



Wes Moore GOVERNOR

Aruna Miller LT. GOVERNOR

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

## BOARD OF DIRECTORS MEETING MINUTES

**October 31, 2024**

**LOCATION:** Headquarters/Video Call

**TIME:** 9:30 a.m.

**DIRECTORS PRESENT:** Shelley Heller, Chair (video)  
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. (video)  
Joanna Kille for Dereck Davis (video)  
Charles Glass, Ph.D., P.E.

**DIRECTORS ABSENT:**

**OTHERS PRESENT:**

Priscilla N. Carroll, Esq.	Pamela Fuller, Board Clerk
Ellen Frketic, Deputy Director	Jana Leech (video)
Winsome Condra, Procurement	Casey Powers, IT (video)
Marni Dolinar, Env. Dredging & Restoration (EDR)	Matias Orrego, EDR
Tim Ford, Environmental Operations (EO)	Eric Frase, Env. Ops
Ramona Jones, Human Resources	Donald Ireland, EO
Matt Lapinsky, Water/Wastewater	Chelsie Bateman, EDR
Hament Patel, Finance	Valerie Colimon, RSM
Kanishk Sharma, Administration	
Melissa Slatnick, Technical & Environmental Services (TES)	

## **CALL TO ORDER**

Ms. Heller called the meeting to order at 9:31 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. Dolinar presented the Extraordinary Service Inspire Award to Chelsie Bateman, Environmental Specialist at Cox Creek Dredged Material Containment Facility, for her outstanding efforts to rescue geese stuck in mud at the site.

Mr. Ford presented the Extraordinary Service Inspire Award to Donald Ireland, Operations Manager for the Statewide Used Oil Program, for his exceptional customer service in going out of his way to help a visiting boat owner properly dispose of their used antifreeze.

## **RSM FY24 AUDIT REPORT**

Ms. Colimon presented an executive summary of RSM's FY24 Financial Audit to the Board. A full briefing was delivered to the Audit Committee on October 24, 2024. RSM has issued a clean, unmodified opinion. There were no significant changes to the planned audit strategy presented in August 2024. There were no identified weaknesses in the internal controls over financial reporting during the audit period. There were no issues encountered with management during the audit process. The audit was completed before the October 31, 2024, due date.

Mr. Patel thanked the entire RSM team for their diligence.

## **MINUTES**

Ms. Heller requested a discussion or motion to approve the minutes from the Board meeting on September 26, 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 minimal travel expenses for a field visit to Masonville Cove. Ms. Frketic incurred several expenses related to her trip to the Chesapeake Tri-Association Conference (TriCon) in Ocean City, MD. They will both have expenses related to their trip to the Water Environment Federation's Technical Exhibition and Conference (WEFTEC) in October.

Dr. Glass reported on external engagements with governmental and private entities over the last month, including meetings with Bowie State University and the University of Maryland Center for Environmental Justice and Health. A draft proposal for water probe technology has been submitted to SAS.

There were several site visits in the last month, including to the Montgomery County Yard Trim and Composting Facility and the Materials Recovery Facility and grinding lot, where Dr. Glass visited with drivers who pick up trash from Montgomery Bus stops and food waste from commercial facilities. Dr. Glass also attended the Swan Creek Nature Trail groundbreaking ceremony at the Cox Creek Dredged Material Containment Facility.

The quarterly Strategic Advance meeting was held on October 11, 2024.

Ms. Kille temporarily left the meeting at 10:00 a.m.

Dr. Glass, Deputy Frketic, and the MES operations team “Motley Poo” were in New Orleans for the WEFTEC conference earlier this month. There were long lines for all of the sessions related to per- and polyfluoroalkyl substances (PFAS), demonstrating the large challenge and interest across the country in managing PFAS. Motley Poo competed and scored well at the conference for it being their first time back at the operations challenge international level.

A “Lunch and Learn” event was held on October 17 on the topic of emotional intelligence.

Dr. Glass reviewed the list of long-term projects he will focus on in the coming months. This includes completing agreements with State partners for water and wastewater operations, water/wastewater operator in training (OIT) recruitment, launching a mentoring program, and organizing the internship program and a new fellowship program.

