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BOARD OF PUBLIC WORKS
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PRESENT

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PROCEEDINGS

LIEUTENANT GOVERNOR RUTHERFORD: Well, good morning, everyone. It's a pleasure to once again join Comptroller Franchot and Treasurer Kopp and leading the Board of Public Works.

I just want to speak briefly about the process of vaccinating Marylanders. Maryland is making great strides in the vaccination effort. Many of us like to say, and I'm paraphrasing the President of the United States when he said this is the largest peacetime mobilization that we have seen, definitely in our lifetime, but probably forever in this country. But I do want to say just this week, the Governor, Governor Hogan, announced that all Marylanders aged 16 and older are now eligible to get vaccinated at our State mass vaccination sites. And on Monday, by Monday, April 12th, all Marylanders 16 and older will be eligible to schedule appointments and get vaccinated, or eligible for vaccination, at any vaccine site in the State, and that includes those mass vax sites that I just mentioned, retail pharmacies, doctors' offices, community-based vaccination sites around the State.

This morning we're happy to announce that FEMA is opening a new community vaccination center in Prince George's County at the Greenbelt Metro Station. And as more doses of vaccines become available, FEMA has projected

that they will be able to deliver up to 3,000 shots in arms per day into Marylanders and those who will be coming to that site.

Additional vaccine doses and more locations of access to these vaccines and the work of the Vaccine Equity Task Force has aided Maryland's success so far. Currently, we're administering over 60,000 vaccines per day and that number is rising. When I last chaired the Board on March 24th, I shared that it took 67 days for us to reach 1 million vaccines delivered or administered, and then 27 days later to reach 2 million vaccination milestone. Well, I'm glad to announce that it took just 19 days for Maryland to reach 3 million vaccinations, which the Governor announced I believe earlier this week.

So we're moving forward. And just recently, the Governor, General Birkhead, Brigadier General Janeen Birkhead, and I recently celebrated the significant role that faith communities have played in reaching these milestones and want to underscore how important they have been in the vaccination effort. Many of these faith-based institutions have been connected with the Vaccine Equity Task Force and that task force, which is staffed by our citizen soldiers of the Maryland National Guard, is currently engaged in nearly five dozen missions and has assisted in providing more than 10,000 first doses of the COVID-19 vaccine. So pastors, rabbis, imams, and other faith leaders have opened the doors of their houses of worship to serve as vaccination sites. And this has allowed people to feel more

comfortable getting the vaccine and, you know, associating with people that they feel comfortable with in the community and feel safe. These partnerships between the State of Maryland, health providers, houses of worship have improved access to vaccinations and other resources to protect the health and well-being of populations who have been disproportionately impacted by this deadly disease. And our efforts in this area have been recognized by the Biden administration.

On Saturday, I joined the City of Praise Family Ministries in Prince George's County to tour their new community COVID testing site launched in partnership with the State Department of Health and the U.S. Department of Health and Human Services. The site replaces the testing site that was at Six Flags Amusement Park when we converted that to a mass vax site. And the site is the first in the nation program that provides monoclonal antibody infusion treatments, a one-time treatment which is shown to lessen COVID-19 symptoms. And for COVID positive patients with underlying health conditions, it is 70 percent effective in preventing hospitalizations and death. HHS is hoping that the work at City of Praise can serve as a national model as they roll out more monoclonal antibody treatments in underserved communities and more partnerships that we have in this fight and the flexibility we have with testing, vaccinating, and innovative ways to treat COVID, is all for the good. And with that, I will just turn it over to my colleagues for their opening statements. Madam Treasurer?

TREASURER KOPP: Thank you, Governor. That's good news and I know we have heard of some problems with Maryland vaccines this week, the procurement of the vaccines. I assume the Comptroller was going to mention that, and I will not. But that is good news. And we are making progress at last, I think.

I wanted, Governor, to wish you a Happy Birthday. We missed your birthday between the last meeting and this one.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

TREASURER KOPP: And I hope it was very good, celebratory, and all sorts of wonderful things.

LIEUTENANT GOVERNOR RUTHERFORD: Let me say thank you to the Comptroller. He left me a voice mail message on my birthday. So thank you.

COMPTROLLER FRANCHOT: I was so happy that your voice mail was not full.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: I clear my voice mail. Even if I don't listen to it. No, I'm sorry.

TREASURER KOPP: Yeah. No, that's good. Very nice. He's a fine fellow, the Comptroller, very thoughtful.

The Comptroller did mention earlier before this meeting started a problem we have in the State Treasury Building, the building that the Comptroller and I share, about a burst pipe which it has not been the first time that pipes have burst. But this time it was at 1:00 in the morning. Water poured down the first floor corridor and stopped, thank heavens, right before the IT rooms. Unfortunately, it then went down the stairway and also through some chinks in the floor and attacked some basic PVX and IT facilities. And it's really, it's emblematic about the insufficient maintenance of State buildings. And we have discussed this before. I think we're all agreed that it's an important problem and really the taxpayers are not well served by the lack of maintenance and plant renewal when necessary.

But I did want to say, Governor, you're the former Secretary of DGS, but I believe the Secretary of the Department of General Services is listening and I hope maybe the Chief Archivist. Because there were four people who came in right away and have been immensely helpful to us. And I just wanted to publicly thank them and for you to know this. Andra Shaw, the Acting Superintendent of Annapolis was there on the spot and has been and has been terrific; Doug Stube, the Building Manager of the Treasury Building, they have been there the whole time, they have been directing things, brought in what sounds like a whole factory full of drying equipment, etcetera, because it's wet on the floors and up the walls

and it was steaming water that came in in the middle of the night for several hours. And finally, not finally, but Tim Baker, the State Archivist; and Catherine Rogers Arthur, the State Curator and Director of Artistic Property had to go in, grab the valuable old portraits of former treasurers, white gentlemen all, and take care of them to make sure that they weren't lost completely. And these people have been there and their staff have been there the whole time, correcting problems, trying to solve the problems, trying to help us move forward, despite the fact that this was a manmade, created problem. And I just wanted to publicly thank them for their hard work. No more than we expect, and simply typical of our great State public servants. But they were terrific. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: It's unfortunate that you had to experience that. But it happens often in our buildings, because they are old and, you know, years of, you know, deferred maintenance, it's best to put it. The University System has the same issue as well.

TREASURER KOPP: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: And so, you know, the folks at General Services and the facilities maintenance area do an exceptional job of trying to hold together our buildings, you know, with bubble gum and chicken wire, in some cases. And they are very responsive and, you know, it has happened in some of our other buildings in Baltimore City. And for a long time we

had Schaefer Tower has challenges. We won't talk about State Center. And where, the Saratoga Building, which we were trying to get out of that building completely, has been a disaster probably since it was first acquired. So yeah, no, we understand.

TREASURER KOPP: Well let me, I was remiss, also, in not acknowledging and thanking the great people in the State Treasurer's Office and the Comptroller's Office, who worked through all of this. And if only our fellow citizens and taxpayers were aware of how difficult it is, and how expensive, because it costs much more to repair after the fact than to keep things working well. But I sound too much like a schoolmarm and I apologize.

LIEUTENANT GOVERNOR RUTHERFORD: No, we like that.
Mr. Comptroller?

COMPTROLLER FRANCHOT: No, it actually is music to my ears. Because, you know, we, the Treasurer and I served in the Legislature for many years and we were both on Appropriations. And frankly the maintenance accounts were used as kind of a buffer for us to reach into and grab money when we really needed it for some other, you know, program that had a much better sounding name. So, Lieutenant Governor, what you say about it being relatively low priority, I think for the most --

LIEUTENANT GOVERNOR RUTHERFORD: Not for the folks at
General Services --

COMPTROLLER FRANCHOT: -- couldn't agree with you more.

LIEUTENANT GOVERNOR RUTHERFORD: -- in the appropriation process it becomes a lower priority.

COMPTROLLER FRANCHOT: Exactly. And so that's the problem. But I will comment just for the record, that for the first time in history the three people on this screen are intensely supportive of proper maintenance of State, county, municipal facilities. And you know, maybe down the road if, Boyd, if you and Secretary Churchill and Secretary Brinkley want to do something, I hate to commit my vote in advance but I'm with you guys.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Let's pile all these things on the Agenda.

