



**MARYLAND  
ENVIRONMENTAL  
SERVICE**

Parris N. Glendening  
*Governor*

James W. Peck  
*Director*

**BOARD OF DIRECTORS  
MINUTES  
MEETING 98-1  
January 22, 1998**

**LOCATION:** 2011 Commerce Park Drive  
Annapolis, Maryland

**TIME:** 10:00 a.m. (Scheduled)  
10:07 a.m. (Convened)

**DIRECTORS PRESENT:** James W. Peck, Director  
Catherine Pieper Stevenson, Deputy Director  
Carolyn D. Davis, Secretary (arrived at 10:09 a.m.)  
Kenneth A. Howarth, Treasurer  
Edwin G. Richards  
Lawrence D. Shubnell  
Daniel F. McMullen  
Joseph F. Snee  
William B.C. Addison, Jr. (arrived at 10:48 a.m.)

**OTHERS PRESENT:** Sean Coleman  
Beth Wojton  
Robert Miller  
Lee Zeni  
Ed Golas  
Nancy Voorhees Balenske  
Mike Wojton

**OPENING REMARKS**

Mr. Peck welcomed Mr. Richards return from his recovery from surgery. He also thanked Mr. Shubnell for coming to MES's Holiday Party and judging one of the contests. The party was very well attended and successful at its new location.

**BOARD OF DIRECTORS MINUTES  
MEETING 98-01  
JANUARY 22, 1998  
PAGE 2**

**MINUTES**

The motion was made by Mr. Snee to approve the Minutes of the December meeting and seconded by Mr. McMullen. The Minutes were approved.

**INSPIRE AWARDS**

Mr. Peck presented Inspire Awards to Mr. Rex Lloyd, Mr. Alex Stansbury, Mr. Kris Carter, and Mr. Jay Janney for extraordinary service at the BWI Airport C-Pier Deicing Facility.

**PROJECT STATUS**

Mr. Peck updated the Board on the following projects:

Aberdeen Proving Grounds - The Army has discussed a 10 year contract with MES instead of the original five year proposal. Full scale operations begin January 28th.

Darlington Water Service District - The Service has established the service district and taken over operations of the facility.

Midshore Landfill - A meeting was held with BFI, at their request, to discuss improving their business relationship. Waste Management is building a transfer station in Dorchester County that may affect Midshore's operations. Questions were addressed regarding the shore's collection systems and flow control mechanisms. The program has re-visited the projects' economics and a meeting is planned with the County Administrators.

The preliminary number of water and wastewater discharge violations for calendar year 1997 is 93. This is an all time low for the agency.

LeafGro sales for 1997 are 129,916 cubic yards vs. 52,325 for 1996. ComPRO® sales increased by 24%.

Regional Compost Facility - The counties are holding hearings to approve the amendment to the Intergovernmental Agreement to allow for the sale of the property. Questions were addressed. The buyer has four months to complete property studies and the closing will be by the end of July.

Gravel Hill Rubble Landfill - A meeting was held with the developer to discuss possible MES involvement. The developer is to gather community reaction to the project. Mr. Snee advised the Board, that Harford County has introduced legislation that would require a buffer on mineral extraction activities. MES will continue to monitor the developments.

**BOARD RETREAT RECOMMENDATIONS**

Ms. Pieper Stevenson handed out to the Board the Executive Staff recommendations for future Board meetings. She reviewed the recommendations and actions that have been taken to date. A meeting schedule was also handed out to the members. Discussion was held about the role of two committees, Human Resources and Financial and Capital Budgets. The members expressed they do not want to be involved in detailed operational discussions. It was suggested the committees discuss oversight, policy, and the Strategic Plan. Also, it was suggested the appropriate Committee be given the opportunity to review proposed regulations and policies in more detail before formal action is taken. Mr. Shubnell requested 3 to 5 possible field trips be submitted to the Board at February's meeting for selection by the Board. Mr. Snee requested a review of field trips that have already been taken to refresh the members' memories.

The general consensus of the Board is to move forward with the Committee meetings and field trips. Their success and importance can be re-evaluated at any time. Committee agendas will be mailed prior to the next meeting. The proposed Committee list was also handed out.

**FINANCIAL REPORT**

Mr. Golas reviewed the Financial Highlights for year to date November 30, 1997. He specifically reviewed Earned Revenues, Net Income Direct Labor, Fringe Costs, Labor Rate, and the Recovery Rate. Questions were addressed on the Accounts Receivable Aging over 150 days. Mr. Golas also reviewed the Operating Results and the Equipment Fund.

**RESOLUTION**

Mr. Peck introduced Resolution 98-01-1R. This Resolution changes the Overhead and General and Administrative Costs and addresses the immediate need to deal with the contract labor rate and customer concerns regarding the recovery of overhead costs on contract labor. Questions were addressed. This is an interim measure for the balance of the fiscal year. Mr. Shubnell made the motion to approve the Resolution, Mr. McMullen seconded, and the Resolution was unanimously approved.

**BOARD OF DIRECTORS MINUTES  
MEETING 98-01  
JANUARY 22, 1998  
PAGE 4**

**PROCUREMENT**

Mr. Peck reviewed Procurement Items 1, 2, 3, 4, 5, and 6. Mr. Richards made the motion to approve Items 1, 2, & 3. Mr. McMullen seconded, and the Items were unanimously approved. The motion to approve Items 4, 5, & 6 was made by Mr. McMullen and seconded by Ms. Davis. These Items were also approved.

The Board notebook contained the items for notification.

**PERSONNEL**

Ms. Wojton presented the Policies and Procedure for Job Vacancy Posting. Discussion was held about posting vacancies and the suggestion was made to always post a vacancy in case an employee knows of someone who has the "specialized training or unique experience". The suggestion was also made to document the rationale if a vacant position is not posted.

Mr. Peck passed out a letter from the Maryland Aviation Administration regarding the outstanding performance of the employees who earlier in the meeting received Inspire Awards.

**LEGAL**

Mr. Coleman provided the Board with an update of current legal matters, including the following:

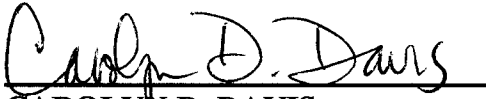
- ◆ Poplar Island - The litigation is on hold pending settlement discussions.
- ◆ Regional Composting Facility - Litigation is on hold. The hearing on the zoning appeal was held and MES is waiting for a decision.
- ◆ Hart-Miller Island Landbase - The Waste Management Program is investigating moving the parking lot on the property.
- ◆ BWI - The office is working with the MAA's counsel on a response to a possible citizens suit for alleged illegal discharges of deicing fluid.
- ◆ Former employee, Donald Young - A motion was filed for dismissal.
- ◆ Lake Linganore - Working with the Program on a 5 year plan.
- ◆ Mr. Coleman advised the members of a potential claim to be filed by Waste Management regarding the termination of services at the Montgomery County Materials Recycling Facility.

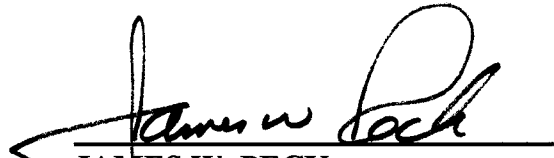
**BOARD OF DIRECTORS MINUTES  
MEETING 98-01  
JANUARY 22, 1998  
PAGE 5**

**GENERAL DISCUSSION**

The Legislative Budget Hearings are February 4<sup>th</sup> and 9<sup>th</sup>. A different format will be presented this year; briefing the Committees with MES's highlights and showing the video, "Building America".

The meeting adjourned at 12:09 p.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 98-02  
February 26, 1998**

**LOCATION:** 2011 Commerce Park Drive  
Annapolis, Maryland 21401

**TIME:** 10:00 a.m. (Scheduled)  
10:09 a.m. (Convened)

**DIRECTORS PRESENT:** James W. Peck, Director  
Catherine Pieper Stevenson, Deputy Director  
Kenneth A. Howarth, Treasurer  
Edwin G. Richards  
Joseph F. Snee, Jr.  
William B.C. Addison, Jr. (arrived 11:00 a.m.)  
Lawrence D. Shubnell  
Daniel F. McMullen

**DIRECTORS ABSENT:** Carolyn Davis, Secretary

**OTHERS PRESENT:** Beth Wojton  
Sean Coleman (departed 11:45 a.m.)  
Michael Wojton  
Robert Miller  
Edward Golas  
James Haywood  
Susan Merkel

**OPENING REMARKS**

Mr. Peck called the meeting to order and reminded the Board members that the Board would recess for Committee meetings at 10:45 a.m. and reconvene at 12:00 p.m.

**MINUTES**

The Motion to approve the Minutes of the January meeting was made by Mr. Howarth and seconded by Ms. Stevenson. The Minutes were approved.

**BOARD OF DIRECTORS MINUTES  
MEETING 98-02  
FEBRUARY 26, 1998  
PAGE 2**

**PROJECT STATUS**

Mr. Peck advised the Board members of the status of MES' involvement in the Pfiesteria issue, particularly in finding disposal alternatives for chicken manure. MES has been in contact with a firm in England which burns chicken manure on a large scale. The company currently has two plants in operation and expects construction to be completed on a third this summer. They will have the capability to burn 700,000 tons of chicken manure per year. Delmarva will need to dispose of about 750,000 tons annually, Maryland's portion of this amount is about 400,000 tons. Mr. Peck passed out a newspaper article regarding this matter to Board members. He advised the Board members that MES is exploring the possibility of converting the ECI Co-Generation Facility to burn a limited amount of chicken manure. The cost of converting the plant would be between \$1,000,000 and \$2,000,000. If another boiler is added that would cost an additional \$3,000,000 to \$4,000,000.

