



MARYLAND
ENVIRONMENTAL
SERVICE

BOARD OF DIRECTORS
MINUTES
MEETING 95-1
JANUARY 26, 1995

LOCATION: Baltimore County Resource Recovery
Recycling Facility
Texas, MD

TIME: 9:00 a.m. (Scheduled)
9:00 a.m. (Convened)

DIRECTORS PRESENT: Lee Zeni, Acting Director
Annette Anselmi
William B. C. Addison, Jr.
Edwin G. Richards
Lawrence D. Shubnell
Carolyn D. Davis (left at 9:45 a.m.)
Joseph F. Snee, Jr. (arrived at 9:15 a.m.)
Daniel F. McMullen, III (arrived at 9:45 a.m.)

OTHERS PRESENT: Sean Coleman
Beth Schomburg
Kenneth A. Howarth
Michael Wojton
Robert W. Pierce (left at 9:30 a.m.)
Jackie Wise (left at 9:30 a.m.)
Wes Lidie (left at 9:30 a.m.)
Nancy Voorhees Balenske (arrived at 9:45 a.m.)
Patricia Tantum (arrived at 11:00 a.m.)

PRE-BOARD MEETING

Mr. Wise and Mr. Lidie addressed the Board regarding employee concerns regarding the new personnel system. Mr. Wise addressed the following issues as a State employee: The method of computing lost holiday and annual leave; sick leave accruals for retirement purposes; accident leave and pay; termination for convenience and job security; employee input regarding changes in benefits; more specifics regarding employee development and promotion.

**BOARD OF DIRECTORS MINUTES
MEETING 95-1
JANUARY 26, 1995
PAGE 2**

Mr. Lidie addressed the Board regarding corporate employee concerns: Calculation of lost holiday and annual leave; promotion and advancement within the agency; sick leave accruals and disability coverage; need for medical benefits for corporate retirees; present compensatory time reimbursement policy.

Mr. Shubnell thanked the employees for coming and after Mr. Wise, Mr. Lidie and Mr. Pierce's departure at 9:30 a.m., asked Mr. Zeni to prepare a point-by-point response within the next two weeks and hold a special meeting to consider the issues raised. Further discussion was held regarding effect and implementation of the new personnel system. Mr. Shubnell asked Mr. Zeni to send a letter to the employees letting them know the Board is considering their issues.

Mr. Richards handed out a letter his County received from former Secretary David Carroll of Maryland Department of the Environment suggesting the new Secretary be invited to a future Board meeting to discuss regionalization. Mr. Richards expressed his displeasure with MDE and their position against regional solid waste plans and their opposition to the MidShore Counties legislative proposal to do a regional recycling plan.

(No official action was taken during this portion of the meeting).

APPROVAL OF MINUTES

Mr. Addison made the Motion to approve the Minutes of the December 16, 1994 meeting. Mr. Snee seconded and the motion passed.

PROJECT STATUS

The report was mailed to the members. A summary of new business has been prepared and was handed out to the members. Mr. Zeni highlighted the prospective project with Anne Arundel County to inventory and evaluate their stormwater and sediment control structure.

FINANCIAL STATUS

Mr. Howarth reviewed the six months Operating Results ending December 31, 1995.

**BOARD OF DIRECTORS MINUTES
MEETING 95-1
JANUARY 26, 1995
PAGE 3**

Discussion was held about the agency's overhead charge method of calculation which has been in place for six to eight years and changing it to a step basis vs. a composite rate. More detailed review will be held at the next meeting.

It was recommended that the agency keep an eye on indirect cost overhead and fringes.

EQUIPMENT RESOLUTION

Ms. Anselmi introduced Resolution 95-1-1-1R which allows for the procurement of two tractor jockeys for the Baltimore County Resource Recovery Facility. Mr. Addison made the motion to adopt Resolution 95-1-1R; Mr. McMullen seconded and the motion was adopted.

FUNDS TRANSFER BANK RESOLUTION

This Resolution gives MES the ability to transfer funds on-line which will bring banking fee costs down. Those individuals who will be authorized are Mr. Howarth, Ms. Anselmi, and Mr. Edward Golas. Ms. Anselmi made the motion to adopt the NationsBank transfer, Mr. Snee seconded, and the motion passed.

PROCUREMENT

Mr. Zeni handed out for approval the Contracts in excess of \$100,000. This initiated discussion regarding the amount of information the Board wants to make these approvals, the amount of Board involvement in this process, the delay caused by this process, and the need for the Board to maintain some responsibility. Mr. Shubnell recommended the regulations be amended to make this process informational. Mr. Richards stated the Board needs to be involved in some part of the process and maintain some responsibility. Mr. Coleman will draft language amending the regulations for the Board's review.

Mr. Shubnell made the motion to award the Contracts reported in excess of \$100,000. Mr. Addison seconded. The motion passed.

Attached to the report was the required report of contracts executed since 12/19/94 from \$25,000.00 to \$99,999.00.

**BOARD OF DIRECTORS MINUTES
MEETING 95-1
JANUARY 26, 1995
PAGE 4**

LEGAL UPDATE

A settlement has been executed with Allied to clean up chromium contamination.

OLD BUSINESS

The Board Members were given the A/E short list schedule.

A maternity leave survey was also handed out. The recommendation was made that a meeting be scheduled with Ms. Davis to finalize discussion.

NEW BUSINESS

Ms. Tantum gave an overview of the Oil/Antifreeze Program and its funding history. The program is requesting Program Development Funds to complete this fiscal year and carry the program into fiscal year 1996. MES is looking for other fund sources. Discussion was held regarding DNR's lack of support for legislative mandates under this program and the need to communicate with the budget committee and the Department.

The motion was made to reduce the request for funding from the Program Development Funds by \$45,000 and to discuss with the Department and the Budget Committee the need to support this legislative mandate.

The draft Grievance Procedure and Appeal Policy and Appeal of Disciplinary Suspension was handed out to the Board for review. Discussion was tabled by Mr. Addison and Mr. Richards seconded in order to give the Board time to review. A letter to the Office of Administrative Hearings was also handed out and discussion tabled until next months meeting.

Ms. Anselmi reported on the presentation of the Howard County Yard Waste Facility Intergovernmental Agreement to the various County Councils.

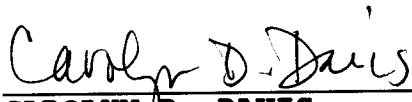
TOUR OF FACILITY AND BRIEFING

Mr. Charles Simms guided the members on a tour of the facility and during lunch briefed the members on its history and future plans.

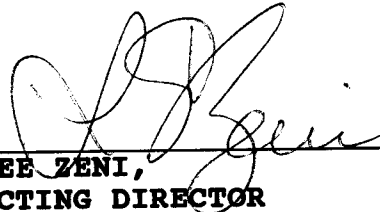
**BOARD OF DIRECTORS MINUTES
MEETING 95-1
JANUARY 26, 1995
PAGE 5**

ADJOURNMENT

The meeting adjourned at 11:26 a.m. The next scheduled meeting is February 23, 1995 at the Freedom District Wastewater Treatment Plant in Sykesville, Maryland. The March meeting is tentatively scheduled at Midshore and April's at Hart-Miller Island.



**CAROLYN D. DAVIS
SECRETARY**



**LEE ZENI,
ACTING DIRECTOR**



**BOARD OF DIRECTORS
MINUTES
MEETING 95-2
FEBRUARY 23, 1995**

LOCATION: Freedom District Wastewater Treatment Plant
Sykesville, Maryland

TIME: 9:00 a.m. (Briefing & Tour)
10:20 a.m. (Meeting Convened)

DIRECTORS PRESENT: Lee Zeni, Acting Director
Annette Anselmi
William B. C. Addison, Jr.
Edwin G. Richards
Lawrence D. Shubnell
Joseph F. Snee, Jr.

OTHERS PRESENT: Sean Coleman
Beth Schomburg
Kenneth A. Howarth
Michael Wojton
Nancy Voorhees Balenske
Edward Golas
John Allen

BRIEFING AND TOUR OF FACILITY

Mr. Michael Wojton and Mr. Forsyth briefed the members on the facility and its operation and technology and led the members on a tour of the facility.

APPROVAL OF MINUTES

Mr. Snee made the Motion to approve the Minutes as corrected. The second paragraph in New Business shall read as follows, "The motion was made, seconded, and passed to reduce the request for funding from the Program Development Funds by \$45,000.00 and to discuss with the Department and the Budget Committee the need to support this legislative mandate." The Motion was seconded and the Minutes approved.

**BOARD OF DIRECTORS MINUTES
MEETING 95-2
FEBRUARY 23, 1995
PAGE 2**

PROJECT STATUS

Howard County Yard Waste Facility - MES is pushing to operate the facility.

Lake Linganore Community Association - A Scope of Work has been mailed to them to provide various services under an Umbrella Agreement.

The Summary of New Business was handed out. Mr. Zeni reviewed a couple of items. A briefing is being held with Mr. William Baker, Harford County on February 24th. A meeting is scheduled for March 3rd with Anne Arundel County to discuss takeover of stormwater and sediment control. MES has signed a Professional and Operational Services Agreement with the County. In March MES is meeting with Frederick County and the Town of Braddock Heights. The Town's utility is going into receivership and Frederick County wants MES to operate the facility during the interim. The procurement of the ice sweeper for Baltimore/Washington International Airport is being deferred until next year.

FINANCIAL STATUS

Mr. Howarth presented and reviewed the seven (7) months operating results. Discussion was held.

Mr. Golas handed out a Memorandum addressing Overhead Recovery Methodology and reviewed certain points. The conclusion reached by the Memorandum after discussion with Mr. Howarth, Ms. Anselmi, and Mr. Zeni is to calculate on a labor base. Discussion was held and questions addressed. No decision was made at this time.

