



Larry Hogan GOVERNOR

Boyd K. Rutherford LT. GOVERNOR

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

BOARD OF DIRECTORS MEETING MINUTES

MEETING 06-21

June 24, 2021

LOCATION: Conference/Video Call

TIME: 9:30 a.m.

DIRECTORS PRESENT: Charles Glass, Chairman (video)
Ellen Frketic, Deputy Director (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 Coleman, Esq. (video)
Winsome Condra (video)
Amanda Cooper
Hattie Crosby (video)
Marni Dolinar (video)
Kevin Eckhart (video)
Tim Ford (video)
Pamela Fuller (video)
Jason Gillespie (video)
Steven King (video)
Jana Leech (video)
Sharon Merkle (video)
Hament Patel (video)
Mark Serio (video)
Jeff Tosi (video)
Jewel White (video)

CALL TO ORDER

Dr. Glass called the meeting to order at 9:30 a.m. A roll call of Board members was taken. Board members and staff participated via Zoom video. The meeting was streamed live to the public on YouTube.

MINUTES

Dr. Glass requested discussion or a motion for the approval of the minutes of the meeting of May 27, 2021. Judge Smalkin 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 incurred on his behalf in the past month, and he continues to refrain from travelling or incurring business expenses. His scheduled trip to Hart Miller Island was postponed. He did attend a press release event in Frederick for the completion of the Lake Linganore dredging project with Ms. Dolinar and Ms. Lindley.

Dr. Glass introduced Ellen Frketic, the new Deputy Director of the agency. She was selected from an initial pool of 32 candidates, and 5 finalists. He is very happy she is joining the Executive office and looking forward to working with her.

This is the last meeting for several Board members. Mr. Joseph Snee has the distinction of being the longest serving board member with 27 years on the MES board. Mr. Smith and Mr. Morgan will also be leaving the Board at the end of the June. Dr. Glass thanked them for their service to the State of Maryland and for their input and professionalism.

Mr. Carroll Berl, Jr. is retiring from the agency after over 30 years of service in the Environmental Operations group. He worked in Baltimore County for over 27 years, before moving to Prince George's County in 2018. Dr. Glass and the Board wished him the best in his retirement.

A letter was sent to four HBCU's (Historically Black Colleges & Universities) seeking to build relationships. Dr. Glass attended a meeting with Dean Yu of Morgan State University and will be scheduling a meeting with the University of Maryland Eastern Shore.

On June 4th, Mr. Gillespie led an outreach meeting between MES and the American Council of Engineering Companies (ACEC). All the Managing Directors presented their capabilities. Positive feedback was received.

AGENCY ACTIVITY REPORT

Dr. Glass presented the Agency Activity Report and asked if there were any questions. Mr. Snee inquired into the status of several Dredging projects on the list. Ms. Dolinar indicated those items were the operating budgets for the various projects for FY22.

CONTRACT FOR PROVISION OF REQUESTED SERVICES

The new MES statute, as of July 1st, will require Board of Public Works approval of contracts for the provision of requested services to non-governmental entities over \$200,000. This Change Order with Tronox, LLC is for ongoing on-site general property maintenance, compliance and technical support at their Hawkins Point site. Judge Smalkin and Ms. Heller noted their approval of this item. There were no objections.

FINANCIAL REPORT

Mr. Patel presented the May 2021 Financial report. Labor sales are following the same trend as the last 10 months. Labor sales continue to remain lower than at the same period last year, because there is one less pay period this year. The numbers continue to trend in a positive direction to meet or exceed the budgeted net financial position. The reduction in labor is universal across the groups, except in Environmental Ops, which is exceeding last year's labor sales.

The agency will meet its budgeted increase in net assets for FY2021. The actual increase in net assets should wind up being about what was budgeted. Fringe variance is high now but is expected to even out. As Administrative positions are filled, the overhead variance will decrease. The total net assets are usually evenly divided, with about half being capital assets and half unrestricted net assets. The increase in net assets during the Fiscal Year will impact these balances, but it will return to 50/50 by the end of Fiscal Year.

The increase in net assets will be near \$3.5M largely due to vacant overhead positions. The FY21 Financial plan projected an increase of \$3.1M. The agency is slowly filling some of these vacant overhead positions. This will be taken into consideration when preparing the FY22 budget.

Mr. Patel also discussed the Accounts over 90 days report. Mr. Patel updated the status of each open account:

- Town of Sudlersville – no change since last month.
- DC DGS – installment invoices have been implemented, payments are coming in.
- Southstar L.P. – Customer is paying current invoices, will start payments into the sinking fund soon.
- Wise Recycling and J.R. Sales – judgments have been obtained.

HUMAN RESOURCES REPORT

Ms. White reported that the agency has 856 current positions. The vacancy rate will be 6.78% once pending new hires are brought on board. Remote hiring and orientation are ongoing. The overall vacancy rate will be less than 5% by the end of the year.

GROUP UPDATES

Mr. Serio, the Acting Managing Director for Water/Wastewater discussed recent safety upgrades at the Cambridge WWTP. The facility is owned by the City of Cambridge, with MES as the operator. A recent MOSH inspection determined that existing railings were out of compliance with the current code. The facility staff worked with Safety/Compliance, WWW Engineering, and a local contractor to replace or add a total of 25,500 feet of railing. The facility is now in compliance with the new standards, and new inspection frequencies have been put into place.

