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BOARD OF PUBLIC WORKS
GOVERNOR'S RECEPTION ROOM
SECOND FLOOR, STATE HOUSE
ANNAPOLIS, MARYLAND

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P R E S E N T

GOVERNOR MARTIN O'MALLEY, Presiding;

HONORABLE NANCY KOPP, Treasurer;

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

AL COLLINS, Secretary, Department of General
Services;

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

JAMES SMITH, Secretary, Department of
Transportation;

EMILY WILSON, Acting Director, Land
Acquisition and Planning, Department of
Natural Resources;

ZENITA WICKHAM HURLEY, Special Secretary,
Governor's Office of Minority Affairs;

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

MISSY HODGES, Recording Secretary, Board
of Public Works.

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P R O C E E D I N G S

GOVERNOR O'MALLEY: All right, ladies and gentlemen.

This is September 4, 2013. You looked funny at me, Joe. You made me doubt myself. Right? It is. It is September 4, 2013 on a glorious day in the State of Maryland.

TREASURER KOPP: It is.

GOVERNOR O'MALLEY: It's beautiful outside.

TREASURER KOPP: It is.

GOVERNOR O'MALLEY: And this is a meeting of the Board of Public Works. This meeting will be very much unlike the last two meetings we had at the Board of Public Works in that we expect to conclude our business in prompt fashion. And to start the meeting off right I'd like to ask the Comptroller if he has any opening remarks?

(Laughter.)

GOVERNOR O'MALLEY: Hearing none, Madam Treasurer?

TREASURER KOPP: The Comptroller is, the Comptroller is out of town and sent his regards. Yeah, I must say I think it's the most beautiful day of the year so far.

GOVERNOR O'MALLEY: It's great.

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TREASURER KOPP: And a day when if I were in school I would say it's time to have class outside. So I think we should see whether we can do that as quickly as possible.

GOVERNOR O'MALLEY: Oh, I think we could. Maybe not this meeting. Maybe we'll set up for the next meeting, Al, can you do that?

MR. COLLINS: Yes, sir. You'd better believe it.

GOVERNOR O'MALLEY: Anything else, Madam Treasurer?
No?

TREASURER KOPP: No --

GOVERNOR O'MALLEY: Let's dive right in then.

TREASURER KOPP: No, I don't.

GOVERNOR O'MALLEY: The Secretary's Agenda?

SECRETARY MCDONALD: Good morning, Governor and Madam Treasurer. First I would like to introduce the new Recording Secretary to the Board of Public Works, as our last one retired after 39-plus years at the last meeting. And you may wonder why that six-hour meeting made her finally retire, but she did.

(Laughter.)

SECRETARY MCDONALD: And so we now have Missy Hodges, who has worked in, actually I've worked with her for 20 years

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and she has worked in our office for 15 years. So I do believe that she will be a very capable Recording Secretary. So anybody who has M. Boschert on your email, make sure to change that to M. Hodges and we are ready to go. Missy Hodges, right.

So anyway, we have ten items on the Secretary's Agenda this morning, one report of an emergency procurement. Item 10 has actually not appeared on the internet so far because I am calling it a hand-carried item. It's being called a hand-carried item because we wanted to keep it relatively under wraps. It is the recommendation to bestow the Warren K. Wright Excellence in Maryland Procurement Award, which we do every two years. And this year our office procurement advisor, I would like to recommend a certain person.

With her focus on a results oriented process she has demonstrated during her career as a State procurement office that fair and proper government purchasing is consistent with delivering services to Marylanders successfully. When the item is published on the internet, which will be this afternoon, everybody can read the whole entire item and read about Ms. T. Suzette Moore from the Maryland Aviation Administration.

(Applause.)

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SECRETARY MCDONALD: And now Ms. Moore knows why her boss is here today --

(Laughter.)

SECRETARY MCDONALD: -- why is he here? So I have now given her a copy of the hand-carried item and I'd like to introduce her boss, Paul Wiedefeld from the Airport.

MR. WIEDEFELD: Good morning. Thank you so much for this honor. Of all the things that go on at the Airport, one thing I never worry about is procurement because of Suzette. I've had the pleasure of working with her for almost 27 years and as a consultant perspective and as a peer. So thank you very much for everything you do for obviously the citizens, but for BWI and MAA.

