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P R E S E N T

GOVERNOR WILLIAM DONALD SCHAEFER, Presiding;

HONORABLE LOUIS L. GOLDSTEIN, Comptroller;

HONORABLE LUCILLE MAURER, Treasurer;

JAMES J. MCGINTY, Acting Secretary, Board of
Public Works;

EARL SEBODA, Secretary, Department of
General Services;

LOUIS H. STETTLER, III, Secretary,
Department of Budget & Fiscal Planning;

CONSTANCE LIEDER, Secretary, Department
of State Planning;

MICHAEL NELSON, Acting Assistant Secretary,
Department of Natural Resources;

MARION J. BOSCHERT, Administrative Assistant,
Board of Public Works; and,

K. P. HEINEMEYER, Director of Real Estate.

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<u>Subject</u>	<u>Agenda</u>	<u>Witness</u>	<u>Page</u>
SRA, Rehabilitation of Bridge	DOT 4-C, p. 5	Withdrawn	4
MTA, Expert Witness Services	DOT 1-S-MOD, p. 1	Nick Kiladis	4
DNR, Removal of B&A R.R. Bridge, Severn River	G.S. 1-C, p. 1		7
UMBC, Computer Science/Eng. Building	G.S. 2-AE, p. 2		8
Gen./Misc., Telephone Systems	G.S. 4-GM, p. 5		9
DHMH, MES, Poplar Hill Correctional Camp	SEC 4, p. 13		11
Wetlands, Case No. 87-142, 4433 Corporation	SEC 2, p. 2	Harold Cassell	12
Harmony Hall Regional Center Loan of 1986	SEC 5, p. 15		13
Open Space, Calvert Marine Museum	SEC 2A, p. 2A		15
DHR, CSA, Weatherization Program, Southern Maryland	BFP 6-S, p. 6B		16
DHR, CSA, Weatherization Program, Garrett County	BFP 7-S-MOD, p. 7B		16

<u>Subject</u>	<u>Agenda</u>	<u>Witness</u>	<u>Page</u>
DOA, Aerial Spraying of Mosquitoes	BFP 2-EX, p. 11B		19
BPW, Award of Compensation, Leslie A. Vass	BFP 10-GM, p. 12B		21
DNR, Evaluation of Opportunities in Western Maryland	BFP 1-EX, p. 10B		23
U.M., Baltimore City, Consultant	U.M. 1-S, p. 1C		31

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P R O C E E D I N G S

GOVERNOR SCHAEFER: All right. What is the first --

MR. MCGINTY: Department of Transportation.

GOVERNOR SCHAEFER: Department of Transportation.

MR. BRISTOW: Good morning. I'm Chuck Bristow from the Maryland Department of Transportation.

Today, we have four items on the Agenda. At this time, we would like to withdraw Item 4.

We're prepared to answer any questions you may have on the remaining items.

MR. GOLDSTEIN: Item 4 withdrawn. All right.

MS. MAURER: I have a question on No. 1. Isn't that the firm that was brought before us for another contract enhancement, or extension?

MR. BRISTOW: Mr. Nick Kiladis is here, and will address that item.

MS. MAURER: It may have been a different case involving expert witnesses.

MR. KILADIS: Good morning. I'm Nick Kiladis

with the Mass Transit Administration. I would like to understand your question, please?

MS. MAURER: Yes. On No. 1 --

MR. KILADIS: Yes.

MS. MAURER: -- this is an amendment to the firm that acts as expert witnesses in some of your cases.

MR. KILADIS: This particular firm, yes, does audit of costs --

MS. MAURER: Yes.

MR. KILADIS: -- and also acts as expert witnesses on those costs.

MS. MAURER: But my recollection is that, just a few weeks ago, we had this name before us for a contract.

MR. KILADIS: It's entirely possible because we use them on several of our claims --

MS. MAURER: I see.

MR. KILADIS: -- and other agencies use the same firm because they are very experienced in the handling and the analyzing of the costs of contractors

in such claims.

MS. MAURER: So, you do it on a case-by-case basis.

MR. KILADIS: Yes, we do.

MS. MAURER: They're not on a general consultant --

MR. KILADIS: Originally, we had a long-term contract with them, but now it's on a case-by-case basis.

MS. MAURER: All right. Thank you.

GOVERNOR SCHAEFER: Have you got anything, Louie?

MR. GOLDSTEIN: No, I don't have any. I move we approve the Department of Transportation Agenda with the exception of Item 4, which has been withdrawn.

