

**BOARD OF DIRECTORS  
MINUTES  
MEETING 1-14  
January 27, 2014**

**LOCATION:** MES Headquarters – Conference Call  
259 Najoles Road, Millersville MD 21108

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

**DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Janet Irvin, Treasurer  
Richard P. Streett, Jr., V.M.D., Secretary (via phone)  
Leslie Jackson-Jenkins, Esq. (via phone)  
William B.C. Addison (via phone)  
Joseph Snee, Esq. (via phone)  
Talmadge E. Simons (via phone)  
Ed Adams, P.E. (via phone)

**DIRECTORS ABSENT:**

**OTHERS PRESENT:** Beth Wojton  
William J. Selle, Esq.  
Jerry Wheeler  
Cece Donovan  
Steve Tomczewski  
Pamela Fuller  
Chris Garrigan

**CALL TO ORDER**

The meeting of the Board was called to order by Mr. Harkins at 9:30 a.m.

**MINUTES**

Mr. Harkins requested approval of the minutes of the meetings of December 16, 2013. Mr. Addison made the motion to approve the minutes and Mr. Snee seconded. The motion passed unanimously. Ms. Jenkins joined the meeting at 9:32 am.

### **DIRECTOR'S REPORT**

Mr. Harkins updated the board on an email he sent to MDE Deputy Secretary David Costello. The email concerned current House Bill 240/Senate Bill 56 on Zero Waste issues. Those bills would create a task force to study zero waste and the EPA solid waste hierarchy that would include Mr. Harkins. MES is sending several employees to an upcoming SWANA Zero Waste seminar. He would like MES to eventually conduct seminars on this issue to better educate MES staff, and MES customers.

On January 14<sup>th</sup>, Mr. Harkins attended a Dr. Martin Luther King & Joseph Bonds Humanitarian awards luncheon in Belcamp, MD. On January 16<sup>th</sup>, he had lunch with 2 of the 5 MPA Commissioners, Don Fry & Ted Venetoulis, to discuss several MES/MPA projects.

Later today, MES will kick off the 2014 MES Safety Week. The Safety department has a full week of proactive programs to be shared with all employees. He will be asking each employee to recommit to safety goals, especially in light of the recent deaths of MES employees Donald Gothard (January 2014) and Jim Gillus (April 2011).

### **BUSINESS DEVELOPMENT**

Ms. Wojton advised that MES continues to work with Maryland Green Fuels, who is expected to be delivering a revised contract to MES soon.

A developer in Queen Anne's County has approached MES about work on an on-site sewage system. She will be meeting with them next week.

### **AGENCY ACTIVITY REPORT**

The Agency Activity Report was presented to the Board.

### **GROUP UPDATES**

Jerry Wheeler advised that his group began operations in the Town of Galena in lower Cecil County. All is going well. He will be talking to the Town of Cecilton next regarding a possible contract. The recent cold weather has not had too great an effect on any of the plants. The electricians have been out energizing generators.

Steve Tomczewski advised the board of a wheel loader fire at Western Branch on Christmas Eve. As the operator was exiting the loader, he noticed fire in the engine compartment. He grabbed a fire extinguisher and attempted to put it out, but it was too big. He had to jump from the loader after burning his hand. He has been out of leave since the incident,

but is due to return to work soon. A forensic investigator was brought in to investigate the cause of the fire. It was determined to be hydraulic oil based. Fire suppression systems have been installed on the other wheel loaders, and their hydraulic lines have been inspected. The loader which caught fire was an older one, and will not be replaced.

The Central Acceptance Facility (CAF) has been running well. Over 12,000 bales have been produced. There have been issues securing enough inmates to run the lines, and additional temps have been brought in.

Cece Donovan reported on the effects the severe cold weather has been having on TES facilities.

- The staff at BWI have been providing 24 hour coverage and re-circulating the deicing fluid to keep it from freezing. The Maryland Aviation Administration has been very happy with the recovery of the deicing fluid.
- SHA has cancelled the geotechnical drilling along the highways during the bad weather.
- The Environmental Monitoring and Sampling group have been helping the various sites keep the lines and testing points clear.
- Poplar Island was inaccessible last week due to the waterways freezing over. The staff have been taking leave, training, or performing Landbase maintenance.
- HMI is also frozen over. Several employees had to spend the night on the island last week due to shifting ice. The hull of the Blue Heron was also damaged by the ice. It has since been repaired.
- The non-island dredging sites are all fairing well.
- The weather has also effected the oyster project. The oyster supplier has not been able to meet the schedule several times. This is causing delays with CSX and the barging companies. The shell and the conveyors are freezing. The new contract solicitation for barging is on hold for now as issues are worked out.
- Snowy owls have been spotted at all the dredging sites.

### HUMAN RESOURCES

Ms. Wojton briefed the board on the untimely accidental death MES Operator Donald Gothard on January 12<sup>th</sup> at the Point Lookout WWTP. Mr. Gothard was a 57 year old Apprentice II in the Southern Region. His body was found at the base of an aeration tank on Sunday morning. It is believed he slipped and fell while climbing the tank ladder, and hit his head. MES has been working with his family to file all appropriate insurance and benefits paperwork.

Ms. Wojton reported there are 746 total MES positions. There were 4 new hires in January, and there are 9 pending new hires for January/February. The vacancy rate after these new hires start will be 3.35%. The agency continues to receive many qualified resumes for

each position. Dr. Streett asked if this was a higher than normal rate. Ms. Wojton reported it is about average.

### **FINANCIAL REPORT**

Ms. Irvin presented the financial reports for December. Labor sales are up and looking good. The changes in net assets are higher than projected, due to fringe and overhead. This is expected to level out over the holiday season as employees use leave. The invested in capital assets is slightly higher than last year as the agency continues to pay down its debt. The plan vs. actual is looking good.

MVA wash-rack past-due account receivable is nearing completion. The corrective action work is done and being inspected by the third party inspector this week. There has been some progress on each of the other past-due accounts as well.

### **PROCUREMENT ITEMS**

Mr. O'Neill introduced Item 1. The procurement is for barging services to Hart Miller Island, Poplar Island, Cox Creek and Masonville. Mr. Snee made the motion to approve the Item, Ms. Irvin seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 2. The procurement is for Masonville cove mitigation support engineering services for the final design for access zone 3 from Moffatt and Nichol Engineers. Dr. Streett made the motion to approve the Item, Mr. Adams seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 3. The procurement is for multiple contracts for hauling services to and from Masonville. Mr. Addison made the motion to approve the Item, Mr. Simons seconded. The motion passed unanimously.

The Procurement Notifications are contained in the Board's notebooks.

### **LEGAL REPORT**

Mr. Selle advised that Mr. Coleman is attending the Attorney General's River Audit of the Little Antietam Creek today. MES has received another Writ of Garnishment in a series of collection cases against Chesapeake Chemical, an MES vendor. Since the State cannot be garnished, the agency will file the appropriate motions to dismiss this writ. The legal office continues to respond to various issues surrounding the oyster restoration project. Mr. Coleman continues to work with the University of Maryland as they begin the process to streamline their


procurement contracts by mid-year. Mr. Selle and Mr. Coleman also continue to work the National Labor Relations Board (NLRB) as they investigate an MES contractor.

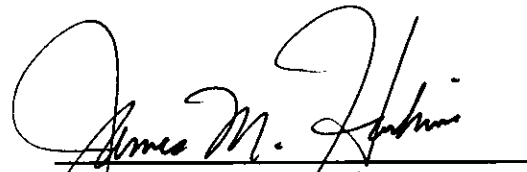
**OLD/NEW BUSINESS**

The next meeting, will be Monday, February 24<sup>th</sup> at MES Headquarters.

**ADJOURNMENT**

At 10:15 a.m., upon motion by Mr. Addison, the meeting adjourned.

  
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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 2-14  
February 24, 2014**

**LOCATION:** MES Headquarters  
259 Najoles Road, Millersville MD 21108

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

**DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Janet Irvin, Treasurer  
Richard P. Streett, Jr., V.M.D., Secretary  
Leslie Jackson-Jenkins, Esq.  
William B.C. Addison  
Joseph Snee, Esq.  
Talmadge E. Simons  
Ed Adams, P.E.

**DIRECTORS ABSENT:**

**OTHERS PRESENT:** Beth Wojton  
Sean L. Coleman, Esq.  
Jerry Wheeler  
Cece Donovan  
Steve Tomczewski  
Pamela Fuller  
Chris Garrigan  
Tim Snee  
Scott Baker

**CALL TO ORDER**

The meeting of the Board was called to order by Mr. Harkins at 9:30 a.m.

**MINUTES**

Mr. Harkins requested approval of the minutes of the meeting of January 27, 2014. Dr. Streett made the motion to approve the minutes and Mr. Simons seconded. The motion passed unanimously. Mr. Adams joined the meeting at 9:32 am.

259 Najoles Road • Millersville, Maryland • 21108  
phone 410-729-8200 • fax 410-729-8220 • [www.menv.com](http://www.menv.com)

### **DIRECTOR'S REPORT**

Mr. Harkins testified in the House Economic Matters Committee on February 6<sup>th</sup> regarding House Bill 240/Senate Bill 56. He also testified in the Senate on February 11<sup>th</sup> on the cross file. These bills would create a task force to study zero waste and the EPA solid waste hierarchy. This bill proposes to list an order of preference for the disposal of solid waste.

The Capital Budget Hearings are scheduled for March 4<sup>th</sup> in the Senate, and March 5<sup>th</sup> in the House.

Mr. Harkins attended a luncheon at the Society of American Military Engineers on February 20<sup>th</sup>, and gave an "MES 101" presentation, which was well received.

### **BUSINESS DEVELOPMENT**

Ms. Wojton will be following up on a request received through the MES website for a proposal to operate a wastewater treatment system at a mobile home park. Work continues on the Blue Plains proposal. The agency has received many requests for tub grinding services.

### **AGENCY ACTIVITY REPORT**

The Agency Activity Report was presented to the Board. Mr. Harkins addressed questions regarding the DNR boat rack project. The proposal is for one facility. Inspections will be completed throughout the process.

### **GROUP UPDATES**

Cece Donovan reported that DNR has asked MES to solicit proposals from vendors to implement a Commercial Harvest Reporting System to be used by Maryland commercial fishermen, check stations, seafood dealers, and DNR. The current paper reporting system is somewhat inefficient. DNR wants MES to conduct the procurement for the e-reporting software. MES will manage the contract for the first five years, then DNR will take over.

Jerry Wheeler reported on Maybelle Manor, a 50 unit mobile home park in Cecil County. Their discharge permit was recently renewed with much stricter limits. The owners had given the draft permit to a private engineering firm to review, rather than to MES. No comments were returned to MDE, and no prior notice of the permit changes were given to MES prior to its implementation. The owners have now asked MES to help them to achieve permit compliance. MES provided technical and legal input, as well as referring an engineering consultant for design and construction of a new wastewater system.

Steve Tomczewski reported on Cell 2 development at Midshore II. The project went out to bid last week. George & Lynch, who constructed the first cell, is the low bidder. The overall bids were about 8% higher than expected. Six bids were received.

### **HUMAN RESOURCES**

Ms. Wojton reported there are 746 total MES positions. There were 4 new hires in February, and there are 8 pending new hires for February/March. The vacancy rate after these new hires start will be 2.55%.

### **BEST 2014 UPDATE**

Ms. Wojton presented an update on the BEST 2014 goals. All goals are on track for completion. The complete update presentation can be found in the Board notebooks.

### **FINANCIAL REPORT**

Ms. Irvin presented the financial reports for January. Labor sales are up and looking good. The changes in net assets are higher than this time last year. The invested in capital assets is slightly higher than last year as the agency continues to pay down its debt. The plan vs. actual is looking good.

