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COMPTROLLER FRANCHOT: -- my wife is saying it's great to have you back, but if you don't get a job I'm going to divorce you, for crying out loud. You've got to get out of the kitchen here. But congratulations.

MR. PARR: Thank you. I appreciate it. Thank you very much.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

(Applause.)

COMPTROLLER FRANCHOT: I'd like to give one of my medallions to the recipient of the certificate, but I'm going to give one to his better half because --

(Laughter.)

MRS. PARR: I'll let you know how it goes with him being at home.

(Laughter.)

COMPTROLLER FRANCHOT: Thank you.

TREASURER DAVIS: Congratulations.

LIEUTENANT GOVERNOR RUTHERFORD: -- we have more. Now in Maryland, we have an Emergency Management Assistance Contract known as EMAC. And it's an agreement between all the 50 states and the District of Columbia and the territories to assist during times of major disasters and emergencies. And it's through a mutual aid, national mutual aid agreement, and it clears the way for sending resources and personnel to areas that have been damaged by natural resources. After severe flooding in Jackson, Mississippi, employees of the Anne Arundel County Department of Public Works and Washington Suburban Sanitation Commission water system assisted in water treatment plant operations. Their tasks included electrical work, surface water and membrane operations, technical and mechanical operations, and instrument management that were critical to the recovery of the plant there. In Florida, after

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Hurricane Ian, employees from the Anne Arundel County Office of Emergency Management, Charles County's haz mat team, Montgomery County Fire and Rescue Services, Prince George's County Fire and EMS Department assisted in the recovery there. And when I came in this morning, I met with a number of the individuals from the Montgomery County Fire Department. Their teams and the personnel were deployed, including specialized hazardous materials response teams, National Capital Region Incident Management Team, and public information officers. And finally, the team of emergency managers from our, what used to be called MEMA but now Maryland Department of Emergency Management, coordinated the logistics of these deployments and worked with jurisdictions to connect the states in need with available resources from Maryland.

So I'm pleased to be joined this morning to thank each of those groups for their dedication and hard work. And we have citations to present to agency representatives.

(Applause.)

LIEUTENANT GOVERNOR RUTHERFORD: So again, thank you all for your service. I don't know if you heard my little introduction for all the work that you all did, both in Mississippi as well as in Florida. On behalf of all Marylanders, we want to thank you and show the heart of Maryland that Maryland can provide in these times of need. And I know I was talking to the gentleman from Montgomery County, that you saw a lot of devastation that took place in these places. And you made a difference going in to help. So I want to just say thank you.

(Applause.)

LIEUTENANT GOVERNOR RUTHERFORD: Thank you all again.

(Applause.)

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LIEUTENANT GOVERNOR RUTHERFORD: Well, Mr.

Secretary?

SECRETARY GONTRUM: Good morning, Governor, Mr. Comptroller, Mr. Treasurer. There are 25 items on the Secretary's Agenda and five reports of emergency procurements. I am withdrawing three items this morning -- one moment while I get the -- apologies. I'm withdrawing three items this morning. I am withdrawing Item 22 at the request of the Department of Labor. I'm withdrawing Item 19 at the request of Morgan State University. And I'm withdrawing Item 24 at the request of the Department of Public Safety and Correctional Services. That's Items 19, 22, and 24 are being withdrawn from this morning's meeting Agenda. We have one revision to the meeting Agenda that came in post-publication. That is to Item 18, the Food Center Authority lease item, which has been revised to clarify the delegated authority recommendation. Item 25 is a supplemental item. This is a Board action on a request for a declaratory ruling. If you'd like, Governor, I can --

LIEUTENANT GOVERNOR RUTHERFORD: Could we start with that one? Yes.

SECRETARY GONTRUM: This is a request the Board received under COMAR 23.01.01 for the Board to issue a ruling on the applicability of a regulation adopted by the Board. Specifically, a COMAR Title 21 regulation, that's the State Procurement Law, relating to the substitution of a minority business enterprise subcontractor. The action before the Board is for the Board to decline to issue a declaratory ruling or to deny the petition for a declaratory ruling and instead refer the matter to the procurement advisor under the procurement advisor's statutory and investigatory authorities. We do have two requests for public comment on this item.

LIEUTENANT GOVERNOR RUTHERFORD: I guess -- I think

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Mr. Maloney is here and we'll hear from him.

MR. MALONEY: Good morning. Thank you, Governor, Mr. Comptroller, and Mr. Treasurer for the privilege of appearing before the Board. Although I was involved in Maryland public life for three decades, this is the first time I have attended a meeting of the Board of Public Works.

LIEUTENANT GOVERNOR RUTHERFORD: Shame on you.

MR. MALONEY: My view was the legislative branch belonged downstairs, a view that I know Governor Hogan shares.

(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: Yes, he does.

MR. MALONEY: So it is my privilege to represent H&S Resources Corporation, which does business as Akata, which is a certified Maryland minority small, woman-owned business MBE in the energy field. And its CEO Sonja Hines is here and can respond to questions from the Board as well as its legislative representative, Mr. Bereano.

Akata has filed a petition for declaratory ruling with this Board specifically because of what happened to it after it was designated as the lead minority business firm on the State's \$300 million energy contract. The State awarded that contract on October 6, 2021 and Akata's participation on the participation schedule was a major factor in the award and the Department of General Services announced in a press release how significant it was that Akata would be there as the minority business participant on the schedule of participation. After that press release went out, however, Akata refused to deal in good faith -- or Carroll refused to deal in good faith, the winning prime, offering a fuel price of only two cents per gallon over the oil price information service, which is inherently commercially unreasonable.

After that, in violation of COMAR regulations, Carroll simply

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refused to do business with Akata and substituted Akata with other firms, including a firm from Ohio, without the approval of the Board, without the approval of the designated MBE officers, and in violations of the COMAR regulations in Title 21, specifically that the contractor may not terminate or cancel a contract with the MBE without showing good cause, obtaining written consent of the liaison, subsequently amending the contract, and sending it to the Office of Minority Affairs, and ultimately to this Board.

The reason that we have these provisions in COMAR is this: COMAR seeks to avoid, and the State seeks to avoid, a bait and switch, where a prominent minority business vendor is listed on the schedule of participation to induce this Board to grant the contract and then once that occurs, then to switch it out for some other firm or some other MBE, which is exactly what happened here. And they did so without any of the required approvals or consents that should have occurred in this place plainly in violation of COMAR.