Mr. Shubnell inquired about environmental issues and regulations in England.

Mr. Peck advised that environmental issues and concerns are world wide and that Europe is ahead of us in regulating land pollution. The greatest environmental concerns are in transporting the manure by truck, controlling on-site odor, and providing health and safety measures to deal with moving the manure from storage to the boiler. Bio-security measures will be in place prior to converting the Co-Gen. There is not much of a pollution problem in the actual burning of the manure because of the high ammonia and calcium content. The ash is high in phosphorus but low in nitrogen, making it marketable as a high quality fertilizer.

Mr. Richards asked what volume of chicken litter could be burned at the Co-Gen. Mr. Peck responded that it would be about 40,000 tons annually. The Co-Gen currently burns about 50,000 tons of wood chips per year.

Ms. Stevenson advised the Board Members regarding a vendor on the Eastern Shore who is currently composting about 5,000 tons of chicken manure annually with grant support from several government agencies. He approached MES to assist in marketing the end product. MES will be providing this service during the grant period for only a 15% commission on compost sold.

Mr. Peck advised that the Governor had made a decision to move forward with the conversion of the Co-Gen. MES is currently working on a competitive RFP for the project. Mr. Peck promised to keep the Board advised of the progress of the project.

Mr. Peck passed out a copy of a letter received from The Severn River Association regarding a pilot program for using LeafGro® as an organic alternative to chemical fertilizers. The community is very enthusiastic about the project and complimentary of MES.

**BOARD OF DIRECTORS MINUTES  
MEETING 98-02  
FEBRUARY 26, 1998  
PAGE 3**

Mr. Shubnell inquired about the status of the potential dredging disposal site in Kent County. Mr. Peck responded that due to the considerable community opposition encountered, the project seems to be dead.

Mr. Snee asked if the Agency's budget had been presented to the legislature. Mr. Peck responded that the budget had been presented to both the Senate and the House, who were both very impressed and complimentary.

Mr. Wojton advised the Board that two of the projects listed under Proposals Submitted, Bowling Brook Prep School and Washington County Landfill Monitoring Services, had been accepted.

Mr. Shubnell inquired if MES is involved in the Corps' problem at Pooles Island. Mr. Peck responded that MES is providing monitoring services.

Mr. Richards inquired about the status of Aberdeen Proving Grounds. Mr. Wojton responded that we are still working on getting the IGA executed, but that they are paying the Agency by issuing purchase orders and that APG officials are happy with the services being provided by MES.

Mr. Peck advised that Waste Management is trying to put a transfer station in Cambridge, but they are running into problems with approval from the County.

**PROCUREMENT**

Mr. Peck reviewed Procurement Items 1 and 2. There were no questions. Ms. Stevenson made a Motion to approve, Mr. Shubnell seconded, and the Items were approved.

The Board notebook contained the items for notification.

**LEGAL REPORT**

Mr. Coleman advised that MES has been sued by the Prince George's County Yard Waste Composting Facility maintenance building contractor. The County has finally given the go ahead to proceed. The Agency will be settling with the contractor and work will be moving forward.

Mr. Coleman advised that the status reported on the items in the January Minutes is essentially unchanged.

Mr. Shubnell inquired if there was any progress on the sale of the Regional Composting Facility.



**BOARD OF DIRECTORS MINUTES  
MEETING 98-02  
FEBRUARY 26, 1998  
PAGE 4**

Mr. Coleman advised that this is the subject of the next item for discussion, Resolution 98-02-3R. The Board is being asked to approve an amendment to the IGA and Indenture for the RCF. These changes authorize the Agency to sell the RCF and use the proceeds to pay-off the debt. The Resolution does not change the Agency's obligation under the debt. The three counties, the bond insurer and the trustee have all approved the amendment to the IGA.

Mr. Peck advised that we have retained ownership of the 2.8 acres used for the transfer station and the remaining 51 acres are being sold. Mr. Shubnell inquired how the bonds would be paid. Mr. Peck advised that the Service would put the funds in escrow and the counties would continue to make debt service until 2004. The bonds would be paid off in 2005. Mr. Shubnell inquired if the issue of change of use had been addressed. Mr. Coleman advised that the Agency is in compliance with IRS regulations; the funds are not being used for some other purpose, but are to be escrowed to defease the debt.

Mr. Shubnell made a motion for approval of Resolution 98-02-03R. Mr. Snee seconded the motion. The motion was approved.

Mr. Coleman advised the Board of the status of several collection cases which have been referred to his office.

The Board recessed for Committee Meetings at 10:55 a.m.

**COMMITTEE REPORTS**

The Board reconvened at 12:04 p.m.

Ms. Stevenson presented a report on the Human Resources Committee. The Committee members agreed upon a charge, as follows: "To draw upon the experience, knowledge and expertise of the Board Members to help MES use its human resources to the best strategic advantage in fulfilling its mission." The Committee spent most of the time reviewing Issue 4A of the MES Strategic Plan: Further develop training and continuing education programs. They reviewed training, and the percentage of payroll spent on training. Leading edge companies spend about 6% of their payroll on training, utility companies spend more. MES spent over 2.6% last year. The consensus was that MES has an adequately funded, aggressive training program.

There was discussion about building a training infrastructure and in-house training programs. Recruiting problems were also discussed.

Mr. Peck reported on the Finance & Capital Budgets Committee. The Committee spent most of its time discussing Resolution 2, refinancing of debt related to Midshore Landfill. There was discussion about whether the best approach would be through

**BOARD OF DIRECTORS MINUTES  
MEETING 98-02  
FEBRUARY 26, 1998  
PAGE 5**

competitive bidding or negotiation. A decision has not yet been made yet. An opinion will be requested from the Agency's financial advisor.

There was discussion about the overhead issue and how the Agency recovers overhead. The overall financing and capital position was discussed and whether the Agency should have its own bond rating.

Mr. Peck asked the Board members if they felt the Committee Meetings were useful and if they should continue. The members agreed to continue.

Mr. Peck mentioned that Mr. McMullen had raised the point that maybe the Board should do less regular business when there are going to be Committee meetings. Mr. Addison agreed. It was agreed that the Board would handle approvals and have limited discussion of other business.

**FINANCIAL REPORT**

The Financial Report was not presented, but was provided to Board members in their binders.

**RESOLUTIONS**

Resolution 98-02-01R authorizes procurement, execution and delivery by MES of a Loan Agreement in an aggregate principal amount not to exceed \$450,000.00 for the purpose of financing the design and construction of a maintenance building and installation of fire protection piping at the Prince George's County Yard Waste Composting Facility. MES will be reimbursed for this loan by Prince George's County. Mr. Peck advised that this project has been on the books for a long time and the County has finally decided to move forward.

A Motion to approve Resolution 98-02-01R was made by Mr. Shubnell and seconded by Mr. McMullen. The Resolution was approved.

Resolution 98-02-02R states the intent of MES to reimburse expenditures to be incurred with respect to the refinancing of the Midshore debt. Mr. Peck stated that this Resolution is just notification of the Agency's intent to refinance.

Mr. Shubnell made a motion to approve Resolution 98-02-02R, Mr. Addison seconded the motion. The Resolution was approved.

**PERSONNEL**

Ms. Wojton submitted the Policies and Procedure for Job Vacancy Posting for approval. The item was amended to include the language discussed at the last meeting.

**BOARD OF DIRECTORS MINUTES  
MEETING 98-02  
FEBRUARY 26, 1998  
PAGE 6**

A Motion to approve the item was made by Ms. Stevenson and seconded by Mr. Richards. The procedure was approved.

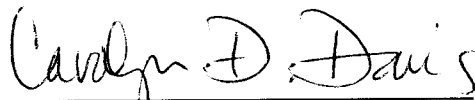
Ms. Wojton presented the Personnel Policies and Procedure policy for Agency-Wide Training Program to the Board for review.

**GENERAL DISCUSSION**

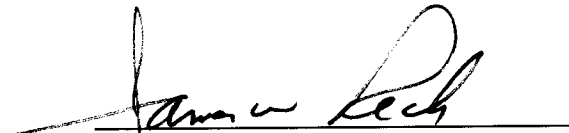
Mr. Peck passed out a schedule of suggested future field trips. Board members expressed an interest in going to Western Branch and either Annapolis Junction or Dorsey Run on the same day. The Board indicated that a decision would be made at the next meeting.

**ADJOURNMENT**

The meeting adjourned at 12:30 p.m. The next meeting is scheduled for March 26, 1998.



