreciation Day Proclamation to salute the valuable contributions of the staff and to thank them for their outstanding service to MetCom and its customers.

PUBLIC FORUM

Potomac Riverkeeper Network (PRKN)

Mr. Dean Naujoks introduced himself and addressed the Board, using a PowerPoint presentation, on behalf of the Potomac Riverkeeper Network (PRKN), which was initiated with a brief overview of the PRKN's Mission to identify and investigate sources of pollution that impact the water quality of the Potomac and Shenandoah Rivers and their tributaries. Mr. Naujoks addressed the Sanitary Sewer Overflow (SSO), which occurred in late October in St. George's Island, which made national news, as it allegedly was the source of contamination for local oysters, which were later served at an event in Virginia, where 20 people became sick. Mr. Naujoks advised that lack of timely reporting by the

Maryland Department of the Environment (MDE), coupled with what they perceived as MetCom's Sewer Collection System Failure, as the cause for this event. Mr. Naujoks continued his presentation with providing statistical data related to what he referred to as chronic MetCom SSOs, obtained from the MDE website and noted the impacts on the Maryland and Virginia oysterman and their businesses. Mr. Naujoks sought an opportunity to discuss this matter with the Board and furthermore, advised he wanted the Board to offer an apology to the waterman, as well as the individuals who became sick. Mr. Naujoks referred to a list of questions contained in the presentation, which they would like to have answered and again, sought an apology from someone on the Board for this SSO.

The Chairman offered his thanks and appreciation to Mr. Naujoks and others with the PRKN for attending the meeting today and making the presentation. He advised that the Board will take all of the information presented today into consideration and as they are all county citizens, they take this job and this matter very seriously. Mr. Naujoks pushed again for an apology and the Chairman advised that there will be no apology made, as this is when input is provided and while the Board members care; to apologize is beyond what this meeting is. Mr. Naujoks continued to insist that the Board offer an apology to the waterman present and advised that he was not comfortable leaving without an apology. The Chairman reiterated his appreciation for the presentation and the information provided by PRKN and MetCom Legal Counsel asked if Mr. Naujoks' presentation was completed. Hearing no response, but continuing to insist that he would not be leaving without an apology, the Chairman and Legal Counsel advised Mr. Naujoks that he was disrupting the meeting. After repeated requests from the Chairman and Legal Counsel for Mr. Naujoks to depart the meeting, the Chairman called for an adjournment of the meeting. Staff members contacted the Sheriff's Department to assist in the removal of Mr. Naujoks from the building, in the event he did not depart willingly.

Vice-Chairman Fairfax made a motion to adjourn at 3:24 p.m. Commissioner Russell (R) seconded the motion. Call for the vote by the Chairman. Votes cast in favor of the motion included Chairman Russell (J), Vice-Chairman Fairfax, Commissioners Alvey, Antosh, Dugan, Meyerman and Russell (R). There were no opposing votes cast. Motion carried 7-0.

The meeting reconvened at 3:25 p.m.

CUSTOMER WATER BILLING ADJUSTMENT REQUEST

Ms. Stiegman presented a Water Leak Billing Adjustment Request on behalf of a Lexington Park Customer. Ms. Stiegman detailed the excess water use between November 10, 2021 and January 10, 2022, the source of which was a leaking toilet. Ms. Stiegman noted that the customer contacted a plumber, who replaced the toilet and since then, the usage has returned to normal. Ms. Stiegman advised that the customer is eligible for relief, in accordance with our existing policy FIN-19-03.

Commissioner Russell (R) moved that the Board approve Option 2, in the amount of \$407.70 owed for the January 2022 bill and \$454.77 for the February 2022 bill, for a combined total of \$859.47, which represents a total billing reduction of \$516.08. Vice-Chairman Fairfax seconded the motion. Hearing no discussion, the Chairman called for the vote. Votes cast in favor of the motion included Chairman Russell (J), Vice-Chairman Fairfax, Commissioners Alvey, Antosh, Dugan, Meyerman and Russell (R). There were no opposing votes cast. Motion carried 7-0.

