



Wes Moore GOVERNOR

Aruna Miller LT. GOVERNOR

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

BOARD OF DIRECTORS MEETING MINUTES

April 25, 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.
James Johnson Jr., Ph.D., P.E.
Charles Glass, Ph.D., P.E.

DIRECTORS ABSENT: Dereck Davis, State Treasurer

OTHERS PRESENT:

Sean L. Coleman, Esq.	Melissa Slatnick, Technical & Environmental Services
Ellen Frketic, Deputy Director	Jeff Tosi, Government Affairs
Winsome Condra, Procurement	Pamela Fuller, Board Clerk
Marni Dolinar, Env. Dredging & Restoration	Jana Leech (video)
Tim Ford, Environmental Operations	Casey Powers, IT (video)
Matt Lapinski, Water/Wastewater	
Hament Patel, Finance	
Stephanie Patton, Human Resources	

CALL TO ORDER

Ms. Heller called the meeting to order at 9:32 a.m. Some Board members and staff were present at Maryland Environmental Service (MES) Headquarters, and other Board members participated via Zoom video call. The meeting was streamed live to the public on YouTube.

MINUTES

Ms. Heller requested a discussion or motion to approve the minutes from the Board meeting on March 28, 2024. No substantive corrections or objections were noted, and the minutes were unanimously approved.

EXECUTIVE DIRECTOR'S REPORT

The Executive Director and Deputy Director's expense reports for the last month were reviewed. Dr. Glass incurred no expenses. Deputy Frketic incurred parking and mileage expenses to attend the budget hearings in Annapolis.

Dr. Glass reported on external engagements with governmental and private entities over the last month. There are 22 college and career fairs this quarter. Internship positions continue to be filled. There were 12 positions last year. This year 15 positions have been filled, and five more will be filled shortly.

Board members and executive staff will be touring Masonville Cove later today for a birding tour with Tim Carney. Members are also invited to the SWANA Regional Road-E-O at Midshore II Landfill on May 10. A tour of Bowie State University's stormwater projects, and the Freedom District Wastewater Treatment plant are currently being planned.

Dr. Glass continues to review responses to the Employee Engagement Survey. He will be discussing responses at the All-Staff meeting scheduled for May.

Agency employees have been very busy lately as well. Ms. Stephanie Peters attended the Pennsylvania Brownfield Conference at Penn State University. Numerous sessions were held, including many on grant funding. Water/Wastewater operations staff at Woodstock wastewater treatment plant recently hosted a group of stationary engineering students from Woodstock Job Corps Center. The tour was led by Dorrance Jones, Lead Operator, and Ryan Thomas, Env. Systems Supervisor.

On March 26, MES staff discovered that one of the leachate storage tanks at Brown Station Landfill had developed a leak. The team immediately took preventative action to mitigate any potential impacts. The client was extremely grateful for the

tremendous team effort to fix the problem, continue operations, and prevent any serious environmental issues.

The Board held a moment of silence for staff member Scott Mister. Mr. Mister was a Lead Equipment Operator at Poplar Island for 23 years, before his passing on March 21.

Deputy Frketic announced the Retirement of two long-serving employees. Senior Operations Manager, James Scott retired after 35+ years, mostly with the Construction Inspection unit. Randy Broadwater, Environmental Systems Assistant Regional with the Water/Wastewater Group retired after 35+ years.

Earth Day events were held across the agency this week. Some of the special projects included: site gardening, litter pickup, birdhouse installations, tree plantings, and recycling and composting demonstrations. An unplanned Earth Day event was added when 9,000 honeybees attempted to take up residence in a tree in the front parking lot of the headquarters building. An experienced beekeeper was called in to relocate the swarm to one of the empty hive boxes in the solar field.

LEGISLATIVE UPDATE

Mr. Tosi presented a recap of the 2024 Legislative session. The MES governance bill (HB78) passed. It alters the definition of municipality to include Federal agencies and the District of Columbia. It also allows MES to provide a proposal, rather than a contract, when services are requested. It authorizes the Board Secretary to designate some responsibilities to an employee of MES. It also reconfigured the dates for completing the annual financial audit and annual report, making them both due on November 15 of each year.

Mr. Tosi also summarized a number of other bills that may have an impact on the agency, including:

- State Treasurer and Comptroller: Membership Responsibilities (HB918/SB777) which removed the State Treasurer from a number of boards, but not the MES Board.
- Baltimore Regional Water Governance Model Workgroup (HB1509/SB1174)
- State Contracts: Prohibited provisions (SB375/HB289)
- Family and Medical Leave Insurance Program modifications (SB828/HB988)
- Protecting State Waters from Per- and polyfluoroalkyl substances (PFAS) Pollution Act (HB1153/SB956)
- Clean Water Justice Act of 2024 (SB653/1101)

NEW BUSINESS 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 March 31, 2024. Financial performance remains strong. Billable labor is higher than FY23 across all operating groups. The budget was 4% higher than the previous year, and actual billable labor has been higher than budgeted. Actual Amounts from FY23 vs. FY24 are better than expected and budgeted in all categories. The budget vs. actual projections also all look good. Labor sales are expected to be higher than budgeted, and overhead expenses are lower than expected, due to several overhead vacancies.