We are asking this Board specifically, and we believe the Board has a requirement to either grant or deny the petition for declaratory ruling under the administrative act prior to any judicial review. The Secretary has recommended, as you've heard, that the Board defer ruling on this and allow the procurement advisor 90 days to investigate this matter. We appreciate the suggestion. However, the facts here are very uncomplicated. They are very straightforward. And what we are respectfully asking the Board to do is simply set this matter in for a 30-minute hearing. That is all that it's going to take for the Board to hear the regulations that were violated and to take the actions that are appropriate in this case. We ask the Board not to kick the can down the road to the next Board and not to let this matter go unfinished.

The whole purpose of the bait and switch prohibition in the regulations is to prevent this from happening, to prevent the Board from awarding

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a contract knowing that, in this case Akata, was listed on the schedule of participation as the minority business enterprise, the MBE, and then to wake up a month or two later to find out that someone else is listed there. And that is what happened. And it was exacerbated by the fact that DGS issued a notice to proceed from the contract knowing that there was no contract in place for Akata. That itself was a violation of the COMAR regulations that should not be allowed to stand.

In closing, if this is allowed to continue, and if this situation is not addressed and abated by the Board, the regulations will be meaningless and the protections for the minority businesses listed on the schedule of participation will be non-existent. The reason for the regulation is to protect that minority who was a substantial factor in the award of the contract in the first place. We will make this clear in more detail at the hearing if this Board will consider giving us 30 minutes. I thank the Board very much for its attention in this matter. And Mr. Bereano and Ms. Hines are also here if the members of the Board have any questions.

LIEUTENANT GOVERNOR RUTHERFORD: Any questions?

Yes.

COMPTROLLER FRANCHOT: I have a question. So is this the only way in which Akata can get some resolution to this? Or is there -- when you say kick the can down the road, that's usually a very popular idea with elected officials. But is this, if we do not follow your advice, are we missing the opportunity to bring some justice --

MR. MALONEY: That's correct. This is the mechanism provided for in the regulations. They petition for declaratory ruling. And if this Board were to deny it, we would frankly go to Circuit Court and say that we were not given a hearing and it was not considered on the merits. And all we're asking for

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this Board to do is to consider it on the merits. And if we don't have this, we have attempted within the agency to try to exhaust our remedies before coming to this Board, repeatedly communicating with DGS unsuccessfully. And the Department of General Services advised us before we filed this petition that it felt powerless and did not, it specifically said we do not believe we have the authority to address that. We don't believe that's true. We believe DGS is more, has substantial authority to address this. They elected not to do so. And part of the reason that happened is that the designated MBE liaison office there was substituted with an outside vendor, and we think that contributed towards the problem. But we are asking -- this is the remedy provided by law in the administrative procedure act. It's the remedy provided in COMAR. We are asking the Board to do what I think any court would require, which is a reasonable hearing on the facts and we believe once the Board hears those facts that the Board will act to protect the integrity of the minority business procurement process.

COMPTROLLER FRANCHOT: Well I'm going to, if I could, just follow up because I remember this contract. And it was something that I was very pleased to see was being awarded to a Maryland company, Carroll. And I was also motivated partly by the fact that I have a lot of confidence in Secretary Churchill. But I'm just looking at what DGS put out publicly after everyone had done what we all on the Board wanted, which was hire local. They also put out something saying Akata Global of Columbia, Maryland has been chosen to be an MBE and also Green Petroleum of Clinton. This will be the first time Akata, I think, this will be the first time an African American woman-owned company participates as an MBE subcontractor on a statewide fuel contract. That was what DGS said.

MR. MALONEY: That's correct.

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COMPTROLLER FRANCHOT: And who replaced Akata, I guess, as far as, if anyone?

MR. MALONEY: Well, there was a firm from Ohio that, and I think they have a representative here, who was substituted. And another firm that was substituted then became disqualified. And significantly, none of this was brought to the Board's attention, which is certainly within the spirit and the letter of COMAR. The last this Board heard was what Comptroller Franchot just read into the record, that it was a certified MBE woman owned company from Columbia, Akata.

LIEUTENANT GOVERNOR RUTHERFORD: Let me just ask the, I mean, the ultimate remedy that you would seek would be rebidding of the contract.

MR. MALONEY: That's correct.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. So a decision on a hearing would be, if you are successful, would be to rebid the contract?

MR. MALONEY: That's correct.

LIEUTENANT GOVERNOR RUTHERFORD: And possibly at the end of the 90 days would be the same thing, if this matter goes forward, would be to seek rebidding of that contract at some period of time and we'll see what happens at that point. Okay. I just --

MR. MALONEY: Thank you.

TREASURER DAVIS: If I can, Governor, then let me follow up on that point. Then why doesn't the other options work? If ultimately whether it's now, so to speak, or at the end of the 90-day period that has been proposed to us, that same remedy, how come that doesn't work?

MR. MALONEY: Well, the same remedy would be there. But

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we're talking about the passage of time, which really prejudices Akata at this point. We have been raising this issue now for the better part of a year and with the new administration coming in, the two new Board members, with the need to get up to speed, whatever happens with the procurement advisor's regulation, as a practical matter we're really looking at a significant kicking the can down the road for a matter which is very uncomplicated. I think the Board will see, I suggested 30 minutes, we might be able to do it in 20. I think this is a matter where the Board is going to look at the regulations, they are going to look at what DGS did, they are going to look at what DGS didn't do, and I think the issue will be pretty clear.

TREASURER DAVIS: If I can -- but then let me follow up on that. Because we talk about the new people coming on. I'm a new person that came on. I wasn't here when this was done, but I'm prepared to work on it as well. And I think it also needs to be said, there is a lot of blame to go around on this if we're being perfectly blunt. I can't tell just from my reading, and maybe there is a misinterpretation on my part, but it sounds like Akata entered into an agreement and came before this Board without having anything in writing. That's, that shouldn't have happened. You don't allow yourself to be used in that way. You, before you come before, in a, you know, a contract with DGS or anybody, make sure the parties have a contract between themselves. So and I mean, these, that's, I've never run a business, but that's almost Business 101, if you ask me, that if you're going to ask me to go before the Legislature or the Board of Public Works to be a sub with you, you need to have something on paper that between us there is an agreement. We don't just go, let's do it, and then after the contract is awarded we go now let's figure out the details.