GOVERNOR SCHAEFER: Second?

MS. MAURER: Second.

GOVERNOR SCHAEFER: No objections?

BOARD MEMBERS: (No response.)

GOVERNOR SCHAEFER: What is next?

MR. GOLDSTEIN: General Services.

MR. MCGINTY: General Services.

GOVERNOR SCHAEFER: General Services.

MR. GOLDSTEIN: Governor, I think we ought to have just a little short explanation on Item 1-C, page 1. That's that removal of that timber trestle railroad bridge from the Severn River, that old B&A bridge. In case anybody would question it, we'll know why we did it.

MR. SEBODA: Item 1-C is a contract for removing the timber trestle bridge over the Severn River. This bridge was formerly owned by the local neighborhood improvement association; and in September, the state acquired it via a quitclaim deed with the express intention of removing the bridge because it would improve conditions for the pleasure boaters. The Corps of Engineers did not cite it as a hazard to navigation, but the Department of Natural Resources felt that the condition of the bridge was deteriorating, and pieces of it could break off and cause problems in the water. The structural condition of the bridge is such that it wouldn't bear traffic anymore; and that,

sometime ago, the actual center span had been removed so that it was open, so that you had clear navigation for sailboats and other vessels on the Severn River.

MR. GOLDSTEIN: Thank you, sir. Item 2-AE, page 2, Governor, maybe Earl could just give us some explanation. There is nothing holding up this construction of this engineering building on this campus over at Baltimore County, is there?

MR. SEBODA: No, you don't even have construction funds yet.

MR. GOLDSTEIN: I know. This is the engineering.

MR. SEBODA: This is the engineering, and that what you will have is the award of the engineering contract, and the schedule calls for the project being ready to be bid in the latter part of fiscal year '89.

MR. GOLDSTEIN: Well, why is it taking that long? You know, Dr. Toll --

MR. SEBODA: Because one of the things that you have on this particular project is the intensity of laboratories. In the structure itself, that you will

have better than half of the structure involved with engineering laboratories, another third of the structure involved in what they call "terminal class laboratories"; and so that, it is a very involved design. This is probably -- when you build an engineering classroom structure, whether you build it here, or Morgan, or at College Park, you're in the situation where you have the most complex structure you could put together on any campus, other than a research structure.

MR. GOLDSTEIN: Okay. I just wanted the reason because I know Dr. Toll says it takes so long. Remember that bill he had downstairs?

MR. SEBODA: This will be transferred to him with the things that we talked about at our meeting.

MR. GOLDSTEIN: Thank you. Can you give us just a little short explanation on Item 4-GM, page 5, on the telephone systems?

MR. SEBODA: Yes. In the past, before divestiture, we used to be in the situation where if you wanted a telephone, you would call up your "handy-dandy"

telephone company; they came out, and you got telephone service. Since divestiture, as you're aware, we've made something that was heretofore very, very simple, very, very complex; and in this instance, that we have to acquire replacement telephones, and what this is is an annual contract that would buy the types of sets that we need and use.

There are ten different sets: the standard desk sets; standard desk set with 12-key pad; standard desk set with a recall button; standard wall set; standard wall set with 12-key pad; standard wall with recall button; standard desk six-button rotary; standard desk six-button 12-key pad; standard desk ten-button 12-key pad; standard desk 20-button 12-key pad; and so, what this will do is you buy off the contract, and get the advantage of price, and the state makes out.

MR. GOLDSTEIN: But my question is will there be compatibility between all of these different telephone systems that we have now?

MR. SEBODA: Yes, with everything, with the exception of the Rohm system because that is

proprietary -- that is very proprietary.

MS. MAURER: That's Fiscal Legislative's system.

MR. SEBODA: And then there are one, or two others where you have to buy the sets from the original manufacturer, the manufacturer of the switch, but everything else is compatible across the state.

MR. GOLDSTEIN: Okay. Thank you. That's all I have on the Agenda.

GOVERNOR SCHAEFER: Okay. Is there a motion?

MR. GOLDSTEIN: I move we approve the General Services Agenda.

GOVERNOR SCHAEFER: Second?

MS. MAURER: Second.

GOVERNOR SCHAEFER: No objections?

BOARD MEMBERS: (No response.)

GOVERNOR SCHAEFER: What is next?

MR. MCGINTY: The Secretary's Agenda.

