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BOARD OF PUBLIC WORKS  
GOVERNOR'S RECEPTION ROOM  
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ANNAPOLIS, MARYLAND

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P R E S E N T

LIEUTENANT GOVERNOR ANTHONY BROWN, Presiding;

HONORABLE PETER FRANCHOT, Comptroller;

HONORABLE NANCY KOPP, Treasurer;

SHEILA C. MCDONALD, Secretary,  
Board of Public Works;

ALVIN C. COLLINS, Secretary, Department of  
General Services;

T. ELOISE FOSTER, Secretary, Department  
of Budget and Management;

DARRELL MOBLEY, Acting Secretary,  
Department of Transportation;

EMILY WILSON, Department of Natural Resources;

CARMINA PEREZ-FOWLER, Assistant Secretary for  
MBE Compliance and Procurement, Governor's  
Office of Minority Affairs;

MARY JO CHILDS, Procurement Advisor, Board of  
Public Works; and,

MARION BOSCHERT, Recording Secretary, Board  
of Public Works.

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P R O C E E D I N G S

LIEUTENANT GOVERNOR BROWN: Okay, good morning everyone. Welcome to the October 17th meeting of the Board of Public Works. I'm Lieutenant Governor Anthony Brown. I'll be presiding over today's meeting in the absence of Governor Martin O'Malley. I'd like to welcome each and every one of you and thank the fine men and women who work for Maryland State government, what you do each and everyday, doing more with less. And helping us make the most efficient, effective, often difficult decisions here at the Board of Public works on behalf of Maryland. We couldn't do it without you. That's why I thank you for everything that you do. And with that, let me also welcome and thank the Treasurer for her service --

TREASURER KOPP: Thank you.

LIEUTENANT GOVERNOR BROWN: -- as well as the Comptroller. And before we launch into today's Agenda, I'll yield to the Treasurer for any remarks you may want to make.

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TREASURER KOPP: A pleasure to be back. As you may know, I just arrived late, relatively late last night from a trip to Warsaw courtesy of the World Bank and the Polish government, talking about sub-national, that is local and state debt management. Just it was extremely interesting. I learned a great deal and came back more appreciative than ever of the great State of Maryland, of the professionalism of our staff, and the strength of our institutions. Most of which we did not create but were bequeathed to us by those who went before us. But the laws and the processes that we work under, I think, are outstanding, and so did the folks in the sub-national debt area in Poland.

I will say just a personal note, as the Comptroller knows I took a day to visit Auschwitz-Birkenau, and that certainly also helps us put everything into proportion, into perspective. It's very good to be home.

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LIEUTENANT GOVERNOR BROWN: Welcome home.

COMPTROLLER FRANCHOT: Thank you, Lieutenant Governor. And you know, every state in the country has a treasurer.

TREASURER KOPP: Almost.

COMPTROLLER FRANCHOT: The World Bank could have picked any of them but they picked our Treasurer to go over to Poland.

TREASURER KOPP: The one who lives down the street.

(Laughter.)

TREASURER KOPP: No, they --

COMPTROLLER FRANCHOT: Warsaw is not down the street. But I appreciate the fact that your stature, Madam Treasurer, is known around the country, and the fact that you are over talking to World Bank audiences on debt is a real feather in our cap in Maryland that they, you have a --

TREASURER KOPP: It was extremely interesting. And I will say just one more thing, they

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were very impressed by the diversity of our population and our economy. It's very interesting, when I described the demographics of Maryland as well as the diversity of the economy, it is very different than many countries, many states around this world. And I think it's a great strength.

COMPTROLLER FRANCHOT: Well, I'm impressed. I also am pleased that Jerry Klasmeier is back with us.

TREASURER KOPP: Absolutely.

(Applause.)

COMPTROLLER FRANCHOT: Jerry has lost 25 pounds and I said, "How did you do that?" And he said, "Well I met with the nutritionist and she said, 'I have a new diet for you. Anything that tastes good you are not allowed to eat.'" So Jerry, great to have you back.

