



Larry Hogan GOVERNOR

Boyd K. Rutherford LT. GOVERNOR

Charles Glass, Ph.D., P.E. ACTING DIRECTOR

## **BOARD OF DIRECTORS MEETING MINUTES**

**MEETING 01-21  
January 28, 2021**

**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)  
Jeff Tosi (video)  
Pamela Fuller (video)  
Jana Leech (video)  
Amanda Cooper (video)

### **CALL TO ORDER**

Dr. Glass called the meeting to order at 9:40 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 December 17, 2020. Mr. Hall made a motion to approve the minutes, and Mr. Smith seconded. The minutes were unanimously approved.

**DIRECTOR'S REPORT**

Dr. Glass reported on his expenses over the last month. He has not incurred any expenses, nor directed that any expenses be made in the past month, and he continues to refrain from travelling or incurring business expenses.

On Sunday, January 10, 2021, long-serving staff member Carl Washington passed away. Mr. Washington was with MES for over 17 years. He started out as a Laborer and Maintenance Aide. His wide range of knowledge and know-how resulted in a promotion to Senior Mechanic for the Environmental Services Group. His positions enabled him to travel the state and be acquainted with many teammates. He also met his wife Mrs. Samantha Washington at MES over 13 years ago. Beloved by many, he will be remembered for his infectious smile, hearty laugh, and his caring nature. When work led him to the HQ office, Carl did not depart before checking in with many colleagues to ask about them and their family members. He took his work seriously and was recognized by clients and supervisors alike.

Dr. Glass wished a long and relaxing retirement to two teammates who will be retiring this month. Mr. Donald "Don" Nichols retired from MES yesterday on January 26, 2021 after 29 years of service. He worked as a Lead Equipment Operator at Harford County Solid Waste. Previously, he worked for many years for MES at the Central Acceptance Facility in Baltimore County. Mr. Ronald "Ron" Caudle will be retiring from MES on January 31, 2021, after over 14 years of service (14 years, 7 months). He works as a Statewide Senior Electrical/Electronic Control Technician in the Maintenance Department in Environmental Monitoring.

Dr. Glass expressed his, and the Boards thanks to MES team members Terry Norman, Fred Kolberg and Joanna Freeman who are working as Regional Administrators for the State's COVID response. They report to Captain Lance Burgess who is leading the Congregate Care Facility Response Team. Captain Burgess was thanked by Governor Hogan for the data compilation that he and the MES team have been able to provide. Captain Burgess conveyed his thanks to them for their hard work meeting the goals he has established.

The actions of the Water Wastewater Team on Christmas day are another shining example of the great work that the dedicated MES team members perform every day. Even on holidays! A major water main break occurred in the community of Crellin, in extreme western Garrett County. The water plant was down until repairs could be completed. Two hours later, the water main was repaired, the plant was up and running and charged, and follow-up samples were scheduled.

The Army Corp of Engineers notified the project team that construction of the lateral expansion of Poplar Island was completed on January 20<sup>th</sup>. This momentous day was many years in the making. Trevor Cyran, the Project Manager from the Army Corp expressed his appreciation for entire team.

Bill Schuman, the Director of Facilities for the Annapolis Area Christian School sent an email to Joe Wright expressing his praise for MES teammate Jarvis Brooks. Mr. Brooks was “one of the most polite and respectful young men” he had met.

The Board of Public Works met yesterday morning. The 5 MES items were approved with no comment, and the Tidal Wetlands Permit for the Chesapeake Utilities pipeline was also unanimously approved.

Since the last Board meeting most of Dr. Glass’ external meetings have been with Senators on the Nominations Committee and those with an acknowledged interest in Senate Bill 2 – The Maryland Environmental Service Reform Act of 2021, sponsored by Senator Cory McCray. The Senate Budget and Taxation Committee conducted a hearing on the bill yesterday. Dr. Glass testified and received no questions during the hearing. MES supports the reforms of the bill, with the suggestion that pre-approval of all expenditures over \$25,000 be changed. A group of senior leaders supported Mr. Tosi and Mr. Patel in developing the Financial Impact for Senate Bill 2.

Dr. Glass also stated the hope that consideration would be given to the State Transparency and Accountability Reform (STAR) commission that will be led by former Senator Serafini, before imposing drastic reforms. The Governor’s Office presented a bill proposing reforms to MES yesterday as well, introduced as SB575 and HB741. MES senior leadership will continue to monitor all legislative activities.

### **AGENCY ACTIVITY REPORT**

Dr. Glass presented the Agency Activity Report and asked if there were any questions. Mr. Snee asked if there was any change in status to the Brown Station Landfill project since last month. Mr. Tomczewski indicated the multi-year IGA may be

on hold due to changes in management at the County. However, the scope has not changed, and will most likely be awarded by the County as single year contracts.

### **FINANCIAL REPORT**

Mr. Patel presented the December 2020 Financial report. Labor sales are following the same trend as the last six months. Labor sales continue to remain lower than at the same period last year, due to the 1 less pay period this year. The numbers continue to trend in a positive direction to meet or exceed the net financial position. All agency employees have been diligently following up with new opportunities and he remains confident the agency will remain on track through June 30th.