COMPTROLLER FRANCHOT: If I could just comment about, you know, something that's a little more sobering and sad, this is the morning *New York Times* today and the article in it is just, once again it's I think the third or fourth article on the front page of *The New York Times* about a company that I'm sad to report is headquartered in Gaithersburg, Maryland and has a manufacturing facility in Baltimore, which produces vaccines. And the article is, all of the articles taken together, are just unbelievably damning. And I hope that folks will pay attention to this series of articles.

Sad as it is for me as the Chief Fiscal Officer or Comptroller of the State of Maryland, to talk about a Maryland company that has been identified in these extensive reports as the “chief corporate offender” of basically, you know, it’s a combination of influence peddling and just corruption. And it reminds me of the Teapot Dome Scandal back in the 1920s. That was about oil and corruption. And corruption I mean is people using their connections and government contacts to get money out of the U.S. Treasury or out of State Treasury.

So the Teapot Dome Scandal was a big issue concerning scandal and oil. This is a big scandal that involves vaccines and public safety. Because the facility in Baltimore was essentially set up to be a vaccine manufacturing facility and it has proven to be a non-participant because of what went on.

So my basic message or plea is to the local press, the radio stations, the TV stations in Baltimore and Washington that are always, you know, Lieutenant Governor, if you or I or the Treasurer or the Governor or the Senate President or the Speaker was involved in anything even remotely similar to what this company did, we would be, you know, just followed around by TV cameras demanding answers. And I hope that, you know, Washington TV stations and Baltimore TV stations, the papers in Baltimore and Washington, the bloggers around the State who are always all over everything political, I mean, take a look at this and just read *The New York Times* articles. Because it fits into an unfortunate part of

American history. And I will just finish by saying that the founder and the chief owner of this company last year cashed in \$42 million worth of stock. Now, am I against the free enterprise system? No. But am I against what I call pandemic profiteering like the Teapot Dome Scandal, influence peddling? Yeah, count me in. I'm very concerned about that. So that's a plea to folks that, you know, they are professionals and they need to go and ask the right questions.

I would like to comment more positively on the arrival of spring and warm weather. I know that when I walk around my backyard now I see the little leaves coming and I know that better days lie ahead. Obviously, what the Lieutenant Governor reported today about the availability of vaccines will go a long way towards curing the frustration, confusion, and anger that people have about the vaccination rollout nationally. And I applaud the Hogan administration for doing that.

But we have to remain obviously vigilant, because apparently there is a variety of this virus down in Brazil that is causing everybody a lot of anxiety and hopefully it won't prove to be anything. But I certainly hope that we're going to continue to keep an eye on and protect the safety of our citizens, and particularly importune all of us politicians to just, you know, calm our natural good intentions of opening up the economy and getting the kids back into school and getting

everybody back to normal interaction at baseball games and things like that. I just think we need to make sure that we've got this thing corralled.

I also want to just thank everybody, all of the procurement officers who have dealt with the pandemic. But I must admit that I continue to be a little bit appalled, not a little bit, appalled at the emergency procurement reports failing to comply with procurement laws. And I think it's getting a little bit old right now to say that the reason that all happened is because of the pandemic over the last year. I don't want to get into a big back and forth Lieutenant Governor. I'm not suggesting that our State employees are not deserving of a break. But this is, we need to make sure that that excuse does not become a lame excuse. Because there are so many of these emergency contracts that we're dealing with. And so the late submissions of emergency contracts I think are unacceptable and hopefully we'll see that moving forward that there's a big reduction in those delays being put in front of the Board of Public Works. Thank you for letting me comment.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you. And thank you for bringing up the Teapot Dome Scandal.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: The lesson of the day. So kids, go online and look up Teapot Dome. And before we get to the Agenda, I have to --

TREASURER KOPP: Governor, could I interrupt you?

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

TREASURER KOPP: Just as a, you as a former federal official might be interested, if you don't know this, to know that the Department of, the GSA --

LIEUTENANT GOVERNOR RUTHERFORD: General Services Administration.

TREASURER KOPP: -- where I have a relative, yes, employed, actually is in the building where the Teapot Dome Scandal --

LIEUTENANT GOVERNOR RUTHERFORD: And I was going to say, you remember, I was an appointee at GSA.

TREASURER KOPP: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: And the administrator's office is the office -- that was Secretary Fall, who went to jail when the Teapot Dome Scandal. And at least when I was there, they kept a photograph of him in that office to remind every administrator that came in -- at one time, that was the Department of Interior's office before they built that across the courtyard from the current GSA office. But they always kept the picture of Secretary Fall in that office to remind everyone about the Teapot Dome Scandal.

TREASURER KOPP: I hope the prior President, former President, didn't remove it.

LIEUTENANT GOVERNOR RUTHERFORD: I haven't been there since, you know, Bush 43. So it was there when I was there. So I don't know, you know, what has happened since.

TREASURER KOPP: Sorry to interrupt.

LIEUTENANT GOVERNOR RUTHERFORD: So okay. All right. So Madam Treasurer, you had asked Secretary Brinkley if he could give a brief overview of the budget. Is that something that you still wanted at this time? He's available.

TREASURER KOPP: I believe the Secretary is prepared to do that and it would be, I think it would be helpful.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I see him on the screen now.

MR. BRINKLEY: Good morning, Governor, Mr. Comptroller, Madam Treasurer. I prepared just a few talking points. And there certainly is an awful lot of detail within this budget that I would be more than happy to sit down with each of you and give you a briefing or go into any more detail. We are still digesting, as is DLS, the ultimate changes. But I also wanted to give accolades to the Chairs of the Appropriations and the Budget and Tax Committees, the Senate

leadership, the House leadership. We had extensive conversations in trying to wrap our arms around what was coming from Washington.

I'll remind people that we submitted a budget that basically presumed there would be no assistance from Washington. We knew there was some coming. What we did not know were what restrictions would be attached to it and the timing that would be attached to it. And the Legislature was receptive to that concept and we maintained an ongoing conversation and we still maintained that there would be some flexibility. The key to it, we should end up with the next fiscal year with at least \$2.1 billion in cash, a combination of the closing cash account and the Rainy Day Fund.

We certainly made some enhancements by the time we got through our five supplemental budgets. I know that we had conversations earlier, or you were having conversations about building maintenance and some of the keys on that. We have an additional \$30.2 million for DGS for critical infrastructure, and \$23 million for the Department of Natural Resources for some of their critical infrastructure. Remember, so many people did go out and utilize the park system. I know the Lieutenant Governor has been traveling all around to the different facilities that we have. And therefore, there certainly was an acceleration of that. And the other thing that you will be pleased to know that on the operating side we even allocated a few more contractual positions to help DGS deal with just the

workload. And we have this additional money going out there in that concept. We want them to be able to have the personnel so they can ensure that the projects are timed, that they have the contractors doing what they are supposed to be doing and have proper supervision along those lines.

There is an awful lot more in this. The Legislature, I've got to give accolades to them in coming in with the executives just to have the conversations so that we can deal with the crisis of the pandemic and deal with the economic crisis as we go forward, and also dealing with the social crisis that we have. We have some increase in monies going for healthcare, certainly for the vaccinations and the mass vax sites that we have, but then also dealing with the social issues that we have and ensuring the Tdap and some of these other programs have some extra money to pass through.

So again, I just wanted to be very brief. I'm more than happy to sit down with you one on one. But I've got to give accolades where it's due, to our team and to the team of the Legislature and DLS in just having those conversations and reaching some accords.

TREASURER KOPP: Thank you all. I'm sure we all look forward to going through the budget with a fine tooth comb and appreciate the federal assistance, because we would be in terrible shape if it weren't there. But I must say, just for those who are listening who are 16 State employees, I assume, that this

example of the legislative and executive branch working together on the budget, which after all is the heart of programs, you can't provide the services without the funds and the people, I would hope would be an example shared not only around the country, but just down at the other end of Route 50 on Capitol Hill. And they would see how people can work together.

MR. BRINKLEY: I'm more than happy to walk them around and show them how some of these things happen. And Madam Treasurer, I know that you will be very pleased to know that we even have additional resources going in for electric vehicle charging stations.

TREASURER KOPP: Yes, I was going to, I'm going Friday --

MR. BRINKLEY: Right, Friday --

TREASURER KOPP: -- invitation --

MR. BRINKLEY: -- in Essex. And I should be there and the Governor will be there and I know you will be there.