APPROVAL OF CONSENT AGENDA

The Chairman sought a motion to approve the Consent Agenda

Vice-Chairman Fairfax moved to approve the Consent Agenda, as presented. Commissioner Antosh seconded the motion. Hearing no discussion, the Chairman called for the vote. Votes cast in favor of the motion included Chairman Russell (J), Vice-Chairman Fairfax, Commissioners Alvey, Antosh, Dugan, Meyerman and Russell (R). There were no opposing votes cast. Motion carried 7-0.

NEW BUSINESS

1. Maryland Association of Counties (MACo) Other Post-Employment Benefits (OBEB) 3rd Quarter 2021 Performance Review

Ms. Stiegman presented the 3rd Quarter 2021 Performance Review, for the period ending September 30, 2021, noting the balance of the Trust was \$767,421 in the MLGIP account and the MACo Pooled OPEB Trust Market Value, as of September 30, 2021 was \$7,991,152. Ms. Stiegman noted that the next Trust meeting is in early March.

2. Low Income Household Water Assistance Program (LIWAP) Memorandum of Understanding with St. Mary's County Department of Social Services

Ms. Stiegman presented the Low Income Household Water Assistance Program (LIWAP), noting that the Maryland Department of Social Services contacted MetCom, in conjunction with the American Rescue Plan Act of 2021 and for supplying eligible households with rate reduction or arrearage assistance funding to assist eligible households with their home and wastewater bills. Ms. Stiegman advised that the State allocated approximately \$200,000 toward the St. Mary's County program, which would allow eligible households to qualify to receive a one-time assistance funding payment. Ms. Stiegman noted that this Memorandum of Understanding would grant our participation in this program to assist our eligible customers. Ms. Stiegman advised that this only funded through December 2023 and is not an on-going federally funded program. Ms. Stiegman provided additional details and eligibility requirements to the Board and brief discussion ensued amongst the group on this program.

Vice-Chairman Fairfax moved that the Commission approve and authorize the Chairman to execute the Memorandum of Agreement between the Maryland Department of Human Services, Office of Home Energy Programs and the St. Mary's County Metropolitan Commission ("Utility"), for the purpose of supplying eligible households with rate reduction or arrearage assistance funding to assist eligible households with their home and wastewater bills, as recommended by staff. Further, Move that staff be authorized and directed to sign all documentation relating to this Memorandum of Agreement, and that staff provide periodic updates to the Board with a reconciliation of the program. Commissioner Russell (R) seconded the motion. Hearing no discussion, the Chairman called for the vote. Votes cast in favor of the motion included Chairman Russell (J), Vice-Chairman Fairfax, Commissioners Alvey, Antosh, Dugan, Meyerman and Russell (R). There were no opposing votes cast. Motion carried 7-0.

3. FY 2022 Capital Equipment Budget Realignment

Ms. Stiegman presented the details surrounding the proposed FY 2022 Capital Equipment Budget Realignment, noting that the realignment of \$30,000 allows for the replacement and upgrade of servers and supporting equipment for the IT Department. Ms. Stiegman noted that the original request was to purchase the equipment in FY 2023; however, staff recommends replacement this year with the identified budget.

Vice-Chairman Fairfax moved that the Commission approve the internal realignment of the Fiscal Year 2022 Capital Equipment Budget in the amount of \$30,000 to allow for the replacement and upgrade of seven (7) servers and supporting equipment for the Information Technology Department, as recommended by staff. Further, Move that the Commission authorize staff to proceed with the purchase and execute any documents relating to the replacement of the aforementioned Servers. Commissioner Meyerman seconded the motion. Brief discussion ensued on the value of the items we are replacing and following responses from Mr. Harding, the Chairman called for the vote. Votes cast in favor of the motion included Chairman Russell (J), Vice-Chairman Fairfax, Commissioners Alvey, Antosh, Dugan, Meyerman and Russell (R). There were no opposing votes cast. Motion carried 7-0.

