

WASHINGTON SUBURBAN SANITARY COMMISSION

MINUTES OF THE COMMISSION MEETING

Wednesday, October 20, 2010  
Laurel, Maryland

Chair Antonio Jones called the meeting to order at 8:40 a.m. in the Auditorium of 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 Dr. Roscoe M. Moore, Jr., Commissioners Adrienne A. Mandel, and Joyce Starks, were present at the meeting. Also, present were General Manager Jerry Johnson, Deputy General Manager Teresa Daniell, Corporate Secretary Charlett Bundy, and General Counsel Jerry Blask. Commissioners Prem P. Agarwal and Gene W. Counihan were unable to attend.

The quorum was not formed until 8:57 a.m. Until that time Chair Jones asked that the following be presented.

**WSSC RETIREES**

Neither of the two retirees for this month was present to be acknowledged. They were: Christopher L. Moats, an Administrative Assistant, who retired with 20 years and 5 months of service and Robert L. Wood, a Senior Wastewater Plant Operator in the Seneca/Damascus/Hyattstown Group who retired with 30 years and two months of service.

**WSSC EMPLOYEES AT WORK**

A video of the Hyattstown infiltration/inflow process was shown. It featured employees who work with Calvin Farr.

**AGENDA APPROVAL**

At 8:58 a.m. a quorum was formed. Commissioner Starks moved to approve the agenda for Wednesday October 20, 2010 as amended (the closed session matter on legal advice was removed from the agenda and a personnel item involving a direct report to Commissioners was added). Commissioner Mandel seconded the motion. The vote was called by Chair Jones and the motion carried with four affirmative votes.

Later in the meeting the agenda was amended to allow for discussion of a proposed real estate transaction in closed session. Commissioner Starks moved to amend the agenda to add an item to the closed session, the consideration of a real estate purchase pursuant to Section 10-508(a)(3). Commissioner Mandel seconded the motion. The motion carried with four affirmative votes.

Chair Jones asked the newest member of the Change Leadership Team, Cathy Martin, Director of Acquisition, to lead the pledge of allegiance.

**MINUTES**

Commissioner Mandel moved to approve the minutes of the Commission meetings held September 15 and 29, 2010. Vice Chair Moore seconded the motion. The motion carried with three affirmative votes. Commissioner Starks abstained because she was absent from a portion of the September 15<sup>th</sup> meeting.

**MEDIA / PUBLIC COMMENTS**

There were no comments from the media. Attorney Jason E. Fisher of the firm, Lerch, Early, & Brewer, Chtd., appeared as a representative of various condominiums, cooperatives, and home owner associations within the WSSC jurisdiction and as President of the Washington Metropolitan Chapter of the Communication Association Institute, a volunteer professional organization that serves as an educational resource and engages in lobbying for associations. He thanked Jerry Johnson for meeting with him to discuss Resolution 2011-1897 which delays the effective date of Resolution 2010-1857. The latter resolution requires mixed use properties to either change the master meter to allow separate billing for residential and commercial units at the properties or to have all units billed at the higher commercial rate. Attorney Fisher advised that the proposed delay of the effective date of Resolution 2010-1857 until July 31, 2011 is supported by the groups he represents. He informed Commissioners that when the resolution becomes effective, condominiums, associations and coops will experience a significant financial impact since they will be charged commercial rates for water which are double the residential rates. Attorney Fisher noted he appreciates WSSC's recognition of the concerns of the groups he represents and WSSC's assistance in working towards resolving the dilemma of his clients who may have to spend substantial sums of money to change out the master meter or pay double for water.

**COMMISSIONERS' COMMENTS/INTENTIONS**

Commissioner Mandel noted that Commissioner Counihan is "on the mend." He continues his stay at a rehabilitation center in the Baltimore area. She noted the Commission looks forward to his return. Through Commissioner Mandel, Commissioner Counihan sent best regards and thanked everyone for their thoughts and prayers for his recovery.

Commissioner Starks noted that she was supporting an organization celebrating "Ten-Ten-Ten" but the group disbanded before the event took place.

**GENERAL MANAGER'S OFFICE**

**Monthly Report.** Mr. Johnson first advised Commissioners that as of the first quarter of the fiscal year, no major variations of the annual budget were needed. There was a slight uptake in the number of delinquent accounts and while staff is undergoing an analysis to determine the cause there are not enough delinquent accounts at this time to generate concern.

Continuing to refer to the dash board reports, Mr. Johnson noted that call response continues to improve, especially the number of dropped calls. The first phase of the interactive voice response system (IVR) was implemented but it is not ready yet to be marketed to customers who can use IVR to pay their WSSC bills by telephone.