MR. MALONEY: Well, Mr. Treasurer, that generally is true, especially for most vendors. But here we're dealing with a commodity contract

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are on the directory in a NAICS Code they use them. Now, once Akata's lawyer said we're not a regular dealer, and that's something that was implicit in Akata's original certification and inclusion, then that's an alarm bell, absolutely. But it's not an alarm bell that was going off before the proposal was submitted, which I think is your question. The alarm bells were when Akata said it wasn't a regular dealer, we went and looked at the MDOT website. We had that letter, but they weren't listed in the online directory. Questions started to rise, but that letter from MDOT should be something that a bidder on a State contract can rely on.

(Indiscernible) this subcontractor is certified in an MBE in NAICS Code 424720, is the Board telling us that bidders on State contractors cannot rely on MDOT? We should be able to. And here, they did. Carroll absolutely relied on that. It relied on what Akata told them and they relied on what Assistant Secretary --

TREASURER DAVIS: Are you saying that this is strictly a principle thing that had they been able to reach an agreement on the amount, we still would be at this point anyway?

MR. DOUGHERTY: I don't think so. I don't think so. Because part of what needed to happen was they needed, they couldn't get --

TREASURER DAVIS: I don't think that's the answer you wanted to give.

MR. DOUGHERTY: I'm not sure -- let me explain it then. Because it is, I think it's the right answer. If Akata had gotten itself squared away, there was a role for it. It might not have been as a 60 percent fuel supplier. It certainly wasn't (indiscernible) 100 percent as a fuel deliverer. But they were offered a number of different ways to remain on the MBE participation schedule in a way that would have met their requirements, assuming that the size standard issue was addressed. There were a number of issues. And the investigation will get to the bottom of all of them. I don't have access to everything that Mr. Gnull

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will have access to. In response to my PIA request, MDOT's attorneys didn't give me everything in that litigation file and the court record was thin.

LIEUTENANT GOVERNOR RUTHERFORD: Let me just clarify. It sounds like there are two issues here. There is one that the Treasurer is getting to, the initial statement or some documentation that says that Akata had 200 employees and they were certified in a particular NAICS Code. The second issue is that NAICS Code, Akata said they can't do that work, which created a problem, at least a problem for both. And then that led to the negotiations that took place for the last I guess year, back and forth, that then fell apart and put us in the situation we have here.

MR. DOUGHERTY: There are belt and suspenders multiple reasons why Akata is no longer on the participation schedule, Mr. Lieutenant Governor, thank you.

LIEUTENANT GOVERNOR RUTHERFORD: I think with all the, you know, information that we're hearing now, even what the petitioners are seeking, it still would take the Board a bit of time to go through all the facts to really be able to sit and hear the matter. And Mr. Maloney probably is correct, it would be a 20- or 30-minute hearing. But I think the Board would need time to review this documentation, including what MDOT may have done originally, getting that documentation, and any other information. I personally think it's best that we go with the matter before us in 90 days and the procurement advisor do that type of research. But I can't see where the Board would be able to hear the matter in 30 days from now. I don't think the time, you know, all the participants, getting the data, getting the documents, you know, doing what you normally do, you know, at a trial. You know, for a matter that you are first taking a look at, I don't think a court would set a date that's going to be 30 days. I mean, and they do it full time. These folks have full time jobs. So I move --

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COMPTROLLER FRANCHOT: Just to show that rational functioning adults can disagree politely, I am less inclined with what the Lieutenant Governor just said and more inclined to get to the bottom of this as quickly as possible. Isn't there some responsibility that the State and Carroll should shoulder in this particular situation? I mean, they are basically arguing that there is, at least as far as Carroll, there is no responsibility, or none, and I would like to hear from the owner at some point. Because is it just a matter of basic fairness here?

MR. DOUGHERTY: I think what Carroll did up until the time it submitted its proposal and after it submitted its proposal, in the last year when it has been, spent several months trying to work something out involving Akata and DGS, everything Carroll has done from beginning to end has been reasonable. I don't know why MDOT certified Akata. So I can't answer the question of whether the State should shoulder that responsibility, because I don't know how Akata filled out the MBE application. I asked for that and I didn't get it. And so there is an unanswered question that the procurement advisor's investigation will answer. I don't think any of us in the room today, except Akata, has the answer to how did Akata fill out the form. But it's worth investigating. I don't know whether the State shoulders that responsibility. I don't think Carroll does. Because to do that sort of litigation style investigation of someone who is certified by MDOT as an MBE in a particular NAICS Code seems unreasonable to me. That's not the sort of thing, that's not the sort of homework that we want every bidder to have to do. Because it will make the burden of preparing a proposal overly burdensome. We ought to be able to rely on the MDOT directory. And that's something perhaps for the Board to address, increasing the funding for that.

Because there was a mention of Green being a substitute, a substitute MBE being decertified. That's not what happened. Green was on the

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original schedule. And regrettably, unfortunately, Mr. Green died and his widow and daughter have been slow to reapply, and therefore their company was decertified. But for Mr. Maloney to suggest that that is something nefarious on Carroll's part, frankly doesn't deserve further consideration. Green will continue to get, when and if it is recertified, it will continue to participate in this contract. And Hightower and Bayowell (phonetic) and Vanif (phonetic), the substitute MBE subcontractors whom MDOT approved, will continue to get participation.

The participation right now on a monthly basis is exceeding the goal of 30 percent. And it will continue to do that until the overall spend has caught up. There has been a lag, because we have been working this out. It was not possible, until DGS approved in August, we couldn't count any of that spend. But I think everything was done right here, Mr. Comptroller. I do. Except there are a couple of questions I don't know the answer to. But I think the process was properly followed. DGS did the right thing. Carroll did the right thing.

TREASURER DAVIS: Is it on me?

