



Wes Moore GOVERNOR

Aruna Miller LT. GOVERNOR

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

BOARD OF DIRECTORS MEETING MINUTES

February 29, 2024

LOCATION: Headquarters/Video Call

TIME: 9:30 a.m.

DIRECTORS PRESENT: Shelley Heller, Chair
Judge Frederic Smalkin, Secretary (video)
Brendon Baatz, Treasurer (video)
Robert Witt, II (video)
Moalie Jose, P.E. (video)
James Johnson Jr., Ph.D., P.E.
Joanna Kille, State Treasurer designee (video)
Charles Glass, Ph.D., P.E.

DIRECTORS ABSENT: None

OTHERS PRESENT:

Sean L. Coleman, Esq.	Melissa Slatnick, Technical & Environmental Services (TES)
Ellen Frketic, Deputy Director	Jeff Tosi, Government Affairs
Tim Barr, Water/Wastewater	Pamela Fuller, Board Clerk
Winsome Condra, Procurement	Casey Powers, IT (video)
Marni Dolinar, Env. Dredging & Restoration (EDR)	Tiff Bradshaw (WWW)
Tim Ford, Environmental Operations (OPS) (video)	Charles Ingram (OPS)
Kayla Hammer, Finance	Jen Wijetunga (TES)
Hament Patel, Finance	
Stephanie Patton, Human Resources	
Kanishk Sharma, Administ.	

CALL TO ORDER

Ms. Heller 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.

MINUTES

Ms. Heller requested discussion or a motion to approve the minutes from the Board meeting on January 25, 2024. No substantive 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. Dr. Glass had no expenses. Ms. Frketic incurred expenses related to the Chesapeake Water Environment Association (CWEA) Collections Seminar on Environmental Justice and advanced flight arrangements to represent CWEA at the Water Environment Federation (WEF) Member Association Exchange (WEFMAX) in May.

Dr. Glass extended his congratulations to Dr. Johnson, whose appointment to the MES Board was confirmed by the Maryland Senate this month. Many of the Senators extolled Dr. Johnson's virtues.

Dr. Glass reported on several external engagements with governmental and private entities within the last month. The spring recruitment season is well underway. Over 200 applications have been received for the summer internship program.

Dr. Glass invited the Board members to several upcoming events being hosted this spring and early summer. The Solid Waste Association of North America (SWANA) Regional Road-E-O will be held at the Midshore II Landfill on May 10. A birding tour at Cox Creek and site visit to the Freedom Wastewater Treatment Plant (WWTP) are currently being scheduled.

The annual employee engagement survey recently closed. There were 245 responses. Dr. Glass will be reviewing every response.

"Ronnie" the river otter has been spotted at Masonville Cove in Baltimore. The Chesapeake Bay Otter Alliance cameras captured his appearance in mid-January. Ronnie's presence is a positive signal of improving water quality and watershed conditions.

Two Agency employees were on teams honored at the Maryland Quality Initiative (MdQI) Conference held in February. Jessica Pilarski is on the State Highway Administration's I-695 at I-70 Interchange (Triple Bridges) Public Involvement Team, which won an Innovation Award for their Bridge Builder Survey tool. Patrick McMahon is on Maryland Transit Administration's 2022 award-winning North Avenue Rising Project Team. He provided an update on the final stages of the project, which won the 2022 MdQI Project of the Year (Over \$5M). The North Avenue Rising project is a collaboration with Baltimore City with the goal of supporting "economic revitalization along North Avenue through increased mobility and to broaden access for residents of the corridor to economic opportunity throughout Baltimore" (North Avenue Rising website).

On February 15, MES celebrated Black History Month with a visit from Glo Shines, a hip hop artist and spoken word poet.

Public testimony was played for the Board from the Maryland Department of Aging (MDA) operating budget hearing in support of the Durable Medical Equipment program that MES operates for MDA.