Mr. Patel had several suggestions for how to utilize the net earnings. Major investments will be made in technology. Several expansions will be made to MES' Workday software, including the addition of training modules for employees. Tablets will be purchased for the water/wastewater treatment plants. Currently, operators enter data onto paper sheets and then transcribe that data into software once they return to an office. Having tablets will allow them to enter data directly into the software at the plants. There will be no charge to customers for these tablets. Other technological investments include a long-overdue upgrade to the main conference room AV system to accommodate hybrid meetings. Mr. Patel is also recommending adding an additional \$500k to the Retiree Medical Reimbursement Plan.

HUMAN RESOURCES REPORT

Ms. Patton presented the Human Resources (HR) report. As of May 11, 2024, the Agency vacancy rate was 4.18%. There are 11 new hires currently being brought on board. Fifteen interns have been hired so far, and another two have been offered positions.

PROCUREMENT ITEMS

Ms. Condra presented Item 1. The procurement is for monthly Verizon Wireless cellular service and equipment charges. The cost is estimated to be \$394,500 billed to various clients, projects, and overhead. There is a 0% MBE goal. Judge Smalkin made the motion to approve the item; Mr. Witt seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 2. The procurement is for the development of Flood Risk Products for various counties for MDE's Water Science Administration

Stormwater, Dam Safety, and Floodplain Management (SDSFM) program. WSP USA Environmental & Infrastructure, Inc. will provide the service at a cost of \$213,019.54. There is a 19.7% Minority Business Enterprise (MBE) goal. Dr. Johnson made the 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 pre-solicitation approval for \$1,300,000 for on-call emergency response and remediation services for Baltimore Washington International Thurgood Marshall Airport and Martin State Airports. There is a 30% MBE goal. Judge Smalkin made the motion to approve the item; Mr. Witt seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 4. The procurement is to purchase a 2024 CAT 938 Wheel Loader for the Midshore II Regional Solid Waste Landfill. Carter Machinery Company will provide the equipment at a cost of \$297,462. There is a 0% MBE goal. Mr. Baatz made the motion to approve the item; Judge Smalkin seconded. No members were opposed. The motion passed unanimously with the exception of Ms. Heller who abstained from the discussion, consideration, and vote.

Ms. Condra presented Item 5. The procurement is to purchase recommended spare parts for Turbine 2 at the Eastern Correctional Institution Cogeneration Facility. Siemens Energy, Inc. will provide the parts at a cost of \$406,922.99. There is a 0% MBE goal. Ms. Jose made the 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 6. The procurement is for design and permitting engineering services for Garrett County Landfill Gas Collection & Control System. Geosyntec Consultants will provide the services at a cost of \$211,100. There is a 5% MBE goal. Dr. Johnson made the motion to approve the item; Judge Smalkin seconded. No members were opposed. The motion passed unanimously, with the exception of Mr. Witt who abstained from the discussion, consideration, and vote.

Ms. Condra presented Item 7. The procurement is for PFAS testing for various landfills. Enthalpy Analytical will provide the services at a cost of \$2,600,000. There is a 0% MBE goal. Judge Smalkin made the motion to approve the item; Ms. Jose seconded. No members were opposed.

The motion passed unanimously, with the exception of Ms. Heller who abstained from the discussion, consideration, and vote.

Ms. Condra presented Item 8. The procurement is to purchase aluminum sulfate for use at various wastewater plants throughout the State. Intercoastal Trading, Inc. will provide the goods at a cost of \$1,182,258. There is a 0% MBE goal. Mr. Baatz made the motion to approve the item; Dr. Johnson seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 9. The procurement is for upgrades to the wastewater treatment plant at the Cheltenham Youth Facility. W.M. Schlosser Company, Inc. will provide the construction services at a cost of \$14,922,000. There is a 20.6% MBE goal. Mr. Witt made the motion to approve the item; Judge Smalkin seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 10. The procurement is a change order with Stormwater Management Solutions, LLC for \$1,386,626.34. It is to repair the road surface as part of the Pt. Lookout State Park water and sewer system improvements. There is a 26% MBE goal. Contractor is currently achieving 20.5%. Mr. Witt made the motion to approve the item; Dr. Johnson 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.

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. Financial Disclosures are due by April 30, 2024.

The attorneys continue to participate in the Attorney General's Office Key Bridge response workgroups weekly meetings.

GROUP UPDATES

Ms. Slatnick discussed recent stormwater remediation work at the Parkville Readiness Center. The project stabilized erosion of a hillside to prevent flooding and repaired the center's parking lot to prevent further deterioration.

Ms. Sampson discussed the marketing of organics composting. Leafgro® is an organic soil conditioner made from yard trim, leaves, and grass. It is made at the Montgomery County facility and sold bagged or in bulk. Leafgro Gold® is made from yard trims with the addition of composted food scraps. It is made at the Prince George's County Facility and sold in bulk primarily to farms, landscapers, and garden centers.

Mr. Lapinski discussed the project update meetings held with DNR and DBM every month. These monthly meetings help address problems and plan for the future of State facilities. They have also led to a number of new projects.

Ms. Dolinar presented an overview of the Masonville Cove and Dredged Material Containment Facility.

OLD/NEW BUSINESS

The next meeting of the Board is Thursday, May 30, 2024, at 9:30 a.m. The Audit Committee will meet on Thursday, May 23, 2024, at 9:30 a.m. The Human Resources Committee has been moved to Thursday, June 13, 2024, at 9:30 a.m.

ADJOURNMENT

The meeting adjourned at 11:06 a.m.

Frederic N. Smalkin

**HONORABLE FREDERIC SMALKIN
SECRETARY**

Shelley Heller

**SHELLEY HELLER
CHAIR**