The meeting with MPA discussed the advance versus working capital. The Port has no objections to a single rate which needs to be identified.

Mr. Shubnell recommended we put together a letter to our clients explaining and identifying MES's overhead recovery rate, and meet with the clients where necessary. The level of reserves and threshold amount should be brought to the Board.

Mr. Richards stated a need for cases for exceptions -; special billing rates, i.e., pass-throughs, lease-purchases.

**BOARD OF DIRECTORS MINUTES
MEETING 95-2
FEBRUARY 23, 1995
PAGE 3**

PROCUREMENT

The report of Contracts, Purchase Orders, Amendments and Change Orders was handed out for review and approval.

A motion to approve Item 1 was made by Mr. Richards, seconded by Mr. Addison and passed.

The motion to approve Item 2 was made contingent on the availability of funds by Mr. Richards, seconded by Mr. Addison and approved.

Item 3's sole source was discussed and based upon Montgomery County's request to purchase this equipment and MES's authority within its regulations; Mr. Richards made the motion to approve the procurement, Mr. Addison seconded and the motion was approved.

The Board also received the report of contracts between \$25,000.00 and \$99,999.00.

The proposed amendment to the regulations was reviewed by Mr. Coleman. The new regulations would require MES to obtain Board approval of any procurement that it estimates will exceed \$100,000.00. The Board will have to establish a policy regarding what percentage exceeding the estimate could be awarded without further approval. Mr. Richards made the motion to approve the amendment to the regulations, Mr. Snee seconded, and the motion passed.

PERSONNEL

Ms. Schomburg reviewed the Personnel Policies and Procedures.

Mr. Addison made the motion to approve the Grievance Procedure and Appeal Policy and the Delegation of Authority to Conduct Hearings letter. Mr. Shubnell seconded. Discussion was held. Mr. Richards recommended amending the policy as follows: prior to Step One of the Procedure that the employee orally state his grievance to his/her Supervisor and also the employee file for a written appeal not the "...employee or the employee's designated representative ...". Mr. Richards also suggested clearly defining what is an allowable grievance and cite what policy has been ignored. Mr. Coleman will check the definition in MES's statute and regulations for consistency.

**BOARD OF DIRECTORS MINUTES
MEETING 95-2
FEBRUARY 23, 1995
PAGE 4**

Mr. Addison made the motion to approve the Grievance Procedure and Appeal Policy as amended under Step One and the letter. Mr. Richards seconded and the motion passed.

Mr. Richards made the motion to approve the Appeal of Disciplinary Suspension. Mr. Addison seconded and the motion passed.

The Board was given management's response to Mr. Jack Wise and Mr. Wes Lidie's concerns presented at the January meeting. Mr. Shubnell recommended the response and concerns be discussed point-by-point at a special meeting or an extended meeting.

GENERAL DISCUSSION

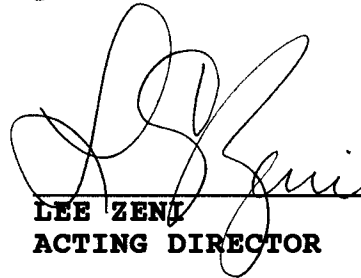
Mr. Richard recommended a Strategic Plan be initiated and prepared to present to the new Director. It would define MES's role, organizational goals, and future direction.

ADJOURNMENT

The meeting adjourned at 12:01 p.m. The next scheduled meeting is March 22, 1995 at 10:00 a.m. at MES Headquarters, 2011 Commerce Park Drive, Annapolis, Maryland 21401.



**CAROLYN D. DAVIS
SECRETARY**



**LEE ZENI
ACTING DIRECTOR**



**BOARD OF DIRECTORS
MINUTES
MEETING 95-3
MARCH 22, 1995**

LOCATION: 2011 Commerce Park Drive
Annapolis, Maryland

TIME: 10:00 a.m. (Scheduled)
10:02 a.m. (Convened)

DIRECTORS PRESENT: Lee Zeni, Acting Director
Annette Anselmi
William B. C. Addison, Jr.
Edwin G. Richards
Lawrence D. Shubnell
Joseph F. Snee, Jr.
Carolyn Davis

OTHERS PRESENT: James W. Peck, Director Designate
Sean Coleman
Beth Schomburg
Kenneth A. Howarth
Michael Wojton
Nancy Voorhees Balenske
Edward Golas

APPROVAL OF MINUTES

Mr. Addison made the Motion to approve the Minutes of the February meeting. The Motion was seconded by Mr. Snee and the Minutes approved.

PERSONNEL

Discussion was held, suggestions made and questions answered regarding Management's response to employees' personnel concerns. Each item in the February 15, 1995 Memorandum was addressed. It was recommended by Mr. Shubnell that a Resolution be prepared with Ms. Davis's input advising the employees that the Board has reviewed Management's response and some issues are based on economics, additional studies will be done, reviews will take place at certain

**BOARD OF DIRECTORS MINUTES
MEETING 95-3
MARCH 22, 1995
PAGE 2**

intervals, and certain issues may be able to be revised. The Board directed agency management to meet with the employees prior to a Resolution being brought before the Board.

Ms. Schomburg and Mr. Wojton reviewed the "Apprenticeship Policy For Environmental Systems Operator" - Personnel Policies and Procedures. Mr. Addison made the motion to approve the policy, Ms. Davis seconded. The motion was approved. Mr. Richards asked about the problem of completion of the apprenticeship then moving on to other jobs. Human Resources is doing a salary study.

Mr. Zeni and Ms. Schomburg advised that they met with Mr. Larry LaMotte to review his work on the Performance Based Compensation Plan and Bonus and Incentive Plan. Recommendations were made and when they are revised a meeting will be scheduled with the Board's subcommittee. Mr. Shubnell asked that they be mailed prior to a meeting being scheduled.

Mr. Peck addressed the Board before leaving to attend a meeting with the Chairman of the Executive Nominations Committee. Mr. Shubnell, on behalf of the Board, welcomed Mr. Peck and wished him good luck.

Mr. Zeni advised the Board of the necessity of meeting in closed session pursuant to §10-508 of the State Government Article, Annotated Code of Maryland, in order to discuss the compensation of the Director. At 12:55 p.m. Mr. Richards made a motion to go into closed session, seconded by Mr. Shubnell, and the motion was unanimously approved by the Board. Present during the closed session were the members of the Board and Mr. Coleman. During the closed session the Board reviewed Resolution 95-3-3R which establishes the Director's annual salary and benefits. A motion to approve the resolution was made by Ms. Davis, seconded by Mr. Richards, and unanimously approved by the Board. The closed session ended at approximately 1:10 p.m.

Mr. Shubnell requested the Board be given for review the vehicle use policy.

RESOLUTIONS

Ms. Anselmi reviewed Resolution 95-3-1R which is a concurrence to proceed and issue the remaining bonds to finance Phase II of the Eastern Correctional Institute Water and Wastewater Facilities Project. Mr. Shubnell made the motion to adopt the Resolution, Mr. Snee seconded, and the Resolution was adopted.

**BOARD OF DIRECTORS MINUTES
MEETING 95-3
MARCH 22, 1995
PAGE 3**

Resolution 95-3-2R was introduced by Ms. Anselmi. This Resolution seeks the Board's concurrence in doing an inter-fund loan to purchase soil cover from Easton Airport for the Midshore Landfill. This fund will be set up and will be paid back, including interest, over a three year period on a quarterly basis. Mr. Richards made the motion to approve Resolution 95-3-2R, seconded by Mr. Addison, and was adopted by the Board.

PROCUREMENT CONTRACT APPROVAL

Mr. Zeni reviewed the three items with the Board. A motion was made to approve Item 1 (95-03-53) by Mr. Richards, seconded by Mr. Addison, and approved. The motion to approve Item 2 (95-03-42) was made by Mr. Richards, seconded by Mr. Addison, and approved. The motion was made to approve Item 3 (95-03-115) by Mr. Richards, seconded by Mr. Addison and approved.

"TRASH-FREE PARKS" PROGRAM

Ms. Schomburg presented the request by the Department of Natural Resources for \$15,000 to purchase the program's trash bags for its trash-free campaign. The funds will come from Program Development. Mr. Shubnell made the motion to approve the request, Mr. Addison seconded and the motion was approved.

FINANCIAL REPORT

Mr. Howarth presented the eight months' operating results. Discussion was held regarding the pressure on overhead usage, the effect of a Deputy Director's salary, and overhead recovery.

Mr. Howarth also brought to the Board's attention the collection procedures initiated against DRJ, a Midshore hauler. Discussion was held. The concensus was if no payment was received this week, to go to COD then file suit.

PROJECT STATUS

Mr. Zeni reviewed the following projects:

BWI - A proposal is being prepared to compost bio solids. MES is working to convince the County and the Jessup wholesale food market complex to participate.

Caroline Co. Landfill - The contract has been signed and is being returned.

**BOARD OF DIRECTORS MINUTES
MEETING 95-3
MARCH 22, 1995
PAGE 4**

Queen Anne's Rubble Landfill - The county has approved the locating of a landfill and a proposal has been submitted. The Midshore Counties will be briefed March 29, 1995.

Martin State Airport - MAA has been briefed regarding ground-water contamination at the airport. The meeting with MDE has been postponed.

Midshore - A proposal to add lifts on top of the landfill for rubble was submitted to Talbot County. The County voted against it, but requested MES find another rubblefill site and license, and construct the facility. Discussion was held. The recommendation was made to send the County a letter with the costs to perform the work and if a contract is signed, MES will perform the work.

REPORT ON ECI ENERGY DEMANDS

Mr. Wojton briefed the members on the energy tests performed at the Eastern Correctional Institution facilities. By performing the tests, MES determined why power outages had occurred and the need to increase power was identified. This will require capital improvements.