MS. MOORE: Thank you so much.

(Applause.)

MS. MOORE: I'm speechless --

(Laughter.)

MS. MOORE: Most people know that's quite a feat right there. So I just want to say thank you for the recognition. I love what I do. I love being at the Airport. It's the passion and the pride that we have in our facility that makes my job

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interesting everyday. And I just want to thank you for the recognition.

MR. WIEDEFELD: The most important thing she said is she loves it at the Airport --

(Laughter.)

MR. WIEDEFELD: Thank you very much.

MS. MOORE: Thank you.

GOVERNOR O'MALLEY: Thank you. Congratulations.

SECRETARY MCDONALD: Suzette? Suzette?

GOVERNOR O'MALLEY: Come on up.

(Laughter.)

GOVERNOR O'MALLEY: Congratulations.

PHOTOGRAPHER: Right this way. Congratulations. One more.

GOVERNOR O'MALLEY: Thank you. Congratulations again.

(Applause.)

TREASURER KOPP: Could I just add that not only is Suzette a model for procurement officers, a real life example of how tough issues can be addressed successfully and in fact projects accomplished and put behind us instead of always being in front of us, but for women throughout the State government

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she has been for some time a role model of how to do your job, work with everybody, continue to rise, and be responsible for the successful implementation of State programs, and successful and productive investment of taxpayers' funds and State resources. And so I just want to personally thank you and congratulate you.

GOVERNOR O'MALLEY: Well here we go now into the Secretary's Agenda. Right? No? Anything?

TREASURER KOPP: No.

GOVERNOR O'MALLEY: The Treasurer moves approval, seconded by Yours Truly. All in favor signal by saying, "Aye."

THE BOARD: Aye.

GOVERNOR O'MALLEY: All opposed?

(No response.)

GOVERNOR O'MALLEY: The ayes have it. We move on now to the Department of Natural Resources Real Property Agenda.

MS. WILSON: Good morning, Governor, Madam Treasurer. Emily Wilson with Maryland Department of Natural Resources. We have ten items on our Agenda today. I'll be happy to try to answer any questions.

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GOVERNOR O'MALLEY: What's the best thing on your Agenda, Emily?

MS. WILSON: I'm kind of partial to an easement in Dorchester County known as Tull. Two hundred acres, we did get it at an eight percent discount in addition to 50 percent federal matching funding through Navy's Readiness and Environmental Protection Initiative Program.

GOVERNOR O'MALLEY: What item is that?

MS. WILSON: It is Item 9. Sorry about that. And we do have Liz Zucker here, who is our local land trust partner of the Nature Conservancy down in that area.

GOVERNOR O'MALLEY: Lynn? Who is it, Lynn Tucker?

MS. WILSON: Liz Zucker.

GOVERNOR O'MALLEY: Liz Zucker, Ms. Zucker, come on down. Congratulations.

MS. ZUCKER: Thank you.

GOVERNOR O'MALLEY: You have been nominated by Emily to be the best item on the Department of Natural Resources Agenda.

MS. ZUCKER: Thank you, Emily.

MS. WILSON: You're welcome.

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MS. ZUCKER: This is a surprise to me. But thank you for the opportunity to talk about the Tull easement, two hundred acres on the Nanticoke River. It is also on the Gales Creek and it connects a, it actually sits on the Delaware-Maryland border and connects a 50-mile corridor from Delaware Nanticoke Wildlife Area down to Blackwater Refuge of protected land. Permanently protected on the Nanticoke Dorchester County side. It has five rare species on it, forced interior dwelling habitat. And it's a great partnership between the landowners, the State, and Nature Conservancy, and the U.S. Navy.

TREASURER KOPP: Well that's a new one.

MS. ZUCKER: Yeah.

GOVERNOR O'MALLEY: And what is the U.S. Navy doing for us?

MS. ZUCKER: They are providing Readiness and Environmental Protection Initiative funds. Because the Nanticoke is their training, it has restricted air space along the Nanticoke corridor because they train, it's their, from Patuxent Naval Air Station it's the training area for their, all of the aircraft made for the Navy in the United States.