**CAROLYN D. DAVIS  
SECRETARY**



**JAMES W. PECK  
DIRECTOR**

**MARYLAND  
ENVIRONMENTAL  
SERVICE**

Parris N. Glendening  
Governor

James W. Peck  
Director

**BOARD OF DIRECTORS  
MINUTES  
MEETING 98-03  
March 26, 1998**

**LOCATION:** 2011 Commerce Park Drive  
Annapolis, Maryland 21401

**TIME:** 10:00 a.m. (Scheduled)  
10:04 a.m. (Convened)

**DIRECTORS PRESENT:** James W. Peck, Director  
Catherine Pieper Stevenson, Deputy Director  
Carolyn Davis, Secretary  
Kenneth A. Howarth, Treasurer  
Edwin G. Richards  
Joseph F. Snee, Jr.  
Lawrence D. Shubnell

**DIRECTORS ABSENT:** William B.C. Addison  
Daniel F. McMullen

**OTHERS PRESENT:** Sean Coleman  
Beth Wojton  
Michael Wojton  
Robert Miller  
Edward Golas  
Lee Zeni  
Nancy Voorhees Balenske

**INSPIRE AWARDS**

Mr. Peck called the meeting to order. An Inspire Award was presented to Harold Adams for an Innovative Idea. Mr. Peck presented Inspire Awards to Al Razik, Skip Immler, Susie Epling, Melissa Jachelski for Extraordinary Service in obtaining and implementing a new contract at Aberdeen Proving Ground. Mr. Snee was also presented an Inspire Award certificate for his involvement in initiating the contact and bringing the agency and the Army Corps together.

**BOARD OF DIRECTORS MINUTES  
MEETING 98-03  
MARCH 26, 1998  
PAGE 2**

Mr. Peck also announced the nomination of Ms. Wojton to receive a TWIN award which recognizes outstanding women in business and industry who reside in Anne Arundel County.

**MINUTES**

The Motion to approve the Minutes of the January meeting was made by Mr. Richards and seconded by Mr. Snee. The Minutes were approved.

**PROJECT STATUS**

Mr. Peck updated the Board members on the following projects:

Aberdeen - The agency and Harford County are jointly developing a proposal for operation of the Aberdeen Proving Ground water and wastewater utilities for submittal to the federal government.

Lake Linganore - The 5 year plan has been drafted. A joint hearing may be held with the Frederick County Commissioners. A hearing report will be prepared and distributed prior to a resolution for final creation of the Service District being presented to the Board for approval.

Northern Caroline County - The engineering work continues on the potential for a water and wastewater treatment plant to serve the area. Once the study is complete, grant options will be explored.

Prince George's County - A presentation was made to the County to operate the Materials Recycling Facility.

MidShore Regional Landfill - The merger of USA Waste and Waste Management was discussed. At a meeting with the County Administrators discussion will be held regarding Waste Management's expressed interest in hauling again to the landfill.

**FINANCIAL REPORT**

Mr. Golas reviewed the Financial Highlights for year to date February 28, 1998. Mr. Howarth addressed the fringe variance and overhead recovery variance. Discussion was held. It was decided the issue of overhead should be addressed during a Financial & Capital Budgets Committee meeting. Discussion was held on the Accounts Receivable Aging report. Mr. Howarth and Mr. Coleman addressed the ongoing collections process. The 1997 Sick Leave Recap was handed out. The sick leave usage continues to drop. A total of \$55,000.00 was paid out to employees who chose to be paid for their unused sick leave.

**RESOLUTIONS**

Mr. Peck introduced Resolution 98-03-01R which states the intent of MES to reimburse expenditures to be incurred with respect to the services being provided at Aberdeen Proving Ground. Mr. Richards made a motion to approve Resolution 98-03-1R, Mr. Snee seconded the motion. The Resolution was approved.

Resolution 98-03-2R was introduced by Mr. Peck. It authorizes the financing of a loader which MES has been leasing. Mr. Coleman also brought to the Board's attention a correction to the estimated cost. The correct estimated cost is \$195,063.83. Mr. Shubnell made the motion to approve the Resolution as amended, Ms. Davis seconded. The Resolution was approved.

**PROCUREMENT**

Mr. Peck reviewed Procurement Items 1 and 2. Discussion was held regarding procuring specific brands of equipment. Mr. Howarth made a Motion to approve, Mr. Richards seconded, and the Items were approved.

The Board notebook contained the items for notification.

**PERSONNEL**

Ms. Wojton submitted the Policies and Procedure for Agency-wide Training Program for approval. The item was amended to include input received from Mr. Richards. A Motion to approve the item was made by Mr. Howarth and seconded by Ms. Davis. The policy was approved.

Ms. Wojton presented the Personnel Policies and Procedures for Voluntary Demotion and Leave and Time Off - Legal Actions to the Board for review. Mr. Snee asked Mr. Coleman and Ms. Wojton to address reappearance exceeding more than one day in a legal proceeding through no fault of the employee. This may require a change in the regulation.

**LEGAL REPORT**

Mr. Coleman advised that MES has settled with the Prince George's County Yard Waste Composting Facility maintenance building contractor. The work is moving forward.

The Circuit Court of Howard County has ruled the Regional Composting Facility is not subject to local zoning.

**BOARD OF DIRECTORS MINUTES  
MEETING 98-03  
MARCH 26, 1998  
PAGE 4**

Mr. Coleman and Mr. Munroe are working with the Harford County attorneys on the legal relationships of the Aberdeen proposal mentioned earlier.

Mr. Coleman advised that a settlement agreement is being negotiated for an outstanding claim with Waste Management for the Montgomery County Materials Recycling Facility.

MES has received a sixty day notice of violations of a permit for the City of Cambridge. A meeting has been held with the citizens and others. There is no MES involvement and it appears the dispute is between the City and the citizens.

**EXECUTIVE SESSION**

Mr. Peck distributed a Statement of Reasons for Meeting in Closed Session (see attached Notice, which includes the reasons and authority for meeting in closed session). Mr. Howarth moved to go into closed session; Mr. Snee seconded and the motion was unanimously approved. During the closed session the Board discussed pending and possible litigation with counsel. The Board also discussed the compensation of certain employees and officials of the Service. Present during the closed session were the Board members and Mr. Coleman, except that Ms. Pieper Stevenson was not present during the discussion of compensation. The Board did not take official action during the closed session. Following the discussion Ms. Davis moved to go into open session; Mr. Snee seconded and the motion was unanimously approved.

**OPEN SESSION**

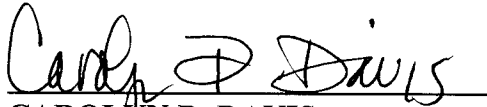
After returning to open session Ms. Davis moved to establish the salary of the Deputy Director to be \$86,500 per year, as recommended by the Director, effective the first full pay period after the Board meeting. Mr. Snee seconded the motion, and it was unanimously approved. Ms. Pieper Stevenson was not present and did not vote on the motion.

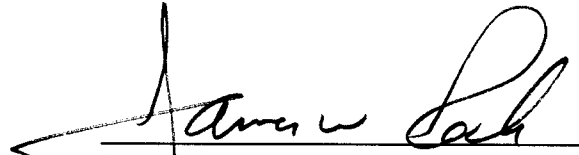
**GENERAL DISCUSSION**

Mr. Snee thanked the Board for the Aberdeen Proving Ground presentation, but noted the bringing together of all the parties was by Mr. Zeni's encouragement and also noted Mr. Peck's presentation and work at the initial meeting.

**ADJOURNMENT**

The meeting adjourned at 12:20 p.m. The next meeting is scheduled for April 30, 1998 at 9:00 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 98-04  
April 30, 1998**

**LOCATION:** 2011 Commerce Park Drive  
Annapolis, Maryland 21401

**TIME:** 9:00 a.m. (Scheduled)  
9:07 a.m. (Convened)

**DIRECTORS PRESENT:** James W. Peck, Director  
Catherine Pieper Stevenson, Deputy Director  
Carolyn Davis, Secretary  
Kenneth A. Howarth, Treasurer  
Edwin G. Richards  
Joseph F. Snee, Jr.  
William B.C. Addison  
Lawrence D. Shubnell (arrived at 9:10 a.m.)  
Daniel F. McMullen (arrived at 9:15 a.m.)

**OTHERS PRESENT:** Sean Coleman  
Beth Wojton  
Michael Wojton  
Robert Miller  
Edward Golas  
Lee Zeni  
Nancy H. Voorhees Balenske

**INSPIRE AWARD**

Mr. Peck called the meeting to order. An Inspire Award was presented to Uday Gadhia for Extraordinary Service.

**MINUTES**

The Motion to approve the Minutes of the March meeting was made by Mr. Richards and seconded by Mr. Shubnell. The Minutes were approved.

**BOARD OF DIRECTORS MINUTES**  
**MEETING 98-04**  
**APRIL 30, 1998**  
**PAGE 2**

**FINANCIAL REPORT**

The Financial Highlights for year to date March 31, 1998 were in the Board's notebook. The highlights were briefly reviewed due to the short business meeting. The Board requested copies of overhead tables Mr. Howarth had with him for next month's meeting.

**PROCUREMENT**

Mr. Peck reviewed Procurement Items 1, 2, 3, and 4. Questions were addressed. Mr. Howarth made a Motion to approve, Mr. Snee seconded, and the Items were approved.

The Board notebook contained the items for notification.

**PERSONNEL**

Ms. Wojton submitted the Policy for Voluntary Demotion for approval. Paragraph D. was amended by inserting a period after the word, "demotion" and deleting the remainder of the sentence. A Motion to approve the policy as amended was made by Mr. McMullen and seconded by Ms. Davis. The policy was approved.

**PROJECT STATUS**

Mr. Peck updated the Board members on the following projects:

Governor's Solid Waste Task Force - Mr. Richards is chairing the Task Force. MES is reviewing for the Task Force the amount of solid waste shipped out of state.

Poplar Island - The Board of Public Works approved the final settlement with the owners for \$629,000. MES will pay \$410,000 from its project reserve funds and MPA will pay the balance.

Aberdeen - MES is working with Harford County on the RFP for operating the federal government's water and wastewater utilities at Aberdeen Proving Ground. The County will be the prime contractor and MES the subcontractor. The due date for the proposal has been temporarily postponed.