LEGAL UPDATE

Mr. Coleman reviewed SB 856, Maryland Environmental Service - Charges, which will enhance MES's ability to help community associations and smaller communities by making it easier for the agency to finance these types of projects for longer than five (5) years. Ms. Anselmi would like to meet with Mr. Shubnell to discuss.

OVERHEAD UPDATE

Mr. Golas updated the members on his continuing analysis of calculating overhead. A proposal will be presented to the Board in April.

STRATEGIC PLAN

The Board received the information Mr. Richards requested from the Institute For Governmental Service, University of Maryland, regarding strategic planning for the agency. Mr. Richards' recommendation is to pursue this with Mr. Peck for the Fall.

**BOARD OF DIRECTORS MINUTES
MEETING 95-3
MARCH 22, 1995
PAGE 5**

Mr. Zeni told the Board a briefing book on each program has been prepared to be given to Mr. Peck and there will be individual briefings with each program.

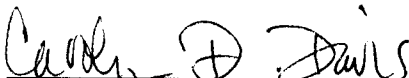
GENERAL DISCUSSION

Mr. Zeni expressed his appreciation for the Board's support these six months and the Board thanked Mr. Zeni for his stewardship.

Financial Disclosure forms were handed out to the Board Members.

ADJOURNMENT

The meeting adjourned at 1:48 p.m. The next scheduled meeting is April 28th, 1995 at 9:30 a.m. at Hart-Miller Island.



**CAROLYN D. DAVIS
SECRETARY**



**JAMES W. PECK
DIRECTOR**



MARYLAND
ENVIRONMENTAL
SERVICE

Parris N. Glendening
Governor

James W. Peck
Director

**BOARD OF DIRECTORS
MINUTES
MEETING 95-4
APRIL 28, 1995**

LOCATION: 2011 Commerce Park Drive
Annapolis, Maryland

TIME: 9:30 a.m. (Scheduled)
9:50 a.m. (Convened)

DIRECTORS PRESENT: James W. Peck, Director
Annette Anselmi
William B. C. Addison, Jr.
Edwin G. Richards
Joseph F. Snee, Jr.

DIRECTORS ABSENT: Lawrence D. Shubnell
Daniel F. McMullen
Carolyn D. Davis

OTHERS PRESENT: Sean Coleman
Beth Schomburg
Kenneth A. Howarth
Michael Wojton
Nancy Voorhees Balenske
Edward Golas
Lee Zeni

OPENING COMMENTS

No official action was taken during this meeting since a quorum was not present. The members received the various action items for review and questions. These items will be discussed and acted upon at the next official Board meeting.

PROJECT STATUS

Mr. Peck highlighted certain projects:

Baltimore County Resource Recovery Facility - The formal dedication for the blue bag system was held with MES's participation in the opening ceremonies.

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**BOARD OF DIRECTORS MINUTES
MEETING 95-4
APRIL 28, 1995
PAGE 2**

Kent County - The County Commissioners received approval of the loan from the Rural Economic and Community Development Administration and held a "kick-off" with all the participants, including MES.

Prospective projects for the Town of Myersville, First Fibred, and efforts in Harford County, were also highlighted.

FINANCIAL REPORT

Mr. Howarth reviewed the nine months operating results. Also discussed was the effect of the filing of Chapter 11 by DRJ, a Midshore hauler, on the agency. A creditors meeting which MES is attending is scheduled next week.

PROCUREMENT

The three items submitted for approval were reviewed and questions addressed.

PERSONNEL

Resolution 95-4-1R was given to the members for review. Mr. Peck advised the Board of his luncheon meeting held with various employees representing the regions and the employees' insights and responses to the meeting.

A resolution (95-4-2R) was prepared to address compensation for Fiscal Year 1996. This has been prepared since the performance-based pay plan appraisal system, and employee training will not be in place by July 1st. The recommendation is to pay the 2% COLA beginning July 1st.

The approved Apprenticeship Policy for Environmental Systems Operator was given back to the Board to clarify language in Section III.A.

LEGAL UPDATE

The Office of the Attorney General is preparing for two trials. One for collection from an engineering company and the other involving a traffic accident involving a MES employee.

OLD BUSINESS

The agency is working on addressing the concerns raised by an Anne Arundel County Council Member regarding the Howard County Yard Waste Facility project. The Council will vote on this project May 1, 1995.

Senate Bill 856 has been received by Mr. Coleman for approval prior to its signing by the Governor. Mr. Coleman expects it will be signed shortly.

NEW BUSINESS

Resolution 94-4-3R was reviewed with the members. This Resolution authorizes the Service to use Program Development Funds for costs incurred in establishing service districts. Mr. Richards suggested MES proceed with the approval of this Resolution as soon as possible.

A meeting of the Board by conference call will be scheduled next week to address these outstanding actions.

Ms. Anselmi handed out a proposal from Nations Bank regarding investment of funds. In depth review and discussion will be held next month.

GENERAL DISCUSSION

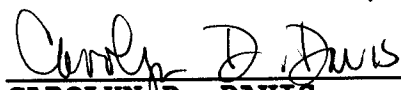
The next regular meeting will be May 24, 1995 at 9:30 a.m. at the Midshore Regional Solid Waste Facility. Discussion will be held regarding scheduling future meetings.

Mr. Peck informed the Board he sent a letter to the University of Maryland regarding strategic planning for the agency.


Mr. Peck gave an overview of his first month's activities.

ADJOURNMENT

The meeting adjourned at 11:08 a.m.



CAROLYN D. DAVIS
SECRETARY



JAMES W. PECK
DIRECTOR



MARYLAND
ENVIRONMENTAL
SERVICE

Parris N. Glendening
Governor

James W. Peck
Director

**BOARD OF DIRECTORS
MINUTES
MEETING 95-5-1
MAY 9, 1995**

Conference Call

LOCATION: 2011 Commerce Park Drive
Annapolis, Maryland

TIME: 9:00 a.m. (Scheduled)
9:15 a.m. (Convened)

DIRECTORS PRESENT: James W. Peck, Director
Annette Anselmi
William B.C. Addison, Jr. (via conference call)
Edwin G. Richards (via conference call)
Joseph F. Snee, Jr. (via conference call)
Carolyn Davis (via conference call)
Daniel F. McMullen (via conference call)

OTHERS PRESENT: Lee Zeni
Sean Coleman
Beth Schomburg
Michael Wojton
Nancy Voorhees Balenske
Edward Golas

OPENING COMMENTS

The Board of Directors Meeting was held by conference call in order to conduct unfinished business from the April 22, 1995 meeting. A quorum was not present for April's meeting.

CONTRACT APPROVAL

Mr. Peck introduced for approval Item 1 (95-04-43). Questions were addressed. A motion was made by Mr. McMullen, seconded by Ms. Davis, and approved. The motion to approve Item 2 (95-03-65) was made by Mr. McMullen, seconded by Mr. Snee, and approved. The third contract Item 3 (P.O.#9456) was introduced by Mr. Peck. Questions were addressed. The motion to approve Item 3 was made by Mr. Addison, seconded by Mr. Richards, and was approved.

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**BOARD OF DIRECTORS MINUTES
MEETING 95-5-1
MAY 9, 1995
PAGE 2**

Mr. Peck asked if there were any questions on the Board of Directors' Notification of Contracts, Purchase Orders, Amendment, and Change Orders and hearing none moved on to the next item of business.

PERSONNEL

Mr. Peck introduced and reviewed Resolution 95-4-1R. This resolution addresses the employees' concerns regarding the new personnel system. Mr. Peck repeated for those members not present at April's meeting, his meeting with employees from Water & Wastewater, Waste Management, and EDP. Questions were addressed. Ms. Davis made the motion to approve Resolution 95-4-1R, Mr. Addison seconded, and the motion passed.

The second resolution 95-4-2R regarding the adjustment of employees' salaries for Fiscal Year 1996, was reviewed by Mr. Peck. Questions were addressed. Ms. Davis made the motion to approve Resolution 95-4-2R, Mr. Snee seconded, and the motion was approved.

Ms. Schomburg reviewed the clarification to the definition of Operator Certificate in Section III.A. of the Apprenticeship Policy, which was previously approved by the Board. Mr. McMullen made the motion to approve the clarification, Ms. Davis seconded, and the motion passed.

PROGRAM DEVELOPMENT

Mr. Peck reviewed Resolution 95-04-3R, which allows MES to use Program Development Funds for costs incurred establishing service districts. Mr. Richards made the motion to approve, Mr. Snee seconded, and the motion passed.


APPROVAL OF MINUTES

Mr. Richards made the motion to approve the Minutes of the March 22, 1995 meeting. The motion was seconded by Mr. Snee, and was approved.


**BOARD OF DIRECTORS MINUTES
MEETING 95-5-1
MAY 9, 1995
PAGE 3**

ADJOURNMENT

Discussion will be held at May's meeting regarding a fixed schedule for Board Meetings. The meeting adjourned at 9:35 a.m. The next scheduled meeting is May 24th, 1995 at 9:30 a.m. at Midshore Regional Solid Waste Facility.



**CAROLYN D. DAVIS
SECRETARY**



**JAMES W. PECK
DIRECTOR**



**BOARD OF DIRECTORS
MINUTES
MEETING 95-5
MAY 24, 1995**

LOCATION: Midshore Regional Landfill Facility
Easton, Maryland

TIME: 9:00 a.m. (Scheduled)
9:40 a.m. (Briefing & Tour)
10:30 a.m. (Convened)

DIRECTORS PRESENT: James W. Peck, Director
Annette Anselmi
William B. C. Addison, Jr.
Edwin G. Richards
Joseph F. Snee, Jr.
Lawrence D. Shubnell

DIRECTORS ABSENT: Daniel F. McMullen
Carolyn D. Davis

OTHERS PRESENT: Sean Coleman
Beth Schomburg
Kenneth A. Howarth
Michael Wojton
Nancy Voorhees Balenske
Edward Golas
Lee Zeni
Robert Miller
Vanessa Jones (briefing & tour)
Gregorio Africa (briefing & tour)

BRIEFING AND TOUR OF FACILITY

Mr. Greg Africa and Ms. Vanessa Jones briefed the members on the facility and led the members on a tour of the facility.

