

STATE OF MARYLAND  
BOARD OF PUBLIC WORKS  
GOVERNOR'S CONFERENCE ROOM  
STATE HOUSE  
ANNAPOLIS, MARYLAND

March 30, 1994

9:30 o'clock, a.m.

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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;

SANDRA REYNOLD, Secretary, Board of Public  
Works;

CHARLES L. BENTON, Secretary, Department of  
Budget and Fiscal Planning;

MARTIN W. WALSH, JR., Secretary, Department  
of General Services;

JAMES B. ROWLAND, Assistant to Secretary,  
Department of Budget and Fiscal Planning;

DOROTHY NIEMEYER, Board of Public Works  
Administrator, Department of General  
Services;

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

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1 Sherman Chisholm, the vice-president for American  
2 Eurocopter Corporation, would like to address the  
3 Board.

4 Consistent with policy decision which  
5 considered flight crew safety, service delivery,  
6 training to include over 3,000 local health providers,  
7 maintenance, equipment standardization and other  
8 factors, Item 3-E on the department's action agenda  
9 requests that the Board of Public Works approve a sole  
10 source, \$10,500,000 procurement to the American  
11 Eurocopter Corporation to purchase two new AS365N2  
12 multi-application Dauphin-Series helicopters.

13 Placed in the numerical identification  
14 sequence established for the first nine ships, the new  
15 craft will be designated Maryland No. 10 and Maryland  
16 No. 11.

17 The helicopter procurement negotiations that  
18 have led to the contract which the Board is asked to  
19 approve initially focused on one used and one new  
20 Dauphin-Series helicopter; however, and beyond such  
21 factors as Maryland State Police flight crew safety,

1 cost, and the importance attached to standardization,  
2 the state's negotiation team became very concerned  
3 about purchasing a used helicopter, considering that  
4 the only used aircraft available in North America was  
5 (a) three years old, (b) was in questionable physical  
6 condition, had a fuel leak, and there was evidence of  
7 serious corrosion, (c) would have required an  
8 investment of over \$500,000 in state funds to bring it  
9 up to Aviation Division operating and equipment  
10 standards, and, finally, might bring with it unknown  
11 problems that could arise from employing a used  
12 helicopter to regularly perform missions as technically  
13 complex and dangerous as those accomplished by the MSP  
14 Aviation Division.

15           Returning to Item 3-E, the purchase of two  
16 new Dauphin-Series helicopters in calendar year 1994,  
17 thanks to you, sir, will complete the upgrading of the  
18 Maryland State Police multi-application helicopter  
19 fleet started in 1988 in your administration.

20           Funds necessary to support these activities  
21 are available. Four million dollars are coming from

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1 the Emergency Medical System Operations Fund, and six  
2 and a half million will come from the Transportation  
3 Trust Fund by budget amendment.

4 The delivery dates are September 23, 1994 for  
5 Maryland No. 10 to go to Southern Maryland, and  
6 November 4, 1994 for Maryland No. 11 to go to the  
7 Eastern Shore.

8 The contract for which the Board of Public  
9 Works' approval is being requested provides that a  
10 notice to proceed with contract work will be issued to  
11 the American Eurocopter Corporation on or before  
12 April 6, 1994, as a matter of fact, today, so we can  
13 get going with the delivery schedule.

14 And, last, consistent with the Maryland State  
15 Police request, the MDOT will administer the  
16 procurement and, upon completion of all work under the  
17 contract, the helicopters and equipment procured by  
18 MDOT will immediately and formally be transferred to  
19 the Department of Public Safety, Maryland State Police,  
20 Aviation Division.

21 Ready to answer any questions the Board has.

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1                   GOVERNOR SCHAEFER: I think you did a good  
2 job, and I think you were absolutely right in going for  
3 a new helicopter, particularly in view of what you  
4 found as far as the other one's concerned. I'm very  
5 pleased with what you did.

6                   MR. HARRIS: Thank you, sir. We're very  
7 happy, too, needless to say. Colonel Tolliver.

8                   MR. GOLDSTEIN: I just want to congratulate  
9 Mr. Harris and Ron Moser. It's been a team effort  
10 right from the start, Governor, with members of the  
11 General Assembly from the Eastern Shore and Southern  
12 Maryland, and the Treasurer, you and myself. It's been  
13 a partnership and a lot of hard work, but the dreams of  
14 yesterday are the realizations of tomorrow. Tomorrow  
15 has finally come.

16                   I think all the evidence you see here  
17 representing all the different forces is a team effort  
18 in the first instance. We thank you.

19                   MR. HARRIS: Thank you, sir.

20                   COL. TOLLIVER: Governor, we're going to step  
21 out of protocol for a minute. We've decided to make

1 Mr. Moser and Mr. Harris members of the State Police  
2 because they have worked so hard in the last couple of  
3 weeks. We really do appreciate what they've done.

4 (Applause.)

5 GOVERNOR SCHAEFER: Just a minute. You're  
6 going to pay them an additional --

7 (Laughter.)

8 COL. TOLLIVER: No, they've offered to pay  
9 me. They're writing the check today.

10 I think Mr. Harris has really said it all. I  
11 would like to make some people aware of some things.  
12 Quite a few months ago, the Governor gave to me a  
13 mandate; he said, "I've made a promise that we're going  
14 to get some helicopters for the Eastern Shore and  
15 Southern Maryland," and he said, "I expect you to do  
16 it," and you've heard him say before, "Do it now," and  
17 that meant do it now.

18 On behalf of the Maryland State Police, the  
19 men and the women, we thank you, Governor, Mrs. Maurer,  
20 Mr. Goldstein. This is a very important day for the  
21 State Police. It's a big safety feature for us.

1 There's times when we fly over the water and all and we  
2 have those Bell Rangers, and that's not a safe thing to  
3 do. Here we have a chopper on the Eastern Shore, we  
4 have one in Southern Maryland, and this is a great day.

5 And, Governor and Mrs. Maurer and Mr.  
6 Goldstein, on behalf of the General Assembly, I thank  
7 you all for helping us with this. Thank you very much.

8 (Applause.)

9 GOVERNOR SCHAEFER: Before you get the next  
10 one --

11 MR. HARRIS: Yes, sir.

12 GOVERNOR SCHAEFER: -- I like to listen to  
13 these stories that people tell. This isn't the way it  
14 happened. What I said, "We're going to get one  
15 helicopter. I don't know whether we can afford two."  
16 Tolliver said, "I will not take one. I want two." And  
17 that's how we got the two helicopters. That's not the  
18 way he -- I appreciate what he said, but he was really  
19 the one --

20 COL. TOLLIVER: Two became six, and six  
21 became nine.

1 GOVERNOR SCHAEFER: What?

2 COL. TOLLIVER: Two became six, and six  
3 became nine, and nine became 11.

4 GOVERNOR SCHAEFER: Yeah, that's exactly  
5 right. Can monkey around for a long period of time on  
6 whether you do it or you don't do it, and the  
7 Legislature -- the word "pressure" isn't there, but  
8 they said they wanted it, and Larry wanted two. He  
9 didn't want one. He wanted two. And I'm really  
10 pleased that happened. Okay. Thank you.

11 COL. TOLLIVER: Thank you, sir.

12 MR. HARRIS: I'd like to introduce Mr.  
13 Sherman Chisholm, vice-president of sales and marketing  
14 for American Eurocopter Corporation, the company that's  
15 built all of our ships and is going to build number  
16 nine (sic) and number 10 (sic). Sherman.

17 MR. CHISHOLM: Thanks, Paul. Governor  
18 Schaefer, Treasurer Maurer, Comptroller Goldstein,  
19 Superintendent Tolliver, I'd like to express the thanks  
20 of all of us at American Eurocopter, especially our  
21 president, David Smith. David is traveling out of the

1 country, sends his regards, was unable to be back  
2 today.

3 This is truly the culmination for a lot of us  
4 of a real ideal situation, where we see leadership in a  
5 state combined with an outstanding professional staff,  
6 and we're honored to have been a part of completing a  
7 system that provides the best statewide emergency  
8 medical service in the United States.

9 This is a discrete event, purchasing  
10 aircraft, but this is a part of an ongoing system where  
11 we have many people that you don't see working every  
12 day to keep the aircraft flying, support them, keep  
13 them current and updated, and providing the kind of  
14 service that you and your citizens expect; and we  
15 certainly appreciate the opportunity to continue to  
16 participate. Thank you.

17 GOVERNOR SCHAEFER: Thank you.

18 (Applause.)

19 GOVERNOR SCHAEFER: All right. Anybody else?

20 MS. REYNOLD: I believe Mr. Swann would like  
21 to make a presentation.

1 GOVERNOR SCHAEFER: We also ought to hear  
2 from some of those members of the Legislature.

3 MR. GOLDSTEIN: Yeah. Got the senators here  
4 and the delegates.

5 MR. SWANN: Governor, members of the Board, a  
6 pleasure for me to be here this morning. I have good  
7 tidings. Assuming that you're going to vote for this,  
8 I have the check for a down payment.

9 (Applause.)

10 MS. MAURER: By the Treasurer's Office, I  
11 might add. I just want to check.

12 MR. GOLDSTEIN: Governor, I make a motion  
13 that we approve the purchase of these two helicopters  
14 at the cost of 10,500,000, and we have a letter from  
15 you, we have a letter from the colonel, and we have a  
16 letter here from the speaker and the president of the  
17 Senate okaying the sole source, and we have the deposit  
18 money right here. I move that we approve the purchase.

19 GOVERNOR SCHAEFER: Before we have a second  
20 to that, any of you guys want to say anything?

21 MR. JOHNSON: Yes, sir, I would. On behalf

1 of the Eastern Shore delegation, I'd just like to say  
2 there's an awful lot of players and the three main ones  
3 sitting right here that participated in this project,  
4 but we all know that the main player is the Governor  
5 himself. And, on behalf of the people of the Eastern  
6 Shore, we just want to say thank you very much,  
7 Governor.

8 GOVERNOR SCHAEFER: That's great. Thank you.

9 (Applause.)

10 GOVERNOR SCHAEFER: What about that Southern  
11 Maryland area?

12 MR. OWENS: Right here, sir.

13 GOVERNOR SCHAEFER: We can only still buy  
14 one, you know.

15 (Laughter.)

16 MR. OWENS: On behalf of Southern Maryland,  
17 of course, today is a great event, as Superintendent  
18 Tolliver said. I don't think there's anyone in this  
19 room that is more appreciative than all of us in  
20 Southern Maryland, including the Eastern Shore people;  
21 but, as Comptroller Goldstein said, it was truly a team

1 effort, but without your leadership and your commitment  
2 to what we needed to do down there for our citizens,  
3 this would not have been possible.

4 So, for all of the people, not only in  
5 Southern Maryland and the Eastern Shore, but the State  
6 of Maryland, because now coverage is truly statewide,  
7 we truly thank you, the Comptroller and the Treasurer.  
8 Thank you, sir.

9 (Applause.)

10 GOVERNOR SCHAEFER: The Comptroller has made  
11 a motion. Is there a second?

12 MS. MAURER: Second.

13 GOVERNOR SCHAEFER: Second by the Treasurer,  
14 Mrs. Maurer. All in favor, signify by saying "aye."

15 BOARD MEMBERS: Aye.

16 GOVERNOR SCHAEFER: All opposed?

17 BOARD MEMBERS: (No response.)

18 GOVERNOR SCHAEFER: Seems like it's  
19 unanimous.

20 (Applause.)

21 GOVERNOR SCHAEFER: You all are welcome to

1 stay for the whole Board of --

2 MS. MAURER: The check is, incidentally, for  
3 \$1,050,000.

4 (Whereupon, photographs were taken.)

5 GOVERNOR SCHAEFER: Thank you. Thank you  
6 all. Thank you. Before we -- Bernie, wait a minute.  
7 This was a birthday present for Bernie Fowler. So,  
8 we're all going to sing "Happy Birthday" to Bernie.

9 (Whereupon, "Happy Birthday" was sung.)

10 GOVERNOR SCHAEFER: Super! Thank you.

11 Great!

12 (Whereupon, additional photographs were  
13 taken.)

14 GOVERNOR SCHAEFER: Okay. Thank you.

15 MR. GOLDSTEIN: Great day today. Thank you.  
16 Thank you all.

17 GOVERNOR SCHAEFER: All right. What's next?

18 MS. REYNOLD: Well, members of the Board,  
19 back to the routine. We'd like to start with the  
20 Secretary's Agenda.

21 GOVERNOR SCHAEFER: All right.

1 MS. REYNOLD: I have got 18 items today, and  
2 I'd like to withdraw Number 18.

3 MR. GOLDSTEIN: Number 18?

4 MS. REYNOLD: Yes, sir.

5 GOVERNOR SCHAEFER: Okay.

6 MR. GOLDSTEIN: Let's see, Number 18.

7 Withdrawn?

8 MS. REYNOLD: Yes, sir. We'll bring it back  
9 next week.

10 MR. GOLDSTEIN: All right.

11 MS. MAURER: My first one is 16.

12 MR. GOLDSTEIN: Sixteen? Item 16.

13 MS. REYNOLD: All right, sir. Item Number 16  
14 is the Maryland Maritime Archaeology Program. Is Mr.  
15 Thompson here? Would you like to give your name and  
16 title for the record, please.

17 MR. THOMPSON: Bruce Thompson, acting state  
18 underwater archaeologist for Maryland.

19 GOVERNOR SCHAEFER: Before Lucy asks any  
20 questions, what are your qualifications? Who are you?

21 MR. THOMPSON: Well, I was educated at Texas

1 A&M University with the Institute of Nautical  
2 Archaeology. I've worked in Africa and Turkey and the  
3 Caribbean.

4 MS. MAURER: Would you speak up, please.

5 MR. THOMPSON: I'm sorry.

6 MS. MAURER: Speak up because there's noise  
7 outside.

8 MR. THOMPSON: Okay. I was educated at the  
9 Institute of Nautical Archaeology under George Vass and  
10 had worked with the institute for seven years. We  
11 looked for Columbus all through the Caribbean for a  
12 good period of that time. I worked on a Portuguese  
13 Manowar off of Africa and a Ottoman shipwreck off of  
14 Nalsiata, Turkey, and I've been with the program for  
15 five years now.

16 MS. MAURER: Did you indicate that the  
17 program is basically carried out by volunteers?

18 MR. THOMPSON: We run on a fuel budget and a  
19 volunteer base, which includes interns from several  
20 universities, including Salisbury, College Park,  
21 Baltimore County, et cetera, and we use that intern

1 base to educate the volunteers so that we can spread  
2 out into the archives, into the field, and into the  
3 conservation.

4 MS. MAURER: So, all you have in the budget  
5 is the fuel?

6 MR. THOMPSON: Basically a fuel budget, and  
7 sometimes we get some hotel costs for Eastern Shore  
8 projects, and we just pack everybody into the room.

9 MS. MAURER: Most of this is done with  
10 divers?

11 MR. THOMPSON: Eighty percent of our  
12 volunteers are non-divers. A lot of logistics go into  
13 a field effort, and we try to place people into  
14 positions that they're interested in. If someone has  
15 got an artistic flair and wants to draw artifacts, we  
16 give them a lot of that. So, our diver base is only  
17 about 20 percent.

18 Out of the 300 volunteers we've worked with  
19 over the last three years, we've got a core group of  
20 about 25 people who keep coming back and keep working  
21 with us.

1 MS. MAURER: It's amazing that you have a  
2 program of this magnitude carried out by volunteers and  
3 interns.

4 MR. THOMPSON: Well, it helps us educate the  
5 state populace as well, because they're out telling  
6 people what we're doing, and we get a lot of phone  
7 calls now for shipwrecks spotted on a coastline that  
8 have been exposed through a storm or something like  
9 that.