TREASURER KOPP: Yes, the first of, not the first of, but a milestone in the development of the electric vehicle charging system. I appreciate that very much. It's absolutely essential.

COMPTROLLER FRANCHOT: I'll just note for the record that the three people other than the Lieutenant Governor on the screen right now comprise the Board of Revenue Estimates. And we pride ourselves on being able to do,

unlike other states, nonpartisan revenue estimating. It doesn't make it accurate. We were pretty far off this year because of various things. But I want to salute Secretary Brinkley and Treasurer Kopp because they have, along with us, created something that is collaborative, collegial, professional, nonpartisan, and other states generally don't have what we have. They have Republican budgets and they have Democratic budgets. We don't in Maryland. And so Governor, please pass along my compliments to the other Governor, Governor Hogan, and both of you for having Secretary Brinkley in your operation. Because he is, he represents everything the Treasurer just said.

MR. BRINKLEY: That's very kind of you. Thank you, Mr. Comptroller.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

TREASURER KOPP: Thank you very much.

LIEUTENANT GOVERNOR RUTHERFORD: All right. I guess we'll turn to the Secretary's Agenda. John?

SECRETARY GONTRUM: Hi, good morning, Governor, Madam Treasurer, Mr. Comptroller. There are ten items on the Secretary's Agenda this morning and eight reports of emergency procurement. Item A8 is being withdrawn at the request of the department. I'm happy to assist with answering any questions.

LIEUTENANT GOVERNOR RUTHERFORD: Questions on the Secretary's Agenda?

COMPTROLLER FRANCHOT: I have one about Item 9.

SECRETARY GONTRUM: Item 9 is a contract from the Maryland Environmental Service. We have Director Dr. Charles Glass and Ms. Ellen Frketic, who are able to answer questions.

COMPTROLLER FRANCHOT: Oh, excellent. Dr. Glass, so it's my understanding the Governor's proposed budget for fiscal year 2022 includes the closure of the Eastern Pre-Release Unit, which this is concerned about, Southern Maryland Release Unit at the end of this June. Is that exactly what you guys are planning, to close -- why are we closing pre-release units? Isn't this something that helps us reduce recidivism? Or am I --

DR. GLASS: That -- for the record, Charles Glass, MES Director. Thank you for the opportunity to speak today, Governor Rutherford, Treasurer Kopp, and Comptroller Franchot. That would definitely be in the purview of the Corrections Department. I, but it is my knowledge that, yes, these facilities are being closed because of lowered need for population in those facilities. Unfortunately, there were upgrades to water and wastewater treatment plants that were associated and we're shifting, trying to shift some of the technology to other facilities that are still in use.

LIEUTENANT GOVERNOR RUTHERFORD: Secretary Green is available --

COMPTROLLER FRANCHOT: Oh, good.

LIEUTENANT GOVERNOR RUTHERFORD: -- I believe, if you want to speak to the Secretary.

COMPTROLLER FRANCHOT: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Secretary, are you still out there? At least he was. John, do you know if he's still around?

COMPTROLLER FRANCHOT: Well, that's okay. Someone can -
-

LIEUTENANT GOVERNOR RUTHERFORD: Oh, there he is. No, he popped up.

MR. GREEN: Very good. Good morning, Governor Rutherford, Comptroller Franchot, and Treasurer Kopp. Yes, those facilities were proposed to be closed. We have a 65 percent bed capacity right now in our pre-release centers. But what we're focusing on, Comptroller, is that statewide reentry. Rather than just a focus on pre-release centers as brick and mortar, we are focusing on a statewide re-entry plan for individuals that are going back to the communities where they live, where they want to live and thrive and are doing that across all of our Maryland counties. Thus that proposal, we are entering really a re-entry for a

phase out of all of our facilities across the State. And I am told the necessary modifications and work that needs to be done on the wastewater treatment plant would be occurring whether those facilities remain open or not. But I would defer to Dr. Glass for that.

COMPTROLLER FRANCHOT: Well, I guess then I have a couple of questions. Number one, if this is the situation that we're possibly closing pre-release projects, why are we doing these kinds of investment of taxpayer dollars? It doesn't seem like it's exactly the -- maybe the decision to close these facilities is suddenly upon us and so the ongoing stormwater project, or whatever it is, where we, how much have we invested so far in this thing? I think it's \$7.1 million of taxpayers' money. Isn't that --

DR. GLASS: So we are -- oh.

COMPTROLLER FRANCHOT: -- a problem if, are we doing this in other facilities around the State, where we are putting this kind of money into something that we're closing?

DR. GLASS: So capital programs, obviously, start, you know, there is a long path before things are in design, engineering, and construction. From my knowledge, obviously I have been in this role for almost a year, this was a part of a capital program that was moving before the decision was made to close. However, we are trying, this is a membrane reactor wastewater treatment plan, and we are

trying to -- first, we do have to close in an environmentally sound way. So things like mothballing of the lagoon system that's next to the facility that was a part of this upgrade that still has to happen just to meet environmental permits. And then for all the technology that has been put in place, we are doing our best to save those assets and move them to another facility as we upgrade other parts of the State. But --

COMPTROLLER FRANCHOT: Are there any other projects that are currently underway at this facility or the other one that is slated to close, the Southern Maryland Pre-Release Unit?

DR. GLASS: I would have to defer to my colleague, Ellen Frketic. Ms. Frketic, are there any other parts of the capital program that are not in action yet that we could possibly slow down or stop?

MS. FRKETIC: We have nothing else planned at any of the other, these facilities. This wastewater plant at Eastern Pre-Release was the only thing we had planned.

COMPTROLLER FRANCHOT: Well, I think you have to agree that it's a little bit of a bad optic for fruitful investment of taxpayer dollars doing this. Now it may just be, you know, all by itself. But I hope that somebody is paying attention to this. And I also, frankly, can't imagine what replaces a pre-

release center in Southern Maryland or on the Shore? Are we going to make people go somewhere else? Is that the logic here?

MR. GREEN: (Indiscernible).

COMPTROLLER FRANCHOT: -- people there?

MR. GREEN: I would be happy to address that, Mr. Comptroller, and provide you with the full plan of what we are doing based on the data and where individuals are returned to. So we looked at --

COMPTROLLER FRANCHOT: Okay. Okay. That's fair. But, you know, coming up with a plan that somebody on the Shore has to come over to the Western Shore, or somebody in Southern Maryland has to go up to Prince George's or Montgomery, that's not my idea of a good plan. But you know, who knows, you guys are the experts.

MR. GREEN: I would be happy to show you the full plan of where individuals in our system are returning to across the State, all 24 Maryland jurisdictions. And we have a re-entry dashboard. We are very much focused on the population and where they are returning to and there will be re-entry on the Shore in all of those counties, individuals that are going home to those counties.

COMPTROLLER FRANCHOT: Okay. Madam Treasurer, did you want to add anything?

TREASURER KOPP: No. Just to say, first of all a question, what happens to the site after the pre-release capacity closes down?

MR. GREEN: The sites would be -- thank you for that question, Madam Treasurer. The sites would be sheltered and placed in the hands of DGS as State property to be, whatever disposition would occur in the future.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah --

TREASURER KOPP: -- so you look at --

LIEUTENANT GOVERNOR RUTHERFORD: -- and possibly surplus.

TREASURER KOPP: Right. So we look at the cost benefit to the State, I assume, of moving, Dr. Glass mentioned moving some of the wastewater treatment facility itself, not the lagoon, we look at the cost benefit of that versus keeping it there as part of a package for somebody to come in?

DR. GLASS: I was referring to the actual physical equipment, not necessarily the concrete, but the actual membranes, pumps --

TREASURER KOPP: Right.

DR. GLASS: Things that are discrete, larger, more expensive pieces of equipment that are able to be used at other facilities.

MS. FRKETIC: And if I could add something, a membrane plant is a little bit unique compared to a conventional wastewater treatment plant. You

can't just leave the membranes there. You know, we are going to try to preserve them and keep them for the year --

TREASURER KOPP: I see.

