



Martin O'Malley, Governor

BOARD OF DIRECTORS  
MINUTES  
MEETING 08-1A  
January 7, 2008

James M. Harkins, Director

LOCATION: Conference Call  
259 Najoles Road  
Millersville, Maryland

TIME: 10:30 a.m.

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

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

DIRECTOR ABSENT : William B.C. Addison  
Edward C. Adams

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

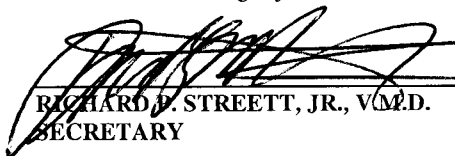
CALL TO ORDER

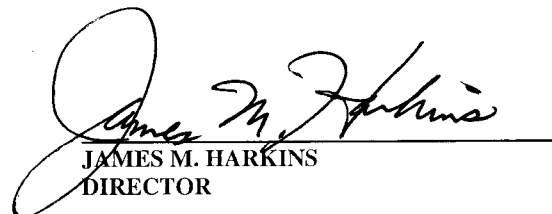
Mr. Harkins called the meeting to order at 10:30 a.m.

PROCUREMENT

Mr. Madison introduced and reviewed the revised Change Order to MES Contract No. 06-07-06 with Envirite, Inc. for transport, treatment and disposal of leachate and solid waste at the Dundalk Marine Terminal and Hawkins Point. Mr. O'Neill provided additional information. A question was addressed. Dr. Streett made the motion to approve the Change Order, Mr. Snee seconded. The item was unanimously approved.

The meeting adjourned at 10:34 a.m.

  
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 08-1  
January 28, 2008**

**LOCATION:** 259 Najoles Road  
Millersville, Maryland

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

**DIRECTOR PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Joe Zimmerman, Treasurer

**DIRECTORS PARTICIPATING BY CONFERENCE CALL:**  
Richard P. Streett, Jr., V.M.D., Secretary  
William B.C. Addison  
Talmadge E. Simons  
Edward Adams  
Joseph F. Snee, Esq. (joined at 9:32 a.m.)  
Leslie Jackson Jenkins (joined at 9:35 a.m.)

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

**CALL TO ORDER**

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

**MINUTES**

Mr. Harkins requested approval of the minutes of December 17<sup>th</sup> and January 7, 2008. Mr. Simons made the motion to approve the minutes and Mr. Adams seconded. The minutes were approved.

**DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT**

Mr. Harkins brought to the Board's attention the Proclamation by the County Council of Montgomery County recognizing the efforts and standards of the County's Department of Public Works, Division of Solid Waste and MES in the operation of the Materials Recovery Facility. Robert Hoyt has been named the new head of the Department of Environmental Protection for the County, which the Division of Solid Waste will join on July 1.

MES hosted a meeting with representatives of the University of Maryland Environmental Finance Center. One topic of conversation was the funding of improvements to septic systems.

The MES energy legislation is still in bill drafting. A copy will be sent by email when it is ready.

Mr. Harkins and Mr. Madison briefed the members on the discovery of cannonballs this morning by the company doing the dredging for the Masonville project. The State Fire Marshall has responded.

All proposed O & M budgets for State facilities were included by DBM in the Governor's budget submitted to the General Assembly, including requests for capital and operating projects.

MES is meeting with representatives of the Maryland School for the Blind to discuss needed repairs to their water supply infrastructure. A question was addressed.

**BUSINESS DEVELOPMENT REPORT**

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

Maryland Transit Administration: A meeting is scheduled for January 28<sup>th</sup> to discuss environmental compliance issues.

Tidewater Utilities: We are discussing partnering with them on the Aberdeen Proving Ground privatization project.

Mr. LaVerghetta updated the Board on energy initiatives. MES is reviewing/evaluating an anaerobic digester for disposal of poultry litter. Other processes have been evaluated by MES in preceding years. A Memorandum of Understanding has been entered into with the University of Maryland to evaluate select campuses for renewable energy project applications. MES is trying to set up a meeting with Fort Meade to discuss a possible wood gasification project. A Memorandum of Understanding has been sent to the Maryland Energy Administration for services in the area of environmental, energy, energy assessment and management. One possible project is for MES to manage the State's the wind anemometer program. MES met with representatives of Constellation Energy to discuss a potential solar energy project at MES headquarters.

### **FINANCE**

Mr. Zimmerman reviewed the Plan v. Actual for six months ending December 2007. Mr. Zimmerman noted a correction; Environmental Operations and Water & Wastewater labor sales were reversed in the emailed material.

Mr. Cook introduced and reviewed Resolution 08-01-1R to amend MES' 401k retirement plan agreement. Mr. Addison made the motion to approve the Resolution. Ms. Jenkins seconded. The motion was unanimously approved.

### **HUMAN RESOURCES**

Ms. Wojton reviewed the Human Resources Report as of this month. There are currently 30 vacancies. The vacancy rate is at its lowest rate, 4.39%.

### **PROCUREMENT**

The Procurement items were introduced and reviewed individually by Mr. O'Neill with comments by Mr. Madison for those items following under his direction. The motion to approve Procurement Item 1 was made by Dr. Streett. Ms. Jenkins seconded. The motion passed unanimously. Mr. Simons made the motion to approve Item 2. Ms. Jenkins seconded. A question was addressed. The motion passed unanimously. Dr. Streett made the motion to approve Item 3. Mr. Snee seconded. The motion passed unanimously. Mr. Addison made the motion to approve Item 4. Ms. Jenkins seconded. The motion passed unanimously. Mr. Snee made the motion to approve Procurement Item 5. Dr. Streett seconded. The motion passed unanimously. Mr. Snee made the motion to approve Item 6. A question was addressed. Mr. Simons seconded. The motion passed unanimously. Ms. Jenkins made the motion to approve Item 7. Mr. Adams seconded. The motion passed unanimously. Dr. Streett made the motion to approve Item 8. A question was addressed. Mr. Adams seconded the motion. The motion passed unanimously.

Mr. Harkins noted the Notifications contained in the Board's notebooks.. A question was addressed.

**LEGAL REPORT**

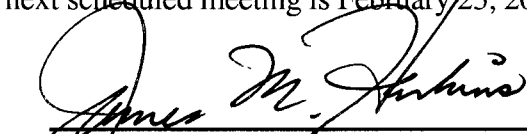
Mr. Coleman announced it is expected the documents transferring the sale of the Tire Facility will be signed this week. The paperwork includes the portions of the Facility that are being subleased by MES to the new firm. Mr. Harkins thanked Mr. Coleman for his efforts. A question was addressed.

**NEW BUSINESS**

Mr. Harkins presented Mr. Madison with his Safe Operator award. Today MES kicked off Safety Week.

The meeting adjourned at 10:09 a.m. The next scheduled meeting is February 25, 2008.

  
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 08-2  
February 25, 2008**

**LOCATION:** 259 Najoles Road  
Millersville, Maryland

**TIME:** 10:30 a.m. (Meeting scheduled)  
10:31 a.m. (Meeting convened)

**DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Joe Zimmerman, Treasurer  
Richard P. Streett, Jr., V.M.D., Secretary  
William B.C. Addison  
Joseph F. Snee, Esq.

**DIRECTOR PARTICIPATING BY CONFERENCE CALL:**  
Talmadge E. Simons

**DIRECTORS ABSENT:** Edward Adams  
Leslie Jackson Jenkins

**OTHERS PRESENT:** Sean Coleman, Esq.  
Henry Cook  
Charles Madison  
Jerald Wheeler  
Maclane Gibson  
Beth Wojton  
Chris Garrigan  
Nancy Voorhees Balenske  
Carl LaVerghetta  
Bobbie James, Esq. (joined at 11 :27 a.m.)

**CALL TO ORDER**

The meeting was called to order at 10:31 a.m.

**MINUTES**

Mr. Harkins requested approval of the minutes of January 28, 2008. Mr. Snee made the motion to approve the minutes and Dr. Streett seconded. The minutes were approved.

**DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT**

Mr. Harkins reported on the following:

MES' energy legislation, House Bill 1509 is in the Rules Committee. Copies were distributed to the members.

The closing for the sale of the Tire Facility took place January 30<sup>th</sup>. A question was addressed.

MES is working with the Midshore Counties to expand their recycling program and increase revenues. Work continues to progress with regard to the new Midshore landfill.

A meeting is scheduled with a poultry company and MES staff about a potential anaerobic digestion pilot project using chicken litter.

A "meet and greet" was held with Attorney General Douglas Gansler on February 15<sup>th</sup> at MES headquarters.

Management skills training program is underway for supervisors.

The Service met with the Oyster Recovery Partnership. Mr. Harkins would like MES to be more involved in assisting them in implementing their projects. A question was addressed.

MES met with representatives of the Maryland School for the Blind to discuss needed repairs to their water supply infrastructure and financial assistance. A question was addressed.

Mr. Harkins noted the continued interest by the State Highway Administration for prospective projects listed in the Agency Activity Report and recent proposals submitted to Harford County.

**BUSINESS DEVELOPMENT REPORT**

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

Discussion is being held with Anne Arundel County about MES acting as controlling authority for a shared use facility in the County.

Wal-Mart has contacted MES about providing water and wastewater utilities operations.

Tidewater Utilities: The memorandum of understanding is being finalized.

MES met with the Maryland Transit Administration about environmental compliance. Ms. Wojton recently received an email to discuss how they can become “greener”.

