

WASHINGTON SUBURBAN SANITARY COMMISSION

MINUTES OF THE COMMISSION MEETING

Wednesday, August 15, 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. Commissioner Sandra A. Allen was present. Commissioners Joyce Starks and Juanita D. Miller initially appeared by telephone and then in person at 9:45 a.m. and 10:40 a.m., respectively. Commissioner Marc P. Lieber appeared by telephone for the entire meeting. Also, present were General Manager Andy Brunhart, General Counsel Jerry Blask and Corporate Secretary Charlett Bundy.

**Agenda Approval**

Commissioner Allen moved to adopt the agenda. Commissioner Starks seconded the motion. Commissioner Miller's connection dropped during the vote. The motion carried with four affirmative votes.

Prior to the closed session, Commissioner Allen moved to amend the agenda to include in the closed session discussion, the date of the internal audit manager's performance review. Commissioner Miller seconded the motion. The motion carried with four affirmative votes. Commissioner Starks' connection dropped during the vote.

**FINANCE OFFICE**

Ms. Cohen presented changes to the Proposed Capital Improvements Plan for fiscal years 2009 to 2014 that will be part of the public document presented for comments at the public hearings.

**CUSTOMER CARE**

Mr. Chow briefed Commissioners on Contract CI4687A07 for Area Sewer Renewal and Lining in Various Locations in Montgomery County.

**ENGINEERING AND CONSTRUCTION**

**1. Master Plan Phase 1A Update.** Commissioners were briefed on three contracts: Architectural and Engineering Contract S4441A06 for the Anacostia Storage Facility; Contract BR/CR4371A06 for Water Main Replacement/Relocation at Woodbrook Lane Chevy Chase; and Contract BR4065B05 for Water Main Replacement at Maryhurst Drive, Hyattsville.

**2. Update of Plumbing/Gas Code.** Commissioners were also briefed on the necessity for Resolution 2008-1782 which amends the WSSC Plumbing & Fuel Gas Code to implement provisions from HB 709, the "Propane Bill."

**LOGISTICS**

Mr. Wade briefed Commissioners on Contract No. 3972 for security guard services.

**INTERNAL AUDIT OFFICE**

Internal Audit Manager Maxene Bardwell presented Commissioners the August monthly report from Internal Audit. There were no questions.

**GENERAL MANAGER'S OFFICE**

**Monthly Report.** Mr. Brunhart announced that the Marlboro Meadows project continued to be on schedule with an expected completion date in October 2007. He discussed the annual action items for Fiscal Year 2009 had been reduced from the 17 that were attempted in FY 2008 to 11. He noted that the Minority Business Enterprise (MBE) contract awards for July 2007 totaled over 32% of the WSSC contract award dollars. There were no questions about the General Manager's August report.

**MOTION TO CLOSE THE MEETING**

At 11:09 a.m. Commission Allen moved that the meeting be closed pursuant to Subtitle 5 of Section 10 of the State Government Article, Maryland Code Section 10-508(a)(7) to discuss legal advice on settlement of a legal claim and to increase in the upset limit of Purchase Order 63240; and Section 10-508(a)(13) to approve the closed session minutes for July 18 and August 8, 2007 meetings; to discuss the employment contract of General Manager Brunhart and the performance review of the internal audit manager. Commissioner Lieber seconded the motion. The motion carried with four affirmative votes. Commissioner Starks' connection dropped during the vote.

**CLOSED SESSION  
COMMISSIONERS' CONFERENCE ROOM**

When the closed session convened, Chair Agarwal, Commissioners Starks, Lieber, Allen, and Miller, Mr. Brunhart, Ms. Bundy and Mr. Blask were present. Attorney Bob Drummer appeared for the matter settlement of a legal claim.

Commissioner Allen moved to approve the closed session minutes for the July 18 and August 1, 2007 Commission meetings. Commissioner Lieber seconded the motion. The motion carried with four affirmative votes (Chair Agarwal was temporarily out of the room).

Commissioner Sandra Allen "moved that the Commission increase the up set limit in Purchase Order 63240 to an amount above the General Manager's authority. Commissioner Starks seconded the motion. Chair Agarwal, Commissioners Starks, Allen and Miller all voted aye so the motion carried. Commissioner Lieber's telephone connection dropped before the vote was taken and thus, did not hear the motion or participate in the vote.