Dr. Streett asked for an explanation on the Accounts Over 120 Days. Ms. Irvin addressed each item:

- Baltimore County: fees for the construction management at the Central Acceptance Facility (CAF): In the process of being paid. Mr. Adams thought the County was paying this with \$5 per ton deducted from the revenue received.
- Prince George's County: the invoice had been held up due to the IGA not being signed. It is being processed now.
- Four Points by Sheraton: the work has been completed. There were no issues with the bypass. However the restart of the backflow preventer was completed incorrectly, resulting in loss of water pressure to the hotel. The Sheraton has since closed. MES has been in contact with their manager. They will be paying the \$3,500 for the bypass. The remainder will most likely be written off.
- Foxville Gardens: has now been paid.
- Maryland Aviation: has now been paid.
- MVA wash-rack: MES will be paying \$800 for the completed work. MVA should be paying the \$80,000 when the work is complete.
- MEMA: There is a new person at MEMA who has requested additional supporting documents for their invoices. The requested documentation has been provided, and partial payment has already been received.
- SHA: 2 projects. The person in SHA District 7 has been out. Invoices have been processed



- SHA OMT: SHA has changed its reporting requirements and requested additional supporting documentation. Partial payment has been received.

### **PROCUREMENT ITEMS**

Mr. O'Neill introduced Item 1. The procurement is for design services for the expansion and upgrade of the ECI WWTP. Mr. Snee made the motion to approve the Item, Dr. Streett seconded. The motion passed unanimously.

The following three items are all requests to put out Requests for Proposals for various services to support MES Environmental Dredging & Restoration Division. These contracts will replace existing contracts that are expiring this year. All three contracts have MBE requirements.

Mr. O'Neill introduced Item 2. The procurement is a request for proposals for environmental services. Mr. Simons made the motion to approve the Item, Dr. Streett seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 3. The procurement is a request for proposals for engineering services. Mr. Addison made the motion to approve the Item, Dr. Streett seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 4. The procurement is a request for proposals for coastal engineering services. Dr. Streett made the motion to approve the Item, Mr. Adams seconded. The motion passed unanimously.

The Procurement Notifications are contained in the Board's notebooks.

### **LEGAL REPORT**

Mr. Coleman extended congratulations to William J. Selle, Esq. who successfully defended the agency in a lawsuit last week in Baltimore County District Court. The case arose from a vehicle accident at the WAF.

Mr. Coleman is currently working on a garnishment action in Dorchester County Circuit Court. A creditor of one of MES' vendors has filed a writ of garnishment on MES to collect money owed to the vender. An entity must have statutory authority to file a garnishment action on a State agency. The creditor is arguing MES is not a State agency. A request for a hearing on the matter has been made.

The oyster project has been having some troubles. The contractor providing the shell is having difficulty supplying enough shells to fill the train cars on schedule. The winter weather is also having an effect on shell delivery.

**OLD/NEW BUSINESS**

The next meeting, will be a tour at Ft. Meade on Monday, March 24<sup>th</sup>. Corvias would like to host the meeting, and conduct a tour of their projects at Ft. Meade. They would like to talk to MES about P3 projects including what's involved and how they are implemented.


**CLOSED SESSION**

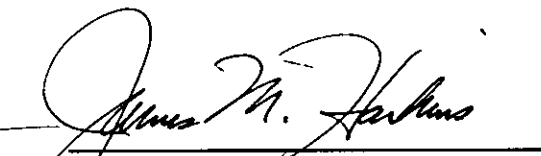
At 10:55 am, in accordance with State Government Article, §10-508(a) upon motion by Mr. Simons, and seconded by Ms. Jenkins, the Board went into closed session to consider the acquisition of real property for a public purpose and matters related directly thereto. All of the Board members, Sean Coleman and Pamela Fuller remained in the conference room. All others left.

Mr. Harkins advised the board of his negotiations with a property owner near the MES Headquarters to acquire a parcel of land. The Board took no official action during closed session.

**ADJOURNMENT**

At 11:30 a.m., upon motion by Mr. Addison, the board came out of closed session and the meeting adjourned.

  
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 3-14  
March 24, 2014**

**LOCATION:** Potomac Place Community Center  
4998 2<sup>nd</sup> Corp Blvd, Ft. Meade, MD 20755

**TIME:** 11:20 a.m.

**DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Janet Irvin, Treasurer  
Richard P. Strett, Jr., V.M.D., Secretary  
Leslie Jackson-Jenkins, Esq. (via phone)  
William B.C. Addison  
Joseph Snee, Esq.  
Talmadge E. Simons (via phone)  
Ed Adams, P.E.

**DIRECTORS ABSENT:**

**OTHERS PRESENT:** Beth Wojton  
William J. Selle, Esq.  
John Kane  
Cece Donovan  
Maclane Gibson  
Pamela Fuller  
Chris Garrigan  
Jason Gillespie  
Adrienne Noel  
Carl LaVerghetta  
Greg Cannito (SVP, Program Development, Corvias)  
Tad Davis (Managing Director, Corvias Solutions)  
Angela Marcum (Communications Manager, Corvias)  
Scott Kutwas (Program Manager, Meade/APG, Corvias)  
William Culton, Jr. (General Counsel, Corvias Group)  
Keisha Brown (Program Coordinator, Corvias Group)  
David Horworth (VP, Program Development, Corvias Group)

### CORVIAS TOUR & PRESENTATION

Angela Marcum and Scott Kutwas of Corvias conducted a bus tour of the Corvias Military Living base housing at Ft. Meade and explained Corvias' role in the development and management of the property.

Upon returning to the Community Center, Greg Cannito of Corvias introduced the Corvias Group and gave a brief presentation on its role in public-private partnerships (P3). A copy of that presentation can be found in the Board notes.

### CALL TO ORDER

The meeting of the Board was called to order by Mr. Harkins at 11:20 a.m.

### MINUTES

Mr. Harkins requested approval of the minutes of the meeting of February 24, 2014. Dr. Streett made the motion to approve the minutes and Mr. Addison seconded. The motion passed unanimously.

### DIRECTOR'S REPORT

Mr. Harkins met with the Bleemkes on February 27<sup>th</sup> and co-signed a Letter of Intent to Purchase Real Estate on their property adjacent to the MES Headquarters property. MES is now conducting due diligence on the property, and the Bleemkes are going over details with their attorney.

On March 4<sup>th</sup> and March 5<sup>th</sup>, Mr. Harkins and staff attended the Capital Budget Hearings in the Senate and House of Delegates of Maryland. Both went well with few questions.

### BUSINESS DEVELOPMENT

Ms. Wojton reported that MDE has contacted MES requesting assistance with lead paint program. A Kent County developer is interested in a package water treatment plant. Christopher Lord has approached MES with an idea for an food-waste anaerobic digester project that is in the development phase. Staff will meet with him in April.

### AGENCY ACTIVITY REPORT

The Agency Activity Report was presented to the Board. Ms. Donovan addressed a new contract with the BPW. They have asked MES staff to act as their Wetlands Administrator and

conduct inspections until they can hire a new one. The first permit MES would work on is the Dominion Cove LNG in Calvert County. There is the potential for future inspection work also. Mr. Harkins addressed questions regarding the DNR boat rack project. The project is on hold for now as DNR reconsiders the use of the anti-fouling paint that caused the need for the boat rack in the first place.

### **HUMAN RESOURCES**

Ms. Wojton reported there are 706 total MES positions. There were 8 new hires in March and April. The vacancy rate after these new hires start will be 3.54%.

### **FINANCIAL REPORT**

Ms. Irvin presented the financial reports for February. Labor sales are up and looking good. There have been 16 de-icing events at BWI this year, accounting for \$80,000 in increased revenue. The changes in net assets are over \$1M. Fringe & Overhead have been impacted by snow events. The plan vs. actual is looking good. Labor sales are expected to exceed plan.

Ms. Irvin addressed Accounts Over 120 Days:

- Baltimore County: fees for the construction management at the Central Acceptance Facility (CAF): In the process of being paid with the \$5 per ton deducted from the revenue received.
- Prince George's County: the invoice has been paid in full.
- Four Points by Sheraton (BWI Hotel): the work has been completed. The \$3,530 for the bypass has been re-invoiced. The remainder will most likely be written off.
- MVA wash-rack: All work has been completed. Invoices have been resubmitted.
- SHA (49823) and MD Military have both been paid in full.
- SHA OMT GIS: Partial payment has been received. Meetings are being set up to go over invoices and produce backup.

### **PROCUREMENT ITEMS**

Mr. O'Neill introduced Item 1. The procurement is to add a second year to the contract for fuel at Montgomery County Yard Trim Composting Facility. Mr. Addison made the motion to approve the Item, Mr. Snee seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 2. The procurement is purchase and transport stone to Hart Miller Island and Poplar Island. Mr. Snee made the motion to approve the Item, Dr. Streett seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 3. The procurement is for Council Fire to provide public involvement and outreach support services to MES, on behalf of MPA Dredged Material

**BOARD OF DIRECTORS MINUTES  
MEETING 3-14  
MARCH 24, 2014  
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Management Program. Dr. Streett made the motion to approve the Item, Ms. Irvin seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 4. The procurement is for Council Fire to provide public involvement and outreach support services to MES, on behalf of MPA for the Masonville project. Mr. Addison made the motion to approve the Item, Ms. Jenkins seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 5. The procurement is for KCI Technologies to provide design services for the Baltimore County Eastern Sanitary Landfill Transfer Station. Mr. Snee made the motion to approve the Item, Ms. Irvin seconded. The motion passed unanimously. Mr. Adams abstained.

Mr. O'Neill introduced Item 6. The procurement is for the University of Maryland, Center for Environmental Science to assist in improving the water quality in Hart Miller Island North Cell. This project has been on hold for some time. UMCES did the same thing for the South Cell. Mr. Addison made the motion to approve the Item, Mr. Snee seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 7. The procurement is for the Carmen Group to continue to provide advisory support for MPA on federal legislative and regulatory issues. Mr. Snee made the motion to approve the Item, Dr. Streett seconded. The motion passed unanimously.

The Procurement Notifications are contained in the Board's notebooks.

**LEGAL REPORT**

Mr. Selle advised that Sean Coleman is in Monterey, CA attending the SWANA Zero Waste Conference. Mr. Coleman continues to work on contract matters related to the oyster reef project, and various other day-to-day issues.

A contractor has filed an administrative claim with MES to appeal the procurement officers' denial of claim. The claim is for \$33k plus liquidated damages, stemming from the construction of the Central Acceptance Facility.

**OLD/NEW BUSINESS**

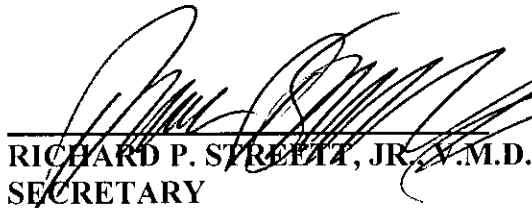
MES staff will be making a presentation to Corvias after this meeting on MES solar and energy projects. Mr. Snee asked if MES is doing any work for Corvias now. Ms. Wojton responded no, but the agency is in the process of potentially working with Corvias on the Prince George's County stormwater privatization project. Mr. Gillespie explained that Prince George's County, in response to TMDL legislation is looking at a long term P3 for stormwater structures.

A Request for Quotes was put out last year. Corvias was selected as the primary offeror and are in the process of forming an LLC. The project is the first in the State, and promoted by EPA. MES' role in the P3 has been evolving. There is the potential for other partnerships throughout the State.

Mr. Snee inquired about the chicken litter project on the Eastern Shore. MES has advised the developer on this project that it has not met its obligations with respect to obtaining acceptable financing. MES has been working on other pilot projects, such as on-site farm composting. The first round of materials has been sent to a laboratory for analysis as to quality and marketability.

**ADJOURNMENT**

At 12:05pm , upon motion by Dr. Streett, the meeting adjourned.