10 MR. GOLDSTEIN: Well, Governor, I think this  
11 is a great program. The other day on Maryland Public  
12 Television, they showed a group. They found an Indian  
13 or one of these old log canoes.

14 MR. THOMPSON: Yes, sir.

15 MR. GOLDSTEIN: It was buried under about  
16 four foot of sand, and all the volunteers -- I don't  
17 know how many was there -- digging out the sand to  
18 recover this beautiful specimen of a type of vessel  
19 that people used back when they were enslaved to go  
20 from one spot to the other. It's all kinds of things  
21 buried under these waters; and, with the work that he's

1 talking about, these volunteers, they enjoy it. I  
2 mean, people dive; they spend big money to go to a  
3 place to dive. So, if they can do it right here in the  
4 great Chesapeake Bay and all these waters mentioned  
5 here, I think it's a great program, myself.

6 MR. THOMPSON: Thank you.

7 MS. MAURER: Where do you keep a canoe or  
8 something that you have brought up from the seabed?  
9 Sometimes they're fragile.

10 MR. THOMPSON: Right. We try to minimize the  
11 number of artifacts we pull out of the Bay. Number  
12 one, the conservation costs are really prohibitive. In  
13 the case of the historic canoe of La Trappe Creek, the  
14 Chesapeake Bay Maritime Museum and the Jefferson-  
15 Patterson Park Museum and ourselves put together an ad  
16 hoc agreement to conserve the canoe at the Chesapeake  
17 Bay Maritime Museum so there could be a working display  
18 of conservation.

19 Betty Seifert, our conservator at Jefferson-  
20 Patt. is working closely with their staff to watch the  
21 process go on.

1           MR. GOLDSTEIN: The one I'm talking about is  
2 going to be down to St. Michael's.

3           MR. THOMPSON: I'm sorry?

4           MR. GOLDSTEIN: The one I saw on TV was going  
5 to be taken over to St. Michael's.

6           MR. THOMPSON: Yes, sir. I'm sorry, I don't  
7 understand.

8           MR. GOLDSTEIN: It's going to be taken to St.  
9 Michael's, the museum down there.

10          MR. THOMPSON: Yes, sir. That's where the  
11 vat is right now.

12          MR. GOLDSTEIN: Yes, sir.

13          MR. THOMPSON: The vat itself was constructed  
14 for another canoe found five years ago in the  
15 Blackwater Refuge. We decided at that time that that  
16 canoe was not in danger. We were able to record it in  
17 situ and then save the vat for something of an  
18 emergency nature, which came up last fall. And, so,  
19 the vat itself has been moved to Chesapeake Bay  
20 Maritime Museum in St. Michael's, then we brought the  
21 canoe there and placed it inside. That's where it's at

1 right now.

2 GOVERNOR SCHAEFER: You've identified a  
3 number of archaeological historic areas within the  
4 immediate area, and one is in the creek. We also have  
5 to protect those from people who come in and just want  
6 to go down and take the artifacts off, destroy it,  
7 whatever. How is that done? How do you do that?

8 MR. THOMPSON: Our type case is the West  
9 River Shipyard, which dates to 1753 to 1791. I believe  
10 you were on board our vessel that day when we took you  
11 down to look at the divers working on that site. We  
12 try to encourage the local folk who live on these  
13 creeks to be our guardians. We don't want to become  
14 militaristic or anything to protect these sites, but we  
15 want to do it through education; and the way we do  
16 that, the locals will call us and say, "Hey, there's a  
17 blow-out; some of the stuff is exposed." We'll go out  
18 and look at it or pay someone's digging in the site,  
19 and then we can investigate; or they'll go out and take  
20 them off the site personally. So, we've got a lot of  
21 cooperation with the locals.

1                   GOVERNOR SCHAEFER: Got a lot of work to do  
2 around the Maryland waters.

3                   MR. THOMPSON: Well, if we can accomplish the  
4 Choptank this year, I think we're well over our 50  
5 percent reconnaissance level for all the river systems.  
6 I'm hoping by 1995 or '96 we'll be -- at least have  
7 done a "recon" of every river and creek.

8                   MS. MAURER: One possibility from the  
9 Chesapeake Bay model, a huge shell, will be if you have  
10 boats that you've brought up.

11                  MR. THOMPSON: Is that model still at  
12 Matapeake? Is that the model you're talking about?

13                  GOVERNOR SCHAEFER: That's the one that Marty  
14 has.

15                  MR. THOMPSON: I'd like to look at it. I  
16 haven't been able to get into the building to look at  
17 it.

18                  GOVERNOR SCHAEFER: I'll tell you what, Marty  
19 can arrange for you and all of us to go down together.  
20 Maybe we can do it next week or in a relatively short  
21 time.

1 MR. WALSH: I'll get with him right after  
2 this.

3 GOVERNOR SCHAEFER: Okay.

4 MR. THOMPSON: Okay.

5 GOVERNOR SCHAEFER: Take a look at it.

6 MR. THOMPSON: Thank you.

7 MR. GOLDSTEIN: Thank you.

8 GOVERNOR SCHAEFER: Thank you.

9 MR. GOLDSTEIN: I move we approve the agenda  
10 except the item that was withdrawn.

11 GOVERNOR SCHAEFER: Let me ask about this  
12 dismantling of this -- is that on this one?

13 MS. REYNOLD: Festival Hall?

14 GOVERNOR SCHAEFER: Yes.

15 MS. REYNOLD: Yes, that's Item Number 17.

16 GOVERNOR SCHAEFER: Seventeen.

17 MS. MCCALLA: Good morning.

18 GOVERNOR SCHAEFER: Good morning. How are  
19 you?

20 MS. MCCALLA: Fine, and yourself?

21 GOVERNOR SCHAEFER: If you could just --

1 Potts & Callahan, I'm not talking about the cost or  
2 anything like that. The demolition, what's going to  
3 happen to it, just tear it up and throw it away?

4 MS. MCCALLA: They're just going to tear it  
5 up and take it away, yes.

6 GOVERNOR SCHAEFER: No possibility of giving  
7 it to Public Safety to let them build with the -- the  
8 people in prison rebuild this thing?

9 MS. MCCALLA: No, we have not been approached  
10 by that, no. The studies that we had done, it was  
11 actually more costly to try to rebuild the building  
12 than it is to buy a new structure. The Convention  
13 Center is taking out as much as they can salvage and,  
14 also, the city Salvage Department to salvage whatever  
15 usable machinery and parts there are, but the rest of  
16 it would be block, and the metal panels and the  
17 exterior would not do well in transporting and re-  
18 erection, and the roof is no -- you cannot replace  
19 that.

20 GOVERNOR SCHAEFER: Tell us who you are, what  
21 your -- that's all right.

1 MS. MCCALLA: I'm Kim McCalla, and I'm the  
2 deputy project manager of the Maryland Stadium  
3 Authority. We bring before you Contract 043 for the  
4 demolition of Festival Hall and would like to award it  
5 to Potts & Callahan for \$125,850.

6 Potts & Callahan was the lowest of five  
7 bidders. Seven firms were asked to bid, and only five  
8 submitted bids.

9 GOVERNOR SCHAEFER: Did you ever know Mr.  
10 Callahan?

11 MS. MCCALLA: Excuse me?

12 GOVERNOR SCHAEFER: Did you ever know Mr.  
13 Callahan?

14 MS. MCCALLA: No, I've never met Mr.  
15 Callahan.

16 GOVERNOR SCHAEFER: Mr. Callahan has been  
17 dead -- he was one of the great men in -- just one of  
18 the great men.

19 MS. MCCALLA: Yes.

20 GOVERNOR SCHAEFER: I wanted to know about --  
21 you've already won this thing. So, all I want to know,

1 what are your qualifications to tell us about this?

2 MS. MCCALLA: My qualifications again? I  
3 received a Bachelor's Degree at Carnegie Mellon  
4 University in Pittsburgh, Pennsylvania. I've done some  
5 postgraduate work down at the University of Maryland,  
6 but I've not completed that because the job  
7 requirements became a little too stressful. I worked  
8 on the Baltimore -- the baseball park from the start to  
9 finish and then moved over to the Convention Center. I  
10 have a civil engineering degree.

11 GOVERNOR SCHAEFER: Highly qualified young  
12 lady. Thank you.

13 MS. MAURER: I see someone else we know.

14 MR. GOLDSTEIN: You've done a good job.

15 We're proud of you.

16 MS. MCCALLA: Thank you.

17 MR. GOLDSTEIN: Keep up the good work.

18 MS. MCCALLA: I appreciate that.

19 GOVERNOR SCHAEFER: Do you know Bruce  
20 Hoffman?

21 MS. MCCALLA: I think so.

1 MR. GOLDSTEIN: I move we approve the agenda  
2 except for Item Number 18 which has been withdrawn.

3 MS. MAURER: Second.

4 GOVERNOR SCHAEFER: No objection. So  
5 ordered. What's next?

6 MS. REYNOLD: Budget and Fiscal Planning.

7 MR. ROWLAND: We have six items this morning.  
8 Item 6-S-MOD is a hand-carried item. Be glad to answer  
9 any questions.

10 MR. BENTON: In reference to Item 1, which is  
11 a study and report to demonstrate the success and  
12 achievements of the state's Minority Business  
13 Enterprise program. This was previously considered by  
14 the Board and referred back to the department.

15 The department did reduce the scope of the  
16 work somewhat and asked for best and final. As a  
17 result of that, the price is reduced by about 200,000.  
18 The Board is in receipt of a letter from the Minority  
19 Contractors Association suggesting that they do the  
20 study, and Mr. Arnold Jolivet, the president of the  
21 association, is here in reference to the item.

1           MR. GOLDSTEIN: Well, you also have a protest  
2 here.

3           MS. REYNOLD: That's right, and we have  
4 another request. So, maybe the best thing to do is let  
5 the agency present the item to you, and then we could  
6 take these folks in order.

7           MR. ZENTZ: Good morning, Governor and  
8 members of the Board. Paul Harris and I flipped this  
9 morning to see who would handle helicopters and who  
10 would handle this. I lost.

11                           (Laughter.)

12           MR. ZENTZ: As Secretary Benton mentioned, we  
13 first brought this to you on January 26, and it was not  
14 well received by the Board; particularly you, Governor,  
15 had some real problems with the scope of the work and  
16 the description of the work and, frankly, you were  
17 right. We did have some problems both in the scope and  
18 the description.

19           We have gone back. We made some revision to  
20 the scope to eliminate some of the data collection that  
21 was at first required. We have also sort of changed

1 the focus of it. I mean, we have an awful lot to be  
2 proud of in terms of the MBE program in Maryland. When  
3 our folks go to other states and talk about Minority  
4 Business Enterprise programs and the process that we  
5 have set up in Maryland, we're considered to be the  
6 national leaders. We are a model for other states.

7 So, we have a lot to be proud of, and I think  
8 one of the things we want this study to look at is what  
9 have been the successes of this program in Maryland,  
10 and that's going to be one of the primary focuses, as  
11 well as fulfilling all the requirements under Croson,  
12 which includes the disparity analysis, taking a look at  
13 the availability of minority businesses as well as the  
14 utilization of minority businesses and then also  
15 anecdotal evidence, which involves some surveys and  
16 some interviews.

17 There has been a letter of protest submitted  
18 by Adele Jackson, one of the competing firms. We  
19 believe the protest is not timely. The Jackson firm  
20 was debriefed in December, on December 21 of last year.  
21 They had seven days in which to file a protest; and, in

1 fact, on December 30, they sent us a letter saying that  
2 they would not protest, they understood why they were  
3 not selected, not deemed to be technically qualified.  
4 So, we believe that the protest has no merit.

5 As it relates to the letter from Mr. Jolivet,  
6 we don't believe nor have any other states used any  
7 kind of appointed commission to do this kind of review.  
8 There's an awful lot of data analysis involved in this,  
9 and we believe that the recommendation to award the  
10 contract to the National Economic Research Associates,  
11 who has done work in other states and has also  
12 successfully defended that work in court in other  
13 states, for the amount of \$556,472 makes sense.

14 This is \$196,000 less than what was  
15 recommended back in January, principally as a result of  
16 the change to the scope of work. We believe that this  
17 -- and the attorneys -- Mr. Joe Gephardt is here from  
18 the consultant. I think he would confirm that the  
19 revised scope of work is what's needed and still  
20 provides for us the information we need to defend the  
21 results in court should it be challenged.

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1                   So, we would request your favorable  
2 consideration.

3                   GOVERNOR SCHAEFER: Thank you.

4                   MR. ZENTZ: Are there any questions?

5                   MS. MAURER: Steve, how is it funded? From  
6 which fund?

7                   MR. ZENTZ: Transportation Trust Funds.

8                   MS. MAURER: TTF?

9                   MR. ZENTZ: Yes, ma'am.

10                  GOVERNOR SCHAEFER: Thanks, Steve.

11                  MS. WOODY: Good morning.

12                  GOVERNOR SCHAEFER: Good morning.

13                  MS. WOODY: I'm Anita Woody. I'm an aide to  
14 Senator Gloria Lawlah, and I send her regrets that --  
15 give you her regrets that she cannot be here because  
16 she is ill, but she wishes good morning to each of you,  
17 and she strongly encourages you to support the awarding  
18 of this contract so that the program can withstand any  
19 type of Croson challenge.

20                  GOVERNOR SCHAEFER: All right. Who's next?

21                  MS. REYNOLD: Shall we hear from Mr. Jolivet?

1 GOVERNOR SCHAEFER: Mr. Jolivet.

2 MR. JOLIVET: Good morning, Governor, Madam  
3 Treasurer, Mr. Comptroller. Arnold M. Jolivet with the  
4 Maryland Minority Contractors, and let me just say I'm  
5 not opposed to the study, Governor. I think I want to  
6 make that crystal clear. I think what I am submitting  
7 to the Board, I am concerned of the vast amount of  
8 money the study is costing the state. I am also  
9 concerned that it appears as though that there are  
10 facts which indicate that the one minority firm that  
11 submitted a bid for competition for this was unusually  
12 and arbitrarily excluded.

13 And I want to just dwell on that, because I  
14 think, if this study is going to be about documenting  
15 past discrimination as a predicate for us to continue  
16 our minority program for the future, we don't need a  
17 situation where the one firm, minority firm, that was  
18 qualified to perform the study was arbitrarily excluded  
19 from being awarded the contract.

20 And let me just dwell on this. The firm that  
21 has obviously submitted a bid protest -- Mr. Zentz says

1 this is untimely. That's not my -- I'm not dwelling on  
2 that. I'm here today to communicate to the Board a  
3 situation which indicates that the selection panel was  
4 arbitrary and did not give the minority firm a fair  
5 opportunity to be considered for this award.

6 I say that largely out of the fact that the  
7 facts indicate that the minority firm has done 13  
8 similar studies all over the country. The firm has  
9 never been questioned or held unqualified to perform a  
10 similar study. I might add also that the firm was the  
11 sub-consultant, the primary sub-consultant to the prime  
12 contractor that did the study in 1990. So, I submit to  
13 you the firm comes with substantial and excellent  
14 credentials.

15 Now, I am not privy to everything that took  
16 place on the selection panel, but what I am submitting  
17 to this Board this morning, there is sufficient  
18 evidence to show that the selection panel was not fair  
19 in its overall selection to this minority firm in order  
20 to justify the Board at least sending the procurement  
21 back to the agency and asking the agency to give this

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1 firm another look.

2 And I submit this to you largely out of the  
3 fact that the agency changed the procurement process  
4 during the middle of the stream. I have never heard in  
5 my 14 years in this business of an agency making price  
6 a non-factor in the selection process, Governor. That  
7 is just a no-no in the procurement process.

