

WASHINGTON SUBURBAN SANITARY COMMISSION

MINUTES OF THE COMMISSION MEETING

Wednesday, December 15, 2010  
Laurel, Maryland

Chair Antonio Jones called the meeting to order at 8:38 a.m. in the Auditorium of the Richard G. Hocevar Building, 14501 Sweitzer Lane, Laurel, MD 20707, with due notice having been given to all members of the Commission and the public. Vice Chair Dr. Roscoe M. Moore, Jr., Commissioners Prem Agarwal, Joyce Starks, and Gene W. Counihan were present at the meeting. Also, present were General Manager Jerry Johnson, Corporate Secretary Charlett Bundy, and General Counsel Jerry Blask. Commissioner Adrienne A. Mandel was unable to attend. Commissioner Counihan arrived at 10:15 a.m. and left the meeting at 2:10 p.m.

**PLEDGE OF ALLEGIANCE**

Chair Jones asked WSSC Chief of Staff, Johnnie Hemphill to lead the pledge of allegiance.

**AGENDA APPROVAL**

Commissioner Starks moved to approve the agenda for Wednesday December 15, 2010. Commissioner Agarwal seconded the motion. The vote was called by Chair Jones and the motion carried with four affirmative votes.

Later in the meeting the agenda was amended during the motion to close the meeting to exclude an item on the closed session agenda.

**MINUTES**

Commissioner Agarwal moved to approve the minutes of the November 17, 2010 Commission meeting. Commissioner Moore seconded the motion. The motion carried with four affirmative votes.

**WSSC RETIREES**

There were nine retirees this month and four appeared at the Commission meeting to be recognized: Constance L. Harley, Administrative Assistant II, Western Branch retired with 36 years and 3 months of service; Paul W. Brennan, Chief Wastewater Plant Operator, Seneca/Damascus/Hyattstown retired with 34 years and 3 months of service; George T. Walker, Senior Collection systems Operator, Parkway retired with 30 years and 3 months of service and David J. Brown, Mineral Processor II, Material and Services Group retired with 30 years and 3 months of service.

Absent were Bernard L. Baker, Utility Technician III, Customer Care West/Lyttonsville retired with 29 years and 10 months of service; Brian Dankos, Utility Technician III, Customer

Care West/Lyttonsville, retired with 30 years and 5 months of service; Carlin W. Penny; Chief Wastewater Plant Operator, Western Branch retired with 30 years and 1 month of service; Becky L. LaBrosse, Strategic Planning Group Leader, Customer Care Strategic Planning Group retired with 20 years and 9 months of service; and Charles J. Simmons, Sr., Police Officer Supervisor, Security and Safety Services Group retired with 20 years and 4 months of service.

**MEDIA / PUBLIC COMMENTS**

There were no comments from the public or media.

**COMMISSIONERS' COMMENTS/INTENTIONS**

Commissioner Moore thanked Commissioners for passing the Bylaws as the absence of two commissioners: Commissioner Counihan at the beginning of the meeting and Commissioner Mandel did not hinder the conduct of business under the new Bylaws.

Chairman Jones acknowledged the camaraderie among Commissioners that allowed Commissioners to work well together. He recognized a visitor, Mr. M. Pierre Stewart, Senior Business Development Manager, City of Baltimore Mayor's Office of Minority and Women-Owned Business Development. Chairman Jones also recognized Montez Anderson, Senior Advisor to the newly-inaugurated Prince George's County Executive, Rushern Baker.

Commissioner Starks wished the staff a happy holiday. She recognized a visitor, Charles Robinson, Jr. from Cleveland, Ohio. She thanked the Chair for moving the Commissioners forward in 2010 and looks forward to similar progress in 2011. Then Commissioner Starks asked Beverly Warfield and Dave Lake to stand. These representatives of Prince George's and Montgomery County, respectively, provide assistance to the counties on matters related to the business at WSSC and she thanked them for their work. She also thanked Lavinia Baxter of Prince George's County for her assistance with facilitating communication between WSSC and the county offices.

Commissioner Agarwal echoed the comments and wishes of his colleagues that the staff enjoy a safe and happy holiday season.

**WSSC MEDIA UPDATE**

A video clip from a television news report on the season's 300 water main breaks showed how two types of breaks are repaired.

**GENERAL MANAGER'S OFFICE**

**Monthly Report.** Commissioners first learned that there are no issues with the budget as it continues to stay within the

projections. Mr. Johnson noted the Commission's Bi-County Infrastructure Funding and Fiscal Budget Committee has named a consultant from North Carolina to help with how to better finance infrastructure projects without adding additional financial pressure to the ratepayers.