APPROVAL OF MINUTES

The Motion to approve the Minutes of the April 28, 1995 and May 9, 1995 meeting was made by Mr. Snee and seconded by Mr. Addison. The Minutes were approved.

“Twenty-five Years of Service to the Citizens of Maryland”
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**BOARD OF DIRECTORS MINUTES
MEETING 95-5
MAY 24, 1995
PAGE 2**

PROJECT STATUS

The following projects were briefly highlighted:

MCI wastewater treatment plant - The decision was made to eliminate the phosphorus removal process for this plant, saving \$482,424.

Baltimore Regional Yard Waste - All three counties have approved the project and the specifications have been advertised.

The Oak Hill scrap tire cleanup has removed 1370 tons of tires to date.

Dundalk Marine Terminal - MDE, after two years of review, has informed MES they do not have the authority to issue a permit for chrome storage facility at Hawkins Point.

Montgomery County Recycling Operations - MES has submitted a proposal to operate the public drop-off area.

First Fibred - Currently developing a proposal to provide start-up and operations of the plants water and wastewater treatment facilities.

Fraley Condo - Met with the county and the developer to begin process of obtaining County's approval for construction of pump station serving the condominium.

Anne Arundel County - MES is researching methodology and techniques for landfill mining at Millersville.

Mr. Shubnell informed the Board of a bill which passed the Legislature which will facilitate the development of special taxing districts to finance infra-structure and suggested the agency research and track the activity.

FINANCIAL REPORT

Mr. Howarth reviewed the ten months operating results and answered questions.

Ms. Anselmi reviewed the proposal from NationsBank regarding the investment of operating funds which was handed out at April's meeting. Questions were addressed. Mr. Shubnell made the motion

**BOARD OF DIRECTORS MINUTES
MEETING 95-5
MAY 24, 1995
PAGE 3**

to approve the proposal and its objective which will be reviewed on an annual basis by the Board. Mr. Richards seconded. The motion was approved.

The Board was advised that auditors from Peat Marwick have arrived and were informed of future financial dealings regarding the selling of additional revenue bonds for ECI-Phase II; a forthcoming resolution to finance the Baltimore Regional Yard Waste project, and the establishment of procedures for service districts.

Resolution 95-06-1R was introduced which adopts an Indirect Cost Recovery Methodology. Discussion was held. This will be implemented in Fiscal Year 1997 and letters will be sent to clients. Mr. Snee made the motion to approve the Resolution, Mr. Shubnell seconded, and the motion was approved.

PROCUREMENT

Mr. Peck introduced for approval Item 1 (95-03-08/C.O.#2). Questions were addressed. A request was made to include, in the future, additional information regarding original date of contract and dollar amount. Mr. Addison made the motion to approve the Item, Mr. Richards seconded, and the Item was approved. Item 2 (95-03-84) was introduced. A request was made to add, in the future, justification for sole source. Mr. Shubnell made the motion to approve, Mr. Snee seconded. The Item was approved. Item 3 (95-03-85) was given to the Board for informational purposes. Future approval will be required and possibly needed prior to the next Board meeting via teleconference.

Mr. Peck asked if there were any questions on the Board of Directors' Notification of Contracts, Purchase Orders, Amendments, and Change Orders and hearing none, moved on.

Mr. Peck brought to the Board's attention the letter included in their notebooks sent to MDE regarding training workshops on solid waste management.

PERSONNEL

Mr. Peck advised the Board of Mr. Lee Zeni's reduced schedule and shift in focus to marketing and outreach efforts as Program Director of Marketing and Customer Relations. He gave an overview of the background of Mr. Zeni's replacement, Mr. Robert Miller.

**BOARD OF DIRECTORS MINUTES
MEETING 95-5
MAY 24, 1995
PAGE 4**

A follow-up meeting with the employee advisory group is scheduled for June 7th. Answers are being prepared to questions asked at the first meeting.

Mr. Peck informed the Board he has visited most projects in the State and an employee newsletter will be issued in June.

Mr. Peck has also analyzed and reviewed the MES newsletter and its cost to the agency. The contract with Kathy Marx terminates in June and after that time the newsletter will most likely be published internally.

LEGAL UPDATE

As reported at last month's meetings, the office was preparing for two trials. The breach of contract trial was settled and the tort claims action was postponed.

The change in the Procurement Regulations has gone to State Documents for publication in the Maryland Register.

The MES bill (Senate Bill 856) was signed into law last week.

MES attended the creditors meeting regarding DRJ Haulers which is continuing. DRJ owes MES \$250,000. They are paying us in advance for hauling into Midshore.

NEW BUSINESS

Howard County - Discussing development of transfer station.

Princes Georges County - Met with the Director of Environmental Protection and solid waste director to discuss MES assistance and opportunities.

Baltimore Regional Council - Mr. Peck and Mr. Zeni met with the Council and offered to provide staff support for regional solid waste plan with Northeast Maryland Waste Disposal Authority.

Western Maryland - Met with the various County Commissioners.


**BOARD OF DIRECTORS MINUTES
MEETING 95-5
MAY 24, 1995
PAGE 5**

GENERAL DISCUSSION

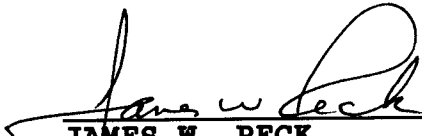
Discussion was held regarding a fixed schedule of Board meetings. The discussion was made to hold future meetings the last Thursday of each month at 10:00 a.m. Calls will be made to Board members regarding scheduling June's meeting at Hart-Miller Island. Mr. Peck also informed the Board of Delaware Solid Waste Authority's invitation to hold a joint session and meeting in July.

ADJOURNMENT

The meeting adjourned at 12:28 p.m.



CAROLYN D. DAVIS
SECRETARY



JAMES W. PECK
DIRECTOR



**BOARD OF DIRECTORS
MINUTES
MEETING 95-6
JUNE 16, 1995**

LOCATION: MES Headquarters
2011 Commerce Park Drive
Annapolis, Maryland

TIME: 9:00 a.m. (Scheduled)
9:12 a.m. (Convened)

DIRECTORS PRESENT: James W. Peck, Director
Annette Anselmi
William B. C. Addison, Jr.
Edwin G. Richards
Lawrence D. Shubnell
Daniel F. McMullen
Carolyn D. Davis

DIRECTORS ABSENT: Joseph F. Snee, Jr.

OTHERS PRESENT: Sean Coleman
Kenneth A. Howarth
Nancy Voorhees Balenske
Edward Golas
Robert Miller

APPROVAL OF MINUTES

The Motion to approve the Minutes of the May 24, 1995 meeting was made by Mr. Richards and seconded by Mr. Addison. The Minutes were approved.

PROJECT STATUS

The Project Status Report will be mailed since the May report was prepared two weeks ago and little has changed.

No highlights were reported.

FINANCIAL REPORT

Mr. Howarth reported on two items; the trend of the fringe analysis is confirmed to be under 47% and a quick projection of the new cost recovery will be presented at the next meeting using the ten months operating report.

Ms. Anselmi presented Resolution 95-6-1R which allows for the issuance, sale, and delivery of revenue bonds not to exceed \$6 million to finance the construction of the Baltimore Regional Yard Debris Composting Project and the acquisition of real and personal property required for the Project. The resolution further authorizes the Director to execute an Intergovernmental Agreement with each of the participating counties, an Indenture of Trust with a corporate trustee, a Preliminary Official Statement, an Official Statement, and other documents related to the issuance, sale and delivery of the bonds. Copies of the form of the Intergovernmental Agreement, the Indenture of Trust, and the Preliminary Official Statement were made available to the Board members prior to and at this meeting.

Mr. Miller briefed the Board members on the technical aspects of the project. Mr. Coleman and Ms. Anselmi briefed the Board members of the structure of the financing and the legal relationships created by the agreements. The members were advised that all three of the participating counties have approved the Intergovernmental Agreement.

Mr. Shubnell requested that the record show his abstention from the vote on the Resolution so the firm of Legg Mason may participate in the bond sale.

Mr. Richards made the motion to approve Resolution 95-6-1R, Mr. McMullen seconded and the Motion passed with Mr. Shubnell abstaining.

PROCUREMENT

Mr. Peck introduced for approval Item 2 (95-03-67). Questions were addressed. Mr. Addison made the motion to approve the Item, Mr. Richards seconded. The motion passed with Mr. Shubnell's abstention. Item 1 (94-03-45) was introduced for approval. Mr. Richards made the motion to approve, Mr. McMullen seconded, and the motion was approved.

**BOARD OF DIRECTORS MINUTES
MEETING 95-6
JUNE 16, 1995
PAGE 3**

PERSONNEL

Mr. Peck presented and reviewed with the Board the Proposed Sick Leave Policy revision. This proposed change is in response to employees' concerns. Discussion was held. The Proposed Amendment to the Sick Leave Regulation was also reviewed. Clarification was requested on B. (2) and (3) of the draft regulation. The Sick Leave Policy will contain the detailed information and will be brought to the Board for review and approval. Ms. Davis made the motion to adopt the proposed amendment to the regulation. Mr. Addison seconded. The motion passed.

The Director and MES staff voluntarily left the meeting at this time so the Board could discuss the applicability of the COLA for the Director's salary. General discussion was held regarding future use of COLA allowances for all employees. Mr. Shubnell stated he will be reactivating the employees compensation advisory group. The motion was made by Mr. Richards to grant the COLA to the Director for fiscal year 1996 and seconded by Ms. Davis. The motion passed unanimously.