MS. FRKETIC: -- so that we can move them. Because it is going to take about a year to relocate and get the other site ready for them. But you can't leave them there indefinitely. They would be damaged and --

TREASURER KOPP: Well, one would hope it wouldn't be indefinite but long enough to entice maybe somebody to move in. But I understand what you are saying. And it would be great if they could be used. At another time, Mr. Secretary Green, I would be really interested in seeing those plans you mentioned to the Comptroller. I know how well you did with pre-release, not a facility, but a capacity, the sort of thing you are talking about, a process in Montgomery County. And I do think, and I think the Comptroller and his staff would be interested in seeing, how in fact the attempt is to link people to the community they will be in as opposed to housing them in one place --

MR. GREEN: Yes, Madam Treasurer. I will have my staff reach out to both of your offices and we'll set a time for that presentation.

TREASURER KOPP: I would be very interested. I think people should know, Maryland is I hope moving forward in this regard.

MR. GREEN: This is very much on the edge of the science that tells us how we return people back to the communities where they are going to live and prosper in. And again, we look forward to the opportunity to show you these plans that have been really in development for about 19 months.

TREASURER KOPP: Great.

COMPTROLLER FRANCHOT: Lieutenant Governor, that's my questions on this item. But I have another item on the Agenda that concerns Secretary Green, so if --

LIEUTENANT GOVERNOR RUTHERFORD: Oh --

COMPTROLLER FRANCHOT: -- I don't meant to jump in front of you or the Treasurer. But --

TREASURER KOPP: Is it A3?

LIEUTENANT GOVERNOR RUTHERFORD: -- while he's here. Yeah, while he's here. That's --

COMPTROLLER FRANCHOT: It's A2.

TREASURER KOPP: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I was going to talk about that, too. But go ahead.

COMPTROLLER FRANCHOT: Well no, go ahead. I'm fine to follow you guys.

LIEUTENANT GOVERNOR RUTHERFORD: No, and I'm not speaking an objection. It was a little, you know, it took some time to follow exactly what went on here. And I think the real issue comes down to we have three phases that you can, or three tools that you can use for this type of situation, really two: the authority of Public Safety and Corrections is either an emergency or it's fair and open competition. Transportation has something in between, which is an expedited procurement. This seems like one of those that is really an expedited procurement, but they shoved it into the emergency category. And so, I mean, I can let Secretary Green explain it. But I would like to, you know, have some conversations with the procurement agencies and Board of Public Works staff in terms of, you know, what can be done in these types of situations where you are getting bids and there is a timing challenge that comes up in terms of the 45 days to report it as an emergency or if there is a way to get pre-approval for an expedited procurement that can be done. And pretty much do something very similar to what they ended up doing because of the failure of the systems that were taking place. But I will let you go ahead with your, that was --

TREASURER KOPP: Governor, could --

LIEUTENANT GOVERNOR RUTHERFORD: -- when I saw this, that's what came to mind.

TREASURER KOPP: -- could I just jump in to say that it's my understanding that there are members of the General Assembly in the appropriate committees who are very interested in looking at the procurement process problems, now that the structure has been set and your group's recommendations have been instituted. And it might be quite helpful to bring them into this discussion as well.

LIEUTENANT GOVERNOR RUTHERFORD: Yes. Yeah, I believe, and I was talking to our Board of Public Works advisor and she was saying that I believe Delegate Reznik has some suggestions about expedited procurement. And I don't know --

TREASURER KOPP: There are members who in fact are themselves experienced in their other lives in procurement as well.

LIEUTENANT GOVERNOR RUTHERFORD: Mm-hmm. Okay.

TREASURER KOPP: I'm sorry --

LIEUTENANT GOVERNOR RUTHERFORD: Mr. Comptroller?

COMPTROLLER FRANCHOT: I actually had a different slant. I certainly agree with you guys about the procurement confusion. But I was concerned because obviously North Branch Correctional Institution in Cumberland, which we are talking about, is a maximum security facility. Apparently the security systems for some time were not operating, things like cell

doors that didn't operate properly, intercom systems failing, security cameras that didn't work. So I fully support obviously fixing that system. But apparently during the time it took to fix it, at least four documented assaults occurred at this maximum security facility, at least according to the *Cumberland Times-News*, involving inmates as well as staff, correctional staff. And those occurred between the emergency declaration and the date of the contract award. So Mr. Green, are we on top, or Mr. Secretary, on top of the failure of a security system and did it, or did it not, contribute to any of these incidents?

MR. GREEN: Thank you for that question, Mr. Comptroller and the comments of the Treasurer as well as Governor Rutherford. This was a declared emergency in August. The emergent situation that caused it involved a housing unit. We completely shut down 128 cells, 256 beds. The emergency surrounding that housing unit remains in effect today and that housing unit remains closed. The cascading effect of the complexities of the security electronics continue to lead us in, as these are fully integrated all the way through the system, it led to the complexities of getting the emergency design and process to where we are today. And I am very aware of the concerns around the emergency and I am working within our department to make sure that those emergencies are absolutely, as you know, true emergencies at the moment. And this is, it remains an emergency. But it was one that we were able to isolate.

On the four incidents that you bring forward, Mr. Comptroller, we investigate all of our incidents, everything that happens within the facility, and I'm unaware that any were attributed to the fact of this security electronics complexity and this emergency that we are in now. But we seek to get this repaired as quickly as possible. Now that we've had the design, we did two bids, we selected the low bidder and are moving expeditiously to get this integrated solution, and it is a complex integrated solution, when you have in some cases newer facilities that everything flows, one item flows into the next, including your intercoms and cameras. But we seek to make sure we fix this expeditiously but also do it right.

COMPTROLLER FRANCHOT: It sounds like you are on top of it. Thank you. Those are my questions. Thank you, Lieutenant Governor.

TREASURER KOPP: Mr. Comptroller, I was, since you didn't do it, I was just going to point out, in your, Mr. Secretary, in your description, in your remarks in the Agenda before us, the emergency procurement was required due to a security related incident in which several cell doors failed to operate, the intercom system failed to operate, the CCTV cameras failed to operate, as a result of key integration components of the system failing, to lead to complete system failure. The contract will immediately replace the security electronic system that is over 16 years old and for which components of the system are no longer available, therefore requiring a complete security system upgrade. I mean those, that says it.

COMPTROLLER FRANCHOT: Madam Treasurer, this is a maximum security facility.

TREASURER KOPP: Yes. Yes.

COMPTROLLER FRANCHOT: Not some kind of halfway house.
So --

MR. GREEN: And the unit where that failure took place was immediately taken offline.

TREASURER KOPP: I appreciate you acted as quickly as possible. But in light of our earlier conversation about maintenance and plant renewal, I mean, this is just a terrible poster child incident for the problem. And I guess my question of you, Mr. Secretary, recognizing how quickly you have acted, and I appreciate that, what other of our institutions are facing exactly the same sort of problem of critical, old, irreplaceable, unfixable but not replaced yet, equipment?

MR. GREEN: I think we have the complexities, as all State government has, with some of our preventive maintenance plans. But we have developed that. Our staff have done an incredible job of reacting to these emergencies and keeping security hardware, security safety camera systems in their State up and operational. But do I believe that we need to do a better job there? Absolutely. But --

TREASURER KOPP: But they couldn't do it. Mr. Secretary, they couldn't do it, according to you, because the components are no longer available.

MR. GREEN: Some of those components were not found to be unavailable, Madam Treasurer, until we got into the complexity of a cascading effect of reintegration.

TREASURER KOPP: I think I understand what happened. I think we all understand. We're sympathetic and appreciative of all you did. I'm simply pointing out that the staff can't, is not in a position to make the irreplaceable and no longer available, but absolutely critical, parts of the system. And we as a whole have to address this.

MR. GREEN: I would agree, Madam Treasurer. And thank you very much, we are looking after the maintenance.

LIEUTENANT GOVERNOR RUTHERFORD: Mr. Secretary, I guess a question, then kind of a follow up question. Do you have a similar system at some of the other facilities made by the same manufacturer and that's been there for a similar period of time that's, you know, worth taking a close look and putting it on the schedule to be replaced?

MR. GREEN: We have -- thank you for that question, Governor Rutherford. We have systems that are across our facilities from traditional lock and key without integration, all of the way to this level of integration. North Branch

Correctional Facility and YD Youth Detention Facility are our two newest facilities that have this type of cascading kind of integrated technology and we're looking at all of them to make sure that they do not fail. But if they fail, the important piece is you have space in which you can relocate individuals, isolate, and move forward, which is what we were able to do in this situation and then move expeditiously as possible.