MDE's Biosolids fee structure could more than double the dollars WSSC pays in fees. Delaying the Biosolids fee implementation until January 2012 gives WSSC time to work with others in the state to seek a reasonable fee structure before the enactment date.

Commissioners will be briefed on a water conservation plan at the November commission meeting.

The City of Rockville is back on its own system and WSSC is working with them to reconcile costs of buying WSSC water. Several meters and connections were evaluated to determine how they could be better managed in the future should Rockville need to purchase water from WSSC's system.

Pre-stressed concrete cylinder pipe (PCCP) inspections continue and WSSC is on schedule as projected. The acoustic monitoring system is being installed in a major 48-inch PCCP in Montgomery County.

Mr. Johnson met with the president of PEPCO (Potomac Electric Power Company) to discuss PEPCO's prioritization of WSSC facilities, especially the Potomac Plant, to ensure continuity of service during power outages.

The disparity study continues despite challenges from counting data that is not computerized but the November completion date has not been changed. Mason Tillman, the company managing the 2010 diversity study will need additional resources to maintain the data so there may be some increases in cost as a result of these additional tasks yet moving some of the work in-house to limit price increases will be considered.

All plants and facilities are operating well within permit requirements. An overflow at the Broad Creek Plant resulting from the storm that overwhelmed most systems in the entire Washington metropolitan region was managed and properly recorded.

Several WSSC staff<sup>1</sup> received awards at the September 2010 conference of the Tri-Association (an association of wastewater and water operators in the Virginia, Maryland, Delaware, and Chesapeake areas). Among them were: Kevin Selock of Parkway who was awarded the Water Environment Federation's William D. Hatfield Award for outstanding performance and professionalism in the Operation of a Wastewater Treatment Facility; Jegnow Essatu of the Laboratory Services Group who received the Chesapeake Water Environment Association (CWEA) Laboratory Animals Excellence Award; Western Branch Wastewater Treatment Plant received an award from Water and Wastewater Operators Association in recognition of its long-term support of the organization; and the Seneca Wastewater Plant was awarded first place in the CWEA's Biosolids Beauty Contest.

Congresswoman Donna Edwards, who represents a part of Prince George's County, gave WSSC official recognition in the Congressional Record. This distinction honors WSSC and its employees for the work done on Tuckerman Lane last summer (July 4<sup>th</sup> weekend) to prevent failure of a 96" water main.

Senator Ben Cardin featured WSSC in an op-ed article in a locally-circulated paper, *The Hill*, which is widely read by all congressional representatives. Senator Cardin commended WSSC for its strides in energy conservation and maintenance and noted that WSSC serves as a model for what the Federal Government should be doing relative to energy conservation.

WSSC received considerable media coverage for the fiber optic cable being installed in various pipes and was lauded for being on the cutting edge of technology.

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<sup>1</sup> Other staff mentioned in Mr. Johnson's written report include Son Hua of the Patuxent Group who received the Chesapeake Section of the American Water Works Association Operator of the Year Award; John Wayne Swann of the Piscataway Group who received the Water and Wastewater Operators Association Distinguished Service Award in Wastewater Collection; and the team of Tony Frye, Dinesh Bahadursingh, Richard Tripp and Ronnell High of the Patuxent Group who won the Top Ops competition and the right to represent the CSAWWA at next year's AWWA competition in Washington, D.C.

As of the meeting, WSSC had reached 78% of the goal for the United Way Campaign. Mr. Johnson commended the generosity of the employees in the organization. October 8<sup>th</sup> camp fire event at the Brighton Dam brought out over 300 people for this environmental event.

WSSC has received the final permits for the Laytonsville project and will begin to advertise for the necessary work to be done to complete that project. This has been a long-standing issue for both WSSC and the residents of Laytonsville so obtaining the permits, the last hurdle to implementation, is welcomed by both the residents and WSSC so that WSSC can begin in earnest to complete the project.

#### **Internal Audit Office**

**1. Monthly Activity Report.** Ms. Bardwell provided Commissioners with an update of the monthly audit activities since the previous month's report, the status of the staffing in her office and a brief overview of the activities of the WSSC Ethics Board.

#### **Customer Care Team**

Mr. Chow provided a briefing of five contract matters that included, Contract PM0015A08, Change Order 1- Staff Augmentation Service Basic Ordering Agreement (BOA); Contract 76702309 A & B - Wastewater Engineering Service Basic Order Agreement (BOA); P074297, Option - sewer line chemical root control application; Water Resources Engineering Basic Ordering Agreements, Change Order 1, for each of the following contracts: M2848000; M2826000; and Contract M2363000. Commissioners moved these items to the Consent Calendar by consent.

