The meeting commenced at 3:02 p.m. In attendance were Commissioners Werner, Lancaster, St. Clair, Barthelme, Tudor; MetCom staff Meiser, Ichniowski, Schick, Cullins, Frederick, Sullivan, Fehn and Edwards. Also in attendance was Jo Ann Coombs.

MOTION TO APPROVE AGENDA

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

APPROVAL OF MINUTES

Commissioner St. Clair moved to approve Minutes of the Regular Session dated January 28, 2010. Commissioner Lancaster seconded the motion and approval was unanimous.

DIRECTOR’S REPORT

A. Agenda for BOCC Joint Meeting

Ms. Meiser announced the Joint Meeting between the Board of County Commissioners and the Metropolitan Commission, scheduled for Tuesday, February 23, at 2:00 pm at the College of Southern Maryland, Leonardtown Campus. A draft agenda was reviewed and provided to the Board.

At the request of Commissioner Werner, Ms. Meiser provided the Board with a brief Task Force Update, citing that the February 12 meeting was cancelled due to the inclement weather and noted that the meeting will not be rescheduled. Agenda items for that meeting will be discussed at the next scheduled meeting on February 24.

B. Public Hearing Notification Policy

Ms. Meiser presented a policy for the Boards consideration, as requested at the last meeting. The policy establishes the process by which staff will provide notification to property owners when this commission is going to be constructing new water and sewer facilities or improving existing water and sewer facilities. Ms. Meiser noted that these measures exceed the minimum code requirements. Commissioner Tudor recommended that in addition to the written notification to property owners, we post the information on our website for viewing by the general public.

Brief discussion ensued amongst Board regarding Frequently Asked Questions (FAQs). Ms. Meiser indicated that informational data can be found on our website, but more is
going to be added to aid the general public. Ms. Meiser also reported that staff is considering the placement of a kiosk in the reception area, much like the one found at Land Use and Growth Management, which would provide comprehensive data to the public and address FAQs in one or two-page documents or pamphlets.

Board members agreed to defer on any action until the next meeting, to allow for a thorough review by all. Commissioner St. Clair thanked staff for preparing this document so quickly.

**CHIEF FINANCIAL OFFICER’S REPORT**

A. Prior Intent Resolution

Ms. Shick provided the Board with details of the Prior Intent Resolution, specifically the Capital Improvement Projects intended to be completed through the use of these funds.

**Commission Tudor moved to approve Prior Intent Resolution 2010-01 to borrow funds to complete the Capital Improvement Projects as listed in the Resolution. Commissioner Lancaster seconded the motion and approval was unanimous.**

B. Procurement Policy Amendments

Ms. Shick presented the Purchasing Procedures/Procurement Policy for the Board and provided details of the new purchasing software being implemented at MetCom. Many of the recommended changes are simply to change the terminology to correspond with the new software, while other changes affect approval authority for purchases, procurement of professional consultant services and specialized legal consultant services.

Some discussion amongst Board ensued regarding requisitions for emergency purchases, specifically if the established dollar figure is sufficient or if it should be increased, to allow more ease when dealing with emergencies. Ms. Shick and Ms. Meiser both indicated that they believe the figure is sufficient, given that it was recently increased from $100 to $200. Additional discussion by Board Members included approval authority by the Director and Assistant Director for large emergency purchases.

Staff will make minor changes to the Policy and will present a motion for the Commissioners consideration at the next meeting.

**HUMAN RESOURCES DIRECTOR’S REPORT**

A. Personal Total Rewards Statement of Benefits

Ms. Cullins presented the Board with a sample of a Personal Total Rewards Statement of Benefits, which provides employees with a personalized summary of total compensation,
which includes direct pay and the full range of benefits provided by MetCom. Ms. Cullins detailed the statement by sections for the Commissioners.

CONTINUING BUSINESS

A. Coombs Property

Ms. Meiser provided a brief overview of the Commission’s actions to date and outstanding issues regarding Mrs. Coombs property and the requested connection deferral.

SHA Update: Commissioners were provided a copy of the State Highway Administration response letter, dated January 28, 2010 (copy attached hereto), which recommends relocation of the retaining wall as the best option in order to move forward. SHA further indicates that during the relocation of the wall, an arborist will be on site to assist the contractor in an attempt to ensure that the trees are not negatively impacted by the relocation.

Commissioner Tudor recapped the particular details and reiterated that this was not a MetCom issue; however MetCom got involved to assist Ms. Coombs.

Connection Deferral: Ms. Meiser reminded the Board that at the last meeting, Ms. Coombs was asked to contact the Health Department to determine if they had any objections to the continued use of the existing well on her property, namely to serve her rental property. In response to that request, Ms. Coombs provided the Commission with a letter and a written response from the Health Department, indicating that they do not object to the continued utilization of the well (a copy of each letter is attached hereto). Ms. Meiser stated that Ms. Coombs would not have to abandon the well and that it would continue to serve her rental property, which Staff has no objection to, while her residential property is served by the public water system.

Responding to the Commissioner’s request from the last meeting, Ms. Meiser reported that Ms. Coombs states in her letter that she has reviewed her files and is unable to locate anything in writing issued by SHA to support the claim that connection to the water line would be optional.

Ms. Meiser reported that the only unresolved issue on this matter is the granting of any additional extensions to Ms. Coombs. In addition to the original 6-month extension, the Commission granted Ms. Coombs an additional 6-month extension, which deferred her connection until June, 2010. Ms. Coombs is now asking for more time than that in her most recent letter. Commissioner Tudor stated that the guidelines developed by the Commission identified the maximum deferral period as 18-months. Commissioner Tudor further stated that Ms. Coombs has already been granted extensions totaling 12-months, so the Board’s options would be to deny any further extensions or to grant one final 6-month extension, which would then defer Ms. Coombs connection until December, 2010.
Commissioners engaged in brief discussion of time line and clarification that Ms. Coombs property is located in Zone 1 of Chancellors Run Road water line.

Commissioner Tudor moved to extend the connection deferral to the maximum allowable 18-month period, in accordance with guidelines, to Ms. Jo Ann Combs. Commissioner Barthelme seconded the motion and approval was unanimous.

Ms. Coombs, present in the audience, asked for clarification on the connection deadline date. Ms. Meiser indicated that it would require connection by December, 2010, but that she was not certain of the specific date of the month.

B. Graham Property

Ms. Meiser advised the Board that in response to the Grahams request for a connection deferral extension, which was approved at the last meeting, staff notified the Grahams and also requested that they provide any written documentation to substantiate the claim that SHA advised that connection to the water line was optional, as requested by the Commissioners. To date, we have not received a response to our written request (copy attached hereto). Staff has been unable to locate a telephone number for the Grahams; therefore a certified, return receipt letter will be mailed by staff.

EXECUTIVE SESSION

Commissioner Barthelme moved to adjourn into Executive Session at 4:03 p.m. to discuss property acquisition and potential litigation. Commissioner Tudor seconded the motion and approval was unanimous.

The meeting readjourned into Regular Session at 5:11 p.m.

COMMISSION MEMBERS’ TIME

Commissioner St. Clair moved to approve Minutes of Executive Session dated January 28, 2010. Commissioner Tudor seconded the motion and approval was unanimous.

ADJOURNMENT

There being no further business, Commissioner St. Clair moved to adjourn at 5:14 p.m. Commissioner Lancaster seconded the motion and approval was unanimous.

Daniel F. Ichniowski, Secretary