

**WASHINGTON SUBURBAN SANITARY COMMISSION**

**MINUTES OF THE COMMISSION MEETING**

**Wednesday, January 21, 2009  
Laurel, Maryland**

Chair Joyce Starks called the meeting to order at 9:05 a.m. in the Commissioners' Conference Room at 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 Gene Counihan, Commissioners Prem P. Agarwal, Adrienne Mandel, Juanita Miller, and Roscoe M. Moore, Jr. were present at the meeting. Also, present were Interim General Manager Teresa Daniell, Interim Deputy General Manager Rudy Chow, Corporate Secretary Charlett Bundy and General Counsel, Jerry Blask.

**AGENDA APPROVAL**

Commissioner Agarwal moved to approve the agenda. Commissioner Miller seconded the motion. The motion carried unanimously. Later in the meeting Commissioner Counihan moved to amend the agenda to move the item on infrastructure funding needs to after 2 p.m. Commissioner Mandel seconded the motion. The motion carried unanimously. Commissioner Counihan moved that the bylaws be moved from 6pm to earlier in the day. Commissioner Moore seconded the motion. The motion carried unanimously. Commissioner Agarwal moved to add an item to the closed session relating to discussion of a pleading filed in a legal matter. Commissioner Miller seconded the motion. The three Montgomery County Commissioners voted against the motion and the three Prince George's County Commissioners voted in favor of the motion. The motion failed.

**MORNING CLOSED SESSION**

Commissioner Agarwal moved that the meeting be closed pursuant to Closed pursuant to Subtitle 5 of Title 10 of the State Government Article, Maryland Code Section 10-508(a)(1) to discuss: (a) Administrative matters and (b) Transition Plan. Commissioner Mandel seconded the motion. The motion carried with six affirmative votes. At 9:16 a.m. the meeting was closed.

**ATTENDEES: Chair Joyce Starks, Vice Chair Gene Counihan, Commissioners Prem Agarwal, Adrienne Mandel, Juanita Miller, and Roscoe Moore, Jr. were present and Corporate Secretary Bundy were present. Jerry Blask, General Counsel was present for the discussion on the Legal Opinion on appropriateness of an infrastructure lobbyist speaking at the meeting. He left at 9:52 a.m.**

Commissioners discussed administrative matters and other issues related to the Transition Plan. At 10:51, Vice Chair Counihan moved to end the closed session and resume the open session. Commissioner

Miller seconded the motion. The motion carried unanimously. At 10:52 a.m. the meeting was declared open.

#### **Finance Office**

**1. November 2008 Monthly Status Report.** Mr. Traber advised Commissioners that this report had been transmitted to the counties.

**2. Mid-cycle update for Proposed FY 2010-FY2015 CIP.** Commissioners were briefed on the changes to the CIP. Significant changes in the capital construction projects necessitated the Finance Office prepare an updated budget.

**3. Other Post Employment Benefit (OPEB) Resolution on the GASB 45 Phase-in.** The industry made an adjustment from five-year to eight-year period for this resolution.

**4. Report on Meeting with Bond Rating Agencies.** Mr. Traber provided Commissioners information on the meeting he and Interim General Manager Daniell had in New York regarding the upcoming issuance of water and water/sewer bonds and WSSC's rating by the bond rating agencies.

#### **Engineering & Construction**

**PM0013A07, Architect-Engineer Basic Ordering Agreement for PCCP Inspection Program.** Commissioners received a briefing on this contract for PCCP inspection.

#### **Production**

**Contract 05-01, Option Year IV.** Commissioners were briefed on the contract to purchase the following chemicals: Sulfuric Acid; Pebble Quicklime; Polyaluminum Hydroxychlorosulfate; and Liquid Aluminum Sulfate and Hydrofluosilicic Acid.

#### **Customer Care**

**Contract PM0005A07.** Commissioners received a briefing on this architect/engineer basic ordering agreement, for Sanitary Rehabilitation Support which covers the first option year.

**Contract P71521.** The briefing for this contract for Chemical Root Control notes it covers the fourth and final year of a contract that WSSC rides with Baltimore County.

#### **OPEN SESSION AUDITORIUM**

Chair Starks called the meeting to order in the auditorium at 1:15 p.m. She asked all to engage in silent prayer in light of the

inauguration of a new President and how his change initiatives might be of benefit to WSSC. Vice Chair Counihan was asked to lead the pledge of allegiance.

#### **PRESENTATION OF WSSC RETIREES**

Two employees were recognized as they retire from WSSC but neither employee was present at the meeting. They were: Frederic L. Omohundro, Laboratory Analyst in the Laboratory Services Group with 14 years and 3 months of service and Marie B. Moody, Utility Clerk in the Customer Relations Group with 22 years and 11 months of service.

#### **APPROVAL OF MINUTES**

**December 17 and 28, 2008 Minutes.** Commissioner Mandel moved that the Commission approve the open session minutes from the December 17 and 28, 2008 Commission meetings. Commissioner Agarwal seconded the motion. The motion carried with six affirmative votes.

