



Wes Moore GOVERNOR

Aruna Miller LT. GOVERNOR

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

**BOARD OF DIRECTORS  
MEETING MINUTES  
MEETING 1-23  
January 26, 2023**

**LOCATION:** Headquarters/Video Call

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

**DIRECTORS PRESENT:** Judge Frederic Smalkin, Chair  
Robert Witt, II, Secretary (video)  
Robert Neall, Treasurer  
Dereck Davis, State Treasurer (video)  
Marian Hwang, Esq. (video)  
Shelley Heller  
Charles Glass, Ph.D., P.E.

**DIRECTORS ABSENT:** Hiram Tanner, Jr., P.E.

**OTHERS PRESENT:**

Sean L. Coleman, Esq.  
Ellen Frketic  
Tim Barr  
Steven Barzal  
Hattie Crosby  
Marni Dolinar  
Tim Ford  
Hament Patel

Jessica Riessett  
Steven King  
Pamela Fuller  
Jana Leech (video)  
Casey Powers (video)  
Joanna Kille (video)

**CALL TO ORDER**

Judge Smalkin called the meeting to order at 9:30 a.m. Some Board members and staff were present at Maryland Environmental Service (MES) Headquarters, and other Board members and staff participated via Zoom video call. The meeting was streamed live to the public on YouTube.

**INSPIRE**

Mr. Barr presented the Extraordinary Service Inspire award to the following staff from the Cambridge Wastewater Treatment Plant: D. Jeffrey Cochran, Rod Tallen, Manning Budd, Darius Tilghman, and Kenney States. The group replaced gate valves without interrupting incoming flows and saved the client \$9,000.

Mr. Barr presented the Extraordinary Service Inspire award to the following staff from Water/Wastewater Operations for their work assisting the Town of Accident repair its water distribution system: Rex Bowman, Mark Kaiser, Jim Friend, Derek Beckman, Jim Kenner, and Wayne Boal. The group was able to assist the Town in restoring water service after a water main break on December 5, 2022. This group was not able to attend today's meeting as they were responding to another emergency at a different project.

Mr. King presented the Extraordinary Service Inspire award to Ted Kluga, MES Grants Administrator, for his work with the Maryland Department of Emergency Management (MDEM). He assisted their Hazard Mitigation Branch with forensic financial analysis and reviewed over \$100 million of expenditure records from subawards.

**MINUTES**

Judge Smalkin requested discussion or a motion for the approval of the minutes of the Board meeting on December 15, 2022. No corrections or objections were noted, and the minutes were unanimously approved.

**EXECUTIVE DIRECTOR'S REPORT**

Dr. Glass presented the Executive Director's and Deputy Director's expense reports for the last month. The only expenses during the last reporting period were for parking to attend the State of the Ports event at the World Trade Center in Baltimore.

Dr. Glass then presented his list of external engagements, which included meetings with Wicomico County officials and members of the Senate Budget & Taxation Committee and attending the Maryland Association of Counties (MACo) Winter Conference earlier in the month. Staff continue to conduct outreach at various career fairs, and the Agency will be developing an internship program.

The MES All-Teams meeting was held virtually on January 24, 2023. Dr. Glass reviewed the Agency structure, mission, vision, values and the three pillars. The annual Employee Engagement Survey will be conducted soon.

**Board of Directors Meeting**  
**January 26, 2023**  
**Page 3**

On January 18, 2023, the Board of Estimates of Baltimore City signed a third-party reimbursement agreement with MES that extends the relationship at the Back River Wastewater Treatment Plant until April 30, 2023. On December 31, 2022, MES operational support ended. MES construction and maintenance projects will continue as equipment and materials arrive. No new projects have been initiated. MES joined the Maryland Department of the Environment (MDE) in briefings to the Senate Budget and Taxation Committee and the Baltimore County Senate delegation.

In addition to filling vacant positions, Agency staff have been analyzing billable positions. There are currently 680 billable positions. Of those, only four staff fell below the 80% billable threshold in the last quarter. Some overhead staff have created ways to become billable, such as Mr. Kluga who was honored earlier with an Inspire award.

Dr. Glass recently asked to have his mileage sheets audited. A small discrepancy was noted, and adjustments were made.

MES staff recently participated in a student career day at Graceland Park/O'Donnell Heights Elementary/Middle School in Baltimore. Several terrapin ambassadors joined the MES education team members at the very popular booth.

Midshore Landfill maintenance staff recently helped the Montgomery County Grinding operation to improve their facility fleet management. The fleet management system will provide better tools for asset, inventory, and maintenance management, as well as analytics reporting, compliance, and safety assurance.

