



Wes Moore GOVERNOR

Aruna Miller LT. GOVERNOR

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

BOARD OF DIRECTORS MEETING MINUTES

July 25, 2024

LOCATION: Headquarters/Video Call

TIME: 9:30 a.m.

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

**DIRECTORS
ABSENT:**

OTHERS PRESENT:	Sean Coleman, Esq. Ellen Frketic, Deputy Director Winsome Condra, Procurement Marni Dolinar, Env. Dredging & Restoration Tim Ford, Environmental Operations Matt Lapinsky, Water/Wastewater Hament Patel, Finance Stephanie Patton, Human Resources	Kanishk Sharma, Administration Melissa Slatnick, Technical & Environmental Services (TES) Pamela Fuller, Board Clerk Jana Leech (video) Casey Powers, IT (video) Pam McGee, Equal Employment Opportunity Officer Christy Fisher, Esq. (Closed session only)
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CALL TO ORDER

Ms. Heller called the meeting to order at 9:33 a.m. Most 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.

INSPIRE AWARDS

Ms. Slatnick presented an Inspire Award to Senior Maintenance Supervisor Ryan Zacherl for his efforts to provide the City of Cambridge with a five-year capital improvement plan for every sewage pumping station within the city. The project required him to conduct confined space entry of twenty pumping stations to assess the electrical, mechanical, and structural integrity of system assets.

Mr. Ford presented an Inspire Award to the ECI Co-Generation Plant team of Chad Payne, Charles Coiro, Donald Thomas, Brandon Lowe, Michael Watson, Gerald Taylor, Troy Thomas, and Glenn Webster. They successfully demolished two induced draft fans as part of the ECI Natural Gas Conversion Project, providing expert results at a fraction of the cost and time quoted by a vendor.

ORGANIZATIONAL MEETING

In accordance with the Board Bylaws, the first Board meeting of the fiscal year shall be designated as the Organizational Meeting to consider several matters of business.

After individual consultation with each Board member, Dr. Glass reported that all Board members expressed interest and acceptance in continuing in their current positions and roles, with Ms. Heller as the Board Chair, Judge Smalkin as the Board Secretary, and Mr. Baatz as the Board Treasurer. Mr. Witt made a motion for the officers to remain in their current positions; Ms. Jose seconded the motion. The motion passed unanimously.

The MES enabling statute now allows the Board Secretary to appoint a Deputy Secretary with Board approval. Dr. Glass and Judge Smalkin recommended Ms. Fuller for this role. Ms. Heller made a motion to appoint Ms. Fuller as the Board Deputy Secretary; Mr. Witt seconded. The motion passed unanimously.

All members wished to remain on their current committees, and the committee Chairs have consented to remain in their positions for another year. The Human Resources (HR) Committee consists of Mr. Witt (Chair), Judge Smalkin, Dr. Johnson, Dr. Glass, and Ms. Heller. The Audit Committee consists of Ms. Jose (Chair), Mr. Baatz,

Treasurer Davis, Dr. Glass, and Ms. Heller. Judge Smalkin made a motion to approve the committee assignments; Mr. Baatz seconded. The motion passed unanimously.

The draft 2025 Board meeting schedule was reviewed. There were no questions. Mr. Witt suggested a second HR Committee meeting be scheduled for the fall or winter of 2024-2025. A meeting date will be selected in the near future. Mr. Baatz made a motion to approve the proposed meeting schedule; Judge Smalkin seconded. The motion passed unanimously.

Ms. Heller indicated that the annual required training for the Board will occur after this meeting.

MINUTES

Ms. Heller requested a discussion or motion to approve the minutes from the Board meeting on June 27, 2024. No 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 lodging expenses for the Maryland Municipal League (MML) conference in Ocean City, MD. Ms. Frketic incurred expenses from the MML conference and the Water Environment Federation Member Association Exchange Conference (WEFMAX) in Florida.

Dr. Glass reported on external engagements with governmental and private entities over the last month. There were several site visits last month, including to the Freedom District Wastewater Treatment Facility on June 27 and Dorsey Run Advanced Wastewater Treatment Facility on June 16. The Executive Director or Deputy Director will visit every major site during the next year and will talk to every employee.

Dr. Glass announced that Angie Webb, the Chief of Recycled Products and Marketing, has been appointed as the Co-Chair of the Extended Producer Advisory Council by Secretary McIlwain of the Maryland Department of the Environment.

On July 12, 2024, the MES leadership team held its eighth Strategic Advance meeting. The meeting started with an icebreaker event where four teams attempted to build water towers. Several initiatives will be rolled out to address the "Driver Improvement Training" key performance indicator (KPI). All current employees who operate an MES vehicle will take the "Backing and Parking Lot Strategies Course." All new employees will take the "Driving Passenger Vehicles Course" and complete a ride-around with their supervisor prior to driving any work vehicles.

The MES interns recently completed the safe driver training and cyber-security training.

MES is sad to announce the passing of staff member Sean Ryan after a long illness. Mr. Ryan was the Operations Manager for the Prince George's County Materials Recycling Facility. He will be greatly missed. The Board held a moment of silence.

