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

December 4, 2019
10:05 a.m.

PRESENT

HONORABLE BOYD RUTHERFORD

Lieutenant Governor

HONORABLE NANCY KOPP

Treasurer

HONORABLE PETER FRANCHOT

Comptroller

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CONTENTS

Subject	Agenda	Witness	Page
Grant to Board of Directors of Arena Players, Inc.	DGS 1-CGL, p. 68	Nelson Reichart	14
Grant to the Mayor and City Council of the City of Gaithersburg for Police Station	DGS 3-CGL, p. 79	Nelson Reichart Jud Ashman	15
Grant to Board of Directors of Citywide Youth Development, Inc.	DGS 4-CGL, p. 71	Nelson Reichart Rasheed Aziz	18
Grant to the Board of Directors of Indian Head Center for the Arts, Inc. and the Mayor and Town Council of the Town of Indian Head	DGS 6-CGL, p. 73	Nelson Reichart	20
Modification of Grant Agreement with Board of Directors of Helping Up Mission, Inc.	DGS 11-CGL-MOD, p. 79	Nelson Reichart	21
Grant to Board of Directors of The Baltimore Children's Museum, Inc.	DGS 8-CGL, p. 76	Nelson Reichart Jennifer Bedon	21
Dietetic Department Services at Thomas B. Finan Center	DGS 17-S, p. 92	Nelson Reichart Dana Dembrow	23
Media/Marketing and Consulting Services for MDOT MVA	DGS 18-S, p. 94	Nelson Reichart Christine Nizer Sean Powell Greg Slater	31
Janitorial Service at Westminster District Court/Multi-Service Center	DGS 30-M, p. 124	Nelson Reichart	35
Modification of Comptroller's Existing Lease	DGS 40-LT-MOD, p. 137	Nelson Reichart Wendy Napier	35

Various Purchase Orders Under Master Contract	DGS 44-IT, p. 144	Nelson Reichart Linda Lamone	37
Quality Improvement Organization Services for Developmental Disabilities Administration	DGS 16-S, p. 89	Nelson Reichart Dana Dembrow Bernie Simons	40
Revenue Generating Unclaimed Property Audit Services	DGS 14-S, p. 83	Nelson Reichart Sheila McDonald	43
Waterproofing, Siding and Roof Replacement at the MAC Lab	DGS 12-C, p. 80	Nelson Reichart Lauren Buckler	46
Diaper Changing Facilities Standards	SEC 8, p. 11	Sheila McDonald Lauren Buckler Nelson Reichart	53
Emergency Contract for Oracle Software Services and Support	SEC A2, p. 23	Sheila McDonald Mark Newgent Lance Schine	56
Task Orders Under AW-139 Helicopter Maintenance/Repair Services Master Contract	SEC 2, p. 2	Sheila McDonald Dick Johnson	61
Program Open Space Local Share Projects in Garrett County	DNR 4A, p. 30	Jeannie Haddaway- Riccio	68
Program Open Space Local Share Projects in Baltimore City	DNR 9A, p. 39	Jeannie Haddaway- Riccio	69
Rural Legacy Program Grant to Acquire Conservation Easement in Talbot County	DNR 13A, p. 46	Jeannie Haddaway- Riccio	69
Rural Legacy Program Grant to Acquire Conservation Easement in Harford County	DNR 14A, p. 47	Jeannie Haddaway- Riccio	69
Plumbing Repair Services at BWI Marshall and Martin State Airports	DOT 1-M, p. 51	Sean Powell	73

Design & Reconstruction of Polk Street Maintenance Facility	DOT 3-C-MOD, p. 74	Sean Powell Joe Sedtal	74
Maintenance and Preservation of Landscape Assets in Anne Arundel County	DOT 4-M, p. 75	Sean Powell Mike Zimmerman	75

PROCEEDINGS

LIEUTENANT GOVERNOR RUTHERFORD: Good morning.

ALL: Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: I just will start off.

I know it might be a little bit of a surprise to see me here versus the Governor. But I got a call from the bullpen and came in to pinch hit this morning. They needed a weak-armed righthander. And so, I am here.

I do want to, I hope -- I want to say that I hope everyone had a wonderful Thanksgiving. Mine was good. We had a houseful of folks. They are all gone now, so it's particularly quiet and I sleep a little better. But I did want to just wish everyone that. And also, wish a belated Happy Birthday to the Comptroller. I believe you had a birthday.

COMPTROLLER FRANCHOT: Thank you. Yeah.

LIEUTENANT GOVERNOR RUTHERFORD: So shhh.

(Laughter.)

COMPTROLLER FRANCHOT: Thank you very much.

LIEUTENANT GOVERNOR RUTHERFORD: He said no gifts, no gifts.

COMPTROLLER FRANCHOT: No.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. And the Treasurer has a birthday next week.

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COMPTROLLER FRANCHOT: Oh, boy.

TREASURER KOPP: Yes, I do. Actually, closer than that.

LIEUTENANT GOVERNOR RUTHERFORD: Oh, okay. Yeah.

TREASURER KOPP: It's all right.

LIEUTENANT GOVERNOR RUTHERFORD: Closer -- what's?

Yeah, today is, today is the fourth. Yeah. Yeah. So, the weekend, you're going to have a wonderful birthday. So good. Madam Treasurer, since your birthday is coming?

TREASURER KOPP: Actually, yes, well my birthday, and some might remember, is December 7th.

LIEUTENANT GOVERNOR RUTHERFORD: Yes, it's a day that will live in infamy.

TREASURER KOPP: A day that will live in infamy, yes.

LIEUTENANT GOVERNOR RUTHERFORD: Right.

TREASURER KOPP: But I just want to say it's good to be here. We live in very interesting times, so I want to thank the Secretary of Natural Resources, who with the University of Maryland yesterday sponsored a meeting on climate change with the Ambassadors from --

LIEUTENANT GOVERNOR RUTHERFORD: The E.U.? Okay.

TREASURER KOPP: -- France, yeah, France, Spain, Portugal, Sweden, who recognize that they can reach out to Maryland --

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

TREASURER KOPP: -- even if some of the folks in Washington are not quite as up on things as they should be. But Maryland is the place to come. And it was a good meeting. And I thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, we, the Governor hosted all of the E.U. Ambassadors yesterday morning at Government House. It was fascinating to have all of them in the same place. A lot of coordination that took place, particularly the Administrator from the E.U. and what she had to go through to get everyone at one time. But that was very good. And there were a number of people that we had met previously: the Estonian Ambassador, who I met in Estonia when he was the Defense Secretary; the Ambassador to Greece, who was at the Greek Day in Baltimore with him; and the Lithuanian Ambassador was another one. And I gave praise to the Ambassador from Belgium, because his national team is ranked by FIFA as the number one football, real football --

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: -- team in the world.

TREASURER KOPP: You mean soccer.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, for those less informed, they call it soccer.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: I always tell the Governor that he just does not really understand the intricacies of the beautiful game and it takes a certain level of intelligence to really get to that --

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: -- so. Not to put him down, but that's just what we have.

TREASURER KOPP: Well it is interesting that apparently there's a push on the part of the E.U., E.U. leaders, to reach out beyond Washington --

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

TREASURER KOPP: -- to the states.

LIEUTENANT GOVERNOR RUTHERFORD: Yes, it is. And a number of the countries, and not just the E.U., the other countries, they realize that, you know, the real action happens in the states.

TREASURER KOPP: We're still here.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, we're still here. It is a collection of states. We are the United States, so. Comptroller?

COMPTROLLER FRANCHOT: Thank you, Lieutenant Governor, and thank you for the birthday wish. And I also want to thank Mr. Bereano for calling me at 6:30 in the morning --

(Laughter.)

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COMPTROLLER FRANCHOT: -- to wish me a Happy Birthday.

Much appreciated.

So yes, I hope everyone had a good Thanksgiving holiday. Yesterday, I had the good fortune to preside over the first meeting of the Task Force on Electronic Devices, or E-Facts as we're calling it. This is the vaping task force. We met on the campus of the University of Maryland College Park. I formed this task force, which is comprised of public health experts, industry representatives, elected officials, and other key stakeholder groups in response to the alarming news about the reports of deaths and illnesses resulting from vaping nationwide. Of particular concern to me is the meteoric rise of vaping among young people, especially since we know very little about the short-term and long-term impacts of vaping.

We had a very productive meeting yesterday. I'm grateful to the nearly 40 members of the task force for committing their time and effort into helping us figure out what Maryland can and should do when it comes to regulating this rapidly growing industry. As the State's chief tobacco regulator, I'm committed to protecting public health and consumers, keeping any and all of these products out of the hands of kids. Over the next several months, the E-Facts Task Force will seek to understand the explosive growth of this industry, the knowns and unknowns with respect to public health and consumer safety, and

look at what other states have done to regulate the production, distribution, consumption and sale of electronic smoking devices.

I will say that obviously vaping is very popular, but to the extent that it's very popular among high school students and increasingly among middle school students, because these young people, according to the testimony yesterday, their brains are permanently changed by exposure to nicotine. Permanently. Forever, in their lives. And so yes, there may be some benefit to a strictly regulated vaping product being available to adults able to make choices. But the testimony yesterday was really bracing, that we are dropping the ball as far as the entire generation of young people that we're allowing to buy this stuff willy-nilly from our 6,000 or 7,000 retail establishments in Maryland, and over the internet. My staff person bought one of the most concentrated forms of nicotine and he specifically asked that it be sent to his dog, five-year-old dog, in his house. That's how he said the address. Whatever the dog's name was, it was Edward the Dog, at his residence. And there was no requirement of any kind of proof of ID or age or anything.