#### **COMMISSIONERS' ITEMS/COMMENTS**

Chair Starks discussed the WSSC Employee Service Awards. She noted that there were rows and rows of employees who were honored for from 10 to 35 years of service to WSSC. She thanked the employees again for being a part of WSSC and congratulated them for their commitment to outstanding service. Chair Starks recognized the hundreds of employees who have worked less than ten years at WSSC. She thanked them for the expertise they bring to their jobs. She then commended the employees who worked around the clock to repair the water main break in Prince George's County.

Vice Chair Counihan announced that there have been 1,000 water main breaks and staff has consistently answered above and beyond the call of duty and in incredible weather circumstances. These employees give up their family time to ensure that the water main breaks are corrected quickly and efficiently. He said the Commission is especially thankful for this service in the last 30 days which has seen record breaking numbers of water main breaks.

Commissioner Miller stated the community has expressed their appreciation of the work WSSC did in repairing the water main break in Temple Hills and in servicing the families who needed additional services. The family that was evacuated from their home was supported by WSSC staff who helped them get personal items from the home and delivered to the hotel where they were relocated until the break was under control.

Commissioner Moore commended the University of Maryland for being the only university in the country to have a training program for the Chinese delegation.

#### **INTERIM GENERAL MANAGER'S ITEMS/COMMENTS**

Ms. Daniel expressed her pleasure in hearing Commissioners make comments about the WSSC teamwork over the last several days in controlling the water main break in Temple Hills. The Temple Hills break involved a 42" pipe which came right behind the break in a 66" pipe. She gave special recognition to certain teams who address the water main breaks, crews in the: control center, radio room, the maintenance crews in the field; and communications, all who worked around the clock to repair the water mains; sustain the water supply; test the water; and who put the water back in service, in addition to attending to numerous other water main breaks that occurred during a weekend. WSSC Employees always keep our customers informed and repair the breaks as quickly as possible she said, adding her thanks again to the incredible team that is WSSC. She said it must feel like a thousand breaks to the persons working around the clock but she noted she could not validate that there were actually 1,000 breaks as Vice Chair Counihan stated in his remarks. She asked employees to note that their good work and dedication has gone noticed by all Commissioners and even in the community. With regard to the latter, she read the following note from a customer:

Good Morning Friends at WSSC,

Last evening, I turned on the water to brush my teeth. But no water. This was a very unusual experience. Running water was something that I took for granted. Need water? Turn it on, and always, out comes safe, clean water.

We attempted to call the WSSC emergency number, but the line kept ringing busy. I went on line and sent an e-mail which prompted an automatic response. I read your updates and learned that we were not alone in our no-water situation. We were grateful for several gallons of water that we had available. We had informed WSSC about our problem. So we followed our normal nightly procedure and went to sleep.

This morning at 4:00 am, when the alarm went off, how thrilling to see water pour from the faucet and hear the commode filling up with water after being flushed. WSSC had been there for us!! With all the frozen pipes throughout Prince Georges' County, I would not have been surprised if we had needed to wait a longer time for water.

Thank you WSSC employees. We can't thank you enough for providing safe, clean water day-in-and-day-out. And when faced with an emergency, we could go to sleep, knowing that WSSC was out there, doing what they could to resume service.

To those working in the cold and to each of you in the background helping to provide services, a great big thank you to each and every one. Today I thanked God for water and today I thanked God for WSSC.

Blessings to each employee on the WSSC team.  
Barbara Good  
Riverdale, MD 20737

Next, Ms. Daniel thanked the staff who made a presentation to a delegation of about 15 engineers from Beijing, China: Rudy Chow, Charlett Bundy, Mark Brackett; Plato Chen and Jim Neustadt. She also thanked Communications staff for organizing the event.

Lastly, Chair Starks reminded all that Ms. Daniel went to New York with the Finance Office Director, Tom Traber and his staff and met with bond rating agencies as a prelude to the WSSC bond issue planned for February 2009.

#### **EMPLOYEE EXCELLENCE VIDEO**

This month's video highlighted employees working in the Human Resources Office.

#### **PRESS COMMENTS**

There were no press comments.

#### **PUBLIC COMMENTS**

There were no public comments.

#### **FINANCE OFFICE**

**Mid-cycle update for Proposed FY 2010-FY2015 CIP.** Vice Chair Counihan moved that the Commission approve all of the items on the agenda listed under Finance Office. This included the Mid-cycle update for Proposed FY 2010-FY2015 CIP; Resolution 2009-1817 for Other Post Employment Benefit (OPEB) on the GASB 45 Phase-in; and the Plan Amendments for IRS Determination Letter Filing. Commissioner Mandel seconded the motion. The motion carried with six affirmative votes.