8 And I am told, documented, that in the  
9 bidding process before the price proposals were opened,  
10 the agency changed the procurement process and made  
11 price a non-factor in the selection process. Now,  
12 given this fact, this disqualified our minority  
13 consultant.

14 I submit to you, Governor, that is not fair.  
15 This is not what we ought to be about in this state.  
16 If we have a minority firm that is qualified, that  
17 minority firm should get full and equal consideration  
18 with any and all other firms.

19 I want to make one other point that I think  
20 is very relevant here; and, that is, we are purchasing  
21 less for more. Now, that is a contradictory statement.

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1 The firms that have been -- the one firm that has been  
2 recommended for this award is providing the state a  
3 service which is substantially more than the minority  
4 firm. The minority firm would have done this work and  
5 all of the scope of work that was initially  
6 contemplated in the original RFP for less money.

7 Now, given that fact, I would submit that  
8 this Board has a duty to look at this minority firm,  
9 because this minority firm has been illegally  
10 disqualified.

11 I would also like to point out that it  
12 appears -- and I use the term "appear" -- it appears as  
13 though we are giving undue advantage to out-of-state  
14 firms and in a situation like this where it is  
15 critically important that the firm that does this study  
16 is uniquely familiar with our situation here in  
17 Maryland, and I submit to you that the firm from -- I  
18 think the firm that is being proposed is from  
19 Massachusetts, if I am correct and, if I am not  
20 correct, please correct me.

21 MR. GOLDSTEIN: White Plains, New York.

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1           MR. JOLIVET: White Plains, New York. Well,  
2 White Plains, New York is not Maryland; and, not that  
3 it has to be a Maryland firm, but I would submit that  
4 the agency should have been a little more sensitive to  
5 the need of selecting a firm that is uniquely situated  
6 and is familiar with our Maryland problems; and I think  
7 the firm that was disqualified, Adele Jackson, is a  
8 Maryland firm, incorporated in Maryland, has its home  
9 office in Maryland, employs Maryland people, they did  
10 the Maryland study in 1990 -- I think it's just unfair  
11 for the agency and the selection committee to go out of  
12 their way to disqualify this firm.

13           And I would ask this Board in its wisdom to  
14 take a new look at this, and I think that -- and I  
15 would like to submit to the Board that the study will  
16 make a determination as to whether or not Maryland can  
17 continue with its minority and women's program into the  
18 21st century.

19           If this study is not performed correctly and  
20 if it's not performed to the extent that the courts  
21 will require it to be performed in order to protect the

1 future of our minority program, then we're not going to  
2 have a program.

3 But I'm here this morning to simply ask the  
4 Board to look at some of the facts that I have brought  
5 to your attention, Governor, and ask the agency to  
6 reconsider their rejection of this minority firm.

7 In addition to this, Governor, I would like  
8 to point out -- and I think the Board in its wisdom,  
9 perhaps, was well intended, but when the Board sent  
10 this matter back to the agency, instructing the agency  
11 to redefine the scope of the study, I think that that  
12 constituted a wholly new and different contract and, by  
13 law, that firm that was excluded or, perhaps, any firm  
14 that was excluded in the initial RFP could make a very  
15 strong argument that, by redefining the scope, it  
16 constituted a wholly new proposal and, therefore, it  
17 should have been open to all qualified parties. And I  
18 think the Board unquestionably was well intended, but I  
19 think that we all feel that the minority firm and any  
20 other firm that initially submitted should have been  
21 given an opportunity to resubmit, just as the two firms

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1       who are now being presented to this Board.

2                   I think that this is another matter and this  
3       is another reason that this Board may want, in the  
4       interest of fairness and equity, to reconsider this  
5       award and ask the agency to go back and give all firms  
6       who are qualified an equal opportunity, because, as it  
7       currently stands, the process appears to have been  
8       tainted, and the fruits of the process will  
9       unquestionably also be tainted.

10                   And that's all I wanted to say to the Board.

11       And, Governor, I appreciate the opportunity to come  
12       down and talk to you this morning on this, because this  
13       is a matter that I think you know is very important to  
14       me. I've spent a lot of time and a lot of my effort to  
15       make sure that these programs work successfully, and I  
16       appreciate you hearing me and listening to me this  
17       morning, because I firmly believe that the process here  
18       has been flawed, and I would ask you respectfully to  
19       take a new look at what we have done here.

20                   I think -- I'm not pointing the fingers. I  
21       think it was probably done in the interest of getting

1 the project off the ground and -- there was no malice  
2 here. I think it was just done out of the efforts to  
3 get it done, and I don't see -- I'm not pointing any  
4 fingers. I don't think there's anyone to blame here,  
5 but the result is we will have a study that's not going  
6 to be worth the paper it's written on. That's all I  
7 wanted to say.

8 MR. GOLDSTEIN: Thank you.

9 GOVERNOR SCHAEFER: Well, we thank you. No  
10 question that you have a great interest in Minority  
11 Business Enterprises over the years. You've fought  
12 hard for them and in the city and down here.

13 I heard you. I don't think your arguments  
14 are absolutely true. I don't think we're trying to set  
15 a report up that wouldn't be fair. I think narrowing  
16 the scope was the right thing to do. The firm that --  
17 the Jackson firm apparently didn't file any protest,  
18 just said okay. I don't know why. Why would they just  
19 not file a protest over the length of time?

20 MR. JOLIVET: I'm aware that it didn't. I  
21 think that what I'm submitting to you, notwithstanding

1 that, there is an overall issue of fairness. In  
2 addition to that, the study -- you're bringing in out-  
3 of-state people who are not remotely familiar with  
4 Maryland. We have a peculiarity here that I think  
5 Maryland firms presumably should be more familiar with  
6 our surroundings and our problems, and I just fully  
7 believe personally that we ought to give equal  
8 consideration to Maryland firms. That's my belief, and  
9 I'll always believe that. I get upset when I see  
10 Maryland firms being thrown out, kicked out the door.  
11 I really do, and I think you do. I've seen you, I've  
12 seen all of you. You know, we ought to give fair  
13 consideration to our Maryland firms.

14 But, nevertheless, I appreciate the  
15 opportunity to listen to me this morning, and I do  
16 believe that we need to keep the program; but I submit  
17 to you very strongly that I think the study is going to  
18 be flawed. It's just not going to be the same if we  
19 can show that our minority firms who are qualified to  
20 be participants were actively and affirmatively  
21 excluded. And that's all I want to say, Governor.

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1 Thanks again for listening.

2 GOVERNOR SCHAEFER: Thank you, Mr. Jolivet.

3 MS. MAURER: There are other --

4 MS. REYNOLD: There's another, Mr. Robert  
5 Clay. Mr. Clay, thank you.

6 MR. GOLDSTEIN: You want to give your name  
7 and title, please, sir.

8 MR. CLAY: Yes. Good morning, Governor,  
9 Comptroller, Ms. Treasurer, and the Board staff. My  
10 name is Robert Clay. I'm president of Metropolitan  
11 Association of Minority Contractors.

12 I am here in support of a study being  
13 performed; however, we have some grave concerns about  
14 the reduction in scope of the work. We feel, based on  
15 information that we have obtained, that to reduce the  
16 scope of work probably would not yield the results  
17 that, in fact, would benefit the minorities who have  
18 been left out of the process.

19 I am concerned that the information used in  
20 the study would be information that is supplied by the  
21 agencies, and I think -- I've been told that's

1 primarily where the information would come from. As  
2 you are aware, each agency is required to report their  
3 minority participation in each year; however, most  
4 agencies that I have researched in reporting that  
5 information do not give a full report and audit on how  
6 much actual contracts that ended up at the end of the  
7 year in the minorities' contract hands.

8           And, giving one example, the Interagency  
9 School Committee on Construction of Schools, State  
10 Committee on Public School Construction. What we have  
11 here is an agency that probably by law has an outside  
12 auditor; and, because of that outside auditor, they  
13 have done a complete review of the contract process  
14 that they are engaged in. I have a copy of that audit  
15 presently, and it will show you basically that they  
16 spent \$108,000,000 on school construction in the year  
17 '93/'94, budget year. That's state and county funds  
18 combined. Now, this excludes Montgomery County, but  
19 all the other counties combined.

20           It also shows in that report that they did a  
21 very good job in terms of complying with the minority

1 requirements in terms of construction opportunities,  
2 and in this report it shows that Afro-Americans  
3 received -- of the money spent in minority program  
4 opportunities, that Afro-Americans received over 50  
5 percent of the actual dollars spent for school  
6 construction in that minority category. The overall  
7 percentages went over 14 percent, I believe. That's  
8 what was awarded to minorities when the contracts were  
9 awarded.

10           Fortunately enough, the agency has an outside  
11 auditor who came in and did a complete study of the  
12 process of what was awarded and what happened at the  
13 end of the projects. It shows at the end of the  
14 project, in terms of monies received by MBE's, on the  
15 front end they received seven-point-some-odd million  
16 dollars in terms of Afro-Americans only, which I think  
17 is absolutely tremendous; but, at the end of the year  
18 when the audit was completed, it showed, of that  
19 \$7,000,000 that was actually contracted to Afro-  
20 Americans, dollars that they received at the end of the  
21 year was only \$180,000.

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1           Now, I feel that, if a study is done and all  
2           the other agencies do not have a complete audit of what  
3           they actually received at the end of the year, if this  
4           is an example of all the other agencies, you can see  
5           that the study would not give a clear picture of Afro-  
6           American participation in the process.

7           So, I am concerned that any reduction in the  
8           scope would not allow you and others to see the real  
9           picture. This is just an example. These are their  
10          figures of what happens when you do a complete audit.  
11          I have other examples of other agencies that have, in  
12          fact, done very poorly even on the front end, but we  
13          don't know what happens on the back end.

14          This is an indication that on the back end of  
15          \$7,000,000 actually awarded at contract date Afro-  
16          Americans received less than -- they received \$180,000  
17          at the end of the project. We don't know whether they  
18          were thrown off the project or that they didn't  
19          perform. We have no idea. We know what the end  
20          process is on this particular agency.

21          And I'm afraid, sir, that if you allow a

1 study that does not give the full scope of the actual  
2 involvement, this will be missed, and that's why I'm  
3 here. I think the study should go on in terms of  
4 having a study, but it should be a full scope of what  
5 is, in fact, involved in receiving actual benefits to  
6 minority groups.

7 GOVERNOR SCHAEFER: Reduction of the scope  
8 will again prove that there was discrimination in the  
9 past. I'm a little tired of hearing that, that there  
10 was always discrimination in the past, so that means  
11 there's discrimination right now. I don't think we  
12 have to prove again and again what happened 10 or 15  
13 years ago, because I was there when you were in the  
14 city, too, and you benefitted by this program. You  
15 were one of the main recipients of the benefit of this  
16 program.

17 So, I just -- I'm the one who said that we  
18 should not spend the money to prove again that the  
19 state and the city and the rest of -- we're not  
20 complying, because we are. We have one of the best  
21 programs in the country, and why we have to prove that

1 all the time makes me a little weary, because it's  
2 actual fact.

3 Now, you're making a representation that I  
4 think -- I'm going to take what you say very seriously  
5 and call upon the attorney general to take your audit  
6 and for you to see the attorney general. Now, what  
7 you're saying is we awarded \$7,000,000 when actually at  
8 the end only gets 100,000?

9 MR. CLAY: Hundred and eighty thousand, sir.

10 GOVERNOR SCHAEFER: Well, there's something  
11 wrong. There's two reasons. Why did the minority  
12 contractor allow this to happen and why did we allow it  
13 to happen? So, I take that as a very serious matter.  
14 So, we'll ask the attorney general, ask you, I guess,  
15 through the secretary to go see the attorney general,  
16 because that's a very serious charge. Six million  
17 dollars, does that mean that they were up-front  
18 fraudulent minority firms? I think we ought to look  
19 into that.

20 Now, there's been accusations of that in the  
21 past, and now you've given me evidence that that's

1 exactly what's happened. I don't think it's up to the  
2 state -- we go on the presumption that, when we award  
3 the money, that it's going to be done fairly. If it  
4 isn't and you have evidence that it isn't, then I think  
5 we ought to do something about it. So, we will get the  
6 attorney general. I don't know which one; in fact, I  
7 don't know how we'll proceed, but I will get Joe Curran  
8 and ask you to meet with him and show him what  
9 happened. Seven million dollars' worth of awards and  
10 only a hundred and some thousand dollars at the end of  
11 the contract? Something's wrong, very wrong. And, if  
12 you have any others, I'd like to see them.

13 Now, I'm not being critical of what you say,  
14 Mr. Clay. I don't agree with you most of the time, as  
15 you obviously know. We've had our problems from the  
16 time you were in the city, but I don't think the scope  
17 of the work on what I want to do -- just always proving  
18 discrimination in the past, I think that's very nice  
19 for people who want to talk about it all the time, but  
20 that does not impress me anymore. We're over that, I  
21 thought.

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1                   But what you're talking about on fraud,  
2                   that's something else. That is a serious matter.  
3                   We'll look into that.

4                   MR. GOLDSTEIN: What contract was that, Mr.  
5                   Clay? What project was it?

6                   GOVERNOR SCHAEFER: School construction.

7                   MR. CLAY: Well, it wasn't any particular  
8                   project. Overall for the entire year.

9                   MR. GOLDSTEIN: I mean, was it a Baltimore  
10                  City school project?

11                  MR. CLAY: No, state school construction.

12                  GOVERNOR SCHAEFER: Statewide school  
13                  construction, \$180,000,000 worth of school  
14                  construction, 7,000,000 awarded to the minorities, and  
15                  the pay-out, \$180,000. Something is wrong.

16                  MS. MAURER: Is this possibly excluding costs  
17                  that were supplies or something?

18                  MR. CLAY: I don't know. I guess my main  
19                  concern is not so much as this is bad, but none of the  
20                  other agencies even report that thorough a report.  
21                  They could be as bad or worse.

1           GOVERNOR SCHAEFER: Well, if what you say is  
2 true, we'll take a look at all that. You know, it's  
3 not up to -- I don't think it's up to the state. Once  
4 you turn the job over to the minority contractor, we  
5 don't follow every contractor in the state to see if  
6 it's performed in conformancy with minority practices  
7 and non-minority practices. We look to see whether the  
8 work is done.

9           We award it to the minority. The minority  
10 gets the work and it goes on from there, and I don't  
11 think we have the manpower or anything else to go  
12 through every contract and follow each contractor to  
13 see if he's complying with the law. We presume they  
14 are.

15           But you made a very serious charge, and I --  
16 we've heard this before, that you give preference or  
17 you give the job or award the job, whatever the term  
18 is, to minority firms; and then, when it winds up, it  
19 really isn't a legitimate minority firm. And what I  
20 want to know, where's the evidence?

21           School construction -- we've got one of the

1 best -- I think one of the really outstanding men in  
2 Yale Stenzler, and I'll get him involved, but the  
3 attorney general -- let Joe Curran look at some of this  
4 stuff. I know he doesn't like this type of thing, but  
5 you're going to give it to him and let him take a look  
6 at it, because your accusations are a tough one.

