

WASHINGTON SUBURBAN SANITARY COMMISSION

MINUTES OF THE COMMISSION MEETING

Wednesday, February 20, 2008

Laurel, Maryland

Chair Adrienne A. Mandel called the meeting to order at 8:45 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 Starks, Commissioners Prem Agarwal, Juanita Miller, Norman E. Pruitt and Gene W. Counihan were present at the meeting. Also, present were General Manager Andy Brunhart, Deputy General Manager, Teresa Daniell, General Counsel Jerry Blask and Corporate Secretary Charlett Bundy.

**Agenda Approval**

Commissioner Pruitt moved to amend the agenda. Commissioner Agarwal seconded the motion. The motion carried with four affirmative votes as Vice Chair Starks and Commissioner Miller were not present when the vote was taken.

**MORNING CLOSED SESSION  
COMMISSIONERS' CONFERENCE ROOM**

At 8:46 a.m. Commissioner Counihan moved to close the meeting pursuant to Subtitle 5 of Title 10 of the State Government Article, Maryland Code Section 10-508(a)(7) to discuss legal opinion of outside counsel; Section 10-508(a)(13) to discuss security requirements for WSSC operations and the transition plan; and Section 10-508(a)(7) to discuss the settlement proposal for an EEO complaint. Commissioner Pruitt seconded the motion. The motion passed with four affirmative votes as Vice Chair Starks and Commissioner Miller were not present when the vote was taken.

At 8:48 a.m. the closed meeting began. In attendance were Chair Mandel, Vice Chair Starks, Commissioners Agarwal, Miller, Pruitt and Counihan; General Manager Andy Brunhart; Deputy General Manager Teresa Daniell; General Counsel Jerry Blask; and Corporate Secretary Charlett Bundy. Also in attendance were Tom Traber, Chief Finance Officer and Bond Counsel to WSSC, James Cumbie and Walter Calvert of Venable, L.L.P. and Lester Guthorn of Public Advisory Consultants. Messrs. Cumbie and Calvert provided their legal opinion on certain debt instruments issued on behalf of WSSC. Commissioners voted to act in accordance with the legal advice of bond counsel. The vote was unanimous.

Also during the closed session, Commissioners discussed a security contract and the selection of an interim general manager and

an interim deputy general manager. Lastly, Commissioners discussed the progress of the search firm with identifying viable candidates for the general manager position.

At 12:35 p.m. Commissioner Agarwal moved to recess the closed session. Commissioner Pruitt seconded the motion. The motion carried with six affirmative votes.

**OPEN SESSION  
COMMISSIONERS' CONFERENCE ROOM**

**Finance Office**

**December 2007 Status Report.** Commissioners were advised that the December 2007 Status Report had been sent to the counties.

**WSSC Employees' Retirement Plan Amendment - Reconstitution of the Board of Trustees.** This item provided Commissioners additional information on the progress for reconstitution of the WSSC Employees' Retirement Plan's Trustee Board to add WSSC retirees from Montgomery County and Prince George's County.

**FY-2009 Operating Budget.** Commissioners reviewed the features of the proposed budget as summarized by Tom Traber and Sheila Cohen. They went over the various elements of each of the proposed budget options.

**OPEN SESSION -- AUDITORIUM**

At 1:05 p.m. Chair Mandel called the public meeting to order. Vice Chair Starks, Commissioners Agarwal, Miller, Pruitt and Counihan were present. Chair Mandel asked Commissioner Starks to lead the pledge of allegiance but she was temporarily off the dais and Chair Mandel led the pledge.

**APPROVAL OF MINUTES**

**January 16, 2008 Minutes.** Commissioner Agarwal moved that the Commission approve the open session minutes from the January 16, 2008 Commission Meeting. Commissioner Pruitt seconded the motion. The motion carried with five affirmative votes as Vice Chair Starks had not arrived to the dais before the vote was taken.

**FINANCE OFFICE**

**Resolution 2008-1794: Check Signing Authority for Settling Claims Account.** Sheila Cohen summarized the process for the public hearings on the budget and presented summaries of the additional budget options for Commissioners to consider. Commissioners expressed the impact of the rate increase on the public as well as the impact of the fees to support rebuilding the sewer/water infrastructure on various segments of the ratepayers in the WSSC service district. Chair Mandel

asked the members of the public to provide contact information to Tom Traber so they could be notified in the event WSSC would schedule another public hearing on budget options.

**Resolution 2008-1794: Check Signing Authority for Settling Claims Account.** Commissioner Pruitt moved that the Commission approve Resolution 2008-1794 that assigns check signing authority for the Claims Settlement Account of the Customer Care Team. Commissioner Agarwal seconded the motion. The motion carried with six affirmative votes.

**Amendment to WSSC Employees' Retirement Plan:** This agenda item was deferred to the next meeting.

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

There were no retirees this month.

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

Chair Mandel presented Mr. Brunhart with a glass water drop commemorating his years of service to WSSC. She thanked Mr. Brunhart for his service and wished him continued success.

Commissioner Miller acknowledged with and commended the family spirit of WSSC employees for their support - emotional and spiritual -- towards family of deceased employees. She expressed gratitude for that support.

Vice Chair Starks thanked Mr. Brunhart for the services he has provided to WSSC and noted he will be missed.

Commissioner Agarwal echoed Vice Chair Starks' comments that recognized Mr. Brunhart's service to WSSC.

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

Mr. Brunhart thanked the Commissioners for the distinct honor of serving the last three years. He said that if in some small way he contributed and made a difference, that was enough for him. He noted that, "We have a great team at WSSC if there has been some small addition of value that I have added to this team, for me that is enough."