Peninsula Enviro Waste - The legal office is negotiating with the company's attorneys to work out a settlement

**BOARD OF DIRECTORS MINUTES  
MEETING 98-04  
APRIL 30, 1998  
PAGE 3**

Regional Composting Facility - The appeal period has expired regarding the ruling of the Circuit Court of Howard County that the Facility is not subject to local zoning.

**GENERAL DISCUSSION**

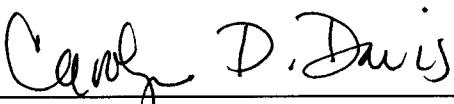
Mr. Peck reviewed the field trip itinerary for the remainder of the day with the Board.

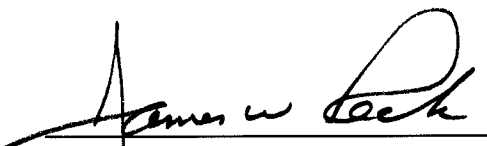
**EXECUTIVE SESSION**

At 9:32 a.m., upon motion of Mr. Addison, seconded by Mr. Snee, and unanimously approved, the Board voted to go into closed session. The Board did not take any official action while in closed session. During the closed session the Board discussed allegations of unprofessional conduct by several employees during the Lonaconing water emergency. The allegations were made by a local official to a board member. Present during the closed session were the Board and Mr. Coleman. At 9:40 a.m., upon motion by Mr. Addison, seconded by Mr. McMullen, the Board voted to go back into open session.

**AJOURNMENT**

Upon a motion by Mr. McMullen, the meeting adjourned at 9:40 a.m. to visit two MES facilities. The next meeting is scheduled for May 28, 1998 at 10:00 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 98-05  
May 28, 1998**

**LOCATION:** 2011 Commerce Park Drive  
Annapolis, Maryland 21401

**TIME:** 10:00 a.m. (Scheduled)  
10:01 a.m. (Convened)

**DIRECTORS PRESENT:** James W. Peck, Director  
Catherine Pieper Stevenson, Deputy Director  
Kenneth A. Howarth, Treasurer  
Edwin G. Richards  
William B.C. Addison  
Lawrence D. Shubnell  
Daniel F. McMullen (left at 11:59 a.m.)

**DIRECTORS ABSENT:** Carolyn Davis  
Joseph F. Snee, Jr.

**OTHERS PRESENT:** Sean Coleman  
Beth Wojton  
Michael Wojton  
Robert Miller  
Edward Golas  
Lee Zeni  
Nancy Voorhees Balenske

**MINUTES**

Mr. Peck called the meeting to order. The Motion to approve the Minutes of the April meeting was made by Mr. Addison and seconded by Mr. McMullen. The Minutes were approved.

**INSPIRE AWARD**

Inspire Awards were presented to Ray Rubio, Ron Laber, Carla Page, Maris Walker, and Kathy Morgan for Extraordinary Service.

**BOARD OF DIRECTORS MINUTES  
MEETING 98-05  
MAY 28, 1998  
PAGE 2**

**INTRODUCTION**

Mr. Coleman introduced Sonia Mishelanie, a law clerk working in Mr. Coleman's office this summer.

**LAKE LINGANORE**

Ms. Pieper Stevenson and Mr. Wojton gave an informational presentation to the Board on the Lake Linganore Stormwater Management Service Region and District. Questions regarding the project were addressed. Mr. Coleman reviewed with the Board Resolution 98-05-1R which approves the formation of the Service District. Additional questions were addressed regarding the assessment of charges and validation of the fee by the Service and the project's benefits to the Lake Linganore community. Ms. Stevenson as the hearing officer for the project recommended the Board approve the Resolution. Mr. Shubnell made the motion to approve Resolution 98-05-1R, Mr. McMullen seconded, and the motion was unanimously approved.

**PROJECT STATUS**

Mr. Peck briefed the members on the following projects:

Aberdeen - The new due date for the federal government's request for proposal for the water and wastewater utilities is June 16, 1998.

Poplar Island - The real estate matter has been resolved and ownership has been transferred to the Maryland Port Administration.

MidShore Regional Landfill - Two briefings were held with the Talbot County Council regarding the proposal for a Waste Management transfer station in Cambridge. Discussions were held with Waste Management and for various reasons the company has decided not to build the transfer station in Cambridge. Negotiations are being held with Waste Management to build the transfer station at the MidShore. The Talbot County Council has agreed to the establishment of the transfer station at the MidShore Landfill with certain contingencies.

White House - The Office of Recycling has contacted MES about composting their shredded paper.

**FINANCIAL REPORT**

Mr. Golas reviewed the Financial Highlights for year to date April 30, 1998. Mr. Golas advised the Board of the status of the Peninsula Enviro aging account. Mr. Peck sent a letter to the owner stating unless the company resolved the outstanding balance the company will not be allowed to use the MidShore Landfill. This initiated a response from the owner. Questions were addressed.

**BOARD OF DIRECTORS MINUTES  
MEETING 98-05  
MAY 28, 1998  
PAGE 3**

Mr. Howarth handed out information on selected operational data to be discussed during June's committee meeting.

**PROCUREMENT**

Mr. Peck reviewed Procurement Items 1 and 2. Mr. Howarth made a Motion to approve, Mr. McMullen seconded, and the Items were approved.

The Board notebook contained the items for notification.

**PERSONNEL**

Ms. Wojton submitted the Policy for Internal Applicants for review.

**EXECUTIVE SESSION**

At 11:28 a.m., upon motion of Mr. Howarth, seconded by Ms. Pieper Stevenson, and unanimously approved, the Board voted to go into closed session. The Board did not take any official action while in closed session. During the closed session the Board discussed pending litigation and the matter of alleged unprofessional conduct by several employees during the Lonaconing water emergency. Present during the closed session were the Board, Mr. Wojton, Mr. Miller, Ms. Voorhees Balenske, Ms. Wojton and Mr. Coleman. At 11:51 a.m., upon motion by Mr. McMullen, seconded by Mr. Addison, the Board voted to go back into open session.

**OLD BUSINESS**

Mr. Peck advised the Board the revised Procurement Regulations become effective June 1<sup>st</sup>.

Ms. Pieper Stevenson informed the Board of the sponsorship of the Used Oil and Antifreeze Program by Pennzoil. They made a financial commitment of \$30,000.00. The Board wants to acknowledge their support by resolution.

The Board notebook contains a letter from the Department of Natural Resources, Public Lands requesting MES's sponsorship of the Trash-Free program. Their request will be considered at June's meeting.

Mr. Peck re-reviewed the Performance Pay program with the Board. He has traveled the State briefing all the employees on the financial status of the agency and the program. The distribution for fiscal year 1998 will be given to the Board at another meeting.

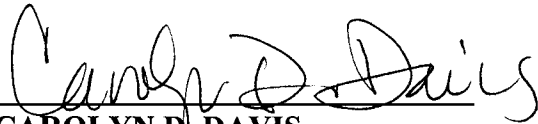
**BOARD OF DIRECTORS MINUTES  
MEETING 98-05  
MAY 28, 1998  
PAGE 4**

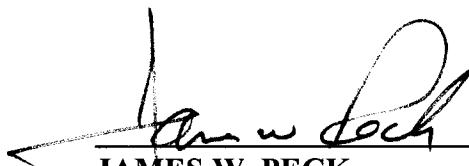
**NEW BUSINESS**

MES service awards are being presented June 1<sup>st</sup> at a luncheon being held at the Wyndam Hotel.

**AJOURNMENT**

The meeting adjourned at 12:07 p.m. The next meeting is scheduled for June 25, 1998 at 10:00 a.m. This meeting will be in the Committee meeting format.

  
\_\_\_\_\_  
**CAROLYN D. DAVIS**  
**SECRETARY**

  
\_\_\_\_\_  
**JAMES W. PECK**  
**DIRECTOR**



**BOARD OF DIRECTORS  
MINUTES  
MEETING 98-06  
June 25, 1998**

- LOCATION:** 2011 Commerce Park Drive  
Annapolis, Maryland 21401
- TIME:** 10:00 a.m. (Scheduled)  
10:02 a.m. (Convened)
- DIRECTORS PRESENT:** James W. Peck, Director  
Carolyn Davis, Secretary  
Kenneth A. Howarth, Treasurer  
William B.C. Addison  
Lawrence D. Shubnell  
Daniel F. McMullen
- DIRECTORS ABSENT:** Catherine Pieper Stevenson  
Joseph F. Snee, Jr.  
Edwin G. Richards
- OTHERS PRESENT:** Leslie Jackson Jenkins  
Sean Coleman (left at 10:49 a.m.)  
Beth Wojton  
Charles Simms  
Mike Wojton  
Edward Golas  
Lee Zeni  
Nancy Voorhees Balenske  
Patricia Tantum (left at 10:10 a.m.)  
Robert Munroe (arrived at 10:14 a.m., left at  
10:40 a.m.)  
Jewel White (arrived at 11:22 a.m., left at 11:53 a.m.)

**OPENING REMARKS**

Mr. Peck called the meeting to order. He introduced Ms. Jackson Jenkins, the Board member replacing Mr. Richards. Her term becomes effective July 1, 1998.



**BOARD OF DIRECTORS MINUTES**  
**MEETING 98-06**  
**JUNE 25, 1998**  
**PAGE 2**

Mr. Peck also announced the committee meetings will be postponed due to the absence of various members of the Board. The members will be briefed on the committee items during the meeting.