GOVERNOR SCHAEFER: The Secretary's Agenda.

MR. MCGINTY: We've got one revised page.

It's a minor figure -- incorrect figure the Health

Department had given us on Item 4, page 13.

Is there any questions on Wetlands?

MR. GOLDSTEIN: I only had a question on one of them. It was Item No. 2, page 2, case 87-142, 4433 Corporation. I think maybe we ought to have a little short explanation.

MR. CASSELL: I would be happy to, Mr. Comptroller.

MS. MAURER: What page was that?

MR. GOLDSTEIN: Page 2, Item 2, case number 87-142, 4433 Corporation.

MR. CASSELL: Yes, sir. My name is Harold Cassell, Wetlands Administrator for the Board of Public Works. I would be happy to respond to your question on this, Mr. Comptroller.

MR. GOLDSTEIN: Well, I just want to be sure that this 15,000 is sufficient to remove any sediment build-up in the channel near Fort Smallwood Road, the Chestnut Hill Cove subdivision, Cox Creek.

MR. CASSELL: Right, sir. This is around a little over a 3,000-foot closed storm drain system for a

proposed subdivision. The facility will have an in-line pipe system, predominantly. It will have sand filters in the system, and there will be a pond prior to the discharge point. There will be four discharge points. The system is designed according to state and county stormwater management standards, and has been approved through the local review process.

The \$15,000 bond would appear to be quite adequate for this project in that the pond responsibility in terms of long-term maintenance is with the Anne Arundel County Department of Public Works.

MR. GOLDSTEIN: I see. And you think it's sufficient?

MR. CASSELL: Yes, sir.

MR. GOLDSTEIN: Thank you. Governor, Item No. 5, page 15, that's that Harmony Hall Regional Center Loan of '86. Those bonds haven't been sold, have they?

MR. MCGINTY: The bonds haven't been sold. I have a little explanation on that. If you look at the bond bill, the grant is made to the County Executive and the County Council of Prince George's County with the

county to provide the certification of matching funds. So, if you look at the submission, it shows that the Maryland-National Capital Park and Planning is actually submitting the certification of matching funds.

I had some question with that. So, I talked to the county attorney over in Prince George's County, and we discussed this, as to whether or not this really was legal for the Capital Park and Planning to certify the matching funds. There is a question because of the tie-in between Prince George's County, and the Capital Park and Planning. So, what was agreed to, and what has been done is there has been a bill put into this session of the General Assembly, which should go through, which would make the grantee both Prince George's County, and National Capital Park and Planning. So, that should resolve that --

MS. LIEDER: That's House Bill 534.

MR. MCGINTY: Pardon?

MS. LIEDER: House Bill 534.

MR. MCGINTY: 534.

MR. GOLDSTEIN: They understand that the bonds

have not been sold --

MR. MCGINTY: They understand that, yes, sir.

MR. GOLDSTEIN: -- and they have to spend their money first.

MR. MCGINTY: Yes, sir.

MR. GOLDSTEIN: Okay. Fine. That's all I have on the Secretary's Agenda.

GOVERNOR SCHAEFER: Is there a motion?

MR. GOLDSTEIN: I move we approve the Secretary's Agenda.

MS. MAURER: Second.

GOVERNOR SCHAEFER: No objections?

BOARD MEMBERS: (No response.)

MR. MCGINTY: Next would be Open Space.

MR. GOLDSTEIN: Yes, sir. I see Dr. Esham is here from down on Solomon's. That's Item No. 2A. As far as I'm concerned, it looks all right. It's very expensive land, but nothing is cheap anymore.

GOVERNOR SCHAEFER: No.

MR. GOLDSTEIN: I didn't have any questions on Open Space, unless Lucy did.

MS. MAURER: No.

GOVERNOR SCHAEFER: Is there a motion?

MR. GOLDSTEIN: I move we approve the Open Space Agenda.

MS. MAURER: Second.

GOVERNOR SCHAEFER: No objections?

BOARD MEMBERS: (No response.)

GOVERNOR SCHAEFER: What is next?

MR. MCGINTY: Budget and Fiscal Planning.

MR. GOLDSTEIN: Budget and Fiscal Planning.

GOVERNOR SCHAEFER: Budget. Have you got anything you want to talk about, Lou?

MR. GOLDSTEIN: Governor, Item --

MR. STETTLER: I'll answer any questions. The only thing I would like to mention is that we do have a hand carried item.