So, it's the Wild West. I would urge all of you out there to understand that vaping, which has gotten kind of a positive spin because people say combustible cigarettes are so much more dangerous, which they are, and this is a path off of combustible cigarettes. No. This, these nicotine delivery products are unbelievably risky, and we need, I think as a State, to follow what the Feds

and the other states possibly are doing. And I don't mean to go on about that. But a lot of us know young people who vape. Time out, guys. You don't want to reconfigure the synapses in your brain.

So, on that happy note, God bless everybody. I didn't mean to go on. But you know how this whole situation is. I would like to finish up by wishing my own birthday wishes to Treasurer Kopp. I wish I had a birthday on Pearl Harbor Day, because that would be very kinetic and exciting for me. But Madam Treasurer --

TREASURER KOPP: Thank you, Comptroller.

COMPTROLLER FRANCHOT: -- all my personal best wishes and many happy returns.

LIEUTENANT GOVERNOR RUTHERFORD: Very good. Very good.

TREASURER KOPP: And I'm sure you have one sometime, too, but not this week.

LIEUTENANT GOVERNOR RUTHERFORD: Not this week. Mine is in the spring, and it's also a memorable day. And Bruce usually calls me on my birthday as well. Normally not --

TREASURER KOPP: Six o'clock?

LIEUTENANT GOVERNOR RUTHERFORD: -- normally not that early. But there's usually a message there.

I'd like to change the order a little bit.

SECRETARY MCDONALD: Sure.

LIEUTENANT GOVERNOR RUTHERFORD: And start with General Services.

SECRETARY MCDONALD: All right.

LIEUTENANT GOVERNOR RUTHERFORD: Because we have the good Mayor here.

SECRETARY MCDONALD: Okay. It may require some --

LIEUTENANT GOVERNOR RUTHERFORD: I'm sorry? What's that?

SECRETARY MCDONALD: -- changing with the room.

TREASURER KOPP: Well we can do that. We can do just the Gaithersburg one.

LIEUTENANT GOVERNOR RUTHERFORD: Well, maybe we'll just --

SECRETARY MCDONALD: Okay.

LIEUTENANT GOVERNOR RUTHERFORD: -- we'll do, because it, if we just do one item out of there first --

SECRETARY MCDONALD: Okay.

LIEUTENANT GOVERNOR RUTHERFORD: -- since we have the neighborhood from Gaithersburg.

SECRETARY MCDONALD: Do you want Nelson to introduce his Agenda?

COMPTROLLER FRANCHOT: Oh, good.

SECRETARY MCDONALD: Go ahead and introduce your Agenda.

MR. REICHART: Good morning, members of the Board, Lieutenant Governor, Madam Treasurer, Mr. Comptroller. For the record, I'm Nelson Reichart, the Deputy Secretary of General Services. The department is presenting 44 items today, including two supplementals, and one hand-carried item. Item 32 has been withdrawn and I have representatives here to answer any questions that you have at this time.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Before I get to 3-CGL, I just want to point out with 1-CGL -- yeah, I'm going to go through all 40-plus items one by one.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: 1-CGL is a non-matching grant going to the Board of Directors of Arena Players. Arena Players is a historically African American theatre company in West Baltimore that is in dire need of repair and so this is a well needed grant that started as a capital item in the Governor's budget that is going to go to this worthwhile artistic operation. And so, I just wanted to mention that.

If I go to 3-CGL, we have Mayor Ashman here. Can you come up? I see you have with you Chief Mark Sroka. I know Chief Sroka. Good to see you, Trooper. He was a Captain in the State Police when I was at General Services and we made a change in our police operation at General Services and Captain Sroka came in to straighten out the police operation. He did a wonderful job. So, you have a great man and a true law enforcement professional that's there running your Police Department.

MR. ASHMAN: I absolutely agree with that.

LIEUTENANT GOVERNOR RUTHERFORD: Good to see you.

CHIEF SROKA: Good to see you.

MR. ASHMAN: I'd also like to recognize, we have City Council Member Ryan Spiegel --

LIEUTENANT GOVERNOR RUTHERFORD: Yes, Ryan. Good to see you.

MR. ASHMAN: -- who also happens to be President of Maryland Municipal League this year.

LIEUTENANT GOVERNOR RUTHERFORD: Yes, good to see you.

MR. ASHMAN: And our Intergovernmental Affairs, Michele Potter. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Hi.

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COMPTROLLER FRANCHOT: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you. Do you want to tell us a little bit about this new police station?

MR. ASHMAN: Sure. Not only is it going to be a new police station, it's also going to be, there will be other municipal uses for the building. But the, in terms of the police station project itself, currently our Police Department has its headquarters in a couple of townhouses that are connected.

LIEUTENANT GOVERNOR RUTHERFORD: Well, it's Gaithersburg, I mean --

MR. ASHMAN: It's -- yeah.

(Laughter.)

MR. ASHMAN: Gaithersburg now is the third largest city in Maryland.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah.

MR. ASHMAN: We've outgrown it quite a bit. And this new facility will have holding. It will have interrogation rooms. It will have sally port for the transport and exchange of suspects, for lack of a better word. And it will be usable not only by our Police, but by County Police, Rockville Police, Maryland State Police, whoever, you know, we will work in partnership with other forces. So, we are greatly appreciative of the support from the State on this project and you know, on behalf of the City, we just say thank you.

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LIEUTENANT GOVERNOR RUTHERFORD: Well, thank you.

TREASURER KOPP: Could I say, Governor, we received several calls from Senator Kagan on this project, which she supports extremely strongly, and she would have been here, but she had a conflict. But just wanted you to know that --

LIEUTENANT GOVERNOR RUTHERFORD: Oh, okay. Well it would have been good to see her.

MR. ASHMAN: Yes, we heard from Senator Kagan, too. And we greatly appreciate --

TREASURER KOPP: We all hear from Senator Kagan.

MR. ASHMAN: We do.

LIEUTENANT GOVERNOR RUTHERFORD: Positive things from Senator Kagan.

MR. ASHMAN: There are a lot of people to thank, including Senator Kagan, and many others in the Assembly. But particularly it started with the Governor and, you know, I personally want to say thank you.

LIEUTENANT GOVERNOR RUTHERFORD: I will let him know and thank you. Okay. Good to see you. I'm going to, another one I'm just going to point out, and it's 4-CGL. Like I said, I'm going through, I skipped 2 but now it's -- but the Citywide Youth Development-EMAGE Center in West Baltimore. It's on North Avenue, and it's a program that was developed by a

gentleman, Rasheed Aziz. And he started with training young people on entrepreneurial skills. And those of you who have been in Baltimore any period of time, you may have seen the young people selling sorbet at some of the festivals over at State Center, as well as at 6 St. Paul. But they also have been trained in the garment industry and they have done some subcontract work for Under Armour down at City Garage. And they are moving both of those operations to a new center, the EMAGE Center, which is in West Baltimore. There's Rasheed. Rasheed, can you come to the podium and tell us a little bit about this project? I'm glad that you're here. I was just talking about it. Introduce yourself.

MR. AZIZ: Good morning. Lieutenant Governor, good morning. Peter Franchot, you've got me on the hot spot.

LIEUTENANT GOVERNOR RUTHERFORD: I know. You just walk in and I just --

MR. AZIZ: All right. So, thank you, guys. Citywide Youth Development --

LIEUTENANT GOVERNOR RUTHERFORD: You need to introduce yourself for the record.

MR. AZIZ: My name is Rasheed Aziz. I'm the Executive Director of Citywide Youth Development. We're a nonprofit organization that focuses on creating solutions for crime and poverty through utilizing tools of manufacturing

and entrepreneurial skills. We're a non-traditional nonprofit. We choose to locate in the inner city, in urban communities, and develop a GDP for inner city urban communities. We want to, the EMAGE Center, Lieutenant Governor and the Assembly, have granted us, and we appreciate the opportunity, to develop a multimillion-dollar economic development center, the first of its kind in the City of Baltimore. It will be a home to a 10,000-square foot center, that has workforce development, enterprise development, a retail incubator, and a youth run café.

Our goal by year two was to create 100 jobs. But more importantly, our goal is to create industry, and the manufacturing industry right in the heart of West Baltimore on North Avenue. This is an ambitious plan, but this is something we already have enacted. Our partners include Under Armour. Our goal is to be a subcontractor manufacturing Under Armour merchandise right in the heart of West Baltimore. Our goal also is to manufacture school uniforms right in the heart of West Baltimore. So, we have been blessed with the ability to educate and teach young adults apparel manufacturing skills and revitalize the apparel manufacturing industry in Baltimore City. And we really appreciate the opportunity. I'm ultra-excited.

And when people think of Baltimore City, we call the center EMAGE. And the acronym is spelled E-M-A-G-E. That acronym represents Entrepreneurs Making and Growing Enterprises. Entrepreneurs Making and Growing Enterprises. We want to change the image. So, when people look at

Baltimore City, when they look in the urban community, we want them to look at communities that are productive and we want you to think of products that are manufactured right in the heart of West Baltimore. So that's why it's called the EMAGE Center. Thank you so much.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

TREASURER KOPP: Very exciting.

