

**BOARD OF DIRECTORS  
MEETING MINUTES****MEETING 1-20  
January 23, 2020****LOCATION:****MES Headquarters  
Conference Call****TIME:****9:30 a.m.****DIRECTORS PRESENT:**

Roy McGrath, Chairman (phone)  
Beth Wojton, Deputy Director  
Michael C. Harris, Treasurer  
Richard P. Streett, Jr., V.M.D., Secretary (phone)  
Joseph Snee, Esq. (phone)  
Leslie Jackson-Jenkins, Esq. (phone)

**DIRECTORS ABSENT:**

J.P. Smith

**OTHERS PRESENT:**

Sean L. Coleman, Esq.  
Steve Tomczewski  
Tammy Banta  
Jason Gillespie  
Vishal Bhatia (phone)  
Steve Pennington  
Dan Faoro  
Matthew Sherring  
Hattie Crosby (in at 9:44am)  
Pamela Fuller

**CALL TO ORDER**

Mr. McGrath called the meeting to order at 9:30 a.m.

**MINUTES**

Mr. McGrath requested discussion or a motion for the approval of the minutes of the meeting of December 19, 2019. Mr. Snee made a motion to approve the minutes, and Dr. Streett seconded. The minutes were unanimously approved.

### **DIRECTOR'S REPORT**

Mr. McGrath welcomed the Board to the first meeting of the new year, and to MES' 50<sup>th</sup> Anniversary year. A number of celebratory events will be planned throughout the year. The Legislative session is currently underway. MES will participate in several budget hearings, and will provide input on a number of bills with policy implications. The Governor's Energy Task Force meetings continue, with one scheduled for tomorrow. MES held its team Holiday event a few weeks ago at Lucky Strike in Bethesda. There was a good turnout, and attendees enjoyed the event according to feedback.

There a number of events coming up in the next few weeks including; the University of Maryland Center for Environmental Sciences reception, and the PACE Western Maryland gathering, where MES teammates will meet with representatives from Garrett County.

Meetings continue with the Maryland Department of Agriculture over the development of the phosphorus management tool (PMT). A pilot transfer occurred last week and was very successful; MES anticipates a role in the full program.

The agency this month has a record number of teammates, due in part to the growth in substantial projects.

MES is now a member of the Greater Baltimore Committee. This membership supplements other agency members that allow MES to engage with current and potential clients.

Mr. McGrath advised that due to Billy Addison's retirement from his position with the Senate, he is no longer eligible to fill the public sector Board position. Further Board appointments will occur soon.

### **AGENCY ACTIVITY REPORT**

Mr. McGrath presented the Agency Activity Report. Two projects were highlighted: Cox Creek expansion MOU modification 2 for Phase 2 was approved by the Board of Public Works on January 8<sup>th</sup>, and the IGA with Prince George's county for work at the County's Brown Station Road landfill.

### **STRATEGIC PARTNERSHIP OPPORTUNITIES REPORT**

Steve Pennington reported on 6 stakeholder events in December, and 3 so far in January. There were 17 business to business meetings in December, and 8 so far in

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January. There are a number of upcoming events such as, the MML Legislative reception, the Maryland Economic Development Association Legislative Day, the Greater Baltimore Committee Legislative Breakfast, the BWI Partnership meeting, and the PACE/Mountain Maryland event later today.

The audit work has been completed for BioEnergy Development Group. The draft version was well received, and the agency is currently working through comments and edits to produce a final document. Proposals for moving forward will be reviewed next month.

Many county and municipal meetings are scheduled, including; Washington, Dorchester and Wicomico Counties, as well as the Towns of Perryville, Havre de Grace, Manchester and Cumberland.

In the private sector, there was a productive meeting with BGE involving possible support for the installation of electric charging stations.

### **FINANCIAL REPORT**

Mr. Harris presented the November financials. The month closed out well with \$73 million in total revenue so far this fiscal year, this is 24% higher than at the same time in FY19. Labor sales are at \$14 million. The results also reflect positive growth in net assets at \$1.9 million.