The agency will meet its budgeted increase in net assets for FY2021 of approximately \$3 million. A number of vacant overhead positions are currently being filled. The agency is currently not investing in any major net assets. Staff are currently looking at the fleet vehicles. It is projected that labor sales will not meet goals. The overhead variance will start to trend back down as overhead positions are filled. The fringe amounts will be better than budgeted in part because of the lack of snow-days involved with teleworking.

Mr. Patel also discussed the Accounts over 90 days report. Finance staff and project managers are working diligently on collections. The list has grown long, but all available staff are working on collections and the list will improve. Many of the projects on this list are State agencies, counties and smaller municipalities. Many of the State projects are delayed due to staff shortages at those agencies processing payments. Payment is expected from Frederick County and Old Line Environmental soon. Carroll County has already paid. Issues are being resolved with Harvest Resources, Ritchie Land Reclamation and Horn Point. The Town of Sudlersville finally submitted a payment of \$40,000.

### **HUMAN RESOURCES REPORT**

Ms. White reported that the agency has 851 current positions. The vacancy rate will be 4.51% once pending new hires are brought on board. Remote hiring and orientation are ongoing.

### **GROUP UPDATES**

Ms. Banta updated the Board on the progress of the Colgate Creek Dredging & Innovative Reuse project. The project calls for the widening and deepening of the

Colgate Creek navigation channel and the creation of a tug shelf which will allow larger vessels into the Port of Baltimore. Phase 1 includes the dredging, transport, and placement in Cox Creek DMCF to accommodate the DMT Berth 3 reconstruction schedule, to be completed by December 2021. Phase 2 will include dredging, transport, and direct placement for upland dewatering and innovative reuse at a property or facility to be determined. Phase 2 is estimated to be completed by late summer 2023. Funding is being provided through the Energy Transfer Ports agreement with MDOT MPA.

Mr. Gillespie highlighted a project instrumental in the State's efforts to take proactive steps toward climate change. GES staff developed the Climate Ready Action Boundary (CRAB) for use in planning and reviewing structures. This tool will help in policy decisions going forward. The maps will soon be updated and developed into an interactive GIS tool that will serve the community.

Mr. Tomczewski highlighted the Montgomery County leaf hauling operations at the Derwood grinding lot and the Silver Spring depot. This annual leaf collection event occurs from early November to late December. Over 850,000 cubic yards of leaves were transported in 2020. Those leaves will be ground and composted into Leafgro® at the Dickerson facility.

### **PROCUREMENT ITEMS**

Procurement Items 1 and 2 were reviewed and approved at the Board meeting on January 26, 2021, prior to their submission to the Board of Public Works on January 27, 2021.

Ms. Crosby introduced Item 3. The procurement is for Verizon wireless cellular and data service and equipment for the agency. Mr. Snee made the motion to approve the item, Mr. Smith seconded. The motion passed unanimously.

Ms. Crosby introduced Item 4. The procurement is to purchase a new high-track landfill dozer for the Midshore II Regional Landfill. The old dozer will be returned to the equipment manufacturer. Mr. Smith made the motion to approve the item, Mr. Hall seconded. The motion passed unanimously, except that Ms. Heller abstained from the discussion and the vote.

Ms. Crosby introduced Item 5. The procurement is for hazardous and non-hazardous waste transportation and disposal provided by Envirite of Pennsylvania. This

is 1 of 2 contracts being awarded for this work. Mr. Snee made the motion to approve the item, Mr. Smith seconded. The motion passed unanimously.

Ms. Crosby introduced Item 6. The procurement is for hazardous and non-hazardous waste transportation and disposal provided by ACV Environmental Services. This is the second of 2 contracts being awarded for this work. Mr. Smith made the motion to approve the item, Mr. Snee seconded. The motion passed unanimously.

Ms. Crosby introduced Item 7. The procurement is for Johnston Construction to install a new gravity sewer to replace the pump station and force main at the Central Correctional Facility. Mr. Snee made the motion to approve the item, Mr. Hall seconded. The motion passed unanimously.

Ms. Crosby introduced Item 8. The procurement is for the rehabilitation of the sanitary sewer system by BA Construction at Cheltenham. The system was originally constructed after the Civil War. BA Construction is a 100% MBE firm. Mrs. Heller made the motion to approve the motion. Mr. Smith 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, ongoing litigation, and several procurement matters. He is reviewing the multiple bills that have been introduced that would alter the organization of the agency.

Mr. Snee offered additional information on the business entity names for Procurement Item 1 – considered by the Board at its meeting on January 26<sup>th</sup>. The contract was awarded to M2 Construction LLC (DBA HRI Construction LLC). Both entities are listed as foreign corporations in Maryland. Mr. Coleman stated that the procurement office and his office will review and confirm all corporate status' prior to contract award.

### **OLD/NEW BUSINESS**

The next meeting of the Board is scheduled for February 25, 2021 at 9:30 a.m.

**ADJOURNMENT**

The meeting adjourned at 10:40 a.m.

*Frederic N. Smalkin*

---

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

*Charles Glass*

---

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