

## **BOARD OF DIRECTORS MEETING MINUTES**

**MEETING 11-20  
November 19, 2020**

**LOCATION:** Conference/Video Call

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

**DIRECTORS PRESENT:** Charles Glass, Chairman (video)  
Judge Frederic Smalkin, Secretary (video)  
Morgan Hall (video)  
Shelley Heller (video)  
J.P. Smith (video)  
Joseph Snee, Esq. (video)

**DIRECTORS ABSENT:** None

**OTHERS PRESENT:** Sean L. Coleman, Esq. (video)  
Hament Patel (video)  
Hattie Crosby (video)  
Jewel White (video)  
Tammy Banta (video)  
Jason Gillespie (video)  
Steve Tomczewski (video)  
Vishal Bhatia (video)  
Dan Faoro (video)  
Steven King (video)  
Winsome Condra (video)  
Pamela Fuller (video)  
Jana Leech (video)  
Amanda Cooper (video)

### **CALL TO ORDER**

Dr. Glass called the meeting to order at 9:32 a.m. Board members and staff participated via Teams video. The meeting was broadcast live to the public on YouTube.

## **MINUTES**

Dr. Glass requested discussion or a motion for the approval of the minutes of the meeting of October 22, 2020. Mr. Snee made a motion to approve the minutes, and Mr. Smith seconded. The minutes were unanimously approved with the exception that Ms. Heller abstained, as she was not on the Board at that time and did not attend that meeting.

## **DIRECTOR'S REPORT**

Dr. Glass welcomed new Board member Shelley Heller. Ms. Heller is the Kent County Administrator. She brings extensive local, State, and Federal government experience to her public board position.

Dr. Glass reported on his expenses over the last month. He has had no expenses in the past month and continues to refrain from travel and business expenses. Next month there will be a charge for gifts ordered for the three departing Board members. The total charge for all 3 gifts, including shipping is about \$400.

Dr. Glass introduced Steven King as the Managing Director of Administration. He has held positions in the private sector, academia, and State government with responsibilities in finance, administration, training, education, and human services. His diverse background will be an asset as he supports Safety, Human Resources, Procurement, Building services, and the Grants office.

On November 3<sup>rd</sup>, the agency launched Unconscious Bias Training that was established by the Diversity, Equity, and Inclusion committee. Trainings are being conducted via Teams by facilitator Erika Sallee of TrustSynergy, LLC.

On November 4<sup>th</sup>, a Teams meeting was held with Adam Ortiz, Director of the Montgomery County Department of Environmental Protection, Joe Gill, Director of the Prince George's County Department of the Environment, members of their staffs, and the MES Environmental Operations staff to discuss the Leafgro ® family of products. Efforts to collect residential food waste have begun in each County. Expansion of marketing, production, and bagging is also being explored.

Dr. Glass and Mr. Tomczewski met with Treasurer Kopp and Ms. Kille to discuss the natural gas pipeline on the Eastern Shore. Dr. Glass explained that MES is working for a client on this project and does not set environmental policy. An internal team has been convened to explore MES' role in siting solar photovoltaics in the State.

Discussions have already been held with the MDOT TSO Director of Environment, Director Dr. Tung from MEA and with senior staff at DGS.

Another productive meeting was held with Executive Director Bill Doyle of MDOT MPA. He is focused on enhancements to the Seagirt Berth 3 and dredging associated with the approach and turn around for Post Panamax ships. The procurement for this project is still open and should be awarded before the Holidays.

On November 13<sup>th</sup>, a webinar was hosted with Bioforcetech, a company that builds a dryer combined with a pyrolysis reactor to produce biochar. The system can be adapted to biosolids/food waste or yard waste and agricultural waste. The company wants MES to buy a facility, they then guarantee to sell the product, giving 10% of the proceeds back to the agency. MES is discussing possibilities with the Maryland Department of Agriculture.

Meetings are ongoing with Dr. Mary Beth Tung, Executive Director at the Maryland Energy Administration to support the ECI Boiler conversion project and to brainstorm potential energy projects and funding sources.

A double payment was received from the Town of Sudlersville on November 3<sup>rd</sup> for the October and November payments.

Mr. Bhatia and Mr. Tomczewski are heading an initiative to assemble all MES policies and procedures in one searchable location. They will also compare MES policies to DBM policies.

### **AGENCY ACTIVITY REPORT**

Dr. Glass presented the Agency Activity Report and asked if there were any questions. Mr. Snee inquired about 2 proposals.

Ms. Banta relayed the Energy Transfer Ports agreement has been an important avenue for MDOT MPA to get work accomplished. They have an agreement with the USACE and have received an annual allotment of funds for work on ETP qualified projects. This includes projects such as the Berth Stability Analysis, and the Seagirt Loop project management plan development.

Mr. Tomczewski elaborated on the Prince George's County IGA for Brown Station landfill. The FY 20 item has been accepted and is moving forward. MES will be involved in all aspects of the project. The 2<sup>nd</sup> item is for \$81 million over 5 years. This item has not been accepted yet. If it is not awarded for a 5 year period, the work may be split into single year contracts.