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

  
\_\_\_\_\_  
JAMES M. HARKINS  
DIRECTOR



**Martin O'Malley, Governor**

**James M. Harkins, Director**

**BOARD OF DIRECTORS  
MINUTES  
MEETING 4-14  
April 21, 2014**

**LOCATION:** MES Headquarters  
259 Najoles Road, Millersville, MD 21108

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

**DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Janet Irvin, Treasurer  
Richard P. Streett, Jr., V.M.D., Secretary  
William B.C. Addison  
Joseph Snee, Esq.  
Talmadge E. Simons  
Ed Adams, P.E.

**DIRECTORS ABSENT:** Leslie Jackson-Jenkins, Esq.

**OTHERS PRESENT:** Beth Wojton  
Sean Coleman, Esq.  
John Kane  
Cece Donovan  
Steve Tomczewski  
Pamela Fuller  
Chris Garrigan

Inspire Attendees: (all left at 10:50 am, immediately after presentation of Inspire Awards)

Dave Harry	Steve Laster	John Jones
Rocky Debraccio	Wayne Hamilton	Anthony Robinson
Jim Falkenhan	Bill Stiffler	William Stiffler
William Tittle	Earle Wood	Richard Keller
Jerry Keyser	Eric Frase	Justin Myers
John Mirabile	Logan Milby	Brad Yeakle
Paul Waters	Art Kellum	Wayne Rumbaugh
Allan Williams	Walt Fraser	Todd Boulden



**CALL TO ORDER**

The meeting of the Board was called to order by Mr. Harkins at 10:30 a.m.

**INSPIRE AWARDS**

Inspire awards were distributed to many MES employees. A full description of each award is contained in the Board books.

**DIRECTOR'S REPORT**

On March 26, 2014 MES hosted a very successful MBE Minority Outreach event at Headquarters. The event was well attended by MBE vendors and customers who came and learned about doing business with and for MES.

Spring Flings started on April 7, 2014 and will run through May 6<sup>th</sup>. There will be about 20-25 meetings throughout the State with MES employees.

On April 15<sup>th</sup>, Mr. Harkins met with Adam Ortiz, the Director of Prince George's County Department of Environmental Resources. They talked about current and future projects with P.G. County Government.

Investigation of the Bleemke property continues. KCI has started the site assessment work. MES has about 14 new positions starting in the coming months. There is no room at the current Headquarters. Office and warehouse space on the property located at 255 Najoles, on the opposite side of the current HQ has recently come available. The location, owned by St. John's Properties consists of 6,493 sq ft of office space and 8,627 sq ft of warehouse space. MES is tentatively looking at renting some of this space. Talks have begun with each MES Group to discuss potential sections to relocate.

MES has been working to restore about \$1 million dollars that was cut from the Freedom WWTP budget.

MES has had several employees pass away of natural causes in recent weeks. Wayne Baugher, an operator at Dickerson had a heart attack at work. Todd McGinnis, a water and wastewater operator did not show up for work, so his supervisors when to his home to check on him, and found him unresponsive.

**MINUTES**

Mr. Harkins requested approval of the minutes of the meetings of March 24, 2014 and April 1, 2014. Mr. Addison made the motion to approve the minutes and Dr. Streett seconded. The motion passed unanimously.

### **BUSINESS DEVELOPMENT**

Ms. Wojton reported that Mt. Saint Mary's University contacted MES this morning to ask for a proposal. They are building a new water and wastewater system.

### **AGENCY ACTIVITY REPORT**

The Agency Activity Report was presented to the Board.

Ms. Donovan addressed questions regarding the DNR boat wash project. The project is on hold for now as DNR reconsiders the use of the anti-fouling paint that caused the need for the boat wash in the first place. This project will most likely not go forward.

### **GROUP UPDATES**

Steve Tomczewski updated the Board on the Old Beulah Landfill closure cap in Dorchester County. MES has been selected to design the closure cap. Environmental Operations will provide project management and engineering services. TES will be conducting site surveys and forest delineation.

Cece Donovan advised that Board that as a result of MES' presentation to Corvias after the last Board meeting, Corvias has asked MES for assistance with a solar installation project they are working on at Aberdeen Proving Ground.

Pearce Creek - MES continues to support MPA as they work with the Town of Cecilton to provide a public water supply to two communities affected by the Corp of Engineers upland dredged material containment facility. A limited Smart Growth exception has been granted.

John Kane advised the Board that MES has been asked for a proposal to conduct full operations and maintenance of Chesapeake College WWTP and WTP. MES currently has a supervisory only contract.

### **HUMAN RESOURCES**

Ms. Wojton presented an amendment to HR Policy 3.06 Leave Buy-Back Policy. This amendment would add Administrative Leave to the list of types of leave eligible for the leave-buy-back program. This year there were several snow days, for which employees were granted Administrative Leave. Emergency essential employees were required to work those days, and were credited with the Administrative Leave. This amendment is in response to requests from employees. Mr. Simons moved to accept the revision, Dr. Streett seconded. The amendment passed unanimously.

Ms. Wojton reported there are 706 total MES positions. There were 3 new hires in April. The vacancy rate after these new hires start will be 3.40%. The agency is focusing on participation in minority and veterans job fairs this year.

### **FINANCIAL REPORT**

Ms. Irvin presented the financial reports for March. Labor sales are up 6% over last year and looking good. The changes in net assets are over \$1M. Fringe & Overhead have been impacted by snow events. The plan vs. actual is looking good. Labor sales are expected to exceed plan.

Ms. Irvin addressed Accounts Over 120 Days:

- American Waste Enterprises: This is a hauler. A collection action was filed last week by the Office of Attorney General.
- Four Points by Sheraton (BWI Hotel): the work has been completed. The \$3,530 for the bypass has been re-invoiced. The remainder will most likely be written off.
- MVA wash-rack: All work has been completed. Invoices have been resubmitted. They have agreed to pay the invoices.
- SHA: Paid in full 4/28/14
- SHA OMT GIS: Partial payment has been received. Discussed matter with SHA Finance Director on 4/17. Received \$181,000 on 4/21.

Ms. Irvin introduced Resolution 14-04-1R for the issuance, sale and delivery of MES Revenue Bonds for construction of Cell 2 of the Midshore II Regional Landfill. The bonds are for an amount not to exceed \$4.5 Million, to be purchased by Branch Banking & Trust ("BB&T"). Mr. Addison made the motion to approve the Resolution, Mr. Adams seconded. The resolution passed unanimously.

### **PROCUREMENT ITEMS**

Mr. O'Neill introduced Item 1. The procurement is to renew the contract with Duffield Hauling to transport and dispose of dewatered biosolids from the LaPlata WWTP. Mr. Snee made the motion to approve the Item, Mr. Simons seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 2. The procurement is for the configuration and implementation of an Electronic Commercial Fishing Harvest Reporting System for Maryland Fisheries. Mr. Addison made the motion to approve the Item, Dr. Streett seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 3. The procurement is for KCI to provide industrial hygiene services to MPA. Mr. Snee made the motion to approve the Item, Mr. Adams seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 4. The procurement is for construction of EQ tank, headworks improvements, and water lines for the Rocky Gap State Park WWTP and WTP. Mr. Simmons made the motion to approve the Item, Dr. Streett seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 5. The procurement is a change order with Schnabel Engineering for geotechnical drilling and environmental services as requested by SHA OMT for Task 16. Mr. Adams made the motion to approve the Item, Mr. Addison seconded. The motion passed unanimously.

The Procurement Notifications are contained in the Board's notebooks.

### **LEGAL REPORT**

Mr. Coleman reminded everyone that their Financial Disclosure Forms are due to the State Ethics Commission by Wednesday, April 30.

The garnishment action filed by a judgment creditor of one of MES' vendors has been withdrawn, again.


MES has received a Public Information Act Request from the Law office of Peter Angelos. They are seeking documents related to air and drinking water monitoring at Dundalk Marine Terminal. MPA has received the same request.


### **OLD/NEW BUSINESS**

Mr. Harkins announced that the MES Picnic will be held at Sandy Point State Park on July 13<sup>th</sup>. MES Orioles night is May 23<sup>rd</sup>.

### **ADJOURNMENT**

At 11:46 a.m. the meeting adjourned.

  
\_\_\_\_\_  
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 5-14  
May 19, 2014**

**LOCATION:** MES Headquarters  
259 Najoles Road, Millersville, MD 21108

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

**DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Janet Irvin, Treasurer (via phone)  
Richard P. Streett, Jr., V.M.D., Secretary  
Leslie Jackson-Jenkins, Esq.  
William B.C. Addison  
Joseph Snee, Esq. (via phone)  
Talmadge E. Simons  
Ed Adams, P.E. (via phone)

**DIRECTORS ABSENT:**

**OTHERS PRESENT:** Beth Wojton  
Sean L. Coleman, Esq.  
John Kane  
Cece Donovan  
Steve Tomczewski  
Pamela Fuller  
Chris Garrigan

**CALL TO ORDER**

The meeting of the Board was called to order by Mr. Harkins at 9:32 a.m.

**MINUTES**

Mr. Harkins requested approval of the minutes of the meeting of April 21, 2014. Dr. Streett made the motion to approve the minutes and Mr. Simons seconded. The motion passed unanimously. Ms. Jenkins abstained.

### **DIRECTOR'S REPORT**

The last Spring Fling was conducted May 6<sup>th</sup>.  
Ed Adams joined the meeting at 9:40 am.

Mr. Harkins updated the Board on the fossilized oyster shell placement project. Local watermen from Dorchester County have tried to stop placement of the oyster shell by pulling their boats up to the barge. Work stopped that day. On May 6<sup>th</sup>, a State Senator and the Dorchester County sheriff came to the barge to meet with DNR. DNR gave the watermen samples of the shells. At the direction of DNR, MES and the contractors are on standby. MDE and the Corps of Engineers are going to the barge today to inspect materials. The emergency contract is almost completed, and the regular full contract for granite and shell placement are about to start up. The project is projected to go through this winter.

MES night at the Yard is coming up. Four hundred and sixty five tickets to the Orioles game have been sold.

### **BUSINESS DEVELOPMENT**

MES has been following up with requests from Mt. St. Mary's University and Kent County for proposals.

Joe Snee joined the meeting at 9:50am.

Mr. Harkins advised that MES staff are working up a plan to move employees out of the closets and into new workspaces. Fourteen new employees are due to start in the next week. The new space should be ready by late July or early August.

### **AGENCY ACTIVITY REPORT**

The Agency Activity Report was presented to the Board.

A question regarding Brown Station landfill was addressed. It is not on the AAR because it is not new business. Mr. Harkins has met with Adam Ortiz from Prince George's County regarding amending the original contract. The Environmental Operations Group has taken over this project. Once the IGA is completed, the engineers can be hired to begin work.

### **GROUP UPDATES**

Cece Donovan advised that the SHA Stormwater mapping project is growing. Mapping is completed in Dorchester County. SHA has requested MES begin work in two counties at same time, and to move on to the Western Shore once the Eastern Shore is complete.

MPA has requested that MES identify and excavate buried timber barges from the Masonville Marine Terminal. This is especially important due to this being the part of the area that a new rail line is expected to cross.

John Kane announced a new project at Mt. Saint Mary's University in Emmitsburg, Maryland. The contract will be with Aramark, the company which manages much of the infrastructure on the campus. MES will operate the water and wastewater treatment facilities, which may be expanding in the future. MES was referred to the university by another satisfied MES customer.

Steve Tomczewski discussed updates required at the ECI Co-Gen Energy Plant. The plant is 31 years old, and much of the electrical systems are out of date. The switch gears, breakers, and plant-wide controls need to be updated and replaced to improve the safety and efficiency of the plant. GE has made recommendations for improvements which will cost about \$1.9 million.

### **HUMAN RESOURCES**

Ms. Wojton reported there are 706 total MES positions. There were 6 new hires in May with 10 pending new hires for May/June. The vacancy rate after these new hires start will be 3.54%. The agency is focusing on participation in minority and veterans job fairs this year.

