



Wes Moore GOVERNOR

Aruna Miller LT. GOVERNOR

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

BOARD OF DIRECTORS MEETING MINUTES

September 26, 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.
James Johnson Jr., Ph.D., P.E. (video)
Dereck Davis (video) and 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 Melissa Filiaggi, Environmental Operations Matt Lapinsky, Water/Wastewater Hament Patel, Finance Stephanie Patton, Human Resources	Melissa Slatnick, Technical & Environmental Services (TES) Kanishk Sharma, Administration Pamela Fuller, Board Clerk Jana Leech (video) Casey Powers, IT (video) Sean Kelley, TES
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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

Mr. Patel presented the Extraordinary Service Inspire Award to Donita Strand, Jennifer Helmick, and Katherine Tessier for their exceptional performance and dedication during an extended critical period in the Accounts Payable department when there were multiple vacancies lasting several months.

MINUTES

Ms. Heller requested a discussion or motion to approve the minutes from the Board meeting on August 22, 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 Association of Counties (MACo) Conference in Ocean City, MD, the Chesapeake Tri-Association Conference (TriCon) in Ocean City, MD, and airfare for the Water Environment Federation's (WEF) upcoming Technical Exhibition and Conference (WEFTEC) in October. Ms. Frketic incurred expenses from Chesapeake TriCon.

Dr. Glass reported on external engagements with governmental and private entities over the last month, including meetings with Harford County and Anne Arundel County.

There were several site visits last month, including to the Masonville Cove Dredged Material Containment Facility (DMCF), Scarboro Road Landfill in Harford County, the Paul S. Sarbanes Ecosystem Restoration Project at Poplar Island, Cheltenham Wastewater Treatment Plant (WWTP), and ECI Co-Generation Facility and WWTP. Dr. Glass also toured the Cheltenham WWTP with students from the Howard University chapter of the American Society of Civil Engineers.

Ms. Jose arrived at 9:49 a.m.

Dr. Glass advised that the agency use caution as economic conditions change. With the reduction in interest rates by the Federal Reserve and State budget cuts, the agency's current rate of growth is not sustainable. Much of MES' work is mandated by legislation and regulation, but

capital projects and ancillary environmental projects may be canceled or delayed. Nothing has happened yet, but everyone should remain vigilant and start preparing for potential budget cuts from some agency clients.

Dr. Glass reviewed his list of long-term projects that he will be focusing on in the coming months. This includes completion of the Northeast Waste Disposal Authority (NWDA) report, completion of agreements with State partners for water and wastewater operations, and an asset management program for the Water and Wastewater group.

Dr. Glass reported that Ms. Condra will serve in a dual role as the Chief of Procurement and the Chief of Internal Audits (IA) for the foreseeable future. She has presented an independence and objectivity action plan to maintain a separation of duties.

The Chesapeake Tri-Association Conference was held earlier this month in Ocean City, MD. Mark Kaiser, MES's Regional Supervisor of the western region, won the WEF's Hatfield Award for outstanding performance and professionalism in the operation of a wastewater treatment plant. MES headquarters won second place in the Chesapeake American Water Works Association's Water Taste Test Content. The Deep Creek WWTP won the Chesapeake Water Environment Association's Residuals and Biosolids Beauty Content (Class B). The MES Operations Challenge team, Motley Poo, placed second among the competing regional teams and will go on to compete nationally in Division III at WEFTEC in New Orleans this October.

Dr. Glass was named a Most Admired CEO by *The Daily Record*. He thanked the Board for their nomination and relayed that this award is shared by all of MES.

Dr. Glass announced the upcoming retirement of Mr. Coleman and thanked him for his years of service and extraordinary contributions to the agency. Mr. Coleman was presented with a Governor's Citation and the MES appreciation award. The MES headquarters walking path next to the solar array will be dedicated in his honor with a tree and plaque. A time capsule containing a pair of his used walking shoes will be embedded in an appropriate monument along the trail. Mr. Coleman thanked Chair Heller, Dr. Glass, the other members of the Board, and the staff at MES for the awards. He announced that this was the 433rd meeting of the Board he had attended as its counsel, and he complimented the Board members on the great work they have done since the MES Reform Act was adopted. Mr. Coleman also praised the exceptional work and support of Pam Fuller, Priscilla Carroll, Eric Hartlaub, and Christy Fisher.

NEW BUSINESS REPORT

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

RESOLUTION 2024-09-1R

Mr. Patel presented Resolution 2024-09-1R authorizing the agency to close certain offices and facilities of the service on Friday, November 20, 2024. By law, most State offices

and agencies are closed on this day. This extra holiday has been extended to MES employees by resolution for the last 18 years. Ms. Kille asked if the Board could make this a permanent holiday. Mr. Coleman indicated that the Board could make it ongoing by Resolution or a change to its regulations. It has traditionally been approved year-to-year in case current financial conditions do not allow for the extra paid day off. Ms. Jose made a motion to approve the resolution; Dr. Johnson seconded. The motion passed unanimously. Employees required to work that day due to site requirements will be granted eight hours of holiday leave to use on a future date.