GOVERNOR O'MALLEY: Mm-hmm.

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MS. ZUCKER: So the Navy wants the land under their restricted air space to remain rural because of safety issues and noise issues. So they match, they saw what we were doing in the Nanticoke Rural Legacy Area, and have matched our funding there. The State and federal funding is 50/50.

TREASURER KOPP: So it's sort of like a flyover zone?

MS. ZUCKER: It's flyover, jets.

TREASURER KOPP: And, and --

MS. ZUCKER: Restricted air space --

TREASURER KOPP: -- do we have other areas that are similarly located?

MS. ZUCKER: For the air space? No but we have, the same money, the same funding is used to restrict development around the installations around Patuxent Naval Air Station and other Army, the Army installations in Aberdeen.

GOVERNOR O'MALLEY: Yeah, we've done similar things around Patuxent, right?

MS. ZUCKER: Right. Right. But this is for actually the air space --

TREASURER KOPP: Right.

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MS. ZUCKER: -- where they test the jets. So it's a great partnership. I would never have believed that we would have had a partnership with our military. We have mutual goals in land conservation. And they have been great to work with. And this is a terrific property to protect also because of its linkage with the Delaware state lands as well.

GOVERNOR O'MALLEY: So this comes down from Seaford?

MS. ZUCKER: It starts at Woodland Ferry. Do you know Woodland Ferry on the Nanticoke?

GOVERNOR O'MALLEY: No, not yet.

MS. ZUCKER: Yeah. Oh, it's great.

GOVERNOR O'MALLEY: But I will.

MS. ZUCKER: It's a great little ferry that crosses the Nanticoke in Delaware. And it starts, the corridor starts there and goes about, it goes all the way down to Blackwater, permanently protected lands.

GOVERNOR O'MALLEY: Mm-hmm.

MS. ZUCKER: Thanks to the State Rural Legacy Program, in particular.

GOVERNOR O'MALLEY: Mm-hmm.

TREASURER KOPP: We should take a trip --

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MS. ZUCKER: Oh, definitely.

TREASURER KOPP: -- all the way down it.

MS. ZUCKER: Mayor Brinsfield has been, I think you remember Mayor Brinsfield in Vienna?

TREASURER KOPP: Yes, sure, sure, sure.

MS. ZUCKER: He's been pivotal in making sure that the area around Vienna is maintained as Open Space for farmland. For it merges working lands, farmland, forestland, Navy restricted air space, a community Vienna, they drew a growth boundary around their town. They want to grow so far and then have rural lands around for a working landscape economy, agriculture and forestry. And ecotourism.

GOVERNOR O'MALLEY: So Woodland Ferry and where is the public access to this? All over the place?

MS. ZUCKER: For the corridor, or --

GOVERNOR O'MALLEY: Mm-hmm.

MS. ZUCKER: Well there is --

GOVERNOR O'MALLEY: Public access at Seaford, I guess.

Huh?

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MS. ZUCKER: Yes. Seaford and then the Nanticoke Wildlife Area, if you look right next to the Tull easement, is public.

GOVERNOR O'MALLEY: Mm-hmm.

MS. ZUCKER: Actually the Nanticoke has a fair amount of public, Vienna you can get, you can get out on the River.

GOVERNOR O'MALLEY: Mm-hmm. Got you.

MS. ZUCKER: Yeah.

GOVERNOR O'MALLEY: Okay, well this is a fun one.

MS. ZUCKER: It is. It's a great easement. Thank you.

GOVERNOR O'MALLEY: Well thanks for your good work.

MS. ZUCKER: Thank you so much.

GOVERNOR O'MALLEY: And if anybody watching at home wants to check out the green lands we have preserved, and the ones that still need to be preserved, you need only go onto www.greenprint.maryland.gov. Check it out in your own county, and figure out what you can do to advocate for better protection of the minimum amount of lands that Maryland needs to survive and thrive. So the Treasurer moves approval, seconded by Yours Truly. All in favor signal by saying, "Aye."

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THE BOARD: Aye.

GOVERNOR O'MALLEY: All opposed?

(No response.)

GOVERNOR O'MALLEY: The ayes have it. We move on now to the University System of Maryland. I'm sorry, Department of Budget and Management.