### **2014 BEST GOAL UPDATE**

Ms. Wojton reviewed the status of the 2014 BEST goals. Goal 1 is on track for completion. Goal 2 is also on track, with the exception of Goal 2.7, Reduce late payment to vendors to less than 4%. The agency is currently at 18%, due mostly to issues with conversion to E1 accounting system. Goals 3 and 4 are all on-track for completion.

### **FINANCIAL REPORT**

Ms. Irvin addressed Accounts Over 120 Days:

- American Waste Enterprises: If no response is received to civil complaint, MES will get judgment and garnishment.
- KCI Charles County - have reached out to discuss status
- Four Points by Sheraton (BWI Hotel): A portion of the amount due will be written off; the remainder to be paid.
- MVA wash-rack: All work has been completed. They have agreed to pay the remaining invoices. Payment is being processed
- MDE – this was a finance billing error. They do not owe any money. It is being corrected.
- Grayhound Trash Removal and Brown Station have paid.

The Midshore II bonds will settle this Thursday.

**PROCUREMENT ITEMS**

Mr. O'Neill introduced Item 1. The procurement a competitive sealed bid to supply aggregate for Masonville Cove, Cox Creek and Hawkins Point. Mrs. Jenkins made the motion to approve the Item, Mr. Addison seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 2. The procurement is for engineering support services from Moffatt & Nichol for the Masonville Cove Mitigation, Access Zone 3. Mr. Simons made the motion to approve the Item, Dr. Streett seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 3. The procurement is an emergency procurement to upgrade the ECI Co-Gen Energy Plant switch gear, turbine, and diesel generator control system and plant-wide control system. The current equipment is over 30 years old. It is outdated and dangerous. In the event of outages, power is out to the prison for extended periods of time, presenting a risk to public safety within the prison. MES has obtained a proposal from GE, and a second opinion form Constellation Energy. This work needs to be completed as soon as possible. Mr. Snee made the motion to approve the Item, Dr. Streett seconded. The motion passed unanimously.

The Procurement Notifications are contained in the Board's notebooks.


**LEGAL REPORT**

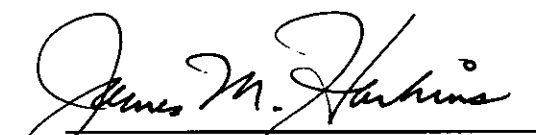
MES has received a Public Information Act Request from the Law office of Peter Angelos. They are seeking documents related to air and drinking water monitoring at Dundalk Marine Terminal. MPA has received the same request. The requesting attorney has reviewed MES' records.

The Legal office remains active in the DNR Fossilized Oyster shell project, as well as the Midshore II Bond sale closing, and other fiscal year end contract review.

**ADJOURNMENT**

At 11:00 a.m. the meeting adjourned.

  
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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 6-14  
June 23, 2014**

**LOCATION:** MES Headquarters  
259 Najoles Road, Millersville, MD 21108

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

**DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Janet Irvin, Treasurer  
Richard P. Strett, Jr., V.M.D., Secretary (via phone)  
Leslie Jackson-Jenkins, Esq.  
William B.C. Addison  
Joseph Snee, Esq.  
Talmadge E. Simons  
Ed Adams, P.E.

**DIRECTORS ABSENT:**

**OTHERS PRESENT:** Beth Wojton  
Sean L. Coleman, Esq.  
John Kane  
Cece Donovan  
Steve Tomczewski  
Pamela Fuller  
Chris Garrigan

**CALL TO ORDER**

The meeting of the Board was called to order by Mr. Harkins at 9:35 a.m.

**MINUTES**

Mr. Harkins requested approval of the minutes of the meeting of May 19, 2014. Mr. Snee made the motion to approve the minutes and Mr. Addison seconded. The motion passed unanimously.

### **DIRECTOR'S REPORT**

On Friday, June 6, 2014, MES hosted the SWANA Mid-Atlantic Regional Road-E-O at the Midshore II Regional Landfill. Operator teams from all over the Mid-Atlantic region participated. It was a very successful event. An MES operator, Tommy Taylor won first place in the Loader competition. He will go on to Boulder, CO for the national finals.

MES also had a very successful Maryland Municipal League (MML) conference in Ocean City, MD from June 8<sup>th</sup> through June 11<sup>th</sup>. Ms. Wojton will have more information under Business Development.

MES held its annual Service Awards luncheon. Former MES Directors were invited to attend. James Peck did attend the event. There were a number of employees with 35 and 40 years of service. On a sad note, Mr. Harkins announced that former MES director Tom McKewen passed away on June 13.

### **BUSINESS DEVELOPMENT**

Ms. Wojton reported on a very successful MML Convention. There were many serious inquiries, including the Town of Aberdeen, the Town of Hurlock, and the Town of Poolesville.

Dr. Streett mentioned that Harford County Board of Education is soliciting proposals for water and wastewater operations at a number of its schools.

### **AGENCY ACTIVITY REPORT**

The Agency Activity Report was presented to the Board.

Mr. Adams inquired if there has been any update from MPA on the Sparrows Point project. Ms. Donovan replied that MPA is still in negotiation with the property owners.

### **GROUP UPDATES**

Ms. Donovan discussed the Masonville Cove substrate improvements as they move into Phase II of the project. Corman Marine Construction, Inc. was contracted to procure 120,000 CY of clean sand from upland sources for placement over 90 acres of the bottom of the cove. The cost to procure and place the sand is \$4,089,750. Placement started 1/16/14. Due to the Time Of Year restrictions for Anadromous fish, the Contractor stopped placement on 2/12/14. Placement will resume as early as 6/16/14 and continue until 9/30/14. MES executed a contract with Moffatt & Nichol to develop design documents, provide bid assistance and construction oversight for the placement of 989 existing reef balls and to procure and place 381 additional reef balls. MES staff may produce the additional reef balls. The reef ball placement is anticipated to begin in October 2014, after the sand substrate placement has been completed.

Mr. Tomczewski updated the Board on the installation of fire suppression systems in heavy equipment. MES is in the process of installing fire suppression systems on select heavy equipment used in environments that are conducive to fires. The cost is roughly \$15 thousand per piece of equipment. Prince George's and Montgomery County have agreed to fund the installations on their equipment. Installations should be complete later this year.

Mr. Kane informed the Board of new contracts with Anne Arundel County Public Schools. The County requested a menu of proposals for 16 facilities. The proposal provided included pricing for conducting inspections only at each facility, and a separate price for MES to provide full operations of water and wastewater facilities. The County will now decide which level of service they want for each facility.

### **HUMAN RESOURCES**

Ms. Wojton reported there are 706 total MES positions. There were 2 new hires in June with 7 pending new hires for June/July. The vacancy rate after these new hires start will be 4.39%. The agency is focusing on participation in minority and veterans job fairs this year.

Those employees participating in the Supervisory and Management Training classes will graduate this Friday. This program is through the Anne Arundel County Workforce Development section. A new group will be starting up the training soon.

### **HUMAN RESOURCES COMMITTEE UPDATE**

Mr. Snee advised that the HR Committee group met this morning to consider the salaries of the MES officers. MES employees received a 1% or 2% raise based on employee evaluations (1% for meets expectations, 2% for exceeds expectations). In January, MES employees received a 2% COLA increase. The HR Committee is recommending that the MES Director and Deputy Director receive a 2% salary increase on July 1, 2014, and an additional 2% COLA salary increase on January 1, 2015. The Director and Deputy Director received a 2.5% COLA last year, the same as all other MES employees. Upon motion by Mr. Snee, seconded by Mr. Simons, the Board approved the proposed salary increases. Mr. Harkins, Mr. O'Neill and Ms. Jenkins abstained.

The second item the HR Committee discussed was the Retiree Medical Reimbursement Plan. The current plan requires an employee to be 60 years of age, with at least 16 years of service at MES. A request has been made to amend this requirement for employees with 30 years of service, who are younger than 60 years old. Mr. Coleman will research how best to accomplish this change, and action shall be taken at the next meeting.

## FINANCIAL REPORT

The Midshore II bond sale settled last month. The bonds were for \$4.5M for Cell 2 construction at an average annual rate of 3.14%. Standard and Poors affirmed MES' AA rating.

Ms. Irvin presented the Revised Debt Management Policy to the Board for approval. The policy was last presented to the Board of Directors in February, 2010. The purpose of the policy is to provide written guidelines for the issuance and management of debt issued by MES. The policy needs to be updated to comply with the Tax Regulatory Agreement for the Midshore Cell 2 bonds, as well as the MCDC (Municipalities Continuing Disclosure Cooperation) Initiative currently underway by the Securities and Exchange Commission. Changes include the designation of the Treasurer as the responsible party for compliance with continuing disclosure commitments for all bond issuances, and replacement of the single paragraph on arbitrage with Exhibit A, Post Issuance Tax Compliance Procedures. Changes to Exhibit A include:

- consulting with bond counsel and other advisors on matters concerning the bonds and subsequent assets post-issuance;
- The engagement of a Rebate Service Provider and payment of arbitrage rebate amount if needed;
- Monitoring the use of the proceeds and subsequent assets;
- Maintaining the appropriate documentation pertaining to the bond sale, proceeds expenditures, and trustee statements and reports.

Ms. Jenkins made the motion to approve the policy revision and Mr. Addison seconded. The revision passed unanimously.

Ms. Irvin presented the financial reports for May, 2014. Labor sales are up over last year and looking good. The changes in net assets are up. Fringe & Overhead have been impacted worker's compensation insurance premiums. The agency that used to supply this is now independent. Rate setting has been unpredictable. The plan vs. actual is looking good.

Ms. Irvin addressed Accounts Over 120 Days:

- MVA Washrack - PAID
- American Waste Enterprises – a garnishment has been filed.
- United Iron & Metal – there has been an issue with weights, working on it.
- MD Dept of the Environment – a design phase project, there are restrictions on percentage of money they can pay at this stage.
- DNR/MES Collaborative – submitted invoices for payment 6/11

Ms. Irvin presented the notes to the Financial Statement from Other Post Employment Benefits (OPEB). The actuarial evaluation is done every two years on the MES Retirement Medical Expense Reimbursement Plan. The report for the period ending June 30, 2013 indicates MES is paying 100% of the Annual Contribution, and the plan is 50% funded. of what it is supposed to pay in order to be fully funded. The value of assets was \$1.7M.

A request was made by an employee to change the plan to include employees who have 30 years of service regardless of their age at retirement. It would cost an additional \$6,175 annually to make this changes proposed by the HR Committee. No action was taken on the discussion.

Ms. Irvin presented the FY15 Financial Plan. The FY14 plan was conservative based on the challenges from FY13. Recognizing the changing needs of our customers, The FY15 Plan is a bit less conservative. The overhead figures include the E11 computer software capitalization and the additional office space. The current overhead and fringe rates were set based on the FY13 audited financial statements. budget and experience.

### **PROCUREMENT ITEMS**

Mr. O'Neill introduced Item 1. The procurement is for temporary staffing for Prince George's County bulk collection. Mr. Addison made the motion to approve the Item, Mr. Simons seconded. The motion passed 8-0, with Ms. Jenkins abstaining.

Mr. O'Neill introduced Item 2. The procurement is for additional trees at the Hawkins Point stabilization. Mr. Snee made the motion to approve the Item, Ms. Irvin seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 3. The procurement is to relocate a storm drain at the Fairfield Marine Terminal at Masonville. This is part of the TIGER grant work at MPA. The outfall location needs to be changed. Mr. Adams made the motion to approve the Item, Mr. Simons seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 4. The procurement is for the Cox Creek Expanded DMCF feasibility study, stage II Site Assessment. Mr. Addison made the motion to approve the Item, Mr. Snee seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 5. The procurement is for wastewater hauling and disposal from BWI and Martin State Airport. The existing contract is expiring. Ms. Jenkins made the motion to approve the Item, Mr. Adams seconded. The motion passed unanimously.

Mr. O'Neill introduced Notification #1. This procurement is an IGA with the University of Maryland for Poplar Island wetland cell sediment and vegetation monitoring. This item does not require approval.