Mr. LaVerghetta updated the Board on energy initiatives. There is an upcoming meeting with BEACON and Maryland Energy Administration to discuss the cellulosic ethanol study. Discussion is underway about development of an anaerobic digester for recycling of poultry litter. MES now has a contact name and is trying to set up a meeting with Fort Meade to discuss a possible wood gasification project. He mentioned that MES will be managing the State’s wind anometer program. A proposal is due for the potential solar energy project at MES headquarters. Frank Babusci is putting together a property survey.

The Service’s 2007 Annual Report was handed out.

**FINANCE**

Mr. Zimmerman reviewed the Plan v. Actual for the period ending January 31, 2008 and provided an analysis of the Tire Facility sale. A question was addressed.

Mr. Cook introduced and reviewed Resolution 08-02-1R to amend MES’ 401k retirement plan agreement. The amendment provides for an additional investment option. Mr. Addison made the motion to approve the Resolution. Dr. Streett seconded. The motion was unanimously approved.

Mr. Zimmerman introduced and reviewed Resolution 08-02-2R, to reimburse expenditures MES incurs from proceeds of debt for the Midshore II Regional Landfill project. Dr. Streett made the motion to approve the Resolution. Mr. Snee seconded. The motion passed unanimously.



Mr. Cook introduced and reviewed Resolution 08-02-3R. This resolution is to finance capital equipment expenditures. A question was addressed. Mr. O'Neill provided additional information. Mr. Snee made the motion to approve the Resolution. Mr. Addison seconded. The motion was unanimously approved.

### **HUMAN RESOURCES**

Ms. Wojton reviewed the Human Resources Report as of this month. She announced that the vacancy rate is at its lowest rate ever: 4.1.1%. There are 29 vacancies for 700 positions. As mentioned by Mr. Harkins, monthly supervisory training has begun for varied employees within the Groups. A question was addressed.

### **PROCUREMENT**

The Procurement items were introduced and reviewed individually by Mr. O'Neill with comments by Mr. Madison and Mr. Gibson for those items under their respective Group's direction. The motion to approve Procurement Item 1 was made by Dr. Streett. Mr. Snee seconded. The motion passed unanimously. Mr. Snee made the motion to approve Item 2. Mr. Addison seconded. The motion passed unanimously. Dr. Streett made the motion to approve Item 3. Mr. Addison seconded. A question was addressed. The motion passed unanimously. Mr. Snee made the motion to approve Item 4. Mr. Addison seconded. A question was addressed. The motion passed unanimously. Dr. Streett made the motion to approve Procurement Item 5. Mr. Addison seconded. The motion passed unanimously. Mr. Addison made the motion to approve Item 6. Mr. Snee seconded. The motion passed unanimously. Mr. Addison made the motion to approve Item 7. Dr. Streett seconded. The motion passed unanimously. Mr. Simons made the motion to approve Item 8. A question was addressed. Mr. Snee seconded the motion. The motion passed unanimously.

Mr. Harkins noted the Notifications contained in the Board's notebooks. In response to a question about Poplar Island, Mr. Harkins told the Board that the Water Resources Development Act authorized federal funding for an expansion of the island by an additional 1100 acres. Mr. Madison provided additional information. A spring trip to the island will be planned.

### **LEGAL REPORT**


Mr. Coleman informed the Board that after Mr. Harkins' "meet & greet" with the Attorney General Gansler and senior staff, the Attorney General met separately with the legal staff. Among other issues, they discussed poultry litter. A question was addressed.

**EXECUTIVE SESSION**

At 11:36 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)(8) about potential litigation, and to discuss matters relating to the acquisition of real property for public purpose, as permitted under §10-508(a)(3). Also present during the executive session were Mr. Coleman, Ms. Voorhees Balenske, Mr. Wheeler, Ms. James, Ms. Garrigan and Mr. Gibson. Mr. Wheeler and Ms. Garrigan left the meeting at 12:15 p.m. The Board did not take any official action during the executive session. At 12:33 a.m. the Board concluded its executive session.

Discussion was held about next month's meeting. Mr. Snee and Dr. Streett advised that they are both unavailable for the May 19<sup>th</sup> meeting. If possible, the meeting will be rescheduled.

The meeting adjourned at 12:36 p.m. The next scheduled meeting is March 31, 2008.

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

  
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JAMES M. HARKINS  
DIRECTOR



Martin O'Malley, Governor

James M. Harkins, Director

**BOARD OF DIRECTORS  
MINUTES  
MEETING 08-3  
March 31, 2008**

**LOCATION:** 259 Najoles Road  
Millersville, Maryland

**TIME:** 10:30 a.m. (Meeting scheduled)  
10:31 a.m. (Meeting convened)

**DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Joe Zimmerman, Treasurer  
Richard P. Streett, Jr., V.M.D., Secretary  
William B.C. Addison  
Edward Adams  
Leslie Jackson Jenkins  
Joseph F. Snee, Esq.

**DIRECTORS ABSENT:** Talmadge E. Simons

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

**CALL TO ORDER**

The meeting was called to order at 10:31 a.m.

**MINUTES**

Mr. Harkins requested approval of the minutes of February 25, 2008. Dr. Streett 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:

House Bill 1509 along with an introductory letter was handed out to the members. The Senate hearing is scheduled April 2<sup>nd</sup>.

MES met recently with the Maryland Asian Environmental Partnership trade organization. Discussion was held about possible personnel exchanges and partnerships.

Capital budget hearings were held March 14<sup>th</sup> and 17<sup>th</sup>. They seemed to go well.

The annual "meet & greet" with engineering trade groups is being scheduled. Board members will receive invitations.

MES met with representatives of the Maryland School for the Blind to discuss needed repairs to their water line.

Masonville's groundbreaking is April 21<sup>st</sup>.

Mr. Harkins will shortly begin his annual "Spring Fling" visits around the State.

**BUSINESS DEVELOPMENT REPORT**

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

Tidewater Utilities: The memorandum of understanding has been fully executed. A media release issued by Middlesex Water Company announcing the finalization of the MOU was handed out to members.

**BOARD OF DIRECTORS MINUTES  
MEETING 08-3  
MARCH 31, 2008  
PAGE 3**

Environmental Operations has a couple of prospects for landfill assessments in St. Mary's County and Harford County. They are discussing with MDE the remediation of several sites contaminated with oil.

Technical Environmental Services is working on a prospective GIS task to perform for the State Highway Administration a survey of Canadian thistle, an invasive plant species. The Group is also working on a proposal to MDE for influent sampling at septic locations, and a proposal with Maryland Geological Survey to monitor groundwater for BRAC.

Mr. O'Neill noted in the Agency Activity Report the proposal for Harford County Board of Education/Harford Community College for evaluation of existing and proposed water and wastewater facilities. The proposal is being revised.

A current prospect is a meeting held with Charles County regarding GIS projects.

### **FINANCE**

Mr. Zimmerman reviewed the Financial Statements for the period ending February 29, 2008. Labor sales are strong; up 9%. A past due amount from the Port Deposit project was recently paid. Interest income is down. Will see reduced overhead rates in FY09. A question was addressed.

Mr. Cook informed the Board that during the Audit Committee meeting the Clifton Gunderson contract renewal for audit services was approved. Discussion was also held during the meeting about setting up a structure to audit the grants to Baybrook, the National Aquarium and the Living Classrooms Foundation.

### **HUMAN RESOURCES**

Ms. Wojton reviewed the Human Resources Report as of this month. She announced that the vacancy rate is 4.1%. There are 31 vacancies for 700 positions. Many of the vacant positions are for environmental systems operator apprentice.

Ms. Wojton introduced the first policy for review and approval. This revises the Family Leave policy making it consistent with a newly enacted Federal law. The second change in policy clarifies Shift Differential language. It now defines a qualifying shift, removes outdated language regarding grade levels and expresses differential rate as hourly instead of flat rate per shift. The final policy regarding reinstatement allows separated employees to be reinstated within three years of leaving State policy. Ms. Jenkins made the motion to approve the revisions to the three policies. Mr. Addison seconded. The policies were unanimously approved.

### **PROCUREMENT**

The Procurement items were introduced and reviewed individually by Mr. O'Neill. The motion to approve Procurement Item 1 was made by Mr. Snee and seconded by Mr. Adams. The motion passed unanimously. Mr. Addison made the motion to approve Item 2. Ms. Jenkins seconded. The motion passed unanimously. Mr. Snee made the motion to approve Item 3. Dr. Streett seconded. Mr. O'Neill, Mr. Harkins and Mr. Madison provided additional information and comments. A question was addressed. The motion passed unanimously. Dr. Streett made the motion to approve Item 4. Mr. Addison seconded. Mr. Zimmerman and Mr. Tomczewski provided additional information. The motion passed unanimously. Mr. Addison made the motion to approve Procurement Item 5. Mr. Adams seconded. Mr. Tomczewski provided background information on the Item and informed the Board that the proposal has been delivered to the City of Baltimore. The motion passed unanimously. Mr. Snee stated the motion should be contingent upon approval by the City of the proposal. Ms. Jenkins made the final motion on Item 6. Dr. Streett seconded. The motion passed unanimously.

Mr. Harkins noted the Notifications contained in the Board's notebooks. A question was addressed regarding the Citizen Scrap Tire Drop-off hauling contract.