LIEUTENANT GOVERNOR RUTHERFORD: Yes --

TREASURER DAVIS: And this is what I would say. In the interest of both Carroll and Akata come secondary to me as it relates to the State, its MBE program, and all of those things. Your business relationships or how (indiscernible) comes second to that. And so what I would suggest, I would agree with the Governor on this particular one. I don't think it should take 90 days, and I understand that's what was proposed, I think it can be done tout de suite and we can get there a lot quicker. But for what, you know, for what this means going forward, I, unlike what appears to have occurred, I don't want our process rushed or and we make mistakes that apparently were made up to this point. So I would be in agreement with the Governor on this. Too often, I think we're worried about ends and who is going to be where and so forth. What, to me State

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government, it's not, you know, I've heard that term running through the tape and all of that. But really, if we're going to use track metaphors, I would say that this is a relay and for these gentlemen, their leg of the relay is up but they are going to hand it off to somebody else and they are going to keep going. State government, you know, that's a race that never ends, like the business keeps going and you hand the baton to the next person. But we need to make sure something like this doesn't happen again. We need to make sure that if it does and we have to investigate, that you know, we have a thorough process, we know exactly what occurred. It sounds like a lot of mistakes were made by a lot of people in this, just at first blush. But we need to flesh that out. So you know, for expediency's sake I can't support, you know, rushing it through just to, you know, come to a quick resolution. I need to make sure that this thing doesn't happen again and, I mean, I know where I'm leaning but I don't want to prejudice that without having all the facts and all the details first. So Governor, I would have to support your position on this.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you. There are more facts to come out and I think they can come out through this exploration that's going to take time for someone to go through. Now with that --

COMPTROLLER FRANCHOT: I'd like to hear from the --

LIEUTENANT GOVERNOR RUTHERFORD: No, I think we've decided this matter. So we have two in favor, one opposed on Item 25. So thank you very much. Thank you.

MR. DOUGHERTY: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: We'll go to the rest of the Secretary's Agenda. Any other questions on the Secretary's Agenda?

COMPTROLLER FRANCHOT: Yes, I have a question on A3 and A4.

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SECRETARY GONTRUM: Items A3 and A4 are emergency reports from the Department of Human Services. We have Deputy Secretary Gregory James available to answer questions.

MR. JAMES: Good morning. For the record, I'm Gregory James, Deputy Secretary for MDTHINK and Operations at the Maryland Department of Human Services.

COMPTROLLER FRANCHOT: Thank you, Secretary. And you know my position on these out of state placements that we're looking at today. I'm particularly concerned about the Devereux Foundation, which is Item A3, where the State is placing a 14-year-old youth. Last month, two staff members of a Devereux facility in New York were charged with falsifying business records in the first degree, endangering the welfare of an incompetent or physically disabled person in the first degree, and making a punishable false written statement, all in relation to the death of a 14-year-old patient in their care. And I understand this is a different location, state, it's in Florida. But it is still the same company, Devereux. And apparently this company is no stranger to allegations of gross neglect.

So I've raised concerns about similar contracts. Frankly, I think all four of these that are these placements should be retained in Maryland, Maryland companies should be used. These kids are Maryland kids. There are not that many of them. And I happen to think that some of these out of state companies result in, oh, they are out of state, out of mind. And I hope that at least particularly with the Devereux Foundation, if you could comment on the recent incident concerning behavior relative to the care and vigilance with which they provide help to their patients, I'd be grateful, Secretary James. And once again, we have had this discussion before. But help me understand why this is the best route to follow.

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MR. JAMES: Certainly, Mr. Comptroller. And let me say, first and foremost, when our kids are out of state, they are never out of mind. We have worked very, very hard throughout the Hogan administration to reduce the number of youth we have in out of state placements. Unfortunately recently due to staffing challenges at many of our in state providers, we have had an increase in out of state placements. They are still much lower than they were several years ago.

One of the substantial changes that we did make in our practices around out of state placements several years ago is we now conduct regular not just licensing but contract monitoring. So our licensing unit can't regulate somebody out of state, but our contract monitors now regularly visit these programs, both with announced and unannounced inspections on a regular basis to ensure that the quality of the services being provided is appropriate, that the kids are safe, we have regular contact with the youth, both from the youth's individual case worker but also from the contract monitor so that they can let us know if there are any problems that they are observing. But we also know that some of these youth are not able to communicate that, which is why we do have those regular visits there to make sure that there aren't issues at the facility.

When our team became aware of the issues earlier this year at Devereux, we did perform an inspection. We contacted them. We got information about it. As you noted, it is a different location, where the allegations that you reported occurred. And in our inspection and contact there, we did not find a reason to believe that moving this youth at this time was in the youth's best interest or that there was an imminent risk to that youth for remaining at that program.

Mr. Comptroller, the Department of Human Services shares your desire to have all of these youth served in Maryland. That would ultimately be

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our goal. But more than that, our top priority is making sure that they are always in a placement that is going to serve their needs and meet the best interests of that child. That is our legal obligation as the child's caregiver, once they are placed in foster care. And so many of these youth that are in out of state placements are there because we have already attempted to place them in state and an in state placement was not available, or we didn't believe that they could meet the specific needs of those children, then we worked and found these out of state placements where we are placing youth.

I will also note just for the record, we have been working for the past two or three years very diligently with our colleagues at the Department of Health to develop additional in state RTC and higher level treatment placements in the State of Maryland. We have seen some progress with that. We have gone to the providers, gone back to the providers. We continue to work to develop that capacity in state. As you note, there are a very few number of these youth out of state. But the reason that there is a few of them out of state is because they do have very specialized needs and in some cases, there is only one or two programs in the entire country that can meet those needs and serve those children because those needs are so specialized.

COMPTROLLER FRANCHOT: Well, keep us informed about the State being able to come up with something that is actually licensed by the State of Maryland.

MR. JAMES: Absolutely, sir.

COMPTROLLER FRANCHOT: Closely monitoring is even easier if they are in State. So that's the Devereux Foundation, A3, which I am going to vote against. Also A4 is the placement of one Maryland youth at a group called Riverview Behavioral Health in Arkansas. In January, at this facility, there was a reported incident of multiple juveniles escaping from the facility. And I'm just

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wondering what your response is as far as vulnerable youth fleeing the Riverview Behavioral Health in Arkansas. Is that the same facility you are sending one of our kids?

MR. JAMES: I believe so, Mr. Comptroller. I'm going to ask our Executive Director for the Social Services Administration, Ms. Denise Conway, as well as Ardena Walker, our contractor monitor, are both on the line, if I can ask them to comment on the specifics of Riverview.

MS. CONWAY: Good morning, Secretary Gontrum. This is Denise Conway. I am the Executive Director for the Social Services Administration. I have on the line with me as well Ms. Ardena Walker, who is the Director of our Finance and Placement Services here at SSA. I would reiterate that while we are sending youth to both Riverview and Devereux, we do ensure that we have regular monitoring of our youth that are placed there. Specific to Riverview, I'm going to mute myself and let Ms. Ardena Walker provide the update related to that facility.

MR. JAMES: Ardena, are you there?

SECRETARY GONTRUM: Ms. Walker, I believe we're waiting on Ms. Conway, correct?

MR. JAMES: No, I think Ms. Walker is -- Ms. Conway should be on mute.

SECRETARY GONTRUM: Ms. Walker, you are self-muted.