**INSPIRE AWARD**

Inspire Awards were presented to Jay Johnson, Eric Woodfolk, and Brian Winkelmeyer for Extraordinary Service

**MINUTES**

The Motion to approve the Minutes of the May meeting was made by Mr. McMullen and seconded by Mr. Addison. The Minutes were approved.

**PROJECT STATUS**

Mr. Peck briefed the members on the following projects:

Aberdeen - The proposal for the water and wastewater utilities has been submitted.

MidShore Regional Landfill - MES is developing the final outline of points for the basis of the agreement with Waste Management for the transfer station.

USA Waste - MES is taking over operation of the King George Landfill Receiving and Transfer Facility. Mr. Simms briefed the Board on the project and questions were addressed.

Edgewater Arsenal - The facility is installing a new water treatment facility and asked MES to submit an estimate for operating.

**RESOLUTIONS**

Mr. Peck introduced Resolution No. 98-06-1R addressing rates charged to uninhabitable property in the Darlington Water Supply Service District. Mr. Wojton and Mr. Munroe provided the background information. Questions were addressed. Mr. Addison made the motion to approve the Resolution, Ms. Davis seconded, and the motion passed unanimously.

The second resolution to be introduced was 98-06-2R to procure and finance equipment for Annapolis Junction. Mr. Coleman noted a correction on page 2, paragraph 3. to the written dollar amount. The correct amount is "One Million Five Hundred Forty Thousand Dollars". Questions were addressed. Mr. Shubnell made the motion to approve the Resolution as corrected, Mr. Addison seconded, and the Resolution passed unanimously.

**BOARD OF DIRECTORS MINUTES  
MEETING 98-06  
JUNE 25, 1998  
PAGE 3**

**LEGAL REPORT**

Mr. Coleman briefed the Board on the following items:

Mr. Munroe will be appearing in court in Talbot County this date for a scheduling conference in Young v. Allen et al.

There has been no action on the Regional Compost Facility lawsuit. The court has sent a notice to dismiss the lawsuit unless one party files a motion for cause to reinstate. There has been no appeal in the zoning case.

Cambridge - The United States Attorneys Office is now involved acting as the broker between the City and the citizens. The Office of the Attorney General has discussed with them the suspension of legal proceedings against MES.

**PROCUREMENT**

Mr. Peck reviewed Procurement Items 1 - 4. Questions were addressed. Mr. McMullen made the Motion to approve, Ms. Davis seconded, and the Items were approved.

The Board notebook contained the items for notification.

**FINANCIAL REPORT**

The Financial Highlights for year to date May 31, 1998, were briefly reviewed by Mr. Howarth.

Mr. Howarth handed out information on overhead and reviewed with the Board the on-going discussions by an agency overhead committee. This committee is reviewing the overhead costs, the vehicle program, organizational structure and the makeup of the overhead cost pool, and use of discretionary funds. Discussion was held.

**PERSONNEL**

Mr. Peck reviewed with the Board the results of the Performance Based Compensation for fiscal year 1998. Ms. Davis requested the information in a handout format.

Mr. Peck and Ms. Wojton briefed the Board on health care benefits for retirees and the options available. Discussion was held. The Board asked Ms. Wojton to proceed with developing the policy and procedures for the selected health care plan and announce the program in October to become effective January 1, 1999.

Ms. Wojton submitted to the Board for review the Policy for the Industrial Wastewater Treatment Operation Apprentice Program and the Policy for Employment Verification. Ms. Wojton and Mr. Wojton briefed the Board on the apprenticeship program.

**BOARD OF DIRECTORS MINUTES  
MEETING 98-06  
JUNE 25, 1998  
PAGE 4**

Ms. Wojton submitted to the Board the Policy for Internal Applicants for approval. Mr. Addison made the motion to approve the policy, Mr. McMullen seconded, and the motion was approved unanimously.

**NEW BUSINESS**

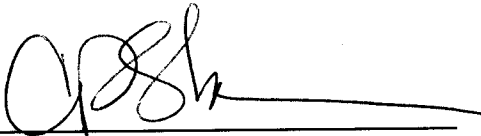
The Department of Natural Resources has requested MES's sponsorship of the Trash-Free program. A message will be added to the trash bags from Pennzoil to recognize their support of the Used Oil and Antifreeze Program. Mr. Howarth made the motion to approve \$12,000 from Program Development Funds to sponsor the program, Mr. Addison seconded, and the motion was approved unanimously.

Mr. Peck displayed for the members various awards recently received by MES from the Maryland Recyclers Coalition for "Best Market Development Program", a MegaSuccess Conference Award, and an award from the Governor's Office of Minority Affairs for "Enthusiastic Commitment to MBE Outreach".

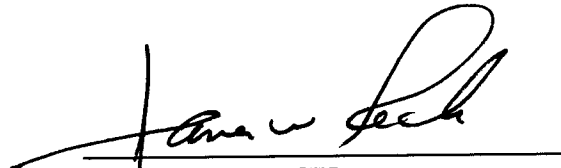
Mr. Peck informed the Board, MES is making a presentation to the Governor's Solid Waste Task Force.

**AJOURNMENT**

Mr. Peck informed the members invitations were mailed for the dinner being held by the Board in Mr. Richards honor on August 5th. The next meeting is scheduled for August 6, 1998 at 9:00 a.m. at Fager's Island, Ocean City, Maryland. The meeting adjourned at 12:06 p.m.



**CAROLYN D. DAVIS  
SECRETARY**



**JAMES W. PECK  
DIRECTOR**



Parris N. Glendening  
*Governor*

James W. Peck  
*Director*

**BOARD OF DIRECTORS  
MINUTES  
MEETING 98-08  
August 6, 1998**

**LOCATION:** Coconut Malorie Hotel  
Ocean City, Maryland 21842

**TIME:** 9:00 (Breakfast)  
10:00 a.m. (Meeting)  
10:00 a.m. (Convened)

**DIRECTORS PRESENT:** James W. Peck, Director  
Catherine Pieper Stevenson, Deputy Director  
Kenneth A. Howarth, Treasurer  
William B.C. Addison  
Lawrence D. Shubnell  
Daniel F. McMullen  
Joseph F. Snee, Jr.  
Leslie Jackson Jenkins

**DIRECTORS ABSENT:** Carolyn D. Davis

**OTHERS PRESENT:** Sean Coleman  
Beth Wojton  
Robert Miller  
Mike Wojton  
Lee Zeni  
Nancy Voorhees Balenske

**BREAKFAST**

Governor Parris Glendening attended the breakfast portion of the meeting. He was presented with a check from Pennzoil to the Maryland Environmental Service to assist with the funding of the Service's Used Oil and Antifreeze Recycling Program.

**BOARD OF DIRECTORS MINUTES  
MEETING 98-08  
AUGUST 6, 1998  
PAGE 2**

**OPENING REMARKS**

Mr. Peck called the meeting to order after the Governor's and the Pennzoil representatives departure. He briefed the Board members on the Governor's parting remarks, made to Mr. Peck, thanking the Board for their successful efforts as Board members.

**MINUTES**

The Motion to approve the Minutes of the June meeting was made by Mr. McMullen and seconded by Mr. Addison. The Minutes were approved.

**PROJECT STATUS**

Mr. Peck briefed the members on the following projects:

USA Waste - MES began operation of the King George Landfill Receiving and Transfer Facility. Questions were addressed. Mr. Shubnell recommended the agency monitor the revenue derived from operating the Facility.

Fort Meade - MES is operating the wastewater treatment plant on weekends.

Aberdeen Proving Ground - A briefing was held with the environmental staff of the facility.

**FINANCIAL REPORT**

Mr. Howarth advised the Board of Mr. Ed Golas' departure from the agency.

The pre-audited Financial Highlights for year to date June 30, 1998, were reviewed by Mr. Howarth.

The Board will be provided the audited statements for detailed review at September's meeting. The Board was informed of a potential financial agreement with Peninsula-Enviro Waste regarding their account. Discussion has been held and it appears the company will pay the principal as a monthly payment over a 3 ½ year (or more) period of time.

Mr. Howarth reviewed the retained earnings. Questions were addressed regarding the relationship between retained earnings and fund equity. Discussion was held. A motion was made by Mr. Shubnell to increase the restricted retained earnings for training to \$125,000. Ms. Pieper Stevenson seconded. The motion passed unanimously.

**RESOLUTION**

Mr. Howarth introduced Resolution No. 98-08-1R. The Resolution is an Intent to Finance a loader for the Prince George's County Yard Debris Composting Facility. Mr. Addison made the motion to approve the Resolution, Mr. McMullen seconded, and the

**BOARD OF DIRECTORS MINUTES**  
**MEETING 98-08**  
**AUGUST 6, 1998**  
**PAGE 3**

motion passed unanimously. Ms. Jackson Jenkins excused herself from the meeting during this time and was not present for the vote.

**PROCUREMENT**

Mr. Peck reviewed Procurement Items 1 - 3. Mr. Snee noted a correction in Item 3. The date in the Remarks paragraph, line 2 should be 1997. Mr. Addison made the Motion to approve, Ms. Pieper Stevenson seconded, and the Items were approved.

The Board notebook contained the items for notification.

**PERSONNEL**

Ms. Wojton submitted to the Board the Policies for Apprenticeship Standards and Employment Verification for approval. Questions were addressed. Mr. Shubnell made the motion to approve the policies, Mr. Addison seconded, and the motion was approved unanimously.