### **LEGAL REPORT**

Mr. Coleman informed the Board that Assistant Attorney General Bobbie James is leaving MES. She has accepted an Assistant Attorney General position with the Maryland Department of the Environment.

A deposition is being conducted today in the sexual harassment case.

### **OLD BUSINESS**

Mr. Snee reminded staff he wants to know the development potential and number of rights associated with the Ackerman property.

### **EXECUTIVE SESSION**

At 10:28 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)(8) about potential litigation, and to discuss matters relating to the acquisition of real property for public purpose, as permitted under §10-508(a)(3). Also present during the executive session were Mr. Coleman and Ms. Voorhees Balenske. Dr. Streett left the meeting at 11:28 a.m. The Board did not take any official action during the executive session. At 11:50 a.m. the Board concluded its executive session and the meeting was adjourned.

The next scheduled meeting is April 28, 2008.



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



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**JAMES M. HARKINS  
DIRECTOR**



Martin O'Malley, Governor

**BOARD OF DIRECTORS  
MINUTES  
MEETING 08-4  
April 28, 2008**

James M. Harkins, Director

**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  
Joe Zimmerman, Treasurer  
Richard P. Streett, Jr., V.M.D., Secretary  
William B.C. Addison  
Edward Adams  
Leslie Jackson Jenkins  
Joseph F. Snee, Esq. (arrived at 9:43 a.m.)

**DIRECTORS ABSENT:** Talmadge E. Simons

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

**The following attended a portion of the meeting :**

**Doug Conaway, Tim Germana, Welford McLellan, John Agnoli, Tom Riley, Michael Weaver, Walt Frazer, Carroll Berl, Amanda Penafiel, Joe James, Harry Kellam, Mike Wreden, Rex Powell, Don Reed, Regina Schelhouse, Matt Ozman, Michael Hayes, Jason Foreman, Brad Yeakle, Mark Kaiser, Glenn Wagner, Sunny Scurto, Ron Caudle, Chick Thornburg, Dave Gentry, John Norman, Holly Miller, Mitch Sanders, and Harry Jackson**



### **CALL TO ORDER**

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

### **INSPIRE AWARDS**

Mr. Harkins presented an Inspire Award to John Agnoli for extraordinary service for his work efforts despite staff shortages to complete environmental monitoring work. Extraordinary Service award was presented to Tom Riley for salvaging and refurbishing pumps from the Northeast Region, saving MES and the clients' replacement costs. Amanda Penafiel was given an Extraordinary Service award for services above and beyond the request of the Service's client, MPA for assisting the Hart-Miller Island Oversight Committee to complete necessary paperwork for the members to be appointed and sworn in by the Governor, and for coordinating with various individuals the swearing in ceremony. The following employees, Joe James, Harry Kellam, Mike Wreden, Rex Powell, Don Reed, Regina Schelhouse, Matt Ozman, Michael Hayes, Jason Foreman, Brad Yeakle, Mark Kaiser, Sonny Scurto, Glenn Wagner, Ron Caudle and Chick Thornburg were in attendance and presented Extraordinary Service awards for the corrective actions taken at the ECI water and wastewater facilities to get the facilities to operate within appropriate limits as quickly as possible. Dave Gentry, John Norman, and Matthew Ozman of the Cambridge operating staff were in attendance and presented Extraordinary Service awards taken to install new augers in Cambridge's lime stabilization pug mill. The effort required an extensive amount of labor and physical work in as small amount of time as possible to minimize the down time of the sludge removal process. A private contractor would normally perform the task. Mr. Harkins presented Holly Miller with an Innovative Idea award for her efforts to recycle waste at Cox Creek. Mitch Sanders was presented an Innovative Idea for designing and building a "Custom Spud Holder System" for the HMI airboat. The final Extraordinary Service award was given to Harry Jackson for his knowledge, technical expertise and extra efforts to re-establish the leachate discharge to the Midshore Landfill - Easton Utilities system by lending his experience in the use of electronic control systems necessary to install a new pumping system. The last recipient was presented his award later in the meeting: Michael Weaver was presented an Extraordinary Service award for creating an alternative method to load metal goods while one of BCRRF's excavators was out of service for repair. At the end of the presentations a question was addressed.

### **MINUTES**

Mr. Harkins requested approval of the minutes of March 31, 2008. Mr. Addison made the motion to approve the minutes and Ms. Jenkins seconded. The minutes were approved.

**DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT**

Mr. Harkins reported on the following:

House Bill 1509 did not make it through the General Assembly. Mr. Harkins provided the background of its demise. Mr. Harkins anticipates that the bill will be pre-filed next year so as to allow an earlier hearing date. He thanked Beth Wojton and others for their efforts.

Pictures of the Masonville groundbreaking were passed around. After next month's meeting a visit will be made to Masonville and Cox Creek. The MES grant recipients were in attendance at the groundbreaking and were very enthusiastic about the Masonville project. It was emphasized again that the grant programs would be carefully overseen.

Spring Fling visits have begun and will continue to May 13<sup>th</sup>. The agenda this year includes environmental compliance with a mini training session and healthcare open enrollment followed by a question and answer session.

Mr. Harkins continues to attend BayStat meetings. The topic for April 29<sup>th</sup> is anaerobic digester of chicken litter to produce methane gas. A cooperative agreement will be developed with 5 producers with funding from the Chesapeake Bay Act. Questions were addressed.

MES celebrated Earth Day and held a slogan contest for Environmental Compliance. The slogan chosen is, Environmental Compliance-"The Heart of Our Service".

MES' service award luncheon is June 16<sup>th</sup> and the picnic is July 12<sup>th</sup>. Discussion was held about next month's meeting date, which is May 19<sup>th</sup>.

**BUSINESS DEVELOPMENT REPORT**

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

Fort Meade: They have issued an RFP to privatize the wastewater treatment facility. MES will be a subcontractor to the Middlesex Water Company, which intends to submit a proposal. A conference call is scheduled Wednesday to discuss the proposal.

Preliminary meetings are scheduled with the City of Annapolis for services related to establishment of an energy park.

A proposal was sent to the City of Baltimore for transportation of residential MSW from the Northwest Transfer Station to BRESKO, and recyclables from the Transfer Station to a facility in Howard County. This will require 4 drivers and tractors. A question was addressed.

### **FINANCE**

Mr. Zimmerman reviewed the Financial Statements for the period ending March 31, 2008. Labor sales are strong; up 9%. Gain in labor sales is at 13% for Water/Wastewater and Technical and Environmental Service, which is offsetting Environmental Operations due to loss of Tire Facility project. Overall revenues are strong, but interest income, income from the Equipment Fund, and income from the tub grinder project are all down. Indirect cost analysis, major accounts and the Plan v. Actual were also reviewed. During August's meeting MES' reserves will be reviewed and designated.

### **HUMAN RESOURCES**

Ms. Wojton reviewed the Human Resources Report as of this month. She announced that the vacancy rate is 4.13%. There are 29 vacancies for 702 positions.

### **PROCUREMENT**

The Procurement items were introduced and reviewed by Mr. O'Neill. The motion to approve Procurement Item 1 was made by Dr. Streett and seconded by Mr. Snee. The motion passed unanimously. Mr. Snee made the motion to approve Item 2. Ms. Jenkins seconded. Questions were addressed. The motion passed unanimously.

Mr. Harkins noted the Notifications contained in the Board's notebooks. A question was addressed regarding the Luke Whitman change order.

### **LEGAL REPORT**

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Mr. Coleman reminded the members their Financial Disclosure forms are due to the State Ethics Commission by April 30<sup>th</sup>. He also reminded the Board that Assistant Attorney General Bobbie James left MES. He is in the process of interviewing candidates to fill the vacancy. Mr. Coleman advised the members that there are nine (9) potential transferable rights on the Ackerman property. A Public Hearing is required to register the development rights. Questions were addressed.

**OLD BUSINESS**

The Department of State Planning recommended to the Board of Public Work's that the surplus property for additional office space should be made available to MES, however CSX is also interested in the property. Discussions are being held about sharing the property.

**NEW BUSINESS**

The Agreement Of Transfer to acquire the Midshore II property from Caroline County was presented to the Board for approval. Questions were addressed. Mr. Snee made the motion to approve the Agreement. Mr. Addison seconded. The motion passed unanimously.

One of the new maintenance trucks is outside for the members viewing.

The meeting adjourned at 10:55 a.m. The next scheduled meeting is May 19, 2008.

  
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 08-5  
May 19, 2008**

- LOCATION:** 259 Najoles Road  
Millersville, Maryland
- TIME:** 10:30 a.m. (Meeting scheduled)  
10:30 a.m. (Meeting convened)
- DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director (via conference call)  
Joseph Zimmerman, Treasurer  
William B.C. Addison  
Talmadge E. Simons  
Edward Adams
- DIRECTORS ABSENT:** Richard P. Streett, Jr., V.M.D., Secretary  
Joseph F. Snee, Esq.  
Leslie Jackson Jenkins, Esq.
- OTHERS PRESENT:** Sean Coleman, Esq.  
Henry Cook  
Charles Madison  
Jerald Wheeler  
Steve Tomczewski  
Beth Wojton  
Nancy Voorhees Balenske

**CALL TO ORDER**

The meeting was called to order at 10:30 a.m.

**MINUTES**

Mr. Harkins requested approval of the minutes of April 28, 2008. 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 on the following:

Spring Fling visits are almost complete and have gone well.

