

WASHINGTON SUBURBAN SANITARY COMMISSION

MINUTES OF THE COMMISSION MEETING

Wednesday, June 15, 2011
Laurel, Maryland

Chair Antonio Jones called the meeting to order at 8:42 a.m. in the Auditorium of the Richard G. Hoyer 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 Adrienne A. Mandel, Chris Lawson, Gene W. Counihan and Melanie Hartwig-Davis were present at the meeting. Also, present were General Manager Jerry Johnson, Corporate Secretary Charlett Bundy, and General Counsel Jerry Blask.

PLEDGE OF ALLEGIANCE

Chair Jones asked Commissioner Mandel, to lead the pledge of allegiance.

AGENDA APPROVAL

Commissioner Mandel moved to approve the agenda for the WSSC Commission public meeting for Wednesday June 15, 2011. Commissioner Hartwig-Davis seconded the motion. The vote was called by Chair Jones and the motion carried with six affirmative votes.

MINUTES

Commissioner Hartwig-Davis moved to approve the open session minutes of the May 18 and June 1, 2011 Commission meetings. Commissioner Mandel seconded the motion. The motion carried with six affirmative votes.

BERGER SCHOLARSHIP AWARDS

WSSC employee, Lisa Cooper, President of the Berger Scholarship Committee presented the scholarship awardees for 2011. They were as follows:

<u>Student</u>	<u>WSSC Employee/Retiree</u>	<u>School, Major</u>
Bria Bryant	Kim Bryant	Towson University/Nursing
Joseph Cooper	Lisa Cooper	University of Md. Eastern Shore, Sports Management
Jackson Hawes	Jennifer Hawes	University of South Carolina, Business
Cordney Landers	Angela Ballard-Landers	University of Pittsburgh, Accounting and Finance
Derek Lange	Loree Benziger	Oberlin College, History and Physics

William Parker, Jr.	Yvette Parker	University of Md. Eastern Shore, Accounting
Maryam Qayumi	Rafiq Qayumi	University of Md. College Park, Community Health
Ashley Richardson	Daryl Richardson	Towson University
Theresa Russell	Ann Russell	University of Maryland College Park, Bioengineering
Sarika Spruell	Sarah Swann	University of Md. Eastern Shore, Civil Engineering
Kevin Stancil	Donna Stancil	Prince George's community College, Electrical Engineering
Sarah Taylor	Rob Taylor	Towson University, Early Childhood Education
Matthew Williams	Kristina Williams	Virginia Tech, Medical Engineering

WSSC RETIREES

Rick Baker, Executive Director of the Retirement Plan presented the retirees for June 2011: John J. Maholtz, Project Manager in the Project Delivery Group retired with 39 years and 2 months of service; Susan E. Calero, Human Resources Specialist, retired with 35 years and 11 months of service; Elizabeth O. Savoy, Administrative Assistant II, in Piscataway retired with 35 years and 3 months of service; Elizabeth K. Hall-Wallace, Contract Manager in Infrastructure Systems Group retired with 34 years and 11 months of service; Cynthia A. Pearson, Utility Technician III, Customer Care South retired with 32 years and 2 months of service; Joyce I. Harper, Acquisition Consultant II, Acquisition Office, retired with 31 years and 3 months of service; Diana L. Jackson, Administrative Assistant II in the Planning Group retired with 30 years and 7 months; Robert A. Stroud, Chief Wastewater Plant Operator, Seneca/Damascus/Hyattstown retired with 23 years and 11 months of service and Jacqueline J. Willis, Engineering Assistant III, Infrastructure Systems Group retired with 26 years and 3 months of service.

WSSC MEDIA UPDATE

Mr. Neustadt presented a video on an educational project that pairs school children within the water district with WSSC plant operators/technicians who teach the children about water and wastewater treatment. It is designed to generate excitement about math and science among young students.

ELECTION OF OFFICERS

Chair Antonio Jones provided an overview of his term as Chair noting several accomplishments. He highlighted the fact Commissioners passed the final and most important change to the WSSC Bylaws - the requirement that a majority vote include one vote from a Commissioner from each of the two counties. He also instituted regular meetings of a committee to investigate means for financing infrastructure repairs exclusive of budgetary limits; and the forging of alliances across the county borders so that Commissioners could work together for the good of WSSC and its customers.