LIEUTENANT GOVERNOR RUTHERFORD: Very good. Very good.

(Applause.)

LIEUTENANT GOVERNOR RUTHERFORD: Yes, I had an opportunity to visit there two years ago when it was still just a concept and visit with what he was doing over at City Garage, but also at the facility. And then just a couple of weeks ago I was back there where there is construction that is taking place right now that it should be open in the spring. So great they are moving forward. I'm skipping five.

6-CGL, I don't know if Mayor Paulin is here? Did he, is he here from Indian Head? Okay. Then I'll skip that. But it's for the Arts Black Box Theatre. I had an opportunity to go to the Black Box Theatre in Indian Head. There's a lot of good things happening there. And so, I'm very pleased by that.

11-CGL, Helping Up Mission. You know, I'm very pleased that we're able to provide, or actually it's transferring some money that was

previously there, that was previously appropriated to Helping Up. They are building a facility for women who are suffering from substance use disorder and/or are homeless. They have a facility now for men, but they are building a facility right there down the street from their current location in East Baltimore on the Eastside, and I'm very pleased with what they are doing there.

TREASURER KOPP: You missed the Children's Museum.

LIEUTENANT GOVERNOR RUTHERFORD: Oh yes, the Children's Museum in Baltimore --

TREASURER KOPP: Port Discovery.

LIEUTENANT GOVERNOR RUTHERFORD: -- at Port Discovery. See, she's bringing me back, 8-CGL. Ah, okay. Please, come on up.

TREASURER KOPP: I didn't realize --

LIEUTENANT GOVERNOR RUTHERFORD: There you go. That's because we skipped around.

TREASURER KOPP: Sorry.

MS. BEDON: I'm Jennifer Bedon with Port Discovery Children's Museum in Baltimore.

LIEUTENANT GOVERNOR RUTHERFORD: Good to see you.

MS. BEDON: Thanks for having me.

LIEUTENANT GOVERNOR RUTHERFORD: I haven't been down there in years.

MS. BEDON: Well, you should see it because we just renovated recently, and it is very beautiful. And --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, but it would be a little creepy for me just to grab some little kid to go down there.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: We don't have any little kids anymore, so, and no grandkids.

MS. BEDON: I'd be glad to show you around.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MS. BEDON: Yes. So, we will use this round of funding for our beautiful historic home, which is Baltimore's Fish Market Building. So, we are located in the 1906 Fish Market, which was the last standing center market in Baltimore City. And it's 80,000 square feet, and it's beautiful. But we like to say its charm is also its challenge, right? And so, we will use the money to fix the bricks and the mortar, which are falling apart, and breaking, and our windows are leaking. And part of our building needs a new HVAC system, which is important for learning but a challenge. So, the Children's Museum provides hands-on learning for children throughout the State of Maryland. We are a top visited attraction arts and cultural organization in the Baltimore Metro Area. And we're grateful for the support of the State.

LIEUTENANT GOVERNOR RUTHERFORD: Very good. So, a million-dollar non-matching grant, and I'm very pleased to have this before us.

MS. BEDON: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: So, thank you.

MS. BEDON: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: I have a question, and this has to do with moving onto 17-S. It's the Health Department, the Finan Center. Do we have someone --

MR. REICHART: Yes, John Cullen is here to answer questions. John Cullen?

LIEUTENANT GOVERNOR RUTHERFORD: He may be in the hallway. Oh, Dana?

MR. REICHART: Dana?

LIEUTENANT GOVERNOR RUTHERFORD: Well, really the question has to do with the capacity of the facility. It's a facility for those who are trying to get recovery for substance use disorder. Dana almost ran over the trooper in the back.

(Laughter.)

MR. DEMBROW: I did run over the trooper.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: I think he stopped you pretty quickly, but --

MR. DEMBROW: Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: Good morning.

MR. DEMBROW: May it please the Board, my name is Dana Dembrow, Director of Procurement for the Maryland Department of Health. Mr. Comptroller, Happy Birthday. And Madam Treasurer, Happy Birthday to you as well, for this coming Saturday. We're here with an inquiry about the Finan Center dietary services.

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

MR. DEMBROW: I'm happy to respond to questions.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, it's not really on the procurement itself, but just the capacity of the facility. I know it's there, it's a treatment facility for those who are suffering from substance use disorder. Is it at full capacity at this time?

MR. DEMBROW: It is, indeed. I spoke to the CEO this morning. They have 88 beds. They are all full.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. DEMBROW: However, there is, as you probably know, there are a couple of adjacent buildings which are unused. One of them is ready for

use. It has 22 beds, and I think they are working something out with the local Health Department --

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. DEMBROW: -- for immediate or short-term use of that facility.

LIEUTENANT GOVERNOR RUTHERFORD: The county, the county was in those buildings? Or --

MR. DEMBROW: I think --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah.

MR. DEMBROW: -- that's the situation. But the Finan Center itself is 88, filled to capacity. They do have this opportunity that they are discussing.

LIEUTENANT GOVERNOR RUTHERFORD: This is in Allegany County.

MR. DEMBROW: Yes, sir.

LIEUTENANT GOVERNOR RUTHERFORD: But it, the facility is open to statewide. It's not, but this would give us additional capacity for those who are in need of treatment and could go into that facility. I've been there a couple of times. One of the challenges that we have is when people leave the inpatient treatment, is making sure that there's a warm hand-off afterwards for

outpatient and continued work and recovery. Because it's an ongoing process that individuals have to go through.

MR. DEMBROW: That's insightful, Mr. Lieutenant Governor. It is a challenge to have somebody rehabilitated out in the woods, in Cumberland --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah.

MR. DEMBROW: -- and then they return to their home environment --

LIEUTENANT GOVERNOR RUTHERFORD: Right.

MR. DEMBROW: -- and you can have different forms of behavior that become renewed --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah.

MR. DEMBROW: -- as compared to what happened at the Finan Center.

LIEUTENANT GOVERNOR RUTHERFORD: Right. I was just speaking to someone this morning who talked about a family member who just said, hey, I really can't come home. You know, because they are going back to the stimuli and the environment that they were challenged with. Okay. I just wanted to ask about that. We'll look into what's going on with the other facilities to see if we can expand capacity, because we know that that is a need in the State.

MR. DEMBROW: And you know that we are doing a facilities survey statewide right now. You approved --

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

MR. DEMBROW: -- Kraft & Associates doing a survey of the condition of all the facilities. So, we're well into that and Finan is very much a part of it.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. And then the Whitsitt Center, as well, I guess, too. The Whitsitt Center, which is on the Shore?

MR. DEMBROW: Yes, sir.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. DEMBROW: All of the Maryland Department of Health facilities are included in this master plan facilities survey, including a description of the challenges in rehabbing some of the buildings that we own which are vacant.

TREASURER KOPP: What's the timing of the survey?

MR. DEMBROW: It was within the last year that you approved a contract of about a million dollars for Kraft & Associates to do the survey. So, I think it's supposed to be completed probably within the next two or three months.

TREASURER KOPP: They are looking at the quality of the building? I mean, the soundness, the maintenance.

MR. DEMBROW: Yes. We have some magnificent buildings owned by the State through the Department of Health.

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TREASURER KOPP: Right. Right.

MR. DEMBROW: And some of them are designated historic structures. But they are full of asbestos, and there are some serious challenges about rehabbing them. So, it's a shame to see them wasting away. But in the era 100 years ago, when the theory was to put everybody in concentrated facilities, we had these --

LIEUTENANT GOVERNOR RUTHERFORD: Warehousing, right.

MR. DEMBROW: -- massive buildings and we don't do that anymore.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah.

TREASURER KOPP: Right.

MR. DEMBROW: So, we have extra buildings.

LIEUTENANT GOVERNOR RUTHERFORD: Do you have --

TREASURER KOPP: Is there any, is there any environmental or climate change or criteria you can, you can bring in when you look at the buildings?

MR. DEMBROW: There will be now. I'll take that back to --

TREASURER KOPP: I mean --

MR. DEMBROW: -- Secretary Neall and ask that --

TREASURER KOPP: -- energy efficiency --

MR. DEMBROW: -- it be included. And we're constantly working with DGS for energy efficiency in our buildings.

TREASURER KOPP: Yeah.

MR. DEMBROW: And you see those routinely approved by the Board of Public Works.

TREASURER KOPP: But to be able to have a survey like that, it's just one department, but it's a big department.

MR. DEMBROW: I'll have them make sure that they focus on climate change implications.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, the challenges that are with the existing buildings --

MR. DEMBROW: Right.

LIEUTENANT GOVERNOR RUTHERFORD: -- and many of their buildings are old. And like you said, the ones that you've already mothballed are just, you know, sitting there wasting away. And --

TREASURER KOPP: Let me tell you, when I was first elected on Appropriations, we went on site visits. You know that. And we went to some places where people were essentially kept in cages or beds that were this far apart, tied down to the beds, this far apart. It was a while ago to everybody in this room, but it wasn't that long ago. And that's what these buildings, many of them, were. And it's thank heavens a different era.

MR. DEMBROW: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: I don't understand why we would consider that historic. But that's --

TREASURER KOPP: Yeah. Yeah.