4. Replacement Data Protection & Back-Up System Procurement

Mr. Harding provided details to the Board related to the purchase request for Replacement Data Protection and Back-up System. Mr. Harding cited the needs associated with the equipment purchase, noting that the existing system is slow, unreliable, under sized and failing.

Vice-Chairman Fairfax moved that the Commission approve the purchase of the replacement data protection & backup system, in the amount of \$109,340.00, as quoted by Dell Technologies per the pricing, terms, and conditions of the State of Maryland, Department of Information Technology, Contract #C000000006563. Further, Move to authorize staff to execute any necessary documentation in accordance with this purchase. Commissioner Antosh seconded the motion. Hearing no discussion, the Chairman called for the vote. Votes cast in favor of the motion included Chairman Russell (J), Vice-Chairman Fairfax, Commissioners Alvey, Antosh, Dugan, Meyerman and Russell (R). There were no opposing votes cast. Motion carried 7-0.

Mr. Harding thanked the Board and noted that this is a big step forward with protecting our systems, in light of the recent activity in Russia and Ukraine. Mr. Harding noted that the Cyber Security Institute advised that we should be very vigilant in the next couple of months, as Russia retaliates over sanctions and targets organizations like ours.

5. Piney Point Wastewater Pumping Station (WWPS) Feasibility Study: Convert Station to a Treatment Plant

Ms. Hollander addressed the Board and noted that the Piney Point Wastewater Pump Station (WWPA) was originally constructed in 1987 and involved the conversion of the existing wastewater treatment plant (WWTP) into a sewer pumping station, in order to transmit the sewer flow for treatment at the Marlay-Taylor Water Reclamation Facility (MTWRF). Ms. Hollander noted that the Pump Station has reached the end of its useful life and we are 95% complete on the design of that pump station.

Ms. Hollander further noted that the recent increased need and desire for development in the Great Mills area has spawned new discussion with Operations Staff on converting the station into a treatment plant and staff agrees that this would help address the needs and would have significant positive impact on the Capital Improvement Budget. Ms. Hollander provided additional budgetary and operational impacts to the Board. Mr. Erichsen relayed details regarding his communications with the Department of Housing and Community Development (DHCD) related to the funding of the project, noting that DHCD has agreed that provided the conversion from a WWPS to a treatment facility relates to the flow of sewerage, we can apply the funding to the project. Mr. Erichsen noted that a feasibility study is required in order to review all aspects and we believe it will be money well spent. Brief discussion ensued amongst the group on the cost to upgrade this to a treatment plant, as well as the positive operational and budgetary impacts.

Vice-Chairman Fairfax moved to accept and approve the proposal dated February 4, 2021, as submitted under the Engineering Services Contract #21-10-E, by Jacobs of Silver Spring, Maryland, for Proposed Feasibility Study of the Piney Point Pump Station conversion to a Water Reclamation Facility, in the amount of \$130,644.12, as recommended by staff. Further, Move to authorize and direct staff to execute all documents relating to this award, including but not limited to all change orders. Commissioner Meyerman seconded the motion. Hearing no discussion, the Chairman called for the vote. Votes cast in favor of the motion included Chairman Russell (J), Vice-Chairman Fairfax, Commissioners Alvey, Antosh, Dugan, Meyerman and Russell (R). There were no opposing votes cast. Motion carried 7-0.

6. St. Clements Shores Wastewater Treatment Plant (WWTP) Expansion Phase B Design Services Contract Award

Ms. Hollander advised that Board that we are moving forward with the final design award for the St. Clements Shores WWTP Expansion, Phase B. Ms. Hollander noted that the first phase would upgrade both the treatment and disposal systems in order to provide additional service to the area, allowing for 140 existing developed lots with failing systems to connect, as well as 100 undeveloped lots initially, with future expansion capability to the full 280-320 EDUs. Ms. Hollander noted that MDE determined that the Membrane Bioreactor process (MBR) is the most cost effective option for the upgrade and rehabilitation of the facility. Ms. Hollander provide additional details related to the background and the scope of work for this phase of the project and noted that design is schedule to be completed in the Spring of 2023, with construction to begin immediately thereafter. Brief discussion ensued surrounding Dewberry and their involvement in this project since its inception.