Mr. Harkins is a member of the Governor's Sub-Cabinet on Sustainability. The sub-cabinet's focus is energy, smart growth, environment, and Save the Bay initiatives.

An organized tour of environmental and anaerobic facilities located in China and Japan is scheduled for later this month. An engineering firm with the Maryland Asian Environmental Partnership organized the tour, although MES is paying its share of the costs. The possibility exists that the trip will be canceled due to the recent earthquake in China. Discussion is on going about possible personnel exchanges and partnerships, particularly in water and wastewater. A question was addressed.

The schedule for future Board meetings includes Poplar Island in June, a conference call meeting for July, Maco in August, and Masonville and Cox Creek in September.

**BUSINESS DEVELOPMENT REPORT**

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

Fort Meade: Work continues on the proposal as a subcontractor to the Middlesex Water Company to privatize the wastewater treatment facility. A site visit is scheduled May 28<sup>th</sup>. MES is also discussing engineering services with CH2M Hill.

Aberdeen: The RFP for privatization of the Aberdeen Proving Ground water and wastewater facilities will be issued in late May, early June.

US Naval Academy: An RFP has been issued for privatization of all the operating services at the U.S. Naval Academy. MES is working on a subcontracting proposal for the water and wastewater component.

The contract with the City of Baltimore for transportation of residential MSW from the Northwest Transfer Station to BRESKO, and recyclables from the Transfer Station to a facility in Howard County will appear before the City's Board of Estimates. Mr. Harkins thanked Mr. Coleman and the Procurement staff for their immediate attention to required procurements and finalizing of the contract.

### **AGENCY ACTIVITY REPORT**

Mr. Harkins noted on the Report the following: A proposal submitted to Baltimore County for MSW transfer transportation from the County's WAF to BRESCO or Modern Landfill; the Harford County Board of Education/Harford Community College accepted proposal for evaluation of existing water and wastewater facilities and projected needs; and the number of SHA proposals for GIS services. MES and MDE are resolving the outstanding payment issues for petroleum remediation sites, and subsequently are seeing an increase in work. MES is resubmitting a proposal to Harford County to conduct a Fuel and Heating Oil Tank Program Study for County-owned facilities.

### **FINANCE**

This month's Financial Statements are still in draft form due to timing of this meeting. Mr. Zimmerman commented that there is projected to be an increase in Net Assets of approximately \$300,000. Mr. Cook is looking at receivables as year-end approaches and Finance is working on fiscal year 2009 plan.

Mr. Zimmerman introduced and reviewed Resolution 08-05-1R. This resolution is to finance capital equipment expenditures. Mr. Addison made the motion to approve the resolution; Mr. Adams seconded. The motion was unanimously approved.

### **HUMAN RESOURCES**

Ms. Wojton reviewed the Human Resources Report as of this month. MES has increased the number of positions by 5 to a total of 707. There are currently 7 new hires with 9 scheduled for May/June. She announced that the vacancy rate is 5.37%. There are 38 vacancies for 707 positions.

### **PROCUREMENT**

Procurement Item 1 was introduced and reviewed by Mr. O'Neill with additional comments by Mr. Madison. Questions were addressed. Mr. Simons made the motion to approve the item and Mr. Adams seconded. The motion passed unanimously. Mr. O'Neill introduced and reviewed Procurement Item 2 with additional comments by Mr. Madison. A question was addressed. Mr. Adams made the motion to approve Item 2. Mr. Addison seconded. The motion passed unanimously. Procurement Item 3 was introduced and reviewed by Mr. O'Neill with additional comments by Mr. Madison and Mr. Harkins. Mr. Addison made the motion to approve the Item; Mr. Simons seconded. The motion passed unanimously.

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

**LEGAL REPORT**

A second round of interviews for candidates to fill the AAG vacancy were held. Mr. O'Neill and Ms. Wojton participated. Mr. Coleman will make a recommendation to the Attorney General this week. Mr. Coleman has been working on the Masonville procurement providing advice to the project manager, federal procurements with Mr. Wheeler and the Baltimore City project.

**OLD BUSINESS**

Mr. O'Neill informed the Board that project management training begins the week of June 16<sup>th</sup> and that MES is installing the software for Microsoft Office Project on the MES network.

The meeting adjourned at 11:00 a.m. The next scheduled meeting is June 23, 2008.

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

  
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**JAMES M. HARKINS  
DIRECTOR**





Martin O'Malley, Governor

James M. Harkins, Director

**BOARD OF DIRECTORS  
MINUTES  
MEETING 08-6  
June 23, 2008**

**LOCATION:** Poplar Island  
Talbot County, Maryland

**TIME:** 10:30 a.m. (Meeting scheduled)  
10:47 a.m. (Meeting convened)

**DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Joseph Zimmerman, Treasurer  
Joseph F. Snee, Esq.  
William B.C. Addison  
Talmadge E. Simons  
Edward Adams

**DIRECTORS ABSENT:** Richard P. Streett, Jr., V.M.D., Secretary  
Leslie Jackson Jenkins, Esq.

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

**CALL TO ORDER**

The meeting was called to order at 10:47 a.m.

**MINUTES**

Mr. Harkins requested approval of the minutes of May 19, 2008. Mr. Addison made the motion to approve the minutes and Mr. Simons seconded. The minutes were approved.

**DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT**

Mr. Harkins reported on the following:

The Maryland Municipal League summer conference is being held this week. Mr. Harkins is participating in a round table discussion with the Governor's staff then break out sessions will follow. Water & Wastewater employees are staffing the MES booth.

The pilot solar building project to add solar power to the building and a solar field is still under negotiation with our building partner, but negotiations are not going well, and it is unlikely the project will proceed. Mr. Coleman provided background information with additional information by Mr. Zimmerman. Questions and clarifications were addressed.

A proposal for the DGS surplus warehouse property on Brock Bridge Road will be brought to the Board in July. DGS has issued an RFP for the property and appraisal numbers have been received.

MES is partnering with Tidewater Utilities on the RFP for privatization of the Aberdeen Proving Ground water and wastewater facilities. It is due October 2<sup>nd</sup>. Questions were addressed.

Mr. Harkins introduced Beryle Downs, Executive Assistant who has taken Nancy Holliday's position. The schedule for future Board meetings and events includes a conference call meeting for July and Maco in August. If anyone needs reservations for Maco, please talk to Ms. Downs. The breakfast meeting will begin at 8:30 a.m. A reception will be co hosted with NEMWDA on August 13<sup>th</sup>. The MES picnic is July 12<sup>th</sup> at Sandy Point State Park. A picnic will be held at Mr. Harkins' home for Board members and senior staff on September 14<sup>th</sup>.

A question regarding MML was addressed.

**AGENCY ACTIVITY REPORT**

Mr. Harkins noted on the Report the following: The expansion of business with State Highway Administration for GIS services. A second IGA with SHA for additional \$5 million dollars of work is under review for signature. The investment in the GIS technology is paying off for MES. A question was addressed. A meeting was held with John Porcari, Secretary of Transportation, and he is happy with MES' work for MDOT and its modal agencies. Also, recently an outstanding receivable has been paid by MDE and additional work is coming our way. Due to budget cuts more departments are outsourcing work and requesting MES services. A customer appreciation day was held recently at BWI.

Frank Hamons from MPA planned to attend today's meeting, but had a conflict and cannot make it.

### **BUSINESS DEVELOPMENT REPORT**

Mr. O'Neill updated the Board on the following new or potential projects:

Fort Meade: Middlesex Water Company with MES as a subcontractor has decided to not respond to the DOD RFP to privatize the wastewater treatment facility.

The RFP to operate the City of Elkton's water and wastewater facilities is due July 10<sup>th</sup>. Middlesex may submit a proposal, which would include participation by MES.

MES has contacted Patuxent River Naval Operations Utility privatization project to express interest.

### **HUMAN RESOURCES**

Mr. O'Neill reviewed the Human Resources Report as of this month. He announced that the vacancy rate is 4.67%. There are 33 vacancies for 707 positions. The quality of candidates has improved.

To date MES has achieved 92% of the goals for 2008. Training for project managers is completed. The 2009 BEST Goals were handed out and reviewed by Mr. O'Neill. Mr. Adams made the motion to approve the goals. Mr. Addison seconded. The goals were unanimously approved, with the exception that Mr. Snee was not in the room and did not participate in the vote.

### **FINANCE**

Mr. Zimmerman reviewed the Financial Statements for the period ending May 31, 2008. Labor sales are at 18%. Fringe benefit recovery is strong. Weak areas lie with the tub grinder operation and Equipment Fund. MES is looking at vehicles mileage, fuel usage, possibly downsizing some vehicles, keeping vehicles longer, and Inspire awards to those individuals who are able to prolong the life of vehicles by maintaining them properly. The mileage reimbursement rate is being increased, but MES is also working to bring employee groups together to commute. More meetings will be held by conference call as well. A question was addressed. Net Assets was reviewed.

The draft 2009 Financial Plan was presented to the Board. It anticipates growth of approximately 6% in labor sales and a 3% limit to the overhead growth. Tub grinder revenue has been reduced and the increase in Net Assets is projected as approximately \$1.8 million. A question was addressed. Mr. Simons made the motion to approve the 2009 Financial Plan. Mr.

**BOARD OF DIRECTORS MINUTES  
MEETING 08-6  
JUNE 23, 2008  
PAGE 4**

Snee seconded. The motion passed unanimously. During August's meeting MES' reserves will be reviewed and designated, and possibly BEST 2008 payout amounts.