**Resolution 2011-1897.** Mr. Chow then asked Commissioners to approve Resolution 2011-1897 which extends the effective date of Resolution 2010-1857. The latter resolution requires mixed use properties within the water district to pay for water/sewer using commercial rates or install a separate meter for residential units. At the conclusion of the briefing, Commissioner Starks moved that the Commission approve Resolution 2011-1897 that extends the effective date of Resolution 2010-1857 to July 31, 2011. Vice Chair Moore seconded the motion. The motion carried with four affirmative votes.

#### **OCTOBER BRIEFING ITEMS**

#### **Engineering and Construction**

Mr. Gumm presented information on two items for approval at the November Commission meeting. They were Contract CD4643B07, Amendment 1, Parkway Wastewater Treatment Plant Biosolids Handling Facility Improvements and Change Order 3, Contract BF1582H91 Patuxent Water Filtration Plant, Phase II Expansion and Ultraviolet Disinfection Facilities. By consensus, Commissioners agreed to move the items to the consent calendar for action at this meeting.

#### **Logistics**

Mr. Wade offered five items for review that will be presented in November for voting. They were, Contract 5783 - Front End Loader Purchase; Contract 5797 - Truck Purchase; Contract 5856 - Truck Purchase; Contract 5509 - Ductile Iron Pipe and Accessories, Exercise second option year; and Contract 5872 - Backhoe Purchase; and 5509 option year in this valve and fire hydrant exercising program. All but contract 5509 were moved to the Consent Calendar for approval at this meeting.

#### **CONSENT CALENDAR**

The Consent Calendar was augmented by Commissioners adding the following contracts: 5783, 5797, 5856, 5872, CD4643B07; BF1582H91; PM0015A08; 76702309 A & B; P074297; M2848000, M2826000; and M2363000.

Commissioner Mandel moved that the Commission approve Resolution 2010-1896 that adopts the Consent Calendar for the October 20, 2010 meeting which contains the following items briefed September 15, 2010:

1. Contract RC4957A09 for area water and sewer house connection renewals to City Contractors, Inc. for an estimated \$2,980,337.60.
  2. Contract BM4620A07 for an Arc Flash Study /Power Reliability to Greeley & Hansen, LLC, for \$4,482,057.94.
- and items briefed October 20, 2010:
1. Contract 1079 (riding Baltimore City contract 1079) Option Year for Valve and Fire Hydrant Exercising Program for \$1,500,000.
  2. Contract PM0015A08, Change Order 1- Staff Augmentation Service Basic Ordering Agreement (BOA) to Parsons Water and Infrastructure, Inc. for \$3,000,000 (includes \$1,500,000 for Change Order No. 1).
  3. Contract 76702309 A - Wastewater Engineering Service Basic Order Agreement (BOA) to Greeley & Hansen, LLC for \$3,000,000.00.

4. Contract 76702309 B - Wastewater Engineering Service Basic Order Agreement (BOA) to PEER Consultants, P.C. for \$3,000,000.00.
5. PO74297, Option - Sewer Line Chemical Root Control Application to Duke's Root Control for \$3,000,000.
6. Water Resources Engineering Basic Ordering Agreements, Change Order 1, for each of the following: a. Contract M2848000;  
b. Contract M2826000; and c. Contract M2363000 (riding Montgomery County Contract Nos. 8803000101AD-DD) for \$800,000 increasing the contract total to \$3,600,000 with proposed change orders to increase the funds by \$800,000.
7. Contract 5872 to Valley Supply & Equipment, Inc. for six Rubber-tired backhoes for \$1,045,130.
8. Contract 5856 to K. Neal International Trucks, Inc. for eight Conventional cab trucks with dump body for \$1,311,276.
9. Contract 5797 to K. Neal International Trucks, Inc. for six maintenance and operation trucks with a swab body for \$1,404,616.
10. Contract 5783 for front end loaders from Folcomer Equipment Corp. for \$949,880.
11. Contract BF1582H91, Change Order 3 to AECOM Technical Services, Inc. for design and preparation of construction documents for New Residuals Handling Facility at the Patuxent Water Treatment Plant and new sewer line at Sweitzer Lane for \$1,700,155.00.
12. Contract CD4643B07 Amendment to CH2M Hill, Inc. for architectural and engineering services for the Parkway Wastewater Treatment Plant Biosolids Handling Facility for \$2,325,273.28.
13. Contract PM0015A08, Basic Ordering Agreement to Parsons Water & Infrastructure, Inc. for an upset limit of \$1,500,000.

