

WASHINGTON SUBURBAN SANITARY COMMISSION

MINUTES OF THE COMMISSION MEETING

Friday, September 30, 2016
Laurel, Maryland

Chair Fausto R. Bayonet (participating by telephone) called the special meeting to order at 3:03 p.m., in the Commissioners' Conference Room, of the Washington Suburban Sanitary Commission (hereinafter "WSSC"), Richard G. Hocevar Building, 14501 Sweitzer Lane, Laurel, Maryland 20707, with due notice having been given to all members of the Commission and the public. In addition to the Chair; Commissioners Omar M. Boulware, Howard A. Denis, T. Eloise Foster, Chris Lawson and Thomasina V. Rogers, also participated by telephone. WSSC Corporate Secretary Sheila R. Finlayson (who facilitated the meeting and recorded the minutes), along with WSSC General Manager Carla Reid, Associate Counsel Laura Swisher, Associate Counsel Heather Ashbury, Deputy General Manager Joe Mantua and Deputy General Manager Monica Johnson, were present in person in the Commissioners' Conference Room. Acting General Counsel Russel Beers joined by telephone. The Chairman asked the Corporate Secretary to conduct a roll call to confirm the Commissioner attendees by phone, and following such action, the Corporate Secretary declared the presence of a quorum, with all six Commissioners in attendance.

The Chairman stated the purpose of the special meeting, which was to receive a legal briefing and recommendation from the General Counsel's office on a pending litigation matter.

AGENDA APPROVAL

Commissioner Foster moved to adopt the Agenda for the Special Commission Meeting of Friday, September 30, 2016, as drafted. Commissioner Denis seconded the motion. A roll call vote was conducted by the Corporate Secretary resulting in six votes in the affirmative from the following Commissioners: Fausto Bayonet, Omar Boulware, Howard Denis, Eloise Foster, Chris Lawson, and Thomasina Rogers. The motion carried unanimously to adopt the Agenda, as drafted.

CLOSED SESSION

Motion to End Open Session and Go Into Closed. The Chair then called for a Motion to go into Closed, whereupon, a motion was made by Commissioner Foster and seconded by Commissioner Boulware, to go into Closed, pursuant to Maryland Code Annotated, General Provisions Article, Section 3-305(b)(7) and Section 3-305(b)(8), to consult with counsel to obtain legal advice and discuss pending or potential litigation for attorney/client privileged legal matters.

A roll call vote was conducted by the Corporate Secretary resulting in six affirmative votes from the following Commissioners: Fausto Bayonet, Omar Boulware, Howard Denis, Eloise Foster, Chris Lawson and Thomasina Rogers. The motion carried unanimously with six affirmative votes.

At 3:08 p.m., Chairman Bayonet declared the meeting was Closed.

ATTENDEES: Chair Fausto Bayonet; Commissioners Omar Boulware, Howard Denis, Eloise Foster, Chris Lawson and Thomasina Rogers. Also present: Corporate Secretary Sheila Finlayson, General Manager Carla Reid, Acting General Counsel Russel Beers, Associate Counsel Laura Swisher, Associate Counsel Heather Ashbury, Deputy General Manager Joe Mantua and Deputy General Manager Monica Johnson.

As indicated above, Commissioners met in closed session with WSSC counsel and members of management to discuss a privileged confidential pending litigation matter.

Commissioners authorized counsel to pursue further legal options with regard to a pending litigation matter before the Commission (Mover - Commissioner Denis; Secunder - Commissioner Boulware; Motion carried by a vote of 5-0 with one abstention).

The Chair called for a Motion to End the Closed Session, whereby Commissioner Denis moved to end the Closed Session. Commissioner Foster seconded the motion. The motion carried unanimously with six affirmative votes (Commissioners Bayonet, Boulware, Denis, Foster, Lawson and Rogers, all voting in the affirmative).

The Meeting reconvened back into Open Session at 4:07 p.m.

OPEN SESSION RESUMED

ADJOURNMENT

There being no additional business, Chair Bayonet called for a motion to adjourn, whereby, Commissioner Denis moved to adjourn the meeting. Commissioner Rogers seconded the motion. A roll call vote was conducted by the Corporate Secretary resulting in six aye votes from the following Commissioners: Fausto Bayonet, Omar Boulware, Howard Denis, Eloise Foster, Chris Lawson and Thomasina Rogers (Motion carried).

At 4:08 p.m., the meeting was declared adjourned.

Respectfully submitted,

//signed//

Sheila R. Finlayson, Esq.
Corporate Secretary