

# INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

## FIRST QUARTER

December 8, 2009

ICPRB Headquarters  
Rockville, Maryland

### Draft Minutes

**CALL TO ORDER:** Chairman Reiger called the First Quarter Business Meeting to order at 9:52 am at the ICPRB Headquarters in Rockville, Maryland. **Roll call** of attendees was conducted with the following Commissioners, guests, and staff present for some or the entire meeting:

#### Commissioners

##### Virginia

Walter Alcorn (Commissioner)  
Scott Kudlas (Alt. Commissioner)

##### West Virginia

Michael Stratton (Alt. Commissioner)

##### District of Columbia

Hamid Karimi (Commissioner)  
Anne Snodgrass (Alt. Commissioner)

##### Pennsylvania

Ron Stanley (Commissioner)  
Roger Steele (Alt. Commissioner)  
Lori Mohr (Alt. Commissioner)

##### United States

George Reiger (Chairman and  
Commissioner)  
Howard Graeffe (Alt. Commissioner)

#### Staff

Robert Bolle (General Counsel)  
Curtis Dalpra (Communications Manager)  
Joseph Hoffman (Executive Director)  
Bo Park (Administrative Officer)  
Jim Cummins (Director, Living Resources)  
Heidi Moltz (Sr. Water Resources Scientist)

#### Guests

COL Peter DeLuca (NAD, COE)  
Maria Franks (COE, Baltimore)  
Rachel Dawson (Northeast Midwest Institute)  
Herb Sachs (MDE for Commissioner Summers)

**ADOPTION OF AGENDA:** Chairman Reiger added an Executive Session for the purpose of briefly discussing personnel matters between Old Business and New Business on the agenda. He asked for a motion to approve the modified agenda. **Commissioner Graeffe made a motion to adopt the agenda. Commissioner Kudlas seconded the motion, with all in favor.**

**APPROVAL OF MINUTES:** Chairman Reiger asked for approval of the September 15, 2009 Meeting Minutes. **Commissioner Steele made a motion to adopt the Minutes. Commissioner Kudlas seconded the motion. All were in favor.**

**GENERAL COUNSEL'S REPORT:** Mr. Bolle, General Counsel, reported that the activities involved routine legal matters, primarily contract reviews. There were no significant matters to report.

**FINANCIAL REPORT:** Mr. Hoffman reported at as of October 31, 2009, the reserve account was still intact. The Accounts Receivables are routine and operational with no concerns.

Mr. Hoffman introduced Michael Stratton, a newly appointed Alternate Commissioner to Secretary Randy Huffman, West Virginia, replacing Commissioner Brannon. Mr. Stratton also will serve on the Executive Committee. Mr. Stratton was presented with an ICPRB logo lapel pin.

## **OLD BUSINESS**

**A. Program/Projects Update:** Mr. Hoffman highlighted a few projects that are more fully detailed and addressed in the meeting materials. The nutrient trading program is moving forward. A collaboration is being initiated between a Chesapeake Bay regional group and Pennsylvania colleges and universities to put a process in place for new proposal technology evaluations. A new program is being pursued with farmers interested in trading and reducing sedimentation.

**B. Casting Call 2010:** Mr. Cummins invited the Commissioners to participate in the next National Casting Call event scheduled on April 22, 2010, which will coincide with the 40<sup>th</sup> Anniversary of Earth Day. There will be youth involvement, shad planking, and an opportunity to meet with Congressional staff.

**At this time, an Executive Session was held with the Commissioners and also guests from the US Army Corps of Engineers.**

## **NEW BUSINESS**

**A. Budget Amendment FY 2010 Budget:** A budget amendment is being proposed due to salary adjustments, approved at the last meeting. Federal funding for 2010 is not likely, so only 50% of the last years funding received is being reflected. The performance incentive available from FY09 of \$57,000 is moved to FY10 for inclusion in the salary adjustment. The District of Columbia 604(b) project was declined by ICPRB and was eliminated from the budget. The Pennsylvania 604(b) contract was received late and was adjusted in the budget. Chairman Reiger asked for a motion to approve the amended budget. **Commissioner Stanley made a motion to approve the amended budget. Commissioner Alcorn seconded the motion. All were in favor.**

**B. Budget Formula:** The state contribution budget formula is based on pro-rata contributions, last calculated in 1991 including a service charge of \$25,000 with an appropriate amount of signatory formula based on pollution, population, land area, and water area factors and a previously used annual adjustment through the Consumer Price Index (CPI) differential. The pollution number is based on the Chesapeake Bay model. Over the last few years, the Commission has deviated from this formula and eliminated the CPI adjustment. The Commission needs to establish a solid formula to consistently operate its budget. Mr. Hoffman suggested establishing a committee of Commissioners with the Executive Director and General Counsel, and Mr. Haywood to come up with a funding formula, to be approved for use in June's meeting where a FY2011 budget will be approved. The recommended formula will be presented at the March meeting and finalized for June. Commissioners Kudlas, Mohr, Karimi, Graeffe, Stratton, Steele, and Herb Sachs for Commissioner Summers volunteered to be in the

committee. The committee will meet via a conference call and email.

**C. Possible By-Law Changes:** Mr. Hoffman proposed a change in the “By-Laws and Rules of Procedures,” Sections 2 and 7 that were included in the meeting materials. Section 2 is to establish a Standard of Conduct for Commissioners. He distributed a copy of the Standard of Conduct for staff (Attachment I to the ICPRB “Manual of Operations”) as reference. There was discussion of the proposal and it was decided to be less prescriptive. COL DeLuca suggested using the Joint Ethics Regulations in the Federal Acquisition Regulations (FAR) as reference for the Commissioners. A revised proposal to the By-Laws will be submitted for the March meeting.

The Section 7 of the By-Laws concerning Absentee Commissioner Participation is being proposed to be changed to reflect using electronic mail for voting that may be needed between commission meetings.

**Chairman Reiger asked for a motion to approve the “By-Laws and Rules of Procedure,” Section 7 changes. Commissioner Stanley made a motion to approve the change to Section 7. Commissioner Stratton seconded the motion. All were in favor.**

#### **EXECUTIVE DIRECTOR’S REPORT**

Mr. Hoffman briefly summarized the written report provided with the meeting materials. Michael Stratton is now the new Alternate Commissioner to Commissioner Randy Huffman, West Virginia, replacing Commissioner Brannon. The federal appointment is still pending. The audit is still in progress, with a draft expected in January. The Ramble for next year is taking suggestions for location interests. Give the request to staff member Curtis Dalpra. Paw Paw Bends is a possible interest for now. Planning the Ramble to be held in the June/July timeframe.

**COMMISSIONER’S TIME:** No items were presented.

#### **ADJOURNMENT**

Chairman Reiger asked for a motion to adjourn the meeting. **Commissioner Kudlas made a motion to adjourn the meeting. Commissioner Stratton seconded the motion. All were in favor. The meeting adjourned at 11:23 am.**

Respectfully Submitted,  
Joseph K. Hoffman  
Commission Secretary