

WASHINGTON SUBURBAN SANITARY COMMISSION

MINUTES OF THE COMMISSION MEETING

Wednesday, May 21, 2008

Laurel, Maryland

Chair Adrienne A. Mandel called the meeting to order at 8:52 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 Interim General Manager Teresa Daniell, Interim Deputy General Manager Rudy Chow, Corporate Secretary Charlett Bundy and General Counsel, Jerry Blask.

AGENDA APPROVAL

Commissioner Pruitt moved to approve the agenda as published. Commissioner Counihan seconded the motion. The motion carried with six affirmative votes.

CLOSED SESSION - COMMISSIONERS' CONFERENCE ROOM

At 8:53 a.m., Commissioner Counihan moved that the meeting be closed pursuant to Subtitle 5 of Title 10 of the State Government Article, Maryland Code Section 10-508(a)(13) and 10-508(a)(1) to discuss an administrative matter and a personnel matter related to the Transition Plan. Commissioner Pruitt seconded the motion. The motion carried with five affirmative votes.

At 10:45 a.m., Chair Mandel declared the meeting was closed. In attendance were: Chair Mandel; Vice Chair Starks; Commissioners Agarwal, Miller and Counihan. Also present were Corporate Secretary Charlett Bundy and Lonnie Taylor of Heidrick & Struggles. Commissioners discussed an administrative matter and a personnel matter related to the Transition Plan.

Closed Session Minutes. Commissioner Pruitt moved to approve the minutes of the April 30, 2006 meeting. Commissioner Pruitt Seconded the motion. The motion carried with six affirmative votes. There were

several motions regarding a change in the June Commission Meeting date but no motion prevailed. There were other motions related to staff employment contracts, performance reviews and related matters that passed with a majority vote.

At 12:33 p.m. Vice Chair Starks moved that the morning closed session be adjourned and the open meeting resumed. Commissioner Miller seconded the motion. The motion carried with five affirmative votes.

OPEN SESSION

At 12:35 p.m., Chair Mandel declared the open meeting had resumed.

Finance Office

Resolution 2008-1802. Commissioners were briefed on Resolution 2008-1802 that adopts the WSSC FY 2009 System Development Charge.

Resolution 2008-1800. Commissioners were briefed on Resolution 2008-1800 that adopts the WSSC FY 2009 Operating and Capital Budgets contingent upon adoption of the budget by Prince George's and Montgomery County councils.

Resolution 2008-1801. Commissioners were briefed on Resolution 2008-1801 that adopts the six-year Capital Improvement Program for the years 2009-2014.

Engineering & Construction

Contract BR4702B07. Commissioners were briefed on architectural and engineering Contract BR4702B07 for Glenn Echo, Montgomery County, sewer and water main reconstruction.

AUDITORIUM SESSION

Chair Mandel called the meeting to order in the auditorium at 1:42 p.m. She asked Commissioner Agarwal to lead the pledge of allegiance.

APPROVAL OF MINUTES

March 4, 2008 and April 16 and 30, 2008 Minutes. Commissioner Agarwal moved that the Commission approve the open session minutes from the March 4, 2008 and April 16, and 30, 2008 Commission Meetings. Commissioner Counihan seconded the motion. The motion carried with six affirmative votes.

PRESENTATION OF WSSC RETIREES

Seven employees retired this month and only one was present at the meeting to be recognized: Mathias B. Simmons, Collection Technician III, who retired with 23 years and 6 months of service. The retirees absent from the meeting were: Elmore Davis, Jr., Utility Technician I, who retired with 30 years and 7 months of service; Sheldon L. Edwards, Small, Local, Minority Business Enterprise Program Coordinator, who retired with 17 years and 9 months of service; LeRoy N. Harrison, Utility Technician II, who retired with 15 years and 5 months of service; Dahyabhai P. Patel, Principal Civil Engineer, who retired with 29 years and 1 month of service; David W. Shade, Utility Technician III, who retired with 31 years and 4 months of service; and Ruth M. Zalewski, Administrative Assistant II, who retired with 25 years and 4 months of service.

COMMISSIONERS' ITEMS/COMMENTS

Chair Mandel noted the resignation of Commissioner Pruitt that would be effective May 31, 2008. She thanked Commissioner Pruitt for his contribution to WSSC, especially the work he completed with the development of a viable MBE draft policy for WSSC and his work on the personnel committee of the Commission. Vice Chair Starks also recognized the valuable strengths of Commissioner Pruitt in his outstanding contribution to the work of developing a draft MBE program. Commissioner Pruitt thanked all for their comments of support and recognition and thanked staff for their support of his efforts during his tenure.

Commissioner Miller commended Brandon Stewart for his appointment to the SLMBE Team and noted his progression from working in that office while a college student, to being hired in Customer Care and then being promoted to the SLMBE position. She noted this is a prime example of how succession planning should work.

INTERIM GENERAL MANAGER'S ITEMS/COMMENTS

Ms. Daniell thanked Commissioner Pruitt for his service and dedication. She made some introductory remarks about the 90th Anniversary of WSSC.

Chair Mandel and Vice Chair Starks each spoke about certain aspects of the history of WSSC and led the Commissioners in cutting a cake to commemorate WSSC's 90th year in business. Cake was served to all employees at every facility to thank them for continuing to provide WSSC's service district with clean, safe drinking water and with ensuring that the many other services a bi-county water utility provides are first-rate.

