



Martin O'Malley, Governor

James M. Harkins, Director

**BOARD OF DIRECTORS
MINUTES
MEETING 07-1
January 22, 2007**

LOCATION: 259 Najoles Road
Millersville, Maryland

TIME: 9:30 a.m. (Meeting scheduled)
9:31 a.m. (Meeting convened)

DIRECTOR PRESENT: Joe Zimmerman, Treasurer

DIRECTORS PARTICIPATING BY CONFERENCE CALL:

James M. Harkins, Director
John O'Neill, Secretary
Paul Comfort, Esq.
Joseph F. Snee, Esq.
Talmadge E. Simons
Leslie Jackson Jenkins (joined at 9:39 a.m.)

DIRECTOR ABSENT: William B.C. Addison

OTHERS PRESENT: Sean Coleman, Esq.
Henry Cook
Cece Donovan
Jerald Wheeler
Steve Tomczewski
Chris Garrigan
Beth Wojton
Nancy Voorhees Balenske
Charles Madison

CALL TO ORDER

The meeting was called to order at 9:31 a.m.

MINUTES

Mr. Harkins requested approval of the minutes of December 14th. Mr. Snee made the motion to approve the minutes and Mr. O'Neill seconded. The minutes were approved.

DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT

Mr. Harkins reported that he and senior agency staff met with the Governor's transition team led by John Griffin and Donald Boesch. Mr. Harkins credited the staff for their preparation work for the meeting.

Mr. Harkins informed the Board of a tour being sponsored by the Northeast Maryland Waste Disposal Authority for the Authority's Board members. It is a tour of European waste-to-energy plants and is scheduled for March 22nd to April 1st. NEWDA is examining the possibility of developing 2-3 waste-to-energy plants in Maryland.

Questions were addressed.

BUSINESS DEVELOPMENT REPORT

Ms. Wojton updated the Board on the following new or potential projects:

Earth Tech: MES met with officials of this firm to discuss a potential teaming agreement. MES would provide GIS services of utilities at BWI and other facilities.

Environmental Operations will be meeting with the Environmental Financing Center to discuss providing assistance with a waste audit in Prince George's County. The Center has grant funds to develop solid waste systems.

A meeting is scheduled with certain jurisdictions in Harford County regarding an audit of current County water and wastewater operations.

Richmond American: Insurance issues have not been resolved, and the project appears to be dead. A conversation took place with the State Treasurer, Nancy Kopp regarding the insurance needs of the agency. An analysis will be done with regard to MES procuring its own insurance.

A question was addressed. Mr. Harkins also noted in the Agency Activity Report the acceptance of the Black & Decker/ Hampstead project and the Motor Vehicle Administration environmental management services proposals.

FINANCE

Mr. Zimmerman informed the Board that Finance has filled an accountant position. December's financial statements will be available later in the week. December's numbers show a slight decrease in Net Assets, but the results overall are positive.

Mr. Zimmerman requested approval to extend the Clifton Gunderson contract for the fiscal year 2007 audit. Ms. Jenkins made the motion to approve the extension and Mr. Simons seconded. The motion passed unanimously. A question was asked about the price. Clifton Gunderson did not increase their price.

Mr. Zimmerman introduced Resolution 07-01-1R. This resolution is a notice of intent to finance equipment for Prince George's County's Western Branch Yard Waste Composting Facility. Mr. Comfort made the motion to approve the resolution, Mr. Snee seconded. The motion passed with Ms. Jenkins abstaining from the vote.

Mr. Zimmerman introduced Resolution 07-01-2R. This resolution is a notice of intent to finance equipment for Dundalk Marine Terminal and Hawkins Point Projects. Mr. Simons made the motion to approve the resolution, Mr. Comfort seconded, and the motion was unanimously approved.

PROCUREMENT

Mr. Harkins introduced Procurement Item 1. Ms. Donovan provided background information. Mr. Snee made the motion to approve the item. Ms. Jenkins seconded. The item was unanimously approved.

Mr. Harkins introduced Procurement Item 2. Ms. Donovan provided background information. Mr. Comfort made the motion to approve the item. Mr. Simons seconded. The item was unanimously approved.

Mr. Harkins introduced Procurement Item 3. Ms. Donovan provided background information. Ms. Jenkins made the motion to approve the item. Mr. Snee seconded. The item was unanimously approved.

Mr. Harkins introduced Procurement Item 4. Ms. Donovan provided background information and the use of State Use Industries was discussed. Mr. Snee made the motion to approve the item. Ms. Jenkins seconded. The item was unanimously approved.

Mr. Harkins introduced Procurement Item 5. Mr. Tomczewski reviewed the item. Mr. Simons made the motion to approve the item. Mr. Snee seconded with the request that the minutes note that the apparent low bidder had withdrawn its bid because it could not provide the specified equipment. The item was unanimously approved.

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Mr. Harkins introduced Procurement Item 6. Mr. Tomczewski reviewed the item. Mr. Comfort made the motion to approve the item. Mr. Simons seconded. The item was approved with Ms. Jenkins abstaining from the vote.

Mr. Harkins introduced the last item, Procurement Item 7. Mr. Tomczewski reviewed the item. Mr. Snee made the motion to approve the item. Ms. Jenkins seconded. The item was approved unanimously.

Mr. Harkins noted the Notifications contained in the Board's notebooks. Mr. O'Neill addressed a question about The Singer Group contract for Human Resources consulting services. A meeting is scheduled with Singer and a focus group is being held February 5th. Results will be available in March.

LEGAL REPORT

Mr. Coleman advised the Board of a potential claim from a citizen who fell over a patch of ice on a St. Michael's street that had allegedly not been repaired properly. MES has been served with a complaint filed in Maryland District Court which alleges there was glass material in Leafgro® applied to a customer's yard.

Work is continuing on updating the environmental compliance policy, and to make it more comprehensive. A revised policy will be presented to the Board in March.

The summary of Tire Recycling Facility leases is part of the Board's information. Mr. Frank Babusci contacted the Tire Recycling Facility landlord about the possibility of subleasing the space. The landlord expressed some concerns.

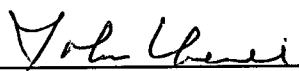
NEW BUSINESS

MES is continuing its search for a replacement for the Chief of Environmental Compliance position.

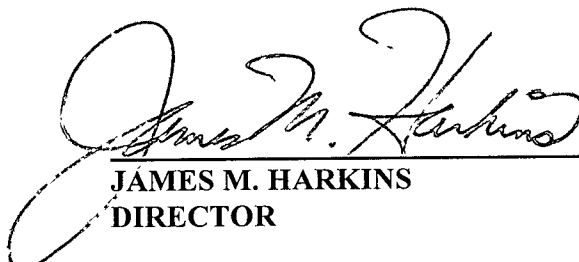
Agency officials plan to meet with the several of the new administration's cabinet secretaries during the month of February.

The next scheduled meeting is February 26, 2007.

The meeting adjourned at 10:05 a.m.



**JOHN O'NEILL
SECRETARY**



**JAMES M. HARKINS
DIRECTOR**



Martin O'Malley, Governor

James M. Harkins, Director

**BOARD OF DIRECTORS
MINUTES
MEETING 07-2
February 26, 2007**

LOCATION: 259 Najoles Road
Millersville, Maryland

TIME: 9:30 a.m. (Meeting scheduled)
9:35 a.m. (Meeting convened)

DIRECTORS PRESENT: James Harkins, Director
John O'Neill, Secretary
Joe Zimmerman, Treasurer
Joseph F. Snee, Esq.
Talmadge E. Simons
William B.C. Addison

DIRECTORS ABSENT: Paul Comfort, Esq.
Leslie Jackson Jenkins

OTHERS PRESENT: Sean Coleman, Esq.
Henry Cook
Charles Madison
Jerald Wheeler
Steve Tomczewski
Chris Garrigan
Beth Wojton
Bobbie Barkman, Esq.
Nancy Voorhees Balenske

CALL TO ORDER

The meeting was called to order at 9:35 a.m.

MINUTES

Mr. Harkins requested approval of the minutes of January 22nd. Mr. Snee made the motion to approve the minutes and Mr. Simons seconded. The minutes were approved.

DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT

Mr. Harkins informed the Board that Joe Snee and Leslie Jackson Jenkins names have been submitted for reappointment to the Board. Paul Comfort requested to not be reappointed. Ed Adams, Baltimore County's Public Works Director name has also been submitted and upon confirmation will join the Board in July.

Mr. Harkins and Mr. O'Neill are reviewing the Governor's Transition Team's report. MES will respond to the relevant sections within the deadline. Mr. Harkins has begun a series of meetings with the new cabinet secretaries and letters are being mailed to the departments describing MES' services. Mr. O'Neill will be meeting with the Assistant Secretary of MDE every two months. Meetings with counties are also being scheduled and MES will be meeting periodically with the Contractors Association.

Mr. Harkins and Mr. Tomczewski will travel with the Northeast Maryland Waste Disposal Authority on the tour of European waste-to-energy plants. They hope to visit a chicken litter plant during the tour as well. The Governor has expressed to Mr. Harkins his interest in waste-to-energy facilities.

BUSINESS DEVELOPMENT REPORT

Ms. Wojton updated the Board on the following new or potential projects:

She noted in the Agency Activity Report the \$5 million blanket contract with MDE for GIS services, which has been accepted, and the number of proposals that have been submitted to St. Mary's County.

A proposal was submitted to Carroll County's Department of Economic Development for a water and wastewater feasibility assessment of the Hampstead Industrial Park.

MES met with the City of Havre de Grace about performing an efficiency audit. Another meeting is scheduled for early March regarding grant administration services.

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MES will have a booth at the National Onsite Wastewater Recycling Association conference being held in Baltimore and will also be attending the Maryland Rural Water Association Conference.

MES submitted a proposal to Queen Anne's County to operate some or all of the County's wastewater facilities.

FINANCE

Mr. Zimmerman reviewed the Operating Results ending January 31, 2007. The review included key operating results, indirect cost analysis, change in net asset components, customer accounts receivables, and summary of revenues, expenses and changes in net assets. He handed out a list of the accounts handed over to the Central Collections Unit, which is a division of Budget and Management. He is trying to meet with the Unit to encourage more action against some of the outstanding accounts. Mr. Zimmerman also handed out the year-end projection for the 7 months ending January 31, 2007.

Mr. Coleman directed the Board's attention to the copy of the Expression of Interest notice for the sale of the Tire Facility. This notice will be published in three trade periodicals in March. MES is working with attorneys from the McGuire Woods law firm to develop the Request for Proposals to be sent out in late March. In response to a question regarding the value of the Facility, MES is working with Clifton Gunderson on the valuation process. Mr. Harkins also reminded the members that MES is holding positions for the Facility's employees.

PROCUREMENT

Mr. Harkins introduced Procurement Item 1. Mr. Madison provided background information. Mr. Addison made the motion to approve the item. Mr. Snee seconded. The item was unanimously approved.

