



Wes Moore GOVERNOR

Aruna Miller LT. GOVERNOR

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

BOARD OF DIRECTORS MEETING MINUTES

August 22, 2024

LOCATION: Headquarters/Video Call

TIME: 9:30 a.m.

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

DIRECTORS ABSENT:

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

CALL TO ORDER

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

INSPIRE AWARDS

Ms. Condra presented the Extraordinary Service Inspire award to Parick Moran. Mr. Moran stepped up to monitor and secure the Cox Creek dredged material containment facility to prevent unauthorized access in the spring of 2024. At the same time, he continued overseeing and managing the HVAC systems and building temperatures at the MES headquarters office and providing other building support services.

MINUTES

Ms. Heller requested a discussion or motion to approve the minutes from the Board meeting on July 25, 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 expenses for the Maryland Municipal League (MML) and the Maryland Association of Counties (MACo) conferences in Ocean City, MD. Ms. Frketic incurred expenses from the MML conference and the Chesapeake Tricon.

Dr. Glass reported on external engagements with governmental and private entities over the last month, including a meeting with the one-year-old Department of Service and Civic Innovation. About 57 percent of all FY24 revenues were from State partners. The FY26 Capital budgets are currently being prepared with an enhanced amount of detail being provided.

There were several site visits last month, including to the Friendsville Water Treatment Plant (WTP) and Wastewater Treatment Plant (WWTP), the Frostburg WTP and the Deep Creek WWTP on July 30.

The MACo Summer Conference was last week. The MES booth was positively received. Many business contacts are being followed up on. The Midshore II Landfill Amended and Restated Memorandum of Understanding was approved by all four Midshore Counties. The new

agreement will extend MES' operations at the Midshore II Landfill in Ridgely by 12 years and provides continuous municipal solid waste services to the four counties until 2083.

The 2024 summer internship program has wrapped up for the year. A fellowship program is being developed to sponsor two candidates in the future.

Dr. Glass reviewed the legal framework of the agency. The agency is in the third year of the FY23-FY27 Strategic Plan. The leadership team meets quarterly to review the key performance indicators.

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 June 2024, which remains strong. Labor sales have been steadily increasing across all groups. The goal was 4 percent growth, and actual billable labor increased 9.04 percent. Actual amounts from FY24 vs. FY23 are better than expected and budgeted in all categories. The budget vs. actuals also looks good. Revenues are greater than in the prior year, with much of this passing through to third party vendors. Labor sales are higher than budgeted and overhead expenses are lower than budgeted. Excess funds will be used for BEST payout pool and contingency fund.

Mr. Patel advised that the Targeting Excellence gift card program will be put on hold. Internal Revenue Service (IRS) rules consider gift cards to be cash gifts, and as such are taxable. This would put a burden on the employee and the agency. Alternative reward programs are being investigated.

HUMAN RESOURCES REPORT

Ms. Patton presented the Human Resources (HR) report. As of August 22, 2024, the agency vacancy rate was 3.05 percent. Fall recruitment events are gearing up with the agency scheduled to participate in 10 career fairs in September.

PROCUREMENT ITEMS

Ms. Condra presented Item 1. The procurement is a change order with Voya/Reliastar Life Insurance Company for \$100,000. It is for a two-month extension for the contract for short & long disability and life insurance. There is a 0 percent MBE