Mr. Brunhart then bestowed the general manager's award, the highest award for employees, to Sheila Mirmiran for her long service as Acting Director of the Intergovernmental Relations Office. He then read a citation that noted her outstanding service and demonstrated excellence in leading the IRO team in outreach and networking on all levels of government. The award consisted of an engraved glass water drop and a bonus check.

**EMPLOYEE EXCELLENCE**

**Video of Logistics Staff.** Commissioners were shown a video of the Logistics staff at work as part of the Fair Practice Office's video series of WSSC workers.

**AREA PRESS QUESTIONS**

There were no press questions.

**PUBLIC COMMENTS**

There were no public comments.

**CUSTOMER CARE**

**Resolution 2008-1795.** Commissioner Miller moved that the Commission approve Resolution 2008-1795 that adopts SP CUS-08-01, a revised Procedure for Resolving Water and Sewer Claims. Commissioner Pruitt seconded the motion. The motion carried with six affirmative votes.

**LOGISTICS**

**Contract 5242.** Commissioner Agarwal moved that the Commission award requirements services Contract No. 5242 to Watkins Security Services for Security Guard Services with an upset limit of \$1,033,835. Commissioner seconded the motion. The motion carried with six affirmative votes.

**ENGINEERING AND CONSTRUCTION**

**Contract BE4473A06.** Commissioner Pruitt moved that the Commission award Contract BE4473A06, to Gannet Fleming, Inc. for services associated with the planning and design of the Olney Standpipe Replacement in the amount of \$750,795.00. Commissioner Miller seconded the motion. The motion carried with six affirmative votes.

At 2:12 p.m. the meeting adjourned to the Commissioners' Conference Room for the afternoon session.

**AFTERNOON SESSION -  
COMMISSIONERS' CONFERENCE ROOM**

At 2:55 p.m. the meeting resumed in the Commissioners' Conference Room.

**Engineering and Construction**

**Contracts CD4257A05 and CD417A05.** Commissioners were briefed on these amendment No. 1 to these architect/engineer contracts to install equipment to facilitate enhanced nitrogen removal as a facility upgrade at the Western Branch Wastewater Treatment Plant.

**Bi-County Supply Main Project.** Commissioners were briefed on the status of this ongoing project.

**Information Technology**

Goutam Kundu, Chief Information Officer provided Commissioners an update on the status of various projects to improve the equipment, service and programming of WSSC's computer systems. The update included information on the projects to align WSSC's computer system with best practices.

**INTERGOVERNMENTAL RELATIONS OFFICE**

Commissioners were updated on three bi-county bills as well as others that have some impact on WSSC.

**HUMAN RESOURCES OFFICE**

Yvonne McKinney, Director of Human Resources provided Commissioners information about an error in data transfer that temporarily interrupted 300 WSSC retirees' prescription service under their WSSC health plan.

**COMMISSIONERS' OFFICE**

**Internal Audit**

**December 2007 Report.** Maxene Bardwell presented the department's monthly audit report to Commissioners. There were no questions.

**General Manager**

Mr. Brunhart provided his monthly report on the status of various operations in the company. He mentioned the pump failure at the Piscataway plant that was caused by the aging system.

Mr. Brunhart discussed the adoption of the International Plumbing Code by WSSC, and how he had cautioned that a section governing fats, oil and grease section (FOG) would need to be revised. He advised that this section would be provided Commissioners at a future meeting. This was based on the Plumbing industry's difference of opinion about the mechanics of FOG traps. He noted WSSC needs the advice of an independent expert to identify what is being done nationally and to rewrite the section of the plumbing code dealing with FOG and FOG traps. He presented the monthly dashboards of water production and flows. He highlighted the centralized bidder registration (CBR) system that will be in effect April 1, 2008 and from that time, all WSSC contracting jobs would be listed only in the CBR.

**Corporate Secretary**

**Monthly Report.** Ms. Bundy provided Commissioners a report of her monthly activities.

**AFTERNOON CLOSED SESSION**

At 5:49 p.m. Commissioner Miller moved to close the meeting pursuant to Section 10-508(a)(13) to approve Closed Session Minutes for January 16, 2008 and February 7, 2008 and to discuss other administrative matters; Section 10-508(a)(1) to discuss personnel matters involving the performance reviews for the General Manager, Internal Audit Manager, and Director, SLMBE; and Section 10-508(a)(7) to discuss settlement of an EEO matter. Vice Chair Starks seconded the motion. The motion passed with six affirmative votes.

At 5:45 p.m. the closed meeting began. In attendance were Chair Mandel, Vice Chair Starks, Commissioners Agarwal, Miller, Pruitt and Counihan; General Manager Andy Brunhart; Deputy General Manager Teresa Daniell; General Counsel Jerry Blask; and Corporate Secretary Charlett Bundy. Mr. Brunhart left during the discussion of the EEO matter which was handled first. He did not return.

After the EEO matter was discussed, Commissioners discussed the following matters: the 2008 Transition Plan and various administrative matters.

**Closed Session Minutes.** Commissioner Pruitt moved that the Commission approve the closed session minutes for the January 16, 2008 meeting. Commissioner Pruitt seconded the motion. The motion carried with four affirmative votes (Commissioners Miller and Starks had left the meeting). Mr. Blask and Ms. Daniell left the meeting after this vote was taken.

At 7:19 p.m., Commissioner Pruitt moved to adjourn the closed session. Commissioner Agarwal seconded the motion. The motion carried with four affirmative votes.

**OPEN MEETING**

**ADJOURNMENT**

Immediately thereafter, Commissioner Agarwal made a motion to end the meeting. It was seconded by Commissioner Pruitt. The motion carried with four affirmative votes. At 7:21 p.m. Chair Mandel declared the meeting was adjourned.

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//Signed//

Charlett Bundy, Esq.  
Corporate Secretary