I also want to just take a moment and put an end to at least my baseball season. I loved the

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Orioles and loved the Nationals throughout the season. I thought they were two gallant teams and I thought the fans here in Maryland were terrific in rooting them on and I salute them for that. And I would like to just also compliment another group of people that I think are worth cheering for. All of us on the Board, the Lieutenant Governor, and the Treasurer, and the Governor, and we're all big supporters of education. It's why we put a lot of effort into making sure our school buildings are safe, our teachers and students are supported. That's why I advocate air conditioning in Maryland schools, because I believe that contributes to an effective learning environment. I spent a lot of time talking about financial literacy. That is Latin for having control of your life. But it's a subject that I think all of our schools need to have. And I know we're all proud of the schools around Maryland and their national ranking.

I would like to just mention some unsung heroes of Maryland schools, and that's the countless

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number of volunteers who also influence the lives of our students. They are vitally important to our schools, whether it's an art mom who brings in paintings and supplements the arts education that our students receive; or a dad who comes to supervise the early morning chess club, teach kids, teach thinking; a grandparent who chaperones a field trip and is always available to help the cross walk, or bake cookies, or a fundraiser, or help at a vision or hearing screening; or a friend of the school who just comes in and volunteers to read.

Because there are so many who give their time and make a difference in Maryland I've created an award called the Golden Apple to recognize outstanding volunteers in each county in Maryland. We all know how it takes an entire community to create and sustain an outstanding learning environment, and volunteers play a critical support role for our education professionals.

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I encourage everyone to think long and hard about the people who make a difference in your local schools. In the coming weeks my office will be accepting nominations for the inaugural Golden Apple Award. You can find nomination forms on the website. Near the end of the year we are going to choose two volunteers in each county to recognize as the First Annual Golden Apple Award winners. I look forward to hearing from principals, teachers, parents, and students as they tell us about the volunteers making a difference in their lives. I personally have many fond memories of time spent with my kids as they were going through school. I encourage anyone who has the time to see how they can volunteer and help out at your local school. Thank you.

LIEUTENANT GOVERNOR BROWN: Thank you, Mr. Comptroller. And thank you for recognizing the volunteer service of so many in our community, particularly in our schools and providing mentorship. And certainly I look forward to seeing that program

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launch. And hopefully you'll invite me to participate and celebrate those 24 --

COMPTROLLER FRANCHOT: Absolutely. I would love to have that. We can go and give some of the awards out together.

LIEUTENANT GOVERNOR BROWN: Yeah. Absolutely. Okay. With that, let's jump right into the Agenda. I'd like to just change the order just a little bit and if we could start with the Department of General Services, I'd like to do that. Because while I don't see him I know he's in the room. Oh, there he is. I want to welcome Delegate Rudy Cane, who is here from the Eastern Shore. And it's my understanding that you are interested in Item 19, as we are here at the Board, the Eastern Head Start Center. So why don't we turn to the Department of General Services Agenda. Maybe we can tee up Item 19. And Delegate Cane, if you would like to offer some words on that one we welcome you to the Board of

Public Works and the podium, if you'd like. Do you want to tee it up? Who has got -- oh.

MR. COLLINS: Governor, may I introduce my entire Agenda? Or just this item?

LIEUTENANT GOVERNOR BROWN: Please. Please.

MR. COLLINS: Okay, great. Good morning, Mr. Lieutenant Governor, Madam Treasurer, and Mr. Comptroller. The Department of General Services has 32 items on our Agenda today, including one supplemental. We have withdrawn Item 4 and revised Items 6 and 11, and we'll be glad to answer any questions.

The item that Delegate Cane is here on is Item 19 on the DGS Agenda. The Board of Directors of Shore Up! Is looking to work on an Eastern Head Start Center. And the item is \$250,000 in favor of supporting that item this morning, and we certainly recommend your favorable support.

LIEUTENANT GOVERNOR BROWN: Great. Does anyone want to speak to Item 19?

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DELEGATE CANE: Mr. Lieutenant Governor --

LIEUTENANT GOVERNOR BROWN: Good morning.

DELEGATE CANE: -- the rest of the staff, Mr. Secretary, Head Start is a wonderful program and Shore Up! Is very interested in helping the young students to be exposed to the best that we can offer in education. And having a wonderful facility helps a lot. The students have learned that they are in a professional school, well built, well designed. And they move laterally from Head Start into the Maryland educational system without leaving the grounds. And this is tremendous. So we would like to thank you for all the help that you have given to achieve this goal. I'm sure that it will help Maryland today, tomorrow, and in the next years. Thank you very much.

LIEUTENANT GOVERNOR BROWN: Thank you.

Anybody have any questions or comments for Delegate Cane on this item?