Chair Jones then nominated Dr. Roscoe M. Moore as Chair of the WSSC. Commissioner Lawson seconded the motion. The motion carried with five affirmative votes. Dr. Moore abstained because he chose not to vote for himself.

Newly-elected Chair Moore than made some remarks about his intentions for the upcoming year. He noted the agenda for the upcoming year will be focused on the challenges of the WSSC Commissioners' governance oversight menu: funding for enhanced asset management and infrastructure renewal; improving service to customers; implementing the provisions of the consent decree; monitoring workforce renewal; implementing the new Minority Business Enterprise Program and continuing to protect the environment by seeking alternative energy sources and reducing greenhouse gases.

At the conclusion of his remarks, Commissioner Mandel nominated Chris Lawson to serve as Vice Chair of the Commission. Commissioner Counihan seconded the motion. The motion carried with five affirmative votes. Mr. Lawson abstained as he also chose not to vote for himself.

Vice Chair Lawson thanked the Commissioners for the vote of confidence in electing him Vice Chair. He expressed the intent to strive for harmonious work among Commissioners. He noted that there is much on the Commissioners' annual to do list but with the support of staff he noted WSSC will continue as a high-performing utility.

RECOGNITION OF FORMER COMMISSIONERS

Chair Moore then called former Commissioners Joyce Starks and Prem Agarwal to the dais to be recognized for their service of seven and eight years respectively to WSSC. Each received a plaque of appreciation that also acknowledged their individual contributions and a resolution highlighting their contributions during their tenures as a WSSC Commissioner.

Commissioner Agarwal and Commissioner Starks thanked the Commissioners for the special recognition and made some farewell remarks. Commissioner Agarwal said he is extremely grateful and thankful to the former Commissioners and the staff whose unwavering staff helped to accomplish a great deal of things during WSSC. He recalled that when he was Chair he signed the wind energy project, a green project that was projected to save WSSC \$20 million; the MBE program was redesigned and will shape WSSC procurement for a long time to come; the consent decree was signed and despite its cost it will be a pioneer project that will ensure environmental integrity. He expressed hope that WSSC will continue this path; he thanked Antonio Jones and expressed his most sincere thanks to Charlett Bundy Corporate Secretary who was instrumental in his success while chair. Joyce Starks said thank you to staff and fellow Commissioners, past and current; she expressed the hope that commissioners will come up with new initiatives. She noted that as leaders of this organization it is important to continue to stay focused on improvements.

Charlett Bundy thanked Mr. Agarwal and Ms. Starks for hiring her into a new career. Jerry Johnson thanked them both for their service to the organization, recognizing that their decision making was always focused on the best interests of the company. He thanked them on behalf of the staff and wished them well.

FISCAL YEAR 2012 MEETING SCHEDULE

Commissioner Jones moved that the Commission adopt the following meeting schedule: In 2011: July 20, August 17, September 21, October 19, November 16, and December 14. In 2012: January 12, February 15, March 21, April 18, May, 16 and June 20. Commissioner Lawson seconded the motion. The motion carried with six affirmative votes.

COMMITTEE ASSIGNMENTS

Chair Moore appointed Commissioner Hartwig-Davis to join him on that committee. He also appointed Commissioners Counihan and Jones to continue on the Infrastructure Renewal Financing Committee; for the WSSC Retirement Plan Board of Trustees, he appointed Commissioners Lawson and Mandel.

MEDIA / PUBLIC COMMENTS

There were no comments from the media. Several members of the public commented on the WSSC Policy that changed the use of the horse trails on the water district policy. They asked that WSSC reconsider opening all of the trails and allowing those that volunteered to help maintain the trails to continue to do so.

Speakers were: Fran Koch; Maria Schwartz; Ron MacNab, president of Trail Riders Of Today (TROT); Greg Schwartz (deferred his time to speak to Mr. Peddicord); Terry Ledley; Mary Dorr (deferred her time to Poole); Jeanie Kemp Mary Angevine (Donated time to Webb); Debby Poole of Belle Cote Farm; Deborah Wagner on behalf of State Senator Karen Montgomery; Barbara Webb (former Chair of WSSC's Environmental Action Committee); Ross Peddicord from the Maryland Horse Industry Board; Pat Oliva; Vicki Coleman; and Rebecca Smonbrowski on behalf of Senator Roger Manno.