WSSC hosted a visit from the staff of the newly-inaugurated County Executive of Prince George's County. Questions raised at the meeting will result in a report that will be delivered to the County Executive's office by December 17, 2010.

Mr. Johnson advised Commissioners that the Interactive Voice Response (IVR) System generated 4000 transactions with a resulting collection of \$766,000.00. The IVR System will be a significant benefit to the company's plan to move towards paperless billing.

Complaints about taste and odor in water from the Patuxent Plant were resolved. It was determined the problem stemmed from algae growth in the plant's source water. Carbon was used to mitigate the problem.

The disparity study is moving along diligently and Mr. Johnson advised Commissioners he expects to present an information session to them some time in the month of January. He also advised that the data retrieval process has been more daunting than expected due to the volume of data available. Nevertheless he expects the final study to contain information that is both complete and accurate and he extended kudos to the staff that have been working evenings and weekends to complete the data collection portion of the disparity study.

Mr. Johnson extended kudos also to the field workers who have endured record-breaking cold temperatures to complete the repair work in the over 300 breaks since the cold season began in November. Such extensive work has necessitated a great deal of overtime.

He next reported on a variety of issues. The fall media blitz resulted in WSSC receiving a great deal of coverage. Several high school tours were hosted at Western Branch. A national search for a Chief Information Officer resulted in the hiring of Mujib Lodhi whose most recent employment was with DC Water in Washington, D.C. Mr. Johnson read highlights of Mr. Lodhi's distinguished career. Mr. Johnson thanked the former Acting CIO, Paul Coverstone for his over two years of dedicated service in that position. Chair Jones and Commissioner Agarwal extended welcome remarks to Mr. Lodhi who was asked to stand and be recognized.

**Internal Audit Office**

**1. Monthly Activity Report.** Ms. Bardwell advised Commissioners of staffing progress in her office and gave an overview of several audits underway.

**2. Change to WSSC Code of Ethics.** Ms. Bardwell advised Commissioners of the proposed change to the Code of Ethics that would require all employees to take one hour of ethics training annually.

**DEPARTMENT BRIEFINGS****Communications Office**

**2011 Children's Water Festival.** Jim Neustadt asked the Chair and Vice Chair to select the schools that would participate in the 2011 Water Festival. The Prince George's County Schools selected were: Allenwood Elementary School in Temple Hills; Hillcrest Heights Elementary School in Temple Hills; Thomas S. Stone Elementary School in Mt. Rainer; and Vansville Elementary School in Beltsville. The Montgomery County Schools selected were: The Diener School in Potomac, Lois P. Rockwell Elementary School in Damascus; Sequoia Elementary School in Derwood; and Wyngate Elementary School in Bethesda.

**Finance**

**FY 2012 Preliminary Proposed Budget.** Mr. Traber presented the proposed budget for Commissioner approval so that it could be published for public hearing purposes. Two changes from the previous year's budget were a 2% cost-of-living increase for all employees and the re-institution of the one-time high bill adjustment policy for residential customers.

**Engineering & Construction**

**Contract BE5061A09.** Mr. Gumm presented this contract for a stand pipe at Shady Grove. By consensus this contract was moved to the consent calendar.

**Production**

**Contract 5711.** Mr. Price offered information on this contract to purchase chemical for water and wastewater treatment. The vote on the contract was tabled until the January 2011 Commission meeting.

**Logistics**

**Contract 5944 and 5872.** Mr. Wade described the need to have Commissioners approve the purchase of additional 4x2, flatbed dump trucks and JCB rubber-tired backhoes under these existing contracts.

#### **CONSENT CALENDAR**

Commissioner Starks moved to approve Resolution 2011-1902 that approves items briefed November 18, 2010:

A. Finance Office

Front Foot Benefit Rates and House Connection Charges for 2011

B. Production

Contract 5874, Comprehensive Energy Efficiency and Guaranteed Savings Program at Potomac Water Filtration Plant and items briefed December 15, 2010 except that Contract 5711 for Water and Wastewater Treatment Chemicals was removed after the briefing.

C. Logistics

1. Contract 5944 - Purchase of eight, 4x2, flatbed, dump trucks
2. Contract 5872 - Three JCB Rubber-Tired Backhoes

D. Engineering & Construction

Contract BE5061A09, Shady Grove Stand Pipe

E. Finance office

Approval of FY 2012 Preliminary Proposed Budget for Public Hearing Purposes

Commissioner Moore seconded the motion. The motion to adopt the Consent Calendar for the December 15, 2010 meeting passed with five affirmative votes.