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TREASURER KOPP: Just a request, Rudy. Good morning --

DELEGATE CANE: Good morning.

TREASURER KOPP: -- Delegate. It's good to see you. If you could bring the word back, my personal thanks, to Shore Up! which over the years has done terrific, terrific work in the area for children and for families. And I --

DELEGATE CANE: Thank you. Thank you very much.

TREASURER KOPP: -- enjoyed working with them very much and I'm very pleased to see them appearing here.

DELEGATE CANE: That's good to hear.

TREASURER KOPP: Thanks. Yeah.

LIEUTENANT GOVERNOR BROWN: Great, thanks.

DELEGATE CANE: Thank you.

LIEUTENANT GOVERNOR BROWN: Thank you very much. Any discussion, comment, on any of the other items for DGS' Agenda?

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COMPTROLLER FRANCHOT: Lieutenant Governor, I'd just like to thank the Secretary on pulling Item 4 back to take another look at it.

MR. COLLINS: Yes, sir.

COMPTROLLER FRANCHOT: That obviously is to your credit, that you are doing that. And I'll see when it actually comes back up to us.

MR. COLLINS: We are reexamining the item. We understand your concerns.

COMPTROLLER FRANCHOT: Thank you.

LIEUTENANT GOVERNOR BROWN: Anything else on this item? On this calendar? Okay. Hearing none, the Comptroller moves approval. Is that what we're doing?

COMPTROLLER FRANCHOT: Yeah.

LIEUTENANT GOVERNOR BROWN: Yeah, moves approval, seconded by the Treasurer. See what happens when you're gone for a few weeks? All those in favor say, "Aye."



THE BOARD: Aye.

LIEUTENANT GOVERNOR BROWN: Any opposed?

(No response.)

LIEUTENANT GOVERNOR BROWN: Hearing none, DGS' Agenda is approved for today. Let's now go to the beginning of the packet. We'll start with the Secretary's Agenda. Good morning.

SECRETARY MCDONALD: Good morning, Lieutenant Governor and members of the Board. We have 15 items on the Secretary's Agenda, one report of an emergency procurement. Morgan State University is withdrawing Item 9 at this meeting.

LIEUTENANT GOVERNOR BROWN: Okay.

COMPTROLLER FRANCHOT: Is Item 9 withdrawn? Or is that still --

SECRETARY MCDONALD: It's, Item 9 is withdrawn.

COMPTROLLER FRANCHOT: Thank you.

SECRETARY MCDONALD: All of the items you had questions about are.

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TREASURER KOPP: I'd just like to point out, Item 12. The refunding.

SECRETARY MCDONALD: Yes, the Stadium --

TREASURER KOPP: The Stadium Authority is refunding the bonds on the Montgomery County Conference Center at a net savings of about \$1.75 million, no extension. My recollection is that the Montgomery County Conference/Convention Center is one of the few in the nation that actually pays. I just would point that out. So it was a great, great step that I think the Legislature took many years ago. Thank you, Lieutenant Governor, and Comptroller.

LIEUTENANT GOVERNOR BROWN: Okay. Anything else on any of the other items on the Secretary's Agenda? Okay. The Treasurer moves to approve, seconded by the Comptroller. All those in favor say, "Aye."

THE BOARD: Aye.

LIEUTENANT GOVERNOR BROWN: Any opposed?

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(No response.)

LIEUTENANT GOVERNOR BROWN: Hearing none the Secretary's Agenda is approved and we'll now go to the Department of Natural Resources Real Property.

MS. WILSON: Thank you, Lieutenant Governor, Mr. Comptroller, Madam Treasurer. Emily Wilson with the Department of Natural Resources. We have seven items on our Agenda today. I'd like to highlight a few that are especially exciting items. Items 4A and 5A are CREP easements which will fulfill our obligation the State of Maryland has with USDA and the Commodity Credit Corporation. We will have placed more than 3,200 acres that were in temporary conservation contracts into what are now permanent Conservation Reserve Enhancement Program easements.

And Item 7A is our first Community Connections POS easement, which recognizes extraordinary elements in a land conservation transaction. Including providing green jobs, access and opportunities for underserved communities,

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ecosystem restoration and climate change resilience, and public access, and agriculture and natural resource educational opportunities. This project was a cooperative effort with Anne Arundel County and we do have a few folks from the county here today and I would be happy to answer any questions if you have them.