Ms. Wojton and Mr. Peck introduced for review a policy for Re-employment For Retirees. Discussion was held. Mr. Peck recommended the Board consider this policy for a few months for review and further discussion. A policy to amend the Job Vacancy Posting was also submitted to the Board for review. The revisions to this policy relate to the Re-employment policy.

The individuals who received Inspire Awards in July are listed in the Board notebook.

A Resolution prepared to honor Mr. Richards was introduced and read by Mr. Peck. Mr. Shubnell made the motion to approve the Resolution, Mr. Howarth seconded, and the motion passed unanimously.

**LEGAL REPORT**

Mr. Coleman briefed the Board on the following items:

A request has been filed by the Regional Compost Facility plaintiffs to reactivate the lawsuit. MES has filed a request for dismissal. No hearing has been scheduled.

The lease for the Hart-Miller Island landbase has been signed.

To date the agency has been unsuccessful with the negotiations to suspend legal proceedings against MES by the Cambridge citizens. MES will file for dismissal.

The Attorney General's office is assisting the Maryland Aviation Administration's counsel with 2 legal actions regarding de-icing and hazardous waste cleanup at Martin State Airport.

A draft covenant was presented to the Talbot County Council restricting MES from receiving solid waste at the Midshore Regional Landfill to a certain date.

**BOARD OF DIRECTORS MINUTES  
MEETING 98-08  
AUGUST 6, 1998  
PAGE 4**

**NEW BUSINESS**

Ms. Carolyn Davis has resigned from the Board to pursue a doctorate degree at Georgia Tech. The effective date of her resignation is August 31, 1998.

**RESOLUTION**

Mr. Peck introduced Resolution 98-08-02R, to fund the investigation of the purchase of Modern Landfill, located in York, PA with bond proceeds. Mr. Peck and Mr. Miller made a presentation to the Board. Mr. Peck emphasized this as a preliminary investigation into the feasibility of the project. Discussion was held and questions were addressed. More detailed discussion will be held with the Board members. Mr. Addison made the motion to approve the Resolution, Ms. Jackson Jenkins seconded. Mr. Shubnell abstained from the vote. The motion was approved.

**GENERAL DISCUSSION**

The next meeting is scheduled for September 24, 1998 at 11:00 a.m. at Bulle Rock, Havre de Grace, Maryland. Also, the Delaware Solid Waste Authority will be visiting August 25<sup>th</sup>. A possible visit is planned to Western Branch.

**EXECUTIVE SESSION**

At 11:33 a.m., upon motion of Mr. Howarth, seconded by Ms. Stevenson, and unanimously approved, the Board voted to go into closed session. The Board did not take any official action while in closed session. During the closed session the Board discussed compensation issues related to senior staff of the Service. Mr. Howarth was not present during the closed session. At 12:10 p.m., upon motion by Mr. Snee, seconded by Mr. McMullen, the Board voted to go back into open session.

**PERSONNEL**

Mr. Snee moved to establish the Treasurer's salary to be \$80,500 per year, effective the next full pay period. Mr. McMullen seconded the motion and it was unanimously approved, with the exception that Mr. Howarth was not present and did not participate in the discussion or adoption of the motion.

**EXECUTIVE SESSION**

At 12:12 p.m., upon motion of Ms. Stevenson, seconded by Mr. Shubnell, and unanimously approved, the Board voted to go into closed session. The Board did not take any official action while in closed session. During the closed session the Board discussed compensation issues related to senior staff of the Service. Mr. Peck was not present during

**BOARD OF DIRECTORS MINUTES  
MEETING 98-08  
AUGUST 6, 1998  
PAGE 5**

the closed session. At 12:26 p.m., upon motion by Mr. Shubnell, seconded by Mr. Snee, the Board voted to go back into open session.

**PERSONNEL**

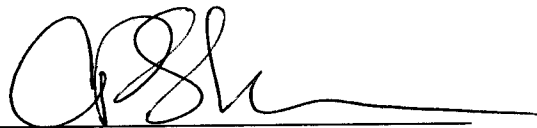
Mr. Shubnell moved to establish the Director's salary to be \$105,000 per year, effective the next full pay period, and to immediately pay the Director an additional lump sum amount of \$2,000. Mr. Addison seconded the motion and it was unanimously approved, with the exception that Mr. Peck was not present and did not participate in the discussion or adoption of the motion.

**DELEGATION OF SECRETARY'S DUTIES**

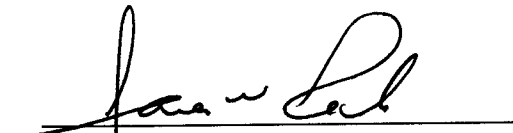
Pursuant to Maryland Natural Resources Code Annotated, §3-103(d)(2), and upon the motion of Mr. Addison, seconded by Mr. McMullen, the Board unanimously approved a delegation of the Secretary's duties enumerated in §3-103(d)(1) to the Deputy Director.

**ADJOURNMENT**

Mr. Howarth moved to adjourn the meeting at 12:30 p.m.



**CATHERINE PIEPER STEVENSON  
DEPUTY DIRECTOR**



**JAMES W. PECK  
DIRECTOR**



**MARYLAND  
ENVIRONMENTAL  
SERVICE**

Parris N. Glendening  
Governor

James W. Peck  
Director

**BOARD OF DIRECTORS  
MINUTES  
MEETING 98-09  
September 24, 1998**

**LOCATION:** Bulle Rock  
Havre de Grace, Maryland

**TIME:** 11:54 a.m. (Meeting convened)

**DIRECTORS PRESENT:** James W. Peck, Director  
Catherine Pieper Stevenson, Deputy Director  
Kenneth A. Howarth, Treasurer  
William B.C. Addison  
Daniel F. McMullen  
Joseph F. Snee, Jr.  
Leslie Jackson Jenkins

**DIRECTORS ABSENT:** Lawrence D. Shubnell

**OTHERS PRESENT:** Sean Coleman  
Beth Wojton  
Robert Miller  
Mike Wojton  
Lee Zeni  
Nancy Voorhees Balenske

**TOUR**

The meeting was preceded by a tour of the Aberdeen Proving Grounds O-Field Groundwater Treatment Facility, Aberdeen, Maryland.

**MINUTES**

The Motion to approve the Minutes of the September meeting was made by Mr. Addison and seconded by Ms. Jackson Jenkins. The Minutes were approved.

**PROJECT STATUS**

Mr. Peck briefed the members on the following projects:  
Modern Landfill - MES met the bid deadline to purchase the landfill. The bids are being evaluated by the trustee for Waste Management.

**BOARD OF DIRECTORS MINUTES  
MEETING 98-09  
SEPTEMBER 24, 1998  
PAGE 2**

Prince George's County - A presentation is being made to the County to operate the Brown Station Landfill Leachate Treatment Facility.

USA Waste - Operations are proceeding smoothly at the Annapolis Junction and King George Landfill.

Dundalk Marine Terminal & Hawkins Point - MES will begin operating the leachate treatment systems in January.

Midshore Regional Landfill Transfer Station - The negotiations for an agreement have been finalized with Waste Management for operation of the transfer station. An agreement is being drafted.

The Board members asked questions about the Herrington Harbor dredging project, and the MDE scrap tire and P.G. Co. tire cleanup projects.

**FINANCIAL REPORT**

Mr. Howarth reviewed the highlights of the first two months of operation in Fiscal Year 1999.

Mr. Howarth advised the Board that the first check has been received from Peninsula EnviroWaste in conjunction with its payment plan.

**RESOLUTION**

Mr. Howarth introduced Resolution No. 98-09-1R. The Resolution is an Intent to Finance a loader for the Prince George's County Yard Debris Composting Facility.

Mr. Peck introduced Resolution No. 98-09-2R. The Resolution is an Intent to Finance a Portable Trommel Debagging Unit for various MES projects, including the Prince George's County Yard Debris Composting Facility.

Mr. Addison made the motion to approve both Resolutions, Mr. McMullen seconded, and the motion passed unanimously. Ms. Jackson Jenkins did not participate in the discussion and abstained from the vote.

**PROCUREMENT**

Mr. Peck and Mr. Miller reviewed Procurement Item 1. Mr. Addison made the motion to approve Item 1, Mr. Snee seconded, and the Item was approved unanimously. Procurement Item 2 was reviewed by Mr. Miller. Mr. Addison made the Motion to approve, Mr. Howarth seconded, and the Item was approved unanimously. Ms. Jackson Jenkins did not participate in the discussion and abstained from the vote for Item 2. Mr. Peck and Mr. Miller reviewed Item 3. Mr. Snee made the Motion to approve, Mr. McMullen seconded, and the Item was approved.

The Board notebook contained the items for notification.

**HUMAN RESOURCES**

The individuals who received Inspire Awards in August are listed in the Board notebook.

Ms. Wojton reviewed the retirees Medicare Risk HMO Plan with a fact sheet prepared for the meeting.

Ms. Wojton introduced for review a policy for Training and Development - Out-Service Training Program.

**LEGAL REPORT**

Mr. Coleman briefed the Board on the following items:

As mentioned previously, the first check has been received from Peninsula EnviroWaste.

Motions in the following actions are pending:

Cambridge - motion to dismiss

Nicholson Road Landfill- motion to dismiss

Don Young - motion to dismiss

The judge has reinstated the Regional Compost Facility plaintiffs' lawsuit. The property settlement is scheduled for the middle of October.

The Attorney General's office is working with the Maryland Port Administration's attorneys on a new agreement with Allied-Signal for the Dundalk Marine Terminal.