I would note in my previous life, and Madam Treasurer you may be aware, a very similar, new facility that we had built. We had a security electronics anomaly that had a similar cascading effect. But again, you work quickly to isolate it, declare your emergency, and get it repaired. But it did not have unsimilar complexities. And I do appreciate your concern and as well as your support for us looking forward at these systems. And we will absolutely (indiscernible) and have absolutely done so.

LIEUTENANT GOVERNOR RUTHERFORD: The challenges of new technology. Go back to the lock and key, maybe.

MR. GREEN: Lock and key works very, very well. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: You have the big keychain.

COMPTROLLER FRANCHOT: Treasurer, great questions and I second all of them. So count me in on that and thank you --

TREASURER KOPP: We are very fortunate to have Mr. Green in his position, Secretary Green, and should take advantage of it.

LIEUTENANT GOVERNOR RUTHERFORD: Yes. Any other questions on the Secretary's Agenda?

COMPTROLLER FRANCHOT: I have a --

TREASURER KOPP: Just apropos of the same thing in the next one, A4, the Military Department --

LIEUTENANT GOVERNOR RUTHERFORD: Oh, the boiler.

TREASURER KOPP: I would simply point out that, again, the remarks of the agency, the replacement boiler systems were less expensive than repair with a faster delivery and we'll have two new complete energy efficient boiler systems instead of two old systems with new parts. This was after the second of two boilers --

LIEUTENANT GOVERNOR RUTHERFORD: Yep.

TREASURER KOPP: You can save money if you are organized to act proactively.

LIEUTENANT GOVERNOR RUTHERFORD: And they used the Small Business Reserve Program for this.

TREASURER KOPP: Mm-hmm.

COMPTROLLER FRANCHOT: Could I just --

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TREASURER KOPP: -- in a terrible situation.

LIEUTENANT GOVERNOR RUTHERFORD: Yes, well, yes.

TREASURER KOPP: Sorry.

COMPTROLLER FRANCHOT: I did have a question on Item, the next one, A5, and then I will be through with this Agenda. But this is another Maryland Military Department award to Hagerty Consulting. It's a nine-month, \$17.5 million contract to provide staffing in support of the State's COVID vaccination initiative. And so my understanding is that we're going to, we hired this group to provide staffing to six of the mass vaccination sites currently in operation throughout the State. It will allow us to add an additional 53 staff. Fifty-three staff divided into \$17.5 million is \$330,000. I know that's unfair, but maybe somebody could explain to me exactly what's going on here. Because originally I thought the National Guard were going to be the folks providing the staff for these vaccination units, and then all of a sudden apparently the National Guard isn't the lead agency because it's a State support agency. So as we see more mass vaccination sites come online, I think the Lieutenant Governor mentioned that possibility, are we going to provide staffing through Hagerty for this site as well? And are we going to see more contracts like this one before us? And why can't we just use the National Guard here?

LIEUTENANT GOVERNOR RUTHERFORD: Well we're going to, I think Russ Strickland is here from MEMA, Maryland Emergency Management Agency. He can answer some of those questions.

COMPTROLLER FRANCHOT: Terrific. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: But I will point out that the Guard, you know, is providing a lot of logistics support currently. There are about 1,000, close to 1,100 Guard members who are actively supporting, you know, our COVID operation, from the mobile vaccine sites, working with the healthcare team, the Equity Task Force, 546 of them are working on the mass vax sites. I mentioned being out at the testing and monoclonal antibody testing that was, you know, the logistics and check in was all done by the National Guard. But it was overseen by a contractor, a contractor that both the feds and ourselves use, which is the same as with Hagerty. So is Russ on the line?

MR. STRICKLAND: I am, can you hear me?

LIEUTENANT GOVERNOR RUTHERFORD: Oh, okay. All right. Please identify yourself.

MR. STRICKLAND: Russell Strickland, Executive Director of the Maryland Emergency Management Agency. And I apologize, I've got a little bit of a sore throat here this morning. So I'll try to speak up as much as I can.

I mean, the primary use of this contract is to support the ongoing operations of COVID. We had them at the beginning of COVID, we kept them all through the event, and right now they are focused with us on doing the mass vax sites and providing basically the command staff, the leadership of that to include things like the site manager, the operations lead, the logistics lead, voluntary manager, and scheduling manager. Additionally, we have them in our business operations center and our joint information center, who are also augmenting our current staff in those areas. We're also going to be using them in the public assistance arena, too, to work on the reimbursement process to receive money back from FEMA for these sites.

COMPTROLLER FRANCHOT: So who, what State agency is actually in charge, if it's not -- apparently the National Guard is a support group?

MR. STRICKLAND: Right.

COMPTROLLER FRANCHOT: But is there a State agency that's in charge of these mass vaccination sites? Or is it Hagerty Consulting?

MR. STRICKLAND: No, Hagerty Consulting works for us. And the unified command for this operation is the Department of Health and the Maryland Emergency Management Agency, along with MIEMSS is also heavily involved, Maryland Institute for Emergency Medical Services Systems.

COMPTROLLER FRANCHOT: So I, you probably thought my division of the number of staff from Hagerty into their contract amount was a little glib. It probably is. But what exactly are we getting from them that we don't have within our own Department of Health and your agency?

MR. STRICKLAND: We don't have, we don't have people with the same amount of training and expertise in running some of these sites within, particularly within our agency as well as the Department of Health. And it's even, some of it is outside what the National Guard can provide, where we are looking for pharmacists, pharmacist techs, those with more of a medical background. And we have to reach out to other contractors for some of that.

COMPTROLLER FRANCHOT: Well, I welcome the vaccinations, obviously, with open arms, so to speak, to pick a phrase. And so and I, you know, it's not easy given the situation in the country. So I can understand bringing in some expertise. And as long as you are watching the bottom line, because I don't think there should be a lot of big modifications. I think this is a pretty expensive augmenting of your State resources.

MR. STRICKLAND: Yes, sir. It is. And we are watching it very closely. And that is a ceilinged amount. To date, we have spent \$1.4 million of that.

COMPTROLLER FRANCHOT: Oh, good. Well, let us know what you end up spending, also, if you could.

MR. STRICKLAND: I'll do that.

TREASURER KOPP: Is this covered by the federal --

MR. STRICKLAND: Yes, ma'am, 100 percent reimbursement.

TREASURER KOPP: It's still taxpayer money for that.

MR. STRICKLAND: Right. I know. But that's one of the, you know, within the world of disasters, and I don't know whether this is fortunate or unfortunate, the states and locals don't have the staffing to handle particularly a disaster of this magnitude. You know, we can handle our normal natural disasters up to maybe \$60 million with our staff and other complement of State employees. But when it gets beyond that, the federal government supplements us with money to hire people to help us through that disaster.

LIEUTENANT GOVERNOR RUTHERFORD: My understanding is that Hagerty is also working with FEMA doing some very similar work. And of course, the feds have far more resources than we do, both from a standpoint of the labor aspects as well as the financial resources. And they've retained Hagerty for similar work as well.

MR. STRICKLAND: They do. And Hagerty is also involved in New York City, Austin, Texas, and Salt Lake County, Utah right now, too, to the same degree that they are with us. Actually, New York City is larger.

COMPTROLLER FRANCHOT: Not to be glib again, but do they also deal with broken water pipes?

MR. STRICKLAND: I'm sure they have somebody on their list who could --

LIEUTENANT GOVERNOR RUTHERFORD: But we're working on that. We're taking care of that --

COMPTROLLER FRANCHOT: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: -- local plumbers for that one.

COMPTROLLER FRANCHOT: Thank you. Move approval, unless there are other objections.

LIEUTENANT GOVERNOR RUTHERFORD: No.

TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. We're all in favor. Thank you. Thank you, Russ, and thank you, Mr. Secretary. Department of Natural Resources?

MS. HADDAWAY-RICCIO: Hi, good morning, Governor, Madam Treasurer, Mr. Comptroller. For the record, Jeannie Haddaway-Riccio, Secretary of the Maryland Department of Natural Resources. Also, for the record, today is Arbor Day in Maryland, so I want to wish all of you a Happy Arbor Day, and just take a quick second to recognize the hard work of the Maryland Forest Service and all of our partners who have been working very hard to help us continue meeting milestones for trees and forests in our State, despite the pandemic, including our firefighters who have been working across the country to protect our nation's forests and are now also assisting with the COVID vaccination efforts. But certainly none of that would be possible without the support that the three of you have given to all of our forest projects over the years. So thank you very much. And with that, we have four items on our Real Property Agenda today and we're happy to answer any questions you may have.

