

WASHINGTON SUBURBAN SANITARY COMMISSION

MINUTES OF THE COMMISSION MEETING

**Tuesday, March 7, 2017
Laurel, Maryland**

Chairman Fausto R. Bayonet (attending in person) called the special meeting to order at 3:35 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 (in person), Howard A. Denis (by telephone), T. Eloise Foster (by telephone), Chris Lawson (by telephone) and Thomasina V. Rogers (by telephone), were in attendance. WSSC Corporate Secretary Sheila R. Finlayson (who recorded the minutes), Communications and Community Relations Director Charles Brown (serving as Acting Deputy General Manager), General Counsel Amanda Conn and Intergovernmental Relations Office (IRO) Director Karyn Riley, were also present in person in the Commissioners' Conference Room.

The Chairman asked the Corporate Secretary to conduct a roll call to confirm the Commissioner attendees by telephone, and following such action, the Corporate Secretary declared the presence of a quorum, with all six Commissioners in attendance.

OPEN SESSION

The Chairman stated the purpose of the special meeting, which is to receive a briefing from the IRO Director on pending legislation affecting the Commission, along with proposed position recommendations from management, for Commission consideration.

AGENDA APPROVAL

Commissioner Boulware moved to adopt the Agenda for the Special Commission Public Meeting of Tuesday, March 7, 2017, 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 by a vote of six-to-zero.

LEGISLATIVE UPDATE

Vote on Recommended Positions. IRO Director Karyn Riley provided an update on the following legislation currently moving through the 2017 Maryland General Assembly Session and affecting the Commission, with management recommending the Commission take the positions as noted below:

- HB 453 - Tax Sales - Water Liens (Oppose); this bill will prohibit the sale of real property solely to enforce a lien on unpaid water, sewer or sanitary system charges, fees or assessments. Management advised that although this bill does not apply to WSSC with regard to its water and sewer consumption charges because WSSC does not currently possess lien authority to place unpaid water and sewer bills on property tax bills; it would affect WSSC's front foot benefit assessments as these are included in the total tax charges on property tax bills. Management therefore recommended that this bill be opposed by the Commission.
- HB 918 - Environment - Water Services - Water Affordability Program (Oppose); this bill would require that WSSC establish a Water Affordability Program on or before July 1, 2018 with implementation by July 1, 2019 and water charges capped at 3% of a customer's annual household income. Since WSSC already has in place a number of programs to assist low-income customers, management recommends that the Commission oppose this bill which would place an administrative burden on WSSC and possible revenue shortfall.

- HB 1356 - WSSC - Entry Into Public Roadways - Regulations by Municipal Corporations (Oppose); this bill would enable municipalities to adopt regulations that would impact the Commission's ability to perform work on municipal roads. WSSC already has effective communication strategies and processes, coordination meetings, and collaborative relationships with the Counties and several municipalities regarding permitting and project alignment (with other affected agencies and utilities) on planned construction projects in public roadways. This bill would undermine these efforts and result in additional administrative burden, costs and project delays. Management therefore recommends that the Commission oppose.

Management reported from position memoranda provided in advance materials to Commissioners (incorporated herein by reference), which summarized each bill and management's rationale for the proposed position recommendations.

Following discussion and on motion made by Commissioner Boulware and seconded by Commissioner Denis, the Commission voted six-to-zero, to take the following positions on the respective proposed legislation for the 2017 Maryland General Assembly Session, as recommended by management:

- HB 453 - Tax Sales - Water Liens (Oppose);
- HB 918 - Environment - Water Services - Water Affordability Program (Oppose); and,
- HB 1356 - WSSC - Entry Into Public Roadways - Regulations by Municipal Corporations (Oppose).

The motion carried unanimously six-to zero, with the following Commissioners voting in the affirmative: Fausto Bayonet, Omar Boulware, Howard Denis, Eloise Foster, Chris Lawson and Thomasina Rogers.

Prior to adjourning, Commissioner Rogers asked for a status update on the proposed Inspector General (IG) bill, whereby management advised that WSSC was out of the bill for this session with it still moving forward for Park & Planning Commission. Delegate Kramer is not happy with WSSC, indicating that WSSC did not work with him. He does intend to reintroduce the bill next year as he is still not satisfied that WSSC has the proper function in place. Management to continue further discussions to gauge what WSSC can

do to lessen his concerns and/or fill any gaps in current structure. Commissioner Rogers again requested that management provide information on the IG function in Montgomery County (MC). In closing, Commissioner Denis shared that the budget for the MC IG office is over \$1 million which he believes is also the same for the IG office in Prince George's County.

ADJOURNMENT

There being no additional business, the Chair called for a motion to adjourn, whereby, Commissioner Boulware moved to adjourn the meeting. Commissioner Denis 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.

At 4:07 p.m., the meeting was declared adjourned.

Respectfully submitted,

//signed//

Sheila R. Finlayson, Esq.
Corporate Secretary