LEGISLATIVE UPDATE

Mr. Tosi updated the Board on the status of several bills before the General Assembly this session, including:

- House Bill 78 / Senate Bill 293 Maryland Environmental Service – Governance and Requirements
- House Bill 918 / Senate Bill 777 State Treasurer – Membership Responsibilities
- House Bill 809 Members of Boards, Committees, Task Forces, or Workgroups – Removal or Suspension

BEST UPDATE

Ms. Frketic presented an update on the status of Building Excellence and Success Together (BEST) goal achievements. All goals are well underway or near completion.

NEW BUSINSS REPORT

Ms. Heller presented the New Business Report and asked if there were any questions.

FINANCIAL REPORT

Mr. Patel reported on the Agency's preliminary financial performance as of January 31, 2024. Billable labor is 11.84% over FY23. The budget was 4% higher than

the previous year, and actual billable labor has been higher than budgeted. This is due to new projects as well as existing projects. Used oil prices and interest rates are both higher than budgeted, which will result in net earnings being higher than expected.

Maryland State employees were awarded up to \$600 match to their MD Supplemental Retirement Plans for FY24. The financial performance of MES has been exceptional. A low vacancy rate has resulted in more billable hours than projected, and overhead expenses were much lower than budgeted. Based on the financial performance as of January 2024, the Agency is recommending a one-time, \$600 contribution to every eligible employee's 401k plan. All current employees as of February 29, who are still active as of March 19 will receive the payment, except for employees participating in the State Pension system (who already received this incentive), Chesapeake Bay Trust employees, and MES employees not currently eligible for MES contributions to their 401k accounts. Several questions were addressed. Mr. Baatz made a motion to approve the recommended contribution to employee 401k accounts; Mr. Witt seconded. The motion passed unanimously.

Mr. Patel left the meeting at 10:18 a.m.

HUMAN RESOURCES REPORT

Ms. Patton presented the Human Resources (HR) report. As of February 12, 2024, the Agency vacancy rate was 4.08%. Ms. Patton then described the new Employee Assistance Program (EAP) being implemented at MES. An EAP is a work-based intervention program designed to assist employees in resolving personal problems that may adversely affect the employee's performance. Employees engage voluntarily or via formal referral from their manager or HR. The benefits include: improved health and wellness; improved fortitude; better productivity and employee engagement; and reductions in health care costs, employee turnover, safety incidents, and unplanned leaves of absence. The program will be run by BHS Services, who currently runs the My MD Cares program for employees in the State Personnel Management System. The EAP should launch for MES employees in March.

PROCUREMENT ITEMS

Ms. Condra presented Item 1. The procurement is for annual Microsoft Licensing for MES. SHI International Corp. will provide the services at a cost of \$776,239.44 for three years. There is a 0% Minority Business Enterprise (MBE) goal. Ms. Kille made a motion to approve the item; Judge Smalkin seconded. No members were opposed. The motion passed unanimously with the exception of Mr. Baatz, who abstained from the discussion, consideration, and vote.

Ms. Condra presented Item 2. The procurement is for replacement of the pier at the Hart-Miller Island Landbase. Dissen & Juhn, LLC will provide the services at a cost of \$358,450. There is a 5% MBE goal. Mr. Witt made a motion to approve the item; Mr. Baatz seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 3. The procurement is a change order with Coya/Reliastar Life Insurance Company for \$250,000. It is for an additional six months of disability and life insurance coverage for MES employees while a new contract is out for bid. There is a 0% MBE goal. Dr. Johnson made a motion to approve the item; Ms. Kille seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 4. The procurement is a change order with KCI Technologies, Inc. for \$20,000. It is for design, bid, and construction services for the ECI WWTP sludge facility upgrade. There is a 21% MBE goal. The contractor is currently achieving 27.7%. Mr. Baatz made a motion to approve the item; Mr. Witt seconded. No members were opposed. The motion passed unanimously with the exception of Ms. Jose, who abstained from the discussion, consideration, and vote.

Ms. Condra presented Item 5. The procurement is for energy technical and engineering analysis to support the development and implementation of energy programs by Maryland Energy Administration (MEA). Newport Partners, LLC will provide the services at a cost of \$2,600,000. There is a 29% MBE goal. Ms. Heller made a motion to approve the item; Mr. Witt seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 6. The procurement is for offshore wind financial and economic analysis for Maryland Energy Administration. Levitan & Associates, Inc. will provide the services at a cost of \$1,000,000. It is a client-directed sole source. There is a 0% MBE goal. Several Board members expressed concerns with the 0% MBE goal and high project cost. Board members also asked multiple questions about the client-directed sole-source procurement method. After staff addressed several questions, Dr. Glass asked that the item be withdrawn from consideration at this time.

