

**Authority Meeting Minutes
358th Meeting (via Conference Call)
June 3, 2021 at 12:00 p.m.**

Members Present: Joseph J. Siemek
Jeffrey D. Castonguay
Guillermo (“Willie”) Wainer
Phil Harris
Mark DeLuca

Other Participants: Chris Skaggs (NMWDA)
Andrew Kays (NMWDA)
Kim Gordon (NMWDA)
Matthew Garbark (Baltimore City DPW)
D’Andrea Walker (Baltimore County)

Public access via livestream at the following link: <https://youtu.be/3yNto7XU4x4>. This stream was turned on at 12:03 p.m. local time.

Board Chairman, Joseph Siemek opened the meeting at 12:04 p.m. local time. Mr. Siemek noted that the instructions for the public to view the meeting were provided in advance and that there are plans to go into a closed session. Mr. Siemek requested that Members identify themselves when speaking and asked Mr. Skaggs to call the roll. Mr. Skaggs called the roll, confirming the presence of a quorum.

ACTION ITEM NO. 2021-4-1 – Budget Amendments

Howard County for its Annapolis Junction Account. A motion was made by Jeff Castonguay and seconded by Willie Wainer to approve this item.

Chris Skaggs explained that a budget increase is needed for the Howard County Waste Disposal Agreement. Waste Management is providing waste export services for Howard County, for waste received at the Annapolis Junction Transfer Station that is sent to the King George Landfill for disposal. This service was budgeted in the amount of \$5,400,000 for Howard County for Fiscal Year 2021. Current waste disposal rates are trending higher and disposal costs will exceed the budgeted amounts.



The Authority is requesting to increase the budgeted amount for Howard County by \$600,000, to match the new PO amount provided by Howard County, resulting in a new budgeted amount of \$6,000,000 for this service.

Joseph Siemek asked if there were any questions or matters for discussion. There being none, a vote was taken, and the item was unanimously approved.

ACTION ITEM NO. 2021-4-2 – Selection of New Executive Director

A motion was made by Jeff Castonguay and seconded by Willie Wainer to approve this item.

Mr. Siemek explained that Chris Skaggs submitted notice of his plans to retire, effective August 31, 2021. To ensure a smooth transition, the Authority Board is considering promoting the Authority's deputy director, Andrew Kays, to the position of Executive Director concurrent with Chris Skaggs' departure. If approved, the Board will send a letter to the Governor seeking his approval in accordance with Section 3-903 of the Maryland Code (per the excerpt below).

(c) Appointment of executive director and general counsel; compensation. The Authority shall appoint, subject to the approval of the Governor, an executive director. The executive director may not be a member of the Authority. The Authority may also appoint, subject to the approval of the Governor, a general counsel, either on a full-time or a part-time basis as the Authority may determine, or it may otherwise provide for the provision of necessary legal services to the Authority. The general counsel shall not be a member of the Authority. Both the executive director and the general counsel shall serve at the pleasure of the Authority, and shall receive such compensation as may be determined by the Authority.

If approved, this promotion will be effective on September 1, 2021.

Mr. Kays' CV was submitted for the Board's review. Mr. Siemek explained that since this Action Item involves the discussion of a possible promotion, a qualifying exception exists allowing a closed session pursuant to the General Provisions Article of the Maryland Annotated Code, Section 3-305(b). Accordingly, the discussion will be reserved for a closed session motion after the next Action Item.

ACTION ITEM NO. 2021-4-3 – Fiscal Year 2022 Budget

A motion was made by Willie Wainer and seconded by Jeff Castonguay to approve this item.

Chris Skaggs reviewed the contents of the Fiscal Year 2022 budget package with the Board. Mr. Skaggs touched upon several of the highlights regarding the goals for Fiscal Year 2022, accomplishments during Fiscal Year 2021, the status of the on-call contracts and noted the inclusion of the salary survey for use by the Board during the closed session. Mr. Skaggs explained that the work plan was developed in conjunction with staff from Member Jurisdictions and their input with respect to known projects for the upcoming fiscal year has been incorporated. He noted

the possibility of changes to the plan as Members direct the Authority over the course of the coming Fiscal Year. He further explained that the proposed administrative budget reflected a 2% COLA increase and a 2% merit increase for staff, at the Board's discretion for approval, as well as salary for several vacant positions at the project level and for accounting support. Mr. Skaggs noted that the Authority staff has been stretched with its workload, in light of the vacant positions that need to be filled. Included in the budget package are recommended changes to contract limits for certain on-call contracts for engineering support and communications support, as well as on-call legal contracts. Mr. Skaggs noted that the Authority met most of its goals for the fiscal year. The goals not met resulted from the respective jurisdiction altering plans for a project, including deferment or cancellation. Additionally, he provided that several unanticipated projects were requested from various Member Jurisdictions during the course of the fiscal year. All such unanticipated projects were successfully started and/or completed by Authority staff working with the requesting Member Jurisdiction.

Joseph Siemek asked if there were any comments or questions for Mr. Skaggs related to the budget. There being no questions, Mr. Siemek announced that the Board would next meet in a closed session regarding discussions with respect to selection of the new Executive Director and to evaluate the performance of the Executive Director and determine compensation for the Executive Director and employees for Fiscal Year 2022 (as well as any other personnel matters).

Mr. Siemek called for a motion to close the meeting at approximately 12:20 p.m. A motion was made by Jeffrey Castonguay and seconded by Willie Wainer. In addition to those making the motion, Board Members voting in favor of the motion were Joseph Siemek, Phil Harris and Mark DeLuca. Mr. Siemek noted that the meeting was being closed under Section 3-305(b)(1) of the General Provisions Article of the Maryland Annotated Code to discuss the possible promotion of Mr. Kays to the Executive Director position to evaluate the performance of the Executive Director and determine compensation for the Executive Director and employees for Fiscal Year 2022 (as well as any other personnel matters).

Joseph Siemek has received State of Maryland open meetings training. Jeff Castonguay agreed to take the minutes of the closed session.

The closed session ended at approximately 1:03 p.m. Joseph Siemek reported that during the closed session the Board discussed (i) the promotion of Andrew Kays to Executive Director, effective as of September 1, 2021 and subject to the approval by the Governor in accordance with Section 3-903 of the Code, and (ii) approval of a 2% Cost of Living Increase for the Executive Director and staff as well as up to a 2% merit increase as proposed for Fiscal Year 2022, effective July 1, 2021.

Mr. Siemek called for a vote with respect to Action Item 2021-4-2, Selection of New Executive Director, a vote was taken and was approved unanimously.

Mr. Siemek called for a vote with respect to Action Item 2021-4-3, Fiscal Year 2022 budget (included the employee compensation increases), a vote was taken, and was approved unanimously.

Mr. Siemek asked if there were any additional items to discuss at this time. Mr. Siemek thanked Mr. Skaggs for his years of service to the Authority and the Board and wished him well in his upcoming retirement. Mr. Siemek congratulated Andrew Kays on his well-earned promotion (pending Governor approval) to Executive Director and noted that the Board looks forward to working with him in his new role.

There being no additional comments or discussion items, the meeting adjourned at 1:06 p.m.

TRUE TEST COPY

Chris Skaggs

Chris Skaggs, Executive Director