LIEUTENANT GOVERNOR RUTHERFORD: With the new administration coming in, they should make everybody come back. There's no reason to be trying to deal with this, other than, you know, the public can watch us but everybody needs to bring their tails back down here.

MR. JAMES: Ardena?

MS. WHITE: I'm not Ardena. I'm sorry. I'm Antoinette White.

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I'm the contract administrator for Devereux.

MR. JAMES: Okay --

MS. WHITE: (Indiscernible).

MR. JAMES: -- in the, we can get back to you with information about Riverview. I will note that AWOL behavior is one of the most common --

MS. WALKER: -- but what I'm saying is --

SECRETARY GONTRUM: -- you are unmuted --

MS. WALKER: -- I have not heard anything --

LIEUTENANT GOVERNOR RUTHERFORD: -- Walker, hey --

SECRETARY GONTRUM: Ms. Walker, you are -- okay.

LIEUTENANT GOVERNOR RUTHERFORD: Hang up.

MR. JAMES: So Mr. Comptroller, with your permission we will get back to you with the specific information about that. I will note that AWOL behavior is one of our most challenging issues that we deal with and it's frequently a reason why children are rejected from placements because they have a history of going AWOL. So I will need to get back to you with the details about Riverview.

COMPTROLLER FRANCHOT: -- so if we could delay A4 and I may be registered as negative on A3, that would be great.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Do we have a motion with regard to -- we're going to withdraw A4? That was --

COMPTROLLER FRANCHOT: Yeah, okay, --

LIEUTENANT GOVERNOR RUTHERFORD: -- withdraw A4?

MR. JAMES: -- hold it over until the next meeting --

LIEUTENANT GOVERNOR RUTHERFORD: On A3 --

MS. WALKER: Can you hear me now?

MR. JAMES: We're past it.

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LIEUTENANT GOVERNOR RUTHERFORD: Done. Get off my phone. And so on A3, we have two votes on A3?

TREASURER DAVIS: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. So A3 is two to one, A4 is off. That was 25, I believe, is two to one?

SECRETARY GONTRUM: Is that correct, Mr. Comptroller? You are -- okay. And Item A4 is an emergency report that is in the possession of the Board. The Board can approve it or disapprove it. We'll have the action recorded as the Board disapproving the report and we'll put it back on the Agenda at the December 7th meeting.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. All right. Yes. That's the same result, thank you. Okay. So I think we're fine with the Secretary's Agenda if --

COMPTROLLER FRANCHOT: Move approval if --

LIEUTENANT GOVERNOR RUTHERFORD: Move approval.

SECRETARY GONTRUM: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you. Department of Natural Resources. Good to see you again, Madam Secretary. We were together Monday at the Sideling Hill Creek State Park, the 76th park. After I did my 75 bucket list, they added another park. It was a beautiful late fall morning there. They have snow there now. We didn't have snow that day, and an excellent view across the Potomac and at the mountains in West Virginia at some of the mountain range. And as we get to Mountain Maryland, so it was a joy to be there and a nice little hike that we had. So thank you very much. Questions on -- oh, I need to let you introduce yourself.

MS. HADDAWAY-RICCIO: That's okay. Good morning, Governor, Mr. Treasurer, Mr. Comptroller. For the record, Jeannie Haddaway-

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Riccio, Secretary of the Maryland Department of Natural Resources. We have 11 items on our Real Property Agenda today for which we are seeking approval and we're happy to answer any questions you may have. And Governor, thank you for joining us for the announcement of the new State Park. It really means a lot to our team to have had you there and have your support for Maryland's natural resources.

LIEUTENANT GOVERNOR RUTHERFORD: Yes, it's a beautiful new park. And I look forward to additional amenities being placed there. But it is open now for hiking and picnicking.

MS. HADDAWAY-RICCIO: Yes, sir.

LIEUTENANT GOVERNOR RUTHERFORD: So very nice. On 1A, this is Anne Arundel County is developing a new park, a county park, is that correct?

MS. HADDAWAY-RICCIO: Yes, sir.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I just wanted to clarify that you weren't throwing 77 parks in there.

MS. HADDAWAY-RICCIO: Well, you never know. But in this case, this is Local Share Program Open Space funding and this is a local park. I will just say I think it is a really good example of Anne Arundel County really paying attention to the needs of the community and responding to those needs by providing some additional multiuse sports fields. So I think this is a really great project for the county.

LIEUTENANT GOVERNOR RUTHERFORD: Any questions on the Natural Resources Agenda?

COMPTROLLER FRANCHOT: Move approval.

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

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Always easy. Okay, University System?

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

LIEUTENANT GOVERNOR RUTHERFORD: I have a question with regard to 5-C-BP, a Towson item. And it has to do with the MBE, where the goal is 36 percent and participation so far is 29.9 percent. But I understand this is the, this is the fifth of five bid packages. So I'm not sure how you are going to reach. And if this bid package doesn't have a goal, any subcontracting goals, how you are going to reach the 36 percent or reach your goal on this if the participation or if the goal is 36 percent. Maybe I'm missing something here, but if this is the last bid package and that package doesn't have a goal, or any participation, how are you going to reach your final number?

MR. HICKEY: I do have Jean Graziano, who is the Executive Director of the University of Maryland Baltimore Construction Service Center on the line. But it's my understanding that we will, we will meet the goal with this last bid package. What we present to the Board is a snapshot in time of the compliance to date. So it's my understanding that with this final bid package, we will meet the MBE goal. And Jean, are you available?

MS. GRAZIANO: Yes, I am. And this is Jean Graziano, University of Maryland Baltimore, Executive Director for Construction and Facilities Strategic Acquisitions. The first point is that the project goal was 30 percent and seven percent African American and four percent Asian American sub-goals. To date, the MBE bid package that you are reading is for this particular five of five which achieved 36.5 percent. Prior to this item being approved, we were at 29.9 with an 11.7 for African American and 5.8. With the

approval of this item, we will be at 30 percent for the overall goal, 11.4 percent for African American sub-goal, and 5.7 percent for the Asian American.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Thank you for the clarification. I didn't quite understand how it was listed. Thank you. Any other questions?

COMPTROLLER FRANCHOT: Move approval if the Treasurer doesn't --

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR RUTHERFORD: I'm going to ask the Secretary, and maybe it doesn't, it's not going to matter since I'm a short-timer. I think we should ask everyone to come back down to the Board meetings. So in the future, I think it makes sense that we have participation here for those who are going to testify and those who are presenting the agencies that they be here. So Mr. Hickey, I hope you will come down to Annapolis someday.