Mr. Harkins introduced Procurement Item 2. Mr. Madison reviewed the item. Mr. Simons made the motion to approve the item. Mr. Snee seconded. The item was unanimously approved.

Mr. Harkins introduced Procurement Item 3. Mr. Madison reviewed the item. A question was addressed. Mr. Addison made the motion to approve the item. Mr. Snee seconded. The item was unanimously approved.

Mr. Harkins introduced Procurement Item 4. Mr. O'Neill reviewed the item. Questions were addressed. Mr. Addison made the motion to approve the item. Mr. Snee seconded. The item was unanimously approved.

Mr. Harkins noted the Notifications contained in the Board's notebooks. Mr. Madison addressed a question about the procurement of the equipment for oyster habitat identification.

LEGAL REPORT

Mr. Coleman advised the Board of a lawsuit pending between a property owner and St. Mary's County regarding the landfill. MES, although not a party to the lawsuit, expects a discovery request.

A Public Information Act requests was received from Howard County's Office of Consumer Affairs for records related to MES activities at the Cat Tail Creek Condominium waster and wastewater facilities. MES provides services at those facilities to the condominium association. The Office of Consumer Affairs is researching the association's complaints against the builder of the water and wastewater facilities.

McFarland case – Discovery is underway; a settlement conference is scheduled for April.

Ms. Barkman updated the Board regarding the environmental compliance policy. An interim program and guidelines was given to Executive Staff for their review. She and Mr. O'Neill interviewed several strong candidates to replace the Chief of Environmental Compliance. Mr. Harkins informed the Board that EPA performed a surprise inspection at the MCI wastewater treatment facility. The inspectors completed their review early based on the high standards met as they made their way through the facility.

OLD BUSINESS

Mr. O'Neill and each Group Director reviewed implementation of safety and security measures being taken within headquarters and throughout the state. Safety team meetings are held monthly and MES has hired an investigator on an as-needed basis. A question was addressed.

EXECUTIVE SESSION

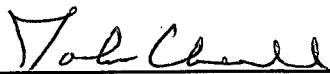
At 11:03 a.m., upon motion of Mr. Addison, second by Mr. Snee, the members of the Board went into executive session to discuss the appointment, employment, assignment, compensation, and performance of employees, as permitted under §10-508(a)(1) of the State Government Article, and to consult with counsel to obtain legal advice, as permitted under §10-508(a)(7). Also present during the executive session were Mr. Coleman and Ms. Voorhees Balenske. The Board did not

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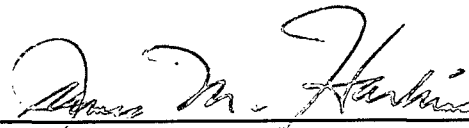
take any official action during the executive session. At 11:12 a.m. the Board concluded its executive session, and adjourned the meeting

. The next scheduled meeting is March 26, 2007.

The meeting adjourned at 11:14 a.m.



**JOHN O'NEILL
SECRETARY**



**JAMES M. HARKINS
DIRECTOR**



Martin O'Malley, Governor

**BOARD OF DIRECTORS
MINUTES
MEETING 07-3
March 26, 2007**

James M. Harkins, Director

LOCATION: 259 Najoles Road
Millersville, Maryland

TIME: 3:30 p.m. (Meeting scheduled)
3:35 a.m. (Meeting convened)

DIRECTORS PRESENT: John O'Neill, Secretary
Joe Zimmerman, Treasurer
Joseph F. Snee, Esq.
Leslie Jackson Jenkins

DIRECTORS PARTICIPATING BY CONFERENCE CALL: James Harkins, Director (concluded his participation at 3:47 p.m.)
Paul Comfort, Esq. (concluded his participation at 3:46 p.m.)

DIRECTORS ABSENT: Talmadge E. Simons
William B.C. Addison

OTHERS PRESENT: Sean Coleman, Esq.
Henry Cook
Charles Madison
Jerald Wheeler
Maclane Gibson
Chris Garrigan
Beth Wojton
Nancy Voorhees Balenske

CALL TO ORDER

Since Mr. Harkins was out of the country on a tour of waste-to-energy plants, but participating by conference call, Mr. O'Neill chaired the meeting on his behalf. Mr. O'Neill called the meeting to order at 3:35 p.m.

MINUTES

Mr. Harkins requested approval of the minutes of the February 26th meeting. Mr. Snee made the motion to approve the minutes and Mr. Harkins seconded. The minutes were approved.

PROCUREMENT

Mr. O'Neill introduced and reviewed Procurement Item 1. Questions were addressed. Mr. Snee made the motion to approve the item. Ms. Jenkins seconded. The item was unanimously approved.

Mr. O'Neill introduced and reviewed Procurement Item 2 with additional input from Mr. Harkins. Mr. Comfort made the motion to approve the item. Mr. Harkins seconded. The item was unanimously approved.

EXECUTIVE SESSION

At 3:42 p.m., upon motion of Mr. Snee, second by Ms. Jenkins, the members of the Board went into executive session to discuss the appointment, employment, assignment, compensation, and performance of employees, as permitted under §10-508(a)(1) of the State Government Article. Also present during the executive session were Mr. Coleman and Ms. Voorhees Balenske. The Board did not take any official action during the executive session. At 3:45 p.m. the Board concluded its executive session.

Mr. Snee made the recommendation and motion to approve Resolution 07-03-1R approving the Deputy Director's salary of \$145,000. Ms. Jenkins seconded the motion. The Board approved the motion with Mr. O'Neill abstaining from the vote.

DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT

Due to Mr. Harkin's travels, the Director's Report will be given next month. The Agency Activity Report is included in the Board's notebook.

BUSINESS DEVELOPMENT REPORT

Ms. Wojton updated the Board on the following new or potential projects:

MES continues to meet with the City of Havre de Grace about performing various services and discussing possibilities.

The Fahrney-Keedy proposal that has appeared on the Agency Activity Report was recently accepted.

MES met with Tidewater Utilities, a water and wastewater firm located in Delaware that is looking for opportunities in Maryland. The possibility of partnering has been discussed.

Water and Wastewater is working with the Girl Scout Council of the Nation's Capital to provide improvements to the facilities at Camp Winona in Charles County for their re-opening this season.

A question was addressed with regard to working with the City of Aberdeen.

FINANCE

Mr. Zimmerman reviewed the Operating Results ending February 28, 2007. Labor sales are strong, 7 ½ percent higher than at the same time last year. The review-included key operating results, indirect cost analysis, change in net asset components, customer accounts receivables, and summary of revenues, expenses and changes in net assets. Vacancies are being reduced; indirect cost recovery is strong, as are project variances. With reference to the total number of employees and vacancies, Mr. Snee requested for April's meeting a list of vacancies. Questions were addressed with regard to the change in net asset components and suggestions made with regard to outstanding collections. Mr. Zimmerman also handed out the year-end projection for the 8 months ending February 28, 2007.

Mr. O'Neill handed out a summary of the efforts and responses to date with regard to the proposed sale of the Tire Facility. Questions were addressed. MES is working with attorneys from the McGuire Woods law firm to develop the confidentiality agreement. A lunch meeting was held recently with the Facility's employees to review incentive bonuses for remaining with the project and positions being held open by MES in order to place Tire Facility employees.

MISCELLANEOUS

The Human Resources policies listed on the agenda will be submitted at April's meeting. Mr. O'Neill noted the Notifications contained in the Board's notebooks.

OLD BUSINESS

The offsite meeting originally scheduled for February will be held when the weather improves.

Staff members left the meeting at 3:19 p.m. Mr. Coleman updated the remaining board members on several matters being handled by the Office of the Attorney General. A quorum of the Board was not present during the update.

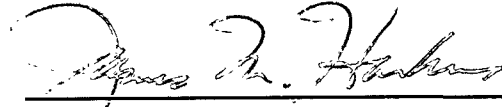
**BOARD OF DIRECTORS MINUTES
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The next scheduled meeting is April 23, 2007.

The meeting adjourned at 4:29 p.m.



**JOHN O'NEILL
SECRETARY**



**JAMES M. HARKINS
DIRECTOR**



Martin O'Malley, Governor

**BOARD OF DIRECTORS
MINUTES
MEETING 07-4A
April 16, 2007**

James M. Harkins, Director

LOCATION: Conference Call
259 Najoles Road
Millersville, Maryland

TIME: 10:00 a.m. (Meeting scheduled)
10:06 a.m. (Meeting convened)

**DIRECTORS PRESENT
AT HEADQUARTERS:** James Harkins, Director
John O'Neill, Deputy Director
Joseph Zimmerman, Treasurer

**DIRECTORS PARTIC-
IPATING BY CONFER-
ENCE CALL:** Joseph F. Snee, Esq.
William B.C. Addison
Leslie Jackson Jenkins, Esq.
Talmadge E. Simons

DIRECTOR ABSENT : Paul Comfort

OTHERS PRESENT: Sean Coleman, Esq.
Charles Madison
Ken Lathroum
Chris Garrigan
Henry Cook
Jerald Wheeler
Beth Wojton
Nancy Voorhees Balenske

CALL TO ORDER

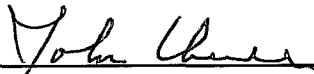
Mr. Harkins called the meeting to order at 10:06 a.m.

PROCUREMENT

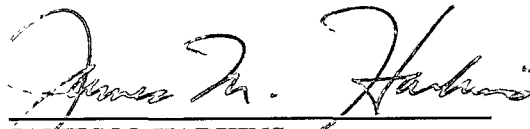
Mr. O'Neill introduced Procurement Item 1; a change order to an existing agreement with Cornan-Imbach Marine, Inc. Mr. Madison provided a description of the work. Under the change order the contractor will remove creosoted timber debris at the proposed Masonville Dredged Containment Facility. This contractor is already mobilized at the Facility. In addition, it will allow MES to expedite the mitigation project. MPA has

approved the use of Corman-Imbach. Questions were addressed. Ms. Jenkins made the motion to approve the item, Mr. Addison seconded. The item was unanimously approved.

The meeting adjourned at 10:12 a.m.



JOHN O'NEILL
DEPUTY DIRECTOR



JAMES M. HARKINS
DIRECTOR



Martin O'Malley, Governor

James M. Harkins, Director

**BOARD OF DIRECTORS
MINUTES
MEETING 07-4
April 23, 2007**

LOCATION: 259 Najoles Road
Millersville, Maryland

TIME: 9:30 p.m. (Meeting scheduled)
9:36 a.m. (Meeting convened)

DIRECTORS PRESENT: James M. Harkins, Director
John O'Neill, Deputy Director
Joseph Zimmerman, Treasurer
Joseph F. Snee, Esq.
Leslie Jackson Jenkins
William B.C. Addison
Paul Comfort, Esq.
Leslie Jackson Jenkins
Talmadge E. Simons

OTHERS PRESENT: Sean Coleman, Esq.
Henry Cook
Charles Madison
Jerald Wheeler
Steve Tomczewski
Chris Garrigan
Beth Wojton
Nancy Voorhees Balenske

John Kane
The following attended a portion of the meeting :

Tim Palmer
Mark Drhuv
Brian Saylor
Alan Parrish
Charles Testerman
Judy Trent
Nanci Koerting

CALL TO ORDER

Mr. Harkins called the meeting to order at 9:36 a.m.