NEW BUSINESS

Piper & Marbury briefed Mr. Peck on the implications of the legislation passed granting certain counties authority to set up special tax districts and discussed MES opportunities.

A meeting is being held with Anne Arundel County and their financial advisor regarding the possible issuance of revenue bonds to develop water and sewer infrastructures.

Mr. Peck gave a presentation to the U.S. Environmental Protection Agency on MES's scope of activities and ability to facilitate public projects.

GENERAL DISCUSSION

The calendar of future Board meetings was discussed. The next meeting will be July 27th at MES headquarters. The August meeting will be a 9:00 a.m. breakfast meeting on the 17th during the MACO Conference in Ocean City.

Ms. Davis passed on a request by the Governor's office regarding MES becoming involved with the expansion of the ECI Co-Generation Facility. Mr. Peck advised that a letter has been

**BOARD OF DIRECTORS MINUTES
MEETING 95-6
JUNE 16, 1995
PAGE 4**

drafted to Public Safety & Corrections regarding the need for a cost/benefit analysis of options.

ADJOURNMENT

The meeting adjourned at 10:46 a.m.

Carolyn D. Davis

**CAROLYN D. DAVIS
SECRETARY**

James W. Peck

**JAMES W. PECK
DIRECTOR**



**BOARD OF DIRECTORS
MINUTES
MEETING 95-7
JULY 27, 1995**

LOCATION MES Headquarters
2011 Commerce Park Drive
Annapolis, Maryland

TIME 10 00 a m (Scheduled)
10 08 a m (Convened)

DIRECTORS PRESENT James W Peck, Director
Annette Anselmi
William B C Addison, Jr
Lawrence D Shubnell
Daniel F McMullen (via conference call at
10 45 a m)
Carolyn D Davis (via conference call at
10 45 a m)

DIRECTORS ABSENT Joseph F Snee, Jr
Edwin G Richards

OTHERS PRESENT Sean Coleman
Kenneth A Howarth
Nancy Voorhees Balenske
Edward Golas
Beth Schomburg
Michael Wojton
Lee Zeni

OPENING COMMENTS

Mr Peck announced that official business will be conducted at approximately 10 30 a m when Mr McMullen and Ms Davis will join the Board meeting via a conference call

PROJECT STATUS

Mr Peck asked the Board if there were any questions by the Board members or highlights to be noted Mr Shubnell did question if the agency has plans to do a financial/fiscal health plan along with strategic planning Mr Peck advised the Board that discussion is underway with the Institute for Governmental Service to

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1970 1995

**BOARD OF DIRECTORS MINUTES
MEETING 95-7
JULY 27, 1995
PAGE 2**

work with MES to develop a Strategic Plan Mr Peck also requested the Board be involved and represented

FINANCIAL REPORT

The operating results ending May 31, 1995, were mailed to the Board prior to the meeting Mr Howarth asked if there were any questions The preliminary audit analysis will be reviewed at the August meeting The increase in fringe costs and experience-based insurance costs were discussed Discussion was also held regarding the fund balance and recommendations for its use will be discussed at the August meeting

The Financial Analysis, prepared by MES's financial advisor, for the Regional Yard Debris Composting Project bond sale was handed out and reviewed by Ms Anselmi

At this time Mr McMullen and Ms Davis joined the meeting by conference call Mr Peck reviewed briefly the discussion held thus far The Motion to approve the Minutes of the June 16, 1995 meeting was made by Mr McMullen and seconded by Mr Shubnell The Minutes were approved

Ms Davis asked Mr Peck to send her a note addressing how the agency is incorporating the Governor's three (3) priorities

Ms Anselmi presented Resolution 95-7-1R which is a notice of intent to finance equipment for certain projects Mr McMullen made the motion to approve Resolution 95-7-1R, Mr Shubnell seconded, and the motion was approved

PROCUREMENT

Mr Peck introduced for approval, Procurement Items 1 (93-04-44A), 2 (95-03-52), 3 (95-04-13R), 4 (P O # 9655), 5 (95-04-64), 6 (95-04-56), and 7 (95-04-46) Discussion was held and questions were addressed Mr Peck asked for one motion to approve Items 1-7 and that motion was made by Mr Addison and seconded by Mr Shubnell The motion was approved

The notification of contracts, purchase orders, amendments, and change orders between \$25,000 and \$99,999 00 was a part of the information provided to the Board

PERSONNEL

Mr Peck handed out the first employee newsletter which was prepared in response to employees' requests

A salary survey was conducted regarding the wage levels of the water and wastewater employees A recommendation will be forthcoming

The agency is also looking into an average billing approach using a blended hourly rate, rather than actual hourly rate

LEGAL REPORT

Mr Coleman reported to the Board the following

The automobile accident case involving a WAF transfer vehicle is scheduled for trial on July 28, 1995

An accident occurred at the Baltimore County Resource Recovery Facility at the citizen drop-off site To date it is not known the extent of injuries to the individual or whether a claim will be filed


Ms Anselmi asked about the incident of flooding at the same facility and the security coverage Mr Coleman advised Ms Anselmi it is being researched

ADJOURNMENT

The meeting adjourned at 11 16 a m The next scheduled meeting is a breakfast meeting, August 17, 1995, at 9 00 a m at the Coconut Malorie Hotel, Ocean City, Maryland



CAROLYN D DAVIS
SECRETARY



JAMES W PECK
DIRECTOR



BOARD OF DIRECTORS
MINUTES
MEETING 95-8
AUGUST 17, 1995

LOCATION Coconut Malorie Hotel
Fager's Island
Ocean City, Maryland

TIME 9 00 a m (Scheduled)
9 05 a m (Convened)

DIRECTORS PRESENT James W Peck, Director
Annette Anselmi
Daniel F McMullen
Lawrence D Shubnell
Carolyn D Davis
Edwin G Richards
Joseph F Snee, Jr

DIRECTORS ABSENT William B C Addison, Jr

OTHERS PRESENT Sean Coleman
Kenneth A Howarth
Beth Schomburg
Lee Zeni
John Allen
Robert Miller

OPENING COMMENTS

The meeting convened at 9 05 a m Despite the possibility of the approach of Hurricane Felix, the Board determined to persevere and go forward with the meeting

Mr Peck asked for comments and questions to the minutes of July 27, 1995 Motion by Mr McMullen to approve, seconded by Mr Shubnell, approved by all

PROJECT STATUS

Mr Shubnell asked if the Rocky Gap Water and Wastewater project was related to the new convention center Mr Peck advised that the project had been planned prior to the convention center being finalized

Mr Peck advised the Board that MES is working closely with the MPA on the probable reduction of federal funds for dredging projects

Garnet Proposal (to operate a private solid waste transfer station in Anne Arundel County) Mr Shubnell asked if MES should be involved with private projects that may be at odds with the interests of local governments Mr Peck advised that he had met with John Brusnighan, the Director of Public Works for Anne Arundel County Mr Peck was told by Mr Brusnighan that Anne Arundel did not have a problem with MES involvement with the project, or with the project itself

Dorchester County Solid Waste Mr Peck advised that he met with the Dorchester County Commissioners regarding MES operating the County's new landfill, transfer station and recycling program MES is preparing a proposal for the County The new landfill is not far from the Midshore Regional Solid Waste Facility, so there are opportunities for sharing of resources MES involvement would probably be opposed by the Dorchester County Roads Department, which operates the facilities now

Private Sector Complaints Mr Shubnell stated that he has heard individuals in the private sector are complaining that MES is competing with them Mr Peck explained that MES passes through work to the private sector MES also creates opportunities for the private sector by putting deals together Mr Peck does not think that there is a big problem with private firms complaining about MES competing with them

Discussion then ensued about the relationship MES should have with the private sector firms that may also be looking to provide services to the public sector, when the public sector is also looking to MES' independent judgment Mr Shubnell asked that a fact sheet or statement be prepared regarding the role of MES with the private sector so that everyone associated with MES is making the same statements

**BOARD OF DIRECTORS MINUTES
MEETING 95-8
AUGUST 17, 1995
PAGE 3**

Harford County Biosolids Proposal The MES proposal has been accepted

Allegany County The County Commissioners have asked MES to do a review of an environmental analysis of a parcel of real property

City of Salisbury Mr Peck has met with City officials

Howard County The County has asked that an intergovernmental agreement be prepared for MES to do an analysis of the Deep Run WWTP

Ms Davis expressed her pleasure that the summary of new business is eight pages long She advised that Governor Glendening is happy to see the work being done at the Cheltenham Facility

Financial Report

Mr Howarth advised that the field audit by Peat Marwick starts on Monday, August 21, 1995 Total operating revenues for FY 95 will be approximately \$41 million, plus \$11 million in construction activity funded by State and MES bonds, plus another \$2 5 million in work related to the Easton Landfill closure

Mr Howarth reviewed the financial statements He thinks that FY 96 will not be as good unless MES brings in more people to increase direct labor charges Labor at BCRRF will be decreasing in FY 96 as a result of project changes The fringe benefit variance will not be as favorable in 1996 due to Worker's Compensation and sick leave payments

Resolution 95-08-2R Mr Peck explained that this resolution would authorize MES to use \$15,000 of Program Development Funds for reimbursement of costs of preparing proposals Messrs Shubnell and Richards suggested that the funds not be used for normal "everyday" proposals, but for larger, more complex proposals Motion to approve the resolution by Ms Davis, seconded by Mr Richards, approved by all

Resolution 95-08-3R Mr Peck explained that this resolution would authorize the agency to use up to \$100,000 in Program Development Funds for an employee bonus and incentive plan Mr Shubnell expressed concerns that funds were being set aside for the program before it had been set up He stated that he thought this might send the message that the bonus and incentive program would

**BOARD OF DIRECTORS MINUTES
MEETING 95-8
AUGUST 17, 1995
PAGE 4**

definitely be set up, and that it would definitely award \$100,000 Ms Anselmi explained that the \$100,000 is based on earnings for FY 95 Mr Peck explained that employees want to see concrete examples of benefits of the transferring to the MES Human Resources System