At this time, Mr. Snee as the Board's Human Resources subcommittee chairman requested approval to add Mr. Simons and Dr. Streett to the committee. Mr. Snee made the motion and Mr. Addison seconded. The motion passed unanimously.

**PROCUREMENT**

Procurement Item 1 was introduced and reviewed by Mr. O'Neill. Mr. Simons made the motion to approve the item and Mr. Addison seconded. The motion passed with Mr. Adams abstaining from the vote. Mr. O'Neill introduced and reviewed Procurement Item 2. A question was addressed. Mr. Addison made the motion to approve Item 2. Mr. Adams seconded. The motion passed unanimously.

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

**LEGAL REPORT**

The Attorney General has approved the appointment of Bernard Penner as an Assistant Attorney General assigned to MES. His start date is July 2<sup>nd</sup>. A question was addressed.

**EXECUTIVE SESSION**

At 11:56 a.m., upon motion of Mr. Snee, second by Mr. Adams, 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 the appointment, employment, assignment, compensation, and performance of employees, as permitted under §10-508(a)(1). Also present during the executive session were Mr. Coleman and Ms. Voorhees Balenske. During the closed session the Board took action with regard to executive salaries for fiscal year 2009. Mr. Snee as Chairman of the Board's Human Resources subcommittee made a motion to establish Mr. Harkins' annual salary for fiscal year 2009 at \$185,000. Mr. Addison seconded the motion, and it was unanimously approved, with the exception that Mr. Harkins abstained. Mr. Snee made a motion to establish Mr. O'Neill's annual salary for fiscal year 2009 at \$163,000. Mr. Addison seconded the motion, and it was unanimously approved, with the exception that Mr. O'Neill abstained. Mr. Snee made a motion to establish Mr. Zimmerman's annual salary for fiscal year 2009 at \$139,000. Mr. Addison seconded the motion, and it was unanimously approved, with the exception that Mr. Zimmerman abstained. At 12:03 p.m. the Board concluded its executive session.

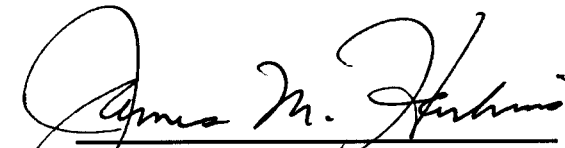
The meeting adjourned at 12:03 p.m. and was followed by a tour of Poplar Island and lunch. The next scheduled meeting is a conference call meeting on Monday, July 28, 2008.

**BOARD OF DIRECTORS MINUTES  
MEETING 08-6  
JUNE 23, 2008  
PAGE 5**



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



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**JAMES M. HARKINS  
DIRECTOR**

**BOARD OF DIRECTORS  
MINUTES  
MEETING 08-7  
July 28, 2008**

**LOCATION:** Conference Call  
259 Najoles Road  
Millersville, Maryland

**TIME:** 9:30 a.m.

**DIRECTORS PRESENT  
AT HEADQUARTERS:** John O'Neill, Deputy Director

**DIRECTORS PARTICIPATING BY CONFERENCE CALL:** James Harkins, Director  
Joseph Zimmerman, Treasurer  
Richard P. Streett, Jr., V.M.D., Secretary  
William B.C. Addison  
Joseph F. Snee, Esq.  
Talmadge E. Simons  
Edward Adams  
Leslie Jackson Jenkins, Esq. (joined at 9 :36 a.m.)

**OTHERS PRESENT:** Sean Coleman, Esq.  
Rex Lloyd  
Steve Tomczewski  
Henry Cook  
Chris Garrigan  
Jerald Wheeler  
Nancy Voorhees Balenske  
Beryle Downs

**CALL TO ORDER**

The meeting was called to order at 9:33 a.m.

**MINUTES**

Mr. O'Neill led the meeting since Mr. Harkins was participating by conference call. Mr. O'Neill requested approval of the minutes of June 23, 2008. Mr. Addison made the motion to approve the minutes and Dr. Streett seconded. The minutes were approved. Ms. Jenkins had not yet joined the meeting when the Board approved the minutes.

**DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT**

Mr. Harkins reported on the following:

MES received on July 24<sup>th</sup>, a wire transfer of \$1,728,801.00 from MDE as the final tire grant payment.

Negotiations for the project to add solar power to the building and a solar field have moved forward along with the buyout and purchase of the headquarters building from our building partner. Mr. Coleman further addressed the contractual negotiations with Constellation Energy for purchase of the solar generated power. It is expected the agreement with Constellation Energy will be signed today. Mr. Zimmerman addressed Ms. Jenkins questions regarding budget and financing of the buyout of the building. An additional question was addressed.

MES and Tidewater Utilities are moving forward on preparing a proposal in response to the RFP for privatization of the Aberdeen Proving Ground water and wastewater facilities.

The Maryland Municipal League summer conference was held June 22-25. Water & Wastewater staff manned the booth.

Mr. O'Neill informed the Board of the bid opening for Phase I construction of the Masonville Dredged Material Containment Facility. Two bids were received, both exceeding the estimate. The bids have been rejected. MES is working with the engineer and MPA to revise the specifications.

**BUSINESS DEVELOPMENT REPORT**

Mr. O'Neill updated the Board on the following new or potential projects:

Much activity with Tidewater Utilities, and their engineer CH2M Hill, to prepare the Aberdeen Proving Ground utilities proposal.

Mr. Snee asked about the prospective US Naval Academy proposal for sludge disposal. Mr. Wheeler will get the information to Mr. Snee.

**HUMAN RESOURCES**

Mr. O'Neill reviewed the Human Resources Report as of this month. He announced that the vacancy rate is 3.62%, compared to 4.13% last month. There are 37 vacancies for 719 positions.

Mr. O'Neill introduced Resolution 08-07-1R, which allows Assistant Attorneys General assigned to MES to participate in the Sick Leave Incentive Program. Mr. Coleman provided additional information and informed the Board the Resolution has the support of the Office of Attorney General. Mr. Snee made the motion to approve the Resolution. Ms. Jenkins seconded. The Resolution was unanimously approved.

Mr. O'Neill thanked the Assistant Attorneys General for their work and negotiations on the solar and headquarter projects.

### **FINANCE**

Mr. Zimmerman also thanked the Attorney General's Office for Mr. Selle's successful debt collections efforts. Mr. Zimmerman informed the Board that the financial trend is positive. During August's meeting MES' reserves will be reviewed and designated, and possibly potential BEST 2008 payout amounts.

Mr. Zimmerman introduced Resolution 08-07-2R. The Resolution is an Intent to Finance to reimburse expenditures incurred with respect to the acquisition and financing of the interest of KC-Najoles Development Company in 259 Najoles Road. Dr. Streett made the motion to approve the Resolution. Mr. Simons seconded. The motion passed unanimously.

### **PROCUREMENT**

There were no Procurement Items for approval. Mr. O'Neill noted the EA Engineering contract award in the Notifications that relates to the poultry litter energy project.

### **LEGAL REPORT**

Mr. Coleman re-stated the office efforts pertaining to the Constellation Energy agreement and headquarters acquisition. Mr. Snee requested a copy of the Constellation agreement.

### **OLD BUSINESS**

Mr. O'Neill reminded the Board to contact Ms. Downs with regard to Maco reservations. The Board meeting is a breakfast meeting Thursday, August 14<sup>th</sup>, beginning at 8:30 a.m. The MES-NEMWDA reception is Wednesday, August 13<sup>th</sup>, beginning at 4:30 p.m. Both events will be at the Clarion.



**BOARD OF DIRECTORS MINUTES  
MEETING 08-7  
JULY 28, 2008  
PAGE 4**

The meeting adjourned at 10:00 a.m.

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

  
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**JAMES M. HARKINS  
DIRECTOR**

**BOARD OF DIRECTORS  
MINUTES  
MEETING 08-8  
August 14, 2008**

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

**TIME:** 8:30 a.m. (Breakfast)  
8:38 a.m. (Meeting convened)

**DIRECTOR PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Richard P. Streett, Jr., V.M.D., Secretary  
Joseph Zimmerman, Treasurer  
William B.C. Addison  
Leslie Jackson Jenkins, Esq.  
Joseph F. Snee, Esq. (arrived at 9:07 a.m.)  
Talmadge E. Simons  
Edward Adams

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

**CALL TO ORDER**

The meeting was called to order at 8:38 a.m.

**MINUTES**

Mr. Harkins requested approval of the minutes of July 28, 2008. Mr. Addison made the motion to approve the minutes and Dr. Streett seconded. The minutes were approved. Mr. Snee had not yet joined the meeting when the Board approved the minutes.

**OLD BUSINESS**

Mr. Harkins informed the Board of the October 3<sup>rd</sup> dedication of the Poplar Island Landbase and a picnic for the Board members on September 14<sup>th</sup>.

The meeting adjourned at 10:18 a.m. The next scheduled meeting is September 22, 2008.

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

  
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JAMES M. HARKINS  
DIRECTOR

**BOARD OF DIRECTORS  
MINUTES  
MEETING 08-9A  
September 15, 2008**

**LOCATION:** Conference Call  
259 Najoles Road  
Millersville, Maryland

**TIME:** 2:01 p.m.

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

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

**DIRECTOR ABSENT :** Leslie Jackson Jenkins

**OTHERS PRESENT:** Charles Madison  
Steve Tomczewski  
Jerald Wheeler  
Beth Wojton  
Henry Cook  
Nancy Voorhees Balenske  
Sean Coleman, Esq.  
Beryle T. Downs

**CALL TO ORDER**

Mr. O'Neill called the meeting to order at 2:01 p.m.