INSPIRE AWARDS

Mr. Harkins presented an Inspire Award to Mark Drhuv for his extraordinary service in collecting specific information for all bridges and culverts in Maryland's 100-year floodplain using MES' GIS technology with which he had limited knowledge, but had expressed an interest in participating in these new projects. Inspire Awards for Extraordinary Service were presented to Brian Saylor, Alan Parrish, Charles Testerman, Judy Trent and Nanci Koerting who worked together to keep a tub grinder fire under control and minimizing damage to the equipment.

MINUTES

Mr. Harkins requested approval of the minutes of the March 26th meeting. Mr. Comfort made the motion to approve the minutes and Ms. Jenkins seconded. The minutes were approved.

DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT

Mr. Harkin's passed around pictures from his tour of various European waste-to-energy facilities. He and Mr. Tomczewski reviewed highlights of the trip. Discussions are taking place with a couple of engineering firms involved in waste-to-energy projects, in particular, HDR. Discussion is also being held with regard to increasing efficiency at the ECI Co-Generation Facility.

MES is continuing outreach efforts with new officials at the state, county and local level. Mr. Harkins and Mr. O'Neill have met with DNR Secretary John Griffin. Mr. Harkins and Mr. Wheeler met with the County Executive from Howard County regarding small package plants. He has an upcoming meeting with John Porcari, Secretary of Transportation.

The dredging project at Seagirt and Dundalk Marine Terminal and preparatory dredging at Masonville has mobilized and started. The winning bid was approximately \$5 million less than anticipated. An MBE goal of 21% was achieved.

During the Maryland Municipal League meeting, MES was approached by officials of the Town of Perryville for capital project work, and by officials of the Town of Cecilton for capital improvement work.

BUSINESS DEVELOPMENT REPORT

Ms. Wojton updated the Board on the following new or potential projects:

Discussions are continuing with Prince George's County and Howard County regarding shared use facilities.

MES has been contacted by two different firms, Earthtech and URS, to partner with them on proposed GIS work at the BWI airport.

MES met with Tidewater Utilities, a water and wastewater firm located in Delaware that is looking for opportunities in Maryland. The possibility of MES providing operational services at facilities they purchase was discussed.

MES submitted a proposal to the Town of Sudlersville to operate the Foxxtown Apartment and Senior Center.

FINANCE

Mr. Zimmerman reviewed the year-end projection for the 9 months ending March 31, 2007. He then reviewed the Operating Results ending March 31, 2007. The review included key operating results, number of employees, indirect cost analysis, change in net asset components, and customer accounts receivables. A portion of the Southeastern PET outstanding receivable has been mitigated. Bad debts are now being reported to Experian, a credit report company and this has been very helpful generating responses. With regard to the Maryland National Guard account, this problem is primarily a paperwork issue with MNG since there are a number of billings for different projects. A question was asked about the City of Annapolis' outstanding payment. Mr. Madison addressed the issue. Ms. Wojton has been providing support to get this resolved.

Mr. Zimmerman introduced Resolution 07-04-4R. This resolution is to finance capital equipment expenditures. Mr. Snee made the motion to approve the resolution, Mr. Addison seconded. Questions were addressed. The resolution was unanimously approved.

Mr. Zimmerman introduced Resolution 07-04-3R to finance the cost of acquiring and improving the Chicken Point Road property. Mr. Comfort made the motion to approve the resolution, Mr. Addison seconded. The resolution was unanimously approved.

Mr. Zimmerman introduced Resolution 07-04-2R to refinance and eventually retire the Amended and Restated Master Lease for the scrap tire recycling facility. This action will allow MES to remove existing financing liens of the equipment. MES received 30 Expressions of Interest for the facility and/or equipment. The confidentiality agreements are being drafted. Questions were addressed. Mr. Addison made the motion to approve the resolution, Mr. Comfort seconded. The resolution was unanimously approved.

HUMAN RESOURCES

Mr. Harkins announced the annual "Spring Fling" kick off visiting facilities throughout the state. This year's emphasis is the theft prevention program and safety.

Ms. Wojton handed out the list of vacancies. She reminded the members that positions are being held for the Tire Facility employees.

Ms. Wojton reviewed the updates to personnel policies. The first policy is "Abandonment of Employment". Questions were addressed. Mr. Snee made the motion to approve the policy. Mr. Addison seconded. The policy was approved 7 to 1. Mr. Comfort opposed the motion. The second policy for review addresses "Acting Capacity". Questions were addressed. Mr. Addison made the motion to approve the revised policy. Mr. Comfort seconded. The policy was approved unanimously.

Mr. O'Neill introduced Resolution 07-04-1R modifying the per diem compensation paid to certain members of the Board of Directors. A question was addressed. Mr. Addison made the motion to approve the resolution. Mr. O'Neill seconded the motion. The resolution was approved unanimously.

PROCUREMENT

Mr. O'Neill introduced Procurement Item 1. Mr. Madison reviewed the item. Questions were addressed. Mr. Simons made the motion to approve the item. Mr. Snee seconded. The item was unanimously approved.

Mr. O'Neill introduced and reviewed Procurement Item 2. Discussion was held and questions were addressed. Mr. Snee made the motion to approve the item. Mr. Simons seconded. The item was approved 8 to 1 with Ms. Jenkins opposing the motion.

Mr. O'Neill introduced and reviewed Procurement Item 3. A question was addressed. Mr. Snee made the motion to approve the item. Mr. Simons seconded. The item was approved unanimously.

Mr. Harkins noted the Notifications contained in the Board's notebooks. Questions were addressed.

LEGAL REPORT

Mr. Coleman reminded the members that their financial disclosure forms are due by the end of the month. Discussion was held about the interpretation of information requested.

OLD BUSINESS

Mr. Harkins introduced John Kane, the new Chief of Environmental Compliance. Mr. Kane provided information on his background. He will present an environmental compliance policy presentation at May's meeting. A question was addressed.

In response to a question by Mr. Comfort, Mr. Tomczewski addressed the timber clearing issue at Midshore II, which has received recent attention by the press. MES does not currently own the property. The timber clearing was undertaken by Caroline County.

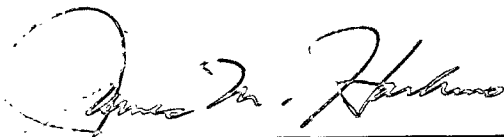
EXECUTIVE SESSION

At 11:14 a.m., upon motion of Mr. Snee, second by Mr. Addison, the members of the Board went into executive session to discuss the appointment, employment, assignment, compensation, and performance of employees, as permitted under §10-508(a)(1) of the State Government Article; to consult with counsel to obtain legal advice, as permitted under §10-508(a)(7); and to discuss an investigative proceeding on actual or possible criminal conduct, as permitted under §10-508(a)(12). Also present during the executive session were Mr. Coleman and Ms. Voorhees Balenske. The Board did not take any official action during the executive session. At 11:35 a.m. the Board concluded its executive session and adjourned.

The next scheduled meeting is May 21, 2007.



JOHN O'NEILL
DEPUTY DIRECTOR



JAMES M. HARKINS
DIRECTOR



Martin O'Malley, Governor

James M. Harkins, Director

**BOARD OF DIRECTORS
MINUTES
MEETING 07-5
May 21, 2007**

LOCATION: Donaldson Brown Conference Center
Port Deposit, Maryland

TIME: 10:30 a.m. (Meeting scheduled)
10:40 a.m. (Meeting convened)

DIRECTORS PRESENT: James M. Harkins, Director
John O'Neill, Deputy Director
Joseph Zimmerman, Treasurer
William B.C. Addison
Paul Comfort, Esq.
Leslie Jackson Jenkins, Esq.
Talmadge E. Simons
Joseph F. Snee, Esq. (attended by conference call)

OTHERS PRESENT: Sean Coleman, Esq.
Henry Cook
Rex Lloyd
Jerald Wheeler
Steve Tomczewski
Chris Garrigan
Beth Wojton
Nancy Voorhees Balenske
John Kane
Bobbie Barkman, Esq.
Bill Serin
The following attended a portion of the meeting :
Rebecca Ports
Laurie Ports
Dr. Joe Buckley, Principal of Perryville Middle School
Wendy Doring

CALL TO ORDER

Mr. Harkins called the meeting to order at 10:40 a.m.

MINUTES

Mr. Harkins requested approval of the minutes of the April 16th and 23rd meetings. Ms. Jenkins made the motion to approve the minutes and Mr. Addison seconded. The minutes were approved.

SCIENCE FAIR AWARD WINNER

Mr. Harkins introduced Miss Rebecca Ports, her mother, Laurie, and Dr. Joe Buckley, Principal of Perryville Middle School. Rebecca won the Environmental Science Division and was the Overall Winner for the Middle School's Science Fair with her entry, "How Safe is Your Water". Her project demonstrated that Port Deposit's water is the safest in Cecil County. Wendy Doring, an MES employee in the Port Deposit office also spoke about Rebecca's project and efforts.

DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT

MES is continuing outreach efforts with new officials at the state, county and local level.

A meeting is being held with the University of Maryland's Shock Trauma to discuss their recycling processes and possibly develop a program for recycling. MES has also been approached by Towson University about a recycling program.

MES is looking at an energy audit evaluation system with software to manage projects. An MES position has been advertised to manage this program.

MES' annual "Spring Fling" sessions continue. These sessions review agency policies, finances, future plans, benefits, and most importantly, safety and security, and are followed with employee questions and answers. A question was addressed.

An Oriole Park day or evening game is being planned. Possible dates are July 12, 24, 25, or 26th. Invitations will be extended to major customers. Nancy Holliday will be contacting the members about dates.

BUSINESS DEVELOPMENT REPORT

Ms. Wojton updated the Board on the following new or potential projects:

Expressions of Interest are due June 1st for GIS work at the BWI airport. MES has been contacted by two different firms, Earthtech and URS, to partner with them on the proposed work.

MES gave a presentation to the Department of Agriculture and TEDCO on May 31st regarding composting.

MES submitted a proposal to the Town of Perryville for a wastewater plant operations and safety inspection, and compliance audit. A proposal for short-term supervisory services has been submitted to the City of Havre de Grace.

HUMAN RESOURCES

Ms. Wojton handed out the list of vacancies. The agency now has approximately 700 budgeted positions. A question was addressed.