Mr Shubnell then expressed his support for the bonus program, but that he did not believe that a date had been set for implementation of the program He is concerned about the retroactivity of the program Ms Davis stated that she is not concerned about retroactivity because the Board must assume that managers are currently monitoring employees now to increase efficiencies Also, funding the program would force the agency to set a hard deadline to get the program functional

Mr Richards expressed his concern about using funds from the Program Development Fund He feels that the funds should come from unrestricted retained earnings to reflect how well the agency has performed He would also transfer funds from unrestricted retained earnings to restricted retained earnings fund Mr Shubnell and Mr Peck expressed their agreement with this approach Mr Richards also expressed his concern about calling the program a "bonus and incentive program"

Mr Snee asked how far away the agency is from implementing a bonus and incentive program Mr Shubnell responded that his special committee would be bringing a proposal to the Board in October or November

After further discussion the Board members approved the resolution with the following changes

- 1 A new restricted retained earnings fund to be called the Employee Development Fund is created
- 2 \$100,000 is to be transferred from unrestricted retained earnings to the Employee Development Fund
- 3 The Service shall disburse funds from the Employee Development Fund only in accordance with the terms and conditions of the Bonus and Incentive Program approved by the Board

A motion to approve the resolution as amended was made by Mr Richards, seconded by Mr Shubnell, approved by all The effective date of the resolution will be June 30, 1995

**BOARD OF DIRECTORS MINUTES
MEETING 95-8
AUGUST 17, 1995
PAGE 5**

General Resolution of the Board Mr Richards made a motion to transfer \$100,000 from the Program Development Fund to unrestricted retained earnings Ms Davis seconded the motion, approved by all

Resolution 95-08-4R This motion authorizes the transfer of funds from the agency's unrestricted retained earnings to the working capital fund Mr Richards made a motion to approve the resolution, seconded by Mr McMullen, approved by all The Board expressed its general desire that the agency must act to further increase the amount of funds available for working capital

Procurement

Mr Peck explained that pursuant to the recent change in the MES procurement regulations, the Board grants authority to the agency to award certain contracts that are competitively bid and which come in within a pre-approved range of costs Mr Peck explained the various items before the Board for its approval

Item 2 Staff explained that there is an interest on the part of local governments for tub grinding services, but the agency does not have any firm contracts Mr Richards advised that there is a definite need for tub grinding services in the Midshore region

Mr Shubnell asked that the agency also provide the Board with a comparison of the bids received versus the agency's estimate

Mr McMullen expressed his discomfort about approving an award prior to the item being bid He prefers that MES bring both the advertisement and the final award to the Board for approval He stated that he does not believe that a month's delay makes much difference Mr Zeni explained that for construction contracts a month in the winter is a significant amount of time

Mr Richards opined that the 10% range is satisfactory for smaller contracts, but is not appropriate for multi-million dollar procurements

Mr Shubnell moved for approval of items 1 through 6, subject to the requirement that the award may be made if the agency's estimate is not exceeded by more than 10%, and that the Board be informed of the bids actually received for each item Seconded by Mr Snee, approved by all

**BOARD OF DIRECTORS MINUTES
MEETING 95-8
AUGUST 17, 1995
PAGE 6**

Resolution 95-8-5R

This Resolution authorizes the agency to purchase and finance a tubgrinder. The motion to approve was made by Mr McMullen, seconded by Ms Davis, approved by all.

Sick Leave

Ms Schomburg explained the need for a change to the MES sick leave regulation as discussed in June. Motion to approve by Ms Davis, seconded by Mr Snee, approved by all.

Picnic Announcement

Ms Schomburg advised the Board that there is general excitement and enthusiasm for the upcoming employee picnic.

Legal Report

Assistant Attorney General Coleman advised the Board of the favorable decision in the case of Volpe v MES. He also informed the Board that he and Ms Anselmi had begun negotiations with BFI for operation of the Regional Yard Debris Composting Facility.

New Business

Ms Anselmi reported on the agency's new investment policies.

Mr Peck advised the Board that a contract has been signed with the University of Maryland for development of a strategic plan. He asked if any members desired to participate in the steering group. Mr Richards suggested that his experience is that at this stage in the development of the plan, the most effective participation is by line level employees. The Board could be brought in at a later date.

Mr Shubnell asked that the staff prepare a "talking sheet" describing the public-private relationship of MES. His concern is that the Board and agency employees should be saying the same thing with regard to allegations that MES competes with the private sector.

First Urban Fibred Project Mr Peck updated the Board on MES involvement. A deinking facility with a sophisticated water and wastewater treatment system is being constructed in Hagerstown. Mr Allen reported that the First Urban site staff had recommended


**BOARD OF DIRECTORS MINUTES
MEETING 95-8
AUGUST 17, 1995
PAGE 7**

to their management that MES be hired to operate the water/waste-water treatment systems He estimates that this contract could result in direct labor billing of \$440,000 per year

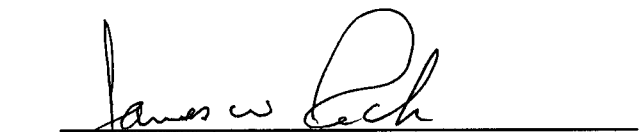
Mr Richards asked that at the next meeting the Board discuss the purpose of and continuing need for several of the restricted earnings funds He also expressed his disappointment that the restricted earning fund for training is not being used enough He suggested that MES needs to have an aggressive training program, and that the agency should also be providing training to its clients

ADJOURNMENT

Motion by Mr Shubnell to adjourn, seconded by Mr Richards, approved by all Meeting adjourned at 11 15 a m



**CAROLYN D DAVIS
SECRETARY**



**JAMES W PECK
DIRECTOR**



BOARD OF DIRECTORS
MINUTES
MEETING 95-9
SEPTEMBER 28, 1995

LOCATION MES Headquarters
2011 Commerce Park Drive
Annapolis, Maryland

TIME 10 00 a m (Scheduled)
10 00 a m (Convened)

DIRECTORS PRESENT James W Peck, Director
Annette Anselmi
William B C Addison, Jr
Edwin G Richards
Lawrence D Shubnell
Joseph F Snee, Jr

DIRECTORS ABSENT Daniel F McMullen
Carolyn D Davis

OTHERS PRESENT Sean Coleman
Kenneth A Howarth
Nancy Voorhees Balenske
Edward Golas
Robert Miller
Mike Wojton
Beth Schomburg
Wes Lidie, Jr

OPENING COMMENTS

Mr Peck introduced Mr Wes Lidie, a member of the Employee Advisory Committee, who was selected by lottery to attend this Board meeting in the agency's continuing effort to open up communication and remove the mystery of these meetings

APPROVAL OF MINUTES

The Minutes were reviewed as revised Incomplete information was finalized and added to page 4, paragraph 4 prior to the meeting The Motion to approve the Minutes of the August 17 1995, meeting was made by Mr Richards and seconded by Mr Shubnell The Minutes were approved

**BOARD OF DIRECTORS MINUTES
MEETING 95-9
SEPTEMBER 28, 1995
PAGE 2**

PROJECT STATUS

Mr Miller informed the Board that the Regional Yard Waste Facility project is nearing the end of construction There were no other projects highlighted

FINANCIAL REPORT

Mr Howarth reviewed the two months operating results and the overhead recovery relationship in the report Questions were addressed

PROCUREMENT

There were no questions from the members on the Board of Directors' Notification of Contracts, Purchase Orders, Amendments and Change Orders \$25,000 - \$99,999

Mr Peck introduced for approval Item 1 (95-03-94R) He thanked Ms Anselmi and Mr Coleman for their exceptional efforts reviewing BFI's proposal and negotiating the Contract Discussion was held Mr Richards made the motion to approve the Item, Mr Snee seconded The motion passed Item 2 (96-03-13) was introduced for approval and reviewed by Mr Miller Mr Addison made the motion to approve, Mr Richards seconded, and the motion was approved Item 3 (Sound Wall Construction) was introduced Discussion was held Mr Shubnell made the motion to approve, Mr Snee seconded and the motion was approved Item 4 (95-04-36) and Item 5 (95-04-33) was introduced and reviewed by Mr Wojton Discussion was held Mr Shubnell made the motion to approve both Items, Mr Snee seconded, and the Items were approved Mr Peck reviewed Item 6 (Hart-Miller Island North Cell Reconfiguration) with the Board Mr Shubnell made the motion to approve Item 6, Mr Snee seconded, and the Item was approved Mr Peck asked if any of the members wished to review these Items after the bids are received and no requests were heard

PERSONNEL

Resolution 95-03-3R which was approved with revisions during the August Board meeting, was included in the Board notebook for the Board's information and to be signed by the officers

SHORES OF CALVERT

Mr Coleman reviewed Resolution No 95-09-1R which allows the Service to create a Service Region and District to finance the improvements necessary to the Shores of Calvert stormwater management pond dam Discussion was held Mr Snee recommended MES become pro-active in the stormwater management program by addressing the statutory law and the responsibility of the counties vs homeowners associations regarding the maintenance of these stormwater ponds

Ms Anselmi reviewed Resolution No 95-09-2R which allows MES to enter into a Loan Agreement to finance the improvements of the Shores of Calvert stormwater management pond Questions were addressed Mr Peck advised the Board of the need by MES to develop standard procedures for these type of projects

Mr Shubnell made the motion to adopt Resolutions 95-09-1R and 95-09-2R which was seconded by Mr Addison The Board approved the Resolutions

LEGAL BUSINESS

Mr Coleman advised the Board, as stated previously, he has been spending most of his time negotiating with BFI He also informed the Board in regard to an outstanding receivable from Springfield Engineering Negotiations were held, they failed to pay, MES relitigated and was awarded the full \$9,000 owed Also, we have heard that DRJ, the Midshore hauler is in serious and active negotiations for their purchase We are continuing to operate on a cash basis with the hauler