**RESOLUTION**

Mr. Coleman introduced and reviewed Resolution 08-09-1A R authorizing MES to execute a Membership Interests Purchase Agreement and related instruments and documents, and confirming the Service's rights and obligations under the Operating Agreement of the KC-MES J.V., LLC. Mr. Harkins provided additional information and thanked the staff for their efforts to make this happen. A question was addressed. Dr. Streett made the motion to approve the Resolution, Mr. Addison seconded. The Resolution was unanimously approved.

The meeting adjourned at 2:08 p.m.



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



JAMES M. HARKINS  
DIRECTOR

**BOARD OF DIRECTORS  
MINUTES  
MEETING 08-9  
September 22, 2008**

**LOCATION:** 259 Najoles Road  
Millersville, Maryland

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

**DIRECTOR PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director (by telephone)  
Richard P. Streett, Jr., V.M.D., Secretary  
Joseph Zimmerman, Treasurer (by telephone)  
Leslie Jackson Jenkins, Esq.  
William B.C. Addison  
Talmadge E. Simons  
Joseph F. Snee, Esq.  
Edward Adams (arrived at 10:43 a.m.)

**OTHERS PRESENT:** Sean Coleman, Esq.  
Henry Cook  
Jerald Wheeler  
Steve Tomczewski  
Chris Garrigan  
Beth Wojton  
Nancy Voorhees Balenske  
Cece Donovan  
Beryle T. Downs  
Attended a portion of the meeting  
Tom Heseltine, Clifton Gunderson  
Owen Ward, Clifton Gunderson  
Hament Patel  
Kimberly Washington  
Liz Pluebell  
Maria Bowman

**CALL TO ORDER**

The meeting was called to order at 10:30 a.m.

### AUDIT REPORT

Mr. Zimmerman introduced Tom Heseltine from the accounting firm of Clifton Gunderson, the audit firm under contract with MES. The audit is substantially complete. The final report will be submitted Wednesday, September 24<sup>th</sup>. Board has the preliminary audit reports and Mr. Heseltine gave a brief overview of the report, the management letter and the letter to the Board of Directors. Mr. Heseltine stated that new audit standards require more intense scrutiny by the auditors, and MES did very well. He also stated that MES must account for future retiree health benefits, and the current estimate of those costs by Clifton Gunderson is approximately \$4.8 million. However, he understands MES will be utilizing an actuary to prepare a more comprehensive analysis of those potential costs, and those costs may go down as a result of that analysis. Questions were addressed. Mr. Cook introduced Hament Patel, Liz Pluebell, Kimberly Washington and Maria Bowman from Finance who were instrumental in assisting throughout the audit process.

### MINUTES

Mr. Harkins requested approval of the minutes of August 14, 2008 and September 15, 2008. 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 informed the Board that MES is moving ahead with the building transition. The tenant, B, B&T is moving out by September 30<sup>th</sup>. Settlement on the purchase of the headquarters building was September 24<sup>th</sup>. Groundbreaking for the solar project is September 30<sup>th</sup> at 11:30 a.m. The Governor will be attending. Shirts are being given to all employees to wear during the event and lunch is being provided. Ms. Garrigan handed out shirts for the members.

A "Family & Friends Appreciation Day" at the new Poplar Island Landbase is scheduled for Friday, September 26<sup>th</sup>. (note – the event was subsequently postponed due to poor weather).

A meeting was held with Senator Astle and Delegate Rudolph regarding the proposed MES energy legislation. Both members agreed to sponsor and pre-file the bill.

MES met with a delegation from the country of Montenegro, a newly recognized sovereign state, and played host to Dr. Miomir Mugosa, Mayor of Podgorica, the capital of Montenegro. The country and city are Maryland's sister country and city. Due to years of war their infrastructure is severely lacking and inadequate, particularly with regard to water and sewer. We are passing this information along to various contractors and the Contractor's Association who may be interested in doing business with Montenegro.

Mr. Harkins will be attending a Biocycle conference on "Renewable Energy From Organics Recycling" in Madison, Wisconsin.

MES is hosting a reception October 24<sup>th</sup> during Maryland Municipal League's Fall Conference at the Hyatt Cambridge.

### **BUSINESS DEVELOPMENT REPORT**

Ms. Wojton updated the Board on the following projects:

Ms. Wojton handed out the Executive Summary for the Aberdeen Proving Ground utilities proposal. The last day to revise the proposal is October 2<sup>nd</sup>. It will be hand carried to Ft. Belvoir. Mr. Harkins complimented Ms. Wojton, Mr. Wheeler and his staff on all their hard work and efforts. A question was addressed.

MES received an email inquiry from the City Manager of Aberdeen to explore water solutions for the City.

A Governor's "summit" meeting is scheduled to look at water options for Princess Anne in Somerset County. MES will participate and put together a proposal. It may include joint use of the ECI water treatment facility. A question was addressed.

### **HUMAN RESOURCES**

Ms. Wojton reviewed the Human Resources Report as of this month. She announced that the vacancy rate is 2.51%, compared to 4.65% last month. There are 20 vacancies for 717 positions.

### **PROCUREMENT**

Mr. Harkins introduced Procurement Item 1. Mr. Simons made the motion to approve the item. Mr. Addison seconded. The item was unanimously approved.

Ms. Donovan introduced Procurement Item 2. Questions were addressed. Mr. Addison made the motion to approve the item. Mr. Adams seconded. The item was unanimously approved.

Mr. Harkins introduced Procurement Item 3. Mr. O'Neill provided additional information. Dr. Streett made the motion to approve the item. Mr. Simons seconded. The item was approved with Mr. Adams abstaining from the vote.



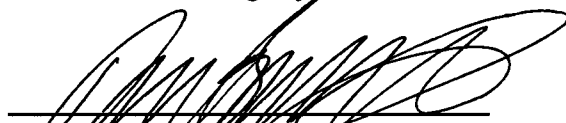
Mr. Harkins introduced Item 4 and talked about the public meeting held last week. Questions were addressed with additional comments by Mr. O'Neill. Mr. Snee made the motion to approve the item. Mr. Adams seconded. The item was unanimously approved.

Mr. Harkins noted the Notifications. Questions were addressed and additional information will be provided to the Board.

**LEGAL REPORT**

Mr. Coleman reported that MES received quick approval from the lender that financed the building acquisition for the transfer of the Morrells' interests in the partnership to MES. Mr. Joe Selle is in Washington County today taking depositions in the Washington County litigation. An update will be given at October's meeting. Questions were addressed. Mr. O'Neill and Mr. Zimmerman provided additional comments. MES received a favorable decision from the United States District Court of Maryland with regard to the motion filed to dismiss the employee sex discrimination claim. Mr. Harkins added comments. Mr. Coleman complimented Assistant Attorney General Joe Selle on his efforts in that case.

The meeting adjourned at 11:45 a.m. The next scheduled meeting is October 27, 2008.

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

  
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JAMES M. HARKINS  
DIRECTOR



Martin O'Malley, Governor

James M. Harkins, Director

**BOARD OF DIRECTORS  
MINUTES  
MEETING 08-10  
October 27, 2008**

**LOCATION:** 259 Najoles Road  
Millersville, Maryland

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

**DIRECTOR PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director (arrived at 9:52 a.m.)  
Richard P. Streett, Jr., V.M.D., Secretary (arrived at 9:55 a.m.)  
Joseph Zimmerman, Treasurer  
Leslie Jackson Jenkins, Esq.  
William B.C. Addison  
Talmadge E. Simons  
Edward Adams (arrived at 9:51 a.m.)  
Joseph F. Snee, Esq. (arrived at 10:03 a.m.)

**OTHERS PRESENT:** Sean Coleman, Esq.  
Henry Cook  
Jerald Wheeler  
Steve Tomczewski  
Chris Garrigan  
Beth Wojton  
Nancy Voorhees Balénske  
Charles Madison  
Beryle T. Downs  
Attended a portion of the meeting  
David Wyatt  
Maurice Boddie  
Stan McKinney  
Mitch Sanders  
Robert Natarian  
Irene Hoffman  
Candy Mott-Harris

**Wayne Baugher  
Danny Baugher**

**CALL TO ORDER**

The meeting was called to order at 9:36 a.m. A quorum was not present due members being delayed by traffic.

**INSPIRE AWARDS**

Under a new format for presentation of awards, the Executive Directors of the Groups of the employees receiving awards made the presentations. Mr. Tomczewski, Environmental Operations presented an Inspire Award to David Wyatt for extraordinary service for his work efforts (along with Julio Alvarez and Steve McCurry who were not in attendance) sorting, recovering and returning money mistakenly recycled by a Montgomery County resident. Mr. Tomczewski gave an Extraordinary Service award to Maurice Boddie in recognition of and appreciation for eight years of service providing trash pickup at 700 Metro Ride-On bus stops and who, in Montgomery County's words, is the "shining star of all the solid waste projects in Montgomery County." Mr. Madison, Technical & Environmental Services presented an Innovative Idea award to Stan McKinney. Mr. McKinney developed a plan to use chain falls to raise and lower the spillway gates at Cox Creek. This saves 40-50 minutes of heavy labor manpower each morning and evening.

**DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT**

Mr. Harkins noted MES' purchase of the Smart Car sitting in front of the building. The vehicle is part of the fleet and is being used as a pool vehicle. Logos will be placed on the vehicle. The governor test drove the vehicle in the parking lot after the groundbreaking for the solar project. Questions were addressed.

MES hosted a reception October 24<sup>th</sup> during Maryland Municipal League's Fall Conference at the Hyatt Cambridge.

MES met with a delegation from Korea. The primary topic was operation and maintenance of water and wastewater treatment plants. MDE was also invited and addressed inter-state compacts, i.e. Potomac River Commission dealing with water.

A Maryland-Asian partnership luncheon was attended by MES. A representative from Singapore discussed their water program and new technologies.

Mr. Harkins attended a Biocycle conference on “Renewable Energy From Organics Recycling” in Madison, Wisconsin. The information learned at the conference will be helpful in the development of the proposed project to process chicken litter by anaerobic digestion.

Mr. Harkins handed out an article from “The Examiner” about proposed regulations requiring developers to use new designs that would reduce stormwater runoff from entering the Bay. MES is examining opportunities to implement stormwater projects, and to provide training to local governments.

### **ADDITIONAL INSPIRE AWARDS**

Mr. Tomczewski presented Innovative Idea awards to Wayne Baugher and Danny Baugher who with Randy Marken and Alan Parrish, developed a maintenance program to extend the life of the repetitive running of compost screener brushes at the Dickerson Compost Facility.

### **BUSINESS DEVELOPMENT REPORT**

Ms. Wojton updated the Board on the following projects:

MML –MES participated in the mid-year MML conference at the Hyatt in Cambridge. A commissioner from Havre DeGrace inquired as to MES performing an energy audit for the Town.

Charles County –Jerry Wheeler has been asked to provide assistance to Charles County as it develops its share use facilities program.

The amount of growth in GIS business was noted as listed in the Agency Activity Report.

A question was addressed regarding the Aberdeen Proving Ground utilities proposal.

### **FINANCE**

Mr. Zimmerman handed out a corrected page 1 from the Key Operating Results. Billable hours were added back into the results. He noted that while labor sales are increasing, Billable Hours per employee are decreasing due to increased administration/administrative costs. He reviewed the Indirect Cost Analysis and the “glowing” Major Account report. A meeting was recently held with the Port Deposit Water and Sewer Authority to set up payment arrangements. The Plan v. Actual Report for the three months ending September 30, 2008, was handed out to the members, reviewed by Mr. Zimmerman with additional comments by Mr. O’Neill and Mr. Harkins. The overall report looks good, but the overhead variance may not hold up, since overhead expenses are higher than anticipated. The fiscal year 2010 reimbursable budget was submitted to the Legislature. Questions were addressed.

### A FINAL INSPIRE AWARD

Mr. O'Neill presented an Innovative Idea award to Candy Mott-Harris. Ms. Mott-Harris suggestion of using the "online File Folder" service for solicitations to bidders/offerors eliminates the costly need for duplicating and shipping procurement documents.

### MINUTES

A quorum was present at this point in the meeting. Mr. Harkins requested approval of the minutes of September 22, 2008. Mr. Addison made the motion to approve the minutes and Mr. Simons seconded. The minutes were approved.

### HUMAN RESOURCES

Ms. Wojton reviewed the Human Resources Report as of this month. She announced that the vacancy rate is 2.65%, compared to 2.51% last month. There are 19 vacancies and 717 budgeted positions. So far in the month of October MES has brought on 8 new employees, and has 5 more scheduled to start soon.

Ms. Wojton introduced 3 Personnel Policies and Procedures. The first policy addresses cell phone and texting. Mr. O'Neill added a comment. The second policy is for overtime/compensatory time and the amount of time an employee is allowed to carryover each fiscal year. The policy was recommended by Finance. Mr. Cook and Mr. Zimmerman provided additional comments. It was noted that this policy would require a regulation change. Also, Mr. Coleman recommended that if the Board wants to approve this policy that approval can be made, but subject to minor edits. The final policy addressing Leave & Time Off – Holidays is a revised policy. The revision provides that an employee may not carryover into a new fiscal year more than 40 hours of unused holiday leave if that employee is required to work all or part of a holiday. A question was addressed. Dr. Streett made the motion to approve the policies with necessary edits contingent upon the Board seeing the final policies. Mr. Adams seconded. The motion passed unanimously.

Mr. O'Neill introduced Resolution 08-10-1R allowing for the close of MES' offices on the day after Thanksgiving, November 28, 2008. Mr. Simon made the motion to approve the Resolution. Mr. Addison seconded. The Resolution was approved unanimously.

### PROCUREMENT

Mr. Madison introduced Procurement Item1. Ms. Jenkins made the motion to approve the item. Mr. Snee seconded. The item was unanimously approved.

Mr. Tomczewski 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. Tomczewski introduced Procurement Item 3. Mr. Snee made the motion to approve the item. Ms. Jenkins seconded. The item was approved.

Mr. Madison introduced Item 4. Ms. Jenkins made the motion to approve the item. Mr. Addison seconded. The item was unanimously approved.

Mr. Tomczewski introduced Item 5. A question was addressed. Mr. Simons made the motion to approve the item. Dr. Streett seconded. The item was unanimously approved.

Mr. Harkins noted the Notifications. Questions were addressed.

#### **LEGAL REPORT**

Mr. Coleman noted that the Attorney General's annual meeting was canceled this year in light of the economy and the State budget

#### **NEW BUSINESS**

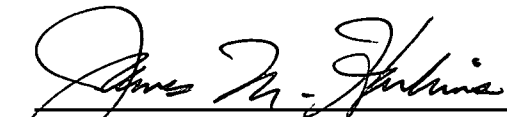
Mr. Harkins reviewed the proposed 2009 Meeting Schedule. Based on comments received, the March 30<sup>th</sup> meeting will be moved to March 23rd and June's meeting will be the 22nd. The Human Resource committee meeting on June 22<sup>nd</sup> will begin at 8:30 a.m.

#### **EXECUTIVE SESSION**

At 11:00 a.m., upon motion of Ms. Jenkins, 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 and Ms. Voorhees Balenske. The Board did not take any official action during the executive session. At 11:22 a.m. the Board concluded its executive session and then adjourned the meeting.

The meeting adjourned at 11:27 a.m. The next scheduled meeting is November 24, 2008.

  
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 08-11  
November 24, 2008**

**LOCATION:** Conference Call  
259 Najoles Road  
Millersville, Maryland

**TIME:** 9:30 a.m.

**DIRECTORS PRESENT  
AT HEADQUARTERS:** 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  
Joseph F. Snee, Esq.  
Talmadge E. Simons  
Edward Adams (joined at 9:32 a.m.)  
Leslie Jackson Jenkins, Esq.

**DIRECTORS ABSENT :** James M. Harkins, Director

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

**CALL TO ORDER**

Mr. O'Neill chaired the meeting since Mr. Harkins was absent. The meeting was called to order at 9:30 a.m.

**VOTING AGENDA ITEMS**

Since a couple of members needed to "sign off" by 10:30 a.m., voting business was conducted first.

**HUMAN RESOURCES**

Ms. Wojton introduced the Cell Phone and Texting Policy for final approval. A draft policy was reviewed at October's meeting. Mr. Simons made the motion to approve the policy. Dr. Streett seconded. A question was addressed. The Resolution was unanimously approved. The Vehicle and Equipment Accident Policy – Fleet Safety Board was introduced and reviewed by Mr. O'Neill and Mr. Coleman. Ms. Jenkins made the motion to approve the policy. Mr. Addison seconded. The motion passed unanimously. Mr. O'Neill introduced the regulation change for the Paid Leave revisions. Mr. Coleman reviewed. Dr. Streett made the motion to approve the changes. Mr. Simon seconded. The motion passed unanimously.

**PROCUREMENT ITEMS**

Mr. O'Neill introduced Item 1. Mr. Sneer made the motion to approve. Mr. Addison seconded. The motion passed with Mr. Adams abstaining from the vote.

Mr. O'Neill introduced Item 2 for approval. Mr. Sneer made the motion to approve. Dr. Streett seconded. The motion passed with Mr. Adams abstaining from the vote.

Mr. O'Neill introduced Item 3 for approval with additional comments from Mr. Madison. Ms. Jenkins made the motion to approve. Mr. Sneer seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 4 for approval. Mr. Addison made the motion to approve. Ms. Jenkins seconded. A question was addressed. The motion passed unanimously.

Mr. O'Neill introduced Item 5 for approval. Ms. Jenkins made the motion to approve. Mr. Simons seconded. The motion passed unanimously.

**RESOLUTION**

Mr. Zimmerman introduced and reviewed Resolution 08-11-1R. This resolution is to finance capital equipment expenditures primarily vehicles, but also includes equipment for



**BOARD OF DIRECTORS MINUTES  
MEETING 08-11  
NOVEMBER 24, 2008  
PAGE 3**

Prince George's County. A question was addressed. Mr. Snee made the motion to approve the Resolution. Dr. Streett seconded. The motion was approved. Ms. Jenkins abstained from the vote.