LIEUTENANT GOVERNOR BROWN: Okay. Any questions or comments? Okay. Hearing none, the Comptroller moves approval, seconded by the Treasurer. All those in favor say, "Aye."

THE BOARD: Aye.

LIEUTENANT GOVERNOR BROWN: Any opposed?

(No response.)

LIEUTENANT GOVERNOR BROWN: Hearing none, the Department of Natural Resources Real Property Agenda is approved. Thank you.

MS. WILSON: Thank you.

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LIEUTENANT GOVERNOR BROWN: And next we'll go to the Department of Budget and Management. Good morning.

MS. FOSTER: Good morning. Governor, Madam Treasurer, Mr. Comptroller, good morning. There are five items on the Department of Budget and Management's Agenda for today. I'd like to withdraw Item 4 and I will be happy to answer any questions you may have.

LIEUTENANT GOVERNOR BROWN: Okay. Any questions, comments? None? Okay. The Comptroller moves approval, seconded by the Treasurer. All those in favor say, "Aye."

THE BOARD: Aye.

LIEUTENANT GOVERNOR BROWN: Any opposed?

(No response.)

LIEUTENANT GOVERNOR BROWN: Hearing none, the Department of Budget and Management's Agenda is approved for today. Let's go to the University System of Maryland.

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MR. EVANS: Good morning. Joe Evans representing the University System of Maryland. We have five items on the Agenda today and we're here to answer any questions.

LIEUTENANT GOVERNOR BROWN: Okay. There are no questions or comments. And the Treasurer moves approval, seconded by the Comptroller. All those in favor say, "Aye."

THE BOARD: Aye.

LIEUTENANT GOVERNOR BROWN: Any opposed?

(No response.)

LIEUTENANT GOVERNOR BROWN: Hearing none, the University System of Maryland's Agenda is approved. Thank you very much. Let's now move to Department of Information Technology.

MR. SCHLANGER: Good morning, Lieutenant Governor, Madam Treasurer, Mr. Comptroller. Elliot Schlanger, Department of Information Technology. We have four items on the Agenda this morning. I would

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like to withdraw Item 3. And I would be happy to answer any questions on the remaining items.

TREASURER KOPP: Elliot, I have a question about something that's not on the Agenda. I have been out of town. I just got back. I quickly read the newspaper en route back down here today, up here today, about an issue that came out about the voter database, the new voter IT system and access to it. Do you know? It was an article in the *Washington Post*.

MR. SCHLANGER: I just saw it.

TREASURER KOPP: There is nothing before us right now, and certainly the Board of Elections is not before us and it would be inappropriate, I think, to go on because they are not here. But I wondered if you would take a look at it? And see from your perspective, talk to them from your perspective as the head of IT for the State.

MR. SCHLANGER: Mm-hmm.

TREASURER KOPP: Give us your reaction to the article and if there is anything --

MR. SCHLANGER: I would be happy to do that.

TREASURER KOPP: -- you think we should do.

MR. SCHLANGER: Sure.

TREASURER KOPP: Thank you.

LIEUTENANT GOVERNOR BROWN: Okay. No further questions or comments? All those in, the Comptroller moves approval, seconded by the Treasurer. All those in favor of DoIT's Agenda say, "Aye."

THE BOARD: Aye.

LIEUTENANT GOVERNOR BROWN: Any opposed?

(No response.)

LIEUTENANT GOVERNOR BROWN: None. Thank you.

MR. SCHLANGER: Thank you.

LIEUTENANT GOVERNOR BROWN: And now let's turn to our final Agenda for today, which is Department of Transportation.

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MR. MOBLEY: Good morning, Lieutenant Governor --

LIEUTENANT GOVERNOR BROWN: Good morning.

MR. MOBLEY: -- Madam Treasurer, Mr. Comptroller. For the record, Acting Secretary Darrell Mobley representing MDOT. MDOT is presenting 14 items. Items 3-C-MOD, 4-C-MOD, 6-S-MOD, and 12-GM have been revised. Item 14-GM is a supplemental item. I'll be happy to answer any questions that you may have.

LIEUTENANT GOVERNOR BROWN: Item 14 was deferred from a previous meeting of the Board of Public Works. Can you just sort of tee that up for us and tell us what the status us?

