



Wes Moore GOVERNOR

Aruna Miller LT. GOVERNOR

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

BOARD OF DIRECTORS MEETING MINUTES

**MEETING 2-23
February 23, 2023**

LOCATION: Headquarters/Video Call

TIME: 9:30 a.m.

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

DIRECTORS ABSENT: None (one position currently vacant)

OTHERS PRESENT:

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

Melissa Slatnick
Steven King
Pamela Fuller
Jana Leech (video)
Casey Powers (video)
Kenny Toro

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.

HIRAM L. TANNER, JR., P.E.

Judge Smalkin announced that Board member Hiram Tanner passed away February 20, 2023. Dr. Glass expressed many fond memories of Mr. Tanner, who had been his friend and mentor over the years. Mr. Tanner will be remembered as a kind and jovial man. He is survived by his wife, three children, and two grandchildren. The Agency will find a way to honor him.

MINUTES

Judge Smalkin requested discussion or a motion for the approval of the minutes of the Board meeting on January 26, 2023. 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 various legislative hearings in Annapolis. Dr. Glass has requested and received a parking pass for the State-operated Calvert Street garage.

The Solid Waste Association of North America (SWANA) will be awarding MES and its partners the Sustainable Materials Management Organization Award. The recognition will take place in person at SOAR (Sustainability, Operations, Action, Resources – Technical Solutions for Resource Management) conference in Atlanta on April 18, 2023.

Dr. Glass advised the board of his intention to attend this conference with two MES staff members who will be presenting at the conference. Ms. Frketic and Dr. Glass would also like to attend the Water Environment Federation's Technical Exhibition and Conference (WEFTEC) conference in Chicago in October 2023. The Board did not object.

Dr. Glass then presented his list of external engagements, which included Senate and House Operating Budget hearings in Annapolis. He also stated that recruitment remains a priority. Dr. Glass then reviewed the enhanced employee recruitment and retention process.

AGENCY ACTIVITY REPORT

Judge Smalkin presented the Agency Activity Report – Accepted Proposals and asked if there were any questions. A question arose regarding the large proposal for the

Maryland Department of Transportation Maryland Port Administration (MDOT MPA) remediation project. Ms. Dolinar indicated this item was part of a larger project for innovative and beneficial reuse of dredged material and would be discussed in more depth as part of the Group Updates.

MES SERVICES FOR NON-GOVERNMENTAL ENTITY

This item is presented as required by the MES Reform Act. The non-governmental entity contract is a change order with IntePros Federal Inc. for MES to provide geographic information systems (GIS) services on the Watershed Resources Registry. The work is funded by the United States Environmental Protection Agency (EPA) Office of Water. Mr. Neall made a motion to approve the item; Ms. Heller seconded. No members were opposed. The motion passed unanimously. This item will now be submitted to the Maryland Board of Public Works for review.

FINANCIAL REPORT

Mr. Patel presented the preliminary Financial Statements for January 2023. Labor sales are now 11.62% higher than last year—and higher than projected—across all 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.

HUMAN RESOURCES REPORT

Mr. Barzal presented the Human Resources report. As of today, the Agency vacancy rate is 5.0%. The rate varies daily. The prospects for onboarding a number of new employees looks good for the next few weeks. The Agency will continue to participate in multiple job fairs, including one sponsored by the Department of Budget and Management (DBM) on March 15, 2023, at the Fifth Regiment Armory.

PROCUREMENT ITEMS

Ms. Crosby presented Item 1. The procurement is for Verizon Wireless cellular/data services and equipment charges across the Agency. Verizon Wireless will provide the equipment and services at an estimated cost of \$350,000. There is no MBE goal. Ms. Kille made the motion to approve the item; Mr. Witt seconded. No members were opposed. The motion passed unanimously with the exception of Ms. Hwang, who abstained from the discussion, consideration, and vote.

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Ms. Crosby presented Item 2. The procurement is a change order with Synagro Central LLC for \$686,000. It is for an additional 3,500 wet tons of sludge to be disposed from anaerobic digesters 1 and 4 at the Back River Wastewater Treatment Plant. There is a 12% MBE goal, and the contractor is currently achieving 14.18%. Judge Smalkin made the motion to approve the item; Ms. Kille seconded. No members were opposed. The motion passed unanimously, with the exception of Ms. Hwang, who abstained from the discussion, consideration, and vote.