LIEUTENANT GOVERNOR RUTHERFORD: -- we need to know, but we need to know what happened, not necessarily that these old buildings, like and Crownsville is a good example. The building is just sitting there wasting away. I mean, with a fence around it, it looks like Chernobyl or something.

MR. DEMBROW: And it costs us a lot of money to provide security --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. It costs, and you've got to make sure people, the kids or whatever, are not going inside those buildings.

MR. DEMBROW: Springfield is the same way.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah.

MR. DEMBROW: We have magnificent brick buildings, if you are a fan of historic architecture --

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

MR. DEMBROW: -- it really will break your heart to look at those buildings that are just abandoned.

LIEUTENANT GOVERNOR RUTHERFORD: But the cost of doing anything there is, because of, you have to strip out the asbestos. You have to strip out the asbestos before tearing it down. Yeah, wasn't it, there was a disaster movie a number of years ago, Nelson, that wanted to blow up one of the buildings out there?

MR. REICHART: We've had all kinds of questions --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, there was, there like, like Die Hard or one of those movies years ago wanted to blow up the Springfield Hospital. But we would have had to clear out the asbestos before they could blow it up. We were like, yeah, tear it down. That would be great. You pay for it. No, no, you get it ready and so --

MR. DEMBROW: We'll have the master facilities plan to you all soon.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you very much.

MR. DEMBROW: You're welcome.

LIEUTENANT GOVERNOR RUTHERFORD: I can ask more about Maryland Think in a little while.

TREASURER KOPP: I actually have a question on 18 if you're --

LIEUTENANT GOVERNOR RUTHERFORD: Oh, sure, sure.

TREASURER KOPP: Since we're going through these.

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LIEUTENANT GOVERNOR RUTHERFORD: Yeah.

TREASURER KOPP: It's related to 18. It's the media contract for MDOT MVA.

MR. REICHART: Christine Nizer is here.

TREASURER KOPP: Hi. If you're -- I have no problem with this contract. But someone has raised the issue about the need to quickly start a media campaign for the Census. The Complete Count Commission had been looking at this. The question is, can you use this sort of contract that we're approving now, that's multiyear, for essentially the same services? It was suggested by one of, somebody on this commission, one of the cabinet secretaries I think but I'm not sure, that maybe they could get a jump start by using this. Is that possible?

MS. NIZER: So, Christine Nizer, MDOT MVA Administrator. I will say that we are working with the Department of Planning and so --

TREASURER KOPP: Yes, it was Department of Planning.

MS. NIZER: -- we're using MVA branch offices. So, we have those computer screens that you see while you're sitting there waiting for a very short period of time but --

LIEUTENANT GOVERNOR RUTHERFORD: Fifteen minutes.

MS. NIZER: -- still get the opportunity to see those screens. And so, we'll be advertising for the Census there. The Census Bureau has actually contacted us directly for two of our facilities to recruit for employees, because

they need part-time employees starting next year. So, we are actively working with the Department of Planning. And certainly, anything else that we can do to support those efforts, because we do have branch offices located throughout the State and we're happy to do so.

TREASURER KOPP: Okay. So, this is a question that came out of the blue at you and I apologize --

MS. NIZER: Yes. I think our contract is more specific to communication related to highway safety in particular --

TREASURER KOPP: Right.

MS. NIZER: -- and then our outreach for customer services. But certainly, the Department of Planning I think would probably be the better agency to respond specifically about the Census.

LIEUTENANT GOVERNOR RUTHERFORD: I know Planning is looking at some of our existing contracts that we have, particularly through Department of Commerce, where we have media campaigns through Commerce for business, to see if they can ride off of one of those contracts and issue task orders underneath it. So, we can follow up with Planning.

TREASURER KOPP: This was just brought up yesterday. And it may be that the committee had a meeting yesterday.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

TREASURER KOPP: And obviously, there's a sense of urgency.

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LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

TREASURER KOPP: I mean, we have to get going. And it needs a significant media, you keep looking like you want to, media campaign.

MR. POWELL: Our SHA Administrator just informed me that Department of Planning is working with them on a marketing campaign.

TREASURER KOPP: You are?

MR. SLATER: We'll be bringing it back to the Board and modify the scope --

TREASURER KOPP: Terrific.

LIEUTENANT GOVERNOR RUTHERFORD: State Highway.

SECRETARY MCDONALD: Okay. I just wanted to make sure we had it for the record who was speaking over there. Who was it? Greg Slater for State Highway Administration?

LIEUTENANT GOVERNOR RUTHERFORD: Greg Slater, correct.

SECRETARY MCDONALD: Thank you.

TREASURER KOPP: I'm sure I speak for the Board, if there's anything we can do to support this, it's something that has to get going now. And means a lot to the State of Maryland in so many ways as well.

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm. Oh, yeah. Yeah.

MS. NIZER: Thank you.

TREASURER KOPP: Thank you, Christine.

LIEUTENANT GOVERNOR RUTHERFORD: Any questions before I get to 30? Okay. I'm just commending General Services for a Small Business Reserve Program, 30-Maintenance. I'd like to see more of those but I'm glad that you have it.

40-LT, the lease mod for -- oh, the Comptroller's Office. This is on West Street, 60 West Street. My question, because this came up a while ago, did you all rebid this? Because \$32 a square foot seems high to me.

MR. REICHART: I'm going to ask Wendy Napier to come up and address your question.

LIEUTENANT GOVERNOR RUTHERFORD: Hi, Wendy.

MS. NAPIER: Good morning. Wendy Napier, DGS Real Estate. Lieutenant Governor, for this lease we actually have only a few, but there are maybe two other leases in our Annapolis portfolio where we're paying in that \$32 range. We really try to negotiate the best deal we can, but the Annapolis market is limited. The Comptroller's Office has been at this space for a few years now. This was just a slight expansion to increase their operations there.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Yeah, it just seems, \$32 a square foot is --

MS. NAPIER: I can share with you the few locations that are at that range.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MS. NAPIER: We do our best to keep these rates down but unfortunately with limited inventory in Annapolis --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. How long has this office been at that location? It's been there --

MS. NAPIER: Since, this one is newer, this is since 2018.

LIEUTENANT GOVERNOR RUTHERFORD: Oh, okay.

MS. NAPIER: So, this is a newer --

LIEUTENANT GOVERNOR RUTHERFORD: Then this is the one, yeah, that I was thinking about. Okay.

COMPTROLLER FRANCHOT: This office improves our access to the taxpayers and also removes what was perceptibly a security issue, where we had it in the Treasury Building, the services, and people obviously needed access to that, but we also need security over there. So, this is something that will be there for a long, long time, and thank you, DGS, for doing a good job of representing us and getting the best deal. You know, we're all tight with a dollar but --

LIEUTENANT GOVERNOR RUTHERFORD: I guess Annapolis is just expensive now --

MS. NAPIER: It's gotten so.

LIEUTENANT GOVERNOR RUTHERFORD: It's gotten that way. Okay. Those Annapolitans, you know? I have a question on 44 -- thank you, Wendy.

MS. NAPIER: You're welcome.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you very much. 44-IT, this is my last question. This is Board of Elections. It's a task order for additional routers. And I, is anyone here from Board of Elections?

SECRETARY MCDONALD: Yeah, Ms. Lamone is here.

MR. REICHART: Ms. Lamone?

SECRETARY MCDONALD: And her Deputy Nikki Charlson.

MR. REICHART: And Ms. Charlson.

LIEUTENANT GOVERNOR RUTHERFORD: Good morning.

MS. LAMONE: Linda Lamone, State Administrator of Elections, and my Deputy is Nikki Charlson.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MS. LAMONE: And we're happy to be here, thank you. Happy Birthday, everybody.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: The birthday folks. I guess my question is, and I know that you need to get the routers, and is

this due to the special election? Or is it due to the same day registration? Or both?

MS. LAMONE: Both.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MS. LAMONE: Primarily because of same-day voter registration going into effect for the special primary election.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. How do we make sure that people don't double vote? How do you handle the same-day registration? Is it treated like the provisional ballots? How is that handled?

MS. LAMONE: Well during, we've never had it during, on Election Day.

LIEUTENANT GOVERNOR RUTHERFORD: Right.

MS. LAMONE: During early voting, we have had it since 2010, I think. And we have a network in place, similar to what we're proposing for Election Day, so that all the pollbooks are connected to one another in a particular early voting center and then they are all connected to a server in my office. So, the minute someone comes in and registers, all the pollbooks in that county and our server are updated so if they went to another early voting center they would be already registered. And if they insisted on voting, would get a provisional ballot, which would not be counted.

LIEUTENANT GOVERNOR RUTHERFORD: But how about if they went to another county?

MS. LAMONE: Same thing. They would be given a provisional ballot. It wouldn't be counted.

LIEUTENANT GOVERNOR RUTHERFORD: But, I mean, if you voted in Baltimore County, you registered and vote in Baltimore County on that particular day. And then you go to Carroll County and vote and say, hey, I --

MS. LAMONE: All the pollbooks are updated, so it's a constant updating of the database in the pollbooks across the State during early voting.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. But this, now we're going to be same day.

MS. LAMONE: Correct. So, if they go to a precinct other than where they are supposed to be registered --

LIEUTENANT GOVERNOR RUTHERFORD: Right.

MS. LAMONE: -- they will be given a provisional ballot --

LIEUTENANT GOVERNOR RUTHERFORD: A provisional ballot, okay.

MS. LAMONE: Which will not be counted.

