



Larry Hogan GOVERNOR

Boyd K. Rutherford LT. GOVERNOR

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

**BOARD OF DIRECTORS
HUMAN RESOURCES COMMITTEE
MEETING MINUTES
June 30, 2022**

LOCATION: Conference/Video Call

TIME: 8:30 a.m.

DIRECTORS PRESENT: Marian Hwang, Esq. (Chair) (video)
Judge Frederic Smalkin
Robert Witt (video)
Hiram Tanner
Charles Glass, Ph.D., P.E., Executive Director

DIRECTORS ABSENT: None

OTHERS PRESENT: Sean Coleman, Esq.
Ellen Frketic
Pamela Fuller
Casey Powers (IT) (video)

CALL TO ORDER

Ms. Hwang called the meeting to order at 8:30 a.m. Some Board members and staff participated via Zoom videocall; the remainder were present at Maryland Environmental Service (MES) Headquarters. The meeting was streamed live to the public via YouTube.

MINUTES

Ms. Hwang requested discussion or a motion for the approval of the April 20, 2022, meeting minutes. There were no questions or comments. The minutes were unanimously approved.

PERFORMANCE BASED COMPENSATION

Dr. Glass reviewed his recommendation for Performance Based Compensation (PBC) increases for agency personnel. The following recommendations were made:

Performance Score	Percentage of Increase
2.99 and under	No PBC
3.0 - 3.49	3%
3.5 - 3.99	4%
4.0 - 5.0	5%

State employees were approved for a 3% COLA increase and step increases of about 1.87%. Most Counties are granting about 5% increases. These increases would impact 599 employees. Employees have to be employed at least 6 months and be off of probation to qualify for PBC. He would like to recommend those hired between October 1, 2021 and March 31, 2022 be granted a 3% COLA at the time they successfully complete their probation.

Ms. Frketic explained the scoring system. A score of 5 equates to Exceeds Expectations. A 4 is Meets Expectations, and 3 is Meets Most Expectations. A score of less than 3 is generally not meeting basic expectations. Supervisors complete the evaluations for the employees who directly report to them. Scores of less than 3 are further reviewed by Human Resources. The Executive and Deputy Director review the Group's scores. To date, over 560 evaluations have been completed and reviewed, only 2 have scored below 2.99.

Several questions were addressed. Dr. Glass confirmed that State employees would be getting close to 5% increases. Finance has confirmed that the agency has sufficient funds to support these recommended increases. The scores have been reviewed by management and will continue to be reviewed.

Judge Smalkin made a motion to recommend approval of the requested salary increases as presented to the full Board. Mr. Witt seconded the motion. The motion passed unanimously.

EXECUTIVE DIRECTOR'S PERFORMANCE EVALUATION

In February 2022, the MES Board approved the evaluation form and general process to review the performance of the Executive Director as required by the MES

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Reform Act. The Committee and Board now need to establish a timeline for completing the FY22 evaluation. Ms. Hwang suggested the following timeline:

- July – distribute survey form and preliminary FY22 financial information to Board members for completion
- Early August – Board members to hold a closed executive session to discuss the evaluation
- August 25th – at Board meeting - formally approve the evaluation and consider salary recommendation.

Judge Smalkin suggested several minor updates to the form. He suggested spelling out "Improvement" rather than the "Impr" abbreviation. He also suggested changing "Don't Know" to "N/A." Those changes will be made before the form is distributed to the entire Board for completion.

The creation of an ad hoc committee to oversee the process was discussed. The administrative meeting to discuss the evaluations will consist of Board members only, no MES staff will be involved. Ms. Hwang volunteered to coordinate the process by sending out and collecting the forms and setting up the review meeting. Every Board member will participate in the review process. An ad hoc committee may be created if needed.

CLOSED SESSION

At 8:59 a.m., in accordance with MD. Code Ann., Gen. Prov. §3-305(b)(1) Ms. Hwang stated that the Committee intended to enter closed session to approve the minutes of a prior closed meeting session, and to discuss the performance and compensation of one or more employees of the agency. Ms. Hwang asked if anyone objected to the Committee entering closed session, and no objections were heard. She also stated that any member of the viewing public who objected, could submit their objection via email to the agency. Judge Smalkin then made a motion that the Committee enter closed session for the reasons stated above. Mr. Witt seconded the motion, all members voted in favor of closing the meeting. Ms. Hwang announced that the meeting of the Committee would immediately adjourn following the closed session. The public meeting then ended at 9:00 a.m. The online Board members were then transferred to a secure conference video line. In-person Board members and Mr. Coleman and Ms. Fuller remained in the room, while all other staff left the meeting.

Ms. Hwang called the meeting of the closed session of the Board to order at 9:00 a.m. Present during the closed session of the Board were Board members Hwang,

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Smalkin, Witt, Tanner, Glass (for a portion of the closed session), Assistant Attorney General Coleman, and Ms. Fuller.

At the start of the closed session Ms. Hwang requested approval of the minutes of the closed session of the HR Committee from the meeting of October 21, 2021. The minutes were unanimously approved.

During the closed session the Committee reviewed various materials related to executive salaries and discussed modifying the salary of the Deputy Director. The Committee then unanimously approved recommending to the full Board of Directors an annual salary increase of 6% for the Deputy Director, effective as of July 13, 2022.

Dr. Glass left the closed session at 9:06 a.m. After discussion, Judge Smalkin made a motion to approve an annual salary increase of up to 6%, contingent upon the Executive Director achieving a satisfactory performance evaluation by the Board. Notwithstanding the date the Board completes the Executive Director's performance evaluation, any salary increase for the Executive Director will be effective as of July 13, 2022. Mr. Tanner seconded. The motion was unanimously approved.

ADJOURNMENT

Upon motion by Ms. Hwang, the meeting adjourned at 9:25 a.m.

Marian C. Hwang

MARIAN HWANG, ESQ.
HUMAN RESOURCES COMMITTEE CHAIR