PROCUREMENT ITEMS

Ms. Condra presented Item 1. The procurement is for electric vehicle charging infrastructure at MES headquarters. Blue Whale EV, LLC will provide the services at a cost of \$532,757.35. There is a 14% minority business enterprise (MBE) goal. Several questions were addressed. Though not the lowest bidder, Blue Whale had the better technical score. It is unclear what accounts for the large variance between prices. There is a wide delta in pricing across the State. Mr. Baatz made a motion to approve the item; Ms. Kille seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 2. The procurement is for flare and gas collection and control system upgrade design at the Brown Station Road Landfill. Stearns, Conrad & Schmidt Consulting Engineers, Inc. (aka SCS Engineers) will provide the services at a cost of \$420,000. There is a 20% MBE goal. Ms. Jose 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 for water treatment plant upgrades and water tower replacement at Sandy Point State Park. CPP Construction, Inc. will provide the work at a cost of \$6,434,000. There is a 12% MBE goal. Mr. Witt 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 for the purchase of a John Deere 200 G Excavator for the Prince George's County Organics Composting Facility. Jesco will provide the equipment at a cost of \$281,015. There is a 0% MBE goal. Mr. Baatz made a motion to approve the item; Dr. Johnson seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 5. The procurement is a pre-solicitation approval for \$318,000 for brush grinding services at the Midshore I and II Landfills. There is a 0% MBE goal. Mr. Witt made a 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 6. The procurement is to purchase six Ford F-450 stake body trucks for Montgomery County operations. Apple Ford will provide the trucks at a total cost of \$510,053.40. There is a 0% 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 7. The procurement is a change order with W.M. Schlosser Co., Inc. for \$472,500. It is for installation of equipment and extension of utility equipment rental for the ECI Cogeneration Plant boiler fuel conversion. There is a 17% MBE goal, and the contractor is currently achieving 19.35%. Several questions were addressed regarding change order negotiations. It is hoped that no further time extensions will be necessary. Mr. Baatz made a motion to approve the item; Ms. Kille seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 8. The procurement is a change order with Colossal Contractors, Inc. for \$1,651,431.98. It is for labor services provided to the Montgomery County Recycling Center. There is a 30% MBE goal, and the contractor is currently achieving 43.5%. Judge Smalkin made a motion to approve the item; Dr. Johnson seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 9. The procurement is a contract renewal with Helicopter Applicators, Inc. for \$258,354. It is for aerial application of herbicide at Hart Miller Island and Poplar Island. There is a 0% MBE goal. Mr. Baatz made a motion to approve the item; Mr. Witt seconded. No members were opposed. The motion passed unanimously.

Ms. Condra presented Item 10. The procurement is a contract renewal with Mobile Dredging and Video Pipe, Inc. for \$275,000. It is for rental equipment and services for storm draining cleaning, inspection and repair, and laser profile scanning at Dundalk Marine Terminal and Hawkins Point Landfill. There is a 6% MBE goal, and the contractor is currently achieving 4.88%. Dr. Johnson made the motion to approve the item; Ms. Jose 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.

BEST FY24 UPDATE – FINAL

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

FINANCIAL REPORT

Mr. Patel reported on the agency's preliminary financial performance as of August 2024. Two months into the new fiscal year, the labor sales are not meeting budgeted projections across all groups. The goal was 4% growth. Billable labor will need to increase. At this point last

year, there were a large number of unfilled overhead positions. Those positions have now been filled. Interest income is also going back down. Labor sales are expected to increase over time and balance out over the course of the next few months.

Ms. Heller and Mr. Baatz both left the meeting at 11:00 a.m.

Dr. Glass pointed out that the agency met its five-year growth goal within two years. This rapid growth coming out of the Covid era is not sustainable. Many MES clients are under financial pressures.

HUMAN RESOURCES REPORT

Ms. Patton presented the Human Resources (HR) report. As of September 12, 2024, the agency vacancy rate was 2.55%. Fall recruitment events are gearing up, with the agency participating in 10 career fairs in September and scheduled to participate in 16 in October. MES is also working on an agreement with Anne Arundel County to sponsor high school students in mechanical or electrician apprenticeships.

Ms. Patton also presented the 2024 Bolton Classification and Compensation Study. The study made recommendations in five areas:

- Job analysis and documentation
- Compensation philosophy
- Base pay structures
- Actual pay alignment
- Base pay delivery

Most of these recommendations are already being considered or completed. Ms. Jose suggested the Board HR Committee review the study more thoroughly and come back to the Board with action items.

LEGAL REPORT

Mr. Coleman reported that this will be his last MES Board meeting as Principal Counsel. The process for selecting a new Principal Counsel is being conducted by the Attorney General's office. They are currently conducting second round interviews, and the Attorney General should be deciding soon on Mr. Coleman's successor. Mr. Coleman assured the Board he will work closely with his successor to ensure a smooth transition.

GROUP UPDATES

Sean Kelley, Associate Engineer in TES, discussed the Solar Landfill Study being conducted in partnership with Maryland Energy Administration. The study identifies landfills throughout the State that might be suitable for solar installations.

Ms. Filiaggi, Division Chief in Environmental Operations, discussed the Durable Medical Equipment Re-Use program operated by MES for the Maryland Department of Aging. So far, the program has restored and recycled 421,328 cubic feet of equipment.

Mr. Lapinsky discussed the agency's implementation of an Asset Management program for water and wastewater projects. The Maintenance Connection platform is being studied to assess its capabilities in managing all assets at every water and wastewater project.

Ms. Dolinar discussed the Long-Range Dredged Material Capacity Planning Report prepared by MES for the Maryland Port Administration. The 2024 report is scheduled to be completed in October.

OLD/NEW BUSINESS

The next meeting of the Board is Thursday, October 31, 2024, at 9:30 a.m. The Audit Committee will meet on Thursday, October 24, 2024, at 9:30 a.m.

ADJOURNMENT

The meeting adjourned at 11:35 a.m.

Frederic N. Smalkin

**HONORABLE FREDERIC SMALKIN
SECRETARY**

Shelley Heller

**SHELLEY HELLER
CHAIR**