Engineering and Construction

Contract BR4553C07. Commissioner Pruitt moved that the Commission award architectural and engineering Contract BR4553C07 for Hillcrest in Prince George's County, to Metra Industries, in the amount of \$1,684,273.00. Commissioner Agarwal seconded the motion. The motion carried with six affirmative votes.

Contract BR4702B07. Commissioner Counihan moved that the Commission award architectural and engineering Contract BR4702B07 for Glenn Echo, Montgomery County, sewer and water main reconstruction to Sagres Construction Corporation in the amount of \$2,217,230.00. Vice Chair Starks seconded the motion. The motion carried with six affirmative votes.

Contract BR/CR4371A06. Commissioner Agarwal moved that the Commission award architectural and engineering Contract BR/CR4371A06 for Chevy Chase, Montgomery County, to Rustler Construction Inc., in the

amount of \$947,325.000. Vice Chair Starks seconded the motion. The motion carried with five affirmative votes as Commissioner Miller was temporarily off the podium.

Contract BR4271CO5. Commissioner Agarwal moved that the Commission award architectural and engineering Contract BR4271CO5 for Fenwick Lane, Montgomery County, for water main reconstruction to Sagres Construction Corporation in the amount of \$1,256,740.00. Vice Chair Starks seconded the motion. The motion carried with five affirmative votes as Commissioner Miller was temporarily off the podium.

Production

Contract 5274. Commissioner Agarwal moved that the Commission award Contract 5274 for repairing and repainting the interior of a ground steel storage tank at Patuxent Reservoir No. 2 to Corfu Construction in the amount of \$1,366,625. Vice Chair Starks seconded the motion. The motion carried with six affirmative votes.

Customer Care

Resolution 2008-1795. Commissioner Miller moved that the Commission approve Resolution 2008-1795, the Standard Procedure for adjustments and correction of water and sewer bills. Vice Chair Starks seconded the motion. The motion carried with six affirmative votes.

Finance Office

Resolution 2008-1802. Commissioner Agarwal moved that the Commission approve Resolution 2008-1802 that adopts the WSSC FY 2009 System Development Charge. Commissioner Pruitt seconded the motion. The motion carried with six affirmative votes.

Resolution 2008-1800. Vice Chair Starks moved that the Commission approve Resolution 2008-1800 that adopts the WSSC FY 2009 Operating and Capital Budgets contingent upon adoption of the budget by Prince George's and Montgomery County Councils. Commissioner Counihan seconded the motion. The motion carried with six affirmative votes.

Resolution 2008-1801. Commissioner Counihan moved that the Commission approve Resolution 2008-1801 that adopts the six-year Capital Improvement Program for the years 2009-2014. Commissioner Agarwal seconded the motion. The motion carried with six affirmative votes.

Commissioners then resumed the meeting in the Commissioners' Conference Room at 2:50 p.m.

OPEN SESSION - COMMISSIONERS' CONFERENCE ROOM

Finance Office

March 2008 Status Report. Commissioners were advised that the March 2008 Status Report had been transmitted to the counties.

WSSC Retirees other Post Employment Benefits Trust Report. Mr. Traber and his staff briefed Commissioners on the audit of this account for the 2007 calendar year.

Engineering & Construction

Contracts BR4271C05; BR/CR3082A01; BR/CR472A07; and BR4726A07. Commissioners were briefed on these contracts of which the first three addressed water and sewer main reconstruction throughout the water district. The last contract covers a water main construction project.

Contract BD4144A05. Commissioners were briefed on this amendment to the architectural and engineering contract to conduct a safety analysis of the T. Howard Duckett Dam.

Production

Contract No. 5275 and 5276. Commissioners were briefed on the proposed repairs to and repainting of two storage tanks: Cabin John and Glenmont.

Interim General Manager's Report

Ms. Daniel advised Commissioners that the fats, oil and grease (FOG) program is on track to meet the time line and plan of action to have the regulations in place as mandated in the U.S. Department of Justice Sanitary Sewer Overflow (SSO) consent decree.

She announced that a bi-county meeting would be held on June 13, 2008 at WSSC to examine options for funding infrastructure renewal projects. She discussed the IT projects and the new method of tracking water main reconstruction on the dashboard reports. She noted that she would remodel the dashboard reports to give less historical data and more information on the status of, and projections about, the various items in the dashboard reports. She also discussed the progress of the repair of the 66" main that was the subject of an emergency commission meeting.

Internal Audit Office

Monthly Report. Commissioners reviewed highlights of the audit manager's monthly report. There were no questions.

Corporate Secretary's Office

Monthly Report. Ms. Bundy provided Commissioners an overview of her work for the month and focused on the revisions to the Bylaws.

Acquisition

Mr. Thomas Laboon briefed Commissioners on unbalanced bids, best value contracts, and analysis of contract approval limits. Commissioners Counihan, Agarwal and Miller were appointed to a committee to consider increasing contract approval limits.

Customer Care

Ms. Marcia Tucker briefed Commissioners on the status of the compliance projects for the SSO consent decree with the U.S. Department of Justice.

ADJOURNMENT

At 6:15 p.m., Commissioner Pruitt moved to adjourn the meeting. Commissioner Agarwal seconded the motion. The motion carried with six affirmative votes. Thereafter, Chair Mandel declared the meeting was adjourned.

Respectfully submitted,

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