**MINUTES**

Mr. O'Neill requested approval of the minutes of October 27, 2008. Ms. Jenkins made the motion to approve the minutes and Mr. Addison seconded. The minutes were approved

**AGENCY ACTIVITY REPORT**

Mr. O'Neill discussed the presentation made to Harford Community College and Harford County Board of Education Facilities on water and wastewater evaluation and development. This particular demonstration showcased GIS capabilities. Mr. Wheeler added comments. Dr. Street advised that there has not been any feedback to date. The presentation was mailed to the members.

Mr. O'Neill reported on the following:

Constellation Energy's building systems group is in the process of installing framing for the solar panels. The transfer of the State Highway Administration property is supposed to be approved at the December 16 meeting of the Board of Public Works. A question was addressed.

A question was addressed about the potential impact to MES of the State's financial difficulties. Mr. Madison noted there would be minimal impact to MPA's dredging projects. Mr. O'Neill advised that the agency has been given no direction from the Governor's Office on potential cutbacks. Additionally, MES submitted a proposed budget for State reimbursable projects that did not include any increase.

**BUSINESS DEVELOPMENT REPORT**

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

MES met with Arc Environmental to discuss possible partnering projects. A follow up meeting will take place about a possible Army Corps of Engineers project for asbestos remediation.

A representative from Middlesex Water Company thanked MES for its efforts regarding the Aberdeen Proving Ground request for proposal. Another possible potential project is to operate solar installation projects at State facilities. Mr. Wheeler mentioned that Freedom District WWTP would be a possible candidate.

**HUMAN RESOURCES**

Ms. Wojton announced that the vacancy rate is 1.81%, compared to 2.65% last month.

**FINANCE**

Mr. Zimmerman advised the Board that the financial statements ending October 31, 2008 were finalized late & will be emailed today. He stated the Washington County Landfill settlement has reduced revenues. Due to the 3 pay period month the fringe recovery variance is up. There is a \$3.072 million growth in Net Assets. Current concerns include interest rates, Midshore bond issue next spring, and Performance & Payment bond availability from potential contractors for projects.

Mr. Zimmerman, Mr. O'Neill and Mr. Wheeler addressed increasing problems regarding Port Deposit. Payments continue to fall behind and the developer is stopping all activity. MES has sent a notice of termination of services and filed a lien for payments due. Currently the outstanding amount is \$458,000.00. MES has sent a notice of contract termination to the Port Deposit Water and Sewer Authority for failure of the Authority to pay MES. MES has also filed an Environmental Service Lien in the Land Records of Cecil County. Legislators were briefed last week and Mr. Zimmerman will be attending the Port Deposit Water & Sewer Authority meeting December 2<sup>nd</sup>. Questions were addressed.

**LEGAL REPORT**

Mr. Coleman mentioned the office's support of the activities and projects discussed today. He recently attended a meeting of the Environmental Law Section of the State Bar Association at which the newly appointed Principal Counsel for MDE gave a presentation. The focus is more and aggressive enforcement of regulations. Legislation may be introduced by MDE or the Office of Attorney General providing for citizens suits under State environmental law. Mr. Wheeler added that this type of legislation could affect our smaller customers with limited resources.

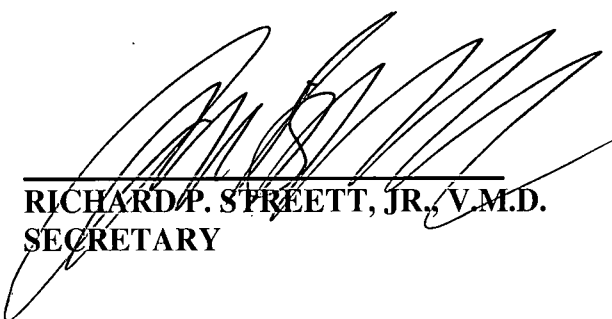
**NEW BUSINESS**

The holiday party is December 19<sup>th</sup> beginning at 4:00 pm at the Sheraton Barcelo in Annapolis. The next Board meeting is December 15<sup>th</sup>.

**NOTIFICATIONS**

A question was addressed regarding the Green Highways Partnership work for State Highway Administration and the award of contracts to Michael Baker, Inc. Mr. O'Neill pointed out the SecurityHunter Inc. purchase order issued for a video surveillance system. This is primarily to prevent thefts in the parking lots.

The meeting adjourned at 10:14 a.m.



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



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**JAMES M. HARKINS  
DIRECTOR**



Martin O'Malley, Governor

James M. Harkins, Director

**BOARD OF DIRECTORS  
MINUTES  
MEETING 08-12  
December 15, 2008**

**LOCATION:** 259 Najoles Road  
Millersville, Maryland

**TIME:** 9:30 a.m.

**DIRECTOR PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Richard P. Streett, Jr., V.M.D., Secretary  
Joseph Zimmerman, Treasurer  
Leslie Jackson Jenkins, Esq.  
William B.C. Addison  
Talmadge E. Simons  
Joseph F. Snee, Esq.  
Edward Adams (arrived at 9:39 a.m.)

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

**CALL TO ORDER**

The meeting was called to order at 9:36 a.m.

**DIRECTOR'S REPORT & AGENCY ACTIVITY REPORT**

The solar project is on schedule. There have been a few minor problems. The contractor encountered rubble fill debris and ruptured a gas main.

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phone 410-729-8200 • fax 410-729-8220 • www.menv.com

**BOARD OF DIRECTORS MINUTES  
MEETING 08-12  
DECEMBER 15, 2008  
PAGE 2**

An algae turf scrubber test project has been developed by a professor at the University of Maryland to treat wastewater. MES may partner with the Department of Agriculture to look at the technology and possibly conduct a test pilot program on the eastern shore.

Mr. Harkins recently met with the Governor and responded to his question about what was “new and exciting” at MES. In anticipation of an Executive Order mandating furlough days, MES is looking at its options.

MES continues to reach out to other departments to offer its services. As a result of a contact at DBED, officials recently met with a trade group from Finland.

The energy legislation has been pre-filed in the House and Senate. MES has spoken with their leadership.

The holiday party is December 19<sup>th</sup> beginning at 4:00 at the Annapolis Sheraton.

Mr. Harkins has been asked to serve on a Greater Baltimore Committee Transportation Financing and Governance Task Force to study the way transportation is funded and managed in Maryland. A letter about the Task Force was handed out.

**MINUTES**

Mr. Harkins requested approval of the minutes of November 24, 2008. Mr. Snee made the motion to approve the minutes and Dr. Streett seconded. The minutes were approved.

**BUSINESS DEVELOPMENT REPORT**

Ms. Wojton updated the Board on the following:

MES is marketing the Compliance Division to other departments and local governments that have incurred staffing cuts and can no longer perform environmental compliance work.

MACO’s January meeting is the 7<sup>th</sup> in Cambridge.

MES may be partnering with a private firm on a hazardous waste removal project for federal facilities. We are waiting for the RFP to be published.

**HUMAN RESOURCES**

Ms. Wojton announced that the vacancy rate is 1.67%, compared to 1.81% last month. The rate is expected to drop to 1.26% next week. MES is receiving many resumes from well-qualified applicants.

A new type of employee orientation is being held in January to provide additional information to employees who have been employed by MES for a few months. A question was addressed.

### **FINANCE**

Mr. Zimmerman advised the Board that the financial statements ending November 30, 2008 are not ready due to the early date of the Board meeting. He informed the Board that DBM is proposing a reduced state reimbursable budget by 3% for FY 10.

### **PROCUREMENT ITEMS**

Mr. Harkins introduced Item 1. Mr. Simons made the motion to approve. Dr. Streett seconded. A question was addressed. The motion passed.

### **NOTIFICATIONS**

A question was addressed regarding the Green Highways Partnership work for State Highway Administration. Mr. Madison provided additional information.

### **LEGAL REPORT**

Mr. Coleman advised the Legal Report would be given during Executive Session.

### **EXECUTIVE SESSION**

At 10:01 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). Also present during the executive session were Mr. Coleman, Ms. Voorhees Balenske, and Mr. Wheeler. Ms. Downs returned to the meeting at 10:51 a.m. The Board did not take any official action during the executive session. At 11:00 a.m. the Board concluded its executive session and adjourned the meeting.

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

  
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JAMES M. HARKINS  
DIRECTOR



Martin O'Malley, Governor

James M. Harkins, Director

**BOARD OF DIRECTORS  
MINUTES  
MEETING 08-12A  
December 30, 2008**

**LOCATION:** Conference Call  
259 Najoles Road  
Millersville, Maryland

**TIME:** 10:30a.m.

**DIRECTORS PRESENT  
AT HEADQUARTERS:** James 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.  
Edward C. Adams

**DIRECTORS ABSENT :** Talmadge E. Simons  
Joseph F. Snee, Esq.

**OTHERS PRESENT:** Henry Cook  
Nancy Voorhees Balenske  
William J. Selle, Esq.  
Beryle T. Downs  
Cece Donovan (participating by conference call)

**CALL TO ORDER**

Mr. Harkins called the meeting to order at 10:34 a.m.

**PROCUREMENT**

Mr. O'Neill introduced and reviewed the procurement of MES Contract No. 09-07-64 with Century Engineering Inc. for engineering support for the boring collection and laboratory testing for the Borrow Source Investigation associated with the Masonville Dredged Material Containment Facility. Ms. Donovan provided additional information. Questions were addressed. Mr. Addison made the motion to approve the Contract, Dr. Streett seconded. The item was unanimously approved.

The meeting adjourned at 10:44 a.m.



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



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JAMES M. HARKINS  
DIRECTOR