#### **Production**

**Contract 05-01, Option Year.** Vice Chair Counihan moved that the Commission approve the option year of Contract 05-01 to C & E Services, Inc. for Liquid Aluminum Sulfate in the amount of \$784,188; to Basic Chemical Solution for Sulfuric Acid in the amount of \$1,239,210; to Delta Chemical Corporation for Polyaluminum Hydroxychlorosulfate in the amount of \$3,304,457; to Tricon Chemical Corporation for Pebble Quicklime in the amount of \$1,012,770; and to Luceir Chemical Industries, LTD for Hydrofluosilicic Acid in the amount of \$853,200. Commissioner Agarwal seconded the motion. The motion carried with six affirmative votes.

#### **Engineering & Construction**

**Contract BF1582H91, Change Order No.2.** Commissioner Miller moved that the Commission approve Contract BF1582H91, Change Order No.2 for Architect-Engineer Design Services at the Patuxent Water Filtration Plant's Phase II Expansion and Ultraviolet Disinfection Facilities to Metcalf & Eddy, Inc in the amount of \$2,127,900. Commissioner Moore seconded the motion. The motion carried with six affirmative votes.

**Contract PM0013A07.** Commissioner Miller moved that the Commission approve Contract PM0013A07, an Architect-Engineer Basic Ordering Agreement for PCCP Inspection Program to Openaka, Inc., in the amount of \$9,000,000. Commissioner Moore seconded the motion. The motion carried with six affirmative votes.

**Resolution No. 2009-1816.** Commissioner Agarwal moved that the Commission adopt Resolution No. 2009-1816, Construction Contractor Performance Evaluation Procedure. Vice Chair Counihan seconded the motion. The motion carried with six affirmative votes.

#### **Customer Care**

**Contract PM0005A07.** Commissioner Miller moved that the Commission approve Option Term One of Contract PM0005A07, an Architect-Engineer Basic Ordering Agreement for Sanitary Rehabilitation Support to Bucharth-Horn, Inc., with an upset limit of \$1,500,000. Vice Chair Counihan seconded the motion. The motion carried with six affirmative votes.

**Purchase Order P71521.** Commissioner moved that the Commission approve Purchase Order P71521 to ride the final and fourth option year of Baltimore County's Contract No. 42509, for Chemical Root Control in Sanitary Sewer to Duke's Root Control, Inc., in the amount of \$1,430,00. Commissioner seconded the motion. The motion carried with six affirmative votes.

#### **Senior Leadership Team Report**

**Rudy Chow.** Chair Starks asked for a report from the senior leadership team and when no one volunteered, she asked Interim Deputy General Manager Rudy Chow to speak. He congratulated and commended the crews, managers and all employees who exemplified the professionalism that went into repairing the large water main breaks. He stated, "There's no crisis WSSC cannot handle: The staff continues to do a fantastic job in responding to these events." He expressed appreciation for the Commissioners' flexibility in getting the Commission business completed in a timely manner by holding emergency meetings at the last minute to address matters relating to the repair of the major water main breaks. Lastly, Mr. Chow noted that the Chinese delegation planned to use information from WSSC as they develop their own water utility. He said the Chinese delegation left very satisfied with the presentation.

Chair Starks noted this feature of having a senior leadership team member speak at the commission meetings will be a continuing part of the meeting agenda.

**AFTERNOON CLOSED SESSION**

The afternoon closed session was not held.

**OPEN SESSION RESUMED  
COMMISSIONERS' CONFERENCE ROOM**

**SLMBE Office**

**MBE Program Policy Draft.** Commissioners reviewed the draft of the proposed MBE Program. Chair Starks asked to have the program reviewed in committee during January 2009. She also asked the SLMBE Office to provide copies of certain resolutions mentioned in the policy draft before the meeting.

**Human Resources**

Commissioners were briefed on the succession management plan.

**Intergovernmental Relations Office**

Mr. Wineland provided Commissioners an update on pending legislation. He advised that the Financial Oversight Bill will be in committee for a hearing on January 26, 2009. Mr. Wineland recommended Commissioners continue to take no position on this bill at this time.

**Interim General Manager**

**Contract 5484 - ERP/EAM Implementation.** Commissioners were briefed on this contract and how it will benefit the core business divisions at WSSC. The monthly report was considered read and accepted.

#### **Communications**

Commissioners received a briefing and update on the WSSC Customer Notification system.

#### **Acquisition**

**Briefing on Change Order Process.** Commissioners were briefed on the process used for implementing change orders to contracts.

**Draft Manual.** Chair Starks asked Commissioners to submit questions to the IDGM so that all questions can be answered at once during the briefing on this manual at the February meeting.

#### **Adjournment**

Commissioners Miller left at 7:00 p.m. Commissioners Agarwal and Moore left the meeting breaking the quorum between 7:15 and 7:35 p.m., respectively. At 7:48 p.m. Commissioners Counihan and Mandel left. The staggered exits precluded voting on a formal motion to close the meeting.

Respectfully submitted,

          //signed//            
Charlett Bundy  
Corporate Secretary