FINANCE

The Operating Results for the preceding month will be mailed later this week. Mr. Zimmerman reviewed the Plan vs. Actual for the period ending April 30, 2007. Anticipated revenues are lower than planned, but so are costs. With regard to outstanding receivables, payments have been collected from the City of Annapolis, a Midshore hauler, and Southeastern PET. Erickson Foundation is discussing with DNR the Elk Neck WWTP operating costs. Mr. Zimmerman informed the Board of discussions held with the State about the 2% administrative fee collected by the State for MES' participation in the State health insurance program. A question was addressed.

PROCUREMENT

There were no Procurement Items for approval. Mr. Harkins noted the Notifications contained in the Board's notebooks.

LEGAL REPORT

Mr. Coleman informed the members that the Assistant Attorney General is re-starting transition meetings in June with principal counsels and supervisory attorneys.

OLD BUSINESS

Mr. Harkins advised the members that the Mayors of Perryville and Rising Sun would be joining MES for lunch following the meeting. He updated the members on services being provided to these municipalities.

With regard to the Tire Facility, McGuire Woods will be submitting to MES the revised offering document this week. Approximately 24 confidentiality agreements have been returned from potential offerors.

Mr. John Kane, Chief of Environmental Compliance and Ms. Bobbie Barkman presented by PowerPoint the updated environmental compliance policy. A question was addressed. Ms. Barkman introduced Resolution 07-05-1R. This resolution is to adopt a Compliance Focused Environmental Management System. Mr. Simons made the motion to approve the resolution, Mr. Addison seconded. The resolution was unanimously approved.

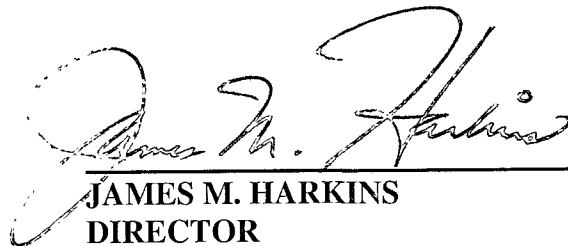
EXECUTIVE SESSION

At 11:54 a.m., upon motion of Mr. Addison, second by Ms. Jenkins, the members of the Board went into executive session to consult with counsel to obtain legal advice, as permitted under §10-508(a)(7). Also present during the executive session were Mr. Coleman, Ms. Voorhees Balenske and Ms. Barkman. The Board did not take any official action during the executive session. At 12:10 p.m. the Board concluded its executive session and adjourned.

The next scheduled meeting is June 25, 2007.



**JOHN O'NEILL
DEPUTY DIRECTOR**



**JAMES M. HARKINS
DIRECTOR**



Martin O'Malley, Governor

James M. Harkins, Director

**BOARD OF DIRECTORS
MINUTES
MEETING 07-5A
May 31, 2007**

LOCATION: Conference Call
259 Najoles Road
Millersville, Maryland

TIME: 10:00 a.m. (Meeting scheduled)
10:06 a.m. (Meeting convened)

**DIRECTORS PRESENT
AT HEADQUARTERS:** James Harkins, Director
John O'Neill, Deputy Director
Joseph Zimmerman, Treasurer

**DIRECTORS PARTIC-
IPATING BY CONFER-
ENCE CALL:** Joseph F. Snee, Esq.
William B.C. Addison
Leslie Jackson Jenkins, Esq.
Talmadge E. Simons

DIRECTOR ABSENT : Paul Comfort, Esq.

OTHERS PRESENT: Sean Coleman, Esq.
Charles Madison
Jerald Wheeler
Nancy Voorhees Balenske

CALL TO ORDER

Mr. Harkins called the meeting to order at 10:06 a.m.

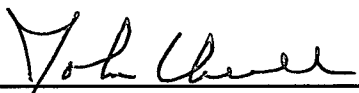
**BOARD OF DIRECTORS MINUTES
MEETING**

PAGE 2

PROCUREMENT

Mr. O'Neill introduced Procurement Item 1; which requests the Board's approval to award MES Contract No. 07-05-21R to the apparent low bidder, JLW Associates, Inc. per the re-consideration of MES' client, the Town of La Plata. Initially the Town instructed MES to select the "lowest/best" bidder vs. the "lowest" bidder for the work. The Town rescinded these instructions on May 22, 2007, and instructed MES to select the "lowest" bidder. Ms. Jenkins made the motion to approve the item, Mr. Addison seconded. Questions were addressed. The item was unanimously approved.

The meeting adjourned at 10:20 a.m.



JOHN O'NEILL
DEPUTY DIRECTOR



JAMES M. HARKINS
DIRECTOR



Martin O'Malley, Governor

James M. Harkins, Director

**BOARD OF DIRECTORS
MINUTES
MEETING 07-6
June 25, 2007**

LOCATION: 259 Najoles Road
Millersville, Maryland

TIME: 9:30 a.m. (Meeting scheduled)
9:35 a.m. (Meeting convened)

DIRECTORS PRESENT: James M. Harkins, Director (participated by conference call)
John O'Neill, Deputy Director
Joseph Zimmerman, Treasurer
William B.C. Addison (participated by conference call from
9:40 a.m. to 9:55 a.m.)
Paul Comfort, Esq. (participated by conference call until 9:55
a.m.)
Talmadge E. Simons
Joseph F. Snee, Esq.

DIRECTOR ABSENT: Leslie Jackson Jenkins, Esq.

OTHERS PRESENT: Sean Coleman, Esq.
Henry Cook
Charles Madison
Jerald Wheeler
Steve Tomczewski
Beth Wojton (participated by conference call)
Nancy Voorhees Balenske
Ellen Frketic

CALL TO ORDER

Since Mr. Harkins was participating by conference call, Mr. O'Neill chaired the meeting on his behalf. He called the meeting to order at 9:35 a.m.

MINUTES

Mr. O'Neill requested approval of the minutes of the May 21st meeting. Mr. Snee made the motion to approve the minutes and Mr. Simons seconded. The minutes were approved. Mr. O'Neill then requested approval of the minutes of the May 31st meeting. Mr. Snee made the motion to approve the minutes and Mr. Simons seconded. The minutes were approved with Mr. Comfort abstaining from the vote. Mr. Addison was not yet present during this segment of the meeting.

BUSINESS ITEMS

Mr. Zimmerman introduced Resolution 07-06-1R. This resolution is to finance capital equipment expenditures specifically trucks for the maintenance staff that will enhance their capabilities. Mr. Comfort made the motion to approve the resolution, Mr. Simons seconded. The resolution was unanimously approved, except that Mr. Addison was not yet present.

Mr. O'Neill introduced Procurement Item 1. Mr. Madison reviewed the item. Mr. Comfort made the motion to approve the item. Mr. Snee seconded. The item was unanimously approved, except that Mr. Addison was not yet present. Item 2 was introduced. Mr. Addison then joined the meeting via conference call. Mr. Comfort made the motion to approve the item. Mr. Simons seconded. The item was unanimously approved. Mr. O'Neill introduced Item 3. Mr. Simons made the motion to approve the item. Mr. Snee seconded. A question was addressed. The item was approved unanimously. Mr. O'Neill introduced the 4th and last item. Mr. Snee made the motion to approve the item. Mr. Addison seconded. The item was approved unanimously.

Mr. Snee as Chairman of the Board's Human Resources subcommittee made the motion to establish Mr. Harkins' annual salary for fiscal year 2008 at \$175,000. Mr. Comfort seconded. Mr. Harkins expressed his gratitude. The salary was approved with Mr. Harkins abstaining from the vote.

Ms. Frketic handed out and reviewed the FY 2008 BEST Goals. She informed the members that Executive Staff has reviewed them and any revisions suggested by the Executive Staff had been incorporated. Mr. Snee made the motion to approve the goals. Mr. Addison seconded. The goals were unanimously approved. Mr. O'Neill advised the members they would be seeing the results of 2007 at October's meeting.

At the conclusion of the business portion of the meeting, Mr. Addison and Mr. Comfort ended their participation by phone. At this point there was no longer a quorum of the Board participating in the meeting.

DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT

Mr. Harkins referred the Board to the summary of "Current Energy Initiatives" contained in the Board's notebook. MES is working on 2 projects, water and wastewater energy audits and ECI Co-generation Plant improvements.

MES' annual "Spring Fling" sessions have been completed. These sessions focused upon agency policies, finances, plans, benefits, and most importantly, safety and security, and were followed by employee questions and answers.

Meetings were held with The Singer Group that is performing the human resources study. They are in the final stages of the study. Information is being produced for a future Board meeting.

At the request of employees, an annual picnic has been planned and is scheduled for July 14th at Sandy Point State Park.

BUSINESS DEVELOPMENT REPORT

Ms. Wojton updated the Board on the following new or potential projects:

MES is continuing to investigate the concept of partnering with an experienced company to provide recycling and waste minimization services to area hospitals and also partnering with Gershman, Brickner & Bratton to develop a recycling program for state colleges and universities.

MES met with the federal Department of Agriculture and TEDCO about operating an in-vessel solid waste composting facility at Beltsville.

Tidewater Utilities has contacted MES about partnering with them to handle oil refinery industrial waste to remove heavy metals. Four operators will be needed for a period of 6 months with six month renewals. MES will inquire within the agency if there are operators interested. If not, MES will advertise the positions. A question was addressed.

HUMAN RESOURCES

Ms. Wojton advised the Board there are currently 40 vacancies. Water & wastewater positions continue to be the most challenging to fill.

FINANCE

Mr. Zimmerman reviewed the Operating Results ending May 31, 2007. The review included key operating results, vacancies, indirect cost analysis, net assets and customer accounts receivables. The Millersville Landfill account has been resolved. Turf Solutions has been paying their account off slowly over the past few months. Mr. Zimmerman reviewed the Plan vs. Actual for the period ending May 31, 2007 and the Financial Plan for 2008.

PROCUREMENT

Mr. O'Neill noted the Notifications contained in the Board's notebooks.

LEGAL REPORT

Mr. Coleman informed the members of the following:

A lawsuit has been filed against MES by the County Commissioners of Washington County with regard to the design of the closure cap at the Resh Road Landfill.

We are reviewing a draft consent agreement with MDE, which was initially negotiated between MDE and a MES client. MES is not a party to the consent agreement, but the MES client has demanded that MES pay part of any penalty. The office is working with the Water & Wastewater staff.

The Office of Attorney General has approved a request to increase the number of Assistant Attorneys General assigned to MES from the current 2 attorneys to 3 attorneys.

The offering document for the Tire Facility has been issued. Two tours were held for prospective offerors. There appear to be at least 10 firms still expressing interest. Technical questions are being answered today. A question was addressed. The offers are due July 11th.

NEW BUSINESS

MES is attending the Maryland Municipal League's annual conference this week. The booth is set up highlighting municipal work and features the Town of Rising Sun.

The remaining members adjourned the meeting at 10:32 a.m.

The next scheduled meeting is July 23, 2007.