NEW BUSINESS

Ms Anselmi informed the Board that the agency is continuing to work closely with Garrett County and their landfill closure and they will be the first recipient of WQLA funds for landfill closures

GENERAL DISCUSSION

Mr Peck met with the Institute for Governmental Services regarding the development of a Strategic Plan They will be interviewing employees, clients, and customers

**BOARD OF DIRECTORS MINUTES
MEETING 95-9
SEPTEMBER 28, 1995
PAGE 4**

Mr Peck also advised the Board the agency is continuing its efforts to improve communication using the newsletter, the Employee Advisory Committee, and the Program Directors

The request to discuss the purpose of and continuing need for several of the restricted earnings funds will be postponed for full discussion at a future meeting

MES submitted a concept plan for the landfill closure to MDE and Mr Richards complimented the employees on their excellent job


MES also submitted a proposal to Dorchester County to operate their landfill, recycling facility, and transfer station

Mr Lidie told the Board he will report back to the Employee Advisory Committee the information which was discussed and was glad to see the interest in the agency's future

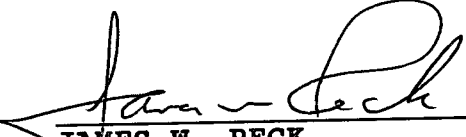
Mr Peck reported that the Advisory Committee is interested in the Incentive & Bonus Plan and retirement and health insurance plans for the former Corporate employees when they retire They are currently reviewing the costs of these plans Mr Richards offered information he has available on retirement insurance benefits

ADJOURNMENT

The meeting adjourned at 11 28 a m The next meeting will be October 26th at MES headquarters



**CAROLYN D DAVIS
SECRETARY**



**JAMES W PECK
DIRECTOR**



MARYLAND
ENVIRONMENTAL
SERVICE

Parris N. Glendening
Governor

James W. Peck
Director

**BOARD OF DIRECTORS
MINUTES
MEETING 95-10
OCTOBER 26, 1995**

LOCATION: MES Headquarters
2011 Commerce Park Drive
Annapolis, Maryland

TIME: 10:00 a.m. (Scheduled)
10:10 a.m. (Convened)

DIRECTORS PRESENT: James W. Peck, Director
Annette Anselmi
William B. C. Addison, Jr.
Edwin G. Richards
Joseph F. Snee, Jr.
Daniel F. McMullen (joined via conference call
at 10:55 a.m.)

DIRECTORS ABSENT: Carolyn D. Davis
Lawrence D. Shubnell

OTHERS PRESENT: Sean Coleman
Kenneth A. Howarth
Nancy Voorhees Balenske
Edward Golas
Robert Miller
Mike Wojton
Beth Schomburg
Lee Zeni

OPENING COMMENTS

Mr. Peck advised the meeting would begin with items of information which do not require Board action until a quorum was present.

The Minutes were reviewed for corrections and additions. None were made.

PROJECT STATUS

Mr. Michael Wojton informed the Board of First Urban Fiber's acceptance of MES's pre-proposal. Training has begun and anticipated start-up is for early 1996.

"Twenty-five Years of Service to the Citizens of Maryland"
1970-1995

**BOARD OF DIRECTORS MINUTES
MEETING 95-10
OCTOBER 26, 1995
PAGE 2**

Mr. Peck briefly reviewed the Agency Activity handout which has been renamed. This report raised some questions by the Governor regarding MES competing with the private sector. A packet of information was sent to the Governor (and handed out to the Board) which presents a comprehensive view of what MES does and its role. Discussion was held.

PERSONNEL

Mr. Peck introduced for the Board's review the Inspire Awards Program. Ms. Schomburg reviewed the elements of the program. Discussion was held. The following suggestions were made by the Board: add information for ideas, actions, and performance; redefine innovative idea to include all three; make it known the program is an ongoing process, and add to the submittal form a line for "submitted by or on behalf". Limits to the number of awards was also discussed. The members will review the Program for discussion and vote at November's meeting so it can be implemented in 1996. The Personnel Handbook also needs to be revised to include this program.

Mr. Peck advised the members the Strategic Planning effort is underway. Meetings have been scheduled with groups of employees over the next month.

LEGAL

Mr. Coleman advised that negotiations have been completed with BFI for operation of the Regional Yard Debris Composting Project. The agreement was signed October 25th. Mr. Peck thanked Mr. Coleman and Ms. Anselmi for their patience and time spent during the process.

FINANCIAL REPORT

Mr. Howarth reviewed the three months operating results. Mr. Golas reviewed the Project Variances which have been adjusted due to changes in accounting principles.

At this time, Mr. McMullen joined the meeting by conference call to enable the Board to conduct official business.

Mr. Howarth addressed the increase in revenues and the level of pass-through costs. The continued increase in pass-through costs will eventually require a reassessment of our methodology for recovering indirect costs. Mr. Howarth noted the balance sheet for

**BOARD OF DIRECTORS MINUTES
MEETING 95-10
OCTOBER 26, 1995
PAGE 3**

the first quarter has been included. Mr. Howarth also noted a milestone has been reached for the agency; retained earnings has exceeded \$5 million dollars which is a much stronger showing than past years.

MINUTES

A Motion to approve the Minutes of the September 28, 1995, meeting was made by Mr. Snee and seconded by Mr. Addison. The Minutes were approved.

PROCUREMENT

Items 1 (PO#9966), 2 (96-03), and 3 (96-03) were introduced and reviewed by Mr. Peck. No discussion was held. Mr. Snee made the motion to approve, Mr. Addison seconded and the items were approved.

No questions were asked regarding the Board of Director Notification - \$25,000 - \$99,999.

Mr. Peck postponed for official action the Restricted Earnings Funds proposal until other members of the Board are present. He reviewed for Mr. McMullen the Board items discussed thus far.

No other official business needed to occur so the conference call with Mr. McMullen was concluded at 11:10 a.m.

GENERAL DISCUSSION

Mr. Howarth handed out and reviewed information regarding MES's Retained Earnings to begin discussion. Included in the information are recommended changes. Discussion was held. A suggestion was made to review the categories and the rationale for establishing them.

Copies of the audit report were given out for discussion at November's meeting. The management letter and indirect cost report have not been received to date. The audit manager may attend November's meeting.

Mr. Richards informed the Board that local governments are being required to file investment statements and asked if MES was required to. MES is not, but is filing the statement.

**BOARD OF DIRECTORS MINUTES
MEETING 95-10
OCTOBER 26, 1995
PAGE 4**

Mr. Richards also credited MES with MDE's acceptance of their landfill closure plan.

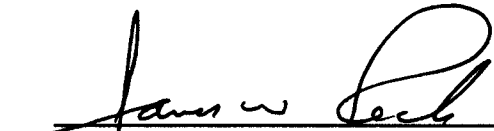
The Schedule of future meetings was discussed and will be as follows: November 30th, 10:00 a.m. at MES; December 15th (tentative), prior to the MES Holiday Party; and January 25th.

ADJOURNMENT

The meeting adjourned at 11:38 a.m. The next meeting will be November 30th at 10:00 a.m. at MES headquarters.



CAROLYN D. DAVIS
SECRETARY



JAMES W. PECK
DIRECTOR



**BOARD OF DIRECTORS
MINUTES
MEETING 95-11
NOVEMBER 30, 1995**

LOCATION: MES Headquarters
2011 Commerce Park Drive
Annapolis, Maryland

TIME: 10:00 a.m. (Scheduled)
10:05 a.m. (Convened)

DIRECTORS PRESENT: James W. Peck, Director
Annette Anselmi
William B. C. Addison, Jr.
Edwin G. Richards
Joseph F. Snee, Jr.
Lawrence D. Shubnell
Daniel F. McMullen

DIRECTORS ABSENT: Carolyn D. Davis

OTHERS PRESENT: Patrick Boyce, KPMG Peat Marwick
Tim Holley, KPMG Peat Marwick
Sean Coleman
Kenneth A. Howarth
Nancy Voorhees Balenske
Edward Golas
Robert Miller
Mike Wojton
Beth Schomburg
Lee Zeni
James Haywood

MINUTES

A Motion to approve the Minutes of the October 26, 1995, meeting was made by Mr. Richards and seconded by Mr. Addison. The Minutes were approved.

PROJECT STATUS

Mr. Peck asked if there were any questions regarding the Project Status Report. Questions were addressed regarding the Dorchester County proposal, Rocky Gap Project, and Harford County proposal.

**BOARD OF DIRECTORS MINUTES
MEETING 95-11
NOVEMBER 30, 1995
PAGE 2**

Mr. Peck informed the Board the Regional Yard Waste Facility is operating and all commitments were met. He also advised MES is waiting for the Anne Arundel County Council to approve a northern Anne Arundel County Transfer Station before proceeding with a final agreement with Garnet Corporation to operate the station. An update on the State's environmental dredging program was given. Mr. Peck advised the Board the Governor requested a list of contacts for independent assessments of how MES does its business and various contacts have been made by the Governor's office.

FINANCIAL REPORT

Mr. Howarth reviewed the four months operating results and the audit report and MES's response to the FY 1995 Management Letter. Mr. Howarth introduced Mr. Patrick Boyce and Mr. Tim Holley representing KPMG Peat Marwick, the agency's independent auditors. Mr. Boyce highlighted the changes in the Management letter and reviewed the Auditor's representation letter. Mr. Holley reviewed the Management letter. Questions were addressed. Mr. Howarth and Mr. Boyce addressed the Schedules of Indirect costs which was prepared by the auditors at the request of the Board of Directors.

Ms. Anselmi advised the Board that special projects need to be selected for auditing at December's meeting.