7 MR. CLAY: Okay. Thank you, sir.

8 GOVERNOR SCHAEFER: Thank you, Mr. Clay.

9 MR. GOLDSTEIN: Thank you.

10 MR. CLAY: I can leave this with you, if you  
11 like, sir.

12 GOVERNOR SCHAEFER: Okay.

13 MR. CLAY: This information.

14 GOVERNOR SCHAEFER: Yeah.

15 MS. MAURER: Would the procurement officer --

16 GOVERNOR SCHAEFER: Mr. Zentz, have you got  
17 anything further on this?

18 MR. ZENTZ: Let me defer to Paul to respond  
19 to the concerns raised by Mr. Jolivet.

20 GOVERNOR SCHAEFER: Now, there are two  
21 things. Mr. Jolivet is making a general statement

1 about the minority firm was disqualified unfairly, and  
2 then the other side talking about the firm -- and I  
3 don't know why they didn't file a protest while they  
4 could. There's actually two things. One is the  
5 idealistic view that Mr. Jolivet has, that they weren't  
6 given a fair shot. I guess that's the one he'd like to  
7 hear about.

8 MR. HARRIS: Good morning again. Deputy  
9 secretary. I'm here on a different matter this time.

10 The Adele Jackson firm was, in fact, given an  
11 opportunity after they were initially determined to be  
12 what we generally say as not within a competitive  
13 range. Technically, they were not competent according  
14 to the evaluation team to do the job.

15 We went out to Adele Jackson along with the  
16 other firms and asked some additional questions, and we  
17 said, "We need more information from you in order to  
18 make you reasonably susceptible of receiving an award."  
19 They responded to that. The evaluation team looked at  
20 that evaluation and, after that, that caused my letter  
21 to them that "We find that you are not susceptible for

1 receiving the award on the basis of technical."

2 We suggested that they come in for a  
3 debriefing. They did come in for a debriefing. Mrs.  
4 Jackson, who's president of the firm, is a wonderful  
5 woman, and she was quite upset that she didn't get an  
6 award or wasn't to be further considered; but we laid  
7 on the line to her the factors that she was evaluated  
8 on and what her score was in terms of the other  
9 vendors. Again, she left. She said she would not  
10 protest. She was not happy, but I thought at the time,  
11 until I got a letter from her about 10 days later, that  
12 she did, in fact, understand.

13 We got another letter on December 30 from  
14 her, and she just wanted to say pretty much what Mr.  
15 Jolivet said, that "You really didn't give us a chance;  
16 you didn't consider us, and we're a Maryland minority  
17 firm."

18 The fact of the matter is that all of the  
19 vendors who bid had good minority business  
20 participation within their contract, like you were just  
21 talking about, the 7,000,000; and we have excellent

1 minority business participation with the NERA firm  
2 that's being proposed.

3 So, Mrs. Jackson -- again I'll say I think  
4 she's a fine woman. We're sorry that a Maryland firm  
5 didn't get it, but her proposal and another local  
6 firm's proposal was deemed to be not technically good  
7 enough. This is a serious matter, as you said,  
8 Governor, and you need to have competent firms with the  
9 experience who can stand the litigation tests and those  
10 kinds of things.

11 That's basically, Mr. Jolivet, why she was  
12 not considered. She did get a second chance. Did she  
13 share that with you?

14 MR. JOLIVET: Yes, she did.

15 MR. HARRIS: Yes, okay. She did have a  
16 second chance; and, if we could have, we would have  
17 made the award to Mrs. Jackson and her firm. She was  
18 not technically competent.

19 GOVERNOR SCHAEFER: Okay.

20 MR. GOLDSTEIN: Let me ask you, did she bid  
21 on this contract here today, this one here? See, this

1 is the second time. How about the first contract?

2 MR. HARRIS: She bid the first contract.

3 This is still part of the first contract. The scope  
4 was reduced, and we asked the two vendors who are  
5 responsive, that we came to the board with before --

6 MR. GOLDSTEIN: So, in other words, she  
7 didn't bid on the first contract, the one you brought  
8 here back on January 26?

9 MR. HARRIS: Yes, sir, she did.

10 MR. GOLDSTEIN: She did?

11 MR. HARRIS: She did.

12 MR. GOLDSTEIN: And she wasn't given the  
13 contract.

14 MR. HARRIS: She was deemed to be not  
15 reasonably susceptible because of --

16 MR. GOLDSTEIN: Did you ask her to come back  
17 and bid on the revised contract?

18 MR. HARRIS: No, sir. There was a  
19 departmental decision that we would go with the two  
20 firms that we knew were technically competent.

21 MR. GOLDSTEIN: That's what I'm trying to get

1 through my head. They bid on the first part of it,  
2 then you revised it down and saved several hundred  
3 thousand dollars, but you didn't give her a chance to  
4 submit a bid on that.

5 MR. HARRIS: That's correct. And, yeah,  
6 there was another firm, who you all know, Coopers &  
7 Lybrand, which was also deemed to be not, for this  
8 proposal, technically capable and they were not given  
9 an opportunity.

10 MR. GOLDSTEIN: Is she here today? Is Ms.  
11 Jackson here this morning?

12 MR. HARRIS: I'm not sure.

13 MR. JOLIVET: No, she's not here.

14 MR. HARRIS: She's not here.

15 MR. GOLDSTEIN: She's not here today.

16 MR. HARRIS: That was a decision that was  
17 made by the department, Mr. Comptroller.

18 MR. GOLDSTEIN: Sir?

19 MR. HARRIS: That was the decision, just to  
20 go back for a reduced scope to the two firms who we  
21 knew were technically capable.

1                   MR. GOLDSTEIN: You know, I'm a great  
2 believer in trying to see that Maryland firms get  
3 contracts when everything is on an equal basis. I know  
4 we had a fight with Delaware, and we finally got those  
5 people to come around and hire people in Maryland.  
6 They've got a crazy law in Delaware. The other day, I  
7 questioned even Virginia.

8                   But I got this letter of protest, came  
9 yesterday afternoon.

10                  GOVERNOR SCHAEFER: I have no problem holding  
11 it up if you want to hold it up.

12                  MR. GOLDSTEIN: I wonder if we could defer it  
13 for one week and have Ms. Jackson come here and give  
14 her side of the story.

15                  MR. HARRIS: What do you think?

16                  MR. GOLDSTEIN: I think in fairness to Ms.  
17 Jackson, one week is not going to make any difference.

18                  GOVERNOR SCHAEFER: Okay. Could you do that?

19                  MR. HARRIS: We'll do that.

20                  GOVERNOR SCHAEFER: I want Mr. Clay here and  
21 the Attorney General's Office represented, so we can

1 present this formally to the attorney general. So,  
2 there's two things. You know, this is so interesting.  
3 We've got to prove to the court that we discriminated  
4 in the past, which everyone knows, because I have been  
5 around as long as Mr. Jolivet. Mr. Jolivet is much  
6 younger than I am, but Mr. Jolivet is starting a little  
7 gray hair, too. He was a great one to fight for  
8 minorities over a period of time. He was a hard,  
9 charging guy.

10 But we're spending 750,000 and 500,000 to  
11 prove stuff that we already know. I think that, to me,  
12 is not the smartest thing in the world to do. Then,  
13 we're now going to show that we've made improvements,  
14 but there still is a possibility of discrimination, of  
15 which I'm perfectly fine to do. I have no worries on  
16 this, but nobody apparently is going to be satisfied  
17 when we finish, because we will not have shown that  
18 we've discriminated as much as people want us to feel  
19 that we discriminate; the other side will say we're  
20 going the other way, we're giving advantage to  
21 contractors who really are getting it because they're

1 minorities rather than just totally qualified. So,  
2 you're going to have a long sway.

3 Now we're back -- here's a lady that had an  
4 opportunity to bid. She didn't win the contract,  
5 wasn't technically qualified, and we're going to lay it  
6 again. We can bring her back. I want Mr. Clay, and I  
7 want the attorney general at the same time so Mr. Clay  
8 can bring what he said, which I think is much more  
9 serious than this, because you're going to -- all  
10 you're going to do is that there's discrimination, and  
11 we're going to keep on moving with our program. It's  
12 all right with me. So, if you want to postpone it a  
13 week, that will be fine.

14 MR. HARRIS: Very good. We'll be back.

15 MR. GOLDSTEIN: I move we defer this one week  
16 so we can let this other lady come here and give her  
17 side of the story.

18 MR. HARRIS: Very good. Thank you.

19 MR. GOLDSTEIN: I think in fairness to her.

20 MR. HARRIS: That's fair. Thank you.

21 MR. GOLDSTEIN: I make that motion.

1 MS. MAURER: Second. Just a question: Did  
2 Coopers & Lybrand object when you disqualified them?

3 MR. HARRIS: No, ma'am.

4 MS. MAURER: They didn't.

5 MR. HARRIS: They did not ask for a  
6 debriefing either. You know, we felt that we owed each  
7 of those two firms. We took the time, gave the  
8 opportunity to be debriefed to tell them why for this  
9 procurement they were deemed not to be technically  
10 competent, and Coopers did not --

11 MS. MAURER: Was it from a national office of  
12 Coopers & Lybrand, or was it from a local office?

13 MR. HARRIS: From D.C., which I believe is  
14 their headquarters. And, considering that they did the  
15 job before, it was a surprise to the evaluation team  
16 that they were not more technically capable of -- or  
17 providing us with information.

18 GOVERNOR SCHAEFER: Okay. Postpone it a  
19 week.

20 MR. HARRIS: Thank you, sir.

21 GOVERNOR SCHAEFER: What's next?

1 MR. JOLIVET: Thank you.

2 GOVERNOR SCHAEFER: Thank you. Thank you,  
3 Mr. Jolivet.

4 What have we got next?

5 MS. REYNOLD: Continuing with Budget and  
6 Fiscal Planning, if you have any further questions.

7 GOVERNOR SCHAEFER: Oh, no.

8 MR. GOLDSTEIN: I move --

9 MS. MAURER: Wait a minute.

10 GOVERNOR SCHAEFER: Wait a minute.

11 MS. MAURER: There's the question of the  
12 salary for the local health officer. Which item is  
13 that?

14 MR. GOLDSTEIN: That's Item Number 3-GM on  
15 page 4B.

16 MS. MAURER: And my question is why do we  
17 approve a local health officer's salary?

18 GOVERNOR SCHAEFER: Why do we do that, Mr.  
19 Benton?

20 MR. BENTON: I believe this goes back to --  
21 because the law says so; but, other than that, I

1 believe it goes back to the original Case formula,  
2 under the terms of which the health officers of each  
3 subdivision, the salaries were a factor in the  
4 determination of the state's reimbursement. The state  
5 set certain salaries for each category of employee at  
6 that time, and that was the basis of the distribution  
7 of state funds.

8 Well, the Case formula is no longer in  
9 effect, but I think, to conform with the law, you need  
10 to do this, but I think the statute should be amended  
11 so it's no longer necessary that this be done. And, of  
12 course, in the larger subdivisions, it's no longer  
13 applicable. It's simply applicable in 20 of the  
14 smaller ones. It's just a formality.

15 These people are actually paid by the state,  
16 and the state gets reimbursed.

17 GOVERNOR SCHAEFER: By who?

18 MR. BENTON: From the subdivisions.

19 GOVERNOR SCHAEFER: In other words, we pay  
20 this man 58,000 and the subdivision gives us 58,000  
21 back?

1 MR. BENTON: Yes, correct.

2 GOVERNOR SCHAEFER: So, it doesn't cost us  
3 anything.

4 MR. BENTON: That's right. There are  
5 implications because they are deemed to be a state  
6 employee. So, in the event of any malpractice or  
7 anything like that, the state would be on the hook. It  
8 seems to me the law should be repealed.

9 MR. GOLDSTEIN: I agree with you.

10 MS. MAURER: This is one of several people in  
11 a gray area. It's going to have to be worked through.  
12 State's attorneys, health officers, Social Services,  
13 and the Elections Board, many are appealing to be  
14 considered state employees for purposes of insurance,  
15 but we have no way of collecting from them. So, it's  
16 been a nagging problem, and I think it needs to be  
17 addressed as a policy question.

18 MR. BENTON: Another anomaly, most of the  
19 county health officers are physicians or M.D.'s; and,  
20 in the case of a physician, the salary scale applicable  
21 to the classified employees as well as the executive

1 pay plan do not govern. In case they are not  
2 physicians, then they have to conform to the scales.  
3 In this particular case in Worcester County, this  
4 person is not a physician.

5 GOVERNOR SCHAEFER: I think Lucy raises an  
6 important question. Why this one? Why this one and  
7 why not all the rest of them?

8 MR. BENTON: Well, I say, 20 of them are  
9 deemed to be state employees.

10 GOVERNOR SCHAEFER: And this one is not?

11 MR. BENTON: Including this one, including  
12 this one; and, therefore, the state pays, but the  
13 subdivision reimburses us.

14 GOVERNOR SCHAEFER: Yeah, but why only this  
15 one? Does this mean the other 20 --

16 MR. BENTON: Because, if the individual were  
17 a physician, then they would not be governed by the  
18 executive pay plan. We could pay them, you know,  
19 whatever needed -- or the county could.

20 MR. GOLDSTEIN: But, see, this case here was  
21 a physician, and that PIN was abolished, so now they're

1       trying to get another employee that --

2               MR. BENTON: Yes, but this particular one is  
3       not.

4               MR. GOLDSTEIN: That's exactly right. This  
5       is Worcester County.

6               MS. MAURER: The replacement is not.

7               MR. BENTON: The replacement is not.

8               MS. MAURER: But it's an archaic system.

9               MR. BENTON: Yes.

10              MS. MAURER: And the laws and practices have  
11       outgrown where we are today.

12              MR. BENTON: May have been appropriate at the  
13       time the Case formula was enacted about 30-35 years  
14       ago.

15              MR. GOLDSTEIN: That's Richard Case of  
16       Semmes, Bowen & Semmes, a very prominent lawyer.

17              MR. BENTON: Oh, yeah. I know him quite  
18       well.

19              MR. GOLDSTEIN: Yes, sir.

20              GOVERNOR SCHAEFER: This will be forgotten  
21       after we take action. Now, who does what on what Lucy

1 is suggesting? Lucy is suggesting that we do something  
2 after whatever we do on this.

3 MR. BENTON: Well, I think we ought to --

4 MR. GOLDSTEIN: A study ought to be made.

5 MR. BENTON: -- recommend a change in the law  
6 which --

7 GOVERNOR SCHAEFER: I know that, but who's  
8 going to do that? Now, is that you or is that Joe  
9 Adler?

10 MR. BENTON: Well, it's probably too late  
11 this session to do anything.

12 GOVERNOR SCHAEFER: We can get it ready for  
13 the next one.

14 MR. GOLDSTEIN: I think it ought to be Joe  
15 Adler.

16 MR. BENTON: Okay. We'll get it ready for  
17 the next session.

18 GOVERNOR SCHAEFER: Can you get Joe and you  
19 to work on it?

20 MR. BENTON: Yeah, of course.

21 GOVERNOR SCHAEFER: Okay. That's fine. All

1 right.

2 MR. GOLDSTEIN: I think the rest of this is  
3 routine stuff. We went over it Monday. I move we  
4 approve the agenda.

5 MS. MAURER: Second.

6 GOVERNOR SCHAEFER: No objection. So  
7 ordered. What's next?

8 MS. REYNOLD: Transportation.

9 MR. MCALLISTER: Good morning. Brian  
10 McAllister with the Department of Transportation. We  
11 have two remaining items this morning. We have hand-  
12 carried down a revision to Item 1-M, which deletes the  
13 \$60,000 for as-needed funds as was requested at the  
14 pre-Board yesterday morning.

15 We're ready to answer any other questions.

16 MR. GOLDSTEIN: Well, you've done that, so --

17 MR. MCALLISTER: Yes, sir.

18 MR. GOLDSTEIN: -- I move we approve the  
19 agenda.

20 MS. MAURER: Second.

21 GOVERNOR SCHAEFER: No objection. So

1 ordered.