LIEUTENANT GOVERNOR RUTHERFORD: All right. Okay. And so, if it's, yeah, so if they are already registered on the same day, then they are supposed to go to, we typically go to our precinct.

MS. LAMONE: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: But if they go and register at wherever and vote there, we're assuring that they can't go to another location and vote --

MS. LAMONE: With this network in place, correct.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. Just a concern.

MS. LAMONE: Understandable.

LIEUTENANT GOVERNOR RUTHERFORD: We've had challenges in the past.

MS. LAMONE: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Any other questions on General Services?

COMPTROLLER FRANCHOT: Yes. I had Item 16, DGS.

MS. LAMONE: Thank you very much.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

MR. DEMBROW: May it please the Board, I'm still Director of Procurement for the Department of Health, Dana Dembrow. This is our long awaited QIO, or quality improvement organization, which measures about half a dozen outcomes that are mandated by CMS and I'll be happy to answer questions about the procurement. We also have substantive experts here with us: Valerie

Roddy, who is Director of Fiscal Services and Operation for the Developmental Disabilities Administration; and Bernie Simons is here as well. He's the Deputy Secretary for DDA. We'll be happy to respond to any inquiry you may have.

COMPTROLLER FRANCHOT: Well, thank you very much. And obviously, it's a very important mission of the Department of Health. But it is a \$7 million, almost an \$8 million contract to an out-of-state firm to provide strategic counsel. And I'm just wondering, what exactly is this firm going to be doing that we are not doing in-house right now?

MR. SIMONS: Bernie Simons, Deputy Secretary of DDA. We have had, well even predating my time at Developmental Disabilities Administration, an audit finding where we have not gone out and looked at the provider community to see if they were actually providing the services that we thought they were. This finding has probably been going on since about 2013. This is one of the areas within this quality improvement organization.

A quality improvement organization, I'd like to just explain that, is a designation by the Center for Medicare and Medicaid Services. One of the lines that we put in there in responsibilities is for the successful contractor to work with the Developmental Disabilities Administration and apply through our State Medicaid Office, the CMS, to get a higher match rate. So instead of get a 50/50, we would get a 75 percent on some of the activities. So, we're looking at, which is why we went with a quality improvement organization.

COMPTROLLER FRANCHOT: And the second losing bidder was 72 percent higher, I think, in their bid. Is there any concern that this organization that we're awarding the contract to may not be able to perform?

MR. DEMBROW: There is indeed a natural concern when you have a price spread, which I've never seen a range like this one, from \$8 million to \$36 million. And it's not as though there is an outlier that's low, or an outlier that's high. They are spread across that huge range. I had sufficient concern that I personally called the representative of the Public Consulting Group who submitted the proposal and I told him, "You saw your competitors' prices. You are way low. We all understand that. Are you sure you didn't leave something out? Can you do this job and do it in a superior fashion?" He said, "I recently dispatched my pricing team to reexamine our proposal price. We priced it as we determined was fair and appropriate. We included everything. And I'm totally confident that we can do the job in a superior fashion." That came from his voice and I'm satisfied that we're going to save the State a lot of money and still get excellent service.

COMPTROLLER FRANCHOT: Excellent. I have a lot of confidence in Delegate Dembrow.

MR. DEMBROW: Thank you, sir.

COMPTROLLER FRANCHOT: Yeah. So, thank you for keeping an eye on it.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

COMPTROLLER FRANCHOT: And I also wanted to just mention Item 14-S, which is a contract to make payments to seven contractors to perform something called revenue generating unclaimed property audit services. Even when I read that, I'm in charge of it, I didn't know what it was. So -- I mean, I know what it is, but the title is quite a --

LIEUTENANT GOVERNOR RUTHERFORD: Do we have someone from the Comptroller's Office to come up --

(Laughter.)

COMPTROLLER FRANCHOT: Anyway, this is a group of contractors that we use to particularly focus on out-of-state unclaimed property that's being held by financial institutions that should be returned to Marylanders. We pay them on a commission basis. It has proved to be enormously successful for identifying assets that are being held out of State that should be returned to the Comptroller and tried, and we make every effort to reunite their money with Marylanders. Here come my crack team coming up right now.

(Laughter.)

COMPTROLLER FRANCHOT: So, I have no, obviously, questions about it. I just wanted to indicate that since I was elected, we have returned \$800 million in unclaimed property to Marylanders. We have about, currently, right now, if you can believe this, and this is why the contractors are so

well compensated, we have about 17.1 million accounts, individual accounts, worth \$1.8 billion in our custody. So yes, I love the Lottery. It's a great thing. But, you know, you don't win all the time and you have to actually pay money. This is so much more of an opportunity for Marylanders if they could go to our website at marylandtaxes.gov and click on the unclaimed property icon. All of the 17.1 million active accounts are listed alphabetically. Have at it, because you and your friends, your family, your neighbors, somebody that you know is going to be on that list if you have the time to peruse parts of it. And the money is your money and we'd be happy to reunite Marylanders with it. And of course, it's tax free. So, \$1.8 billion, please. I see American Joe Miedusiewski over there nodding his head, yes. Joe, you know, let me know.

LIEUTENANT GOVERNOR RUTHERFORD: Does Joe have money --

COMPTROLLER FRANCHOT: Yeah. And to the team that just walked in, thank you very much for running a great operation. Because a lot of states, obviously, do not advertise their unclaimed property because they would just as soon not have the obligation to pay for. I think that's human nature. But we go to considerable lengths to advertise the availability of user-friendly tools. And the fact that we're able now to come up with life insurance premiums that, obviously, the companies would just as soon, since nobody is claiming it, just to not have to pay it out. But there are a lot of heirs that are grateful once we are

able to identify and tell them about it. Would -- yeah, that's fine. You can come up if you want to, but you don't have to.

LIEUTENANT GOVERNOR RUTHERFORD: He turned away.

COMPTROLLER FRANCHOT: Yeah.

LIEUTENANT GOVERNOR RUTHERFORD: He started to walk up, and then he did an about face and he was out of here.

SECRETARY MCDONALD: Governor, may I just let, since we're discussing this Item 14-S, make note of the fact that the record was corrected this morning before the meeting. There's five places on that item where it actually says billion and it's supposed to say million. And the Board record has been changed to million in those five places where it says billion. Thank you.

TREASURER KOPP: I was, the \$14 billion --

LIEUTENANT GOVERNOR RUTHERFORD: I saw that, that sounded a little --

SECRETARY MCDONALD: Yeah, it said conditioned on \$140 billion in receipts, and I was excited about that.

(Laughter.)

SECRETARY MCDONALD: But you're correct about the \$1.8 billion.

COMPTROLLER FRANCHOT: Thank you.

SECRETARY MCDONALD: You were absolutely correct, and you've corrected it. But overall, these billions are supposed to be millions on the item.

COMPTROLLER FRANCHOT: And if anyone has an anecdotal note of success that they got money for themselves or found some for Governor Hogan or something, let me know, will you? Because we're always interested in advertising that this fund exists for Marylanders to claim.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. Very good.

COMPTROLLER FRANCHOT: Thank you.

TREASURER KOPP: I have a question, Governor, since we went back, on 12-C, the Maryland Archaeological Conservation Laboratory.

LIEUTENANT GOVERNOR RUTHERFORD: Oh, right, right.

TREASURER KOPP: First of all, we had the opportunity to visit. It's a fascinating place.

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

TREASURER KOPP: I really recommend it if people haven't been down there, in Jefferson Patterson Park --

LIEUTENANT GOVERNOR RUTHERFORD: Okay --

TREASURER KOPP: -- you should go. But my question really is, apparently there was a project for a couple of million dollars to redo the roof, right?

MS. BUCKLER: That's correct.

TREASURER KOPP: And now you're coming back for another project that looks to be very closely related to the first one. And the question was, why, I mean, what happened? Why can't we do it right the first time?

MS. BUCKLER: So, good morning. For the record, I'm Lauren Buckler, Assistant Secretary for Design and Construction with DGS. There's a multi-step process going on. We had a project in long term facilities renewal to do, redo stuff in that building. We got mold in the building before we got to that project. We had to remediate the mold, then we had to figure out what caused the mold. We did an assessment. We figured out that it was HVAC issues. There was building envelope issues. Then we did a project to address the HVAC issues. This is the project to address the building envelope issues. So, you've seen this building come back multiple times as we've had funding come up for the project, as we've found issues with the building and done different things. We have worked closely with DBM on funding for this. We still do have a project in the budget to do more with this facility. But we've piecemealed out the parts that we need to do right now to keep it operational.

TREASURER KOPP: Don't a series of band-aids in a row end up costing more than doing the operation correctly the first time, completely the first time?

MS. BUCKLER: Sometimes.

TREASURER KOPP: This time?

MS. BUCKLER: Unfortunately, the State has a long backlog of maintenance that we are working through. We're working on a lot of different things at DGS to deal with that moving forward. But this is years of backlog.

TREASURER KOPP: Well, we are where we are now. You've heard me say this before. I beat the same drum so many times. But if there were a way of looking at it, and I understand you have to have priorities. I understand you also need funds, although under capital debt affordability we actually could put more into building maintenance if we chose to. That's a priorities question. But when it ends up costing more money and interfering with the operations at an agency, I just don't understand why we keep on keeping on this way.