Mr. Peck introduced and reviewed for consideration Resolution 95-11-1R and 95-11-2R which are Statements of Intent to finance certain costs for engineering and construction of the Villa Julie College wastewater treatment facility and the Baltimore County Resource Recovery Facility commercial materials recycling facility. Questions regarding recovery of costs were addressed. Mr. Snee made the motion to approve both resolutions and Mr. McMullen seconded. The resolutions were approved.

Mr. Howarth briefly reviewed the recommended changes to the Retained Earnings which were handed out at October's meeting. Discussion was held. No action was taken at this time. Ms. Anselmi advised the members that a resolution addressing Retained Earnings will need to take place prior to July 1, 1996.

Resolution 95-11-5R was reviewed by Mr. Howarth. This is a technical correction to an attachment to Resolution 95-05-1R which was approved by the Board on May 24, 1995. It corrects the term billable direct labor to total direct labor. Mr. Addison made the motion to approve the Resolution which was seconded by Mr. McMullen. The Resolution was adopted.

**BOARD OF DIRECTORS MINUTES
MEETING 95-11
NOVEMBER 30, 1995
PAGE 3**

Mr. Peck introduced and reviewed Resolution 95-11-4R. This Resolution authorizes the Service to use up to \$10,000 to offset the start-up costs for the bagging operations of Leafgro® at Dickerson. Questions were addressed and discussion held. Mr. Addison made the motion to adopt the Resolution, Mr. McMullen seconded, and the Resolution was approved.

PROCUREMENT

The Board notebook contained the Board of Director Notification - \$25,000 - \$99,999. No questions or discussion.

Mr. Miller reviewed Item 1 (94-03-111RR/C.O.#4). No discussion was held. Mr. Richards made the motion to approve, Mr. Snee seconded, and the item was approved. Items 2 and 3 were reviewed by Mr. Miller. Discussion was held. Mr. Richards made the motion to approve, Mr. McMullen seconded and the items were approved. Mr. Wojton reviewed Items 4 (95-04-35) and 5 (93-04-60/C.O.#20). The motion was made to approve the items by Mr. Snee, seconded by Mr. Addison and the items were approved.

PERSONNEL

The Inspire Awards Program which was introduced to the Board during October's meeting was presented to the Board for consideration. Mr. Shubnell suggested that the INSPIRE objective of "Eliminate duplication of effort and non-useful operations" be merged with the objective of "Nullify waste, redundancy and duplication", and that a new objective, "Enhance morale and productivity", be inserted. Mr. Richards' recommended changes from October's meeting were incorporated. Mr. Shubnell made the motion to adopt the Program, as modified, to be an integral part of the Board's Human Resources policy. Mr. Richards seconded and the motion was adopted. Mr. Shubnell thanked Ms. Schomburg and the committee for their work.

Mr. Peck introduced and reviewed Resolution 95-11-3R to the Board. This Resolution authorizes the Service to provide additional compensation to those employees who are assigned to perform emergency phone duty. Questions were addressed. Mr. Addison made the motion, Mr. McMullen seconded, and the Resolution was adopted with Ms. Anselmi voting in the negative.

**BOARD OF DIRECTORS MINUTES
MEETING 95-11
NOVEMBER 30, 1995
PAGE 4**

LEGAL UPDATE


Mr. Coleman informed the Board of the DRJ bankruptcy hearing held November 20, 1995. The agency and the State's Antitrust Division opposed the offer made by Browning Ferris Industry to purchase the company. An auction proceeded and the highest bidder was Waste Management. MES will receive approximately 25% of the outstanding receivables. Mr. Peck complimented Mr. Coleman and Robert Munroe, Esq. on their efforts. Questions were addressed.

GENERAL DISCUSSION

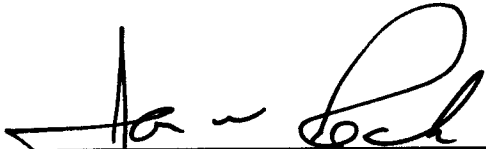
Mr. Shubnell requested at the next meeting there be discussion regarding MES's financial planning, strategic planning, and the likely outcome of the inquiry made by the Governor's office regarding how we do business.

ADJOURNMENT

The meeting adjourned at 12:00 a.m. The next meeting will be December 15th at 2:00 p.m. at MES headquarters prior to the Holiday Party which begins at 3:00 p.m.



**CAROLYN D. DAVIS
SECRETARY**



**JAMES W. PECK
DIRECTOR**



Parris N. Glendening
Governor

James W. Peck
Director

**BOARD OF DIRECTORS
MINUTES
MEETING 95-12
DECEMBER 15, 1995**

LOCATION: MES Headquarters
2011 Commerce Park Drive
Annapolis, Maryland

TIME: 2:00 p.m. (Scheduled)
2:22 p.m. (Convened)

DIRECTORS PRESENT: James W. Peck, Director
Annette Anselmi
William B. C. Addison, Jr.
Edwin G. Richards
Joseph F. Snee, Jr.
Lawrence D. Shubnell (joined by conference call
at 2:31 p.m.)

DIRECTORS ABSENT: Carolyn D. Davis
Daniel F. McMullen

OTHERS PRESENT: Sean Coleman
Kenneth A. Howarth
Beth Schomburg
Robert Miller
Mike Wojton
Lee Zeni
Nancy Voorhees Balenske

OPENING COMMENTS

Mr. Peck convened the meeting without a quorum. No official business took place until Mr. Shubnell joined the meeting by conference call.

PROJECT STATUS

The following project was highlighted: A press conference will be held next week to announce the BWI de-icing program. MES will be represented. The program has been operating for 27 consecutive days.

The following projects listed on the Agency Activity report were reviewed and discussed: Mr. Snee inquired regarding the

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**BOARD OF DIRECTORS MINUTES
MEETING 95-12
DECEMBER 15, 1995
PAGE 2**

status of the Harford County contract. A revised contract was mailed to the County and has not yet been returned. Presentations were made this week to the Charles County Commissioners. It was well received and MES was asked to submit a proposal for landfill closure. Regarding Dorchester County, discussion was held about efforts to encourage the County to join forces with MES and the Midshore counties. A meeting is being held by the Midshore administrators to clarify the counties' position and develop ideas to encourage their participation.

Mr. Peck met with officials of the Department of Business & Economic Development to discuss MES's participation in a more formal role in the economic development of the State. For example, MES can facilitate businesses permitting applications and provide technical support to the Counties.

MINUTES

A Motion to approve the Minutes of the November 30, 1995, meeting was made by Mr. Richards and seconded by Mr. Snee. The Minutes were approved.

FINANCIAL REPORT

Mr. Peck introduced and reviewed Equipment Resolution (95-12-1R) which is an intent to finance various pieces of equipment. Ms. Anselmi advised the Board that MES may or may not proceed with Item 6 and 7 dependent upon needs and funding. Mr. Richards made the Motion to approve the Resolution and Mr. Addison seconded. The Resolution was approved.

PROCUREMENT

The Board notebook contained the Board of Director Notification - \$25,000 - \$99,999. No questions or discussion.

Item 1 (Purchase of vehicles) was reviewed by Mr. Peck and discussion was held. Mr. Snee made the Motion to approve Item 1 and Mr. Addison seconded. Item 1 was approved.

Ms. Anselmi updated the Board on the status of the selection of a financial advisor. The interview process has been completed, but not all the technical evaluations have been received. The cost proposals will be opened upon receiving the final technical evaluation.

**BOARD OF DIRECTORS MINUTES
MEETING 95-12
DECEMBER 15, 1995
PAGE 3**

At this point, all official business was conducted and the conference call with Mr. Shubnell ended.

ADDITIONAL FINANCIAL REPORT

Due to the date of the meeting, the operating results are not available this month and will be presented at January's meeting. Mr. Howarth informed the Board that funds from the Solid Waste Facilities Grant have been received from the State for the Regional Yard Waste project.

PERSONNEL

The final program for the Inspire Awards was handed out to the members.

LEGAL UPDATE

Mr. Coleman advised the Board of the following: The sexual harassment training program for employees has been completed. Waste Management has taken over the DRJ accounts and we may expect payment before the next fiscal quarter.

NEW BUSINESS

Mr. Peck handed out the new MES newsletter and asked the Board to review and comment regarding tone, focus, and approach. The newsletter is now being published in-house to reduce costs.

Mr. Peck informed the Board he will be out of town from December 18, 1995 to December 27, 1995, and has delegated authority to Mr. Zeni.

Mr. Peck met with the Executive Director and one Board member of the Delaware Solid Waste Authority. They are still interested in pursuing a joint project; possibly a waste-to-energy or expansion of their landfill. They would like to host a joint Board meeting in the Spring.

A meeting was held with the four Cabinet secretaries from Transportation, Natural Resources, Environment, and Economic Development regarding the dredged disposal issues. Recommendations were made with MES to provide staff support. A meeting is scheduled for December 20th to advance the proposals discussed.

**BOARD OF DIRECTORS MINUTES
MEETING 95-12
DECEMBER 15, 1995
PAGE 4**

No feedback has been received from the Governor's office about the MES competition issue. A fact is contained on page 7 of the newsletter citing the pass through percentages to private customers.

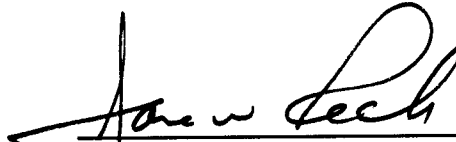
Mr. Peck advised the Board of a meeting with Carroll County who may sponsor legislation to add Carroll County and Howard County to the Northeast Waste Disposal Authority. MACO may also amend the bill to allow any county to join the Authority. Discussion will be held with the Governor's office on the approach to this legislation.

ADJOURNMENT

The meeting adjourned at 3:08 p.m. The next meeting will be January 25, 1996 at MES headquarters.



**CAROLYN D. DAVIS
SECRETARY**


**JAMES W. PECK
DIRECTOR**