2 MR. MCALLISTER: Thank you very much.

3 MR. GOLDSTEIN: Took care of that real quick.

4 GOVERNOR SCHAEFER: What's next?

5 MS. REYNOLD: General Services.

6 MR. WALSH: Governor, we have 26 items on the  
7 Board of Public Works this morning, the DGS agenda. I  
8 would like to first withdraw Item 22.

9 MR. GOLDSTEIN: Item 22?

10 MR. WALSH: And this is in keeping with our  
11 pre-Board recommendation from the Comptroller and  
12 Treasurer. We'll work with Washington County on that  
13 before we bring it back.

14 I'd like to revise seven ag. land easements.  
15 The only specific revision is in the fund sources that  
16 are paying for these; and, again, Paul Scheiot from the  
17 Department of Agriculture went over that with the pre-  
18 Board yesterday. I would like to -- and those are 7,  
19 10, 11, 12, 13, 15 and 16.

20 I'd like to also revise Item 23 to just  
21 expand the explanation on that project, and that has

1       been made available to the Board.

2               I would like to newly revise, though, Item  
3       19, in which we have reduced the cost from \$10,000 to  
4       \$8,000-plus, and that is a revision that we have just  
5       put together over the last day.

6               Now, we have two items that I would like to  
7       have our assistant secretary for telecommunications  
8       make a short presentation to the Board, on Item 3-S,  
9       and we have a local group of people here who want to  
10      address Item 18-L, which we're holding till last on the  
11      agenda, which is a Social Services Department client  
12      contact office in Catonsville.

13              So, certainly, I'm prepared to answer any  
14      questions or comments from the Board; and, again, I'd  
15      like John White to just make a short presentation to  
16      the Board on Item 3.

17              MR. GOLDSTEIN:   Okay.

18              MR. WALSH:   Governor, this is Assistant  
19      Secretary John White --

20              MR. WHITE:   Good morning, Governor.

21              MR. WALSH:   -- our telecommunications

1 assistant secretary, and Preston Dillard, his key man  
2 on all this networking.

3 GOVERNOR SCHAEFER: Good morning.

4 MS. MAURER: Good morning.

5 MR. GOLDSTEIN: Good morning.

6 MR. WHITE: Good morning, Comptroller,  
7 Treasurer. Our job in DGS Telecommunications is to  
8 master-plan telecommunications. We've been doing that  
9 now actually since 1987. By that, I mean what we do is  
10 we take a look at the requirements the using agencies  
11 have for telecommunications equipment systems and  
12 services, and we organize those resources and we put  
13 them together so we can really leverage the state's  
14 buying power and get the best deal for the site. And,  
15 as I mentioned, we've been doing that for a number of  
16 years, and that's quite in contrast to the way things  
17 used to be done, where they were done, more or less, or  
18 a piecemeal basis and when we bought such items as  
19 telephone lines and leased telephone circuits on a one-  
20 at-a-time basis.

21 The centerpiece of our master plan is really

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1 the Digital Backbone Network, and this network is  
2 really like the state's information highway, if you  
3 will, and we refer to it as the state's corporate  
4 network. Every agency in the State of Maryland uses  
5 this network every day to haul their voice and data  
6 traffic, and occasionally video traffic, from one place  
7 to another.

8 The Digital Backbone Network is really  
9 composed of two basic ingredients. First of all are  
10 the circuits that you see mapped out here, represented  
11 by the black lines; and the second piece of it is  
12 actually the management of that network. The circuits  
13 and the management services have all been acquired  
14 through competitive bidding; and the Board of Public  
15 Works over the years through their approval of our  
16 contract actions has helped us build this network. You  
17 approved nine actions that have helped us take the  
18 Backbone Network really from its very beginning to  
19 where it is today since 1987.

20 The first action back in 1987 helped us put  
21 in the original infrastructure; and, again I mention,

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1 these are circuits that are all leased from the private  
2 sector. As a matter of fact, you can see the legend  
3 down there that shows the private sector firms that are  
4 actually providing the circuits, the blue dots  
5 representing AT&T, the yellow dots representing Bell  
6 Atlantic, formerly C&P, and the reddish dot  
7 representing Sprint.

8           You approved a contract that made these  
9 awards to these particular vendors back in 1990. Our  
10 first contract for circuits was on a month-to-month  
11 basis. You approved that in '87, and at that time MCI  
12 and Light Net were the providers of circuits; but, in  
13 1990, we went to a much more comprehensive backbone  
14 master plan and, in doing so, we had gotten to the  
15 point where we really had a good idea of where the  
16 agencies needed this kind of support for all of their  
17 traffic.

18           In 1988, you approved the first contract for  
19 the management of this network, and that contract went  
20 to C&P and they actually managed this network from  
21 their service center up in Hunt Valley. Even though

1 the circuits are supplied by other vendors, in some  
2 cases C&P is able to actually interrogate the network  
3 and look into it through computer technology and  
4 anticipate where problems are brewing and actually make  
5 the fixes sometimes before they occur.

6 What we're asking you to do today is to  
7 approve a renewal of that original five-year contract  
8 for the management of the network for two additional  
9 years. The purpose is to keep the network going until  
10 we can repackage all the requirements, both from the  
11 circuit standpoint and from the management standpoint,  
12 and rebid them as an entire package two years down the  
13 road. That's what we would hope to do.

14 The benefits of doing that are, first of all,  
15 it's going to give us some time to see what happens as  
16 the industry is changing, because we anticipate some  
17 fairly substantial changes in the way the industry is  
18 going to be configured in the next two years; and the  
19 second element is we can save over \$800,000 over the  
20 next two years by taking advantage of the renewal that  
21 we've negotiated with C&P for this purpose.

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1 Be pleased to answer any questions you might  
2 have.

3 MS. MAURER: The savings are beyond what you  
4 would save by the original contractor because you  
5 negotiated it downward?

6 MR. WHITE: Yes, ma'am. The incentive of  
7 Bell Atlantic was to, of course, give us better pricing  
8 for the continuation of the contract. Yes, ma'am.

9 MR. GOLDSTEIN: I want to congratulate you.  
10 There are so many things happening in this field, it's  
11 just hard to comprehend it. When I stop and think the  
12 first time I ever had a telephone, we had a little  
13 country phone and you turned the thing around. Had  
14 about 30 people on the line and, click, everybody's  
15 phone line. Yes, indeed, and that would be the gossip,  
16 you see. Then, we got the other telephone, then we got  
17 the dial phone. Now we've got all these new systems  
18 here.

19 A fellow was right here -- we had a hearing  
20 the other day for the Board of Revenue Estimates, and a  
21 fellow there from Alexander Brown had a little thing in

1 his pocket, pulled it out and said, "I have to call  
2 California," right in our Treasury Building, dialed to  
3 California right there.

4 It's just hard to imagine how this whole  
5 business has advanced, isn't it?

6 MR. WHITE: Yes, it is, and it's advancing at  
7 a faster pace every day.

8 MR. GOLDSTEIN: There's so much competition.

9 MR. WHITE: Yes, yes, indeed. The  
10 competition has been a big factor.

11 GOVERNOR SCHAEFER: What is behind the  
12 network, the educational network, the one you're  
13 talking about? Is that part of this?

14 MR. WHITE: At this time, it's not actually  
15 part of that concept, Governor, but we see these  
16 concepts merging, and that's one of the reasons why we  
17 need a little transition period.

18 GOVERNOR SCHAEFER: You can see us putting in  
19 a digital system all over the state?

20 MR. WHITE: Yes, sir.

21 GOVERNOR SCHAEFER: Right now, and it's --

1 MR. WHITE: Yes, sir.

2 GOVERNOR SCHAEFER: That's not part of this?

3 MR. WHITE: No, sir, it's not. Although  
4 these circuits, as you can see, some of them are leased  
5 from C&P. I know you've heard about the LATA boundary  
6 problem, crossing LATA boundaries, and you see the four  
7 LATAs that exist in Maryland with the different color  
8 codes. To cross those boundaries at this time, only an  
9 inter-exchange carrier such as AT&T or Sprint has the  
10 authority to carry traffic across those boundaries, and  
11 that may be changing in the not too distant future.

12 MR. GOLDSTEIN: Well, now with satellites and  
13 all these different things, you won't have to have all  
14 these lines.

15 MR. WHITE: That's always an option, to look  
16 at the alternate methods of technology for doing that.

17 MR. GOLDSTEIN: University of Maryland  
18 developed a system with satellites and TV that they  
19 could sit in one place, Purdue University, and have it  
20 right in their classrooms right here in Maryland.

21 MR. WHITE: Yes, sir. Yes, sir, I'm familiar

1 with that.

2 GOVERNOR SCHAEFER: You'll have a lot of  
3 problems if everybody is going to establish their own  
4 system, but if you're going to try to coordinate all  
5 this in two years, I think that's a great idea.  
6 University of Maryland wants to run theirs, and C&P  
7 wants to run theirs --

8 MR. GOLDSTEIN: That's it, competition.

9 GOVERNOR SCHAEFER: -- and you've got AT&T  
10 and C&P, Sprint, all of them.

11 MR. WHITE: Governor, over the years, this  
12 has, we estimate, saved the state something like 47  
13 percent versus the cost of leased tariff services for  
14 the same circuits.

15 GOVERNOR SCHAEFER: Just don't -- hope  
16 somebody understands this whole system. That's what  
17 worries me, if anybody really knows what the heck is  
18 going on in the entire system.

19 MR. GOLDSTEIN: That's my next question,  
20 Governor. I wonder if maybe the colonel or Mr. White  
21 could write up, say, maybe two or three pages, double

1 spaced, how we started back in '87, '88.

2 MR. WHITE: Be glad to.

3 MR. GOLDSTEIN: And how much money we've  
4 saved and what you're going to do.

5 MR. WHITE: Be glad to.

6 MR. GOLDSTEIN: Can we have that next week?

7 MR. WHITE: I think so, yes, sir.

8 MR. GOLDSTEIN: I think it's very important,  
9 that very thing you asked. People will say, "Well, how  
10 have you accomplished this?" This makes a good story.

11 MR. WHITE: We've accomplished it by having  
12 some very good professionals that you approved back in  
13 the earlier --

14 MR. WALSH: This single item with the 400-  
15 plus thousand dollars a year savings, that savings can  
16 pay half of John's whole organization's salary, just  
17 that one item. When you combine that with last year,  
18 he's already --

19 MR. GOLDSTEIN: Well, we did the same thing  
20 by combining our computers. We saved last year  
21 \$5,400,000, and cut way down on personnel, vacancies we

1 didn't fill. We're doing this all the time, the same  
2 way now with our new --

3 MR. BENTON: This is a two-year contract;  
4 and, when we go out again at the end of two years, it  
5 may be for something entirely different than what we're  
6 doing now, and the cost, conceivably, could be even  
7 less. This is the right thing to do at this time.

8 MR. GOLDSTEIN: I'm in favor of it. I mean,  
9 there's no problem. I'm ready to make a motion.

10 GOVERNOR SCHAEFER: There's another point.  
11 Saving money is great, but being able to get the  
12 objective of what they're going to do is much more  
13 important than saving a couple hundred thousand  
14 dollars.

15 MR. BENTON: Absolutely.

16 MR. WALSH: We have gained ground or held  
17 even on every one of these renewals and certainly in  
18 the cases --

19 GOVERNOR SCHAEFER: The money is not the --

20 MR. GOLDSTEIN: Want a system that works.

21 GOVERNOR SCHAEFER: Really, the money is not

1 the important -- out in Western Maryland, they're  
2 bringing all the community colleges together, and I  
3 don't know how they did it, but they brought the  
4 community colleges together so that they can teach --  
5 in one community college, they can teach a course. I  
6 think that's pretty good, and the same way with the  
7 University of Maryland. They have so many things that  
8 they can do. Johns Hopkins -- I don't know if you saw  
9 on television last night -- through lines a doctor can  
10 be here and perform an operation in Baltimore.

11 MR. WHITE: Yeah, using a little --

12 GOVERNOR SCHAEFER: Yeah. Now, that's  
13 important, all the advances, and my concern is all  
14 these things going off and us making sure that we all  
15 understand and get in one direction.

16 MR. BENTON: Yes. The law requires us to  
17 come up with a master plan, and we're in the process of  
18 doing that, which will include the University of  
19 Maryland and all the other educational institutions.

20 GOVERNOR SCHAEFER: I hear you, Charlie.

21 Plans are great, but who's doing it?

1 MR. BENTON: Okay.

2 GOVERNOR SCHAEFER: And going to make sure  
3 it's done?

4 MR. WALSH: Could I comment? In effect, your  
5 last two or three comments have all been sort of  
6 addressing the same thing; and, that is, how would  
7 distance learning tie in with this kind of a package.  
8 Basically, what is shown on this map, these lines  
9 reflect -- in effect, are long distance lines. They  
10 reflect our long distance lines, and so you don't see  
11 C&P owning any of those lines because it's not legal  
12 for them to be in that business the way the rules are  
13 written now. And, so, you see all these long distance  
14 vendors on these long distance lines.

15 Inside those blues, pinks, greens, yellows,  
16 all the action is C&P's. "You can't change local  
17 phones," you hear that on the radio, where a person  
18 calls in trying to change the local phone. Can't do  
19 that right now, but what we -- and, in two years, may  
20 be able to have some others, cable companies, others,  
21 be in there. That's one of the reasons we're delaying

1 going to new --

2 GOVERNOR SCHAEFER: Marty, I hear you and I  
3 understand all that. What I still worry about is all  
4 the time -- now, that thing, that medical, I don't know  
5 whether, if I was going to have my kidney operated on,  
6 that I'd want some doctor sitting in Washington when  
7 I'm in Baltimore while he's working on my kidneys,  
8 whatever he's doing there.

9 What I'm saying is to make sure you stay  
10 abreast of the advances and not get behind in this.

11 MR. WALSH: The relationship between the  
12 distance learning tying into that, which has the video  
13 constant and even a physical application -- all the C&P  
14 network that is in effect operate inside those  
15 boundaries, so that as they cross those boundaries --

16 GOVERNOR SCHAEFER: I know that. I'm talking  
17 about there was an advancement in medicine history on  
18 television. That should be part of it. Well, okay. I  
19 think that's good.

20 MR. WHITE: Thank you very much.

21 GOVERNOR SCHAEFER: Thank you. Very good,

1 Marty.

2 MR. GOLDSTEIN: Governor, I think all the  
3 rest of the items on here are not --

4 GOVERNOR SCHAEFER: Fine.

5 MR. GOLDSTEIN: Except 18.

6 MS. REYNOLD: We do have 18 we want to hear  
7 at the end.

8 MR. GOLDSTEIN: I make a motion to approve  
9 all the other items except Item Number 18.

10 GOVERNOR SCHAEFER: Okay. Is there a second?

11 MS. MAURER: Second.

12 GOVERNOR SCHAEFER: No objection. So  
13 ordered. Let's take Item 18.

14 MS. MAURER: The items except the --

15 MR. GOLDSTEIN: I've got to leave here,  
16 Governor. I've got to go up to Hagerstown for the  
17 dairy dinner and give the toast to the dairy princess.  
18 I promised them that last year. See, I was in the milk  
19 and honey land.

20 GOVERNOR SCHAEFER: I remember when I beat  
21 you on milking one day.

1 MR. GOLDSTEIN: Yes, sir. You remember that?

2 GOVERNOR SCHAEFER: I remember they gave you  
3 a dry cow and gave me one that was squirting milk all  
4 over the place.

5 MR. GOLDSTEIN: That's right, and I had a  
6 hard time, and I used to milk cows as a boy. So, will  
7 you excuse me?

8 GOVERNOR SCHAEFER: You remember that?

9 MR. SWANN: Yes.

10 GOVERNOR SCHAEFER: He was so mad. That cow  
11 was dripping milk, and his had been milked three times  
12 that morning. He didn't have a chance.