Commissioner Russell (R) moved that the Commission accept and approve the proposal, dated February 15, 2022, as submitted under the Engineering Services Contract #21-10-E, by Dewberry Engineers Inc. of Owings Mills, Maryland, for St. Clements Shores Wastewater Treatment Plant Expansion, Phase B, in the amount of \$1,543,810, as recommended by staff. Further, Move to authorize and direct staff to execute all documents relating to this award, including but not limited to all change orders. Motion seconded by Vice-Chairman Fairfax. Hearing no discussion, the Chairman called for the vote. Votes cast in favor of the motion included Chairman Russell (J), Vice-Chairman Fairfax, Commissioners Alvey, Antosh, Dugan, Meyerman and Russell (R). There were no opposing votes cast. Motion carried 7-0.

The Vice-Chairman inquired about the Engineering staff and Ms. Hollander noted that they are doing great and that they have a few new inspections employees coming onboard in the next few weeks.

7. Marlay-Taylor Water Reclamation Facility Task 5 Process Optimization Study Contract Award

Mr. Hogan provided a detailed historical background on the Marlay-Taylor Water Reclamation Facility and advised that staff is seeking to evaluate options to address the increasingly stringent regulations, rising energy and chemical costs, as well as potential supply chain issues. Mr. Hogan noted that staff hopes that the results of the Process Optimization Study will result in lower energy consumption associated with the aeration facility, lower supplemental carbon consumption, and lower ferric chloride consumption. Brief mention of the recent visit by key MetCom staff of Washington Suburban Sanitary Commission (WSSC) Seneca Wastewater Treatment Facility, who successfully implemented this process and by doing so, they reduced their energy and chemical costs. Following some additional details of the biological process, Mr. Hogan requested Board approval of the proposal for this contract, which would be included as part of the Energy Audit and fielded questions from the Board members on the study and the process.

Vice-Chairman Fairfax moved that the Commission accept and award the Marlay-Taylor Water Reclamation Facility Process Optimization Proposal to AECOM of Baltimore Maryland, in the amount of \$56,379.96, as submitted in their proposal, dated December 22, 2021 and per all pricing, terms, and conditions of the Engineering Services Contract # 21-10-E, valid through May 31, 2022. Further, move that staff be authorized and directed to sign all documentation relating to this Contract, including but not limited to all approved change orders. Commissioner Russell (R) seconded the motion. Hearing no discussion, the Chairman called for the vote. Votes cast in favor of the motion included Chairman Russell (J), Vice-Chairman Fairfax, Commissioners Alvey, Antosh, Dugan, Meyerman and Russell (R). There were no opposing votes cast. Motion carried 7-0.

8. Mechanical Services Contract Award: California Run Pump Installation

Mr. Hogan provided the scope of work associated with the California Run Pump Installation under the Mechanical Services Contract Award. Mr. Hogan noted that the station serves the Greenview Knolls and Barefoot Acres subdivisions and advised that the two existing pumps are 15 to 20 years old and in need of replacement.

Commissioner Russell (R) moved that the Commission accept and award the California Run Pump Installation Award to DSI, Incorporated of Baltimore Maryland, in the amount of \$56,016.70, as submitted in their Quote, dated December 01, 2021 per the pricing, terms, and conditions of the Upper Occoquan Service Authority, Agreement No. 20-07, valid through December 31, 2022, for Miscellaneous General Mechanical Work. Further, Move that staff be authorized and directed to sign all documentation relating to this Contract, including but not limited to all approved change orders. Commissioner Meyerman seconded the motion. Hearing no discussion, the Chairman called for the vote. Votes cast in favor of the motion included Chairman Russell (J), Vice-Chairman Fairfax, Commissioners Alvey, Antosh, Dugan, Meyerman and Russell (R). There were no opposing votes cast. Motion carried 7-0.