MR. MOBLEY: Yes, sir. Item 14-GM is the MARC Third Party Operations and Maintenance Services for the Camden and Brunswick lines. MBE participation is 7.97 percent. The start date for the contract is October 18, 2012. The expiration will be June 17, 2017. In the amount of \$204,686,000. The contractor

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is Bombardier Transportation Services USA Corporation and the item was deferred from the last meeting to allow the Governor's Office of Minority Affairs to review our MBE participation.

LIEUTENANT GOVERNOR BROWN: So do you want to give us an update on your activities in the last two weeks and where we are today?

MS. PEREZ-FOWLER: Yes. This is Carmina Perez-Fowler, Assistant Secretary for MBE Procurement and Compliance. Yes, after the item was withdrawn we had numerous meetings with MTA staff in order to determine the goal setting process and whether the MBE opportunities were maximized in this contract. And after a thorough review of all the items in the scope of work and those opportunities that were actually subcontractable, we are confident that the vendor did maximize the opportunities by providing 7.9 percent MBE participation in this contract.

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TREASURER KOPP: So just I understand, the 7.9 percent is 7.9 percent of the total contract?

MS. PEREZ-FOWLER: That's correct.

TREASURER KOPP: But you are saying a large portion of that contract is not subcontractable at all?

MS. PEREZ-FOWLER: That's correct. And again, we did, you know, we did the analysis. We also met with the advocates and sort of shared that information. And in conjunction with MTA. And a lot of the, the majority of the contract cannot be subcontractable. There is labor items. There is insurance. There is different types of allowances and set asides that could not be subcontracted to MBE firms. So of the portion that was subcontractable there was, the majority went to MBE firms.

TREASURER KOPP: Okay. So of what could be subcontracted, in fact a large portion did go to MBE? Is that what I --

MS. PEREZ-FOWLER: Yes, that's correct. And I think the item does have a description of all the items --

TREASURER KOPP: Yes.

MS. PEREZ-FOWLER: -- and the portion that could be subcontracted to MBE firms.

TREASURER KOPP: Thank you. Can I ask about this other issue that's come to our attention?

LIEUTENANT GOVERNOR BROWN: Yes, go ahead.

TREASURER KOPP: The question of doing business with Iran. This all came when I was out of town, and I apologize because I gather it's been dealt with. But as I understand it, Bombardier had a contract in Iran for delivery of subway cars? Can you tell us about that? And what their present ongoing and future activity in Iran is, and how it conforms to our laws and policy?

MR. MOBLEY: Absolutely. Madam Treasurer, we do have representatives from Bombardier that could

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speaking to that. And I'd like for them to come up at this time to provide that overview for you.

TREASURER KOPP: These are folks from Bombardier? Is that --

MR. MOBLEY: And MVA. And also MVA procurement --

TREASURER KOPP: -- identify --

LIEUTENANT GOVERNOR BROWN: So tell us who you are, and who you are representing?

MR. MARTIN: Sure. Good morning, everybody. Lieutenant Governor, Madam Treasurer, Mr. Comptroller, my name is Tom Martin and I am President of Bombardier Transportation Services USA Corporation. And so I'm here to clarify the situation that you raised. First of all, I'm an American citizen and I've had no personal involvement in the contract. But I'm here to report on the situation.

Bombardier first of all no longer is pursuing any contracts in Iran. We have five small legacy contracts where we are providing subcomponents

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that go on commuter and rapid transit vehicles to move the everyday person to and from work or to and from the service. So once these contracts are concluded our corporation will no longer do any business in Iran.

LIEUTENANT GOVERNOR BROWN: When is, when do you, what is the term of the contract? And --

MR. MARTIN: The contracts are expected to be concluded in the next coming few years. I can't give you an exact specific date because sometimes contract terms schedules change. But they are anticipated to be done within the next couple of years.

TREASURER KOPP: And as I understand it our law, I know the law that pertains to the pension system well. I don't know the recent law that was enacted this year as well. But is that directed toward specific types of --

SECRETARY MCDONALD: Mr. Bedward has looked into this for your office, if you --

MR. MARTIN: Ma'am, can I clarify that if you don't mind?

SECRETARY MCDONALD: Sure.

MR. MARTIN: The contracts that Bombardier has in Iran, they are totally in compliance with all U.S., EU, and U.N. laws and regulations. And we meet the Maryland Code that we're talking about here, 235.