MR. HICKEY: I look forward to seeing you in person.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. Any other questions for the University System? Do you have a motion?

COMPTROLLER FRANCHOT: Move approval.

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you.

MR. HICKEY: Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Okay?

Department of Transportation?

MR. PORTS: Good morning, Governor, Mr. Treasurer, Mr. Comptroller. For the record, my name is Jim Ports, Secretary of the Maryland Department of Transportation. And the Maryland Department of Transportation

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is presenting 46 items today. We're pleased to present ten small business reserve contracts in a total amount of nearly \$10.2 million, and at this time Items 10, 11, and 12-GM-MOD are being withdrawn. And I'll be happy to answer any questions.

And if you will just allow me a few seconds, I never served with Tawanna Gaines but I found her to be extremely good to work with from the department's standpoint. But Sheila Hixson, on the other hand, I served almost my entire legislative career on her committee of Ways and Means. And as Treasurer Davis said, she was very, very gracious, but tough, tough as nails. And a little known fact, she would let me chair the committee sometimes and people would walk through the door and hold their heart and ask if she was tied up in the back and if it was a coup. And then when, and Sheila and I would have dinner together, just her and I, and when people walked in the restaurant they were telling her to make sure she had a taste tester. So we did, we had a great relationship and she was just a joy to work with. And we're going to miss her.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you. Very well said.

TREASURER DAVIS: If I can --

LIEUTENANT GOVERNOR RUTHERFORD: Yes. Yes.

TREASURER DAVIS: -- Mr. Secretary, I love hearing those stories. Just a quick question on 1-M, the modification for security services, can you explain what the problem is?

MR. PORTS: Yes, so my understanding is that they had one guard for Martin State Airport. And Martin State Airport has been much heavier used recently. And what has been happening, we have a sign that says, you know, stop, do not go past this point. But unfortunately, people don't see a guard, they decide to go past that point, and you know, we're kind of getting dinged by the

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40

FAA for letting people into the flight line unauthorized. And so what we did is we tried to work with the folks that are leasing from us at the Airport. We had several meetings with them telling them they can't, you know, obviously can't do that. But unfortunately, it is still continuing. So we had to increase the security at Martin State Airport.

TREASURER DAVIS: Okay.

LIEUTENANT GOVERNOR RUTHERFORD: So these are people who have a right to be at the Airport because they are leasing, but they are coming into the wrong areas?

MR. PORTS: Correct. Or they are taking their vehicle, you know, they might have stuff that they want to take from their vehicle to the plane but they are not allowed to take their vehicle on the flight line and they do. So we had to put an end to that.

LIEUTENANT GOVERNOR RUTHERFORD: On 4-GM (indiscernible) just on my copy the alignment, and I don't know who formats these things, but the formatting is not good. So I'm just pointing that little point out.

MR. PORTS: -- the format, I'm sorry?

LIEUTENANT GOVERNOR RUTHERFORD: 4-GM. Yeah, I don't know who printed mine out. But you have a revised one. I don't have the revised.

MR. PORTS: Oh. Yeah. So Mr. Governor, when I went over this with them, anytime a period was missing or a space was off, I said you need to fix it because you know the Lieutenant Governor is going to find it.

LIEUTENANT GOVERNOR RUTHERFORD: -- don't have to worry about the Governor --

MR. PORTS: Okay.

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LIEUTENANT GOVERNOR RUTHERFORD: But I was going to point out, and you already mentioned the small business vendors, that there are at least five items and I think a few more that were small business vendors. And they weren't just in small business reserve. So there were several of the small business and MBE vendors who were bidding on the fair and open contracts, bidding against everyone, and winning it. And so that is exactly what we want to see happen. So I appreciate what is happening in your department. I noticed it particularly with State Highway but I think there were a couple of other agencies that also are doing that as well. Any other questions for Mr. Ports and the department?

COMPTROLLER FRANCHOT: No, I wanted to congratulate the Secretary for navigating through COVID. And you sound a little hoarse but I'm delighted to see you looking so well. And --

MR. PORTS: Thank you.

COMPTROLLER FRANCHOT: -- thank you for your comments about Chairwoman Sheila Hixson.

MR. PORTS: Yeah, she was awesome.

COMPTROLLER FRANCHOT: She and I were an alliance in District 20.

MR. PORTS: Oh.

COMPTROLLER FRANCHOT: We had Delegate Dembrow and Delegate Ruben on either side. And I'll never forget as a Delegate that didn't have much clout back in the day, saying to her, you know, we're building the new Blair High School in our district and they are short on money. What are we going to do? She said, Peter, come with me. We're going to go down and I think the Secretary of DNR mentioned that some money is being spent on sporting things. But she grabbed me down the hallway and grabbed Torrey Brown, who was then

the Secretary, and said, Mr. Secretary, you're going to have to allocate some Program Open Space money to help Blair High School build their fields because we don't have enough money to complete the project. And Torrey said, well, we never do that. She said, well, you're going to do it this year. And it happened. Because when you mentioned that she was a charming individual but tough, I will report at the end of her life she was in a nursing home that I stayed in touch with her family about. And they said everything is just fine, because Sheila has appointed herself Mayor of the nursing home.

(Laughter.)

MR. PORTS: No doubt.

COMPTROLLER FRANCHOT: Thank you for your --

MR. PORTS: No doubt.

COMPTROLLER FRANCHOT: -- appropriate.

MR. PORTS: I wrote a song for her. I'll tell you later. I won't do it here. I won't do it here, no.

LIEUTENANT GOVERNOR RUTHERFORD: Before we take a motion, I do have a question on 45-LL. And the question is the Secretary's Office owns farmland? That's Carroll County. You are leasing crop land?

MR. PORTS: No, I think it just comes through us, if I'm not mistaken.

LIEUTENANT GOVERNOR RUTHERFORD: So the --

MR. PORTS: Our Office of Real Estate.

LIEUTENANT GOVERNOR RUTHERFORD: Okay, but the department owns this land?

MR. PORTS: Yes. So yes. And we lease it to the farmers.

LIEUTENANT GOVERNOR RUTHERFORD: Right.

MR. PORTS: And we do this all the time for little pieces that

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connect to their farms and they want to farm our land.

LIEUTENANT GOVERNOR RUTHERFORD: It sounds like the State owns too much land.

MR. PORTS: We do. We do.

LIEUTENANT GOVERNOR RUTHERFORD: -- you're not running a highway through there, you know.