#### **2010 Plumbing and Gas Code**

Commissioner Agarwal moved to approve Resolution 2011-1898 that adopts the 2010 WSSC Plumbing and Gas Code. Vice Chair Moore seconded the motion. The motion carried with five affirmative votes.

#### **STRATEGIC INITIATIVES**

**Strategic Systems Management Office:** Commissioners received information about current projects in the Strategic Systems Management Office review of key success measures. The remaining of this presentation was reserved for the afternoon session.

#### **RECOGNITION OF DEPUTY GENERAL MANAGER**

On behalf of the Commissioners and the General Manager/CEO, Mr. Jerry Johnson, Chair Jones presented Ms. Teresa Daniell, WSSC Deputy General Manager, until December 25, 2010 with a plaque and resolution.

Chair Jones recessed for lunch at 12:18 p.m. and resumed the meeting at 1:15 p.m.

#### **STRATEGIC INITIATIVES (Continued)**

Engineering and Construction Team Chief Gary Gumm highlighted information from the department's Water Conservation Plan a necessity to maintain the water permit to withdraw water from the Potomac. The Customer Care Team Chief Rudy Chow updated information on the Consent Decree projects. Lastly, an overview of procurement processes was presented by the Acquisition Department Team Chief Cathy Martin.

#### **GENERAL COUNSEL'S OFFICE**

Laura Swisher provided a presentation on developments near large-diameter water mains and non-compliance with set-back requirements.

#### **COMMISSIONER REPORTS**

##### **Working Group Reports**

**Governance/Personnel.** This month the committee had no reports but expects to bring the Bylaws for approval of the insertions of updated citations from WSSC's statutory authority.

##### **Institutional Processes Oversight**

**Report of the WSSC Employees' Retirement Board of Trustees Meeting.** Tom Traber gave an update on the status of the Retirement Plan's financial standing. He noted that at the October 31, 2010, the Plan's assets were \$633 million representing a gain of 3.1%. Assets in the plan, i.e., domestic and international equities represented 60% of the Plan's assets and domestic fixed income represented about 32%. Real estate investments totaled 6% of the Plan's assets. At the end of the month, all the investment strategists were within the Trustee's approved investment allocation plan so no asset rebalancing was necessary. Through November, so far, there was a slight change downward (\$629 million) at the end of the month due to the unrest in North/South Korea. The Plan had a withdrawal request in with the old real estate advisors. They finished up and paid the final amounts of the investment so those funds will be used to pay benefits for the first half of calendar year in 2011 so the fund will be able to maintain the investments without moving any money or redeeming any annuities.

**Infrastructure Funding & Fiscal Budget.** Mr. Johnson noted that a consultant had been chosen to assist with the committee's work and had begun the work as contracted.

#### **Corporate Secretary**

**Monthly Report.** First Mr. Anthony Dunkley provided a demonstration of the electronic board packet software from his company, Board Portals, North America.

Ms. Bundy then briefed Commissioners on the status of her monthly activities. Commissioners were asked to modify the cell phone policy that Commissioners had enacted in March 2010. There were some minor wording changes to ensure that there was no question the policy is a reimbursement policy that conforms to requirements of the tax code and not a policy to provide Commissioners with additional income. Item B2 was edited to read: ". . . reimbursement of the equivalent of WSSC's cost of cellular phone service per employee." Commissioner Moore moved that the Commission approve Standard Procedure GOV 10-01A, Cell Phone Reimbursement Policy for Commissioners. Commissioner Agarwal seconded the motion. The motion carried with four affirmative votes (Commissioner Counihan left before this vote was taken).

#### **Continued Business**

Matters under continued business were carried over to the next meeting. Mr. Johnson advised that the staff is going to send to Commissioners information about the proposed legislative proposals introduced at the November Commission meeting.

#### **CLOSED SESSION**

At 3:21 p.m. Commissioner Starks moved to close the meeting pursuant to Maryland State Government Article 10, Subtitle 5, Section 10-508(a)(13) to approve the November 17, 2010 Closed Session Minutes and to discuss three matters not subject to the Open Meetings Act: Section 10-508(a)(1) to discuss a personnel matter involving a direct report and to remove Section 10-508(a)(7) to receive legal advice on continuing litigation. Commissioner Moore seconded the motion. The motion carried with four affirmative votes. At 3:24 p.m. Chair Jones declared the meeting was closed.

#### **COMMISSIONERS' CONFERENCE ROOM**

**ATTENDEES:** Chair Antonio Jones, Vice Chair Dr. Roscoe Moore; Commissioners Prem Agarwal, Joyce Starks, Gene W. Counihan; General Manager Jerry Johnson, General Counsel Jerry Blask, and Corporate Secretary Charlett Bundy.