Mr. Snee asked about the number of accounts receivable over 90 days, and Mr. Harris explained that most of the accounts relate to client inquiries regarding the invoice backup. The Baltimore County account will be written off next month. The amount held by MES is sufficient to cover all but about \$100,000 owed to MES by the County.

Mr. McGrath stated that discussions are also underway with respect to the debt owed to MES by the Town of Sudlerville.

### **HUMAN RESOURCES REPORT**

Ms. Wojton reported that the agency currently has a record 854 total positions. This number includes 7 new positions. The vacancy rate once all the new hires are brought on board will be 3.36%.

Ms. Wojton introduced a revised Human Resources Policy for Hiring and Employment Reinstatement. The requested change would allow former employees who did not pass the Operator in Training (OIT) program, to be re-hired into another

position elsewhere in the agency. Ms. Wojton made the motion to approve the policy, Mr. Harris seconded. The motion passed unanimously.

### **PROCUREMENT ITEMS**

Ms. Crosby introduced Item 1. The procurement is for construction of improvements to the water distribution system at St. Mary's College of Maryland to be performed by BA Construction, Inc. Ms. Jenkins made the motion to approve the item, Dr. Streett seconded. The motion passed unanimously.

The Board Notifications were reviewed.

### **LEGAL REPORT**

Mr. Coleman advised that a brief was filed in the Court of Special Appeals in the matter of Gupta v. MES. There have been a number of ethics bills introduced this session that may affect the Board members. Mr. Coleman will monitor and keep the Board apprised.

### **OLD/NEW BUSINESS**

The next meeting is scheduled for February 27, 2020 at 9:30 a.m. Mr. McGrath suggested making that meeting an in-person meeting rather than a conference call. He will follow-up with the members via phone or email.

Mr. McGrath is also exploring potential field trip options for the April meeting. This trip and meeting may be about a week earlier than currently scheduled. Team members will be contacting the Board to inquire into their availability.

Mr. Snee inquired into the status of the Board's membership. The Board currently has two vacancies. Mr. McGrath is hopeful that nominees will be put into the "green bag" for the Governor's review. This is the formal process during the legislative session to nominate people to Boards and Commissions, which normally occurs in February. There are currently more than 2,000 Boards and Commissions in Maryland.

### **GROUP UPDATES**

Ms. Banta updated the Board on the status of the Cox Creek Expanded project. Stage I, has included, among other items, the base dike widening, demolition of the Kennicott Copper refinery, and development of a new operations and maintenance complex. On January 8, 2020, the Board of Public Works approved \$80 million for Phase II of the project increasing the total to \$196 million and extending the term to June 30, 20125. Phase II will include dike raising and lateral expansion, continued

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remediation, permitting and engineering support, and project & construction management.

Mr. Gillespie discussed the MBR construction project at Eastern Correctional Institute. This is the first time the agency has used the Construction Manager at Risk procurement model, and it is going very well. The project is now 50% complete and there have been no Change Orders to date. The project is on schedule and on budget.

Mr. Tomczewski discussed the new screening system at Montgomery County Yard Trim Composting Facility in Dickerson. This new system is electric, rather than diesel, contributing to a decrease in the facilities' carbon footprint. The new system is also faster, and more efficient, producing an improved quality product.

**OLD/NEW BUSINESS (Continued)**

Mr. McGrath updated the Board on the June incident involving a contractor at the Montgomery County Materials Recycling Facility. The agency received a letter from the County asking for a Corrective Action Report. The agency has responded to that letter with a detailed list of steps and improvements taken. Many of these improvements have also been implemented at other MES project sites.

**ADJOURNMENT**

Mr. McGrath adjourned the meeting at 10:13 a.m.



**RICHARD P. STREETT, JR., V.M.D**  
**SECRETARY**



**ROY MCGRATH**  
**CHAIRMAN**