JOHN O'NEILL
DEPUTY DIRECTOR



JAMES M. HARKINS
DIRECTOR



Martin O'Malley, Governor

James M. Harkins, Director

**BOARD OF DIRECTORS
MINUTES
MEETING 07-7
July 23, 2007**

LOCATION: 259 Najoles Road
Millersville, Maryland

TIME: 9:30 a.m. (Meeting scheduled)
9:34 a.m. (Meeting convened)

DIRECTOR PRESENT: James M. Harkins, Director
Joseph Zimmerman, Treasurer

DIRECTORS PARTICIPATING BY CONFERENCE CALL:
John O'Neill, Secretary
William B.C. Addison
Joseph F. Snee, Esq.
Talmadge E. Simons
Edward Adams

DIRECTOR ABSENT: Leslie Jackson Jenkins

OTHERS PRESENT: Sean Coleman, Esq.
Henry Cook
Charles Madison
Jerald Wheeler
Steve Tomczewski
Chris Garrigan
Nancy Voorhees Balenske

CALL TO ORDER

The meeting was called to order at 9:34 a.m.

MINUTES

Mr. Harkins requested approval of the minutes of June 25th. Mr. Simons made the motion to approve the minutes and Mr. Addison seconded. The minutes were approved.

DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT

Mr. Harkins reported that MES is in preliminary stages of discussion with various parties regarding operation of the Harford County Waste to Energy Facility.

Carl LaVerghetta has been hired to manage an energy program under Technical and Environmental Services. He is currently working on an ethanol study being funded by Maryland Energy Administration. Mr. Harkins and Mr. LaVerghetta will be attending the Governor's Energy Conference on July 25. Mr. Harkins is also attending a federal energy conference being held August 5th-8th and giving a presentation on the ECI Co-generation Facility. HDR is under contract to MES to perform an efficiency and expansion study of the Facility.

Upgrades are necessary at the ECI water supply and treatment facility to meet the expanding capacity at the Facility. MES is meeting with the Division of Corrections and DBM to discuss the possibility of MES providing financial assistance until funds are available in their next budget cycle.

A meeting was held with John Porcari, Secretary of Transportation. MDOT is currently conducting an environmental compliance review of their units and discussion was held about MES providing services to assist the units.

FINANCE

Mr. Zimmerman informed the Board that the Finance staff is still working on the end of year numbers and a full report will be given in August.

Mr. Zimmerman introduced Resolution 07-07-1R. This resolution is a notice of intent to finance improvements at the Eastern Correctional Institution water and wastewater facilities. Mr. Snee made the motion to approve the resolution, Mr. Addison seconded. The motion passed unanimously.

PROCUREMENT

Mr. Harkins introduced Procurement Item 1. Mr. O'Neill provided background information. Questions were addressed. Mr. Addison made the motion to approve the item. Mr. Snee seconded. The item was unanimously approved.

Mr. Harkins introduced Procurement Item 2. A question was addressed. Mr. Simons made the motion to approve the item. Mr. Addison seconded. The item was unanimously approved.

Mr. Harkins noted the Notifications contained in the Board's notebooks.

LEGAL REPORT

Mr. Coleman informed the Board that an advertisement has been placed for an additional Assistant Attorney General to be assigned to MES. Resumes are being received.

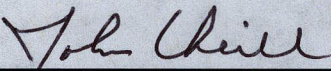
EXECUTIVE SESSION

At 9:54 a.m., upon motion of Mr. Simons, second by Mr. Addison, the members of the Board went into executive session to consult with counsel to obtain legal advice, as permitted under §10-508(a)(7). Also present during the executive session were Mr. Coleman, Ms. Voorhees Balenske, Mr. Tomczewski and Mr. Wheeler. The Board did not take any official action during the executive session. At 10:08 a.m. the Board concluded its executive session.

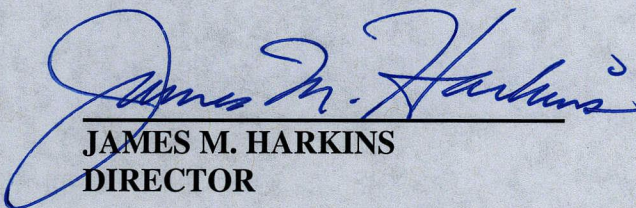
Mr. Harkins informed the Board that MACo packets are going out to the members this week. MES is co-hosting with the Northeast Maryland Waste Disposal Authority a reception on August 15th. The Board meeting is the following morning at 8:30.

The next scheduled meeting is August 16, 2007.

The meeting adjourned at 10:10 a.m.



JOHN O'NEILL
DEPUTY DIRECTOR



JAMES M. HARKINS
DIRECTOR



Martin O'Malley, Governor

**BOARD OF DIRECTORS
MINUTES
MEETING 07-8
August 16, 2007**

James M. Harkins, Director

LOCATION: Clarion Resort Fontainebleau
10100 Coastal Highway
Ocean City, Maryland

TIME: 8:30 a.m. (Breakfast)
8:42 a.m. (Meeting convened)

DIRECTOR PRESENT: James M. Harkins, Director
John O'Neill, Deputy Director
Joseph Zimmerman, Treasurer
William B.C. Addison
Leslie Jackson Jenkins, Esq.
Joseph F. Snee, Esq.
Talmadge E. Simons

DIRECTOR ABSENT: Edward Adams

OTHERS PRESENT: Sean Coleman, Esq.
Henry Cook
Charles Madison
Jerald Wheeler
Steve Tomczewski
Chris Garrigan
Beth Wojton
Nancy Voorhees Balenske
Doug Conaway
Richard Streett

CALL TO ORDER

The meeting was called to order at 8:42 a.m. Mr. Harkins began the meeting by introducing Richard Streett, a prospective member of the Board and then asked the members and staff to introduce themselves. Items of MES memorabilia were presented to the Board.

MINUTES

Mr. Harkins requested approval of the minutes of July 23rd. Mr. Snee made the motion to approve the minutes and Mr. Addison seconded. The minutes were approved.

DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT

Mr. Harkins reported that MES continues to meet and follow up with other State agencies and departments regarding MES services and reviewed the success of the preceding evening's reception. Mr. Snee offered his compliments on the agency's hard work and success of the reception.

Mr. Harkins and Carl LaVerghetta attended a federal energy conference. Mr. Harkins gave a presentation on the ECI Co-generation Facility. Mr. Harkins has asked Mr. Coleman to look into legislation expanding MES' authority with regard to energy services. A pilot study is under consideration with BGE to palletize sludge to mix with woodchips and burn. Mr. Snee stressed the Board's preference that MES not compete with private industry.

MES continues to implement upgrades necessary at the ECI water supply and treatment facility to meet the expanding capacity at the Facility. A consent order has been signed between MES, MDE and Public Safety to address improvements. Questions were addressed. Mr. Snee requested a copy of the consent order. Mr. Zimmerman addressed increased financial needs for aging facilities.

BUSINESS DEVELOPMENT REPORT

Ms. Wojton updated the Board on the following new or potential projects:

A meeting is scheduled with Tidewater Utilities about partnering with them on a project in Cecil County.

GasWest Associates-MES will meet with Gas West to discuss the possibility of a coal gasification project in Maryland.

On going discussion continues with the federal Department of Agriculture about composting food waste from federal facilities.

A presentation was made to the Town of Union Bridge about MES services and they subsequently requested a meeting to discuss their needs.

FINANCE

Mr. Zimmerman reviewed the preliminary year-end results. The review included the Plan v. Actual. A more detailed explanation of overhead recovery was given for Mr. Streett's benefit. Mr. Zimmerman also provided an analysis of the net assets section. A question was addressed. Preliminary BEST 2007 funding was reviewed for a decision at September's meeting.

Mr. Zimmerman introduced Resolution 07-08-1R. This resolution is a request to use a portion of the Water and Wastewater Project Reserve Fund for improvements at the Eastern Correctional Institution water and wastewater facilities. A question was addressed. Mr. Simons made the motion to approve the resolution, Mr. Addison seconded. The motion passed unanimously. A second Resolution 07-08-2R was introduced for the purpose of funding costs in excess of revenues during fiscal year 2007. Mr. Addison made the motion to approve the item. Ms. Jenkins seconded. The motion was approved unanimously.

General questions were addressed at the end of the Financial Report. Mr. Snee extended the Board's appreciation for the work of the agency staff on a remarkable financial turnaround last fiscal year.

HUMAN RESOURCES

Ms. Wojton handed out the Human Resources Report as of this month. Mr. O'Neill commended Ms. Wojton and her staff on their efforts to fill these vacancies. A question was addressed about the compensation report from The Singer Group. That report will be available in the near future.

PROCUREMENT

Prior to reviewing the Procurement items, Mr. Harkins brought to the Board's attention the accepted proposals and prospects report in the notebooks.

Mr. Harkins introduced Procurement Item 1. Mr. O'Neill provided background information. Mr. Addison made the motion to approve the item. Ms. Jenkins seconded. The item was unanimously approved.

Mr. O'Neill introduced Procurement Item 2. A question was addressed. Mr. Addison made the motion to approve the item. Mr. Simons seconded. The item was unanimously approved.

Mr. Harkins introduced Procurement Item 3. Mr. O'Neill and Ms. Wojton provided additional information. Questions were addressed. Mr. Addison made the motion to approve the item. Mr. Snee seconded. The item was unanimously approved.

Mr. Harkins introduced Procurement Item 4. A question was addressed. Mr. Snee made the motion to approve the item. Mr. Simons seconded. The item was unanimously approved.

Mr. Harkins introduced Procurement Item 5. Mr. Tomczewski provided background and comments. Mr. Addison made the motion to approve the item. Ms. Jackson seconded. The item was unanimously approved.

Mr. Harkins noted the Notifications contained in the Board's notebooks.

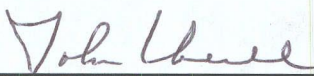
LEGAL REPORT

Mr. Coleman informed the Board that in response to the advertisement placed for an additional Assistant Attorney General to be assigned to MES, 30 resumes were received. Mr. Coleman reviewed the history of the McFarland case for Mr. Street. The case is scheduled for trial in October, but settlement discussion is on the table. Questions were addressed about the history of the case.

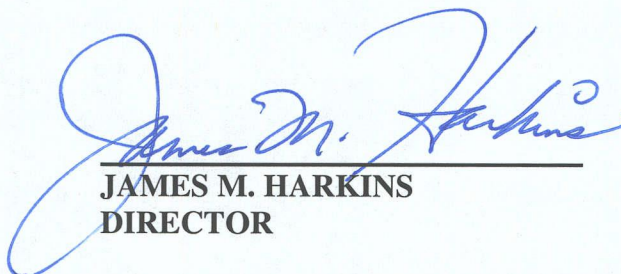
EXECUTIVE SESSION

At 10:18 a.m., upon motion of Mr. Snee, second by Mr. Addison, the members of the Board went into executive session to consult with counsel to obtain legal advice, as permitted under §10-508(a)(7) and §10-508(a)(14). Also present during the executive session were Mr. Coleman, Ms. Voorhees Balenske, Mr. Tomczewski, Mr. Madison, Mr. Wheeler and Mr. Street. The Board did not take any official action during the executive session. At 11:06 a.m. the Board concluded its executive session and the meeting.