A motion to create a new two-year contract for the General Manager was seconded but defeated. The vote was three nays (Chair

Agarwal, Commissioners Starks and Miller) and two yeas (Commissioners Lieber and Allen).

**MOTION TO END THE CLOSED SESSION**

Commissioner Allen moved to end the closed session at 1:05 p.m. and resume the public meeting. The second to the motion was inaudible on the tape. There were five affirmative votes so the motion carried. At 1:06 p.m. the Commissioners left the room.

**OPEN SESSION -- AUDITORIUM**

At 1:10 p.m. Chair Agarwal called the public meeting to order. Commissioners Starks, Lieber, Allen, and Miller were present. Chair Agarwal asked Commissioner Allen to lead the pledge of allegiance.

**APPROVAL OF MINUTES**

Commissioner Allen moved that the Commission approve the open session minutes from the July 18 and August 1, 2007 Commission Meetings. Commissioner Starks seconded the motion. The motion carried with five affirmative votes.

**AREA PRESS QUESTIONS**

There were no press questions.

**PRESENTATION OF WSSC RETIREES**

Those retirees present to receive recognition were: Jeffery M. Kingsbury, Collection Systems Operator who retired with 23 years and 1 month of service; Chris L. Maschauer, Microcomputer Specialist who retired with 25 years and 4 months of service; and Anita Darlene Woolbright, Computer Operator II, who retired with 26 years and 10 months of service.

Retirees who did not attend included: An V. Bui, Development Project Manager who retired with 23 years and 8 months of service; Martha L. Knight, Contract (Tech.) Manager I, who retired with 34 years and 3 months of service; Joseph P. Mantua, Project Delivery Group Leader who retired with 22 years and 8 months of service; James K. Sillers, Program Administrator who retired with 32 years and 3 months of service; Lynda Ann Sillers, Assessment Technician who retired with 30 years and 2 months of service; Brenda Gayle Slye, Senior Information Systems Support Analyst who retired with 28 years and 1 month of service; Terrance Valentine, a Unit Coordinator in the Environmental Group who retired with 30 years and 6 months of service; and Patricia L. Wickline, Assessment Technician who retired with 30 years.

**EMPLOYEE EXCELLENCE**

A video highlighting the work of the WSSC laboratory employees was shown.

**COMMISSIONERS' ITEMS**

**Engineering Scholarship Award.** Commissioners awarded Stephanie Parker, a junior Electrical Engineering student from Morgan State University a \$1,000 scholarship towards her 2007-2008 college expenses. Ms. Parker thanked the Commissioners for the scholarship. Commissioner Starks announced that commissioners are focused on creating a pool of engineers for future WSSC staffing and was pleased to make the second award of the WSSC engineering scholarship. She told Ms. Parker that she hopes she will look back and help someone else once she has become an engineer. Commissioner Miller noted that Ms. Parker is a product of the Prince George's Public Schools.

**GENERAL MANAGER'S ITEMS**

Mr. Brunhart recognized and congratulated the WSSWC team that worked three to four months on creating Phase 1A of the Utility Master Plan. He strongly commended them for their work on this comprehensive effort to develop a framework for future strategic planning.

Next, Mr. Brunhart thanked Joe Zorica for his work as Chief Engineer the last two years as Mr. Zorica is leaving WSSC on August 31, 2007.

**COMMISSIONERS' REMARKS**

Chair Agarwal, on behalf of all Commissioners thanked Joe Zorica for his great work. Mr. Agarwal noted that Mr. Zorica's best work is exemplified in leading the creation of the WSSC Master Utility Plan.

Commissioner Allen offered her thanks and appreciation to Joe Zorica for his work at WSSC these last two years. She noted that not many employees at WSSC had made such a great impact in such a short time. She wished Mr. Zorica the best.

Commissioner Miller also wished Mr. Zorica the best. She noted that Mr. Zorica had set a higher standard for the Engineering Department. She personally thanked him for that and likewise wished him the best.

Commissioner Starks noted Mr. Zorica's contribution to WSSC and wished him well. She also noted that school would start soon and that she wished all of the children of WSSC employees a good school year. Lastly, she personally thanked Commissioner Sandee Allen who may not return to attend the September Commission meeting due to changes in the Montgomery County roster of commissioners. Commissioner Starks also said that she appreciated Commissioner Allen's professionalism to stay until a replacement is appointed. Lastly, Commissioner Starks expressed her appreciation for Commissioner Allen's contributions to the Commission noting that the employees will benefit from a lot of what Commissioner Allen has brought to the Commission.