Chair Moore thanked the speakers for their comments. Commissioner Hartwig-Davis thanked the speakers and indicated she would find it valuable to tour the trails and offered to do that on her time and asked Mr. Johnson and his staff to arrange it. Commissioner Lawson also thanked the speakers for informing Commissioners of the issues on the trail. He noted that he is the owner of two Arabian horses. Chair Moore indicated he served as the Chief Veterinarian for the U.S. and he and his wife ride horses as well. Lastly, Mr. Johnson noted a meeting is scheduled for representatives from TROT and other organizations. He indicated that WSSC will work with the users of the trail with the understanding that the first obligation is to protect the water shed for the 1.8 million residents of the water district. He noted that trails MUST be managed and expressed the intent that WSSC will work together with the representatives to work out some arrangement so that there can be some mutual sharing of the protection of the water shed.

GENERAL MANAGER'S OFFICE

Monthly Report. Mr. Johnson first referenced data in the monthly financial report: reductions in salary and wages, chemical costs, and bio-solid hauling costs. Cost savings were experienced in debt service due to management of the debt. Reduced energy costs, and interest earnings, water revenue was down. All of these considerations taken together will present an overage in the budget at the end of the year. Call center operations continue to improve. A hurricane drill with Montgomery County helped to identify the response of WSSC in such an emergency. A power outage in RGH was due to a transformer fire. Some costs were incurred as a result of closing because of the outage including about \$145,000 lost due to administrative leave but a number of employees appeared for work and others worked from home. There was a core group present at RGH during the outage to ensure continuance of operations.

An electrical reliability study for RGH demonstrated the electrical switches and transformers are 20 years old and there was a plan to manage the equipment needs for the building prior to the fire. There were about 40 leaks and pipe breaks in the last several months and there were in-house crews available to do pipe replacement. The Customer Care Team and the Human Resources Office efforts allowed for the hiring of 30 staff members to do pipe replacement when not assigned to other duties.

Staff is actively involved in the AWWA conference which is underway in the District of Columbia. Ms. Colleen, the tunnel boring machine arrived last week and is being lowered into the shaft on the day of the meeting and the boring is expected to resume in the next week-and-a-half or so. He congratulated Commissioner Jones for graduating from Leadership Prince George's; Jim Neustadt for graduating from Leadership Montgomery; Sandy August from the Community Outreach Office who received an award for 2011 Recycling Achievement from the Montgomery County Department of Solid Waste Services for her outstanding contributions to recycling education and the H2O Fest that was held in April.

WSSC distributed the water quality report as required by U.S. Environmental Protection Agency and the State of Maryland.

Mr. Johnson noted that for 93 years WSSC has met or exceeded the federal standards for drinking water. Mr. Johnson also saluted Mujib Lodhi for co-authoring a research paper in the January/March issue of the IBM Journal of Research and Development. The paper is titled, "Analytics Drive Management. It describes the application of analytics to improve asset and work management systems. It was an internationally co-authored paper with participation from India, China, and Israel.

Thirty-two WSSC employees participated in the Water/Wastewater Annual Short Course and a number of employees taught the course. JC Langley of the Industrial Assets Management Group concluded his term as chair of the Short Course Program. Mike Lewis and Angela Ballard-Landers will now be board members of that very important program which sets up courses and curriculum for all of the waste water operators in the state.

Mr. Johnson advised that he was named to the Board of Trustees of the Water Research Foundation and will be participating in a four-year term as a member of that Foundation's Board. It was formerly known as the AWWA Research Foundation that sets standards and engages in objective research in the water industry.

Mr. Johnson advised of the completion of Phase II of the IVR System which had a "go live" date of June 10, twenty days ahead of the projected time frame to complete this task. Outbound calling information, fact management, and email integration all show up at the operator's desk at once rather than in separate screens requiring moving back and forth across screens to pick up information. The new system should save about 2.7 FTEs. About \$156,000 in salary costs will also be saved.