Mr. O'Neill introduced Notification #2. MES will be switching its credit card vendor to the "One Card" program. The new program will allow MES to received rebates based on MES spending. MES will participate through an intergovernmental cooperative purchasing authority. This item does not require approval.

The Procurement Notifications are contained in the Board's notebooks.

Ms. Jenkins left the meeting at 10:50 a.m.

### **LEGAL REPORT**

Two MES employees have received subpoenas to testify in a NLRB hearing. MES is not a party to this case, and the employees have been called as fact witnesses. The suit is against Tito Contractors for alleged anti-union activity.

There has been no follow up to the Public Information Act Request from the Angelos law firm. Members of the OAG staff at MES attended the SWANA/MRN Zero Waste Conference last week. The Senior Deputy Attorney General, Kay Winfree is leaving the office at the end of the month.

### **OLD/NEW BUSINESS**

Mr. Addison asked for an update on the Oyster restoration project on the Eastern Shore. Ms. Donovan reported that there have been ten placements of shell completed under the emergency procurement contract. MDE is requiring monitoring during placement. MES is providing staff so far, but DNR will do this going forward. The permanent contract with Corman is starting now. The supplier has been on time with delivery. The granite placement has not started yet. Opponents of the project are targeting the permit. They claim deposited material is causing sediment to cover existing oysters and potentially burying crabs. They want local oyster shell to be used. DNR believes there is not enough acceptable oyster shell to be found locally. The opponents have threatened litigation, but nothing has been filed yet. A public information act request has been filed with DNR, and the Dorchester County Council has written a letter to Legislators opposing the project.

Dr. Streett left the meeting at 11:00 a.m.

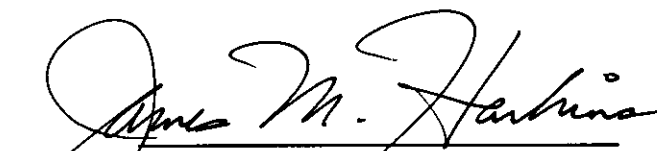
Mr. Harkins suggested interested members of the Board can take a walking tour of the proposed new office location at 255 Najoles Road after the meeting. MES plans to move 38 employees out of the current Headquarters into the new office and warehouse space. MES will enter into a 5 year lease, for an initial estimated cost of \$15.50 per sq ft. The new space will provide a training facility in the form of a large conference room capable of holding 50 employees. Negotiation continues with the Bleemkes for the property on the other side of the headquarters.

Ms. Wojton advised that the August Board meeting will occur during the MACO convention in Ocean City, from August 13<sup>th</sup> to 16<sup>th</sup>. The Wednesday night reception will be held at the Clarion. With the Board's concurrence, the meeting will be held on Thursday morning at the Clarion. The Board agreed. Ms. Wojton will send out an email soliciting room requests this week.

ADJOURNMENT

At 11:12 a.m. upon motion of Mr. Snee, the meeting adjourned.

  
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 6b-14  
June 30, 2014**

**LOCATION:** MES Headquarters  
Conference call

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

**DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Janet Irvin, Treasurer  
Richard P. Streett, Jr., V.M.D., Secretary (via phone)  
William B.C. Addison (via phone)  
Joseph Snee, Esq. (via phone)  
Talmadge E. Simons (via phone)

**DIRECTORS ABSENT:** Ed Adams, P.E.  
Leslie Jackson-Jenkins, Esq.

**OTHERS PRESENT:** Beth Wojton  
Sean L. Coleman, Esq.  
Steve Tomczewski  
Cece Donovan  
Ellen Frketic  
Pamela Fuller

**CALL TO ORDER**

The meeting of the Board was called to order by Mr. Harkins at 9:32 a.m. Mr. Harkins apologized for calling another Board meeting so soon after the last one, but procurement items have come up that cannot wait until the next meeting for approval.

**PROCUREMENT ITEMS**

Mr. O'Neill introduced Item 1. The complete information for this item was not available at the time of the last meeting. The Commercial Fishing Harvest Reporting system was approved at the April, 2014 meeting. The bids came in 12% higher than approved. DNR has

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



approved this higher amount. There is also federal money involved in this project, necessitating it be used by the end of the Fiscal year.

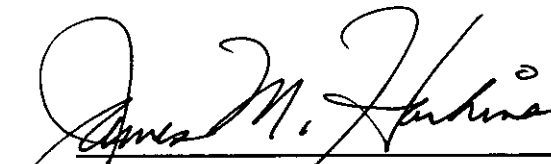
In response to questions, Ms. Donovan explained that the system to be developed will replace the old paper reporting system for fishermen to report daily catches. The new system will be a tablet, allowing fishermen to input their daily catches, and immediately transmit it to DNR. A similar system is already being used for crabs and oysters.

Dr. Streett made the motion to approve the Item, Mr. Addison seconded. The motion passed unanimously.

**ADJOURNMENT**

At 9:45 a.m, upon motion of Dr. Streett, the meeting adjourned.

  
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**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 7-14  
July 21, 2014**

**LOCATION:** MES Headquarters – Conference Call  
259 Najoles Road, Millersville, MD 21108

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

**DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Janet Irvin, Treasurer  
Richard P. Streett, Jr., V.M.D., Secretary (via phone)  
Leslie Jackson-Jenkins, Esq. (via phone)  
William B.C. Addison (via phone)  
Joseph Snee, Esq. (via phone)  
Talmadge E. Simons (via phone)  
Ed Adams, P.E. (via phone)

**DIRECTORS ABSENT:**

**OTHERS PRESENT:** Beth Wojton  
Sean L. Coleman, Esq.  
John Kane  
Cece Donovan  
Steve Tomczewski  
Pamela Fuller  
Chris Garrigan

**CALL TO ORDER**

The meeting of the Board was called to order by Mr. Harkins at 9:34 a.m.

**MINUTES**

Mr. Harkins requested approval of the minutes of the meetings of June 23 and June 30, 2014. Dr. Streett made the motion to approve the minutes and Mr. Addison seconded. The motion passed unanimously.

### **DIRECTOR'S REPORT**

A new phone system should be installed in the conference room later this week, hopefully making future conference calls more efficient.

Mr. Adams joined the meeting.

On June 27, 2014, Mr. Harkins along with several MES staff met with representatives of the Anne Arundel Community College to kick-off the first phase of the MES Succession Plan. The AACC staff took the group through several exercises in the first step. Also on this date, MES graduated the 2014 Management and Supervisory Skills Training Class.

The MES agency picnic was July 13<sup>th</sup>. There was a good turnout.

On July 17, 2014, Mr. Harkins met with the Mayors and Municipal leaders from Cecil and Harford County. At that meeting, he was approached by Jim Fielder, the Bel Air Town Manager, who asked for help with a project at the John Carroll High School.

### **BUSINESS DEVELOPMENT**

The agency continues to follow-up on contacts made at the MML convention. Water and Wastewater is putting together a proposal for the Town of Poolesville. Customer Service visits and calls are being made. Current clients are being presented with a menu of other services that MES can provide.

### **AGENCY ACTIVITY REPORT**

The Agency Activity Report was presented to the Board. There were no questions.

### **HUMAN RESOURCES**

Ms. Wojton reported there are 744 total MES positions. There were 2 new hires in July with 10 pending new hires for July/August. The vacancy rate after these new hires start will be 3.90%. Also included in the Report were "MES Portraits" for two employees.

Ms. Wojton introduced Resolution 14-07-1R to amend the MES Retiree Medical Reimbursement Plan. This amendment will allow employees who retire with at least 30 years of service to participate in the plan, regardless of their age. The current plan provides for employees who have at least 16 years of service, and are at least 60 years of age. This is in accordance with the recommendation of the HR Committee made last month. Mr. Snee made

the motion to approve the Resolution, Mr. Simons seconded. The resolution motion passed unanimously.

### **FINANCIAL REPORT**

Ms. Irvin addressed Accounts Over 120 Days:

- American Waste Enterprises – a garnishment has been filed, there appears to be some money in a bank account.
- United Iron & Metal – the issue with the weights has been worked out.
- Clearpath – Their AR department is working on it.
- Brown Station – The IGA was delivered last week, they will pay once signed.
- MD Dept of the Environment –documentation has been submitted.
- MTA – their project manager is on leave, the supervisor has been contacted.

Ms. Irvin presented the results of the Preliminary Plan v. Actual. The books have not been closed yet on FY 2014. The final results should be available at the September Board meeting. So far, the report looks good. Labor is up 5% over projections. Overhead expenses are 3% over, due mostly to IT issues and snow removal. The Fringe Variance is 180% over projected due to the snow days, and increases to Health and Worker's Compensation insurance premiums. Projects look good, especially oil recovery.

### **PROCUREMENT ITEMS**

Mr. O'Neill introduced Item 1. The procurement is to replace a windrow turner at the Montgomery County Yard Trim Composting Facility. Dr. Streett made the motion to approve the Item, Mr. Adams seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 2. The procurement is for a replacement loader at the Montgomery County Yard Trim Composting Facility. There are no buy-back provisions in the contracts. Ms. Jenkins made the motion to approve the Item, Mr. Addison seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 3. The procurement is for bidding and construction related services for the upgrades to the Maryland Correctional Institution wastewater treatment facility in Hagerstown (MCI-H). Mr. Snee made the motion to approve the Item, Mr. Addison seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 4. The procurement is to close out the contract with GL & Associates for the JD Edwards/Enterprise One migration. Mr. Simons made the motion to approve the Item, Ms. Irvin seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 5. The procurement is to replace a feed conveyor at the Montgomery County Recycling Center. The old system cannot keep up with the increased

amount of recyclables. Ms. Jenkins made the motion to approve the Item, Mr. Adams seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 6. This procurement is with Kramer & Associates, Inc. for MDE outreach support services. Mr. Snee made the motion to approve the Item, Mr. Addison seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 7. This procurement is award a bid to procure washed concrete sand from FTC Aggregate for use at the Masonville Cove. Mr. Simons made the motion to approve the Item, Ms. Jenkins seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 8. The procurement is to develop a short list of qualified Oracle certified JD Edwards Consulting partners to provide support services associated with the JD Edwards/Enterprise One system. BRIJ and Denovo have been selected. Future tasks/modules include: employee self-service features, timesheets, B1 publisher and E1 Report writer for reports. Ms. Irvin made the motion to approve the item, Mr. Snee seconded. The motion passed unanimously.

The Procurement Notifications are contained in the Board's notebooks.

#### **LEGAL REPORT**


The Attorney General has appointed J.B. Howard as the Chief Deputy Attorney General, to replace Kay Winfree who left last month. Dan Barnett, Chief of the Criminal Division, has been appointed as the other Deputy Attorney General.


#### **OLD/NEW BUSINESS**

Ms. Wojton advised that the August Board meeting will occur during the MACO convention in Ocean City, from August 13<sup>th</sup> to 16<sup>th</sup>. The Wednesday night reception will be held at the Clarion at 4:30pm. The Board meeting will be held on Thursday morning also at the Clarion at 8:30am. Mr. Snee and Ms. Jenkins will be calling in to that meeting.

#### **ADJOURNMENT**

At 10:06 a.m. upon motion by everyone, the meeting adjourned.

  
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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 8-14  
August 14, 2014**

**LOCATION:** Clarion Resort Fontainebleau Hotel  
Ocean City, Maryland

**TIME:** 8:30 a.m.

**DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Janet Irvin, Treasurer  
Richard P. Streett, Jr., V.M.D., Secretary  
Leslie Jackson-Jenkins, Esq. (via phone)  
William B.C. Addison  
Joseph Snee, Esq. (via phone)  
Talmadge E. Simons  
Ed Adams, P.E.

**DIRECTORS ABSENT:**

**OTHERS PRESENT:** Beth Wojton  
Sean L. Coleman, Esq.  
John Kane  
Cece Donovan  
Steve Tomczewski  
Pamela Fuller  
Chris Garrigan

**CALL TO ORDER**

The meeting of the Board was called to order by Mr. Harkins at 8:30 a.m.