TREASURER KOPP: Madam Secretary, could I just say I hope that we are as enthusiastic about planting the necessary trees in Maryland as part of climate change mitigation and adaptation as we are recognizing Arbor Day, Maryland Arbor Day. It would be totally appropriate for a pledge to build them today.

MS. HADDAWAY-RICCIO: Absolutely. In fact, last year we planted a half a million trees and we distributed 3,400 trees to 44 communities

across the State. And in honor of the 50th anniversary of Earth Day we planted 10,000 trees in our State Parks. So I totally agree with you that tree plantings provide a full range of environmental benefits, including mitigation of climate change.

TREASURER KOPP: Thank you. I just have a question, not to go into right now, but we just received your report, DNR's report on leasing, leased sites. And I don't want to take up everybody's time, but I was intrigued by the numbers of, the importance most particularly of hunting clubs in terms of the leases, in terms of funding and the number of leases. And I would like to know more about the program and the nature of the clubs. At one time, the hunting clubs were not open and inclusive organizations. I trust that has changed, but I'd like to learn about it.

MS. HADDAWAY-RICCIO: Sure. We would be happy to follow up with you about that.

LIEUTENANT GOVERNOR RUTHERFORD: Well, I've had a number of them asking me to join. But I've generally not been a hunter in my --

TREASURER KOPP: No, I'm not even discussing the hunting aspect.

LIEUTENANT GOVERNOR RUTHERFORD: No, I know. I know. You're saying inclusive, and I'm saying that I've had some asking me to join --

TREASURER KOPP: Yes, well --

LIEUTENANT GOVERNOR RUTHERFORD: -- and I may have been excluded previously. I don't know about those particular clubs. I do want to say that on April 10th we will be launching State Park Week in Maryland and I'll be joining the Secretary for a couple of park visits on Saturday the 10th, this coming Saturday. And then you mentioned tree planting, I know I'm planning on planting a tree or more on the 22nd, which is Earth Day. And so we're looking forward to doing, taking care of both. I was supposed to do tree planting last year on Earth Day, but we were in the midst of the pandemic and the place where we were to go was saying we would do virtual planting. And I don't know how that works. But it was supposed to take place. This time it will be real with hands in the dirt and planting.

MS. HADDAWAY-RICCIO: Yes. Well, thank you, Governor. We're very much looking forward to that.

COMPTROLLER FRANCHOT: I would move approval of the Agenda.

TREASURER KOPP: Second.

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LIEUTENANT GOVERNOR RUTHERFORD: All right. Thank you, Madam Secretary.

MS. HADDAWAY-RICCIO: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. We're all in favor. University of Maryland System?

MR. HICKEY: Good morning, Governor, Madam Treasurer, Mr. Comptroller. Tom Hickey representing University System of Maryland. We have three items for your consideration today and we're happy to answer any questions you may have.

LIEUTENANT GOVERNOR RUTHERFORD: Any questions for the University System? Do we have a motion then?

COMPTROLLER FRANCHOT: Move approval.

LIEUTENANT GOVERNOR RUTHERFORD: Or Madam Treasurer, do you --

TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Tom, thank you. Tom, you don't want to discuss your facilities backlog, do you? Deferred maintenance backlog?

MR. HICKEY: It was interesting, the conversation that you all were having. We actually, the University System has a Board of Regents policy that

each of our 12 institutions are required each year to dedicate the equivalent of two percent of their operating budget for facilities renewal. And I can tell you that that is part of each president's evaluation when the Regents evaluate the presidents. So we take it very seriously, maintaining our facilities, and you know, preventing problems from happening.

LIEUTENANT GOVERNOR RUTHERFORD: Oh. I like that.

TREASURER KOPP: Governor, could I say, this was a program I believe that was started with the agreement of the Legislature, the Budget Subcommittee, which I chaired. So just to say the Legislature does support it. It was at the instigation of Johnny Toll, the late President of College Park. And he actually was trying to go towards five percent. I don't know that it ever went beyond two percent. But a program of plant renewal, system wide plant renewal, so that over time when many of these are buildings that do last a long time, although two percent still is a pretty small amount, is dedicated to that. And for a number of years, actually, former Comptroller Schaefer, you might recall, was pushing to have something like that for the State as well as part of when we have a project, you put a certain percentage of the construction funding aside for plant renewal.

LIEUTENANT GOVERNOR RUTHERFORD: Yep. Yep.

TREASURER KOPP: And for schools. I mean, that's how, if we were a corporation, that's how we would be doing it.

LIEUTENANT GOVERNOR RUTHERFORD: That's what you do. Right. You're right. There would be a reserve --

TREASURER KOPP: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: -- you know, building owners have a reserve for that, those events. And so, yeah, I know that it's nice that there is a two percent put aside. But I know the University System, just like the State, has a large backlog and it's going to take a long time to get through.

TREASURER KOPP: Yeah.

LIEUTENANT GOVERNOR RUTHERFORD: I mean, it's almost like, you know, before you build a new building, you know, fix the old. But the challenge comes, you get a donor that says, hey, I want to put X millions of dollars on this, you know, to have my name on this building. And say, well, maybe you're going to need to put more money in. That was one of the challenges. And not to tie you up too much, Tom. But I know when we first came in and we were looking at capital budgets, and there were projects that were already in the queue, and particularly at the University System, and there was a concern that, okay, you've got to fund it in the capital budget or that donor, that benefactor is going to take their money back. And then you would look, and the benefactor's funding was only ten or 15 percent of the construction. It's like, maybe not, where it's 85 percent

is coming out of, you know, tax dollars or tuition dollars. But still, it's kind of like, you know, for ten percent or 15 percent of the cost, you get your name on the building and you get to strong arm us into, well, if you don't build it, if the State doesn't put any money in, we're not going to, I'm not going to put my money in. It's like, no, it's worth looking at a higher threshold on that, and say maybe you get a wing for that amount of money or a couple of conference rooms or something. I don't know. A floor.

COMPTROLLER FRANCHOT: How about your initials?

LIEUTENANT GOVERNOR RUTHERFORD: Get a brick. So, all right, Tom. Thank you.

MR. HICKEY: Thank you very much.

LIEUTENANT GOVERNOR RUTHERFORD: Transportation?

MR. SLATER: Good morning, Governor, Madam Treasurer, Mr. Comptroller. For the record, my name is Greg Slater, Secretary of the Maryland Department of Transportation. The Maryland Department of Transportation is presenting 12 items for your consideration today and I will stick with the theme of maintenance, that if we don't do maintenance then we get a lot of phone calls, because there are potholes --

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

MR. SLATER: -- and rail lines and --

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LIEUTENANT GOVERNOR RUTHERFORD: Yeah, we don't want derailments and tearing out people's front ends of their cars, so.

MR. SLATER: In our world it's either pay now, or pay more later.

COMPTROLLER FRANCHOT: Yep.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Questions on Transportation Agenda?

COMPTROLLER FRANCHOT: I have one item, Item 4-S. And I wonder if Mr. Ports is available?

MR. SLATER: Absolutely. That's a service contract for Strayer University.

LIEUTENANT GOVERNOR RUTHERFORD: Yep.

MR. SLATER: Executive Director Jim Ports is on the line.

COMPTROLLER FRANCHOT: Excellent.

MR. PORTS: Yes, sir. Mr. Comptroller, I'm on the line.

COMPTROLLER FRANCHOT: Yes. Terrific. So I have a couple of concerns here with the Maryland Transportation Authority. And obviously, you know, Jim, the one, the announcement that you are going to launch DriveEzMD on April 29th, obviously that is significant and important as far as a transition to the next, I guess, generation of tolling operations, I guess it would be called. But there was a TV news report a couple of weeks ago which mentioned that Maryland

drivers were unable to reach the EZ Pass customer service center after receiving toll violations from the past year. And that falls under, Jim, the can you please answer the damn phone. Are we --?