MR. PORTS: So --

LIEUTENANT GOVERNOR RUTHERFORD: It's not, it may -- but it's two different. One is, I don't know how many acres, one is --

MR. PORTS: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: There are two. There's eight acres, plus, so it's 21 acres of land that's probably square or rectangle or something.

MR. PORTS: So --

LIEUTENANT GOVERNOR RUTHERFORD: Not an airport.

MR. PORTS: So what we do when we have a project to do, because of NEPA and some of the environmental regulations, we don't know exactly where it's going to go. So we do take more land than what we actually need.

LIEUTENANT GOVERNOR RUTHERFORD: Right.

MR. PORTS: And --

LIEUTENANT GOVERNOR RUTHERFORD: And that's some of the proposals you have in here --

MR. PORTS: That's right.

LIEUTENANT GOVERNOR RUTHERFORD: -- related --

MR. PORTS: That's exactly right. And so what we do is we assess whether we may expand that roadway or that project in the future, and for

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those pieces of land, those parcels, we will keep them. Because we don't want people to build on them because then if we have to expand and we have to purchase the property we're going to have to pay a much higher price because there is an improvement on the land. Otherwise --

LIEUTENANT GOVERNOR RUTHERFORD: -- you can always put easements on the land when you dispose of it --

MR. PORTS: -- otherwise, we are actually disposing of as much land as we can, because we don't need it anymore. And that's why you see these little pieces. And there is one in here that is just a little tiny strip that is right along a frontage of a business. I forget, it's like .13 acres, or something like that.

LIEUTENANT GOVERNOR RUTHERFORD: Yeah, it's adjacent to a road --

MR. PORTS: We don't have any use for it.

LIEUTENANT GOVERNOR RUTHERFORD: -- the adjacent property owner --

MR. PORTS: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: But when you see 21 acres and they are raising corn, and it's Transportation, you start to say --

MR. PORTS: -- but there may be --

LIEUTENANT GOVERNOR RUTHERFORD: -- the .13 acres --

MR. PORTS: Yes.

LIEUTENANT GOVERNOR RUTHERFORD: -- yeah, that 23 and it's probably adjacent to some other agricultural property that it could be placed into one of the reserve programs that it can only be used for --

MR. PORTS: Yeah.

LIEUTENANT GOVERNOR RUTHERFORD: -- agriculture purposes or conservation purposes. Okay. That was just a question. When I saw

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it, it was a little abnormal from what you typically have. Do we have a motion on Transportation?

COMPTROLLER FRANCHOT: Move approval.

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR RUTHERFORD: All right. All in favor. The Department of General Services. The Department of General Services.

MR. CHURCHILL: The. Good morning, Governor, Treasurer, Comptroller. For the record, I'm Ellington Churchill, Secretary for the Department of General Services. Not to be outdone by MDOT but we are presenting 47 items on our Agenda and additionally we are seeking support for one minority business contract and three small business contracts. Also included in the Agenda are \$8.2 million in capital grants and loans, including \$2.5 million to the Maryland Science Center. And finally, we are presenting two of our State Center relocation leases, which brings the agencies to seven of the nine agencies that are moving, proposed to move into commercial leased property.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

MR. CHURCHILL: We stand ready for your questions.

LIEUTENANT GOVERNOR RUTHERFORD: I know we'll get to it. Who are the other two agencies that are not --

MR. CHURCHILL: Labor and DoIT, which are co-located together and we should bring them by the end of the year.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. I'm just going to reference a couple of the capital grants and loans. I don't know if either one of you have visited the Allegany County Museum. Manny probably has -- in the museum? But in Cumberland, but it's a wonderful museum. And it's interesting, for those who are not as familiar with the history of Cumberland, at

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one time it was the second largest city in the State. It was a center of industry. You have the old 40, you know, the American highway that went through there, a lot of industry, including a glass industry, glass production was done in Cumberland. A lot of the road technology and rubber companies were there because of the highway that went through. So it's fascinating. Just mentioning that.

Item 2 is something that is of interest to me and to a certain extent to the Treasurer, it's his home county, but I can remember riding by the Cheverly Hospital many years on the BW Parkway, at least on that site. And I see that the redevelopment authority has plans there. I don't know what their plans are. Maybe you do --

TREASURER DAVIS: Not a clue.

LIEUTENANT GOVERNOR RUTHERFORD: Okay, that makes two of us. But I was happy to see that there is going to be work done to develop that site, that there is a new hospital in Prince George's County. As you can see, I have a number of my favorite tabs. And I see that, I want to point out Chrysalis House, which is a treatment facility for women with children. They are able to bring their children, women who are suffering from substance use disorder or are in recovery. And it is an excellent program that helps provide housing as well as treatment and counseling for those in recovery where they can bring their children with them. And they do a very good job and they are expanding their facility because unfortunately there is a lot of need there. And as I constantly go back to transition, we let the incoming administration know that they still need to maintain focus on the issues of substance use disorder as well as the co-occurring mental health issues. And it needs to be, the focus needs to be at the executive level. It needs to be at the Governor, the Lieutenant Governor level, and not just, not putting down, but not just another program within a large agency. So we're

losing 2,500 people a year to overdoses. Now, you don't see that in the news broadcasts or anything. Every now and then they talk about, oh yeah, the overdoses are up. But in the State, more than the murder rate, more than the auto accident rate combined. So it needs to be a continued, continued focus on how we work with those folks.

Comment about 19-C, Martinak State Park. I had mentioned to the Secretary that I had gotten Lyme Disease at a park in Caroline County. We were saying Tuckahoe, but it was Martinak. It's not your fault. It's not your fault. It's those darn ticks, those deer ticks. But I received, I had Lyme Disease in my park visits, but I was fine. If you catch it early, medications will get rid of it in a day or two. The symptoms, kind of flu like symptoms. And if you don't catch it early, it can be really debilitating.

MR. CHURCHILL: I blame her.

(Laughter.)

MS. HADDAWAY-RICCIO: We did have a really good time at the park, other than that. Other than that.

LIEUTENANT GOVERNOR RUTHERFORD: We were canoeing. That was the park where we were able to canoe.

MS. HADDAWAY-RICCIO: Yes, sir.

LIEUTENANT GOVERNOR RUTHERFORD: 25-C (25-S), and I was told that the Senator -- oh, she didn't grace us with her appearance? Can we hear from Senator Kagan?

SENATOR KAGAN: Yes. Thank you. I hope you all can hear me and that my audio on my new laptop is working.