Dr. Glass congratulated Priscilla Carroll on her appointment as the Principal Counsel for MES. She will replace Sean Coleman, who recently retired.

Ms. Jose asked Dr. Glass to update the Board at a future date on the Maryland Department of the Environment’s (MDE) draft plan for PFAS, which mentioned the Darlington Water plant owned by MES.

## **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 September 2024. Revenue labor is higher than last year. However, the revenue labor was aggressively

budgeted to be 5% higher, so the overall numbers are lower than budgeted. Normal growth would have been a 4% increase. This fiscal year's labor sales are 3.13% higher than FY24. Billable hours are higher, but so are overhead expenses.

### **BEST FY24 – FINAL**

Last month, Ms. Frketic presented the FY24 Building Excellence and Success Together (BEST) Goals final report. All six goals were fully completed.

Mr. Patel reviewed the components of the BEST program funding. Funding for the BEST incentives comes from fringe variance, overhead variance, project variance, working capital, equipment fund, and interest income. The total BEST pool for FY24 is \$6,710,602. MES is proposing to allocate \$674,000 of the pool to contingency funds, and the remaining \$6,710,602 of the pool to the BEST payout. The agency proposes to allocate 60.28% (\$3,613,500) of this pool to the BEST payout, which would result in a \$5,500 payment to every eligible employee. The agency is further proposing to allocate 35.97% (\$2,156,500) of the pool to the BEST Plus incentive, and 3.75% (\$224,821) to the Executive Incentive. BEST payments would be made on November 25. BEST Plus and Executive Incentive payments would be made November 26.

Ms. Jose inquired if the BEST and BEST Plus caps (maximum of 15% of salary) would negatively impact any employees. Mr. Patel and Dr. Glass explained they did not think that would be the case but would review individual cases and adjust if necessary, especially for staff on the lower end of the salary scales.

Ms. Heller asked for a motion to approve the FY24 BEST proposal as presented. Mr. Baatz made a motion to approve the proposal; Dr. Johnson seconded. The motion passed unanimously.

### **HUMAN RESOURCES REPORT**

Ms. Jones presented the Human Resources (HR) report. As of October 17, 2024, the agency vacancy rate was 3.9%. Fall recruitment events are ongoing, with the agency participating in 10 career fairs in October and scheduled to attend four in November.

Ms. Jones also reported that HR is conducting an in-depth comparison of mid-grade management positions with mid-level market rates and conducting a comprehensive fiscal impact analysis. They are also working to ensure that job descriptions are current and up to date.

A fellowship program is being developed for environmental specialist and engineering positions. This full-time program would allow participants to rotate through the various departments at the agency, with the intent of hiring them in some capacity by the conclusion of the fellowship.

## **INSPIRE AWARDS PROGRAM GUIDELINES**

Ms. Frketic introduced updated guidelines for the Inspire Award program. These updates are designed to provide clear guidance on the program, expand the categories for awards, and provide a clear process and scale for awards.

Ms. Kille rejoined the meeting at 10:33 a.m.

Ms. Jose asked if budgetary concerns were the reason for reducing the maximum award amount from \$2,500 to \$1,500. Ms. Frketic explained it was so they could provide awards to more people per year. There is also a cap on the number of times an employee can receive an award within a given year, absent exceptional circumstances. Ms. Heller asked if there was a motion to accept the guidelines. Ms. Jose would like to see the cap increased to \$2,000, as an amendment. Ms. Jose made a motion to approve the guidelines, as amended, to provide a cap of \$2,000 per award rather than \$1,500. Mr. Witt seconded the motion. The motion passed unanimously.

## **PROCUREMENT ITEMS**

Ms. Condra presented Item 1. The procurement is for 12 new trucks for the fleet. Apple Ford or Sport Chevrolet will provide the vehicles at a cost of \$600,000. There is a 0% minority business enterprise (MBE) goal. Mr. Witt made a motion to approve the item; Ms. Jose seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 2. The procurement is to purchase two 12-inch dewatering pumps for the Cox Creek Dredged Material Containment Facility. Xylem Dewater Solutions, Inc. will provide the pumps at a cost of \$215,180.20. There is a 0% MBE goal. Dr. Johnson made a motion to approve the item; Judge Smalkin seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 3. The procurement is to purchase a John Deere wheel loader for the Prince George's County Organics Composting Facility. Jesco will provide the equipment at a cost of \$473,385. There is a 0% 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 4. The procurement is to purchase a 2024 Peterbilt front loader. Maryland Industrial Truck will provide the truck at a cost of \$415,540.09. There is a 0% MBE goal. Ms. Kille made a motion to approve the item; Mr. Witt seconded. No members were opposed. The motion passed unanimously with the exception of Ms. Heller, who abstained from the discussion and vote.