9. Maryland Water and Wastewater Agency Response Network (WARN) Mutual Aid and Assistance Agreement

Mr. Hogan provided details related to the Maryland WARN program and their mission, which is to provide expedited access to specialized resources needed to respond to and recover from natural and human caused events that disrupt public and private drinking water and wastewater utilities. Mr. Hogan provided the vast array of benefits associated with participation in the Network under the Mutual Aid and Assistance Agreement and cited the various County agencies within the State of Maryland, as well as federal agencies who are current participants. Mr. Hogan advised that staff is recommending that the Board approve MetCom's participation in the program and that the Chairman sign the agreement. The Vice-Chairman inquired about any legal concerns related to this agreement and the Mr. Beaver advised that there were no concerns and Mr. Erichsen noted that participation in this program provides MetCom with a bounty of resources when emergencies arise.

Vice-Chairman Fairfax moved that the Board approve and authorize the Commission Chairman to sign the Maryland Mutual Aid and Assistance Agreement for Intrastate Water/Wastewater Agency Response Network (MDWARN), as recommended by staff. Commissioner Meyerman seconded the motion. Hearing no discussion, the Chairman called for the vote. Votes cast in favor of the motion included Chairman Russell (J), Vice-Chairman Fairfax, Commissioners Alvey, Antosh, Dugan, Meyerman and Russell (R). There were no opposing votes cast. Motion carried 7-0.

APPROVAL OF MEETING MINUTES

The Chairman called for a brief recess to allow the Board members to review the Executive Session Meeting minutes of January 27, 2022.

Commissioner Russell (R) moved to approve the January 27, 2022 Executive Session Meeting Minutes, as presented. Vice-Chairman Fairfax seconded the motion. Votes cast in favor of the motion included Chairman Russell (J), Vice-Chairman Fairfax, Commissioners Alvey, Antosh, Dugan, Meyerman and Russell (R). There were no opposing votes cast. Motion carried 7-0.

FUTURE AGENDA ITEMS

The Chairman announced the addition of a Budget Work Session on March 10, 2022 and noted that the next regular meeting is scheduled for Thursday, March 24, 2022.

COMMISSION MEMBERS TIME

Vice-Chairman inquired about any updates related to a Joint Meeting with the Commissioners of St. Mary's County and Ms. Comeau-Stanley advised that we believe that meeting is tentatively set for late May.

Commissioner Russell (R) inquired about the current plan for masking at MetCom, in light of the recent lifting of restrictions in the state. Mr. Erichsen advised that we plan to follow the guidance of the St. Mary's County Health Department and will watch for a reduction in the rate of transmission, prior to any decision regarding a change in masking requirements.

Brief discussion ensued amongst the group regarding the upcoming budget work session and materials to be distributed in advance of that special meeting.

Following an inquiry from Commissioner Russell (R) on the presentation made today by the PRKN and any follow up needed by the Board or staff, Mr. Erichsen provided a brief overview of additional materials which will be distributed to the Board by staff on the subject, including but not limited to additional correspondence with MDE, as well as MetCom's response protocol for SSOs. The Chairman, the Vice-Chairman and Mr. Erichsen engaged in brief discussion on the subject.

ADJOURNMENT

There being no further business, **Commissioner Russell (R) moved to adjourn at 4:28 p.m. Commissioner Meyerman seconded the motion. The Chairman called for the vote and votes cast in favor of the Motion included Chairman Russell (J), Vice-Chairman Fairfax, Commissioner Alvey, Antosh, Dugan, Meyerman and Russell (R). There were no opposing votes cast. Motion carried 7-0.**

Laura Comeau-Stanley, Corporate Secretary

MOTION TO APPROVE MEETING MINUTES

IF NO AMENDMENTS ARE MADE TO THE MINUTES:

Move to approve the February 24, 2022 Regular Session Meeting Minutes, as presented.

- OR -

IF ANY AMENDMENTS ARE MADE TO THE MINUTES:

Move to approve the February 24, 2022 Regular Session Meeting Minutes, as amended.