MS. FOSTER: I thought you were going to skip over me.

GOVERNOR O'MALLEY: For the second time, right?

(Laughter.)

MS. FOSTER: Governor, Madam Treasurer, good morning. There are five items on the Department of Budget and Management's Agenda for today. I'll be happy to answer any questions that you may have.

TREASURER KOPP: I just want to put a market, sort of, in the ground. There are a couple of items here that concern me regarding the future of State employment and how we are going to manage our State programs in the face of one, the coming tsunami of retirement which we have discussed before. And two, the level, the competitiveness of State salaries and compensation. And one of them was 4-S that brought this up, because we are procuring external psychiatric staffing,

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essentially, of a State hospital because we can't retain, attract and retain in the State system the right folk. But I think it's not limited just to this, as you all know. And I don't, I'm not proposing anything. But I would think, Governor, that whether it's a subcabinet group or some other group of people who understand the problems and have had experience enough to know what alternatives are available, to actually start looking at what is in the State's interest to do assuming that the present external constraints, the amount of resources and the aging of the workforce, continue. There may well be some programs, this may be one of them, where you can do just as well for the citizens through procurement of outside staffing. But there may be some where that is simply not appropriate. And I think there ought to be some sort of a comprehensive look. I would just like to put that bee in the bonnet of the people who are going to be dealing with the problem.

GOVERNOR O'MALLEY: So how do we go about doing that? How do we take a look at this? Just a personnel request we make?

MS. FOSTER: Yeah. I mean, certainly we can have our personnel staff begin to look and see what --

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GOVERNOR O'MALLEY: Josh, anything you want to chime in on this? Or, I'm sorry, I didn't mean to cut you off, Madam Secretary.

MS. FOSTER: No, just what areas are requiring more consulting services and go from there.

TREASURER KOPP: Yeah.

GOVERNOR O'MALLEY: Right. Cybersecurity is another area where we can't --

TREASURER KOPP: Right.

GOVERNOR O'MALLEY: -- where we oftentimes have, I mean, it seems we get somebody on board and they are --

TREASURER KOPP: Well, and auditing, and I mean there are just a lot of very competitive areas.

DR. SHARFSTEIN: I would say that certainly with psychiatrists we have had the challenge, not just at Springfield but also on the Eastern Shore. And I mean, I would say that that's a situation where ideally we would have staff because we want people who are committed to the institution over the long haul. But if we don't have any staff as we need then we have to --

TREASURER KOPP: Right.

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DR. SHARFSTEIN: -- find them somewhere else. There are other types of positions which meet the contracting model we use may work better. So I'm, I would be happy to participate.

TREASURER KOPP: Well and the other thing is if you think that that's what we're going to have to do with a particular service, such as the psychiatric staff, but there are drawbacks, are there ways to compensate for those drawbacks? I mean, and I would, it seems to me that it would involve looking at what other people are doing and just thinking about --

MS. FOSTER: One of the things that we already do through the budget process is as agencies identify positions that are hard to recruit for and hard to retain, we have what we have annual salary reviews.

TREASURER KOPP: Right. Right.

MS. FOSTER: So we certainly try in the ingoing budgets to accommodate those specific positions and provide for increases. You know, the problem is exacerbated because of the last seven years --

TREASURER KOPP: Absolutely.

MS. FOSTER: -- we have really not been able to give State employees the raises that others have gotten. In the

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early years a lot of our talented staff was taken away by the counties, who were continuing to provide raises.

TREASURER KOPP: And the University --

MS. FOSTER: Yeah, and the University. We're still uncompetitive with the feds. So it's been an uphill battle.

TREASURER KOPP: Yeah. But my request deals more with looking, I mean, I understand --

MS. FOSTER: I know. I understand what you are saying.

TREASURER KOPP: -- broader --

MS. FOSTER: -- State government in its entirety.

TREASURER KOPP: Yeah.

MS. FOSTER: And in light of the fact that we have so many baby boomers retiring.

TREASURER KOPP: Absolutely.

MS. FOSTER: I have it.

TREASURER KOPP: Thanks.

MS. FOSTER: You're welcome.

TREASURER KOPP: Move favorable on DBM Agenda.