Mr. Johnson quoted data that smart phone usage has increased 63% in the United States with 63.2 million people in the user population. Over 66% of them have mobile applications. In the next ten days WSSC will introduce what is believed to be the nation's first water utility application. It will allow people to view the Commissioners' strategic priorities, pay bills, report water and sewer incidents, read the latest WSSC news and view current job openings. A demonstration presented by

Paul Coverstone and Mujib Lodhi showed how the application works on a Black Berry, Droid or I-phone. Since 18,000 customers pay from the web site and 7,000 pay through banks, this mobile phone application will address future WSSC customers who rely on electronics to manage their finances.

Director SLMBE Office. Lastly, Mr. Johnson presented a motion for Commissioners to consider that would relocate the Director of the Small, Local, Minority Business Enterprise on the organization chart under the GM/CEO's authority. Commissioner Jones moved that the Commission approve Resolution 2011-1923 that immediately upon the adoption of this resolution causes the Director of the SLMBE Office to report solely to the General Manager/CEO and Commissioners will reconsider this matter in June 2012. The change in reporting shall be reflected in the WSSC Organization Chart, clearly stated in a revised job description, and in an addendum to the current WSSC employment contract of the SLMBE Director. It shall be executed no later than June 30, 2011. He further moved that in approving this motion this body collectively reaffirms its strong intent to carefully monitor the General Manager's performance in implementing the acquisition policies and programs that are intended to fulfill WSSC's commitment to ensure fairness in its procurement policies and practices and its relationships with small, minority, local, and women-owned businesses. Commissioner Mandel seconded the motion. The motion carried with six affirmative votes.

Mr. Johnson presented his last item which concerns the pretreatment program mandated by the U.S. EPA and the State of Maryland. Part of the program requires WSSC to review other plants engaged in these efforts. The Brown Station Sanitary Road Landfill operated by Prince George's County maintained 100% compliance for the year. Mr. Johnson stated he visited the landfill and noted it is a technologically-advanced facility that is using its methane to power a number of Prince George's County facilities. Treatment is at a very high standard before it is discharged and he saluted that plant for its outstanding performance.

Internal Audit Office

Monthly Activity Report. Ms. Bardwell started her report for May 9 through June 6, 2011 with information about the system development charge savings. For the current fiscal year to date, the Commission has realized a little over \$8,000 in savings for the Commission. Audits under the audit plan continue: Human Resources Regulatory Compliance, Phase II; Employment practices Audit; Information Technology General Computer Controls Audit; and the Acquisition Operations Phase II Audit has been placed on hold. Auditors have returned from field work conducted for the Blue Plains Treatment Plant audits. The Dispute Resolving Board Audit Report was issued the week of the meeting. Auditors participated in the WSSC 2011 Inventory Count as observers. For FY 2010 carry over projects, there are two projects that will have reports generated by the end of the Fiscal Year. The status of the internal audit follow-ups as of June 3rd is: 26 pending or started issues; 14 of those have been implemented or are pending or internal audit verification; and 39 closed issues for a total of 79 issues related to approximately 8 audits. Internal Audit continues to provide services to the purchase order review Committee. Audit has completed review of the communication and awareness plan for training employees about the WSSC Fraud Waste and Abuse Hotline.

Board of Ethics. The Board of Ethics held its regularly-scheduled meeting and addressed several items during the closed and open session items. The annual disclosure statement filing period ended on April 30th. Currently 31 financial disclosure statements need to be completed and 45 Conflict of Interest Statements are in the same status. The Ethics Officer has provided ethics training to approximately 1200 commission employees, face-to-face at RGH and at the plants and depots.

Auditor Report resumed. The external audit contract for services from Thompson, Cobb and Bazilio has been extended one additional year. The Audit Office is currently reviewing bids for the upcoming five-year period for external auditor services. The Audit Office is working with Human Resources to fill a vacant Auditor I position. Auditors continue to receive professional development training.

Ms. Bardwell noted that former Chair Jones received a letter from the Maryland State Ethics Commission thanking the Commission for calendar year 2010 Ethics Report. Emphasis was placed on the conflicts of interest, electronic filing system, and the on-line ethics challenge conducted during 2010. The Audit Office is concluding the company-wide risk assessment based on interviews with WSSC senior managers.

DEPARTMENT BRIEFINGS

Finance

Mr. Traber presented several items:

Resolution 2011-1917. This resolution adopts WSSC FY 2012 Systems Development Charge by increasing the maximum allowable charge by 1.6%. The charge will be stable for fiscal year 2012. Commissioner Mandel moved that the Commission approve Resolution 2011-1917 adopting WSSC FY 2012 System Development Charge. Commissioner Hartwig-Davis seconded the motion. The motion carried with five affirmative votes. Commissioner Jones was temporarily off the dais.