13 MR. SWANN: They set him up.

14 MR. GOLDSTEIN: Yes, sir.

15 GOVERNOR SCHAEFER: Yeah, we set him up good.

16 MR. GOLDSTEIN: Will you all excuse me?

17 GOVERNOR SCHAEFER: Yeah. Thank you, Louie.

18 MR. SWANN: You want to ask if they can bring  
19 Penelec back next week.

20 MR. GOLDSTEIN: Oh, Governor, yes, sir.  
21 Governor, there's a very interesting situation up in

1 Deep Creek Lake. We had the presentation back in  
2 December and, since then, there's been a lot of  
3 controversy by the commercial operators, by the  
4 individuals who use boats, and by the property owners.

5 I'd like to suggest we set some time next  
6 week for our next meeting and see if we can't invite  
7 all these different people, have a spokesman come in  
8 here and see if we can't get this matter resolved,  
9 because spring is coming and the people we who have all  
10 these concessions want to know when they can get their  
11 license, as well as the private people who have docks  
12 that they have to take out of the water due to the ice  
13 and they want to put the docks back, because Penelec  
14 controls the waterfront, and they get a fee from each  
15 one of these property owners.

16 It's a very controversial issue that wasn't  
17 addressed here when we had the hearing. So, I'll make  
18 a motion to have it next week.

19 MS. MAURER: Before you do that, your motion  
20 on the DGS excluded Number 22, which you had asked to  
21 be withheld for a week?

1 MR. GOLDSTEIN: No, it didn't include that.  
2 I said except the item that was withdrawn, Item 22.

3 MS. MAURER: And 18.

4 MR. WALSH: Withdrawing that item.

5 GOVERNOR SCHAEFER: Yeah, withdrawing 22.

6 MR. GOLDSTEIN: Right.

7 MS. MAURER: Okay.

8 GOVERNOR SCHAEFER: We've approved all the  
9 rest. Now we're going to hear 18. And you're going to  
10 set time up for that next week.

11 MR. GOLDSTEIN: Thank you all.

12 MS. MAURER: Have a good trip.

13 GOVERNOR SCHAEFER: Yeah, go up and see the  
14 pretty girls.

15 MR. WALSH: If I might just give a few words  
16 of introduction for this item, and we also have Acting  
17 Secretary Lois Whittaker from Human Resources here as  
18 well as a representative from Baltimore County Social  
19 Services organization here.

20 This item is -- at least, our intention -- is  
21 a very straightforward relocation of an existing client

1 contact office about a block and a half away in  
2 Catonsville to a new location. It's been in the old  
3 location for about 15 years. The current location  
4 cannot accommodate the increased mission that was  
5 necessary in that area.

6 We're basically almost doubling or are  
7 doubling the size in square footage that's necessary by  
8 virtue of them being much crammed into where they are  
9 right now.

10 And, so, what we have here is a mainline type  
11 of an operation. We're advertising in the Maryland  
12 Register, boundaries established in keeping with Social  
13 Services and Human Resources requirements, an  
14 expression of interest type of submission by interested  
15 developers and landlords, an evaluation process, and  
16 bringing us to this point here today.

17 We've had a great deal of interface with the  
18 delegation on this item. We've had very much interface  
19 with Baltimore County. We just did receive a letter,  
20 which I really did not anticipate, from the county  
21 exec. verifying his support of this project at this

1 location.

2 One of the things that we had been talking  
3 with the delegation about is one of the major concerns  
4 is that we move in the Human Resources operation now in  
5 keeping with this project and, two or three years  
6 later, if there is a reduction in the mission  
7 requirements of Human Resources, that we would  
8 potentially go in there and move some other  
9 departmental operation into the same facility.

10 For the record, I would ask the Board that,  
11 as we go down this process, that the Board, in fact,  
12 even direct the Department of Human Resources and  
13 Department of General Services that, if there is any  
14 change in mission in there, that we be required to  
15 bring that to the Board's attention, with all the  
16 implications of bringing it to the attention of the  
17 local government and delegation as well.

18 So, I would ask the Board actually direct us  
19 to do that, and we would accommodate that.

20 GOVERNOR SCHAEFER: Okay. Presuming that  
21 this is the place to go, what -- are people objecting

1 to this? Is that what the problem is?

2 MR. WALSH: Yes, sir. We do have a timing  
3 problem, because this was on and we've already  
4 withdrawn it once in order to have a meeting last week  
5 with the local groups. We're back on the agenda today  
6 because Mr. Booth actually is potentially in a position  
7 here in the next four days, if we don't go forward, to  
8 lose his deposit on his loan, which is in the  
9 neighborhood of about \$10,000.

10 GOVERNOR SCHAEFER: Okay. All right.

11 MS. WHITTAKER: Good morning.

12 MR. WALSH: We have Lois Whittaker, again,  
13 and representatives of the county, the county Social  
14 Services, but we also have a group of people, including  
15 Berchie Manley, who is the councilwoman from Baltimore  
16 County, who's here today.

17 MS. WHITTAKER: Good morning, Governor, Madam  
18 Treasurer. My name is Lois Whittaker. I'm deputy  
19 secretary for operations for the Department of Human  
20 Resources, and I have with me Nancy Wegman, who's the  
21 assistant director for the Income Maintenance

1 Administration for Baltimore County.

2 The only thing that I would like to say is  
3 that we are in desperate need of additional space in  
4 our current location at 727 Frederick Road. Right now  
5 we only have 4300 square feet there, and we've got 42  
6 staff folks. We've got inadequate waiting room space,  
7 which causes a lot of loitering outside of the  
8 building. We don't have adequate interviewing rooms,  
9 nor do we have adequate rest rooms for either staff or  
10 the clients.

11 In addition, we find ourselves in a position  
12 of being in violation of certain fire codes and not  
13 being able to meet certain ADA regulations. So, for us  
14 moving up the street, it would provide us the  
15 additional space that would be needed so that we could  
16 accommodate the clients that are coming in.

17 Mr. Booth, who was the developer selected, is  
18 also a resident in that community and he's also done  
19 other business for the Catonsville area. In addition,  
20 he was the past president of the Baltimore -- I think  
21 it's called the Catonsville Business 2000, and he's

1       been on the board for the business Chamber of Commerce  
2       there also. So, he is well noted and well known in  
3       that community, and we just think that he would give us  
4       a good product.

5                   I have looked at the facility. It's been  
6       vacant for a year and a half. It's an old grocery  
7       store, and it would definitely revitalize that portion  
8       of Frederick Road if we were able to move in there.  
9       Nancy.

10                   MS. WEGMAN: Basically, from the standpoint  
11       of Baltimore County Social Services and the facilities  
12       that we have for the public, Catonsville is probably  
13       our least desirable office at this time. We've  
14       outgrown it not only in terms of the size of the  
15       caseload, which over the last couple of years, as you  
16       know, has gone up a little bit, although it's  
17       stabilizing in that area, we have no interviewing  
18       space. We have no space to accommodate the new  
19       computer system which will reach Baltimore County in  
20       November.

21                   And, basically, we're looking for some decent

1 professional space where we can handle our clientele in  
2 a respectful, courteous, dignified manner. The space  
3 is just atrocious, and it's really hard to do that in  
4 that kind of environment, both for staff and for the  
5 public who come in.

6 GOVERNOR SCHAEFER: Two quick questions:  
7 Just how far is this from your present location?

8 MS. WEGMAN: About two blocks, a block and a  
9 half to two blocks.

10 GOVERNOR SCHAEFER: Same street?

11 MS. WEGMAN: Yes, sir. They have the other  
12 side of the street.

13 GOVERNOR SCHAEFER: And, second, is this  
14 zoned for this?

15 MS. WEGMAN: That I would have to leave to  
16 the General Services or the buyer.

17 MR. WALSH: Yes, it is.

18 GOVERNOR SCHAEFER: Thank you. Okay. We  
19 want to hear from those in opposition.

20 MS. MANLEY: I'm Berchie Manley, the  
21 councilwoman for the First District of Baltimore

1 County. Governor and Treasurer Maurer, thank you very  
2 much for allowing us the opportunity to speak.

3 I have brought with me a copy of a newspaper  
4 article, and it is The Sun, March 13; and, in this  
5 article, it talks about the increasing responsibility  
6 of the counties for the poor. I'm quoting from the  
7 article: "In some ways, the life of a poor person is  
8 harder outside Baltimore because the counties often  
9 lack resources poor people need. Public transportation  
10 is deficient or absent," and this is very true.

11 In the First District of Baltimore County,  
12 the catchment area is from Baltimore Highlands all the  
13 way to Liberty Road. There are approximately 43  
14 percent of people in the Baltimore Highlands/Lansdowne  
15 area who do not own cars. The transportation system  
16 requires them to go into Baltimore City, take a bus in,  
17 and then transfer, and in some instances it may even  
18 require two transfers to get to the Catonsville area.  
19 It may take two to 2-1/2 hours, plus, as was noted, our  
20 caseloads are increasing, and sometimes these people  
21 have to wait for hours, and it may take their entire

1 day as well as costing them considerable dollars.  
2 Those who have friends, the friends may transport them,  
3 or they take a taxi, which is extremely expensive.

4 The transportation problems are serious.  
5 They require some of the single mothers to have a baby  
6 sitter or place the child in day care for that  
7 particular day or to bring the children with them,  
8 which is difficult to have a small child and to have to  
9 travel that distance and to wait for a long period at a  
10 time.

11 What I am suggesting is an effort that I have  
12 been attempting since I have been in office, and I am  
13 advocating a multi-resource center concept  
14 incorporating what in medicine we call a holistic  
15 approach to the needs of the people and placing this  
16 center in the communities where the greatest needs are.

17 We are moving to community policing, and  
18 we've moved to site-based management in education, and  
19 these are steps away from centralization into the  
20 communities where the captains of the precincts who  
21 know the problems are being given more decision-making

1 authority, likewise with the principals of the schools.

2 The purpose of redirection for social  
3 services is the same, to work with the individuals in  
4 the communities, to give those people ready access to  
5 social services, health counseling and screening,  
6 preventive shots for the children, counseling to advise  
7 how to protect one's self against AIDS or becoming  
8 pregnant, to advise of the educational opportunities,  
9 and to provide recreational opportunities.

10 We have a wonderful organization in the  
11 Lansdowne/Baltimore Highlands area. It's called the  
12 Leadership Council. It's under the guidance of Father  
13 Steve Gerard. It consists of principals from the  
14 various schools, citizens, business people, and at one  
15 point we were able to take the children's measles  
16 booster shots right into the schools, and that's the  
17 concept here.

18 I have children in this area, eight years of  
19 age and younger, who are home alone because the mother  
20 is trying to work to help support that family, and  
21 wouldn't it be wonderful if there were a before-school

1 or after-school program or a day care right within the  
2 housing facility. She could then have peace of mind  
3 knowing where her children are. Instead, I've been  
4 advised some of these children are actually on the  
5 streets after school, and many of the very young  
6 children are running drugs or they're even beginning to  
7 use them themselves, and this is a travesty because  
8 these will be the children who will be our drug users  
9 and drug pushers in the future.

10 If we're going to salvage these children,  
11 then we must provide the education and assistance to  
12 the parents. I'm sure all of you are familiar with  
13 children learn what they live, and it's very true. If  
14 you grow up in a negative environment, you will have a  
15 negative attitude. Every person must have successes,  
16 must have a purpose or meaning to his or her life,  
17 self-worth, pride in accomplishment and, lastly, a hope  
18 for a better tomorrow.

19 I am suggesting that we can work toward these  
20 goals by spending our dollars at the front end by  
21 providing accessible education, health services, et

1 cetera, and not at the back end with drug  
2 rehabilitation programs and prisons.

3 We have young women in these areas who  
4 literally believe that, if their boyfriend or their  
5 husband beats them, that they have done something to  
6 deserve it. These young mothers will not even approach  
7 the schools. They are intimidated by the schools. We  
8 must turn that around. We must take the education  
9 right to them. I had been seeking grants to attempt to  
10 do some of these efforts. The people in Lansdowne are  
11 doing the same thing.

12 What I'm suggesting today is that we begin to  
13 look at creative, innovative concepts as opposed to  
14 continuing with centralization, and literally taking  
15 the services to the people; and, if this appeal appears  
16 impassioned, then it is, because I firmly believe that  
17 this is what we have to do.

18 I'm asking you to at least delay your  
19 decision today. There are some questions that have not  
20 had answers, and I think the people need to have some  
21 answers. I was sent a letter recently -- I have not

1 known about this issue for a length of time -- and, in  
2 that letter, I was advised that this information was  
3 confidential and was not for public information. I  
4 honored that and, when people began to call me, I said,  
5 "Well, I have not been able to discuss this for this  
6 reason," and I did write a letter and it was pulled the  
7 first time. There were questions at the meeting that  
8 have not been answered. I think the people have a  
9 right to some answers.

10 Also, may I note that the issue was taken  
11 before the Catonsville board, Catonsville 2000 Board,  
12 and I question was that proper since I was not able to  
13 take this information to the public.

14 I'm addressing a couple of the questions that  
15 have not been answered. One is -- and, apparently, it  
16 has just been answered -- I was given the information  
17 that there are currently 28 employees, with the  
18 intention of hiring two. Apparently that was  
19 incorrect. We're looking at the possibility of almost  
20 50 employees.

21 Parking in the Catonsville area is almost

1 non-existent. It's one of the issues that the  
2 Catonsville 2000 attempted to address, and I did serve  
3 on that group, and I resigned when I won this office.  
4 We are very limited as to the parking. The back of the  
5 store has some parking spaces, but they belong to the  
6 church, the United Methodist Church, or to a private  
7 individual. I had been working with the church in an  
8 effort to possibly start a day care program. If that  
9 day care program were to ever come to fruition, then  
10 the parking spaces would not be there. It will force  
11 the employees to park on the streets, and this is one  
12 of the major complaints of citizens as to why they do  
13 not come into the Catonsville village to do their  
14 shopping.

15 I would urge you to please pull it as of  
16 today to provide the citizens a little more time for  
17 some answers, and I thank you very much for hearing me.

18 GOVERNOR SCHAEFER: I listened to your  
19 idealistic approach, Councilwoman, and I've heard it  
20 now for years, and we've been trying to address this,  
21 but we can't do it for all the areas of the state, the

1 same thing you're talking about, drugs and mothers and  
2 working, kids on the street, and all the rest of it.  
3 I've heard that since I was in Baltimore years ago, and  
4 we are trying to do something about it, but no one  
5 really does anything until something happens like this;  
6 then everybody gets all excited.

7 I think there's been time. I've known about  
8 this for some time, and I thought they tried to work  
9 out an agreement with the community. What you're  
10 talking about will take years to do, and what do you do  
11 in the meantime? Just keep them in the same small  
12 building; the same people will be coming?

13 MS. MANLEY: No, I'm not suggesting that.  
14 I'm suggesting that we have facilities, Social Services  
15 facilities, in the other areas so that the people do  
16 not have to travel for long distances and because of  
17 the transportation problem.

18 GOVERNOR SCHAEFER: Have you got these  
19 facilities? Do you know where these facilities are?

20 MS. MANLEY: Well, we will certainly try to  
21 find some. The county does own some property.

1 GOVERNOR SCHAEFER: Well, you've had time.  
2 You've had time to do it, and it hasn't been done.

3 MS. MANLEY: As I say, I just received notice  
4 of this.

5 GOVERNOR SCHAEFER: Well, I'm very  
6 sympathetic to council. I know how council people  
7 work, how hard they work, but I don't agree with that.  
8 What you gave is an ideal situation that "We'll do it  
9 in the future, and we'll figure out" --

10 MS. MANLEY: No, we're actually working on it  
11 now.

12 GOVERNOR SCHAEFER: The need for this  
13 building is now. It's not tomorrow, it's now, and  
14 they're trying to accommodate and help the people out  
15 in that area out there.