goal. Judge Smalkin made the motion to approve the item; Dr. Johnson seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 2. The procurement is a renewal with Beechfield Landscaping, Inc. for \$65,000. It is for landscaping, mowing and snow removal at MES headquarters. There is a 4 percent MBE goal, and the contractor is currently achieving 9.6percent. 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 renewal with Maryland Chemical Co. for \$46,900. It is for the fourth and final year of the contract to provide chemicals to the Freedom District WWTP. There is a 0 percent 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 4. The procurement is a renewal with Recyc Systems Inc. for \$89,038. It is for the second renewal year of the contract for trucking and land application service for Maryland Correctional Institution WWTP biosolids. There is a 0 percent MBE goal, however the contract is women owned minority business. Dr. Johnson made the motion to approve the item; Mr. Baatz seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 5. The procurement is for field data collection and condition assessment of stormwater infrastructure within Drainage Area C East of the Historic Parkville neighborhood in Baltimore County. Rummel, Klepper & Kahl, LLP (RK&K) will provide the services at a cost of \$282,786.94. There is a 29 percent MBE goal. Dr. Johnson made the motion to approve the item; Ms. Jose seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 6. The procurement is for field data collection and condition assessment of stormwater infrastructure within Drainage Area C West of the Historic Parkville neighborhood in Baltimore County. Rummel, Klepper & Kahl, LLP (RK&K) will provide the services at a cost of \$282,786.94. There is a 29 percent MBE goal. Mr. Witt made the motion to approve the item; Mr. Baatz seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 7. The procurement is for field data collection and condition assessment of stormwater infrastructure within Drainage Area A West of the Historic Parkville neighborhood in Baltimore County. iDesign Engineering, Inc. will provide the services at a cost of \$348,331.53. There is an 8 percent 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 8. The procurement is for field data collection and condition assessment of stormwater infrastructure within Drainage Area A East of the Historic Parkville neighborhood in Baltimore County. iDesign Engineering, Inc. will provide the services at a cost of \$337,193.80. There is an 16 percent MBE goal. Dr. Johnson made the motion to approve the item; Judge Smalkin seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 9. The procurement is for operations and maintenance of the Brown Station Road Sanitary Landfill and County Correction Center landfill gas-fueled power plants. Curtis Power Solutions, LLC will provide the services at a cost of \$2,741,740.00. There is a 10 percent MBE goal. Dr. Johnson made the motion to approve the item; Mr. Witt seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 10. The procurement is for supply and delivery of GreenClean Liquid 5.0 algaecide for control of harmful algal blooms at the Masonville and Cox Creek Dredged Material Containment Facilities. BioSafe Systems will provide the goods at a cost of \$396,000. There is a 0 percent MBE goal. Judge Smalkin made the motion to approve the item; Mr. Baatz seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 11. The procurement is for the purchase of a 2024 CAT 352-Excavator for the Midshore II Landfill. Carter Machinery Company will provide the equipment at a cost of \$493,136. The old excavator will be traded in. There is a 0 percent 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.

The Board notifications for contracts, purchase orders, amendments, and change orders between \$25,000 and \$200,000 were reviewed.

LEGAL REPORT

Mr. Coleman reported that the agency is beginning the regulatory review process, as required by State law. The agency will review all current regulations for compliance with other current laws and regulations. Any recommended changes to the MES regulations will be presented to the Board for approval at the conclusion of the process.

GROUP UPDATES

Ms. Dolinar presented the recently completed Deep Creek Lake Arrowhead Cove Dredging project. Approximately 11,000 cubic yards of materials was removed from the Cove at a cost of \$1.628 million. This increased the depth of the Cove one to four feet. The material was then used at the Garrett County landfill for landfill cover material. Mr. Witt indicated this was a pilot project, and more cove dredging projects are being explored.

Ms. Slatnick highlighted MES' support of the State Highway Administration's public involvement section. MES employee Jessica Pilarski serves as the Senior Public Involvement Coordinator at SHA. She helps the team develop public involvement plans, identify stakeholders, and conduct public meetings, among other tasks. She also served on two award winning projects.

Mr. Ford discussed the integrated Harford County solid waste services. MES has operated the Harford Waste Disposal Center for the county since 2015. MES also oversees environmental monitoring and reporting at six closed landfills and one active site. MES also monitors landfill gas controls and per- and polyfluoroalkyl substances, to ensure compliance with new Maryland Department of Environment (MDE) regulations.

Mr. Lapinsky reviewed the Maryland Coast Smart Council which was enacted in 2014. The Council examines the impacts of sea level rise. MDE requested MES participate in the workgroup. The purpose is to provide guidance for the application of the Coast Smart application and design guidelines to wastewater improvement projects. The draft report was issued in May 2024.

OLD/NEW BUSINESS

The next meeting of the Board is Thursday, September 26, 2024, at 9:30 a.m.

CLOSED SESSION

At 11:04 a.m., in accordance with MD. Code Ann., Gen. Prov. §3-305(b)(1) and (7), 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 counsel to obtain legal advice. 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. Mr. Baatz 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 11:05 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 11:13 a.m. Present during the closed session were Board members Glass, Heller, Smalkin, Witt, Baatz, Jose, Johnson, and Kille. They were joined by Mr. Coleman, Ms. Frketic, and Ms. Fuller.

Ms. Heller requested approval of the minutes of the closed session from the July 25, 2024, meeting. There were no corrections or comments noted. The minutes were unanimously approved.

The Board consulted with Mr. Coleman regarding correspondence it had recently received from a former employee.

ADJOURNMENT

The meeting adjourned at 11:25 a.m.

Frederic N. Smalkin

**HONORABLE FREDERIC SMALKIN
SECRETARY**

Shelley Heller

**SHELLEY HELLER
CHAIR**