Ms. Crosby presented Item 3. The procurement is for removal and replacement of an underground storage tank at the Cade Armory. Kalyani Environmental Solutions, LLC will provide the services at a cost of \$235,000. There is a 5% MBE goal. Mr. Witt made the motion to approve the item; Ms. Heller seconded. No members were opposed. The motion passed unanimously, with the exception of Ms. Hwang, who abstained from the discussion, consideration, and vote.

Ms. Crosby presented Item 4. The procurement is a change order with Univar Solutions USA, Inc. for \$122,500. It is for Sodium Hydroxide for the Brown Station Landfill. There is a 0% MBE goal. Ms. Hwang made the motion to approve the item; Ms. Kille seconded. No members were opposed. The motion passed unanimously.

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

GROUP UPDATES

Mr. Barr provided an overview of a few of the engineering projects within the Water/Wastewater Group.

- Rocky Gap State Park: An upgrade of the collection system and pump stations is underway. Construction will start in late February 2023.
- Victor Cullen Wastewater Treatment Plant (WWTP): Construction is complete. The facility is now in a testing phase, with an anticipated startup of mid-March 2023.
- Camp Fretterd Booster Pump Station: The booster pump station design is completed and out for bidding. Designs are being finalized for the site's wastewater treatment plant and water distribution system.
- Woodstock WWTP: The plant is operational and in compliance. Access road construction will begin in mid-March 2023.
- Point Lookout State Park: A pre-construction meeting has been held for the water distribution and wastewater collection system upgrades. The 30% design is expected for the wastewater treatment plant design by mid-March 2023.

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Mr. Ford introduced Kenny Toro, the Deputy Division Chief for Environmental Operations (EO), who presented an overview of the Engineering Services with EO. The division handles planning, design, permitting, construction, and operations support for landfills, transfer stations, convenience centers, recycling centers, composting operations, scrap tire cleanup, and power and steam plants. Mr. Toro presented an overview of several current projects.

- **Brown Station Road Sanitary Landfill: Area C infill** will create about 30 million cubic yards of disposal capacity and extend the life of the landfill by about 50 years. Design and permitting is almost complete. Construction is estimated to begin in July 2023 with a total project budget of about \$18 million.
- **Montgomery County Materials Recycling Facility (MRF):** A new comingled processing system and building expansion is underway, with a total project budget of about \$20 million.
- **ECI Cogen Plant/Natural Gas Conversion:** This is a complex project consisting of several components, including equipment fabrication, installation of a natural gas service line, equipment installation and plant modifications, and propane conversion, with a total project budget of about \$20 million.
- **Maryland Department of the Environment (MDE) Scrap Tire Program:** MES helps coordinate Agricultural and Citizen Scrap Tire collection events for MDE, in addition to small tire stockpile cleanups.

Ms. Slatnick presented the rock cut rating and evaluation services provided by MES for the Maryland Department of Transportation State Highway Administration (MDOT SHA). The MES team provides inspection services and data collection of rock cuts along State-maintained roads in Washington and Garrett Counties. The MDOT SHA then evaluates the data and determines priorities for maintenance. Most on-site inspections occur in the winter months when there is less vegetation.

Ms. Dolinar presented an overview of the Cox Creek Sediment and Technology Reuse Facility. Maryland Department of Transportation Maryland Port Administration (MDOT MPA) acquired 137 acres of property adjacent to the existing Cox Creek Dredged Material Containment Facility. MES, under a memorandum of understanding with MDOT MPA, will help perform remedial services on the property. Once remediated, the site will be used for projects involving innovate and beneficial reuse of dredged material.

LEGAL REPORT

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

The last Legislative Audit recommended MES enter into contracts with its State clients. MES has operated these projects under the Executive Order issued in 1971. Assistant Attorney General Eric Hartlaub has drafted the first agreement and sent it out for comments. Other agreements will roll out to the other agencies in the coming months after the first template is finalized.

OLD/NEW BUSINESS

Dr. Glass announced that the Federal trial for the prior MES Director is scheduled to begin in March. It is possible he may be called as a witness in that trial and may miss the March Board meeting. Ms. Frketic will attend the Board meeting in his place if necessary.

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

Mr. Neall requested that the Board adjourn in memory of Mr. Tanner today. A moment of silence was held.

ADJOURNMENT

The meeting adjourned at 10:46 a.m.



ROBERT L. WITT, II
SECRETARY



HONORABLE FREDERIC N. SMALKIN
CHAIR