16 The real reason is they don't want the  
17 parking, think it's going to jam parking.

18 MS. MANLEY: There may be some serious  
19 parking problems, yes.

20 GOVERNOR SCHAEFER: Not "serious parking  
21 problems," that's one of the major objections to this.

1 MS. MANLEY: My concern is for the people who  
2 need the service.

3 GOVERNOR SCHAEFER: Well, they need the  
4 services, but why wasn't this all done before? The  
5 building has been there and the services have been  
6 provided in that spot for a long time.

7 MS. MANLEY: I have been working to bring a  
8 store into that facility, because that is what the  
9 older people are requesting.

10 GOVERNOR SCHAEFER: I'm not criticizing what  
11 you're doing. If you had a better place -- what you're  
12 saying, just hold up, so we can stay in the same  
13 cramped quarters, and I don't agree with that. I think  
14 that's not right. What they're trying to do is to  
15 accommodate more of your people in the district out  
16 there. It does say that people in Baltimore are moving  
17 out, and I think that's partially true. I don't  
18 totally agree with it. I never agree with what The Sun  
19 paper writes anyway.

20 But, if you had another place where you could  
21 locate this within a reasonable length of time, I'd say

1 I'd have some sympathy for it, but all they're doing is  
2 saying, "We want to move down two blocks from where we  
3 are and where we've been because the services are being  
4 expanded."

5 MS. MANLEY: The caseloads are increasing,  
6 but the majority of them are coming from long  
7 distances. The people have to travel.

8 GOVERNOR SCHAEFER: They've been coming from  
9 a long distance all along.

10 MS. MANLEY: But the caseload had not been  
11 that great in the past.

12 GOVERNOR SCHAEFER: Okay.

13 MS. MANLEY: Thank you.

14 GOVERNOR SCHAEFER: Councilwoman, apparently  
15 this site has been the choice of your local Department  
16 of Social Services. At least, I would like to hear  
17 from the local department and understand why they  
18 prefer Catonsville to Lansdowne in view of the changing  
19 demographics.

20 MS. MANLEY: It's centralized for the  
21 catchment area.

1 MS. MAURER: So, it is more central. Does  
2 the local Department of Social Services see three or  
3 four in District 1 or just one in --

4 MS. WEGMAN: We serve a lot of communities  
5 within the Catonsville catchment area. This is very  
6 difficult to see here, but the Catonsville area is  
7 surrounded by other jurisdictions on three sides, and  
8 it goes up to Liberty Road; and, when we gave our  
9 specifications to General Services, there were a couple  
10 of things that we considered. We had taken a survey of  
11 clients that used that office, and it's about four  
12 years old now. The clients come from ZIP code 27,  
13 Lansdowne, the Highlands, Catonsville proper, zone 29  
14 up into 07; and we were asking them, "How do you get  
15 here?" About 50 percent of the people either drove or  
16 someone brought them. The ones within Catonsville, of  
17 course, didn't have a particularly difficult time  
18 getting there. Other people did have to take  
19 transportation. Most of the folks from the Lansdowne  
20 area indicated that they got a ride with somebody;  
21 somebody brought them, dropped them off, picked them

1 up. So, that was the preference of the folks that we  
2 service.

3 When we gave the boundaries to General  
4 Services, they were fairly large boundaries, as I  
5 recall, including Liberty Road, Frederick Road and that  
6 general area; and this was the bid that met all the  
7 specifications that we had put out in terms, I guess,  
8 of square footage and the other things that General  
9 Services looks at.

10 As I say, our primary concern is some  
11 respectable office space that's convenient to most of  
12 the catchment area that we service on that side of the  
13 county.

14 MS. MAURER: Obviously, your ideal of the  
15 kind of service arrangements can't be met in terms of  
16 timing or the renewal of the lease. The state is  
17 building many multi-service centers all around the  
18 state; and, as the Governor has said, I don't know how  
19 we could wait until all the changes are made, but I see  
20 that there are 30 reserved parking spaces, are  
21 incorporated in the lease. Are those from the church

1 property?

2 MR. WALSH: Mr. Booth is providing them. I  
3 don't know the exact source of those, but that is part  
4 of it. Rather than have this excessive use of street  
5 space, this was a DHR requirement that we incorporated  
6 into this.

7 MR. BOOTH: Good morning. The site provides  
8 32 parking spots on site. There's ability, if needed,  
9 to rent other space from the person behind it that owns  
10 the property. So, they are owned by me or will be  
11 owned by me, the parking spots. The facility now has  
12 no parking spots. So, we are increasing by 32 spots.

13 The merchants that are neighbors to the  
14 present location are inconvenienced for their customers  
15 because of the clients from -- the agency has no  
16 parking spots.

17 So, as they said, I am the past president of  
18 the Catonsville 2000, and one of our illustrious  
19 members is a dear friend of yours -- was a dear friend,  
20 Harry McGirk. And 2000 is a pro-active group trying to  
21 figure out how to revitalize Catonsville, and this

1 project has the support of them.

2 MS. MAURER: Thank you.

3 MS. MANLEY: We have a citizen.

4 MS. REYNOLD: Yes, you have one more speaker.

5 MS. MANLEY: Yes.

6 MS. REYNOLD: Susan Dickson, please.

7 MS. MANLEY: Thank you.

8 MS. DICKSON: Good morning. Let me first say  
9 that my name is Sue Dickson. I'm a 34-year resident of  
10 Catonsville. My roots in Catonsville go back to my  
11 great grandparents who had built a home two streets  
12 over from where I currently live.

13 Let me also please say that I had no idea  
14 that I was going to be able to speak today, so I'm a  
15 little nervous.

16 MS. MAURER: Don't be.

17 MS. DICKSON: I am.

18 MR. HIMEL: That's why I'm here.

19 MS. DICKSON: That's why he's standing here.  
20 I would simply like to make you all aware of what I've  
21 been able to learn in the last two weeks. I found out

1 about this proposed lease just two weeks ago this  
2 morning, and I will say that I have been guilty in the  
3 past of perhaps sitting around hoping for the best for  
4 Catonsville and not doing anything more than that, but  
5 I'm no longer just hoping. I'm trying now to work  
6 towards doing something positive for Catonsville.

7 Mr. Walsh made reference to the fact that  
8 there's been a great amount of interfacing between the  
9 delegates and DGS in this project; however, the  
10 delegates have not been doing any interfacing with the  
11 community. They were made aware of this project back  
12 in October, the delegates were; and the first contact  
13 that I've actually had with them was yesterday when I  
14 had a conference call with Delegates Masters, Dewberry  
15 and Morsberger.

16 There is a good amount of support for my  
17 cause here, and I can substantiate that by asking Mr.  
18 Walsh to make aware to you the number of phone calls  
19 his office has received in addition to letters, as well  
20 as the number of phone calls that the delegates have  
21 received, Senator Nancy Murphy has received, and

1 Councilwoman Manley has received on this project.

2 In the last two weeks, I've been trying to  
3 direct my energies into what I feel is the most  
4 fruitful manner, and that is to gather information, and  
5 I may have been wrong in not calling the correct  
6 offices or writing the correct letters, but I think  
7 we've been very successful in getting this information  
8 out to the public.

9 Our concern goes much greater than the number  
10 of parking spaces that are there. We're concerned  
11 about what direction Catonsville is taking. Like I  
12 said, I have very strong roots to Catonsville, and I  
13 intend to stay there. I have three young children, and  
14 I intend to live there for a long time.

15 The people that I've spoken to are concerned  
16 that, as state service, a large state agency like this  
17 in a key site in Catonsville, is gong to detract from  
18 attracting business to the area. We feel that it's  
19 placing the short-term need of getting something into  
20 this vacant space over the long-term needs of the  
21 community. It directly contradicts the Catonsville

1 2000-sponsored Catonsville design study, which is now  
2 part of the Baltimore County master plan; and, in that,  
3 it cites the old Catonsville supermarket as a key site  
4 in Catonsville, and it says in the master plan, which  
5 is part of Baltimore County, that these large sites are  
6 key in the development of Catonsville and, when  
7 developed consistent with the best interest of the  
8 Catonsville community, could have a substantial impact  
9 on the future of Catonsville.

10 It goes on to say that these properties  
11 represent something of a risk if such development is  
12 not consistent with what the Catonsville community  
13 wants. Now, Councilwoman Manley has suggested small  
14 site-based offices. I agree with that, but I also  
15 understand that that is going to take years. There is  
16 a lot of vacant office space right now available in  
17 Catonsville.

18 The C&P Building, which is on the corner of  
19 Miller Avenue and Frederick Road, which is just about  
20 in between where the current Social Services office is  
21 and where the new one is, we're talking about a block

1 away, will be vacant as of May 1. It is already office  
2 space. It could be used possibly as a space for the  
3 Department of Social Services, and I would beg that  
4 perhaps we could get some time to look into that.

5 Our concern with using the current site  
6 that's proposed, the Catonsville supermarket, is that  
7 it is going to remove from a business district a very  
8 large retail spot; and, if a retail space is able to go  
9 in there, you then have the possibility of 65 or 70  
10 thousand residents of Catonsville using that and, also,  
11 bringing them into Catonsville where they're going to  
12 be shopping, walking up and down the district, and I  
13 think that is what is going to attract business to  
14 Catonsville.

15 Catonsville is a socially conscious  
16 community. We have a Social Services office there now,  
17 and the conditions apparently are deplorable, and it is  
18 overcrowded. We are not against Social Services being  
19 in Catonsville, not at all; and, as a matter of fact, I  
20 suggest that, perhaps, if we were given time, some of  
21 this energy that's been generated by the people that

1 are made known -- aware of it now could be harnessed,  
2 and we could move toward helping Social Services get  
3 into the C&P Building or any of the other office  
4 facilities. Spring Grove is right in Catonsville. I'm  
5 pretty sure that there's probably some vacant property  
6 there or some buildings that could be used for Social  
7 Services. That's state owned. I would suggest that  
8 that, perhaps, would save the state some money.

9 I'm not an expert on this. I just feel like  
10 it's my duty as a citizen and as a resident of  
11 Catonsville to have made people aware of what I found  
12 out and to implore you to give us some more time to do  
13 what we feel is in the best needs of Catonsville.

14 GOVERNOR SCHAEFER: I'll tell you one thing,  
15 you made a great presentation, and everything that you  
16 said is true. The only thing, not wrong with what  
17 you've said, is the delay by the Catonsville group  
18 itself to let that building sit there for the length of  
19 time. This may not be the best use, but your  
20 alternative is just to wait and wait and let us get  
21 involved, and you want to move into another office

1 building in the same area.

2 So, some of the things that you say sort of  
3 go round each other. You made a great presentation,  
4 and you're absolutely right. The only thing is your  
5 own group out there didn't move and just let it go to  
6 pot.

7 MS. DICKSON: If I may --

8 GOVERNOR SCHAEFER: And trying to get Spring  
9 Grove -- every time there's anything there, "Let's get  
10 on the Spring Grove property," and that just doesn't  
11 work.

12 MS. DICKSON: That may not work, but if I  
13 might, the Catonsville 2000 group -- there's a definite  
14 conflict of interest when you have a group of business  
15 people and, when they voted last week -- two weeks ago  
16 Tuesday for the state and they gave their approval for  
17 this, there were eight members there who voted. That  
18 was it of the whole Catonsville 2000 group.

19 These are mostly business owners in  
20 Catonsville, and I believe there's a conflict of  
21 interest too when you've got business owners trying to

1 attract -- just business owners trying to attract  
2 business into the area. If you have an owner of a  
3 health food store, she's not going to want to see  
4 another health food store there, and a whole section of  
5 business interests may be overlooked; or, perhaps, if  
6 you've got a convenience store owner, he's not going to  
7 want a convenience store there.

8 So, there's a problem there. And I agree  
9 with you that -- there is guilt on my part as well as  
10 other people for not having been involved. There was a  
11 large turn-out at this meeting on Thursday by the  
12 Catonsville 2000, and 17 members of the Catonsville  
13 2000 were at the meeting, and I would estimate that  
14 there were approximately 100 people at the meeting.  
15 So, of them, 17 were Catonsville 2000 people. The rest  
16 were proponents of what I'm talking about.

17 I'm just again saying that I'm not sure that  
18 the Catonsville 2000 has really tried to get something  
19 into that grocery store.

20 Also, the fact that this was advertised on  
21 July 27 and 28 and the request for proposal was done in

1     The Sun paper and, I think, the Maryland Register back  
2     in July -- the building has been vacant, I was told,  
3     for a year. So, for a period of seven months, perhaps,  
4     something was done; but I'm going to assume that, once  
5     a proposal was made by Mr. Booth, the developer, to  
6     move into this building, then probably all efforts had  
7     been stopped to try to find anything for that site.

8             I will also say that our own delegate, Ken  
9     Masters, told me yesterday that he would prefer to see  
10    a grocery store in that site. I don't think there's  
11    many people that don't agree that there's a better use  
12    for that site.

13            GOVERNOR SCHAEFER: Everything you say is  
14    true, except all of a sudden here we're confronted with  
15    it. They want to move to another site in the same  
16    area. They could possibly get something else, and Ken  
17    Masters says, "Maybe we can get something else."  
18    Right, this is not the best use for a business. I  
19    agree with you, but we've got a cramped situation with  
20    our people. There's no parking. People don't want to  
21    expand the parking, because this isn't the first time

1 we've been reviewing this and went over where you're  
2 going to put the entrance and how you're going to put  
3 the entrance, whether the people wanted the entrance  
4 there, how they're going to do all the rest of this  
5 stuff, all of which we've been through.

6 And I agree with you, but to do what you want  
7 to do just delays it by looking at something else.  
8 This is for a five-year lease. You've got time now to  
9 do what you want to do.

10 If you take that same energy that you have  
11 and the same brilliance you have on talking with the  
12 business community and take a leadership position in  
13 that, I think you'll make some progress. I really  
14 commend you, but you're going to be unhappy with the  
15 decision possibly that we have to make.

16 But Catonsville has been sitting there for a  
17 long time allowing buildings to deteriorate. I don't  
18 live far from there, by the way, so I know where your  
19 area is and I know that building, but you can't wait  
20 while 2000 makes up their mind. They're going to wait  
21 to 2000 to do something. I hear you.

1 MS. DICKSON: You do understand that we've  
2 only known about this for two weeks, the public has. I  
3 felt like I just, out of principle, I had to speak  
4 today, and I'm very aware of the possibility that it  
5 will go against us. Like I said, on principle, I felt  
6 like I needed to say what I had to say.

7 GOVERNOR SCHAEFER: Well, I hope you won't  
8 stop saying what you have to say after you leave here;  
9 when something is against you, that you'll take -- and  
10 I agree with that enthusiasm you have, because if you  
11 can light the fire under the people out there the way  
12 you've been able to light the fire -- I've been through  
13 this. I've seen misuse of business because the  
14 business community and the other community didn't  
15 bother with it, just approaches that "We're going to  
16 build something in the future." You're not going to --  
17 well, I'm just stumbling around.

18 MS. MAURER: Could I ask Marty a question?  
19 Did you explore other sites for this?

20 MR. WALSH: Yes. This client contact office  
21 is not particularly unusual, the sequence. We only got

1 two responses with this really expanded area, this  
2 design, you know, to provide input. We got one which  
3 was absolutely unresponsive, and we got Mr. Booth's.

4 We then went out and canvassed any number of  
5 areas as well and did the same kind of thing that we've  
6 done on other client contact offices, where we get none  
7 sometimes.