MR. PORTS: Yes, sir. I can try to address some of that. And Mr. Comptroller, Madam Treasurer, Governor, Jim Ports, Executive Director for MDTA for the record. Yes, Mr. Comptroller, as you know we are in the midst of transitioning to our, what we call the 3G, correct, third generation tolling operations. And as you can imagine, when you have what we would consider the current vendor on the call center right now, who was not successful in winning that bid, we'll need to transfer all of the services over to the new vendor after April 29th. You know, when that occurs and the losing vendor is still in operation according to the contract, their employees, I would say they start shedding employees, if you will. So as employees recognize that the contract is coming to an end, they look out for themselves and their families, as anybody else would, and they start leaving the company. And so the current contractor, Conduent, is seeing a lot of that occur. And of course, not to harp on the COVID issue, but, you know, of course any time there is a COVID positive test in the organization then that impacts operations also.

So yes, we are feeling some growing pains with that operation. It's not, the call center is not actually controlled or run by MDTA employees. It is a contractor that we have on call. And so that's what is occurring right now. And

quite frankly, I sent a message out to the press and asking people to be patient with us as we transition. We expect the transition to occur on the 29th. We do have a dark period ten days prior to that, where we won't have any call centers open or any of our in-person services open due to that transitioning of all of that information that quite frankly is a legacy program, as you well are aware with the taxes. We have a lot of legacy programs. So transferring all that information from the current vendor to the new vendor takes approximately ten days. And after the 29th with a ten-day blackout period, we do anticipate having a lot of calls and possibly overwhelming the call center for a few weeks. That's typical in a transition, according to our national partners. And after that, they say it starts smoothing out. Right now, we probably have between 25 and 35 people in that private sector call center. When we transition, we will have closer to 100 people in that call center. So we anticipate it getting better, but as we are transitioning we hope that people understand and we are going through a difficult time with the current vendor shedding employees.

COMPTROLLER FRANCHOT: Could I just make a helpful suggestion, since we do it in the --

MR. PORTS: Sure.

COMPTROLLER FRANCHOT: -- from time to time. We extended the tax deadline this year from, for State taxes, from April 15th to July

15th. And we specifically said in there, if you do that, and keep your money in your own pocket and use it interest free, we're not going to add any penalties. So you might think about having the Authority, at least during the transition time until everybody is up and running, that you just drop these demands for, you know, there's a \$4.00 charge that you owe us and, oh, by the way, we're adding \$25.00 because it's late. That would be, go a long way towards I think relieving some of the inability to get through to somebody on a phone, if that's what you are telling us is going to continue. And it would certainly calm down the frustration that a lot of people feel.

MR. PORTS: Yes. So we did that during a large part of the COVID operations, the emergency order by the Governor. And when we reinstituted the NOTDs, we do have State law which requires us to meet certain thresholds. And one of the thresholds is that the timeliness of when you, I'm sorry, when the customer makes the payment or not. If they choose not to make a payment, then the civil penalty does kick in according to State law. And so we have to follow that law right now, while we are sending out the NOTDs, as well as about a third of our customers are out of State. So we do want to make sure the out-of-staters do pay their fair share. We do work with people on these situations because, one, we are having a problem with the mail system, as the entire nation is. And so either the NOTDs, I should say notice of toll due, I'm sorry, NOTD, I'm using the acronym,

notice of toll due, is getting to the customer in a late fashion, or quite frankly they are mailing back their payment and it's getting back to us late. And so we absolutely work with those customers and we do eliminate the civil penalty for those incidences.

COMPTROLLER FRANCHOT: Yeah, but in order to do that you have to connect and communicate with them, which apparently is not going on. So all I'm suggesting is we don't want people to hate us, whether they are out of state people traveling through or whether they are in-state people.

MR. PORTS: Right.

COMPTROLLER FRANCHOT: And if you've got a \$4.00 payment that you owe, I agree with you, you need to pay it and we need to collect it. But I don't think we need to get the \$25.00 penalty, at least for the rest say of the calendar year, until the whole system is sorted out and you can actually answer the phone and if it's appropriate, forgive it. And so I'm sure the Legislature doesn't want to be hated and blamed for this kerfluffle. So think about, you know, doing something administratively.

MR. PORTS: Okay.

COMPTROLLER FRANCHOT: You know, I understand what you are saying about you're required to do it. We're required to do a lot of things that, in the tax area, that we communicate with the Legislature and say, gee, because of

this situation we're going to cut people a little bit of slack here and they generally say that's okay.

MR. PORTS: Okay.

COMPTROLLER FRANCHOT: I don't know. Just, but you've got to be able to answer the phone, because if what you're saying is the case then people call up and think they can get something excused. I do it with my credit cards all the time. And if I can't get through, yeah, the top of my head blows off in the kitchen. So I just, and it's not a big amount of money, Jim. It's that I know it adds up. I know you want to be able to get it eventually. But we want to have --

MR. PORTS: But you are right.

COMPTROLLER FRANCHOT: -- here I think a little bit.

MR. PORTS: You are right, Mr. Comptroller. Our goal quite frankly is not to collect the civil penalty. You are absolutely correct. Our goal is just to get paid for the tolls. And so you're right, that's our primary goal. We don't want to induce civil penalties, obviously, probably any more than --

COMPTROLLER FRANCHOT: -- figure it out, you guys can, you're smart, you can figure it out.

MR. PORTS: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you. Any other questions on Transportation's Agenda?

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: All right. Thank you. General Services?

MR. CHURCHILL: Good morning, Governor, Madam Treasurer, Mr. Comptroller. For the record, I'm Ellington Churchill, Secretary for the Maryland Department of General Services. Today we are presenting 43 items for your consideration and we are withdrawing Items 5 and 33. Please also note that Items 11 and 41 were revised yesterday and are reflected on the published Agenda.

I just want to take a brief moment to thank the Treasurer for her kind words concerning two of our staff, Andra and Doug, in response to the incident at the Treasury Building with the leak. So we thank you. They have a whole dedicated staff behind them that are dealing with these types of topics. And to the Board, I certainly appreciate, I think this has been a great conversation concerning the topic of maintenance, maintenance backlog, and facilities renewal. So I appreciate everyone's support for that. The Governor mentions having to use bubble gum and chicken wire to hold things together. I would add in today's climate Flex Seal, duct tape, and some mirrors at times to also get things done. And we certainly appreciate the additional monies in the supplemental budget that

Secretary Brinkley mentioned and we will make every use of every dollar that's provided to General Services.

And I want to finally acknowledge the comments of the Board concerning emergency reporting. I just wanted to just recognize, we heard you. And we are certainly looking to at least address it on our end for the Office of State Procurement and General Services.

And then to end on a happy note, that there are, of the \$7.5 million in grants, there are about \$2.3 million being awarded to educational and recreational programs and organizations across the State. So with that, we have representatives available to answer your questions at this time.

TREASURER KOPP: Governor, could I just thank the Secretary again for his work, his leadership on this little problem that we have. We're still underwater in parts, as I understand it. But Andra and Doug have been terrific.

I want to also note that the capital grants, there are now 22 of them instead of 24, that we're speeding up the process, we're rationalizing the process. As I understand it, we have speeded it up about three weeks, which is significant. I hope we will continue working on it. These are grants around the State. They are very important to communities. Many of them are not matching, they don't require matches. It's just a question of getting them processed and getting them out. And I really appreciate the fact that that your department, Mr. Secretary, is taking this

on. And I hope we will get to the point where we can be proud of expeditious treatment of these great community organizations which are providing services to our fellow citizens. So thank you very much.

MR. CHURCHILL: Thank you.

COMPTROLLER FRANCHOT: Lieutenant Governor, if I could just chime in also, Doug Stubee briefed me on the water situation --

TREASURER KOPP: Yes.

COMPTROLLER FRANCHOT: -- and he was up all night, up and early in the morning. I take it he's one of your employees. But, boy, he gave me an A to Z on burst pipes.

MR. CHURCHILL: Well, thank you, Mr. Comptroller. I heard that you had spoken to Doug. We transitioned the entire department from more of a buildings and grounds unit to what the private sector uses, which are having individual building managers. And so Doug Stubee is your building manager. And that allows a person to become more intimate with the goings on of each individual building and gives you a personal face to have conversations about what is going on within the building. So thank you, Mr. Comptroller, for the kind words about Doug.

COMPTROLLER FRANCHOT: And I also just wanted to follow up on these capital grants. These are our version in Maryland of earmarks, which

were so criticized at the national level. Now they are coming back at the national level, because they actually I guess lubricate the --

LIEUTENANT GOVERNOR RUTHERFORD: Lubricate is a good word.

COMPTROLLER FRANCHOT: -- yeah, whatever.