**MINUTES**

Mr. Harkins requested approval of the minutes of the meeting of July 21, 2014. Mr. Simons made the motion to approve the minutes and Dr. Streett seconded. The motion passed unanimously.

### **DIRECTOR'S REPORT**

Last night an MES employee was featured on the Travel Channel show "Grilled." The show is a competition between 3 grilling chefs. This episode was filmed on the waterfront in downtown Annapolis and featured MES employee Eric Frase, the Manager of the Midshore II Landfill. Eric came in second in the competition.

On August 1, 2014, Mr. Harkins and Staff met with Maryland Department of Agriculture Secretary Buddy Hance and Deputy Secretary Royden Powell to explore a proposal for State-owned poultry litter storage sites. It was determined that MES would submit a proposal to operate three sites, one each in Wicomico, Worcester, and Somerset Counties. MES would select those sites based upon existing State owned land that would best fit MDA's needs. Phosphorous management is an emerging issue right now. The fact that MES can respond in such ways to agencies with special needs and projects, is what makes MES valuable to other State agencies. It also causes them to seek out other services as well.

### **BUSINESS DEVELOPMENT**

Ms. Wojton reported that MES is working on preparing several proposals. The Town of Poolesville has requested a proposal for full water and wastewater operations. The City of Annapolis has asked MES to help them prepare an RFP for their proposed energy park.

Leslie Jackson-Jenkins joined the meeting via conference call.

John Kane discussed a request from Lane Engineering for MES to look at a property in Dorchester County owned by Paul Tudor Jones. It is a 6,500 acres parcel, currently operated as a hunting preserve. He would like to donate the property to one or more charities. They are looking at several options for handling the water and wastewater needs of the property. One option would be to pump everything to the Cambridge facilities, over 6 miles away. The other option is to build plants onsite. They are interested in having MES build and operate a water and wastewater plant by the end of the year. Staff are currently looking at placement options for the plants on the property. The plant would sit on about 1 acre, and process about 60,000 gallons. It would employ as many as 2 full time positions once operational.

### **AGENCY ACTIVITY REPORT**

The Agency Activity Report was presented to the Board.

Dr. Streett inquired about the relocation of a sewer line under a sports field in Belair. Mr. Kane indicated MES is no longer involved in this potential project. The Town has chosen to not move the line. Mr. Adams asked if MES has seen any new business stemming from the Water Quality Funds ("rain tax"). Ms. Donovan responded that there have been many projects from the Department of Transportation modules. Many new people have been hired to work on

stormwater projects. Mr. Adams also inquired if there was any change in the Sparrows Point Projects. Ms. Donovan indicated that MPA is still interested in acquiring the Coke Point portion of the property but there has not been any progress yet.

### **HUMAN RESOURCES**

Ms. Wojton reported there are 745 total MES positions, 699 active. There were 4 new hires in July/August with 20 pending new hires for August/September. The vacancy rate after these new hires start will be 3.49%. There are many open positions. Some of those positions require a unique skill set, such as boiler operators. Most positions continue to solicit many resumes.

Also included in the Report was an "MES Portraits" for an MES employee.

### **BEST 2015 GOALS**

The Best Committee has prepared a list of recommendations for FY15 Best Goals. Several of the goals are repeated from last year. The recommended goals are contained in the Board materials. Mr. Addison made the motion to approve the Goals, Dr. Streett seconded. The motion to adopt the Goals passed unanimously.

### **FINANCIAL REPORT**

Accounting staff are still closing the July Financials. The auditors are at MES this week. They are reviewing systems and reports.

Ms. Irvin addressed Accounts Over 120 Days, which are in the materials.

### **PROCUREMENT ITEMS**

Mr. O'Neill introduced Item 1. The procurement is to purchase printed polyethylene Leafgro® bags for Montgomery County Yard Trim Composting Facility. Mr. Simons made the motion to approve the Item, Mr. Adams seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 2. The procurement is for Ecologix to provide environmental outreach services to minority communities for MPA Safety Environment and Risk Management Dept. Mr. Sneer made the motion to approve the Item, Ms. Jenkins seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 3. The procurement is to repair a sinkhole and spillway lining at Cox Creek. Mr. Addison made the motion to approve the Item, Mr. Adams seconded. The motion passed unanimously.



Mr. O'Neill introduced Item 4. The procurement is for additional dredging at the Seagirt and Dundalk Marine Terminals, with hauling to Masonville. The channels need to be widened and deepened to accommodate the Panama Canal ships. Mr. Adams made the motion to approve the Item, Mr. Addison seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 5. The procurement is for construction of a new water treatment plant at Rocky Gap State Park to accommodate increased demand on the system from the Casino. Mr. Adams made the motion to approve the Item, Mr. Simons seconded. The motion passed unanimously.

Mr. O'Neill notified the board of a procurement which does not require Board approval. MES has entered into an IGA with the Town of Cecilton for design, planning, and engineering services for development of the Pearce Creek water system 90% designs. A 2012 USGS study indicated that a dredge material placement site had contaminated the drinking water in the area. MPA has agreed to fund this new water connection for effected towns, so they can re-open the dredge site. MES will supervise and advise the Town of Cecilton as they supervise URS on Construction and Design.

The Procurement Notifications are contained in the Board's notebooks. Mr. Snee inquired about the cases of water for ECI. Mr. O'Neill advised that the prison had 2 drinking water tests come back positive for total coliform and had to restrict drinking of water at the prison until additional tests could be run. Bottled water was supplied for 2-3 days. Subsequent tests came back negative.

### **LEGAL REPORT**

Mr. Coleman advised that his office has been busy reviewing the Rocky Gap agreements, as well as a proposal for the State to agree to private development of the Warfield property at Springfield State Hospital which is now on the fast track. The Shared-Use agreement for Southern Hills is now done, and ready to be a template for future shared-use projects. Several public information act requests were received from inmates at ECI following the above mentioned water testing. Mr. Coleman will be attending the International Municipal Lawyers Association (IMLA) conference next month where he will moderate a session on stormwater issues.

### **OLD/NEW BUSINESS**

Next month's meeting will be at MES Headquarters. The Human Resources Committee and the Audit Committee will meet at 9:30am. The Board meeting will follow at 10:30am.

Ms. Wojton handed out a draft agenda for the October meeting. In response to a request from the Board to see the implementation of the Oyster Restoration Project on the Eastern Shore, MES had staff start preparing an itinerary to view shell placement, as well as visit Poplar Island, if

the Board so desires. This draft agenda was OK with Dr. Streett. Mr. Addison cannot come on Sunday, but is fine with the Monday tour agenda. The other members will check their calendars.

Ms. Snee requested an update on the adjacent property acquisition. Mr. Coleman is working on the agreements and MES is currently waiting for the property owners to consult with their attorney and accountant.


Dr. Streett inquired if there had been any significant bird kills at Poplar Island this summer. Ms. Donovan reported that it is normal for there to be some bird mortality this time of year. The birds are collected and studied for any potential diseases. There have been several hundred birds this year, but that is typical in large bird gatherings, and does not appear to be spreading. MES is working with Fish & Wildlife and veterinarian associations to study potential causes. Algae has not been an issue this year.

#### **CLOSED SESSION**

At 9:35 am, in order to consult with agency counsel on a legal matter, and to consult with council and agency staff regarding a pending litigation matter, Ms. Jenkins made a motion to enter Closed Session, which was seconded by Mr. Snee. Mr. Coleman discussed a claim filed by a contractor, and litigation filed against several MES employees in the Circuit Court for Montgomery County. The Board came out of closed session at 9:42 am.

#### **ADJOURNMENT**

At 9:44 a.m. upon motion by Dr. Streett, the meeting adjourned.

  
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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 9-14  
September 29, 2014**

**LOCATION:** MES Headquarters  
259 Najoles Road, Millersville

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

**DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Janet Irvin, Treasurer  
Richard P. Streett, Jr., V.M.D., Secretary  
Leslie Jackson-Jenkins, Esq.  
William B.C. Addison  
Joseph Snee, Esq.  
Talmadge E. Simons  
Ed Adams, P.E.

**DIRECTORS ABSENT:**

**OTHERS PRESENT:** Beth Wojton  
Sean L. Coleman, Esq.  
John Kane  
Cece Donovan  
Steve Tomczewski  
Pamela Fuller  
Graylin Smith, SB& Company (left after Audit report)  
Sisilia Mo (left after Audit report)  
Monique Booker (left after Audit report)

**CALL TO ORDER**

The meeting of the Board was called to order by Mr. Harkins at 10:35 a.m.

**YEAR-END AUDIT REPORT**

Graylin Smith presented the Year-end audit report as prepared by SB & Company, Inc. There were no deficiencies or material weaknesses noted. They are issuing an unqualified clean opinion. No difficulties were encountered during the audit. Controls were designed and

operating successfully. They found no material weaknesses or instances of fraud. Additional audits of the new IT system were performed, with no deficiencies noted. Disaster recovery procedures and documentation are being addressed by management. The auditors expressed their thanks to MES staff for being very helpful during the process. Mr. Simons requested a motion to approve the audit report. Ms. Jenkins made the motion to approve the report, Mr. Addison second, the report was unanimously approved. Following approval of the audit report the Auditors left the meeting.

Mr. O'Neill described several changes to the Water and Wastewater Operator-in-Training (OIT) program. Management recommends the following changes:

- Move the program from the Water/Wastewater Group to the Human Resources Training section,
- Develop and communicate Program goals and objectives that are clear and measurable, and
- Clarify the duties and responsibilities of the Operations Training Manager.

There are currently 14 OITs in the program. There is a about a 50% retention rate for employees once they complete the program. The committee will update the Board on the program in six months.

### **MINUTES**

Mr. Harkins requested approval of the minutes of the meeting of August 14, 2014. Mr. Snee made the motion to approve the minutes and Mr. Simons seconded. The motion passed unanimously.

### **DIRECTOR'S REPORT**

BioCycle magazine is holding its annual composting conference in Maryland this year. It will be October 27-October 30<sup>th</sup>. Several employees of MES will be attending.

Mr. Harkins attended the County Engineers Association annual conference in Ocean City earlier this month. Doug Myers, the Chief of Operations & Maintenance for the Water/Wastewater Group received an award for his many years of service to the association.

### **BUSINESS DEVELOPMENT**

Ms. Wojton reported that an email and letter are being prepared to send to all Municipalities and County governments detailing the services offered by MES. A proposal was submitted to the Town of Poolesville last month for full water and wastewater operations. There has not been a response yet.

### **AGENCY ACTIVITY REPORT**

The Agency Activity Report was presented to the Board. Several questions were addressed.

#### **GROUP UPDATES**

Ms. Donovan discussed the Hawkins Point Hazardous Waste Landfill. It is the only hazardous waste landfill in Maryland, receiving large amounts of COPR in the 1980s. It has a combination of capping materials. The leachate levels have been increasing since 2004, indicating the cap is not working well as rainwater is entering the landfill. Honeywell has decided to re-cap Area 5. Construction is planned for April to July 2015 and the contractor will be procured and managed by CH2MHill for Honeywell. MES will provide construction management support, expand the leachate dewatering system and continue to provide Controlled Hazardous Substance Permit required activities.

Mr. Tomczewski discussed the Food Waste Composting Pilot project at Midshore II. The pilot will use an in-vessel composter manufactured by Green Mountain Technologies. The duration of the pilot will be approximately six months, with 3 months dedicated to a 50/50 food/yard waste, and 3 months dedicated to chicken manure composting. Compost produced will be used on site, however a marketing study may be done to see if there is a large scale market for the end product. Cost to conduct the pilot will be approximately \$20,000.

Mr. Kane discussed a recent visit by Russian environmental specialists as part of the Open World Program. As part of their week long program, they spent a day with MES touring the Masonville DMCF, the Dorsey Run WWTF, and MES Headquarters.

