

WASHINGTON SUBURBAN SANITARY COMMISSION

MINUTES OF THE COMMISSION MEETING

Wednesday, April 4, 2007

Laurel, Maryland

Chairman Prem Agarwal called the meeting to order at 8:40 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 Botts, Commissioners Sandra Allen and Juanita Miller were present. Also, present were General Manager Andy Brunhart, Sr. Counsel Bob Drummer for General Counsel Jerry Blask and Corporate Secretary Charlett Bundy. Commissioner Joyce Starks arrived after the agenda had been approved. Commissioner Marc P. Lieber was absent.

Agenda Approval

Commissioner Miller moved to approve the agenda. Vice Chair Botts seconded the motion. The motion carried with four affirmative votes.

CLOSED SESSION

COMMISSIONERS' CONFERENCE ROOM

At 8:44 a.m. Commissioner Allen moved to close the meeting pursuant to Government Article, Maryland Code Section 10-508(a)(7) and (13) to a) review legal counsel's opinion regarding a MBE Program; b) settlement of a claim; c) to delegate authority to settle the claim; and d) to discuss an EEOC claim. Vice Chair Botts seconded the motion. The motion carried with five affirmative votes.

At 8:45 a.m. the closed meeting began. In attendance were Chair Agarwal, Vice Chair Botts, Commissioners Starks, Allen and Miller; General Manager Andy Brunhart; Sr. Counsel Bob Drummer; and Corporate Secretary Charlett Bundy. Attorney Franklin Lee and Towanda McNeil, Director SLMBE joined the discussion on the MBE Program only. Both left the meeting at 10:35 a.m.

At 10:37 a.m., Roscoe Wade and Tom Laboon joined the meeting to discuss the legal claim that arose after a contract was recalled for convenience. After receiving legal advice, a motion was made and seconded to authorize the General Manager to settle a contract claim up to a specified amount. With five affirmative votes, the motion carried. Mr. Wade and Mr. Laboon left the meeting at 11:03 a.m.

At 11:05, Assoc. Counsel Russel Beers joined the meeting to discuss an EEOC claim. A motion was made and seconded to litigate the matter. Commissioner Miller abstained because she did not know what the legal ramifications would be if she joined the vote. The motion carried with four affirmative votes. Mr. Beers left the meeting at 11:14 a.m.

At 11:15 a.m. Commissioner Miller moved to end the closed session. Commissioner Starks seconded the motion. The motion carried and the meeting was declared open.

**OPEN SESSION
COMMISSIONERS' CONFERENCE ROOM**

Commissioners had a discussion on holding a retreat to address certain key governance issues: updating of the bylaws; creating a mission statement to help develop their strategic plan for WSSC, especially the concerns of the aging infrastructure. The weekend of June 3, 2007 was agreed upon and the Corporate Secretary was directed to finalize details.

Mr. Brunhart gave a report of his visit to the three bond rating agencies in New York. He said questions centered on budgetary performance; strategic planning; infrastructure and other general issues such as the Inter-municipal Agreement (IMA). He remarked there was a level of concern as to whether WSSC had the resolve to raise service rates to cover the costs of the challenges brought on by the aging infrastructure. Mr. Brunhart noted the rating agencies suggested that failure to do so will impact their ratings of WSSC.

ADJOURNMENT

Commissioner Miller moved to adjourn the meeting at 11:38 a.m. Commissioner Starks seconded the motion. The motion carried with five affirmative votes. At 11:39 a.m. the meeting was adjourned.

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