The next scheduled meeting is September 24, 2007.



JOHN O'NEILL
DEPUTY DIRECTOR



JAMES M. HARKINS
DIRECTOR



Martin O'Malley, Governor

**BOARD OF DIRECTORS
MINUTES
MEETING 07-9
September 24, 2007**

James M. Harkins, Director

LOCATION: 259 Najoles Road
Millersville, Maryland

TIME: 10:30 a.m. (Meeting scheduled)
10:34 a.m. (Meeting convened)

DIRECTOR PRESENT: James M. Harkins, Director
John O'Neill, Deputy Director
Joseph Zimmerman, Treasurer
Leslie Jackson Jenkins, Esq. (left at 12 :58 p.m.)
Talmadge E. Simons
Joseph F. Snee, Esq. (arrived at 10:37 a.m.; left at 11:27 a.m.)
Edward Adams (arrived at 10:46 a.m.)
Richard P. Streett, Jr.

DIRECTOR ABSENT: William B.C. Addison

OTHERS PRESENT: Sean Coleman, Esq.
Henry Cook
Jerald Wheeler
Steve Tomczewski
Chris Garrigan
Beth Wojton
Nancy Voorhees Balenske
Cece Donovan
Dave Czawlytko
Carl LaVerghetta
Attended a portion of the meeting
Tom Heseltine, Clifton Gunderson
Hament Patel
Kimberly Washington
Liz Pluebell
Stephanie Bowen
Elsie Liebrand
Ron Laber

**Steve Kilmon
Cliff Williams**

CALL TO ORDER

The meeting was called to order at 10:34 a.m.

INSPIRE AWARDS

Mr. Harkins presented an Extraordinary Service Award to Elsie Leibrand for her work auditing vendor invoices at the Montgomery County Recycling Center and Bus Stops Projects. Ron Laber was awarded an Extraordinary Award for his performance providing inspection services at the Seagirt/Masonville Dredging Project. An Extraordinary Service award was presented to Ken Medlin while acting as a temporary Weighmaster at the Millersville Landfill Scale House. Steve Kilmon received an Extraordinary Service award for consistently demonstrating high standards of leadership during his tenure at Poplar Island as first a technician then the Field Operations Supervisor, and in the absence of a supervisor taking on additional responsibilities until the vacancy was filled. Mr. Cliff Williams was presented with an Inspire Award for Extraordinary Service filling in as an inspector at Poplar Island. Three accounting division employees were awarded Extraordinary Service awards for their efforts in keeping accounting operations on track during a staff shortage. Awards were presented to Kimberly Washington, Liz Pluebell and Stephanie Bowen.

AUDIT REPORT

Mr. Zimmerman introduced Tom Heseltine from the accounting firm of Clifton Gunderson, the audit firm under contract with MES. Mr. Heseltine reported that the financial statements were reviewed in detail with the Board's Audit Committee. The Board has the audit reports and he gave a brief overview of the report, the management letter and the letter to the Board of Directors. Mr. Heseltine was asked to elaborate on the minor comments included in the letter to the Board of Directors. These included a business continuity plan and segregation of duties in the Information Technology division. Mr. Harkins advised the new members of the Board that Mr. Simons is Chair of the Audit Committee and Mr. Snee is Chair of the Human Resources Committee.

MINUTES

Mr. Harkins requested approval of the minutes of August 16th. Ms. Jenkins made the motion to approve the minutes and Mr. Snee seconded. The minutes were approved.

DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT

Mr. Harkins reported on the following activities:

Legislation will be introduced in January expanding MES' authority with regard to energy services. A draft has been prepared and copies will be provided to the Board members. Questions were addressed. Mr. Harkins reported that recycling initiatives are being explored that include energy saving areas for the Department of General Services and the development of a recycling program for the General Assembly. MES is continuing its outreach and recently met with the new County Executive of Wicomico County and Worcester County's environmental staff. MES recently hosted a deck party for the County Engineers at their annual convention in Ocean City. Upcoming meetings are planned with MDE to expand efforts and update the Department on MES' current compliance activities. A boat tour of Hart-Miller Island, Cox Creek and Masonville is scheduled for the Minority Contractors Association. The purpose of the tour is to stimulate the bidding process and MBE participation. A question was addressed. Board members are invited on the tour. Mr. Harkins reported he attends the monthly BayStat meetings initiated by the Governor. Other participants are DNR, MDE, and the Maryland Department of Agriculture. He will also be participating in a conference call during the Chesapeake Bay Environmental Summit being held October 29-30th.

HUMAN RESOURCES

Mr. Czawlytko on behalf of Maclane Gibson presented the results of the FY 2007 BEST Goals. The agency achieved 85% of its BEST goals. A question was addressed. Mr. Harkins reviewed the BEST funding process. Mr. O'Neill reviewed the funding available and calculation method for BEST 2007, as shown on the document entitled "Maryland Environmental Service B.E.S.T 2007 Funding". Mr. O'Neill recommended adoption of the BEST FY 2007 payout. Mr. Simons made the motion to approve the recommended payout. Mr. Snee seconded. The motion passed unanimously.

RESOLUTION

Mr. Harkins introduced Resolution 07-09-1R. Mr. Coleman explained that this Resolution authorizes the salary and benefits of the Secretary of the Maryland Environmental Service. A question was addressed. A motion was made by Mr. Snee to approve the Resolution. Mr. Simons seconded. The motion passed with Dr. Streett abstaining.

BUSINESS DEVELOPMENT REPORT

Ms. Wojton updated the Board on the following new or potential projects:

A Memorandum of Understanding is being developed with Tidewater Utilities to provide operation services in Maryland. Tidewater has requested proposals from MES.

Chugach Alaska Corporation, a Native American firm has contacted MES about providing operations for the Ft. Meade wastewater treatment facility when the facility is privatized. MES currently provides 2 temporary operators.

Mr. Harkins introduced Carl LaVerghetta who is managing an energy program under Technical and Environmental Services. Mr. LaVerghetta briefed the Board on his background, current activities and possible directions. These include researching options for reducing pollutants from coal burning power plants under the 2006 Healthy Air Initiatives; a study with the Maryland Energy Administration on cellulosic ethanol; reducing energy uses at wastewater treatment plants; interest by Constellation Energy in co-firing plants with wood or sludge; the development of a wood gasification project in Jessup; use of yellow grease and waste grease to create bio-fuels, and small wind and solar projects. A question was addressed.

FINANCE

The financial statements were handed out to the members. Mr. Zimmerman reviewed the MES Financial Plan for FY 2008, and the MES Net Assets Analysis for FY 2007. A question was addressed.

HUMAN RESOURCES (continued)

Ms. Wojton handed out the Human Resources Report as of this month. MES has 682 positions and 59 vacancies. Ms. Wojton reviewed the Compensation/HR Report prepared by The Singer Group. A question was addressed.

PROCUREMENT

There were no Procurement items for approval. Mr. Harkins noted the Notifications and the Agency Activity Report contained in the Board's notebooks.

LEGAL REPORT

Mr. Coleman directed the Board's attention to the Consent Order entered into by MES and the Department of Public Safety and Correctional Service for the Eastern Correctional Institution that is contained in the Board's notebook and provided additional information. Mr. Wheeler provided an update of the initiatives taking place at ECI.

EXECUTIVE SESSION

At 1:08 p.m., upon motion of Mr. Simons, second by Dr. Streett, the members of the Board went into executive session to consult with counsel to obtain legal advice, as permitted under §10-508(a)(7) and to discuss matters directly related to a negotiating strategy or the contents of a proposal, as permitted under §10-508(a)(14), with respect to the disposition of the MES Tire Recycling Facility. Also present during the executive session were Mr. Coleman, Ms. Voorhees Balenske, and Mr. Tomczewski. The Board did not take any official action during the executive session. At 1:23 p.m. the Board concluded its executive session and the meeting.

The next scheduled meeting is October 22, 2007.


**RICHARD P. STREETT, JR.
SECRETARY**


**JAMES M. HARKINS
DIRECTOR**



Martin O'Malley, Governor

James M. Harkins, Director

**BOARD OF DIRECTORS
MINUTES
MEETING 07-10A
October 15, 2007**

LOCATION: Conference Call
259 Najoles Road
Millersville, Maryland

TIME: 2:00 p.m.

**DIRECTORS PRESENT
AT HEADQUARTERS:** James Harkins, Director
John O'Neill, Deputy Director
Joseph Zimmerman, Treasurer

**DIRECTORS PARTIC-
IPATING BY CONFER-
ENCE CALL:** William B.C. Addison
Talmadge E. Simons
Richard P. Streett, Jr.

DIRECTOR ABSENT : Joseph F. Snee, Esq.
Leslie Jackson Jenkins, Esq.
Edward C. Adams

OTHERS PRESENT: Sean Coleman, Esq.
Charles Madison
Beth Wojton
Nancy Voorhees Balenske

CALL TO ORDER

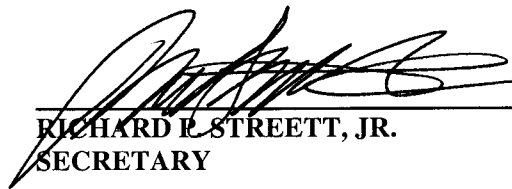
Mr. Harkins called the meeting to order at 2:02 p.m.

PROCUREMENT

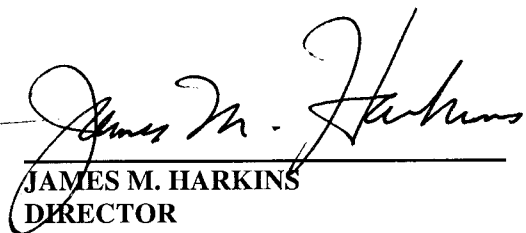
Mr. O'Neill introduced the Change Order to MES Contract No. 05-05-52 with Corman-Imbach, Inc. for work at the Masonville Dredged Material Disposal Facility. Mr. Madison provided an overview of the additional work required to locate and remove four abandoned underwater electrical cables. Mr. O'Neill provided additional information. Questions were addressed. Mr. Addison made the motion to approve the Change Order, Mr. Simons seconded. The item was unanimously approved.

The meeting adjourned at 2:10 p.m.