Ms. Dolinar presented the Paul S. Sarbanes Ecosystem Restoration Project at Poplar Island expansion project. The expansion provides an additional 537 acres of restoration area and provides an additional 28 million cubic yards of dredged material capacity. The additional cells were constructed from March 2017 to January 2021, with the first inflow of dredged material in April 2021.

Mr. Gillespie discussed the partnership with the Carroll County Bureau of Utilities. MES began the relationship providing interim superintendent services for their water program, while they hired a replacement. During that time, MES' Water Quality Services section began providing sampling, laboratory, and reporting services.

Mr. Ford discussed the Midshore Regional Recycling program. This is a cooperative partnership between Caroline, Kent, Queen Anne's, and Talbot Counties with MES as the managing partner. MES transports, consolidates, markets, and sells

approximately 3,000 tons of recyclables annually that are collected from 35 resident drop-off locations.

PROCUREMENT ITEMS

Ms. Crosby introduced Item 1. The procurement is for industrial hygiene and safety services for MDOT MPA owned properties. KCI Technologies, Inc. will provide the services at a cost \$350,000. There is a 25% MBE goal. Mr. Snee made the motion to approve the item, Mr. Smith seconded. The motion passed unanimously.

Ms. Crosby introduced Item 2. The procurement is for raising the dike at the Cox Creek DMCF to +60 to allow for expansion of the facility. Bowen & Kron Enterprises will provide the services at a cost of \$19,656,073.40. There is a 25% MBE goal. Mr. Smith made the motion to approve the item, Ms. Heller seconded. The motion passed unanimously.

Ms. Crosby introduced Item 3. The procurement is a change order with Penn Waste, Inc. for \$575,000. It is for transportation and processing bypass recyclables material from Prince George's County MRF. The MBE participation is 0%. Mr. Snee made the motion to approve the item, Mr. Hall seconded. The motion passed unanimously.

Ms. Crosby introduced Item 4. The procurement is a change order with ACV Enviro for \$161,000. It is for household hazardous waste collections, cleanup, and disposal at Brown Station Road Sanitary Landfill. Mr. Hall made the motion to approve the item, Ms. Heller seconded. The motion passed unanimously.

Ms. Crosby introduced Item 5. The procurement is a pre-solicitation approval for \$498,500 for compliance monitoring and reporting for the Brown Station Road Sanitary Landfill. There is a 20% MBE goal. Judge Smalkin made the motion to approve the item, Mr. Hall seconded. The motion passed unanimously.

Ms. Crosby introduce Item 6. The procurement is a pre-solicitation approval for \$498,000 for consent order assistance and compliance monitoring for the Sandy Hill Creative Disposal Project. There is a 20% MBE goal. Judge Smalkin made the motion to approve the item, Ms. Heller seconded. The motion passed unanimously.

Ms. Crosby introduced Item 7. The procurement is a pre-solicitation approval for \$490,000 for compliance monitoring and reporting for the Sandy Hill Creative Disposal Project. There is a 10% MBE goal. Mr. Snee made the motion to approve the item, Mr. Smith seconded. The motion passed unanimously.

Ms. Crosby introduced Item 8. The procurement is a letter of renewal with CMT Services for \$2,124,772. It is for the second optional renewal period for general labor services provided to Prince George's County Materials Recycling Facility. The MBE goal is 25% but 100% has been achieved. Mr. Smith made the motion to approve the item, Mr. Hall seconded. The motion passed unanimously.

Ms. Crosby introduced Item 9. The procurement is for the natural gas pipeline installation and propane conversion at the ECI Cogeneration facility. Chesapeake Turf, LLC will provide the services at a cost of \$2,273,516. Mr. Snee made the motion to approve the item, Mr. Smith seconded. The motion passed unanimously.

The Board Notifications for Contracts, Purchase Orders, Amendments and Change Order between \$25,000 and \$250,000 were reviewed.

LEGAL REPORT

Mr. Coleman advised that the process to hire a fourth Assistant Attorney General is underway. A candidate should be in place by August. The office has been very busy with review of numerous agreements and proposals, as well as assisting with the implementation of requirements of the MES Reform Act, which go into effect July 1st.

The agency had been named as a defendant in the Anne Arundel County Circuit Court by a bidder in the previous procurement for the Cox Creek Dike raising. The procurement has since been cancelled, the project has been re-designed and re-bid. The Circuit Court ruled in MES' favor. The Plaintiff filed an appeal with the Court of Special Appeals. The Plaintiff's counsel verbally advised that they will be dismissing that appeal.


Mr. Coleman expressed his appreciation to Mr. Snee, Mr. Smith and Mr. Hall for their input, support and dedication during their service on the Board of Directors.

OLD/NEW BUSINESS

The next meeting of the Board is scheduled for July 15, 2021 at 9:30 a.m.

ADJOURNMENT

Upon motion by Mr. Snee, and seconded by Mr. Smith the meeting adjourned at 10:33 a.m.



ROBERT L. WITT, II
SECRETARY

Frederic N. Smalkin

HONORABLE FREDERIC N. SMALKIN
CHAIR