MS. BUCKLER: So, we are doing much better. DGS presented in front of the Capital Debt Affordability Committee --

LIEUTENANT GOVERNOR RUTHERFORD: Capital debt, Budget and Management.

MR. REICHART: Capital budget.

LIEUTENANT GOVERNOR RUTHERFORD: Right.

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MS. BUCKLER: Yes, a couple of months ago, and brought a great graph that I can forward to you that shows that our funding has gone up exponentially in the last couple of years towards maintenance, which is --

TREASURER KOPP: Which is very good.

MS. BUCKLER: -- a result of a lot of great people helping us out and thank you, Lieutenant Governor, for understanding this issue --

LIEUTENANT GOVERNOR RUTHERFORD: It helps when you have a Lieutenant Governor who was General Services Secretary.

TREASURER KOPP: Who was General Services, right.

MS. BUCKLER: Thank you. Thank you for helping us move this issue forward.

TREASURER KOPP: But I mean, it's an investment to save money.

MS. BUCKLER: Yes. Yes.

LIEUTENANT GOVERNOR RUTHERFORD: Right. Right.

MS. BUCKLER: So, our funding has gone up. Our backlog is going down for the first time ever since we started tracking the backlog. So, we are making progress. We've got a lot more to go. But we are starting to make progress. This issue started in 2015 in this building. So, we are correcting this building. You've seen it come back multiple times because there's phases to this correction.

TREASURER KOPP: Yeah. I mean, it's a great enterprise. It's a basically fine building as far as I can tell. But this, it's just such a great case example.

LIEUTENANT GOVERNOR RUTHERFORD: Well government does, and it's not just us, the University System, when you look at their backlog, they are in a terrible situation as well. The federal government does the same thing. It's the first place that gets cut when times are lean and it's the last place to get additional money when times are fat. Because there's always some program, priority, something, some new, you know, it used to, it still does. But we've kind of changed that. When we first came in, and particularly at the University System, it would be, oh, we've got to fund this new building in College Park because this donor is putting money into it. But the donor was going to put in 10 percent of the total cost. The building is going to cost \$200 million, they are putting in \$20 million, and it's like, so? You know, you don't get your name on the building for ten percent of the cost. But that's how they had been operating. But at the same time, the other buildings were falling apart. So, I'll get off my high horse on that. But it's --

TREASURER KOPP: And I know, Lauren, that you're on this. I get it. But it's just such a --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah.

TREASURER KOPP: Another point about this one that has come up several times in other ones is you were first brought in because of the problems with mold. And I know, I know I'm playing the same tune. But with climate change, all over the country we're seeing that mold is an increasing problem. And we live, we know we live where we're going to see it more and more. We talk about the University System. They just sunk \$11 million into Towson to try to deal with mold and prevent mold. Have we, do we have any particular program, again looking at the impact of climate change, but specifically mold related? Because apparently when we, once you start mold, you open up, you've got to redo walls, you've got to redo roofs, you've got to change the whole envelope, really. How do we get ahead of it?

MS. BUCKLER: So what we did do, we added to the budget last year, thank you, Lieutenant Governor, funding for roofs and building envelope within our facilities renewal program so we could deal with those projects that have been sitting on the backlog. Because if we don't get to those, we end up with mold problems in the building. So, we're expediting some of those projects, so they don't sit there and create other problems in our buildings. So, we're trying some other things and trying to stop it from happening.

TREASURER KOPP: I appreciate that. At some point, I think we should have, I know this looks like micro-management and I don't mean it to, but a presentation on how we are dealing with these problems and how we're going to

get ahead of them. Because otherwise, we're going to keep spending our money on bandages.

MS. BUCKLER: Sure. We can get something together.

TREASURER KOPP: Thank you.

MS. BUCKLER: Thanks.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Any other questions on General Services?

COMPTROLLER FRANCHOT: No. Move approval.

TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: We're all in favor. Thank you, General Services. And thank you all for indulging me. Thank you, Mr. Mayor, Chief Sroka, good to see you, sir.

SECRETARY MCDONALD: If you're departing, can you leave quietly, please, so we can continue the meeting? The meeting is not over. Please leave more quietly, thank you.

LIEUTENANT GOVERNOR RUTHERFORD: John, you saw that?

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: Sorry to put you on the spot.

SECRETARY MCDONALD: All right. Good morning, Lieutenant Governor, Madam Treasurer, Mr. Comptroller. We have 17 items on the Secretary's Agenda, and we have three reports of emergency procurements.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I have a question for, on Item 8. And this was approved --

SECRETARY MCDONALD: Let's call in Ms. Buckler, right, with design and standards. I know she worked with Gabe Gnall. So, these are the diaper changing facilities in State buildings.

LIEUTENANT GOVERNOR RUTHERFORD: Right.

SECRETARY MCDONALD: DGS was to design standards, which they have done, and they are putting it in the manual. And they have passed it through the Procurement Advisor because the University System and the Department of Transportation have to follow these diaper changing facilities standards in State buildings.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Good. Good. My question is, would, the \$30,000 seems pretty low in terms of renovations. Is that in the statute or is that regulatory, in terms of being considered substantial renovation?

MS. BUCKLER: I believe that was in the statute.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Okay. That seems low.

MS. BUCKLER: That didn't come from DGS.

LIEUTENANT GOVERNOR RUTHERFORD: That didn't come from DGS. And then the question, and I'll turn to Nelson but both of you know this, the expansion of the women's restroom here in the State House, does it now fall under this statute?

MS. BUCKLER: So, what we did recently is installed diaper changing stations on the first floor in the men's and women's public restrooms --

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MS. BUCKLER: -- in the ADA stall.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. So, then that's -- okay.

MS. BUCKLER: So, there are diaper changing stations in this building, accessible, which is great.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. I was concerned because those bathrooms are small.

MR. REICHART: Small, correct.

LIEUTENANT GOVERNOR RUTHERFORD: And so, you wouldn't, but if you did it in the public then you've met the requirements.

MR. REICHART: Within the building, we're good.

LIEUTENANT GOVERNOR RUTHERFORD: Yes. Okay. That's fine. That's fine. The benefits of having a woman Speaker.

TREASURER KOPP: Within the building, we're good. It sounds like something else was going to follow.

MR. REICHART: I mean, restrooms within the building, there are facilities in the restrooms.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah. The statute says at least in the building, in the building. Not every bathroom has to have changing facilities.

TREASURER KOPP: Great statute.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah.

TREASURER KOPP: Great idea.

LIEUTENANT GOVERNOR RUTHERFORD: But the benefits, I was going to say, of having a woman as Speaker is that the women's bathroom in the House side was small and didn't have as many stalls. This is bathroom talk morning radio. And so, she brought it to the attention of the State House Trust to expand the number of stalls in the women's bathroom on the House side, taking away a stall from the men's room but to add to the women's. So.

TREASURER KOPP: Great idea.

LIEUTENANT GOVERNOR RUTHERFORD: I think you would

--

TREASURER KOPP: I was there when they built the first ones.

LIEUTENANT GOVERNOR RUTHERFORD: I think you would appreciate that.

TREASURER KOPP: They actually took it away from the men's room --

LIEUTENANT GOVERNOR RUTHERFORD: Okay. So further expansion.

TREASURER KOPP: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: And at the same time, we're building an outhouse for the men --

(Laughter.)

TREASURER KOPP: That's okay.

LIEUTENANT GOVERNOR RUTHERFORD: That's okay. All right. Any other questions on the Secretary's Agenda?

COMPTROLLER FRANCHOT: Yes, A2, please?

SECRETARY MCDONALD: A2.

LIEUTENANT GOVERNOR RUTHERFORD: Oh yes, yes. Oh, I have a question on that, too. Thank you.

SECRETARY MCDONALD: That is a Department of Transportation emergency procurement of --

TREASURER KOPP: Oh, yes.

SECRETARY MCDONALD: -- support for the Oracle software, the databases that they have at MDOT. So, Mr. Mark Newgent is here on behalf of the Department of Transportation.

MR. NEWGENT: Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: Good morning.

COMPTROLLER FRANCHOT: Good morning. So, just to cut to the chase here, Mark, is the department allowing Oracle to select the vendor through the bidding process? Because I take it what this emergency award is is because they are not going to deal with the folks that --

LIEUTENANT GOVERNOR RUTHERFORD: Yeah --

COMPTROLLER FRANCHOT: -- you have a contract award to?

MR. NEWGENT: So, there was a task order under the COTS contract competitively procured. What happened was, as MDOT went through the proper procurement process, competitively bid, when we got to, we awarded it, but however we came to an impasse with DoIT and Oracle over the State's terms and conditions, which led us to an impasse that where we were put into an emergency situation. Oracle was not going to let the vendor that we had selected sell those services to the State, so therefore we were left to go with Mythics, the incumbent. And we extended the current agreement with them for two months because we found ourselves in this emergency situation. Because these were critical services that MDOT cannot be without.

COMPTROLLER FRANCHOT: No problem with you, Mark. But I guess DoIT, what's the story?

LIEUTENANT GOVERNOR RUTHERFORD: Yeah.

COMPTROLLER FRANCHOT: Is Oracle in charge of this procurement?

MR. SCHINE: No. My name is, for the record, Lance Schine. I'm the Deputy Secretary of the Department of IT. Oracle has been a vendor on this COTS contract for years and has allowed us to use that contract and has not disagreed with the terms and conditions. Recently, they objected to some of the terms and conditions and it's currently in negotiations with our AAG, Howard Barr and Oracle, and I'm told that we're very close to a resolution with Oracle.