TREASURER KOPP: Which, that's the one that goes into effect next year?

MR. MARTIN: That's correct.

MR. ROBINSON: In addition -- Turhan Robinson, I'm the principal counsel for MTA. In addition, Maryland law applies to energy sector contracts.

TREASURER KOPP: I know in the pension area --

MR. ROBINSON: Yes. And that's the same thing in fact with the federal law. It deals with

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energy sector. And what Bombardier has done in Iran are not energy contracts or would support energy contracts. It strictly is providing goods and services as far as transportation.

MR. MARTIN: That's correct.

LIEUTENANT GOVERNOR BROWN: Okay. Any other questions or comments on this item or any other item of the MDOT's Agenda?

TREASURER KOPP: I actually had a question on Item 4, not this one.

LIEUTENANT GOVERNOR BROWN: Four. Okay, so no more questions or conversation, discussion for now on Item 14. Thank you, gentlemen.

TREASURER KOPP: I think that's the one with the LED signs that was delayed --

MR. KNIGHTON: Yes.

TREASURER KOPP: -- for such a long period of time?

MR. KNIGHTON: Yes. For the record --

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TREASURER KOPP: What's the deal with this?

MR. KNIGHTON: For the record, James Knighton, Director of Procurement, Maryland Transit Administration. Yes. There was a considerable delay on concluding that contract.

TREASURER KOPP: Like a year and a half almost.

MR. KNIGHTON: Yeah.

TREASURER KOPP: What, what --

MR. KNIGHTON: Most of that, most of that time was spent on internal discussions about possibly changing the scope of work for that contract, adding additional work to it. And we consulted within MTA and with our legal office and ultimately decided not to do it.

TREASURER KOPP: And that took a year?

MR. KNIGHTON: It, yes, that's correct. Yeah.

TREASURER KOPP: And the thing to add to it, as I understand just from the little thing I read, was

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whether to have a sign that alerts you to when the next train is coming?

MR. KNIGHTON: I believe that that is, it's a sign and an announcement, an audible announcement.

TREASURER KOPP: As a passenger I find them very useful, but I gather for some reason we decided not to?

MR. KNIGHTON: At least not to do it as part of this contract.

TREASURER KOPP: But how could that take a year to come to that decision?

MR. KNIGHTON: That's, I'm just, I don't really have a precise answer for that. But we just, we tried to vet it as carefully as we could and I think it took longer than it should have.

TREASURER KOPP: Yeah, I think so. I mean I gather some of this is, has saved us money, actually.

MR. KNIGHTON: Mm-hmm, yes.

TREASURER KOPP: But some of it has expended it.

MR. KNIGHTON: Yes.

TREASURER KOPP: And some of the expending is just spending a long time with what looks like a relatively clear question. I mean, what's done is done, we have to pay our bills. Thank you.

LIEUTENANT GOVERNOR BROWN: Any other questions or comments on this item or any other item on MDOT's Agenda? Yes, Mr. Comptroller?

COMPTROLLER FRANCHOT: Not on this item.

LIEUTENANT GOVERNOR BROWN: Oh, another item? Thank you, sir.

COMPTROLLER FRANCHOT: It really isn't an item other than Item 7 has something about a railroad right of way. So let me just ask on a different subject, I have no problem with Item 7, the Maryland & Delaware Railroad's Snow Hill Line, Mr. Acting Secretary?

MR. MOBLEY: Mm-hmm. Yes, sir?

COMPTROLLER FRANCHOT: If you could just focus on that for a minute. Apparently it runs between Frankford, Delaware and Snow Hill, Maryland and last August during the big storm it was rendered inoperable and for the last two months the line has remained out of service. And this Snow Hill Line, as you know, is used by the Lower Shore's poultry industry to transport grain, corn, and soy beans that are used in chicken feed and as such is vital to the day to day operations of the poultry industry. Without being able to access the line because of the storm damage, local companies have had to rely entirely on contract trucking firms to transport their feed. And obviously I support the trucking industry, too, but this results in higher costs for everybody.

And it's my understanding that repair costs would be exceedingly modest, apparently about \$120,000 is the estimate. And traditionally the State has

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stepped in instanced like this and help move the process along. And right now I'm just curious as to why we can't get this relatively modest repair done and fix the situation down there. If you don't have an answer, I would understand that. But it is a vital piece of that area's transportation infrastructure and I would appreciate any attention you could pay to it.

