

Authority Meeting Minutes
340th Meeting
February 5, 2019

Members Present: James M. Irvin
Rhody Holthaus
Joseph J. Siemek
Michael G. Marschner
Steven A. Walsh
Jeffrey D. Castonguay
Guillermo Wainer

Other Participants: Beth Wojton
Steve Tomczewski
Christopher W. Skaggs
Andrew Kays
M. Catherine Coble
John F. Schott

Chairman Jim Irvin opened the meeting at 12:05 p.m.

ACTION ITEM NO. 2019-2-1 - Budget Amendments: Howard County Landfill for design and bid phase of the compost project; Carroll County for design services for repairs to the Transfer Station; Frederick County Reichs Ford engineering design work; Montgomery County groundwater monitoring at the Oaks and Gude Landfills; Montgomery County Gude Landfill Remediation update to scope for design engineering and beneficial land use design services; and Harford County Facility revision to decommissioning scope: A motion was made by Jeff Castonguay and seconded by Rhody Holthaus to approve this item. Andrew Kays explained that work requested by various Member Jurisdictions require these adjustments to the Authority's Fiscal Year 2019 Budget. Specifically, the following accounts need to increase by the amounts indicated: 1) CC. Howard County Landfill and Solar Project Account: An increase of \$100,000 for design and bid phase of the compost project; 2) T. Carroll County – General Account: An increase of \$25,000 for design assistance related to repair of the Transfer Station; 3) YD. Frederick County Reichs Ford Landfill Account: An increase of \$95,000 for engineering design work; 4) JE. Montgomery – General Account: An increase of \$55,132 is needed for groundwater monitoring; 5) JG. Montgomery Gude Landfill Remediation Account: An increase of \$700,000 is needed for an update to the scope for design engineering and beneficial and use design services; and 6) DA. Harford County - Facility: An increase of \$63,632 for a revision in the scope of work for the project related to UXO requirements and reuse of fill material.



Jim Irvin asked if there were any additional comments or questions and there being none a vote was taken and the item was approved unanimously.

ACTION ITEM NO. 2019-2-2 - Contract Amendments: SCS Engineers for Baltimore City Landfill groundwater and landfill gas monitoring services; EA Engineering for Montgomery County beneficial land use design engineering and groundwater monitoring; ARM Group for Baltimore City Landfill compliance engineering services; Geosyntec for Frederick County dam repair work and Carroll County Transfer Station repair design services; and Neuber Environmental Services for revision to the Harford County Facility decommissioning scope: A motion was made by Jeff Castonguay and seconded by Mike Marschner to approve this item. Andrew Kays explained that the above referenced contracts need to be increased mostly in support of the budget adjustments requested. Specifically: 1) SCS Engineers: An increase of \$200,000 is needed for engineering services to provide additional groundwater and landfill gas monitoring services at Baltimore City's Quarantine Road Landfill and for groundwater services in Montgomery County and Transfer Station support; 2) EA Engineering: An increase of \$488,179 to provide for beneficial and use design and groundwater monitoring at Montgomery County's Landfill; 3) ARM Group: An increase of \$100,000 for compliance engineering services at Baltimore City's Landfill; 4) Geosyntec: An increase of \$120,000 for dam repair services in Frederick County and for repair design services at Carroll County's Transfer Station; and 5) Neuber Environmental Services: An increase of \$63,632 due to changes to the scope for the decommissioning of the Harford County Facility.

Jim Irvin asked if there were any additional comments or questions and there being none a vote was taken and the item was approved unanimously.

ACTION ITEM NO. 2019-2-3 - BRESCO Parent Guaranty Substitution:

Chris Skaggs explained that when the Authority entered into a contract with Wheelabrator Technologies to provide Baltimore City with waste disposal services at the BRESCO Facility, Waste Management provided a parent guaranty. Subsequently, Wheelabrator changed ownership multiple times and will be owned by Macquarie Infrastructure Partners (a major infrastructure investment institution) when the current acquisition from Granite (which is wholly owned by Energy Capital Partners) concludes on or about February 12th.

Authority staff has been working with Wheelabrator for a year and a half on its request to replace the Waste Management Parent Guaranty with one from its new owner. Authority staff and the Authority's financial advisory firm, Public Resources Advisory Group, Inc. (PRAG) reviewed the request and negotiated the addition of an On-Demand Surety Bond with credit support in amounts deemed necessary to offset disposal costs to the City in the event BRESCO cannot take waste at the Facility. PRAG recommended that the Authority proceed with the substitution of the Waste Management corporate guaranty with the new owner – either Granite or Macquarie, as owner of the Facility, and the On-Demand Surety Bond with a highly rated insurer.

Jim Irvin reported that City DPW Director Rudy Chow contacted him via email and the City concurs with PRAG's recommendation to substitute the guaranty with the addition of the On-demand Bond. At Wheelabrator's expense, the Authority's contracts/bond counsel at Hogan Lovells drafted the necessary documents. Staff is requesting Authority approval of the guaranty substitution and authorize the Executive Director to execute the documents. Jim Irvin asked if there were any additional comments or questions and there being none a vote was taken and the item was approved unanimously.

Discussion Item No. 2019-2-D.1 – Computer Equipment Procurement: Cathy Coble advised the Board that because of continuing problems with its accounting software the staff is moving up the date for acquiring new computer equipment. Instead of waiting until the Fiscal Year 2020 budget, the balance of funds needed will be taken from the Authority's rainy day fund.

Discussion Item No. 2019-2-D.2 – General Assembly Session: Andrew Kays reported on proposed City and State legislation. Various pieces of legislation were discussed with no Authority action requested or taken.

Discussion Item No. 2019-2-D.3 – Recycling Update: The board has requested periodic updates on recycling markets. Authority project manager John Schott reported on the current state of recycling markets.

Jim Irvin asked if there were any additional topics to be discussed. General waste management issues were discussed with no Authority action taken.

Jim Irvin asked again if there were any additional topics to be discussed. There being no additional comments or discussion items, the meeting adjourned at 12:55 p.m.

TRUE TEST COPY



Chris Skaggs, Executive Director