The Executive staff are working to put together some possible field site visits for the coming year for the Board. Board meetings would be held at Headquarters, or at the field location followed by site tours. The meetings will also continue to be offered via Zoom. Additional information will follow.

**BEST FY23 UPDATE**

Ms. Frketic presented an update on the progress of the Agency in meeting its Building Excellence and Success Together (BEST) FY23 goals. Some goals have been accomplished, while most of the others are well along the way toward completion.

**AGENCY ACTIVITY REPORT**

Judge Smalkin presented the Agency Activity Report – Accepted Proposals and asked if there were any questions.

### **FINANCIAL REPORT**

Mr. Patel presented the preliminary Financial Statements for December 2022. Labor sales are now higher than last year—and higher than projected—across all Managing Groups. Overall, this is due to new projects and lower vacancies.

Overhead variance is looking better than projected. A negative balance is expected for Fringe variance. Invested cash is earning higher percentage rates than was anticipated when the budget was created. This will continue throughout FY2023.

Six new trucks were received last week. A proposal is being reviewed for new electric charging stations for the Headquarters parking lot.

The FY22 Year-End Audit reports were distributed to the Board last week. These final reports were the same as the draft reports presented a few months ago. A clean report was issued with no corrections or changes in estimates or procedures.

The Legislative Audit was completed, but not yet issued, with no significant findings. There is one recommendation for the Agency to enter into contracts for its State Reimbursable projects. The auditors are now reviewing several cybersecurity areas. Finance staff are scheduled to meet with the auditors next week.

### **HUMAN RESOURCES REPORT**

Mr. Barzal presented the Human Resources (HR) report. As of today, the Agency vacancy rate is 3.88%. Fifty candidates have been selected for the next manager and supervisor training session. Ms. Frketic mentioned that the Managing Director's hosted an HR Appreciation luncheon for the HR staff last week.

### **HUMAN RESOURCE COMMITTEE**

Ms. Hwang reported that the HR Committee met on January 19, 2023, to discuss the new career ladders for mechanics and electricians. Ms. Dolinar reviewed the details of each ladder. The mechanic ladder includes five classifications for the technical track, and five additional classifications for the supervisory tracks. The electrician ladder now includes an Apprentice level and new Masters level (grade 10). Employees can utilize the tuition reimbursement program to help achieve the educational requirements.

The HR committee unanimously recommended approval of these career ladders. Mr. Witt made a motion to approve the two new career ladders for mechanics and electricians. Mr. Neall seconded. The motion passed unanimously.

**PROCUREMENT ITEMS**

Ms. Crosby presented Item 1. The procurement is for rehabilitation of the water distribution and collection system at Point Lookout State Park. Stormwater Management Solutions, LLC will provide the services at a cost of \$8,999,999. There is a 19% MBE goal. Mr. Neall made the motion to approve the item; Ms. Heller seconded. No members were opposed. The motion passed unanimously.

Ms. Crosby presented Item 2. The procurement is a change order with SCS Engineers for \$3,013,257. It is for additional design-build services for the north leg pump station and relocated Lot 5/5A at the Brown Station Road Sanitary Landfill – Area C infill. There is a 20% MBE goal. The contractor is currently achieving 23.9%. Mr. Neall made the motion to approve the item; Ms. Heller seconded. Five members voted in favor of the motion. Deputy Treasurer Kille voted no (Treasurer Davis had temporarily stepped away from the meeting). The motion passed.

Ms. Crosby presented Item 3. The procurement is a pre-solicitation approval for \$1,040,000 for scrap tire hauling and disposal for the FY23 Agricultural Scrap Tire collection event. There is a 29% MBE goal. Ms. Heller made the motion to approve the item; Judge Smalkin seconded. The motion passed unanimously.

Ms. Crosby presented Item 4. The procurement is for engineering services for a water system upgrade at the Sandy Point State Park. Watek Engineering Corporation will provide the services at a cost of \$323,514. There is a 29% MBE goal. Mr. Neall made the motion to approve the item; Ms. Heller seconded. The motion passed unanimously.

Ms. Crosby presented Item 5. The procurement is a change order with Allstate Powervac dba ACV Environmental Services, Inc. for \$234,635.70. It is for frac tank, roll-off box, vacuum box, and pump and spill guard rentals for the Hawkins Point Hazardous Waste Landfill and the Dundalk Marine Terminal. There is a 1% MBE goal. The contractor is currently in compliance with the goal. The MBE goal was low on this project due to the specialized equipment and lack of qualified MBE vendors for that equipment. Ms. Heller made the motion to approve the item; Judge Smalkin seconded. The motion passed unanimously.