Commissioner Jones seconded the motion. Commissioner Starks noted she preferred that the vote on the engineering contracts wait until Commissioner Agarwal could review them and provide input. When Chair Jones called for the vote, the motion carried with four affirmative votes.

**COMMUNICATIONS OFFICE**

Commissioners were given a demonstration of the new employee communication system that broadcasts important and useful employee information over flat screen televisions throughout RGH and other WSSC facilities.

Chair Jones then recessed the meeting for lunch at 12:09 p.m. The meeting resumed at 1:09 p.m.

#### **COMMISSIONERS CONFERENCE ROOM**

##### **COMMISSIONER REPORTS**

###### **Chair's Comments**

Chair Jones advised Commissioners that he had a discussion with General Manager Johnson about providing a dashboard at future meetings on the status of various strategic initiatives Commissioners approved at their strategic workshop in May 2010.

###### **Working Group Reports**

**Governance/Personnel.** Vice Chair Moore advised Commissioners that the performance evaluation of a direct report would be ready for their review at the November Commission meeting's closed session.

Dr. Moore also advised that the November Commission meeting would provide Commissioners the opportunity to approve revisions to the WSSC Bylaws that incorporate the updated reference to WSSC's newly-assigned section (as of October 1, 2010) in the Maryland Annotated Code, Public Utility Title. He also noted that documents would be brought to Commissioners, one each month, to clear out the continued business that was assigned to the Governance/Personnel Committee.

###### **Institutional Processes Oversight**

**Report of the WSSC Employees' Retirement Board of Trustees Meeting.** Commissioner Mandel summarized pertinent information from the September 2010 meeting of the WSSC Employees Retirement Board of Trustees noting the fund realized a 1.9% gain.

###### **Infrastructure Funding & Fiscal Budget**

A meeting of this committee was held on October 18<sup>th</sup> and Mr. Johnson advised future meeting information is forthcoming.

###### **Corporate Secretary**

**Monthly Report.** Ms. Bundy briefed Commissioners on the status of her monthly activities. Commissioners agreed to view in December, a demonstration of software that facilitates electronic meeting packets.



**Continued Business**

Matters under continued business were carried over to the next meeting.

**CLOSED SESSION**

Commissioner Starks moved to close the meeting pursuant to Maryland State Government Article 10, Subtitle 5, Section 10-508(a)(13) to approve the September 15, 2010 Closed Session Minutes; Section 10-508(a)(3) to discuss a real estate purchase matter; and Section 10-508(a)(1) to discuss a personnel matter involving a direct report. Vice Chair Moore seconded the motion. The motion carried with four affirmative votes. At 1:59 p.m. Chair Jones declared the meeting was closed.

**COMMISSIONERS' CONFERENCE ROOM**

**ATTENDEES:** Chair Antonio Jones, Vice Chair Dr. Roscoe Moore; Commissioners Adrienne A. Mandel, and Joyce Starks; General Manager Jerry Johnson, General Counsel Jerry Blask, and Corporate Secretary Charlett Bundy. Tom Traber, Chief Finance Officer joined the meeting for the discussion on the real estate purchase.

**Real Estate Purchase.** Commissioners received a briefing on the proposed terms of sale of the purchase of land adjacent to the water district. There was no vote taken as the purchase amount is within the General Manager/CEO's authority. When this discussion ended at 2:10 p.m. Mr. Traber left the closed session.

**Closed Session Minutes.** Commissioner Mandel moved to approve the minutes of the Closed Session for September 15, 2010. Vice Chair Moore seconded the motion. The motion carried with four affirmative votes.

**Personnel Matter.** Mr. Johnson, Ms. Daniell, Mr. Blask, and Ms. Bundy were asked to leave the closed session. The Commissioners discussed a personnel matter involving a direct report.

At the conclusion of the discussion on the personnel matter, Mr. Johnson, Ms. Daniell, Mr. Blask, and Ms. Bundy were asked to return to the meeting whereupon Vice Chair Moore moved to end the closed session. Commissioner Mandel seconded the motion. The motion carried with four affirmative votes. At 2:32 p.m. the meeting was declared open.

**OPEN SESSION RESUMED**

**Adjournment**

Commissioner Mandel moved to adjourn the meeting. Vice Chair Moore seconded the motion. The motion carried with four affirmative votes. At 2:35 p.m. Chair Jones declared the meeting was adjourned.

Respectfully submitted,

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Charlett Bundy  
Corporate Secretary