### **FINANCIAL REPORT**

Mr. Patel reported that labor sales in FY21 are 7.24% less than FY20. Part of the reason is due to FY21 having one less pay period (26) as compared to FY20 which had 27 pay periods. Overhead recovery is expected to exceed budget. The change in net assets is doing well compared to budget. The change in net assets is at \$2.2M, compared to \$1.6M at this point in October 2019 due to savings in overhead costs and a decrease in management positions. Fringe is lower than at this time last year, also due to the 1 fewer pay period.

The 2021 Financial Plan indicates labor sales will be lower, but recovery will be higher. Interest income is significantly lower than last year.

Progress continues to be made on the accounts over 90 days. Many of the accounts are with the Project Managers who are discussing with their clients. MDOT MPA paid \$35,000 on their past due balance. Department of Public Safety has also paid. The Town of Sudlersville paid \$40,000 on November 5<sup>th</sup>. They are currently scheduled for automatic electronic payments of \$20,000 on the first of every month which will cover their current expenses, and a portion of the past due amount. Wise Recycling appears to be no longer in business in Maryland. A hearing on MES' motion for summary judgment has been scheduled.

### **HUMAN RESOURCES REPORT**

Ms. White reported that the agency has 855 current positions. The vacancy rate will be 3.87% once pending new hires are brought on board. Remote hiring and orientation are ongoing. There have been 65 new employees brought onboard since Covid started.

### **RESOLUTION 2020-11-1R**

Ms. White introduced Resolution 2020-11-1R. This resolution will defer the FY20 BEST program and suspend implementation until after the conclusion of the 2021 General Assembly session. Mr. Snee reminded the Board that the BEST program was conceived by former Board member Larry Shubnell in 1999 and the program has worked to motivate employees for 21 years. While understanding the need for the pause in implementation, he looks forward to reinstating it in the Spring of 2021. Mr. Smith agreed that the program is important to the employees of the Service. Mr. Snee made

the motion to approve the item, Mr. Smith seconded, there was no further discussion. The resolution passed unanimously.

### **GROUP UPDATES**

Ms. Banta highlighted the outreach and education services that MES and its consultants provide on behalf of MDOT MPA to help the Port reach communities and various stakeholders. Types of services are varied and include tasks such as site tours, the Terrapins Outreach & Education Program coordination, and meeting support services.

Mr. Gillespie presented the solar consulting and technical services agreement with Maryland Energy Administration. As part of the Governor's Task Force on Renewable Energy, MES assists MEA with siting and outreach efforts to State agencies. MES is developing a GIS tool to find potential solar sites.

Mr. Tomczewski presented the Brown Station Road Sanitary Landfill leachate pretreatment facility upgrade. MES has operated the pretreatment facility for many years. Current permit requirements and planned future upgrades require the \$11 million upgrade, which is scheduled to be completed by December 2024. Geosyntec is preparing the 30% design with potential technologies for the County to review. Upgrades will be constructed with Prince George's County capital funds. Updates are required to meet more stringent permit requirements, as well as to accommodate expansion of cells within the landfill.

### **PROCUREMENT ITEMS**

Ms. Crosby introduced Item 1. The procurement is for GIS TMDL support for MDOT SHA provided by Whitney, Bailey, Cox & Magnani, LLC. Mr. Hall made the motion to approve the item, Judge Smalkin seconded. The motion passed unanimously.

Ms. Crosby introduced Item 2. The procurement is for design, bid and construction services provided by George, Miles & Buhr, LLC for the Elk Neck State Park WWTP ENR upgrade. Mr. Snee made the motion to approve the item, Mr. Smith seconded. The motion passed unanimously.

Ms. Crosby introduced Item 3. The procurement is for statewide stormwater management and remediation services provided by Brawner Builders, Inc. Mr. Snee made the motion to approve the item, Judge Smalkin seconded. The motion passed unanimously.

The Board Notifications were reviewed.

**LEGAL REPORT**

Mr. Coleman advised that his office has been very busy with multiple projects and contract reviews. The Right of Entry for the sediment sampling portion of the work at the Conowingo Dam was fully executed. Various investigations and record reviews continue. The Maryland Judiciary has scaled back from re-opening. This will impact several trial dates in the coming months.

**OLD/NEW BUSINESS**

Dr. Glass congratulated Ms. Banta and Mr. Buszinski on getting the Right of Entry in place for the Conowingo dredging project. This is an important first step in implementing the project.

Dr. Glass urged everyone to continue to be safe, wear their masks, wash their hands, and practice social distancing. He thanked everyone for continuing to work together in trying times.

The next meeting of the Board is scheduled for December 17, 2020 at 9:30 a.m.

**ADJOURNMENT**

The meeting adjourned at 10:36 a.m.

*Frederic N. Smalkin*

**HONORABLE FREDERIC SMALKIN**  
**SECRETARY**

*Charles Glass*

**CHARLES GLASS, Ph.D.**  
**ACTING DIRECTOR**