259 Najoles Road • Millersville, Maryland • 21108
phone 410-729-8200 • fax 410-729-8220 • www.menv.com



RICHARD L. STREETT, JR.
SECRETARY



JAMES M. HARKINS
DIRECTOR

**CHANGE ORDER OVERVIEW
FOR
BOARD OF DIRECTORS'
October 12, 2007**

The Maryland Environmental Service (MES) was requested by the Maryland Port Administration (MPA) to initiate a task under the Masonville Construction IGA to locate and remove four abandoned underwater electrical cables. These cables required removal because of the location - which is under the dike to be constructed for the DMCF, and near the route that the relocated 48" water main is to travel. If the cables stay in place, construction equipment and ships are likely to become fouled on them, so MPA must remove them. Despite the fact that the cable was abandoned by Baltimore Gas and Electric (BGE), they have no responsibility to remove them, and in fact, when MPA pays to locate and pull them up, they are required to test the cables for PCB's and then turn the cable over to BGE, who obtains salvage value for the recycled cable. This work was originally intended to be performed by MPA Engineering, but MPA determined that MES could more efficiently accomplish this task. TES/EDR reviewed the scope required for the cable removal with the MES Procurement Officer and determined that the existing competitively procured marine construction contract with Corman-Imbach could cover these tasks.

MES met with MPA, Gahagan & Bryant Associates (GBA) and Corman-Imbach Marine, Inc. (CIM) to review the cable removal requirements. MES indicated that they could oversee the work associated with the BGE cable removal and CIM and MPA Engineering presented technical information associated with the cable removal. MES used this to develop a scope of work.

Information available regarding the cable location and removal included GPS coordinates related to the last known location where these cables had been discovered accidentally during dredging operations. While this information was several years old, it was the only documentation available to begin to locate the cables that were being targeted for removal. The CIM representative also indicated that due to uncertainty in locating the cable, their cost proposal for this work could not be submitted on a lump sum basis, as the risk associated with the hidden nature of the work was too great. MES and MPA agreed that the proposal would be submitted on a time and materials basis.

CIM further conveyed that they were a short-listed contractor of choice with BGE and that they had been awarded continuing services contracts with BGE to perform work of this nature in the past. Ultimately, it would be necessary for the executing contractor to coordinate the removal activities with BGE in order to facilitate location assistance and the final disposal and/or recycling of the abandoned cables. Additionally, BGE assistance would be needed as they perform a capping operation each time these cables are cut during the removal process.

The original change order associated with the abandoned BGE cable removal work was issued to Corman-Imbach Marine, Inc. as Change Order # 12. The proposal for this work

provided an estimated cost of \$235,236.00 to locate, test and remove the cables - again on a time and materials or unit price basis. The average daily cost for these operations is approximately \$12,375.00, including but not limited to, diving assistance, barge platform, crane, miscellaneous tools, staff and tug boat.

CIM was given "Notice To Proceed" effective August 1, 2007. The proposal estimate for Change Order #12 was based on an estimated sixteen (16) days to locate and remove the cables. Approximately 2 to 3 days of the 16 were estimated to be required for cable location. A 20% contingency was also included due to the hidden nature of the work.

In fact, all of the initial Change Order #12 funds were necessary to continue location activities. Finding these cables proved to be a much more daunting task than was anticipated. Change Order #14 in the amount of \$191,220.00 was issued to keep the contractor mobilized, working and to fund the continued search for cables and the removal activities. Change Order #14 also included a twenty (20) percent contingency.

This work has progressed with extreme difficulty. The reasons for the extended schedule associated with the performance of this work include, but are not limited to:

- 1) No available documentation that accurately locates the abandoned utilities.
- 2) Years of sedimentation have buried these utilities to a depth that was not anticipated, making the extraction operations extremely difficult at times.
- 3) Extraction of the cables has been complicated due to buried entanglements that have been encountered and required additional work beyond just pulling the cables up out of the bay bottom.
- 4) Coordination with and the availability of BGE staff has delayed the extraction activities as BGE staff must be available to perform a capping procedure for each cable section as cuts are made.
- 5) Delay in the issuance of the Masonville permit meant that locating techniques were limited for a longer period of time than originally anticipated.

Due to the events as they have unfolded to date, it has been determined that additional funds will be necessary to continue and complete the location and removal of the abandoned BGE cables.

Therefore, Change Order #16 has been assembled and submitted to MPA for approval. The change order amount of \$469,950.00 was compiled using the contractor's removal productivity to date. This productivity was prorated using the daily unit cost. A twenty (20) percent contingency is also included.

It is anticipated that due to the complications that have been overcome to date, the remaining work will be executed more efficiently than the prorated productivity would suggest. However, the prorated historical productivity is interpreted to be the best indicator of future productivity, at this time.



Martin O'Malley, Governor

James M. Harkins, Director

**BOARD OF DIRECTORS
MINUTES
MEETING 07-10
October 22, 2007**

LOCATION: 259 Najoles Road
Millersville, Maryland

TIME: 9:30 a.m. (Meeting scheduled)
9:34 a.m. (Meeting convened)

DIRECTOR PRESENT: James M. Harkins, Director
John O'Neill, Deputy Director
Joseph Zimmerman, Treasurer
William B.C. Addison
Edward Adams

DIRECTORS PARTICIPATING BY CONFERENCE CALL :
Talmadge E. Simons
Joseph F. Snee, Esq.
Richard P. Streett, Jr.

DIRECTOR ABSENT: Leslie Jackson Jenkins, Esq.

OTHERS PRESENT: Sean Coleman, Esq.
Henry Cook
Jerald Wheeler
Steve Tomczewski
Charles Madison
Chris Garrigan
Beth Wojton
Nancy Voorhees Balenske
Attended a portion of the meeting
Tim Germana
Larry Clark
Mario Cosare
Andrew West
Randy Gaver
Mike Schlotterbeck

**Brad Yeakle
Greg Brown
Rex Bowman
Sue McCauley
Jason Baer**

CALL TO ORDER

The meeting was called to order at 9:34 a.m.

INSPIRE AWARDS

Mr. Harkins presented an Innovative Idea Award to Larry Clark and Mario Cosare for implementing an idea in the production system at the Montgomery County Recycling Center that saves time and cuts costs. Andrew West, Randy Gaver, Mike Schlotterbeck, Brad Yeakle, Greg Brown, Rex Bowman and Sue McCauley were awarded Extraordinary Service Awards due to their safe handling of chlorine and sulfur dioxide throughout the MCI Wastewater Facility excelling in meeting the requirements of the Environmental Protection Agency's Risk Management Plan, which was noted by EPA during a random audit. An Extraordinary Service Award was presented to Jason Baer for taking a proactive approach in dealing with MDE's Wetlands division and the submittal of a wetlands permit for the Midshore II site.

MINUTES

Mr. Harkins requested approval of the minutes of September 24th. Mr. Adams made the motion to approve the minutes and Mr. Addison seconded. The minutes were approved.

DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT

Mr. Harkins reported on the following activities:

MES hosted a reception during the MML convention. Carl LaVerghetta continues to work on various energy projects. Meetings are scheduled with Representative Dutch Ruppertsberger and DGS regarding energy conservation programs. Mr. Harkins has had meetings with the Secretary of MDE and the Director of the Maryland Energy Administration to discuss potential MES activities and projects. The boat tour for the Minority Contractors Association of Hart-Miller Island, Cox Creek and Masonville is Friday, October 24th. The purpose of the tour is to stimulate the bidding process and MBE participation. A customer appreciation event was held at Midshore Regional Landfill Facility, and another will be held in November at the Montgomery County Facility in Derwood. Wellness Clinics are scheduled for employee screenings and flu shots. MES is also taking proactive measures regarding the rising issue of staph infections in the United States. Mr. Harkins noted the Agency Activity Report in the Board's notebooks.

BUSINESS DEVELOPMENT REPORT

Ms. Wojton updated the Board on the following new or potential projects:

MES met with Cecil County to discuss large development and shared use systems.

A Memorandum of Understanding has been developed with Tidewater Utilities for MES to provide operation services to Tidewater projects in Maryland.

MES continues to have discussions with various entities regarding potential shared use facilities.

FINANCE

The Plan v. Actual Report for the three months ending September 30, 2007, was handed out to the members and reviewed by Mr. Zimmerman. The full financial report will be available shortly and emailed to the members.

HUMAN RESOURCES

Ms. Wojton handed out the Human Resources Report as of this month. MES has 682 positions and 41 vacancies. The Tire Recycling Facility has 3 remaining employees. Ms. Wojton reviewed the Singer Group study implementation schedule. Two tasks for Board consideration will be presented at November's meeting and 3 additional tasks at December's meeting.

Mr. O'Neill introduced and read the Resolution allowing for the close of MES' offices on the day after Thanksgiving, November 23, 2007. Mr. Harkins added comments. Questions were addressed. Mr. Addison made the motion to approve the Resolution. Mr. Adams seconded. The Resolution was approved unanimously.

PROCUREMENT

Mr. O'Neill introduced Procurement Item 1. Mr. Addison made the motion to approve the Procurement. Dr. Streett seconded. The motion passed with Mr. Adams abstaining from the vote. Mr. Harkins noted the Notifications and a question was addressed.

LEGAL REPORT

Mr. Coleman informed the Board that the Attorney General has appointed William Joseph Selle as Assistant Attorney General to be assigned to MES. Mr. Coleman had recommend Mr. Selle's appointment. He provided brief background information on Mr. Selle's experience.

NEW BUSINESS

Mr. Harkins reviewed the proposed 2008 Meeting Schedule. Based on comments received, the March 24th meeting will be held in the morning and December's meeting will be the 15th.

Mr. Harkins advised the Board that the Human Resources Committee chaired by Mr. Snee needs additional members. He asked Mr. Adams and Dr. Streett to consider joining this committee.

EXECUTIVE SESSION

At 10:22 a.m., upon motion of Mr. Addison, second by Mr. Snee, the members of the Board went into executive session to consult with counsel to obtain legal advice, as permitted under §10-508(a)(7) and § 10-508(d), and to discuss matters directly related to a negotiating strategy or the contents of a proposal, as permitted under §10-508(a)(14), with respect to the disposition of the MES Tire Recycling Facility. Also present during the executive session were Mr. Coleman, Ms. Voorhees Balenske, and Mr. Tomczewski. The Board did not take any official action during the executive session. At 10:48 a.m. the Board concluded its executive session and the meeting.

The next scheduled meeting is November 26, 2007.



**RICHARD F. STREETT, JR.
SECRETARY**



**JAMES M. HARKINS
DIRECTOR**



Martin O'Malley, Governor

James M. Harkins, Director

**BOARD OF DIRECTORS
MINUTES
MEETING 07-11
November 26, 2007**

LOCATION: 259 Najoles Road
Millersville, Maryland

TIME: 9:30 a.m. (Meeting scheduled)
9:31 a.m. (Meeting convened)

DIRECTORS PRESENT: James M. Harkins, Director
John O'Neill, Deputy Director
Joseph Zimmerman, Treasurer

DIRECTORS PARTICIPATING BY CONFERENCE CALL:
Richard P. Streett, Jr., V.M.D., Secretary
William B.C. Addison
Leslie Jackson Jenkins, Esq.
Joseph F. Snee, Esq.
Talmadge E. Simons
Edward Adams

OTHERS PRESENT: Sean Coleman, Esq.
Henry Cook
Charles Madison
Jerald Wheeler
Steve Tomczewski
Beth Wojton
Chris Garrigan
Nancy Voorhees Balenske

CALL TO ORDER

The meeting was called to order at 9:31 a.m.