Resolution 2011-1918 Adopting WSSC 2012 Operating and Capital Budgets. Both County Councils have approved the budget and this budget establishes the work performance priorities within dollar, work-year levels; approves rate and charge increases; water consumption rates and sewer usage rates of an average increase of 8.5%; continues the account maintenance fee at \$11 per quarter for residential meters and the same rate for other meters based on meter size; requires that WSSC obtain approval of both county councils before increasing the operating expenditures above \$626,145 million; establishes miscellaneous charges in Appendix E; increases flat sewer charges to %80 for customers receiving sewer disposal services only and gives the General Manager authority to establish any miscellaneous charges needed during the year. Commissioner Hartwig-Davis moved that the Commission approve Resolution 2011-1918 adopting the WSSC 2012 Operating and Capital Budgets. Commissioner Mandel seconded the motion. The motion carried with six affirmative votes.

Resolution 2011-1919 Adopting WSSC FY 2012 Six-Year Capital Improvements Program for Fiscal Years 2012-2017. This CIP reflects modifications approved by both Montgomery and Prince

George's County Councils. Commissioner Mandel moved that the Commission adopt Resolution 2011-1919 adopting the WSSC FY 2012 Six-Year Capital Improvement Program for Fiscal Years 2012-2017. Commissioner Jones seconded the motion. The motion carried with six affirmative votes.

Resolution 2011-1921 Reappointing Marita Brown to the WSSC Employees' Retirement Plan Board of Trustees. Mr. Rick Brown presented this item requesting the appointment for a public member. Ms. Brown is a Prince George's County resident, former WSSC Commissioner, and Professor at the University of Maryland. Commissioner Mandel moved that the Commission approve Resolution 2011-1921 Reappointing Marita Brown to the WSSC Employees' Retirement Plan Board of Trustees. Vice Chair Lawson seconded the motion. The motion carried with six affirmative votes.

Front Foot Benefit Charges and Deferred House Connection Charges 2011 Assessment Levy. Mr. Traber noted that the charges are for properties served by water mains and the assessment is authorized by state law. There were 227 assessment notices sent to persons in the water district. They were given an opportunity to appeal on May 18th. No appeals were presented. Therefore, Mr. Traber requested the levy comprised of 227 un-appealed assessments. The item was moved to the consent calendar.

Logistics

Mr. Wade presented four contracts for approval: Contract 5723A, regular unleaded gasoline for tanks 10,000 gallons or larger; Contract 5723B Option II, for regular unleaded gasoline via a tank truck for tanks under 10,000 gallons; Contract 6035 for dry barrel fire hydrants; and Contract 6023 for mechanical joint gate valves used in the maintenance emergency repair program.

Engineering & Construction

Mr. Gumm presented one architect/engineer contract, BE4507A06 for a zone water storage and transmission improvement study in Clinton. Next he briefed contracts for the water main program, to wit: BRMV4889C08, Water Main Replacement, Riverdale III; BR5046A09, Large Water Main Replacement, Bradley Boulevard; BR5111A10, Water Main Replacement, Capitol Heights; BR4962A09,

Water Main Replacement, Bethesda; CP4232C05, Marlboro Meadows Force Main.

BR/CR4762B08, Change Order 4, Over-run in Non-state Road Pavement Replacement. Mr. Gumm explained how the change order allows for 6,658 square yards of paving after completion of the water main work to restore the roadway. In Montgomery County the paving has to extend to the curb which necessitates the change order.

Next, Mr. Gumm provided a briefing on the two sewer contracts needed to take the Marlboro Meadows pump station off service by 2012. These contracts were: CP4232D05, Marlboro Meadows Waste Water Pump Station.

Lastly, Mr. Gumm briefed sewer contracts C15180A11, Sanitary Sewer Main, Sewer House Connection and Manhole Repair, Seneca Creek, Monocacy Creek, Muddy Branch, and Dulles Interceptor Basins and PM5179A11, Sanitary Sewer Main, Sewer House Connection and Manhole Repair, Replacement and Renewals in Paint Branch Basin; and PM52390A11, for two indefinite contracts per county for sewer work related to the requirements of the Consent Decree. These items were removed from the consent calendar until later in the afternoon.