Chair Agarwal noted that Commissioner Allen's contributions have been tremendous and that he appreciated her friendship.

Commissioner Allen thanked all for their kind expressions of appreciation and for their support in case this is her last meeting. She said it has been her pleasure and she has been enriched by the experience. She is proud of having served and noted that "our fish and people are in good hands."

Commissioner Miller expressed her well wishes to Commissioner Allen noting that Commissioner Allen had brought out the best in her and that they had enjoyed a good working relationship.

Commissioner Lieber noted that he really appreciated Joe Zorica and thanked Mr. Brunhart for hiring Mr. Zorica. He also echoed comments of the Commissioner about Commissioner Allen and said it was a pleasure to have had Commissioner Allen on the Commission.

**CONTRACT AWARDS/RESOLUTIONS  
Engineering and Construction**

**Contract BL9972B94.** Commissioner Miller moved that the Commission award Contract BL9972B94 for Bi-County Supply Main Construction Management Services to Jacobs Associates-EZ Engineering in the amount of \$8,979,042. Commissioner Allen seconded the motion. The motion carried as there were five affirmative votes.

**Contracts CD4260A05 and CD4260B05.** Commissioner Starks moved that the Commission award A/E Contract Nos. CD4260A05 and CD4260B05 to Post, Buckley, Schuh and Jernigan for services associated with the evaluation and design of the Seneca Waste Water Treatment Plant Enhanced Nutrient Removal (ENR) in the amount of \$4,440,200. Commissioner Miller seconded the motion. The motion carried as there were five affirmative votes.

**Contract BR4315B06.** Commissioner Miller moved that the Commission award Contract BR4315B06 for Water Main Replacement Temple Hills to Sagres Construction Corporation in the amount of \$1,471,250. Commissioner Allen seconded the motion. Commissioner Starks voted nay. Chair Agarwal, Commissioners Allen, Lieber and Miller voted aye. The motion carried as there were four affirmative votes.

**Contract BR/CR4371A06.** Commissioners tabled the award of Contract BR/CR4371A06 for Water Main Replacement/Relocation at Woodbrook Lane, Chevy Chase to Fort Meyer Construction Corporation in the amount of \$1,081,345.00. It will be presented again at the September 2007 Commission Meeting.

**Finance**

Commissioner Miller moved that the Commission approve the Public Hearing Dates for FY-09 Budget as follows: for Prince George's County, Wednesday, February 6, 2008, at 7:30 p.m., Largo Government Center, Largo, Maryland and for Montgomery County, Thursday, February 7, 2008, at 7:30 p.m., Stella B. Werner Office Building, Rockville, Maryland, and a back-up date as Wednesday, February 13, 2008, at 3:00 p.m. in the WSSC headquarters at the Robert G. Hocevar Building. Commissioner Allen seconded the motion. The motion carried with five affirmative votes.

**Customer Care**

Commissioner Allen moved that the Commission award Contract C14688A07 for Area Sewer Lateral Lining Renewals, Sewer Main Lining and Other Sewer Rehabilitation Construction, in various locations in Prince George's County, MD to Insituform Technologies, Inc. in the amount of \$3,792,205.00. Commissioner Starks seconded the motion. The motion carried with five affirmative votes.

**AFTERNOON SESSION -  
COMMISSIONERS' CONFERENCE ROOM**

The meeting resumed at 1:55 p.m. in the Commissioners' Conference Room.

**COMMISSION OFFICE**

**Corporate Secretary's Monthly Report.** Ms. Bundy provided Commissioners a report of her monthly activities. The Commissioners were shown a prospective orientation packet for new commissioners. It was agreed that all commissioners would receive the packet.

**Chair Agarwal's Item: Election of Chair and Vice Chair.** Mr. Agarwal noted that the election should not be put off much longer as the Maryland State law requires that the election take place at the June commission meeting or "soon thereafter."

**ADJOURNMENT**

Commissioner Lieber made a motion to adjourn the meeting. It was seconded by Commissioner Miller. The motion carried with five affirmative votes.

At 2:01 p.m. the meeting was adjourned.

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Charlett Bundy, Esq.  
Corporate Secretary