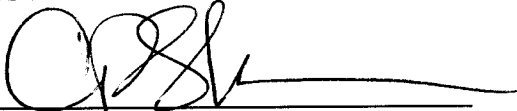
The office is also reviewing a contract claim submitted by a contractor currently providing temporary labor at the Montgomery County Materials Recycling Facility. The office is also investigating an EEOC claim which has been filed by a former employee.

**NEW BUSINESS**

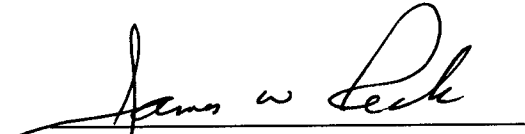
Ms. Wojton announced that the agency achieved a fiscal year 1998 MBE goal of 17.1%.

**ADJOURNMENT**

The meeting adjourned at 12:33 p.m. Joining the Board and staff for lunch were Harford County officials: Mr. William Baker, Director of Public Works; Mr. Gerald Wheeler, Deputy Director of Water and Sewer; and Mr. Frank Henderson, Deputy Director of Environmental Affairs.



**CATHERINE PIEPER STEVENSON**  
**DEPUTY DIRECTOR**



**JAMES W. PECK**  
**DIRECTOR**

**MARYLAND  
ENVIRONMENTAL  
SERVICE**

Parris N. Glendening  
*Governor*

James W. Peck  
*Director*

**BOARD OF DIRECTORS  
MINUTES  
MEETING 98-10  
October 22, 1998**

**LOCATION:** 2011 Commerce Park Drive  
Annapolis, Maryland

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

**DIRECTORS PRESENT:** James W. Peck, Director  
Catherine Pieper Stevenson, Deputy Director  
Kenneth A. Howarth, Treasurer  
Lawrence D. Shubnell  
William B.C. Addison  
Daniel F. McMullen  
Joseph F. Snee, Jr.  
Leslie Jackson Jenkins

**OTHERS PRESENT:** Sean Coleman  
Robert Miller  
Lee Zeni  
Nancy Voorhees Balenske  
Ellen Frketic  
Henry Cook  
Jewel White  
Mack McLellan (left at 10:15 a.m.)  
John Allen (left at 10:15 a.m.)  
Tim Germana (left at 10:15 a.m.)  
Patrick Boyce, KPMG (left at 11:03 a.m.)  
Betsy Eager, KPMG (left at 11:03 a.m.)  
Hament Patel (left at 11:03 a.m.)  
Carolyn Schneck (left at 11:03 a.m.)

**MINUTES**

The Motion to approve the Minutes of the September meeting was made by Mr. Snee and seconded by Mr. McMullen. The Minutes were approved.

### **INTRODUCTION**

Mr. Peck introduced Mr. Henry Cook, the Deputy Chief Financial Officer and provided a brief background of his experience.

### **INSPIRE AWARD**

Mr. Peck presented an Inspire Award to Mr. Tim Germana for Extraordinary Service.

### **AGENCY ACTIVITY REPORT**

Mr. Peck briefed the members on the following projects:

Modern Landfill - Waste Management is selling its divestiture assets to Republic Industries. The landfill is a part of these assets. Mr. Peck handed out a letter sent to Republic advising them of MES's continued interest in the purchase of the landfill and also addressing Pennsylvania's recent denial of a permit for expansion.

Household Hazardous Waste Collection Program - Many of the rural counties participated in the recent Program sponsored by MES.

Tubgrinding Program - The mobile tubgrinding program has been very successful and MES is going to expand the Program to meet the increasing demand for this service.

Aberdeen Proving Ground Water and Wastewater Proposal - A positive response was received and MES and Harford County are meeting to address follow-up issues.

Prince George's County Brown Station Road Landfill - The County has accepted the proposal and a contract has been mailed for execution to operate and maintain the leachate facility.

Charles County - The County has accepted two proposals for engineering and design services for the Bensville Water Consortium and the Mattawoman Wastewater Treatment Plant.

Midshore Regional Landfill - The agreement with Waste Management is close to being signed.

The Board members asked questions about the Scrap Tire Program.

### **FINANCIAL REPORT**

Mr. Peck introduced staff members, Mr. Hament Patel and Ms. Carolyn Schneck and Mr. Patrick Boyce and Ms. Betsy Eager of KPMG Peat Marwick Inc..

**BOARD OF DIRECTORS MINUTES  
MEETING 98-10  
OCTOBER 22, 1998  
PAGE 3**

Mr. Boyce gave a brief overview of the Fiscal Year 1998 audit of MES's financial statements. A packet was mailed to the members prior to the meeting. The management letters are in draft form and will be reviewed during next month's meeting.

Discussion was held regarding the sale of the Regional Compost Facility and how it should be reflected in the financial statements.

Mr. Howarth reviewed the highlights of the first three months of operation in Fiscal Year 1999.

**RESOLUTIONS**

Mr. Howarth introduced Resolution No. 98-10-1R. The Resolution is to extend the repayment term of the Service's revolving credit line. Discussion was held. It was agreed that the purpose of the Resolution is to integrate the two (2) year limit with MES's clients budget cycle. Mr. McMullen made the motion to approve the Resolution, Mr. Shubnell seconded, and the motion passed unanimously.

Mr. Howarth introduced Resolution No. 98-10-2R. The Resolution is an amendment to authorize the repayment of borrowed moneys from 5 years to 6 years. Questions were addressed. Mr. Addison made the motion to approved the Resolution, Mr. Snee seconded, and the motion passed unanimously.

Mr. Howarth introduced Resolution No. 98-10-3R. The Resolution authorizes the transfer of unrestricted retained earnings to certain project reserve funds. More discussion was held regarding treating the loss on the sale of the Regional Composting Facility as an operating expense vs. an extraordinary expense in the 1998 financial statements. The recommendation was made to discuss this further with KPMG. A motion was made by Mr. Shubnell to approve the Resolution and seconded by Mr. Snee. The motion passed unanimously.

Mr. Howarth introduced Resolution No. 98-10-4R. This Resolution amends Resolution 98-09-2R authorizing the repayment of borrowed moneys for capital equipment from 5 years to 7 years. Mr. Addison made the motion to approve the Resolution, Mr. McMullen seconded, and the motion passed unanimously. Ms. Jackson Jenkins did not participate in the discussion and abstained from the vote.

**PROCUREMENT**

Mr. Peck reviewed Procurement Item 1. Mr. Addison made the motion to approve Item 1, Mr. McMullen seconded, and the Item was approved unanimously.

The Board notebook contained the items for notification.

**HUMAN RESOURCES**

Mr. Peck introduced for approval the policy for Training and Development - Out-Service Training Program which was submitted at September's meeting. Mr. Addison made the motion to approve the policy, Mr. McMullen seconded, and the motion passed unanimously.

Mr. Peck introduced for review the policy for Temporary Agency Employees. Considering the straight forwardness of the policy, the Board elected to proceed with its approval. Mr. McMullen made the motion to approve the policy as submitted, Mr. Addison seconded, and the policy was approved.

**LEGAL REPORT**

Mr. Coleman briefed the Board on the following items:

The Nicholson Road Landfill case has been settled and dismissed. The other motions which were reported on last month are still pending.

The Department of Justice has issued a notice of a right to sue in an EEOC claim filed by a former employee.

The office is working with other agencies on a Public Information Act request received from an attorney related to Site 104 and Pierce Creek, and all other projects involving open water placement of dredge material.

**OLD BUSINESS**

An RFP has been drafted to procure a consultant to study executive compensation. Proposals are due November 12<sup>th</sup>.

All employees have been briefed on the Retiree Health Benefits Plan.

The recommendation for the appointment of a Board member has been sent to the Governor's office.

MES is hosting a one day conference in November titled, "Bringing Home the Bacon". The conference will focus on environmental grants, loans and financing techniques.

**NEW BUSINESS**

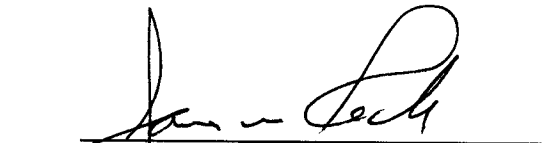
The agency received a letter from EPA - Region 3 requesting detailed information on certain facilities. The report was sent and a briefing is being held with EPA November 4<sup>th</sup>.

The MES study to burn chicken litter at ECI is continuing. The Legislature established a fund to be administered by a committee for grants to study disposal of chicken litter.

**ADJOURNMENT**

The meeting adjourned at 12:12 p.m.

  
\_\_\_\_\_  
**CATHERINE PIEPER STEVENSON  
DEPUTY DIRECTOR**

  
\_\_\_\_\_  
**JAMES W. PECK  
DIRECTOR**



**MARYLAND  
ENVIRONMENTAL  
SERVICE**

Parris N. Glendening  
*Governor*

James W. Peck  
*Director*

**BOARD OF DIRECTORS  
MINUTES  
MEETING 98-11  
November 19, 1998**

**LOCATION:** 2011 Commerce Park Drive  
Annapolis, Maryland

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

**DIRECTORS PRESENT:** James W. Peck, Director  
Catherine Pieper Stevenson, Deputy Director  
Kenneth A. Howarth, Treasurer  
William B.C. Addison  
Daniel F. McMullen (left at 11:06 a.m.)  
Leslie Jackson Jenkins

**OTHERS PRESENT:** Beth Wojton  
Robert Miller  
Mike Wojton  
Nancy Voorhees Balenske  
Henry Cook  
Mack McLellan (left at 10:04 a.m.)  
Rob Ballantine (left at 10:04a.m.)  
Brian Johnson (left at 10:07 a.m.)  
Joe Wright (left at 10:07 a.m.)  
Pam McDonagh (left at 10:07 a.m.)  
Rhody Holthaus (left at 10:07 a.m.)

