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January 24, 2024

Sent by Regular Mail and Email

Ms. Janelle Wright
President, Avenel Board of Directors
9501 Beman Woods Way
Potomac, Maryland 20854

Re: Request for Information

Dear Ms. Wright:

Thank you for your letter of December 14, 2023, and thank you and the Board of Directors for hosting and moderating the Avenel Community meeting in December.

I understand the Avenel Community's concern with the termination of the lease with Ms. Evans and the closure of the barn for safety reasons. As stated during the community meeting, the termination of the lease was due to the need to further evaluate the safety of the barn and possible steps thereafter. I am empathetic towards the community and the equestrian culture and am agreeable to maintaining open lines of communication.

Our responses to your questions and request for additional information is below in the same order as presented. Please understand that certain information is no longer available because of the length of time that has passed. However, where possible, we have produced what we can and will augment the information as it becomes available.

1. It was represented that the Equestrian Facility was closed due to the structure exhibiting deterioration and that safety concerns led to the closure of the barn. Please provide all documentation that led WSSC to reach this conclusion and shut down the facility without notice to the community.

Please see the attached report from Rathgerber/Goth Associates following the emergency repair that was performed to the barn.

2. Based on comments made at the meeting, the next steps from WSSC include the undertaking of a more thorough structural analysis of the barn in the coming months. If a firm has already been engaged, please provide the name of the firm and the timetable for completion of the analysis. If not, please provide a summary of the steps WSSC is taking to accomplish this, and a

timetable that details when the structural analysis will commence and when it is expected to be completed.

WSSC Water is in negotiations with Gannett Fleming for the structural analysis. The analysis will take up to six months to conduct and finalize following the notice to proceed, with some time afterward for a report to be supplied. The notice to proceed is anticipated to be issued in January 2024.

3. It was represented that all current uses of the property will remain the same and will remain open to the public with the exception of the barn. Please elaborate as to which uses will be permitted, and how access to the trails will be accomplished. What other uses will be permitted?

Access to the trails remains the same. WSSC Water does not intend to close the trails or bar use of the trails. The fields will remain accessible unless fencing or other work is needed. WSSC Water will continue to allow use of public ballfields and recreational areas, the environmentally protected land will remain protected, the TPC driving range and land for tournament parking will continue to be available, the access road to TPC will remain open, and the monopole servicing cell carriers will remain.

4. During your presentation, it was disclosed that the cellular monopole located on WSSC property generates approximately \$135k in annual revenue. Please confirm the accuracy of this information, and please provide the total amount of revenue generated from the monopole over the course of WSSC's ownership of the property.

WSSC Water received \$142,447 on December 1, 2022, and \$148,145 on December 1, 2023, in lease payments related to the monopole on WSSC Water property. Given that there have been different monopole leases on the structure, it will take additional time to tabulate the total revenue generated from the monopole.

5. Please provide the total amount of revenue collected by WSSC from the leasing/management of the Equestrian Facility over the course of WSSC's ownership of the property.

WSSC Water received \$412,380 from the equestrian lease during the period from June 1, 2009, through November 30, 2023. Additional time is needed to calculate the lease revenue received from the lease prior to June 1, 2009 to the extent available.

6. Please provide the total amount of revenue collected by WSSC from all other sources over the course of WSSC's ownership of the property.

In June 2022, WSSC Water received \$10,000 from PGA Tournament Corporation for use of the Avenel fields for parking for a golf tournament held at Congressional Country Club. Additional time is needed to determine whether any other sums were received during the course of WSSC Water's ownership of the property. At this point we do not believe that additional money was collected for the use of WSSC Water's property but are continuing to check our records to the extent available. Please note that WSSC Water has not received any compensation from the Avenel Community Association for its landscaping material and equipment storage on WSSC Water's property.

7. WSSC was asked if the Association and/or other interested parties would be permitted to have an independent structural analysis conducted. We remain unclear as to WSSC's position on this. The Association is formally requesting permission to conduct a third-party analysis of the barn. Please advise as soon as possible whether or not we will [sic] permitted to proceed pursuant to this request.

WSSC Water is amenable to the Avenel Community Association conducting its own structural analysis of the barn, at the Association or 3rd parties' expense, provided all sponsoring organizations, contractors and subcontractors have adequate insurance coverage (naming WSSC as an additional insured) in the event that something happens on the property during the visit to conduct the structural analysis of the barn and all entities and individuals visiting the property during the analysis execute waivers of liability. Please note that all data, reports, and or findings are to be provided to Christine Benjamin, WSSC Water's Real Estate Development Administrator. We also ask that all site visits be coordinated with Ms. Benjamin so that Ms. Evans and others can be given adequate notice.

As I stated above, I will augment these responses if additional information is obtained. It is my intention that WSSC Water continue to be a good neighbor to the Avenel community and will maintain open communications with the Avenel Community Association on our path going forward. Of course, WSSC Water reserves all rights in the applicable agreements. I appreciate the support that you, the Board and the Avenel Community Association has shown WSSC Water.

Sincerely,



Kishia L. Powell
General Manager/CEO

Attachment

cc: WSSC Water Commissioners
Montgomery County Council President, Andrew Friedson
Montgomery County Council Member, Evan Glass
15th and 16th District State Representatives
Tom Natelli, Natelli Communities