#### **HUMAN RESOURCES**

Ms. Wojton reported there are 747 total MES positions. There were 12 new hires in September with 7 pending new hires for September/October. The vacancy rate after these new hires start will be 3.08%. MES has been interviewing about 2 veterans per week, with 10 having been hired so far.

Mr. Harkins advised that Steve Tomczewski was awarded the 2014 Robert L. Lawrence Distinguished Service Award by SWANA – the Solid Waste Association of North America.

#### **HUMAN RESOURCES COMMITTEE**

Mr. Snee summarized several issues discussed by the Human Resources Committee. The Committee's first recommendation is for a change to the agency 401k program. MES currently has a 44% participation rate in the plan. The Committee recommends that all new hires will automatically be enrolled in the program at the 3% level, with MES matching the contribution.

They can later opt out of the plan if they choose. This is good for Vanguard, MES, and the employees. Vanguard advises they have been doing this at other companies with great success. A formal Resolution amending the Vanguard Plan will be drafted and presented at the next Board meeting.

The second change recommended by the Committee is to modify the ranges of the MES salary scale. The current scale has not been updated since 2005. The proposed scale increases the minimum and maximum salary at each Grade level by 10%. Mr. Snee made a motion to approve this new salary scale as presented to the Board, Dr. Streett seconded the motion. The motion passed unanimously.

Resolution 14-09-1R was then presented to the Board. This resolution would grant the day after Thanksgiving as an additional holiday to MES employees. Mr. Snee made the motion to approve the Resolution, Ms. Jenkins seconded. The motion passed unanimously.

The Human Resources Committee also reviewed the BEST 2014 goals and achievements. The agency achieved a 96.43% success rate, with only one objective not being met. The HR Committee, through Chairman Joe Snee, thereby moved for the Board to adopt the funding levels and payouts summarized in the handout "BEST 2014 Funding". Dr. Streett seconded the motion. The motion passed unanimously, except that Mr. Harkins, Mr. O'Neill and Ms. Irvin abstained. Mr. Snee further moved for MES to make the payout to employees in October. Mr. Simons seconded. The motion passed unanimously.

### **PROCUREMENT ITEMS**

Mr. O'Neill introduced Item 1. The procurement is to renew a yard waste material hauling contract with Dirt Express for services at the Western Acceptance Facility for Baltimore County. Ms. Irvin made the motion to approve the Item, Dr. Streett seconded. The motion passed unanimously, with the exception of Ed Adams, who abstained from the vote.

Mr. O'Neill introduced Item 2. The procurement is for the loading, transport and placement of reef balls at Masonville Cove. Mr. Addison made the motion to approve the Item, Dr. Streett seconded. The motion passed unanimously.

The Procurement Notifications are contained in the Board's notebooks.

### **LEGAL REPORT**

Mr. Coleman advised that the legal office continues to be very busy with transactional work. Mr. Selle recently successfully defended the agency in a grievance appeal filed by an employee. The Administrative Law Judge held that the employee's transfer was not retaliation.

The agency recently received a public information act request from the Law Offices of Funk & Bolton concerning the placement of fossilized oyster shell in Harris Creek and the Little Choptank. The agency is also responding to a subpoena in a divorce action for records related to its lease of the property utilized for the Hart-Miller Island Landbase.

Ms. Jenkins left the meeting at 11:55 a.m.

### **OLD/NEW BUSINESS**

Dr. Streett inquired into the status of the 2 adjacent properties. Mr. O'Neill advised that the rental space to the north will be available for occupancy by mid-November. Mr. Coleman and Mr. Selle recently met with the other property owners and their attorney. They had several concerns and have made a counter-offer.

### **CLOSED SESSION**

At 11:55 a.m. a motion was made by Mr. Snee pursuant to Section 10-508(a)(3) of the State Government Article to go into closed session to discuss issues related to the acquisition of real property. This motion was seconded by Mr. Simons. Present during the closed session were the Board members (other than Ms. Jenkins), Mr. Coleman, Ms. Wojton, and Ms. Fuller. At 12:05 p.m., Mr. Snee made the motion to come out of closed session, which was seconded by Mr. O'Neill.

### **NEW BUSINESS**

Next month's meeting will be on October 27<sup>th</sup> at the Hyatt Regency in Cambridge, MD. Mr. Addison has invited everyone to his house the evening before for dinner. The Board meeting will be at 8:30 am on the 27<sup>th</sup>, followed by a tour of the Little Choptank oyster placement activities. A second tour of the Cambridge WWTP or the Horn Point oyster hatchery can then be arranged.

### **ADJOURNMENT**

At 12:10 p.m. upon motion by Dr. Streett, the meeting adjourned.

  
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 10-14  
October 27, 2014**

**LOCATION:** Hyatt Regency – Chesapeake Bay  
100 Heron Blvd, Cambridge, MD

**TIME:** 8:00 a.m.

**DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Janet Irvin, Treasurer  
Richard P. Streett, Jr., V.M.D., Secretary  
William B.C. Addison  
Leslie Jackson-Jenkins, Esq. (phone)  
Joseph Snee, Esq. (phone)  
Talmadge E. Simons (phone)

**DIRECTORS ABSENT:** Ed Adams, P.E.

**OTHERS PRESENT:** Beth Wojton  
Sean L. Coleman, Esq.  
John Kane  
Cece Donovan  
Steve Tomczewski  
Pamela Fuller  
Mark Lennon

**CALL TO ORDER**

The meeting of the Board was called to order by Mr. Harkins at 8:00 a.m.

**MINUTES**

Mr. Harkins requested approval of the minutes of the meeting of September 29, 2014. Mr. Addison made the motion to approve the minutes and Dr. Streett seconded. The motion passed unanimously.



### **DIRECTOR'S REPORT**

MES continues to work on several major new projects; including, the gas fired energy plant to serve the Maryland Correctional Institution at Hagerstown, work on the old Sparrows Point Plant site for the MPA, and various stormwater projects in several counties.

BioCycle magazine is holding its annual composting conference in Maryland later this week. It will be October 27-October 30<sup>th</sup>. The Gore Technology food composting pilot project at the Prince George's County Composting Facility (Western Branch) will be featured.

Mr. Harkins thanked Mr. Addison and his wife for hosting a wonderful dinner at their home last night.

### **BUSINESS DEVELOPMENT**

Ms. Wojton reported that an email was sent to municipalities and county governments detailing the services offered by MES. The email also asked for input into services they would like MES to provide.

Ft. Detrick has asked MES for a proposal to deal with their liquid sludge.

### **AGENCY ACTIVITY REPORT**

The Agency Activity Report was presented to the Board.

Ms. Donovan pointed out the additional work at Cox Creek Expanded. The MPA has asked MES to implement the design and construction of the project. The MOU is valued at \$2.5 million, and is due to go before the BPW in January. MES will be hiring a demolition expert to assist with removal of the old buildings.

### **HUMAN RESOURCES**

Ms. Wojton reported there are 703 active MES positions. There are currently 25 vacancies. There were 13 new hires in October with 7 pending new hires for October/November. The vacancy rate after these new hires start will be 2.39%.

Ms. Wojton introduced Resolution 14-10-1R, which was endorsed by the Human Resources Committee at last month's meeting. This resolution will allow MES to automatically enroll new employees into the Vanguard 401K savings program. Employees can opt out at any time. Mr. Snee made the motion to approve the resolution, Dr. Streett seconded. There were no questions. The resolution passed unanimously.

### **FINANCIAL REPORT**

The Financial report and graphs are contained in the board handouts. The first quarter is looking good, with assets and sales up 6% over this time last year. For the first time, the Water/Wastewater Group has more labor sales from non-State contracts than from State contracts. Net assets are up \$857,000 over last year, due mostly to labor sales. Ms. Irvin went over the accounts over 120 days.

- American Waste Enterprises - \$3,000 was received. There is an examination of assets hearing scheduled for the end of this month. Mr. Tomczewski advised that AWE may have been sold to Republic.
- Maybell Manor – working on a payment plan
- Brown Station Landfill – The County returned the IGA for further revisions.
- NH Kellman – a check has been issued, but not yet received.

### **PROCUREMENT ITEMS**

Mr. O'Neill introduced Item 1. The procurement is for Environmental Recovery Corporation to pump and haul waste fluids from BWI and MTN airports. Mr. Simons made the motion to approve the Item, Mr. Snee seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 2. The procurement is to purchase plants from Sugerloaf Native Nursery for planting at Masonville Cove. Mr. Addison made the motion to approve the Item, Dr. Streett seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 3. The procurement is for Verizon Cellular Service and equipment. Mr. Snee made the motion to approve the Item, Mr. Addison seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 4. The procurement is a sole source change order to Sustainable Generation for rental of the Gore Cover system for an additional year for the food waste composting pilot project at Western Branch. Dr. Streett made the motion to approve the Item, Ms. Irvin seconded. The motion passed unanimously, with the exception of Ms. Jackson-Jenkins who abstained from the vote.

Mr. O'Neill introduced Item 5. The procurement is for a change order to the contract with Tito Contractors for temporary labor services at various projects within Montgomery County. Mr. Simons made the motion to approve the Item, Mr. Snee seconded. The motion passed unanimously.

The Procurement Notifications are contained in the Board's notebooks.

**LEGAL REPORT**

Mr. Coleman advised that Mr. Selle has prepared Motions to Dismiss in the lawsuit filed in Montgomery County against numerous MES employees by an individual. The plaintiff will then have 15 days to file a response. The plaintiff has not filed responses to any of the other defendants who have filed similar motions.

**OLD/NEW BUSINESS**

The Draft meeting schedule for 2015 is included in the handouts. If there are no changes, it will be adopted at the next meeting.

The headquarters annex space is almost complete. Thirty eight employees will be moving into the new space, which will also include a utility room and training room.

Ms. Jenkins left the meeting at 8:35a.m.


**OYSTER PROJECT REPORT**


Mark Lennon presented an overview of DNR's Oyster Reef Restoration project. DNR approached MES for project management services. They are purchasing fossilized oyster shell from Florida, and granite from Maryland to restore oyster reefs in Harris Creek and the Little Choptank River. MES has coordinated the procurements, billing, and contracts, and kept everything moving in a very tight time frame. Numerous agreements between CSX, DNR, National Fish & Wildlife Foundation, the quarries, barging services and other vendors were needed. MES pulled it all together in less than 25 days.

The Florida quarry initially had trouble delivering enough shell on time, and the first 9 shipments were delayed. Cold weather last winter also caused several delays. All deliveries are on schedule now. DNR requested a shell to non-shell ration of at least 65% to 35%. Most shipments have been over 80% shell. There has been some controversy between local waterman and DNR regarding the placement, but DNR has been very pleased with MES' work.

**ADJOURNMENT**

At 8:50 a.m. upon motion by Mr. Addison, the meeting adjourned.

  
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 11-14  
November 17, 2014**

**LOCATION:** Maryland Environmental Service  
259 Najoles Road, Millersville  
Conference call

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

**DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Janet Irvin, Treasurer  
Richard P. Streett, Jr., V.M.D., Secretary (phone)  
William B.C. Addison (phone)  
Leslie Jackson-Jenkins, Esq. (phone)  
Joseph Snee, Esq. (phone)  
Talmadge E. Simons (phone)  
Ed Adams, P.E. (phone)

**DIRECTORS ABSENT:**

**OTHERS PRESENT:** Beth Wojton  
Sean L. Coleman, Esq.  
Doug Myers  
Cece Donovan  
Steve Tomczewski  
Pamela Fuller

**CALL TO ORDER**

The meeting of the Board was called to order by Ms. Irvin at 9:35 a.m. Mr. Harkins and O'Neill were stuck in traffic, and both arrived at 9:40 am.

**MINUTES**

Ms. Irvin requested approval of the minutes of the meeting of October 27, 2014. Mr. Addison made the motion to approve the minutes and Dr. Streett seconded. The motion passed unanimously.