LIEUTENANT GOVERNOR RUTHERFORD: When you said that, that's what I was thinking about. I was thinking --

COMPTROLLER FRANCHOT: Yeah, and I want to, yeah, but I also want to compliment the Lieutenant Governor and the Governor on the fact that they are able to work with the Legislature, all of whom have advocates. One million dollars here for the Maryland State Fair. That's a fabulous grant. Andy Cashman and his team are just terrific. I love the \$1 million to the City of Salisbury. I had nothing to do with it. It's Jake Day and the Acting Mayor Julia Glanz, because Jake is overseas fighting bad people for us as a whatever Jake is, I think he's a Colonel now in the Army or something. So but Julia Glanz has done a great job. And then I assume you were involved in this, Lieutenant Governor, the \$250,000 for support of Main Street Ellicott City. Obviously, that --

LIEUTENANT GOVERNOR RUTHERFORD: Not directly but --

COMPTROLLER FRANCHOT: -- that's going to require a lot more money, but, yeah, these are, I couldn't agree with the Treasurer more, that

these are very important projects. And to the extent the administration and the Legislature can approve them, hats off to everybody. And expedite them.

LIEUTENANT GOVERNOR RUTHERFORD: Yes. Very good.
Very good.

COMPTROLLER FRANCHOT: That's the good news. I have a bad news item coming up. Not a bad news, but one where I have a lot more questions is Item 28, 30, 31, 32, and 34.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Before we get to that, then let me just go to kind of a just pointing out in 25-AE, the architectural services for a new Court of Appeals Building. This is something that years ago, Judge Bell talked to me extensively about, wanting a new Court of Appeals Building. I think Secretary Haddaway-Riccio is probably off the line now. But he wanted the DNR Building to basically be torn down and build a new building right there on that corner. Which would be a very good location, actually. And so I'm glad to see that there is at least in the early phases of a building. Now Mr. Secretary, I don't know, have they selected a location for this?

MR. CHURCHILL: The new site of the Court of Appeals will be directly adjacent to the Sweeney Court (Building), in front of the Navy parking lot.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. CHURCHILL: In Annapolis off Rowe Boulevard.

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LIEUTENANT GOVERNOR RUTHERFORD: All right.

COMPTROLLER FRANCHOT: Is it going to be design-bid-build?

Or is it construction management at risk?

MR. CHURCHILL: Well, we will save that decision. I know that we are fond of design-bid-build. The Catonsville Courthouse came in very well. It really depends on the complexity and, but that amount of money, we're going to give it our best review and make the right decision for the process moving forward. We'll let you know.

LIEUTENANT GOVERNOR RUTHERFORD: I gather this architect has, you know, extensive experience in courthouses?

MR. CHURCHILL: Yes. Yes. It's a Denver firm that has a D.C. office that deals with federal courthouses and so we're really well situated. And they have been, and I think it's a great firm for the State to use and it's going to be a very handsome courthouse once we're ready to break ground.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Very good.

TREASURER KOPP: Since you mentioned, Mr. Secretary, in the item that the building will be designed to meet the High-Performance Green Building Program, which is a recognized program now. Of course, we're talking about building something for the next 50 years. So I hope you will be aggressive and the Chief Judge will be aggressive in making this building as carbon neutral as

possible, as energy efficient as possible. Some of the old standards that we used to use, like LEED Silver, were fine, but they are not going to be fine in the future. They are insufficient. And that you will push the folks to make sure that this is really a building we can all be proud of and point to 20, 30 years from now as something that is still appropriate in terms of our policy in combating and mitigating the impact of climate change. It takes somebody to keep pushing and I think, Mr. Secretary, you are the one.

MR. CHURCHILL: Well, thank you, Madam Treasurer. Your comments are heard and of course, we will try to move forward the highest standards that our budget can afford. And so it's a balancing act, as you know --

TREASURER KOPP: -- looking in terms of the life cycle cost --

MR. CHURCHILL: Yes. Yes.

TREASURER KOPP: -- also.

MR. CHURCHILL: Absolutely. We need to start talking in terms of life cycle cost on all of our buildings. And so, and we are engaged in that conversation. I've seen that conversation to a greater extent over the last five years, life cycle cost. Thank you.

TREASURER KOPP: We're saying that new big buildings should be electric and not dependent on fossil fuel, and I hope you will look at that. I

mean, that's your government. This is our greenhouse gas reduction plan, our, our, the State of Maryland's. So let's push, okay?

MR. CHURCHILL: Your comments are heard, Madam Treasurer.

TREASURER KOPP: And we'll be there to support you.

LIEUTENANT GOVERNOR RUTHERFORD: Mr. Comptroller, you have --

COMPTROLLER FRANCHOT: Yes. I just have, I just want to make sure that these kids that we're approving this significant amount of money, I know it's a four-year contract totaling \$242.4 million for 600 young people that we are responsible for providing care for. So I'm not objecting to the content. I'm just concerned on a couple of fronts. A, I want to make sure that the department, and I know Secretary James has provided our staff with a lot of briefing, but I want to make sure that we are visiting these 600 Maryland kids on a regular basis and making sure that they and their families and everybody is on the level as far as the care.

MR. CHURCHILL: Deputy Secretary Greg James is on the line for the Department of Human Services.

COMPTROLLER FRANCHOT: Thank you. Mr. Secretary, I know this is an incredibly difficult situation that everybody has with this and I want to applaud your efforts to bring the kids back from out of state and keep them here in

State. But I think we're looking at \$102,000 per child per year. And are we doing the kind of oversight that makes you comfortable that in fact these kids are being totally provided for by every one of these homes that we're dealing with for every one of these contracts for childcare services? Maybe we lost him.

MR. CHURCHILL: Secretary James, you are going to have to unmute your line.

LIEUTENANT GOVERNOR RUTHERFORD: Did we lose him?

COMPTROLLER FRANCHOT: Well, he can get back to us. I'm also concerned obviously that these are late filed and so I don't want to get into that necessarily, because I think Secretary James has handled a lot of difficult issues. But I hope that he can get back to us and really describe to us the types of services that these kids are receiving and in fact validate them that it's not just in the contract it's actually there. And I'm not objecting to the amount of money, but it is a lot of money.

LIEUTENANT GOVERNOR RUTHERFORD: We'll make sure that Secretary James responds to you and the Treasurer with regard to the concerns that you have expressed. So --

COMPTROLLER FRANCHOT: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: -- I don't know if he's having technical difficulties or what happened. But we'll make sure he gets back to you.

COMPTROLLER FRANCHOT: I think that when he sees my face up there he says, uh oh.

(Laughter.)

COMPTROLLER FRANCHOT: But that's okay. He has done a very good job. This is not easy. I mean, these kids are just hugely complex situations.

LIEUTENANT GOVERNOR RUTHERFORD: Yes.

COMPTROLLER FRANCHOT: And you know. I want to make sure there is oversight.

LIEUTENANT GOVERNOR RUTHERFORD: All right. Any other questions on the Agenda? On the General Services Agenda?

COMPTROLLER FRANCHOT: I would move approval, if not.

TREASURER KOPP: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Second? Okay. Thanks. Before you go, Mr. Secretary, and just indulge me for a moment. Tell me whether this thing looks more like me than the Governor?

(Laughter.)

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LIEUTENANT GOVERNOR RUTHERFORD: This is supposed to be Governor Hogan. It looks --

TREASURER KOPP: It does.

LIEUTENANT GOVERNOR RUTHERFORD: -- like my glasses and my lack of hairline. I don't know if it's that we've been together so long, you know how they say family members?

COMPTROLLER FRANCHOT: Yeah.

LIEUTENANT GOVERNOR RUTHERFORD: That's the other one. This is new. You just, this is new, Secretary. And you know, I guess it's, you know, like you know, husband and wife start to look like each other after a while. But I think he sent the wrong model. He doesn't even wear a sweater vest and I will wear a sweater vest. So just for the record.

(Laughter.)

MR. CHURCHILL: They are both very handsome representations.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, I think he stole my model or something. I don't know. All right. Well, thank you everyone.

TREASURER KOPP: Thank you.

COMPTROLLER FRANCHOT: All the best. Have a good day, everyone.

LIEUTENANT GOVERNOR RUTHERFORD: Take care.

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SECRETARY GONTRUM: Thank you.

(Whereupon, at 11:43 a.m., the meeting was concluded.)