MR. GOLDSTEIN: Well, Lou, I had one before that, Items Nos. 6-S and 7-S. Governor, back in February -- the early part of February, you asked the question: does anybody go out and check these weatherization jobs to see whether they are serving the

purpose; whether they're making the house warm, or is air still coming in? So --

MR. STETTLER: On this contract, you might also know that this particular contract provides that there is a 100 percent review by the agency for workmanship.

MR. GOLDSTEIN: 100 percent review.

MR. STETTLER: By the agency for workmanship, but the other question is -- who is finishing up a study he did receive that, in fact, these things work -- right on site. It's one thing to see that everything is done right; it's a second one to see if, in fact --

MR. GOLDSTEIN: And who checks that?

MR. STETTLER: Human Resources is going to also be doing that. I have an analyst by the name of Charles Stevenson who has been assigned on the project to go out and see if, in fact --

MR. GOLDSTEIN: Charles Stevenson?

MR. STETTLER: Yes. I have a copy of the report.

MR. GOLDSTEIN: Does he go out and look at

the --

MR. STETTLER: No, this is just a one-time report just to see if, in fact, that it does work.

MR. GOLDSTEIN: And the same thing holds true for Item 7-S-MOD, page 7B? One is from Garrett County, and one is from Frederick.

MR. STETTLER: 7-S, the requirement in the contract is is that the vendor is to take -- do a 100 percent survey of the houses to make sure that the work is done up to quality. Now, that's no guarantee that it will stay warm. I think the Governor's concern --

MR. GOLDSTEIN: No, I understand that, but, I mean --

MR. STETTLER: -- was does it work, in a sense --

MR. GOLDSTEIN: -- if they have to replace doors, or windows, or floors, or put the insulation, be sure the job is done.

MR. STETTLER: Properly, yes.

MR. GOLDSTEIN: I understand. Look, I've got an old house. My Lord, the way that wind blew yesterday

morning, man, the carpet was dancing on the floor. I mean, there is nothing I can do about that; it was an unusual wind about 45, 50 miles an hour. I'm telling you, it's an old house.

(Laughter.)

MR. GOLDSTEIN: It's air-conditioned winter and summer, Governor.

(Laughter.)

MS. MAURER: With hot air in the summer.

MR. GOLDSTEIN: But I can put up with that because I can put on my old heavy thermal underwear, or whatever it is, and, man, I stay warm. Just like my wife told me; she said she's going to cut the heat back. It's too hot. She's wearing that thermal stuff. See, that keeps you warm in 40 below zero.

MR. STETTLER: The issue is long-term -- to the state.

MR. GOLDSTEIN: Okay.

MS. MAURER: I have another question on another topic. The one on mosquito spraying, the report is that the person who won the -- the one bid that was

submitted -- couldn't get the equipment.

MR. STETTLER: The airplane, and the bond.

MS. MAURER: So, what is this contract for, to contract with somebody else?

MR. STETTLER: We're going to go out, and try and bid it on an expedited basis.

MS. MAURER: Okay.

MR. STETTLER: We will probably get bids, but they will probably be higher than the original bid. There have been one or two firms that have been fairly successful in winning these bids over and over again. One of them did not get the bonds.

MS. MAURER: Okay. So that, this time --

MR. STETTLER: The original was successful in terms -- it was unsuccessful in terms of getting a number of people bidding this time. When the word is is that we're a little bit more desperate, I'm sure we'll get more bids.

MS. MAURER: Was it the equipment, or the performance bond that was --

MR. STETTLER: Both.

MS. MAURER: Well, if you just take out a performance bond, do you think you will get some --

MR. STETTLER: No, it was the equipment. Without the equipment, you can't do it.

I do have one hand-carried item, if you're ready. As you know, the Board has discussed the case of Mr. Vass who is an individual who, on the basis of mistaken identity, was imprisoned. He has been pardoned. Connie Lieder -- the Board has asked Connie Lieder to talk to him, and see what types of services he needs; and at some later time, we'll come back to the Board and make a proposal under the section of the Code, which provides that the Board may makes grants in the form of compensation for a person who has been unjustly imprisoned. This is an advance, so to speak, to that ultimate award. It's \$1,000 to help him out of an immediate problem that he has right now. As I say, Connie has been in contact with him at the Board's direction, and she will be coming in tomorrow to check with you --. This will keep him from being evicted.

MS. MAURER: This doesn't go for lawyers' fees

under the law.