8 Again, it's a procurement action, you know,  
9 and it is a very difficult thing. You're, in effect,  
10 negotiating with individual private corporations and  
11 individual land owners, and it is a confidential  
12 procurement operation, so that the public awareness is  
13 not an easy thing to do, and we need to probably work  
14 on that and see if there's a better way to do this.

15 But we screened that whole area and, between  
16 what's available and who wanted to rent it to the state  
17 for this purpose, we still only came up, in fact, with  
18 one, and that's Mr. Booth.

19 MS. MAURER: Just a moment. Did the owner of  
20 the office building respond at all?

21 MR. WALSH: No, no.

1 MR. HIMEL: C&P.

2 MS. MAURER: Did C&P respond?

3 MS. WENTZ: Are you talking about the  
4 existing space?

5 MR. WALSH: C&P.

6 MS. MAURER: The speakers made --

7 MS. WENTZ: No. No, they didn't respond.

8 MS. MAURER: I'm sorry. Did Councilwoman --

9 MR. WALSH: Normally, you know, we would  
10 certainly advertise in the Maryland Register. We  
11 wouldn't normally advertise a small lease like this in  
12 The Baltimore Sun. So, certainly, C&P doesn't do too  
13 many things, you know, without considering it a lot.  
14 They've had ample opportunity to apply for this.

15 MS. MANLEY: May I follow up with a question  
16 to Mr. Walsh? How many procurement bids have gone out  
17 in the past years to increase the size of this site; do  
18 you know? Have there been any other bids that have  
19 gone out in the past years?

20 MR. WALSH: No, this is it.

21 MS. MANLEY: This is the first one.

1 MR. WALSH: It went out last summer.

2 MS. MANLEY: Thank you.

3 MS. DICKSON: In fact, I have a question. I  
4 was unaware that, once the proposal was made by Mr.  
5 Booth, that the Department of General Services then  
6 goes out and then asks other office space owners in the  
7 area if they would be willing to also lease space?

8 MS. MAURER: No.

9 MR. WALSH: In a real estate procurement, we  
10 certainly respond to whoever --

11 MS. DICKSON: Right.

12 MR. WALSH: -- gives us an expression of  
13 interest. If we think there may be other opportunities  
14 out there -- and, again, sometimes we get no  
15 expressions of interest -- we will go out and we will  
16 contact the people and see what --

17 MS. DICKSON: And that was done in the  
18 Catonsville area? I was not made aware of that.

19 MS. MAURER: No, they said they hadn't  
20 because they had two responses.

21 MS. DICKSON: Because they did get this

1 response. So, then, C&P has not been contacted then?

2 MR. WALSH: No.

3 MS. MAURER: No, but when you do a  
4 procurement and, if they don't respond --

5 MS. DICKSON: Then you have to go out and --

6 MS. MAURER: But a procurement is based upon  
7 those who respond.

8 MS. DICKSON: Right.

9 MS. MAURER: If they didn't respond, if you  
10 get no response --

11 MS. DICKSON: They didn't respond to the ad  
12 in the paper, essentially.

13 MR. WALSH: No, but we also -- I don't have  
14 the list of these other organizations and addresses we  
15 reviewed, but what I'm saying is we gave it a very good  
16 shot. We're not in the position to know C&P's plans at  
17 their offices either.

18 MS. DICKSON: Right.

19 MR. WALSH: But what I am saying is C&P is a  
20 big enough corporation that manages its real estate  
21 well, you know, as a corporation, and they certainly

1 had plenty of opportunity to know, both through the  
2 Maryland Register and The Baltimore Sun, that we were  
3 looking for this. Again, we've looked at a number of  
4 other places, too.

5 GOVERNOR SCHAEFER: Why do we have to do this  
6 -- what is the rush? I mean, not a rush, because it's  
7 been a long time and everybody putting it off on  
8 somebody else. Not you, because I honestly believe you  
9 didn't know, but others knew about this. The business  
10 community knew. The council should know. The  
11 delegates know, and everybody knows. Now, when we get  
12 down to the actual time, then they start saying it's  
13 the state's fault for taking this action. Well, I  
14 don't go for that.

15 Why are we doing this -- why do we have to do  
16 this right away?

17 MR. WALSH: Actually, as you said, Governor,  
18 we're really not doing this right away. We are at  
19 Cinderella hour now as we go out to Mr. Booth's --

20 GOVERNOR SCHAEFER: Well, why can't we -- do  
21 we have to do it today? Will Mr. Booth lose an option

1 or what?

2 MR. WALSH: Yes, sir, he --

3 MS. MAURER: I'm sure we could wait at least  
4 a week, couldn't you?

5 GOVERNOR SCHAEFER: What's the problem on  
6 this?

7 MR. BOOTH: When I entered into negotiation,  
8 it was assumed that this project would come to fruition  
9 by December 31, 1993. So, when I extended my contract  
10 with the property owner, which is Mercantile Trust and  
11 Bank, Trust Department, and after several extensions,  
12 they sent me a letter and said that they will extend it  
13 to April 4 and that "The \$10,000 to be held by the  
14 seller is now non-refundable. In the event the  
15 property does settle, it shall be applied to the  
16 purchase; but, if settlement does not occur, the  
17 \$10,000 deposit shall be retained by the seller."

18 GOVERNOR SCHAEFER: That's Mercantile?

19 MR. BOOTH: Yes.

20 GOVERNOR SCHAEFER: That's Mr. Baldwin,  
21 Furlong Baldwin's outfit. This is very responsive to

1 the community, isn't it?

2 MR. BOOTH: Yeah. This is Mr. Townsend.

3 GOVERNOR SCHAEFER: Well, that's Furlong  
4 Baldwin.

5 MR. BOOTH: Yeah, his bank.

6 GOVERNOR SCHAEFER: And you're going to  
7 forfeit the 10,000?

8 MR. BOOTH: Pardon me?

9 GOVERNOR SCHAEFER: You're going to forfeit  
10 the 10,000?

11 MR. BOOTH: Well, if I don't get approval  
12 today, it gets forfeited, yes, sir.

13 MS. DICKSON: Let me say that there's not  
14 anybody in Catonsville that wants to --

15 GOVERNOR SCHAEFER: That makes me madder than  
16 anything else. I think you ought to call Furlong  
17 Baldwin and tell him that's not quite fair. You know,  
18 there's a lot of other things, and he's a big  
19 philanthropic guy and I'm sure he'll allow that clause  
20 to be stricken. I'm not impressed with that they'll  
21 take the money away from people.

1           MR. BOOTH: I guess they've taken the  
2 building off the market probably for the last five  
3 months, and it's in a trust, and I assume --

4           GOVERNOR SCHAEFER: If they could get another  
5 buyer, Furlong Baldwin would have grabbed it and run  
6 with it. So, that "taking it off the market" stuff,  
7 that's bull.

8           MS. MAURER: What's the next meeting? Next  
9 week?

10          MS. REYNOLD: The 6th.

11          GOVERNOR SCHAEFER: They don't have time  
12 within the 6th.

13          MS. MAURER: What's your date?

14          MR. BOOTH: The 4th.

15          MS. MAURER: The 4th?

16          MR. BOOTH: Yes. It was supposed to be on  
17 the 16th. In the last hour, it got pulled from that  
18 one.

19          MS. MAURER: Because --

20          MR. BOOTH: They had to respond to the  
21 council and the council lady, Berchie Manley.

1 GOVERNOR SCHAEFER: What's today? What's it,  
2 the 29th?

3 MS. MAURER: The 30th.

4 GOVERNOR SCHAEFER: The 30th, so we don't  
5 have time to --

6 MS. MAURER: No, it misses it by two days.

7 GOVERNOR SCHAEFER: Unless we could get Mr.  
8 Baldwin, Furlong Baldwin, from Virginia Plantations,  
9 maybe he could extend it for 30 days.

10 MS. MAURER: Well, even next week, which is  
11 two days --

12 GOVERNOR SCHAEFER: Not enough time, Lucy.  
13 What you should really look at if you're going to do  
14 this -- first of all, you did the right thing, you did  
15 the right thing, because the building was standing  
16 vacant. Nobody paid any attention to it for a long  
17 time, a long time, and I think the owner then wants to  
18 get rid of it, and I don't blame Baldwin for doing  
19 that, but it's not the best use. It really isn't the  
20 best use. The best use is to put a commercial  
21 enterprise back in that area out there.

1           What the state did was the right thing. They  
2 got a building, they can put an operation into it, add  
3 parking places, relieve the pressure on the employees,  
4 and that was the right thing to do; but, if there's  
5 another building that would be as good as this  
6 building, I would like to see it.

7           The wrong use -- this is an office type thing  
8 in a commercial area, and it's not the right thing to  
9 do. I learned that a long time ago when they wanted to  
10 rent spaces in the market to wig growers, wig, which  
11 wasn't the right thing to do in a market. You put food  
12 in a market. The same way here, it's just not the  
13 right use; but, if they can't get another spot, then I  
14 think you're late.

15           MS. DICKSON: I agree.

16           GOVERNOR SCHAEFER: If you can get Baldwin to  
17 wait -- you want to wait a week?

18           MS. MAURER: Yeah, because can you do it?

19           GOVERNOR SCHAEFER: I don't know whether he  
20 can get Baldwin to agree or not. He's such a nice man,  
21 and he's interested in the community, and I think he

1 would be very willing to give the community a break for  
2 two weeks.

3 MS. MAURER: Two weeks? Let's try.

4 GOVERNOR SCHAEFER: Let's do this. Now, let  
5 me see. You lose this if you don't do it by the 4th.  
6 I don't know whether Baldy will be in the Easter spirit  
7 or now. If he pulls the rug, then you're out and you  
8 lose 10,000, which is not right, because this is the  
9 right negotiated building under the present  
10 circumstances. If he will give you a two-week  
11 extension to find that C&P Building -- that's the only  
12 one in the area, and I don't go for this idea of moving  
13 all over the place. I think the centralization is  
14 where it should be right now, and to go for the future  
15 to open up different offices in other parts of the  
16 district, that will be something else.

17 But, if we could get him to delay two weeks  
18 while you have a chance to take a look again, I would  
19 like it.

20 MS. MAURER: So, this puts the burden on Mr.  
21 Booth to try and get in touch with Baldy; and, at

1 least, you should be able to say "at the request of the  
2 Governor."

3 GOVERNOR SCHAEFER: Don't say me, because I'd  
4 be the last one he'd ever do anything for. I don't get  
5 along too well with him.

6 MS. MAURER: Well, at least, the Board of  
7 Public Works.

8 GOVERNOR SCHAEFER: Treasurer. He'll do it  
9 for you.

10 MS. MAURER: He didn't win our bids either.

11 MR. BOOTH: If the Treasurer or the state  
12 would intercede for me, but as being a small business  
13 person, I don't carry enough weight that I think I  
14 could make --

15 GOVERNOR SCHAEFER: Well, let me make a  
16 motion. I move that we approve this lease unless we're  
17 able to get a two-week extension from Mr. Baldwin, at  
18 which time, if he gives us the extension, we would take  
19 this matter up again in two weeks. Now, if Baldwin  
20 says no, you're out.

21 MS. DICKSON: I honestly do not want Mr.

1 Booth to lose his \$10,000, because I don't think  
2 there's anybody he's going to hate more in Catonsville  
3 than Sue Dickson, you can be sure. So, I agree with  
4 that.

5 GOVERNOR SCHAEFER: Now, is that a legal  
6 motion?

7 MR. WALSH: I can run with that.

8 GOVERNOR SCHAEFER: All right. So, we're  
9 going to approve the lease --

10 MS. MAURER: Conditional.

11 GOVERNOR SCHAEFER: -- conditional on Marty  
12 getting a hold of Baldwin; and, if Baldwin will extend  
13 his option for two weeks, give them an opportunity to  
14 look for the C&P Building or another building in the  
15 area, then we'll review this again in two weeks.

16 MS. MAURER: When does the lease run out on  
17 the place they're in?

18 MR. WALSH: I don't know.

19 MS. MAURER: Carolyn?

20 MS. WENTZ: They're due to move in  
21 September 1 into Mr. Booth's building. So, it would be

1 in August, their last month is in August.

2 MS. MAURER: Yeah. And, also, Governor,  
3 Marty suggested that it would be agreeable to the  
4 community if we said that, if we use this spot and if  
5 Social Services moves before the five-year lease  
6 period, then --

7 MR. WALSH: Or even a part.

8 MS. MAURER: Or even a part, so that the  
9 state would consult with the community before bringing  
10 in another state agency. Is that correctly worded?

11 MR. WALSH: Yes.

12 MS. MAURER: With those two motions, I would  
13 second it.

14 GOVERNOR SCHAEFER: See, so you --

15 MS. MAURER: You've been very effective.

16 MS. DICKSON: I'm glad I came. Thank you  
17 very much.

18 GOVERNOR SCHAEFER: You know, now that this  
19 is all done, that doesn't mean that you can go home and  
20 forget all this.

21 MS. DICKSON: My husband is going to kill me,

1 you're right, because --

2 GOVERNOR SCHAEFER: You've now become a very  
3 active activist, and that Catonsville needs a little  
4 drive in order to reach that 2000, and it just isn't by  
5 waiting for the state to come in and then tell them  
6 they can't have the building. It's now -- this is an  
7 opportunity.

8 MS. DICKSON: I'm aware. Thank you.

9 GOVERNOR SCHAEFER: Okay.

10 MS. MAURER: This gentleman wanted to say  
11 something.

12 MR. HIMEL: Governor Schaefer, my name is Jim  
13 Himel. I'm a city planner, and I had the privilege of  
14 actually learning under your and Larry Brice's  
15 leadership 10 years ago in the city; and, quite  
16 frankly, obviously, my advice to Sue has been echoed by  
17 you here today. So, I must have heard something that  
18 you said 10 years ago.

19 I would like to ask you, please, is it on the  
20 community group here to go after C&P and --

21 GOVERNOR SCHAEFER: With his help. He'll be

1 helping -- both, both.

2 MR. HIMEL: Okay, great.

3 GOVERNOR SCHAEFER: You know, Marty is not  
4 dead set on this building. If you can get another  
5 building, he'll be glad, too; but it's not going to be  
6 easy, I'll tell you. In two weeks, I think the same  
7 thing is going to have the answer.

8 MS. DICKSON: I know.

9 GOVERNOR SCHAEFER: One thing that we did  
10 listen to, this is the wrong use, it's the wrong use in  
11 a commercial area. What you do is you bring in a new  
12 food market and a convenience store and all the rest of  
13 it. You don't bring in offices, because that's what's  
14 happening on Charles Street downtown now. Instead of  
15 having retail, everything is starting to be an office,  
16 and the bringing of people downtown won't work anymore.  
17 There's more lawyers on there as opposed to -- anything  
18 to rent the building is not the answer to it. Okay.

19 MS. DICKSON: Thank you very much.

20 GOVERNOR SCHAEFER: All in favor, signify by  
21 saying "aye."

1 BOARD MEMBERS: Aye.

2 GOVERNOR SCHAEFER: All opposed, "no."

3 BOARD MEMBERS: (No response.)

4 MS. MAURER: And then I move that we adopt  
5 the entire agenda of the DGS except for those we have  
6 deferred or otherwise had been a part.

7 GOVERNOR SCHAEFER: All in favor, signify by  
8 saying "aye."

9 BOARD MEMBERS: Aye.

10 GOVERNOR SCHAEFER: All opposed, "no."

11 BOARD MEMBERS: (No response.)

12 GOVERNOR SCHAEFER: The ayes have it. Thank  
13 you.

14 (Whereupon, at 11:50 a.m., the above-  
15 entitled meeting was adjourned.)