Human Resources

Ms. McKinney briefed the domestic partner benefit proposal. There was discussion regarding proof of domestic partner status relying on evidence of marriage even from other jurisdictions. Chair Moore clarified that the intent of the program was not to sanction marriages from other jurisdictions that may not be allowed in Maryland but to have a clear policy at WSSC on how domestic partner is defined. The item was removed from the consent calendar and added to the afternoon discussion.

General Counsel's Office

Mr. Blask reviewed additional revisions to a Procedure for Obtaining Payment of, Or Reimbursement For, Outside Legal Expenses of an Incumbent or Former Commissioner. This item was removed from the consent calendar and moved to later in the afternoon for discussion.

CONSENT CALENDAR

Commissioner Counihan moved to approve Resolution 2011-1915 that adopts the Consent Calendar for the June 15, 2011 Commission meeting including only items in engineering listed as a through f and j; removed the Human Resources Department and General Counsel office item and included the following:

- A. Finance
 - 1. Front Foot Benefit Charges and Deferred House Connection Charges 2011 Assessment Levy
- B. Logistics
 - 1. Contract 5723A, Regular Unleaded Gasoline to Truman Arnold Companies for a total of \$1,195,632.
 - 2. Contract 5723B, Regular Unleaded Gasoline to Truman Arnold Companies for a total of \$751,509.
 - 3. Contract 6035, Dry Barrel Fire Hydrants to Construction Management & Technology, Inc. for a total of \$1,271,535.00.
 - 4. Contract 6023, Mechanical Joint Gate Valves to Daytner Construction Group for a total of \$ 920,133.00.
- C. Engineering and Construction
 - 1. Architect/Engineer Contracts
 - BE4507A06, Clinton Zone Water Storage and Transmission Improvement Study to Gannett Fleming, Inc. for a total of \$1,172,869.72.
 - 2. Construction Contracts
 - a. BRMV4889C08, Water Main Replacement, Riverdale III to J. Fletcher Creamer & Son, Inc. for a total of \$1,075,339.00.
 - b. BR5046A09, Large Water Main Replacement, Bradley Boulevard, to Metra Industries for a total of \$3,187,275.00.
 - c. BR5111A10, Water Main Replacement, Capitol Heights to J. Fletcher Creamer & Son, Inc. for a total of \$3,588,869.00.
 - d. BR4962A09, Water Main Replacement, Bethesda to Sagres Construction Corp for a total of \$1,447,735.00.
 - e. CP4232C05, Marlboro Meadows Force Main to Metra Industries for a total of \$2,517,420.00.
 - f. CP4232D05, Marlboro Meadows Waste Water Pump Station to Johnston Construction Company for a total of \$1,999,190.00.
 - j. BR/CR4762B08, Change Order 4, Over-run in Non-state Road Pavement Replacement to Schummer, Inc. for a total of \$432,770.00.

Commissioner Jones seconded the motion. The motion to adopt the amended Consent Calendar for the June 15, 2011 passed with six affirmative votes.

Customer Care

Commissioners received a briefing that requires an amendment to the Mixed Use Building, billing policy from Ms. Jacquelyn Barry. At the conclusion of the discussion a motion was made. Lisa Hoover of the Apartment Office Building Association for Metropolitan Washington made a brief comment indicating the association's agreement with the changes described in the

amendment. Commissioner Jones moved to approve Resolution 2011-1913, Adopting an Amended Mixed Use Billing Policy. Commissioner Counihan seconded the motion. The motion carried with six affirmative votes.

Chair Moore then recessed the meeting for lunch at 12:43 p.m. At 1:40 p.m. the meeting resumed in the Commissioners' Conference Room.

Human Resources

Commissioners received additional written information and discussed the options for offering benefits to domestic partners of WSSC employees. Commissioner Jones moved to adopt Resolution 2011-1924, that describes marriage and same sex marriage benefits for WSSC employees effective June 1, 2012. Commissioner Hartwig-Davis seconded the motion. The motion carried with six affirmative votes.