NEW BUSINESS REPORT

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

MES SERVICES FOR NON-GOVERNMENTAL ENTITIES

The MES statute requires that contracts exceeding \$200,000 with non-governmental entities obtain Board of Public Works (BPW) approval. MES policy requires that those items receive approval from the Board of Directors before being submitted to the BPW. This item is a continuation of services provided by MES to Amazon for the midfield cargo deicing program support and maintenance program for the sewer ejector pit, oil water separator, deicing system, and backflow preventer. This modification is \$211,473. Mr. Witt made a motion to approve the item; Judge Smalkin seconded. The motion passed unanimously.

HUMAN RESOURCES REPORT

Ms. Patton presented the Human Resources (HR) report. As of July 11, 2024, the Agency vacancy rate was 4.13%.

PROCUREMENT ITEMS

Ms. Condra presented Item 1. The procurement is for the purchase of a CAT 930M Wheel Loader for the Midshore I Transfer Station. Carter Machinery Company will provide the equipment at a cost of \$237,953. There is a 0% minority business enterprise (MBE) goal. Mr. Baatz made a motion to approve the item; Dr. Johnson 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 2. The procurement is a change order with Agri-Services Corp. for \$500,000. It is for leachate hauling and disposal provided to Brown Station Road Sanitary Landfill. There is a 30% MBE goal, and the contractor is currently achieving 63%. Judge Smalkin 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 SCS Engineers for \$671,457.25. It is for Area C infill and infrastructure improvements at the Brown Station Road Sanitary Landfill. There is a 20% MBE goal, and the contractor is currently achieving 12.5%. Once construction activities begin, the MBE work will increase. Dr. Johnson made a motion to approve the item; Mr. Witt seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 4. The procurement is for underground storage tank removal and above-ground storage tank replacement at the Maryland Military Department Cheltenham Armory. Kalyani Environmental Solutions, LLC will provide the services at a cost of \$238,865.75. There is a 29% MBE goal. Mr. Witt made a motion to approve the item; Judge Smalkin seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 5. The procurement is a change order with Consolidated Commercial Service, LLC for \$735,000. It is for yard trim and leaf hauling from the Montgomery County Grinding operation to the Yard Trim Composting Facility. There is a 30% MBE goal, and the contractor is currently achieving 25.8%. Dr. Johnson made a motion to approve the item; Mr. Baatz 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.

OLD/NEW BUSINESS

Midshore Regional Landfill Amended & Restated Memorandum of Understanding (MOU)

Mr. Coleman and Mr. Ford summarized the agreement's history and terms. The original agreement provided for each county to host a landfill for 20 years. Improvements in solid waste handling have increased the capacity of Midshore II. The Midshore counties have each agreed to allow the Midshore II landfill in Caroline County to remain open for approximately 12 years beyond the original closure date. In exchange, Caroline County will receive a host fee for the extended period. This will be done without raising the tipping fees. All four counties have approved the Amended and Restated MOU. Dr. Johnson moved to approve the MOU; Judge Smalkin seconded. The motion passed unanimously.

The next meeting of the Board is Thursday, August 22, 2024, at 9:30 a.m.

CLOSED SESSION

At 10:23 a.m., in accordance with MD. Code Ann., Gen. Prov. §3-305(b)(1), Ms. Heller stated that the Board intended to enter closed session to approve the minutes of a prior closed-meeting session and to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom the public body has jurisdiction; and to consult with staff, consultants, or other individuals about pending or potential litigation. Ms. Heller asked if anyone objected to the Board entering closed session; 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 Board enter closed session for the reasons stated above. Ms. Jose seconded the motion; all members voted in favor of closing the meeting.

Ms. Heller announced that the meeting of the Board of Directors would immediately adjourn following the closed session. The public meeting ended at 10:24 a.m. Staff members who were not required for the closed session left the meeting room and Zoom session.

Ms. Heller called the meeting of the closed session of the Board to order at 10:27 a.m. Present during the closed session were Board members Heller, Smalkin, Witt, Baatz, Jose, Johnson, and Kille. They were joined by Mr. Coleman, Ms. Fisher, and Ms. Fuller.

Ms. Heller requested approval of the minutes of the closed session from the June 27, 2024, meeting. There were no corrections or comments noted. The minutes were unanimously approved.

Mr. Witt, on behalf of the HR Committee, advised the Board that the Committee had reviewed the performance evaluations prepared for the Executive Director. The Committee recommends to the full Board of Directors a salary increase of 6% for the Executive Director, effective as of July 25, 2024. The Board approved the recommendation.

LEGAL REPORT

Ms. Dolinar joined the meeting at 10:31 a.m. at Mr. Coleman's request.

Ms. Fisher updated the Board on a legal matter concerning the former MES Executive Director.

Mr. Coleman and Ms. Dolinar advised the Board of the recent settlement of a contract dispute.

ADJOURNMENT

The meeting adjourned at 10:39 a.m. Following adjournment, the Board members participated in the annual training required by Section 3-103.4(e) of the Natural Resources Article of the Annotated Code.

Frederic N. Smalkin

HONORABLE FREDERIC SMALKIN
SECRETARY

Shelley Heller

SHELLEY HELLER
CHAIR