MR. STETTLER: No, the law is very specific on lawyers' fees.

MS. MAURER: And he will have a bank account, and --

MS. LIEDER: I'll set up a bank account for him, yes.

MS. MAURER: He doesn't get charged for cashing the check.

MS. LIEDER: I believe the item is -- I don't believe another has confessed.

MR. STETTLER: No, it's -- no, it's --

MS. LIEDER: I think I would correct that item. Someone else was identified as the assailant, but there was no confession involved.

MS. MAURER: Well, that's all, unless the Comptroller has some other items on the Budget and Fiscal Planning.

GOVERNOR SCHAEFER: Louie, you got anything else?

MS. MAURER: Anything?

MR. GOLDSTEIN: I have a question on 1-EX, on page 10B. Maybe you can answer that question on the Department of Natural Resources.

MR. NELSON: Well, what the department proposes to do here is, for a number of years, the counties of Allegany and Garrett County have been suggesting that the Department of Natural Resources take a look at landholdings. In fact, we have roughly 131,000 acres of ground in those two counties.

MR. GOLDSTEIN: How much?

MR. NELSON: 131,000 acres of land in those two counties.

MR. GOLDSTEIN: Right.

MR. NELSON: And they felt that -- they recognized that the state was not going to be able to build every facility that was possible in those areas; that, perhaps, it would be in our best interest and their best interest to do a study to determine where there might be opportunities for a public-private sector partnership to accomplish recreational and tourism opportunities on state lands. This particular

consultant has done most of the work in the Western Maryland region in the last two or three years for the Tri-County Council, the city of Cumberland, and, most recently, with the Department of Natural Resources in terms of marketing the Rocky Gap Conference Center. So, we've asked them if they would, under contract for us, identify at least five sites in those two counties that would have some opportunity for perhaps private involvement on our lands; that we have the full support of the County Commissioners of Allegany and Garrett counties for this effort.

MR. GOLDSTEIN: You say you're going to pick out five sites to do what?

MR. NELSON: What we would look at is, for example, tourism opportunities, or commercial recreation opportunities that might appeal to the private sector; that they would actually invest their money on state land to provide an opportunity, which is keeping with our law and objectives. I mean, it could be a hunting lodge, a cross-country ski concession, a dude ranch -- it could be almost anything. So, that's what it's all

about.

MR. GOLDSTEIN: Well, I'm glad to see you're all coming around to my way of thinking. I've been advocating something like that for 25 years.

MR. NELSON: Yes, sir.

MR. GOLDSTEIN: And when are you going to do it, now?

MR. NELSON: We are going to do it.

MR. GOLDSTEIN: Thank God. If you stay around long enough, you see things happen.

GOVERNOR SCHAEFER: That's right. You're darn right.

MR. GOLDSTEIN: Yes, sir. Just like Rocky Gap. Rocky Gap is one of the most beautiful settings of anywhere in the United States.

MR. NELSON: Yes, sir.

MR. GOLDSTEIN: They've got that beautiful lake there, and the mountains. Right there, you've got a dual lane highway; and here, we've got to go spend money to go down to Greenbrier, like the Maryland bankers. The last week in May and June, we go to

Greenbrier, you see; and 150, \$200 a day just for the darn room. That don't include the eating and drinking, and whatever goes on. Now, why can't we have something like that in Maryland? Or they go down to The Homestead in Virginia, and that's way beyond. Our place is so easy to get to, you see.

MR. NELSON: Yes, sir, we're in perfect agreement with you. That's exactly what we're trying to do.

MR. GOLDSTEIN: Well, I'm so happy to see you're going to do something now. Can we get a copy of this report, the Board of Public Works?

MR. NELSON: Yes, sir. Yes, sir. We'll make a full presentation to the Board, if you so desire.

MR. GOLDSTEIN: Well, Secretary, put that down in the record that I would like to have a copy of this report. For some reason, they never give the Treasurer, or the Comptroller copies of these darn reports; and then the newspaper will come up, "Mr. Goldstein, what is your comments about the report?" -- like on that stadium thing up here. I had to almost beat the guy over the

head to get a copy of the report.

MS. MAURER: You had to hold up his check.

MR. GOLDSTEIN: Yes. You see? And I've got to pay this bill. You see, this bill comes through the Comptroller's Office, doesn't it?

MR. NELSON: Yes, sir.

MR. GOLDSTEIN: Is it loud and clear I get a copy of the report, and the Treasurer?