LIEUTENANT GOVERNOR RUTHERFORD: Yes, we were hoping that you would be here so we can actually see you as well, grace us with your appearance.

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SENATOR KAGAN: Well, thank you. I guess you get this. I don't know whether my appearance is there or not. But anyway, it's great to see so many smart and hardworking public servants here. And I know, Governor Rutherford, this will be the last time -- here we go, share my web cam -- Comptroller Franchot, just thank you both for your service. And Treasurer Davis, my friend and former colleague, it's great to see you up there.

Mr. Secretary, Jim Ports, Mr. Secretary, Mr. Churchill, thank you. I'm going to be super brief and when legislators say that they start a 20-minute rant. I'm not going to do that. But I think many of you have -- so Cheryl Kagan, very proud to be the Senator for Gaithersburg and Rockville, and the Chair of the Next Generation 9-1-1 Commission for four years. Maryland is at the forefront nationally in our 9-1-1 work and shifting to next generation 9-1-1. And it is for that reason that I am here speaking on behalf of Mission Critical Partners.

Three people died in my district when 9-1-1 has failed and for seven years we have been working on upgrading our 9-1-1 systems. We have addressed funding shortfalls, cybersecurity challenges, staffing, recruitment, training, and retention, geographic information systems, you know, locating people who are having a crisis, oversight and accountability. Mr. Comptroller, you know that we were worried about whether the telephone, telecom people were paying the right amount into the 9-1-1 fund. Just a lot of stuff. Better access for people with disabilities and people for whom English is not their primary language. Anyway, Mission Critical Partners is the fundamental reason why we have been able to do so much. In addition to the brilliant and dedicated 9-1-1 specialists and center directors and Maryland Association of Counties and other key partners, Mission Critical Partners has really helped me in partnership with the 9-1-1 Board and others in making sure that everything got handled. They helped with our four published annual reports that are all available on my website

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and I think many of you have been sent copies. But we are really proud of the work we have done. We are going to continue to do work. And this afternoon, Senator Waldstreicher, Senator Reilly, and I, along with three Delegates, are having our first hopefully of only two meetings about swatting, which you have probably heard is on a huge uptick with people calling 9-1-1 with phony claims and the SWAT teams come out with guns drawn. And it can be done for race or LGBTQ or just video gamers. It's really terrifying and it's being done at schools. So we need to make sure that we crack down on anyone who is messing with the 9-1-1 Center.

So with that, I just want to really commend you, commend Mission Critical Partners to you and just let you know what extraordinary professionals and well-informed folks they have been for me and will continue to be. And I'm happy to take any questions. Thank you for your time and attention.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you, Madam Senator. It is always good to see you.

SENATOR KAGAN: You, too, Governor. Thank you.

LIEUTENANT GOVERNOR RUTHERFORD: Any questions for the Senator? Thank you.

SENATOR KAGAN: Thank you so much. Take care. And thanks for John Gontrum for helping coordinate all the logistics. I appreciate that.

LIEUTENANT GOVERNOR RUTHERFORD: Okay.

SECRETARY GONTRUM: You're welcome, Senator.

LIEUTENANT GOVERNOR RUTHERFORD: Thank you. 41-RP, real estate, Natural Resources. I'm just pointing out that you mention the address being in Wicomico County. This is Worcester County that we're talking about. In another location it is corrected, but I do see the description of the property state Wicomico County. And it's Worcester County.

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MR. CHURCHILL: Not to be outdone but MDOT --

LIEUTENANT GOVERNOR RUTHERFORD: MDOT did
correct it in their revised. I just --

MR. PORTS: We revised --

LIEUTENANT GOVERNOR RUTHERFORD: -- you revised --
(Laughter.)

LIEUTENANT GOVERNOR RUTHERFORD: Are there any
questions that anyone, that you want to bring up?

TREASURER DAVIS: May I ask about 32-IT?

MR. CHURCHILL: 32-IT having to do with CrowdStrike. Chip
Stewart, Chief Information Security Officer, is available to answer your
questions.

TREASURER DAVIS: I just want to understand, and if I can, so
because I was wondering about the bid (indiscernible) that the platform is
CrowdStrike. And so the bidders I see, it's not for the platform but rather they are
authorized resellers of that? Okay. So how did we end up with CrowdStrike
versus, I mean, did we do a contract on it? Or how did we end up with
CrowdStrike?

MR. STEWART: So good morning, still. For the record, Chip
Stewart, Chief Information Security Officer. So the platform CrowdStrike was
selected through four different evaluation mechanisms. We used Gartner,
Forrester, a DoIT internal evaluation, as well as a third party contractor evaluating
the platforms that are out there to ensure that we selected a platform that was a
good fit for our needs.

TREASURER DAVIS: How did we select it? I guess that's what
I'm getting at. Did we do a bid process for that? Or how did we end up there?

MR. STEWART: So based on the platforms that were a good fit,

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we went out to contract through OMNIA, which is an intergovernment purchasing agreement. It was competitively bid. I think we received three bids with the lowest bid being selected.

TREASURER DAVIS: And that was for the platform and then Blackwood, GEN3i, and V3gate, they, that was a subsequent bid?

MR. STEWART: No, those are the three bidders for the platform.

LIEUTENANT GOVERNOR RUTHERFORD: So basically it was a technical evaluation from Gartner group and Forrester. Those are, Gartner Group has been around for years. I'm not as familiar with Forrester. But Gartner Group was around when I worked what we called controlled data, which is no longer in existence. But they are basically an information technology advisory and consulting operation that provides information on technology. I'm not as familiar with Forrester. So you did it sounds like a technical evaluation first to determine what platform fit our needs, and then you went out to bid?

MR. STEWART: Exactly correct.

TREASURER DAVIS: Yeah, I was asking --

(Laughter.)

MR. STEWART: So the technical evaluation led to the platform selection of CrowdStrike, which was then competitively bid through the intergovernmental purchasing agreement.

TREASURER DAVIS: Okay.

LIEUTENANT GOVERNOR RUTHERFORD: Okay. And the only thing from what I've read, not necessarily this, is that CrowdStrike is like the industry leader with regard to cybersecurity protection.

MR. STEWART: Absolutely.

LIEUTENANT GOVERNOR RUTHERFORD: Any other questions?

COMPTROLLER FRANCHOT: Move approval.

TREASURER DAVIS: Second.

MR. STEWART: Thank you.

(Whereupon, at 11:35 a.m., the meeting was concluded.)