Ms. Condra presented Item 7. The procurement is a change order with Watek Engineering Corporation for \$157,240. It is for engineering services for New Germany State Park water and sewer improvements. There is a 29% MBE goal. The contractor is currently achieving 30.7%. Mr. Witt made a motion to approve the item; Mr. Baatz seconded. No members were opposed. The motion passed unanimously with the exception of Ms. Jose, who abstained from the discussion, consideration, and vote.

Ms. Condra presented Item 8. The procurement is for design, bidding, and construction management services for Camp Fretterd Military Reservation water system upgrades. Watek Engineering Corporation will provide the services at a cost of \$356,914. There is a 29% MBE goal. Judge Smalkin made a motion to approve the item; Ms. Jose seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented an item for notification. This item is below the \$200,000 threshold requiring Board approval but is scheduled to go to the Board of Public Works in March. The item is for bidding and construction management services for Camp Fretterd Military Reservation, to be provided by George, Miles & Buhr, LLC for a cost of \$92,320.33. There is a 6.03% MBE goal. The Board reviewed the item and had no objections.

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

LEGAL REPORT

Mr. Coleman reminded Board members to file their Financial Disclosure Statements with the State, and to send a copy to Ms. Fuller, Clerk of the Board, as required by the MES Conflicts of Interest Policy.

GROUP UPDATES

Ms. Dolinar discussed the environmental rehabilitation work done on a Baltimore Inner Harbor site. A history of chrome ore processing on the site left 18 acres contaminated with chromium. In 1985, operations at the plant ceased, and in 1989, a consent decree was reached to cooperatively clean up the site and prepare it for redevelopment. MES provides maintenance, monitoring, and support services at the site, which is now a successful brownfield redevelopment known as Harbor Point.

Ms. Wijetunga, the Section Chief in TES Engineering, discussed stormwater support services provided to several Maryland universities. The Municipal Separate Storm Sewer System (MS4) permit from Maryland Department of the Environment (MDE) requires the treatment of stormwater from certain areas. MES hosted a workshop for universities on stormwater support in 2018, and has since completed 30 unique tasks at five different universities in Maryland.

Mr. Ingram discussed new regulations (COMAR 26.11.42) for the control of methane from municipal solid waste landfills. MDE is sponsoring the new regulations based on existing regulations in place on the West Coast. The new requirements consist of four phases:

- Phase 1 – Prepare and submit a waste-in-place report and methane generation rate.
- Phase 2 – If the methane rate is between 732 and 8,548 tons per year, perform quarterly surface emissions monitoring.
- Phase 3 – If methane exceeds 200 ppm, the site will require a landfill gas (LFG) system design plan by June 2024.
- Phase 4 – Install or operate an LFG system within 30 months of design approval.

MES has completed Phases 1 and 2 at the Midshore Landfills.

Mr. Bradshaw ended Black History Month with a presentation on African American water pioneers. Sarah Bickford was the only African American woman to own a utility company in 1900. Lewis Latimer invented an improved toilet system for railroad cars in 1874. Hugh M. Brown invented a device to prevent backflow from sewers into people's homes in the early 1900s. Moses West invented an Atmospheric Water Generator (AWG) that extracts water from ambient air and creates potable water. Lisa P. Jackson was the twelfth administrator of the U.S. Environmental Protection Agency (EPA) and is now the current vice president of Environment, Policy, and Social Initiatives at Apple, Inc.

OLD/NEW BUSINESS

The next meeting of the Board is Thursday, March 28, 2024, at 9:30 a.m.

ADJOURNMENT

The meeting adjourned at 11:23 a.m.

Frederic N. Smalkin

Shelley Heller

**HONORABLE FREDERIC SMALKIN
SECRETARY**

**SHELLEY HELLER
CHAIR**