Ms. Condra presented Item 5. The procurement is for purchase of replacement screens for the Prince George's County Materials Recycling Facility. Van Dyk Baler Corp will provide the parts at a cost of \$2,475,597.23. There is a 0% MBE goal. Mr. Baatz made a 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.

## **LEGAL REPORT**

Ms. Carroll will present her first legal report in closed session. She reported the process of selecting a new Assistant Attorney General to backfill her prior position has begun.

## **GROUP UPDATES**

Mr. Ford introduced Mr. Frase, manager of the Midshore landfills, to discuss the Solid Waste Association of North America (SWANA) Road-E-O competitions. The Mid-Atlantic competition was held at the Midshore II Landfill this spring. Several MES employees placed high enough to compete at the International Road-E-O in Georgia in October. MES operators performed very well in these final competitions. Bruce Carroll placed first in the Articulated Truck division, Dakota Towers placed second in Articulated Loader, Anthony Roe placed second in Landfill Compactor, Logan Milby placed third in Landfill Compactor, and Kerry Davis placed in the top 16 in Roll-Off. While in Georgia, MES operators also donated their time and skills before the competition to help with hurricane cleanup efforts in the area.

Mr. Lapinsky discussed the Rocky Gap Wastewater Treatment Facility membrane upgrades. The plant was upgraded to a membrane bioreactor (MBR) system in 2018. In 2023, the polymeric membranes still under warranty with Ovivo were upgraded to a new type of silicon carbide (SiC) ceramic membrane. Performance at the plant has drastically improved.

Mr. Orrego, Senior Environmental Specialist, discussed the Environmental Education and Outreach Program run by MES for the Maryland Port Administration (MPA) at Masonville Cove in Baltimore. The program aims to support community connection and cultivate stewardship and community science. Initiatives such as Youth Birding Week, Black Birders Week, Latino/a/e Conservation Day, and Urban Wildlife Restoration Day draw hundreds of community participants.

Ms. Slatnick discussed recently installed solar projects at Maryland State Parks. MES used an \$880,000 grant from the Maryland Energy Administration (MEA) Public Facility Solar Grant Program to research and install solar arrays at 15 sites/buildings across five Maryland parks. The solar projects are sized to supply energy for each park.

## **OLD/NEW BUSINESS**

The next meeting of the Board is Thursday, November 21, 2024, at 9:30 a.m.

## CLOSED SESSION

At 11:21 a.m., in accordance with MD. Code Ann., Gen. Prov. §3-305(b) (8), Ms. Heller stated that the Board intended to enter closed session to approve the minutes of a prior closed-meeting session 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. Dr. Johnson then made a motion that the Board enter closed session for the reasons stated above. Ms. Kille 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 11:22 a.m. Staff 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 11:25 a.m. Present during the closed session were Board members Glass, Heller, Smalkin, Witt, Baatz, Jose, Johnson, and Kille. They were joined by Ms. Carroll, Ms. Frketic, Mr. Hartlaub, Mr. Lapinsky, and Ms. Fuller.

Ms. Heller requested approval of the minutes of the closed session from the August 22, 2024, meeting. There were no corrections or comments noted. The minutes were unanimously approved.

Ms. Carroll and Mr. Hartlaub briefed the Board on several matters of pending and potential litigation. The Board voted unanimously to grant the agency settlement authority in one matter.

## ADJOURNMENT

The meeting adjourned at 12:08 p.m.

*Frederic N. Smalkin*

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**HONORABLE FREDERIC SMALKIN**  
**SECRETARY**

*Shelley Heller*

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**SHELLEY HELLER**  
**CHAIR**