GOVERNOR O'MALLEY: Okay. The Treasurer moves approval. All in favor signal by saying, "Aye."

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THE BOARD: Aye.

GOVERNOR O'MALLEY: All opposed?

(No response.)

GOVERNOR O'MALLEY: The ayes have it. And that passes the Department of Budget and Management Agenda items. University System of Maryland?

MR. EVANS: Good morning. Joe Evans representing the University System of Maryland. We have seven items on the Agenda today. I'm here to answer any questions.

TREASURER KOPP: I just want to take another moment to mention Item 5-C.

MR. EVANS: Which one is that?

TREASURER KOPP: It's the outstanding item, the Fischell Center, Fischell Institute, at College Park, the bioengineering building. Just to say that this building, which is going to house an institute focused on the use of engineering and biology together, as, Mr. Fischell has, to focus on human health and to bring all these different faculties together, different resources together. It's going to be a model for the nation. And I guess I want you to know I can't wait to see it built. It really is a very, very exciting building. And it

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will, I think, provide a spur also to the, to bringing in venture capital and starting, as Mr. Fischell has, starting up new businesses and perhaps even new industries in Maryland. It's a deceptive little item but it's very significant.

GOVERNOR O'MALLEY: No, it's great.

TREASURER KOPP: Yeah.

GOVERNOR O'MALLEY: And Dr. Fischell is a brilliant guy, a great innovator, done so much in the medical device area.

TREASURER KOPP: Yeah.

GOVERNOR O'MALLEY: And we're so glad he's proud to call Maryland home.

TREASURER KOPP: The whole Fischell family, actually, yeah.

MR. EVANS: Thank you.

GOVERNOR O'MALLEY: All righty.

TREASURER KOPP: Thank you for providing the opportunity.

GOVERNOR O'MALLEY: The Treasurer moves approval, seconded by the Governor. All in favor signal by saying, "Aye."

THE BOARD: Aye.

GOVERNOR O'MALLEY: All opposed?

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(No response.)

GOVERNOR O'MALLEY: The ayes have it. We move to the Department of Information Technology.

SECRETARY MCDONALD: Good morning, Governor. The Secretary, Information Technology has one item on its Agenda this morning and they are withdrawing the one item. So there is no DoIT Agenda this morning.

GOVERNOR O'MALLEY: Nothing --

SECRETARY MCDONALD: The item will return when the Comptroller returns at the next meeting.

GOVERNOR O'MALLEY: Okay --

TREASURER KOPP: It was an item in the Comptroller's Office.

SECRETARY MCDONALD: It was the Comptroller's item and he likes to be here for his items.

GOVERNOR O'MALLEY: Okay. Department of Transportation?

MR. SMITH: Good morning, Madam Treasurer, Governor. For the record, Jim Smith, Transportation Secretary, representing MDOT. MDOT is presenting 13 items as Item 5 is being withdrawn. I'll be happy to answer any questions.

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TREASURER KOPP: Great Agenda.

GOVERNOR O'MALLEY: All right. The Treasurer moves approval, seconded by the Governor. All in favor signal by saying, "Aye."

THE BOARD: Aye.

GOVERNOR O'MALLEY: All opposed?

(No response.)

GOVERNOR O'MALLEY: The ayes have it. Department of General Services?

MR. COLLINS: Good morning, Governor, Madam Treasurer. Al Collins, Secretary of the Department of General Services. We have seven items on our Agenda today and we will be glad to answer any questions on any of these items.

TREASURER KOPP: Did you know, Mr. Secretary, that the Treasury Building again had at least one bat in its belfry?

(Laughter.)

MR. COLLINS: No I did not, Madam Treasurer. But I will be right over there to take care of that.

(Laughter.)

TREASURER KOPP: Move favorable.

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GOVERNOR O'MALLEY: Seconded by the Governor, by the Chair. All in favor signal by saying, "Aye."

THE BOARD: Aye.

GOVERNOR O'MALLEY: All opposed?

(No response.)

GOVERNOR O'MALLEY: The ayes have it. And that concludes the Agenda for the Board of Public Works. Thank you.

(Whereupon, at 10:36 p.m., the meeting was concluded.)

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