Ms. Crosby presented Item 6. The procurement is a change order with Anchor QEA for \$133,388.59. It is for environmental and engineering support services for the MDOT MPA's innovative reuse and beneficial use program. There is a 9% MBE goal. The contractor is currently achieving 3.5%. Judge Smalkin made the motion to approve the item; Mr. Neall seconded. The motion passed unanimously.

Ms. Crosby presented Item 7. The procurement is a change order with G.M.H. Associates of America, Inc. for \$46,735.85. It is to sandblast and re-coat the bridge on primary

**Board of Directors Meeting**  
**January 26, 2023**  
**Page 6**

settling tank 2 at the Back River Wastewater Treatment Plant. The item stated the MBE goal was 20% and the contractor was achieving 6.1%. MBE Officer Tim Barnes recalculated the goal figures prior to the meeting. The MBE goal is actually 15%, and the contractor is currently achieving 11.51% to date. Ms. Heller made the motion to approve the item; Judge Smalkin seconded. The item passed unanimously.

Ms. Crosby presented Item 8. The procurement is a change order with South Atlantic Marine Services, Inc. for \$376,680. It is to supply and deliver 11- and 12-gauge baling wire for the Prince George's County Materials Recycling Facility. Mr. Neall made the motion to approve the item; Ms. Heller seconded. The motion passed unanimously.

Ms. Cosby presented Item 9. The procurement is to purchase a John Deere 700L Bulldozer and a John Deere 200G Excavator for W.R. Grace & Co., Solid Waste Management Services landfill. JESCO will provide the items at a cost of \$336,147. There is no MBE goal. Mr. Neall made the motion to approve the item; Ms. Heller seconded. The item passed unanimously, with the exception of Ms. Hwang, who abstained from the discussion and the vote).

The Board Notifications for Contracts, Purchase Orders, Amendments, and Change Orders between \$25,000 and \$200,000 were reviewed.

**GROUP UPDATES**

Ms. Dolinar discussed the Paul S. Sarbanes Ecosystem Restoration Project at Poplar Island. MES operates this facility for the Maryland Department of Transportation Maryland Port Administration (MDOT MPA) and the U.S. Army Corp of Engineers (USACE) Baltimore District. Material recovery efforts are currently underway, as well as the annual Christmas Trees for Habitat program. Tours are available to the public from March through October.

Mr. Barr discussed the Water and Wastewater Group Operator in Training (OIT) program. The OIT program is a three-year program of education and on-the-job training. Each OIT is assigned a mentor and is expected to complete four Operator Training courses and pass two Board of Waterworks and Waste Systems Operators certification exams. There are currently 47 employees in the program.

Mr. Ford discussed the Harford County integrated solid waste management programs. MES Environmental Operations personnel working in Harford County are responsible for: solid waste and recycling facility management; mulch and compost facility operations; recycling education and outreach; supporting county licensing and regulatory enforcement; environmental monitoring and reporting; noxious weed and litter control; engineering support and capital project management; and emergency response.

Ms. Riesett discussed the Maryland Department of Transportation State Highway Administration (MDOT SHA) drainage and stormwater projects in the metropolitan districts. MES completes work as needed on these projects under a recent memorandum of understanding (MOU). MES Technical and Environmental Services (TES) staff provide investigation, project management, construction contractor management, and technical support for Metro District Drainage and Stormwater Construction.

**LEGAL REPORT**

Mr. Coleman announced that Governor Moore has issued a new Executive Order on Standards of Care for Executive Branch employees.

Financial Disclosures are due to the State Ethics office by April 30, 2023. Board members must also send a copy of the complete disclosure to Ms. Fuller for the Board files.

A contract extension was recently signed with Baltimore City for work at the Back River Wastewater Treatment Plant.

The Office of the Attorney General (OAG) will be assisting Mr. Tosi with any necessary legislative bill reviews.

**OLD/NEW BUSINESS**

Dr. Glass reported that a bill has been filed (HB161) which mentions MES. The bill proposes to evaluate whether the Northeast Maryland Waste Disposal Authority (NEWDA) should remain in its current form or its obligations be assumed by MES.

Delegate Boyce has invited MES to make a presentation on Environmental Justice with MDE to the Environment & Transportation Committee.

The next meeting of the Board is Thursday, February 23, 2023, at 9:30 a.m.

**ADJOURNMENT**

The meeting adjourned at 11:21 a.m.



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**ROBERT L. WITT, II**  
**SECRETARY**



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**HONORABLE FREDERIC N. SMALKIN**  
**CHAIR**