MR. MOBLEY: Yes, sir, Mr. Comptroller. We will. And in fact I was on the Eastern Shore yesterday. That is a line that is not owned by the Department of Transportation. It's owned by the Maryland & Delaware Railroad.

COMPTROLLER FRANCHOT: I understand.

MR. MOBLEY: I was on the Eastern Shore yesterday in Worcester County, and Somerset and Wicomico County for the Consolidated Transportation Program Tour. We have been in contact with Maryland & Delaware Railroad about the repairs that are required on that line. We are strongly encouraging them to repair the line as well.

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We also earlier this year submitted an application for a TIGER grant, which required support from Tyson Food and also the department was able to, was going to contribute funds for grant funding. But Tyson withdrew their support for that TIGER grant application.

But we are currently working with all parties involved. We have also been in contact with the State delegation as well, the Senators and the Delegates there as well in the Snow Hill area. And we have reached out to other departments within the administration to see if there are any opportunities for assistance through either the Department of Agriculture or the Department of Business and Economic Development since it's a privately owned line.

COMPTROLLER FRANCHOT: I'm aware it's a privately owned line, and I'm also aware of Tyson pulling out of the TIGER grant which was very disappointing to me. Because it's a very important

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project. But the State has very strong economic interests in fixing that rail line and getting the storm damage reversed. And I just don't want to have the baby thrown out with the bathwater if people are disappointed over the TIGER grant, and Tyson's behavior which I do not support or condone. That was not appropriate that they would abruptly pull out of that grant application. But the fact is somebody needs to get down there and fix that line because time is a-wasting. It's been two months. And since the cost is modest I would appreciate it if you could go down there with kind of a new mindset and say, "Okay, folks, let's get the job done."

MR. MOBLEY: Okay. I also have Caitlin Rayman who is my Assistant Secretary who is responsible for rail and multimobilism. And she's personally been also working on this issue. So she'd like to provide any additional comments.

MS. RAYMAN: Yes, I would. Thank you very much. Caitlin Hughes Rayman, Maryland Department of

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Transportation. We found out late yesterday that Maryland & Delaware did find additional funds to repair the line and has put it back into service. They were able to do it at a much significantly less cost than they had originally anticipated. So it is in service right now and under slow orders, but it is operating.

COMPTROLLER FRANCHOT: So all I have to do is think about it and it's fixed?

(Laughter.)

COMPTROLLER FRANCHOT: That's good news.  
Thank you.

MS. RAYMAN: Thank you very much.

LIEUTENANT GOVERNOR BROWN: Well, thanks for raising that issue. I think the, you know, the point that the Comptroller is making is, you know, when you get into questions of ownership and the mechanics of how you pay for things, they can always sort of, you know, prevent us from doing what just, you know, we

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really need to do. I mean, we've got this, you know, overwhelming obligation particularly in this tough economy to be supporting industries, major industries like our poultry industry. And I'm definitely not an advocate of, you know, shoot first and then ask questions later. But sometimes I get the feeling that we let small obstacles get in the way. And when you've got a big issue like this you definitely need to be knocking on the door upstairs on the second floor saying, "Hey, look, we've got to get this done here." We've got to demonstrate in more ways that the public sector is doing everything on the part of the private sector to make sure that the delivery of the wheels of progress, you know, the highways, byways, railways of commerce are flowing the way that they should to support industry in Maryland. So I'm glad you resolved it. And let's let it be kind of a lesson that, you know, there's no issue too small when it comes to supporting industry in Maryland. \$120,000 is, I mean, depending on how you measure it in this

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context, that is small change. In other contexts it's a lot of money, but in this one probably not so much. So it sounds like it's resolved. It's moving along.

I appreciate you raising that, Mr. Comptroller. Anything else on Maryland Department of Transportation Agenda? Hearing nothing, the Comptroller moves approval, seconded by the Treasurer. All those in favor say, "Aye."

THE BOARD: Aye.

LIEUTENANT GOVERNOR BROWN: No opposed?

(No response.)

LIEUTENANT GOVERNOR BROWN: And I move to adjourn the meeting.

TREASURER KOPP: Second.

COMPTROLLER FRANCHOT: Second.

LIEUTENANT GOVERNOR BROWN: Great. Thanks, everybody.

(Whereupon, at 10:41 a.m., the meeting was concluded.)

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