General Counsel's Office

Mr. Blask offered details of revisions to the policy to pay for legal fees of commissioners needing representation when general counsel's office could not represent them. Commissioner Mandel moved to adopt the Procedure for Obtaining Payment Of, Or Reimbursement for, Outside Legal Expenses of an Incumbent or Former Commissioner. Commissioner Counihan seconded the motion. The motion carried with six affirmative votes.

STRATEGIC INITIATIVES

Engineering & Construction

Consent Decree Quarterly Update. Mr. Gumm updated Commissioners on the status of consent decree projects and schedule. After which Commissioners received additional information on certain contracts, specifically agenda items: g. C15180A11, Sanitary Sewer Main, Sewer House Connection and Manhole Repair, Monocacy Creek, Muddy Branch, and Dulles Interceptor Basins h. PM5179A11, Sanitary Sewer Main, Sewer House Connection and Manhole Repair, Replacement and Renewals in Paint Branch Basin; and i. PM5239A11, Lateral/Sewer House Connection Inspection and Renewals in Montgomery and Prince George's Counties. Commissioner Jones moved to approve these contracts. Commissioner Mandel seconded the motion. The motion carried with six affirmative votes.

Human Resources

Ms. McKinney and Ms. Laura Swisher provided additional wording changes to the procedure for providing benefits to domestic partners of WSSC employees. Additional information was requested again.

Finance

1. Employees Retirement Plan. Mr. Baker provided Commissioners with an overview of the plan and its operation.

2. WSSC Retiree Other Post Employment Benefit Trust Accounting for 2010. Mr. Traber advised Commissioners of the financial status of this trust.

COMMISSIONER REPORTS**Working Group Reports**

WSSC Employees' Retirement Board of Trustees. Commissioner Mandel noted that the plan assets total \$665 million which demonstrated an investment gain of \$19.2 million. International and domestic investments are 67.4% of the plan's investment assets.

Personnel and Governance

Ethics Officer Update. Ms. Stephanie Royal gave Commissioners a summary of her activities since being hired as WSSC's first Ethics Officer. She noted the trainings and programs she has instituted to heighten employee awareness of ethics challenges. It was determined that Ms. Royal would report to Commissioners quarterly.

Human Resources

After Ms. Swisher provided additional wording, Commissioner Counihan then moved to adopt Resolution 2011-1925, a Procedure for Providing Benefits to Married and Same Sex Partners of WSSC Employees. Commissioner Hartwig-Davis seconded the motion. The motion carried with six affirmative votes.

Bi-County Infrastructure Funding

Mr. Johnson noted a schedule for meetings and proposed work has been shared with Commissioners.

Corporate Secretary

Monthly Report. Ms. Bundy then briefed Commissioners on the status of her monthly activities.

Continued Business

Matters under continued business were carried over to the next meeting.

MEETING CLOSING

At 4:55 p.m. Vice Chair Lawson moved to close the meeting pursuant to Maryland State Government Article 10, Subtitle 5, Section 10-508(a)(13) to approve the May 18, 2011 Executive Session minutes; and Section 10-508(a)(1) to discuss performance evaluation of a direct report. Commissioner Jones seconded the motion. The motion carried six with affirmative votes.

CLOSED SESSION

COMMISSIONERS' CONFERENCE ROOM

ATTENDEES: Chair Dr. Roscoe Moore; Vice Chair Lawson; Commissioners Adrienne A. Mandel, Antonio Jones, Gene W. Counihan, and Melanie Hartwig-Davis. General Manager Jerry Johnson, General Counsel Jerry Blask, and Corporate Secretary Charlett Bundy.

June 15, 2011 Closed Minutes. Commissioner Jones moved that the Commission approve the Closed Session minutes for June 15, 2011. Commissioner Counihan seconded the motion. The motion carried with six affirmative votes.

The personnel matter was tabled until the July Commission meeting. At 4:57 p.m. Commissioner Mandel moved to end the closed session. Commissioner Counihan seconded the motion. The motion carried with six affirmative votes. At 4:58 p.m. Chair Moore declared the meeting open.

OPEN SESSION RESUMED

Adjournment

Commissioner Mandel moved to adjourn the meeting. Commissioner Counihan seconded the motion. The motion carried with six affirmative votes. At 5:00 p.m. Chair Moore declared the meeting was adjourned.

Respectfully submitted,

 //signed//
Charlett Bundy, Esq.
Corporate Secretary