**BUSINESS DEVELOPMENT**

Ms. Wojton reported that an email was sent to municipalities and county governments detailing the services offered by MES. The email also asked for input into services they would like MES to provide. Several responses have been received. They will continue to follow up.

MES received a request from Kent County for a water audit for the Town of Millington.

**AGENCY ACTIVITY REPORT**

The Agency Activity Report was presented to the Board.

Ms. Donovan pointed out the additional work at Cox Creek Expanded. The MPA had asked MES to implement the design and construction of the project, with an MOU valued at about \$200 million. MPA has been reconsidering aspects of the project, and subsequently asked MES to prepare a different MOU for about \$45 million dollars for demolition of the existing structures.

**DIRECTOR'S REPORT**

Mr. Harkins and Mr. O'Neill arrived at the meeting at 9:40 am.

Mr. Harkins reported that the new Headquarters annex building is now occupied. An open house was held November 5<sup>th</sup> for all employees to see the new space. The next Board of Director's meeting will be held in the annex conference room.

On November 12<sup>th</sup>, Mr. Harkins toured the Gettysburg Energy and Nutrient Recovery Facility (see handout). They produce power through the gasification of chicken litter. The ash by-product is used as an additive for livestock feed. The litter comes from Pennsylvania egg-laying chickens. Maryland chicken litter contains more bedding material so would burn differently. The facility was funded through private investors and State grants. It is operated by Energy Works BioPower, LLC.

An internal work group has been set up to prepare materials for Governor-elect Hogan's transition team.

**GROUP UPDATES**

Mr. Tomczewski presented the St. Andrews Landfill gas extraction extension. Landfill gas remediation was required by an injunction issued in 2013 against Saint Mary's County. MES delivered the project on-time and on-budget. The project is part of an innovative plan to utilize gas extraction to clean-up contaminated groundwater at the site.

Ms. Donovan and Mr. Myers discussed the meeting with the Chinese delegation from the University of Maryland who visited MES. The delegation consisted of engineers and environmental scientists examining methods of environmental improvement. They had many questions, and numerous MES technical staff members were called in answer questions.

### **HUMAN RESOURCES**

Ms. Wojton reported there are 758 active MES positions. There are currently 18 vacancies. There were 4 new hires in November with 2 pending. The vacancy rate after these new hires start will be 2.11%.

### **FINANCIAL REPORT**

It is too early in the month for the October financial report. Ms. Irvin reviewed the accounts over 120 days report:

- American Waste Enterprises – After deposing the owners regarding their assets, it was determined that insufficient assets remain to allow MES to recover any more of the debt. The account will be written-off.
- Brown Station Landfill – This bill was paid November 7th.
- NH Kellman – The first check was not received. They have issued a new check
- Grayhound Trash Removal – this is for tipping fees at Western Branch.

### **PROCUREMENT ITEMS**

Mr. O'Neill introduced Item 1. The procurement is for construction of the landfill closure cap at Midshore I. Mr. Simons made the motion to approve the Item, Mr. Addison seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 2. The procurement is for wet basin filling at Fairfield Marine Terminal. The original A/E contract was for design work. MPA asked for additional work. Mr. Snee made the motion to approve the Item, Mr. Adams seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 3. The procurement is for closure cap construction, engineering, and CQA services at the Old Beulah Landfill. The County will pay the contractor. MES is conducting the procurement. Mr. Snee made the motion to approve the Item, Mr. Adams seconded. The motion passed unanimously.

The Procurement Notifications are contained in the Board's notebooks. Several questions were addressed.

**LEGAL REPORT**

Mr. Coleman advised that Mr. Selle has filed Motions to Dismiss in the lawsuit filed in Montgomery County by an individual against numerous MES employees.


The Attorney General's office is handling 2 contract appeals cases. The first is an appeal of the Procurement Officers' decision filed by Roy Kirby & Sons over construction of the CAF. This appeal will be heard in early December. The second is an appeal filed by EcoCorp last week concerning the anaerobic digester project. A hearing has not yet been scheduled in this action. These are both internal, administrative hearings.

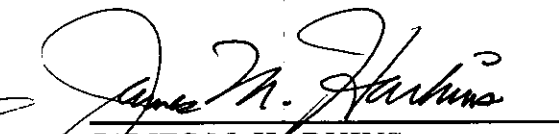
**OLD/NEW BUSINESS**

The meeting schedule for 2015 is included in the handouts. Next month's meeting will be December 15<sup>th</sup>, in the new Headquarters Annex building.

**ADJOURNMENT**

At 10:05 a.m. upon motion by Ms. Jenkins, the meeting adjourned.

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

  
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JAMES M. HARKINS  
DIRECTOR



Lawrence J. Hogan, Jr., Governor

James M. Harkins, Director

**BOARD OF DIRECTORS  
MINUTES  
MEETING 11-14  
December 15, 2014**

**LOCATION:** Maryland Environmental Service – Annex Building  
255 Najoles Road, Millersville

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

**DIRECTORS PRESENT:** James M. Harkins, Director  
John O'Neill, Deputy Director  
Janet Irvin, Treasurer  
Richard P. Streett, Jr., V.M.D., Secretary  
William B.C. Addison  
Leslie Jackson-Jenkins, Esq.  
Joseph Snee, Esq.  
Talmadge E. Simons  
Ed Adams, P.E.

**DIRECTORS ABSENT:**

**OTHERS PRESENT:** Beth Wojton  
Sean L. Coleman, Esq.  
Cece Donovan  
Steve Tomczewski  
John Kane  
Pamela Fuller

**CALL TO ORDER**

The meeting of the Board was called to order by Mr. Harkins at 9:32 a.m.

**MINUTES**

Mr. Harkins requested approval of the minutes of the meeting of November 17, 2014. Mrs. Jenkins made the motion to approve the minutes and Dr. Streett seconded. The motion passed unanimously.



### **DIRECTOR'S REPORT**

Mr. Harkins attended Harford County Executive, Barry Glassman's inauguration on December 1<sup>st</sup>. At the ceremony, he also spoke with Governor-elect Larry Hogan. On December 3<sup>rd</sup>, Mr. Harkins had lunch with State Senator Jim Robey and Transportation Secretary Jim Smith. Secretary Smith was very complimentary of MES' work. They discussed several ongoing MES projects.

December 8<sup>th</sup> was the MES Quarterly Leadership meeting with MES staff. In addition to the normal topics, a special speaker from the State Human Relations Commission presented the senior staff with a training session on "The Dimensions of Diversity."

On December 11<sup>th</sup>, Mr. Harkins was contacted by Charlie Evans, a member of Governor-elect Larry Hogan's transition team. He wanted to set up a meeting time for himself and Mark Belton, another member of the team. They want to meet with John O'Neill, Beth Wojton and Jim Harkins.

### **BUSINESS DEVELOPMENT**

Prince George's County Public Schools has asked MES for assistance with water treatment plants at 4 of its schools. John Kane sent a proposal to them. A water audit is being conducted at the request of the Town of Galena. The MES services letter is being sent to newly elected officials throughout the State. MES will have a larger presence at the MACO winter conference, and Mr. Harkins will be out meeting with newly elected local officials.

### **AGENCY ACTIVITY REPORT**

The Agency Activity Report was presented to the Board.

### **GROUP UPDATES**

Ms. Donovan discussed water quality and sediment quality monitoring for the MPA Confined Aquatic Disposal (CAD) Project at Masonville. The project involves the excavation of sand in an area not previously dredged (CAD cell) for use as a beneficial fill, in the wet basin, and possibly the Fruit Pier. The excavation site is then filled with material from maintenance dredging of Federal navigation channels. MES' role includes; task management, contracting and contract management, technical oversight and work product review.

Ms. Donovan also updated the Board on work at the Cox Creek expanded site. MPA has asked that the work be broken down into smaller parts. Stage 1 will be for \$116M, rather than \$215M. This should go to the Board of Public Works for approval in March.

Mr. Tomczewski discussed the construction of Cell 2 of the Midshore II Regional Landfill. Geosyntec designed the cell with a double liner of compacted clay for maximum protection. George & Lynch constructed the cell, coming in under budget. Weather-related delays were overcome by altering the construction sequence. MES will begin placing soft trash in mid-December.

Mr. Kane discussed a project in the Town of Oakland. MES was contacted by the Local Government Insurance Trust (LGIT) Director of Claims Services asking if the agency could perform a forensic engineering study. The Town of Oakland has a new water system constructed to meet the Disinfection Byproduct Rule. The facilities are in compliance with the Rule, but the process changes have caused a "black water" problem. Discolored water in the distribution has raised concerns that consumers may take legal action. The scope of work includes site visits to examine treatment process, review of operating records, chemical use, and lab data, and the preparation of a root cause analysis report.

### **HUMAN RESOURCES**

Ms. Wojton reported there are 765 MES positions. There are currently 30 vacancies. There are 4 new hires pending for December. The vacancy rate after these new hires start will be 3.4%.

### **FINANCIAL REPORT**

The Financial Statements for October 2014 were presented to the Board. There was a 5.6% increase in labor sales due mainly to GIS, DNR Fisheries, MTA and several new stormwater projects. Fringe & Overhead remain steady. Total Net Assets are up over \$1M over this time last year. Cash remains the same as last month. The Plan v. Actual is looking good. Overhead variance is down a bit, due to expenses related to the new annex.

Ms. Irvin presented the Accounts over 120 days report.

- American Waste Enterprises – has been deemed uncollectable, will be written off
- Maybell Manor – working on payment plan
- Brown Station Landfill – paid 11/7
- MDE – MDE needs BPW approval, and contract award before payment issued
- NH Kellam – Paid 10/17
- Grayhound Trash Removal – MES working with PG County for payment

### **PROCUREMENT ITEMS**

Mr. O'Neill introduced Item 1. The procurement is for floodplain modeling and mapping services for Allegany County. Mr. Adams made the motion to approve the Item, Mr. Snee seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 2. The procurement is for interim drinking water supply for residents of Pearce Creek. Mr. Simons made the motion to approve the Item, Mrs. Jenkins seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 3. The procurement is for a complete rebuild of the CAT 836 G landfill compactor at Midshore II. Mr. Addison made the motion to approve the Item, Mr. Snee seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 4. The procurement is for Steinberg & Associates to provide dredging advisory and environmental consulting services for MPA. Mr. Snee made the motion to approve the Item, Mr. Addison seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 5. The procurement is for Anchor QEA to provide water quality and sediment quality monitoring for the confined aquatic disposal pilot project at Masonville. Dr. Streett made the motion to approve the Item, Mr. Simons seconded. The motion passed unanimously.

Mr. O'Neill introduced Item 6. The procurement is for McLean Contracting to complete sinkhole repair and spillway pipe lining at Cox Creek. Mrs. Jenkins made the motion to approve the Item, Mrs. Irvin seconded. The motion passed unanimously.

The Procurement Notifications are contained in the Board's notebooks. Several questions were addressed.

### **LEGAL REPORT**

Mr. Coleman advised that the lawsuit filed in Montgomery County by an individual against numerous MES employees has been scheduled for a hearing, despite the fact that no one requested or wants a hearing. The judge has advised MES to file a Motion to Withdraw the Hearing. The plaintiff's efforts to appeal the dismissal of the other defendants have each been denied.

The owner of EcoCorp has filed a contract claim with MES. MES had awarded a power purchase agreement to EcoCorp to provide power to ECI from an aerobic digester that utilized chicken litter. When EcoCorp failed to acquire financing after several years of attempts, MES terminated the contract.

**OLD/NEW BUSINESS**

A final offer has been submitted on the adjacent property. MES is waiting to hear back from the owners.

The revised 2015 Board of Director's meeting schedule is attached.

Mr. Harkins then offered to take board members on a tour of the new annex headquarters building.

**ADJOURNMENT**

At 10:35 a.m. upon motion by Dr. Streett, the meeting adjourned.

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

  
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JAMES M. HARKINS  
DIRECTOR