MINUTES

Mr. Harkins requested approval of the minutes of October 22nd. Dr. Streett made the motion to approve the minutes and Mr. Addison seconded. The minutes were approved.

DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT

Mr. Harkins reported on the following activities:

MES had a luncheon meeting with the Mayor of the City of Aberdeen. Ideas for services were presented and follow up has been requested. A customer appreciation event was held at ECI. The boat tour for potential contractors to meet with MBE's was held on October 26th. Due to high winds, the tour only included Hart Miller Island. MES participated in a conference call [I don't remember reference to a conference call; just the summit] with the Mayor of the District of Columbia and Governor of Virginia during the Washington Board of Trade summit held in October. Mr. Harkins met recently with the Midshore administrators. Work on submitting permit applications for Midshore II is proceeding within the established timeline. A customer appreciation event was held for Montgomery County on November 1st. MES recently met with the President of the Montgomery County Council regarding services provided to the County and any possible changes. On January 29th, a presentation will be made by the Council to MES and the County's solid waste group acknowledging the Council's appreciation for the work being performed. MES holiday party is December 13th at the Annapolis Sheraton hotel. MES continues to provide support for the State's initiatives regarding chicken litter technologies.

Mr. Harkins noted the Agency Activity Report in the Board's notebooks. In response to a question regarding the Town of Rising Sun as a prospective project, MES is developing a proposal for start-up operations and in a meeting discussed alternatives for water supply.

BUSINESS DEVELOPMENT REPORT

Ms. Wojton updated the Board on the following new or potential projects:

MES met with Dennis Fleming, Director of Public Works for Charles County to discuss solid waste solutions and possible MES assistance with landfill operations.

A meeting is scheduled with developers in southern Chesapeake City.

FINANCE

The financial report was emailed to the members on November 21st. Mr. Zimmerman reviewed the overhead recovery, fringe variance and interest income. Questions were addressed on the tub grinding operations and the research line item.

HUMAN RESOURCES

Ms. Wojton reviewed the Human Resources Report as of this month. MES has 682 positions and 35 vacancies. The vacancy rate is 5.13% and the largest number of vacancies is in the Water/Wastewater Group.

Ms. Wojton reviewed the human resources implementation drafts. The first revises the Apprenticeship Policy and the second addresses Salary Administration Guidelines. These will be finalized and presented for approval at December's meeting.

PROCUREMENT

The Procurement items were introduced and reviewed individually by Mr. O'Neill. The motion to approve Procurement Item 1 was made by Dr. Streett. Mr. Addison seconded. The motion passed unanimously. Mr. Snee made the motion to approve Item 2. Mr. Simons seconded. The motion passed unanimously. Mr. Simons made the motion to approve Item 3. Ms. Jenkins seconded. The motion passed unanimously. Dr. Streett made the motion to approve Item 4. Mr. Snee seconded. The motion passed unanimously. Mr. Snee made the motion to approve Procurement Item 5. Mr. Madison, Mr. Coleman and Mr. O'Neill addressed questions about the Item. Mr. Simons seconded. The motion passed unanimously. Mr. Snee made the motion to approve Item 6. Questions were addressed. Mr. Simons seconded. The motion passed unanimously. Mr. Harkins noted the Notifications.

GRANT AWARDS

Mr. O'Neill presented the 3 items submitted as Grant Awards to the non-profit groups- Living Classrooms Foundation, the Bay Brook Brooklyn & Curtis Bay Coalition, and the National Aquarium. Mr. Harkins and Mr. Madison provided additional comments. Extensive discussion was held and the members requested periodic updates regarding these grants. The motion to approve Grant Item 1 was made by Ms. Jenkins, seconded by Dr. Streett. The motion was unanimously approved. Mr. Simons made the motion to approve Grant Item 2 and Mr. Addison seconded it. The item was unanimously approved. Mr. Adams made the motion to approve Grant Item 3. Dr. Streett seconded. The motion was approved unanimously.

EXECUTIVE SESSION

At 10:29 a.m., upon motion of Mr. Addison, second by Dr. Streett, the members of the Board went into executive session to consult with counsel to obtain legal advice, as permitted under §10-508(a)(8) and § 10-508(d), to discuss matters relating to the acquisition of real property for public purpose, as permitted under §10-508(a), to discuss matters related to the compensation of employees, as permitted under §10-508(a)(1), and to discuss matters directly related to a negotiating strategy or the contents of a proposal, as permitted under §10-508(a)(14), with respect to the disposition of the MES Tire Recycling Facility. Also present during the executive session were Mr. Coleman, Ms. Voorhees Balenske, and Mr. Tomczewski. The Board did not take any official action during the executive session. At 10:40 a.m. the Board concluded its executive session and the meeting.

The next scheduled meeting is December 17, 2007.


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


JAMES M. HARKINS
DIRECTOR



Martin O'Malley, Governor

James M. Harkins, Director

**BOARD OF DIRECTORS
MINUTES
MEETING 07-12
December 17, 2007**

LOCATION: 259 Najoles Road
Millersville, Maryland

TIME: 9:30 a.m. (Meeting scheduled)
9:39 a.m. (Meeting convened)

DIRECTORS PRESENT: James Harkins, Director
John O'Neill, Deputy Director
Richard P. Streett, Jr., V.M.D., Secretary
Joseph Zimmerman, Treasurer
Joseph F. Snee, Esq.
William B.C. Addison
Leslie Jackson Jenkins, Esq. (arrived at 9 :55 a.m.)
Talmadge E. Simons
Edward Adams

OTHERS PRESENT: Sean Coleman, Esq.
Henry Cook
Charles Madison
Jerald Wheeler
Steve Tomczewski
Chris Garrigan
Beth Wojton
Joe Selle, Esq.
Pam Fuller

The following attended a portion of the meeting :

Carl LaVerghetta, David Shaffer, Randall Broadwater, Randy Lewis, Thomas Johnson, Danny Jones, Deborah Wilson, and Nanci Koerting, Doug Conaway, Mac McClellan, Rex Bowman, Chris Thompson, Ray Riggan, Tim Germana, Wes Leide.

CALL TO ORDER

The meeting was called to order at 9:30 a.m.

INSPIRE AWARDS

Mr. Harkins presented an Inspire Award to David Shaffer for extraordinary service for organizing a job fair held at the Fort Meade installation. Extraordinary Service awards were presented to Randall Broadwater and Randy Lewis for creating a new backwash holding tank with a septic tank at Big Run State Park eliminating backwash water from the facility discharging into a cistern that would overflow into a stream. The following employees, Thomas (Benny) Johnson, Danny Jones, Deborah Wilson, and Danny Jones were in attendance and presented Extraordinary Service awards for work taken to eliminate odor complaints made against the Midshore Regional Solid Waste Facility. Mr. Johnson and Mr. Jones were asked to remain at the podium to be presented a second Extraordinary Service award for controlling burning material before erupting into a fully involved fire at Midshore Landfill's working face. Deborah Wilson was presented an Extraordinary Service award for her excellent customer service managing the Homeowner's Drop-Off at Midshore. The final Extraordinary Service award was given to Nanci Koerting for implementing a program to improve the quality of mulch at the site and realizing increased revenue for the Montgomery County Recycling Activities Project in Derwood.

MINUTES

Mr. Harkins requested approval of the minutes of November 26th. Mr. Snee made the motion to approve the minutes and Mr. Addison seconded. The minutes were approved.

INTRODUCTION

Mr. Coleman introduced Joe Selle, the agency's new Assistant Attorney General. Mr. Selle will be handling primarily litigation and discovery request matters.

DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT

Mr. Harkins reported that there were a number of events held in Baltimore City for the mayor's swearing in. A luncheon was held the 7th honoring certain businesses. MES was honored for its work at Masonville. The Maryland Port Administration accepted the award.

The MES holiday party was held last week and was well attended.

Montgomery County will be moving its Solid Waste division out of its Department of Public Works and into the Department of Environmental Protection. Robert Hoyt has been named the new head of Environmental Protection.

The University of Baltimore is seeking help with some energy projects for their campus.

BUSINESS DEVELOPMENT REPORT

Ms. Wojton updated the Board on the following new or potential projects:

Charles County: The current commissioners do not want to continue to operate the landfill located in Waldorf. A presentation by MES is being scheduled. Composting services are also being discussed.

Southern Chesapeake City: Ms. Wojton and Mr. Wheeler met with a developer and attorney. They are seeking advice from MES.

Tidewater Utilities: Negotiations on the MOU are continuing. They have also requested a proposal to operate a mobile home community's failing wastewater treatment system.

FINANCE

Mr. Zimmerman reviewed the Financial Statements for the period ending October 31, 2007. Discussion was held about the advance funds paid by MPA for the Masonville project. The funds are currently in a separate interest bearing account.

HUMAN RESOURCES

Ms. Wojton reviewed the Human Resources Report as of this month. There are currently 35 vacancies. The vacancy rate is 5.1%, down slightly from last months, 5.13%.

Ms. Wojton reviewed the new Apprenticeship Policy and Program for Environmental System Operators. The goal is to improve the recruiting of quality employees and retention levels. Mr. Simons made the motion to approve the policy, seconded by Dr. Strett. The motion was unanimously approved. Ms. Wojton also reviewed the Salary Administration Guidelines summary. This establishes scheduled reviews based on both external market rates and internal salary history. Mr. Snee made the motion to approve the Guidelines. Ms. Jenkins seconded the motion. The motion was unanimously approved.

PROCUREMENT

Mr. Harkins noted the Notifications contained in the Board's notebooks.

LEGAL REPORT

Mr. Coleman distributed and reviewed a memorandum recommending proposed revisions to the Substance Abuse Policy. The policy was developed in 1991 and has been unaltered since then. A committee of MES staff was formed to review and recommend changes. Extensive discussion was held about the existing system and proposed changes. No action was taken at this time.

OLD BUSINESS

The meeting schedule for 2008 has been revised. A motion to approve the schedule was made by Dr. Streett, seconded by Ms. Jenkins, and unanimously approved.

EXECUTIVE SESSION

At 10:50 a.m., upon motion of Mr. Addison, second by Dr. Streett, the members of the Board went into executive session to consult with counsel to obtain legal advice, as permitted under §10-508(a)(8) and § 10-508(a)(3), to discuss matters relating to the acquisition of real property for public purpose, and to discuss matters directly related to a negotiating strategy or the contents of a proposal, as permitted under §10-508(a)(14), with respect to the disposition of the MES Tire Recycling Facility. Also present during the executive session were Mr. Coleman, Mr. Selle, and Ms. Fuller. The Board did not take any official action during the executive session. At 11:10 a.m. the Board concluded its executive session and the meeting.

The next scheduled meeting is a telephone conference call to occur on January 28, 2008.



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



JAMES M. HARKINS
DIRECTOR