LIEUTENANT GOVERNOR RUTHERFORD: Let me just say this, and I get concerned when we say that we have lawyers negotiating business contracts. Have you told the AAG or asked the AAG whether this is an issue that falls under statute, regulation, or precedent? Because that's their role, those three areas. If it is a business decision or the State's policy decision, that is outside their lane. They can tell you where risks are, but they can't stop you from doing business, doing the State's business, unless there is a regulation, statute, or there's precedent, court precedent for this. And many times, and this happens in business and it happens all over government, State and federal, that we let the lawyers make the policy decisions. And that should not be the case. So, I ask you to

make sure that whatever this Assistant Attorney General is doing, that he or she is making sure that they are in their lane and they are not making a policy decision. Because this is a big issue with these terms and conditions, where we're limiting competition that is coming, you know, coming in. And in this case, it looks like, as the Comptroller just said, Oracle is saying, well, we'll work with this guy but not that guy, when we have made a selection here. But we need to make sure this lawyer is in the lane and that the policy people are making the policy calls. That the procurement shop is making the call saying, this provision can be changed based on a policy and that lawyer is free to give advice as far as what kind of risks are involved. But they can't say yes or no unless it falls in those three areas.

MR. SCHINE: And I believe he's only looking at the legal issues, but I will make sure that is the case.

LIEUTENANT GOVERNOR RUTHERFORD: Well, we don't want him to make up legal issues, either. You know? And it's legal issues in terms of risk.

MR. SCHINE: Right.

LIEUTENANT GOVERNOR RUTHERFORD: Not in terms of what you can and can't do. You know, there's one thing to say, hey, you run the risk if you do this, that if you waive this provision and they do this or that or the other, we can't go back after them. That's fine. That's fine for them to say. But it's the policy maker that makes that decision in terms of the risk. So.

TREASURER KOPP: Could I, what are, what sort of terms and conditions?

MR. SCHINE: I'd have to look up the details --

LIEUTENANT GOVERNOR RUTHERFORD: Do you know, Mark, which ones they were objecting to?

MR. NEWGENT: Just off the top of my head, three big ones were indemnification, liability, and order of precedence.

LIEUTENANT GOVERNOR RUTHERFORD: The unlimited liability which we've had in many cases and we've asked the procurement officers that, you know, you have the flexibility to work on that. That particularly comes up with our IT contracts. We saw that with eMaryland Marketplace Advantage, and we were able to make some adjustments there. But there's been an unwritten policy that if it's already in our contracts, we have to keep it there. And that just doesn't make sense. We need to come into the real world and our people need to make real decisions, and not -- lawyers' jobs are to say no. How many lawyers in the house?

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: You know, yeah, lawyers, you know, it's easy to say no. Oh no, you can't do that. Oh no, you can't do that. No, you can't do that. That's, you know, that's, it's on the Bar Exam, too, you know? This is --

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: No, you can't do that. So, but it's the policy maker that has to sit there and assess the risk and make that determination. Otherwise, you never move ahead. Okay? Okay, I got my attacking lawyers plan into the business decision. So, any other questions on the Secretary's --

SECRETARY MCDONALD: Governor, I just want to make clear, we have evidence, I mean, testimony has been submitted to you --

LIEUTENANT GOVERNOR RUTHERFORD: Evidence?

SECRETARY MCDONALD: Not evidence, testimony has been submitted to the Board about the helicopters, the Maryland State Police Aviation Command helicopters and it's inserted into the record. You also have someone who has asked to speak, but he has written testimony. So, I don't know if you want to --

LIEUTENANT GOVERNOR RUTHERFORD: If he could speak briefly.

SECRETARY MCDONALD: Is Mr. Johnson in the room? Is Mr. Dick Johnson?

MR. JOHNSON: Yes, ma'am. Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: Good morning.

MR. JOHNSON: And thank you for the invitation to be here. I've been involved in this issue for many years, when 139 was part of Bell and part of Agusta. Bell sold their part of the contract to Agusta. But while we were going through the procurement process of getting the 139s, we knew the issues, the problems that 139 has.

There's one thing that I need to make clear. Quicker turnaround times do not exist in aviation maintenance, even if you have helicopter manufacturer extended maintenance and parts warranties. There's no such thing as quick turnarounds. That helicopter has to leave the factory in a safe condition.

So, using some quotes from the State Police, on page two, we have two aircraft outsourced for heavy inspections. There's no such thing as heavy inspections. Since we are unable to get a definitive answer on when the first two aircrafts will be returning, there's no guarantee when they are going to be returned. Once they are out there in Sterling or Mecaer or Philadelphia, AW factories, they are not going to know what they are going to run into. So that was stated by Major Anthony S. Loman, Commander (indiscernible) on November 22, 2016. Another quote from the command, as of today, 383 MD remains in heavy overhaul. A new aircraft in heavy overhaul? Again, I don't know what they mean by heavy. At Sterling Aviation, repairs require reengineering. The Aircraft 2 has been identified as having problems with the co-pilot door. Add a week or two to return time as of today. 385 MD, the forecast thus far is for six weeks

for return. 389 MD is here at Martins waiting on numerous replacement parts. That's going to be a big issue, for parts for 139s.

LIEUTENANT GOVERNOR RUTHERFORD: Can I ask you a question?

MR. JOHNSON: Yes, sir.

LIEUTENANT GOVERNOR RUTHERFORD: I'm not, I mean, and I'm going to be a little more blunt. What is your main point?

MR. JOHNSON: There's a solution.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. That's what I'm trying to get to that. I know I was long-winded, and I'm cutting you off, and that's probably not fair. But --

MR. JOHNSON: There's multiple solutions to this issue. One of them, I was talking with ERA Helicopters, Inc. They are the largest leasers of AW139s. And I was talking with their Senior Vice President, and they do have programs where they can have lease to lease back, purchase to lease back, excuse me. Should the State of Maryland decide to seek proposals for a sale, lease back, and/or operational support of the AW139 fleet, ERA would be very interested in participating in helping out the State of Maryland. So, there's a solution. Instead of us being owners --

LIEUTENANT GOVERNOR RUTHERFORD: Right.

MR. JOHNSON: -- let's lease.

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LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

MR. JOHNSON: It's the responsibility of ERA to keep those helicopters maintained. So, when one goes down, they bring another one in.

LIEUTENANT GOVERNOR RUTHERFORD: Right.

MR. JOHNSON: Another option is what we're doing throughout the United States, is a lot of your states are using their National Guards for search and rescue, for Medevacs, for swift water rescue, for flood rescue. And the good point of that is, they are keeping their pilots proficient. They are keeping their --

LIEUTENANT GOVERNOR RUTHERFORD: Right.

MR. JOHNSON: -- crew configuration proficient. We can utilize our own up there in Edgewood.

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

MR. JOHNSON: We have 13 UH-60s just sitting there. We have two CH-47s sitting there, and you have four I think UH-72s.

LIEUTENANT GOVERNOR RUTHERFORD: You know that better than I do. But they do have to get their flight time in, so that's a good point.

MR. JOHNSON: To be proficient.

LIEUTENANT GOVERNOR RUTHERFORD: Right.

MR. JOHNSON: And that's one of the crises we're having with our American militaries, even the Marine Corps. We're having an issue keeping our guys proficient because they are not getting enough flight time.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. JOHNSON: Another issue, in talking with Mr. Redmer (phonetic) regarding air ambulance services in reference to their billing process. But we can utilize the private sector. We had a plan in 2008 that went in front of the Legislature, where our methods proposal was \$1 million less than the State Police. And we would be using the money out of the (indiscernible) to pay for those medical --

LIEUTENANT GOVERNOR RUTHERFORD: Is this, is all of that in your documentation?

MR. JOHNSON: Right. I do have some bar charts that kind of help explain the seriousness of what we're doing here. And in one of the bar charts I was able to show that 71 percent of costs from 2011 to 2019, a patient being Medevaced is less than 28 percent. So, we're down to 18 to 24 patients being Medevaced. And here we are, we're sitting here spending all of this money in trying to keep the aircrafts going. We've had a lot of near misses. We had a near miss in September, where an AW139, the pilots, the PIC and an SIC didn't agree with the flight. The aircraft went down, pulled it back up, tore out the transmission of that aircraft. A close call to a crash. And they failed to use

Maryland State Police Aviation risk management programs, safety and risk management program. They decided to fly. Instead of going to a place that's open to bring it down, they flew it to Western Maryland and swapped out to Troop 5 and went on to their mission. So, we have a toxic issue here, toxic leadership, toxic management, and a toxic culture. Safety should come first. That didn't happen back in September.

I know what the State Troopers are doing. They need help. But I don't want to be disrespectful to the State Police. I think the legislators set them up for failure with the 139 and they are proving that it's a failure. So, we need to look at other options.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. JOHNSON: At least --

LIEUTENANT GOVERNOR RUTHERFORD: All right. Thank you very much.

MR. JOHNSON: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. JOHNSON: I want to take this opportunity, I was hoping that the Governor was going to be here. I want to thank him on signing that Senate Bill 80 back in 2015. We had our Gilchrist Second Annual Welcome Home Vietnam Veterans --

LIEUTENANT GOVERNOR RUTHERFORD: Oh.