MR. NELSON: Yes, it's loud and clear.

MR. GOLDSTEIN: Okay. So we know what's going on.

MR. NELSON: The Board will get a copy.

MR. GOLDSTEIN: I'm going to ask that same question on every report because, tomorrow, I've got to bring over here to the Governor's meeting all of the reports we put out. I've got a whole big box, Governor. I'll give them to you tomorrow morning at 8:00. And I read them. I read them.

MR. NELSON: If you want me to --

MR. GOLDSTEIN: But if you just have a study made, and you stick it back in punch hole No. 19, and

the moss grows on it, and the dust accumulates, and nothing is done about it, what good is it going to be?

MR. NELSON: No good at all. In fact, that's not the purpose of this study. We hope that this study will develop a number of request for proposals that will attract --

MR. GOLDSTEIN: I know. I've been around here a long time. I've seen a lot of studies made, but that's the end of it. After the study is made, it's put off in some hole somewhere, and nobody ever sees it, and it's never discussed. Now this, to me, is you're on the right track.

MR. NELSON: Thank you.

MR. GOLDSTEIN: I want to congratulate you.

GOVERNOR SCHAEFER: How long is this study going to take?

MR. NELSON: Sixty days.

GOVERNOR SCHAEFER: That's good. This Rocky Gap, is that where the golf course --

MR. NELSON: Golf course, yes, sir.

MR. GOLDSTEIN: Yes, sir.

GOVERNOR SCHAEFER: See, this is one of the problems when you get a good idea, and you start moving, and then the Legislature decides they're going to hold the golf course for a year, and that sort of takes it off the fast track unless you can get the Legislature to say it's not a bad idea, and you can move at the same time because there's a lot of things that you can do if you get a commitment, and start moving, but if you have to wait a year to get it back on track again, that's a long loss -- but we'll work that out.

MR. GOLDSTEIN: See, you had a study back in '79, but there was never anything done about it.

MR. NELSON: We did a study on Greenridge State Forest, and the conclusion of that study was that the area topography was just so steep and difficult to bring utilities in for any kind of lodging, or the infrastructure, it was not a good idea, and that's how we went to Rocky Gap because it did have the infrastructure and the close proximity to that new highway, I-48, which is going to go right by Rocky Gap State Park.

MR. GOLDSTEIN: You've got everything at Rocky Gap.

MR. NELSON: Yes, sir.

MR. GOLDSTEIN: Everything is right there, and it's so easy to get to. You've got 25,000,000 people within three hours of that place. Do you realize that?

MR. NELSON: Yes, sir. In fact, we had --

MR. GOLDSTEIN: 25,000,000 people within three hours of that place.

MR. NELSON: We had 300,000 visitors there this year.

MR. GOLDSTEIN: Governor, I go by there four or five times a year.

GOVERNOR SCHAEFER: That's a call from heaven to get this moving.

(Laughter.)

MR. GOLDSTEIN: I move we approve the --

MS. MAURER: Second.

MR. GOLDSTEIN: -- Budget and Fiscal Planning Agenda.

GOVERNOR SCHAEFER: No objections?

BOARD MEMBERS: (No response.)

GOVERNOR SCHAEFER: So ordered. What is next?

MR. MCGINTY: University of Maryland is next.

GOVERNOR SCHAEFER: University of Maryland.

MR. GOLDSTEIN: There is only one item. I don't see anything wrong with that.

GOVERNOR SCHAEFER: Is everything all right with the University?

MR. MCGINTY: Dr. Myers is here.

MR. GOLDSTEIN: No, I didn't see any -- just this small item, \$10,000.

GOVERNOR SCHAEFER: Okay. Is there a motion?

MR. GOLDSTEIN: I move we approve the University of Maryland Agenda.

GOVERNOR SCHAEFER: Are you objecting to this in any way?

(Laughter.)

GOVERNOR SCHAEFER: Second?

MS. MAURER: Second.

GOVERNOR SCHAEFER: No objections?

BOARD MEMBERS: (No response.)

GOVERNOR SCHAEFER: So ordered. What is next?

MS. MAURER: That's it.

MR. GOLDSTEIN: That's all.

GOVERNOR SCHAEFER: Does anybody want to say anything?

BOARD MEMBERS: (No response.)

GOVERNOR SCHAEFER: All right. Thank you.

(Whereupon, at 10:30 a.m., the proceedings in the above-entitled matter were adjourned.)

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