**MINUTES**

The Motion to approve the Minutes of the September meeting was made by Mr. McMullen and seconded by Ms. Jenkins. The Minutes were approved.

**INSPIRE AWARD**

Mr. Peck presented Inspire Awards to Messrs. Rob Ballantine, Brian Johnson, and Joe Wright for Extraordinary Service.

### **AGENCY ACTIVITY REPORT**

Mr. Peck briefed the members on the following projects:

Modern Landfill - Mr. Peck sent a letter sent to Republic advising them of MES's continued interest in the purchase of the landfill and met with them to discuss.

Brown Station Road Landfill - The Waste Management Division of the County has approved the proposal and a contract has been mailed for execution.

Midshore Regional Landfill - The agreement with Waste Management is close to being signed.

Aberdeen Proving Ground "O" Field - MES received notification of the Proving Ground's approval of the annual renewal of the contract for the operation of "O" Field.

Bodkin Water Treatment Facility - The MES operations staff assisted the Bodkin school complex water treatment plant maintain operations when the Facility flooded.

### **PROJECT STATUS REPORT**

Mr. Peck also updated the Board on Site 104 and the Public Information Act Request. MES has responded with a letter advising the attorney requesting the information of the substantial amount of information and the estimated cost to the agency to search, prepare and reproduce the information. A draft Environmental Impact Statement will be published in December.

### **FINANCIAL REPORT**

Mr. Howarth handed out a set of charts which present various categories of financial relationships within the agency. He provided a brief overview of each chart in the package and they will be discussed at next month's meeting.

### **PROCUREMENT**

Mr. Peck reviewed Procurement Item 1. Questions were addressed and discussion held. Mr. McMullen made the motion to approve Item 1, Mr. Addison seconded, and the Item was approved unanimously.

**BOARD OF DIRECTORS MINUTES  
MEETING 98-11  
NOVEMBER 19, 1998  
PAGE 3**

The Board notebook contained the items for notification.

**HUMAN RESOURCES**

Mr. Peck introduced for approval an emergency regulation changing the date when annual and personal leave may be used to the beginning of the first full pay period of a new calendar year. Questions were addressed and discussion held. Mr. Addison made the motion to approve, Ms. Jenkins seconded, and the motion passed unanimously.

Ms. Wojton advised the members of the status of the executive compensation review. The Requests for Proposal were received on November 12<sup>th</sup> and are being reviewed by a technical committee.

**OLD BUSINESS**

The conference, "Bringing Home the Bacon" sponsored by MES was attended by approximately 120 people.

The briefing with EPA was held on November 4<sup>th</sup> and appeared to be for the agency's education on MES and its role.

MES hopes to receive a cooperative research grant from the State to retrofit ECI to burn chicken litter.

The sale of the Regional Compost Facility has been delayed to December 4<sup>th</sup>. The buyer is paying delay damages.

Mr. Peck refreshed the Board on the proposed policy to hire MES retirees and presented some alternatives to hiring these individuals. Discussion was held.

**NEW BUSINESS**

Mr. Peck gave the members an invitation to the Annual MES Holiday Party on December 11<sup>th</sup>. Each member was also given a copy of the Annual Report and a proposed meeting schedule for 1999. Mr. McMullen made the suggestion to begin the Board meetings at 9:00 instead of 10:00. Further discussion will be held.

**ADJOURNMENT**

The meeting adjourned at 11:28 a.m. The next meeting is December 17<sup>th</sup> at 10:00 a.m.



**CATHERINE PIEPER STEVENSON  
DEPUTY DIRECTOR**



**JAMES W. PECK  
DIRECTOR**



**MARYLAND  
ENVIRONMENTAL  
SERVICE**

Parris N. Glendening  
Governor

James W. Peck  
Director

**BOARD OF DIRECTORS  
MINUTES  
MEETING 98-12  
December 17, 1998**

- LOCATION:** 2011 Commerce Park Drive  
Annapolis, Maryland
- TIME:** 10:00 a.m. (Meeting scheduled)  
10:05 a.m. (Meeting convened)
- DIRECTORS PRESENT:** James W. Peck, Director  
Catherine Pieper Stevenson, Deputy Director  
Kenneth A. Howarth, Treasurer  
Lawrence D. Shubnell  
William B.C. Addison  
Leslie Jackson Jenkins  
Daniel F. McMullen (arrived at 10:10 a.m.)
- DIRECTORS ABSENT:** Joseph F. Snee
- OTHERS PRESENT:** Sean Coleman, Esq.  
Beth Wojton  
Robert Miller  
Nancy Voorhees Balenske  
Henry Cook  
John Allen  
Mack McLellan (left at 10:15 a.m.)  
Ellen Frketic (left at 10:15 a.m.)  
Rhody Holthaus (left at 10:15 a.m.)  
Greg Africa (left at 10:15 a.m.)  
Kathy Walton (left at 10:15 a.m.)  
James Hayden (left at 10:15 a.m.)  
Brian McFarland (left at 10:15 a.m.)  
Dave Burchum (left at 10:15 a.m.)  
Greg Green (left at 10:15 a.m.)  
Jim Ruggiero (left at 10:15 a.m.)  
Angelo Scurto (left at 10:15 a.m.)  
Paul Lutman (left at 10:15 a.m.)  
Glenn Stephens (left at 10:15 a.m.)



**BOARD OF DIRECTORS MINUTES  
MEETING 98-12  
DECEMBER 17, 1998  
PAGE 2**

**Steve Leddon (left at 10:15 a.m.)  
Pat Kuchinski (left at 10:15 a.m.)  
Glenn Wagner (left at 10:15 a.m.)  
Luther Immler (left at 10:15 a.m.)**

**MINUTES**

The Motion to approve the Minutes of the November meeting was made by Mr. Addison and seconded by Ms. Jenkins. The Minutes were approved.

**INSPIRE AWARD**

Mr. Peck presented Inspire Awards to Messrs. James Hayden, Dave Burchum, Brian McFarland, Jim Ruggiero, Angelo Scurto, Paul Lutman, Glenn Stephens, Roy Poff, Steve Leddon, Pat Kuchinski, Glenn Wagner, and Luther Immler for Extraordinary Service.

**AGENCY ACTIVITY REPORT**

Mr. Peck briefed the members on the following projects:

Midshore Regional Landfill Transfer Station - The agreement with Waste Management has been signed. MES is proceeding with construction plans for the transfer station.

Site 104 - Mr. Peck filled the Board in on the background of the project and request for information under the Public Information Act. The Service has not yet completed the draft environmental impact statement. Mr. Peck handed out a response to an editorial which was in "The Capital". The Circuit Court for Kent County granted MES the motion to dismiss the suit filed by the County, and the attorneys are working on a reasonable approach to providing some of the information which the County requested.

**FINANCIAL REPORT**

Mr. Howarth reviewed the operating results ending October 31, 1998. Discussion was held about charging interest.

Mr. Howarth gave the members the audit management letter and MES's response. Discussion was held regarding Y2K compliance. The Board requested it be educated regarding the steps the agency is taking to comply and be kept informed of the status of compliance.

Mr. Howarth reviewed the Performance Measurement charts. Discussion was held about overhead recovery and the possibility of developing a different scale for recovery.

**BOARD OF DIRECTORS MINUTES  
MEETING 98-12  
DECEMBER 17, 1998  
PAGE 3**

Mr. Howarth reviewed the Performance Measurement charts. Discussion was held about overhead recovery and the possibility of developing a different scale for recovery.

**PROCUREMENT**

The Board notebook contained the items for notification.

**HUMAN RESOURCES**

Ms. Wojton advised the members of the status of the executive compensation review. Eight responses were received and reviewed by a technical committee. The committee was unanimous on its selection.

**LEGAL REPORT**

Mr. Coleman reported on the sale of a portion of the Regional Composting Facility site. The site was subdivided and the sale price prorated. The closing for the second piece of property is expected to take place in the Spring. MES is working with the bond trustee and the financial advisor to set up an escrow account.

The Don Young hearing is scheduled for next year.

A motion to dismiss the Cambridge case is pending in federal court.

**NEW BUSINESS**

Mr. Peck handed out the agency's goals and objectives for employees to use as a guideline while drafting their goals and objectives for 1999.

The Governor's Solid Waste Task Force held its last meeting. A report will be submitted to the Governor.

MES briefed the Governor's Nutrient Management Oversight committee (of which Mr. Peck is a member) on the study to burn chicken litter at ECI.

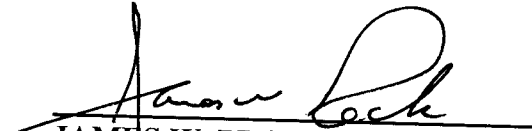
Discussion was held about changing the starting time of the Board meetings to 9:00 a.m. The members in attendance supported the earlier time. Mr. Peck will discuss with Mr. Snee.

**ADJOURNMENT**

The meeting adjourned at 12:08 p.m. The next meeting is January 28<sup>th</sup>.



**CATHERINE PIEPER STEVENSON  
DEPUTY DIRECTOR**



**JAMES W. PECK  
DIRECTOR**