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MR. JOHNSON: -- Celebration. And I'm just sorry he wasn't here. They didn't have the time to listen to the praises that he got.

LIEUTENANT GOVERNOR RUTHERFORD: Oh. Okay. Well, I will pass that onto him and let him know how much you appreciate that. He's very proud --

MR. JOHNSON: -- the Secretary?

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, he is very proud of that.

MR. JOHNSON: So are we.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Well, thank you. And -- okay. Thank you very much.

MR. JOHNSON: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: And do we have a motion on the Secretary's Agenda?

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. We're all in favor.

SECRETARY MCDONALD: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Natural Resources?

MS. HADDAWAY-RICCIO: Good morning, Governor, Madam Treasurer, Mr. Comptroller. For the record, Jeannie Haddaway-Riccio, Secretary of the Department of Natural Resources. And we have 15 items on our Real Property Agenda today. I'm happy to answer any questions you may have.

LIEUTENANT GOVERNOR RUTHERFORD: I'm happy to see in Item 4-A -- I guess we still have some people moving around. That Garrett County was getting a substantial amount of projects, taking care of their, sometimes Garrett County gets forgotten. They are in the Pittsburgh media market, so they don't see what happens down here very often. But I'm glad to see that they are getting a good share of Program Open Space funding. And I was particularly interested in the Kitzmiller Town Park volleyball court. I don't know if anyone here has been to Kitzmiller. Yes, and we went to a wonderful restaurant there in Kitzmiller.

MS. HADDAWAY-RICCIO: We did, yes.

LIEUTENANT GOVERNOR RUTHERFORD: And, you know, to paraphrase a former Vice Presidential candidate, you can see West Virginia from there, literally. I mean, you walk across the street and you're in West Virginia. But we were out there for, I don't know if you all know that I'm doing a park tour to hit our 75 parks. The good Secretary keeps adding parks, so I don't know if I'm going to get to all of the parks. But we were out there for some of the parks in Garrett County. I haven't gone to one, I don't think I went to anyplace last

month. But I'm looking at February, to go to, go out west to do snowshoeing, or something of that nature. So, but I just wanted to point out the Program Open Space.

Also, in 9A, \$2.6 million, almost \$2.7 million, Program Open Space to Baltimore City.

MS. HADDAWAY-RICCIO: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: A number of park improvements and athletic fields throughout the City, very well needed. That's in addition to last Board of Public Works, there was rec centers being opened. So the State is doing a lot to help Baltimore City. And I know we sometimes get criticism from the cranky pants people around that say, oh, you're not doing anything for Baltimore City. You know, and there's a concern about rec centers, which is needed there. And we are providing a lot of support to help in that area. So I appreciate that.

I do have a substantive question. In 13A, Rural Legacy funding for a conservation easement. I guess I don't understand why we need a land conservancy to hold the easement and why the county doesn't hold it or DNR doesn't hold the easement. I know in the case of Harford County, Harford County will hold the easement. In many cases, I think the next Item 14, Harford County is holding the easement. This is Rural Legacy. Why do we have to go through this process?

MS. HADDAWAY-RICCIO: So I think a lot of times it depends on the preference of the landowner. Some landowners are more willing to enter into easements with government entities than others. I'm not saying that this was necessarily the case here.

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

MS. HADDAWAY-RICCIO: But working with partners like Eastern Shore Land Conservancy and other land conservation organizations also helps us to leverage more dollars.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. I know that in some cases they actually find the land and bring it to the attention of the State.

MS. HADDAWAY-RICCIO: Mm-hmm.

LIEUTENANT GOVERNOR RUTHERFORD: Where there may be some opportunities, too. I just --

MS. HADDAWAY-RICCIO: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: -- I didn't know. Like when I looked at this particular one, and then looked at the one in Harford County, and it's like the county is holding it versus, you know, a separate entity holding the conservation easement.

MS. HADDAWAY-RICCIO: So in this case, we are holding an easement jointly with Eastern Shore Land Conservancy.

LIEUTENANT GOVERNOR RUTHERFORD: Oh, okay. Okay.

But I guess it's just the preference of that landowner, that they want to work with the Conservancy, versus just the State, or just the county. If you mind, if you may.

MS. WILSON: Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: Good morning.

MS. WILSON: Emily Wilson with the Maryland Department of Natural Resources. Our Rural Legacy Program is set up with local sponsors. So each Rural Legacy Area across the State is sponsored by a local entity, and that's designed as a grassroots kind of a bottom up program.

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm.

MS. WILSON: And Eastern Shore Land Conservancy is our local sponsor in that area. We will co-hold the easements with the land trust to have a government entity, have that security of the government entity holding those easements. In the case of Harford County, the county itself is actually our local sponsor --

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MS. WILSON: -- for that Rural Legacy Area. That's why they hold that easement, too.

LIEUTENANT GOVERNOR RUTHERFORD: All right. Okay. That's very helpful. That's, yeah, because you see, and some of the other

programs it's done similar as well. And so I guess there are sponsors for those as well, and they are local, and that's where you go to a conservancy versus the county versus the State holding that.

MS. WILSON: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right.
Thank you.

MS. WILSON: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Any other questions on Natural Resources?

COMPTROLLER FRANCHOT: No. Move approval, unless the Treasurer has comments.

LIEUTENANT GOVERNOR RUTHERFORD: Okay, a second?

TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. We're all in favor. Thank you. And I invite anyone to come with us on our park tours. It's a great, you know, a great opportunity to see the, what the State has to offer. It's very inexpensive entertainment, family entertainment, where you're not, you know, a creepy guy going to the Children's Museum.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: You can go to the parks. No age limit or age restrictions.

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TREASURER KOPP: Send us your calendar.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. We'll let you know. Do you want to go to the winter one?

TREASURER KOPP: Maybe.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, that's fun.

TREASURER KOPP: I like winter.

LIEUTENANT GOVERNOR RUTHERFORD: We'll probably, we'll probably have to, and some of the parks have cabins, just to let you know. And they, you do have to make reservations. And they are not super rustic. There are some places where they are rustic, they are kind of campground type. But many of them, you know, have air conditioning, and heat, and electricity, and a flush toilet inside the building. So, yeah, it's very nice, very nice.

Okay. Transportation?

MR. POWELL: Thank you, sir. Good morning, Governor, Madam Treasurer, Mr. Comptroller. For the record, my name is Sean Powell, Deputy Secretary for the Maryland Department of Transportation. The Maryland Department of Transportation is presenting six items today. Items 4-M and 6-GM are being withdrawn, leaving four items for your consideration. We do have representatives available if you have any questions.

LIEUTENANT GOVERNOR RUTHERFORD: Item 1-M, I just want to thank you for putting it in the Small Business Reserve. Or this is a Small

Business Preference, but not the Small Business Reserve, but I do want to thank the Aviation Administration for utilizing that.

MR. POWELL: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: I have a question on 3-C, MTA. I just want to understand how that was, this transaction took place.

MR. POWELL: Okay. We have a representative coming up now, sir.

MR. SEDTAL: Good morning.

LIEUTENANT GOVERNOR RUTHERFORD: Good morning.

MR. SEDTAL: My name is Joe Sedtal. I'm the Director of Procurement at MTA and I'm happy to answer any questions for you.

LIEUTENANT GOVERNOR RUTHERFORD: Yes. Now I understand that this is, this was a deal worked out with the Maryland National Capital Parks and Planning Commission, where we're acquiring their building and then we're fixing their other building? How did that --

MR. SEDTAL: So they had an old building that was basically beyond use. And so in exchange for us taking over their building for the Purple Line project, we agreed to repair their old building and make it their new principal maintenance facility.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. So did they give us the other building?

MR. SEDTAL: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Oh, okay. I was unsure if we were buying the other building and then fixing their other building, that they are double dipping.

MR. SEDTAL: It was an exchange.

LIEUTENANT GOVERNOR RUTHERFORD: It was an exchange. Okay. Very good. Okay. That was completely, unless anyone else has a question on that one?

MR. SEDTAL: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you. On State Highway's maintenance contract, and this, it's a single bid but I think this is a question more for Mike Zimmerman over there, who is hiding.

MR. POWELL: Sir, this is one that, we've withdrawn this one.

LIEUTENANT GOVERNOR RUTHERFORD: Oh, you did withdraw 4-M?

MR. POWELL: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. POWELL: If you have additional questions if we bring it forward, we'll get back to you.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. The question had to do with the low bid being rejected due to errors in the bid. And I

thought that we tried to address that in the Procurement Reform Commission. So Mike, maybe you can just remind me of what we were doing in the --

MR. ZIMMERMAN: Sure. For the record, Mike Zimmerman, Maryland Department of Transportation. This is a little different in that the vendor actually submitted a minority business that wasn't a registered minority business.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Okay.

MR. ZIMMERMAN: So that --

LIEUTENANT GOVERNOR RUTHERFORD: So it was more than a mistake?

MR. ZIMMERMAN: Correct. It's not curable.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. Thank you.

MR. ZIMMERMAN: You're welcome.

LIEUTENANT GOVERNOR RUTHERFORD: Questions on Transportation?

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. That was easy. That was it, unless we want to do DGS again?

(Laughter.)

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LIEUTENANT GOVERNOR RUTHERFORD: Thank you,
everyone.

(Whereupon, at 11:28 a.m., the meeting was concluded.)