

## Meeting Minutes – September 8, 2022

### Call to Order:

Chair Kasemeyer called the video-conference meeting of the Interagency Commission on School Construction to order at 9:00 a.m.

### Members in Attendance:

Edward Kasemeyer, Appointee of the President of the Senate, Chair  
Superintendent Mohammed Choudhury, Maryland State Department of Education  
Michael Darenberg, Appointee of the Governor  
Linda Eberhart, Appointee of the Speaker of the House  
Secretary Ellington Churchill, Department of General Services, Vice-chair  
Gloria Lawlah, Appointee of the President of the Senate  
Dick Lombardo, Appointee of the Governor  
Secretary Robert S. McCord, Maryland Department of Planning

### Members Not in Attendance:

Brian Gibbons, Appointee of the Speaker of the House

### Revisions to the Agenda:

There were no revisions to the agenda.

### Public Comment:

There was no public comment.

### IAC Correspondence:

There was no IAC correspondence.

#### 1. Consent Agenda – **[Motion Carried]**

Upon a motion by Ms. Lawlah, seconded by Mr. Lombardo, the IAC voted unanimously to approve the consent agenda.

##### A. Approval of the August 11, 2022 Minutes

To approve the minutes of the August 11, 2022 Interagency Commission on School Construction Meeting.

##### B. Summary of Contract Awards

To approve contract procurement as presented.

**C. Approval of Revisions to Previously Approved Contracts**

To approve revisions to two previously approved contract awards to accurately reflect the correct allocation amount for the Mardela Middle School/High School contract and to remove the reversion for the #083 William Paca Elementary School roof replacement and design fees contract.

**D. Project Closeouts**

To approve the final State project costs as presented and to remove the projects from the active project detailed financial report.

**E. Anne Arundel County Site Approval - Old Mill Complex Approval for CAT North**

To approve the use by the Anne Arundel County Board of Education (AACBOE) of a portion of the 172.5 acres of land at 600 Patriot Lane, Millersville, MD, 21108, known as the Old Mill Complex, for the construction of the Center for Applied Technology North (CAT-North) replacement facility; adhering to the actions identified in the state clearinghouse review, state identifier 20220627-0551.

**F. Approval of Property Transfer - Baltimore City - 30.074 George W. F. McMechen Special Ed High School #177**

To approve the transfer of 30.074 George W. F. McMechen Special Ed High School #177 PSC#30.074, 4411 Garrison Boulevard, Baltimore, MD, 21215, from the Baltimore City Public Schools Board of Commissioners (BOC) to the Mayor and City Council of Baltimore, as approved by the BOC on January 11, 2022, and in accordance with the Memorandum of Understanding for the Construction and Revitalization of Baltimore City Public Schools dated December 2016, with the agreement that the city government will reimburse the state the outstanding bond debt service in the amount of \$126,448.70 by the scheduled dates that will be determined by the State Treasurer's Office. The Baltimore City Government shall obtain approval of the Interagency Commission before transferring any right, title, or interest to any portion of the property.

**G. Carroll County - Charles Carroll ES Renovation - LP Approval Rescission**

To approve the rescission of Carroll County Public School's (CCPS) FY 2015 Local Planning (LP) approval for the Charles Carroll Elementary School Renovation project (#06.006.15LP).

**H. Built to Learn Act Project Status Report – [Informational Only]**

**2. Adoption of IAC FY 2022 Annual Report – [Motion Carried]**

Hannah Sturm, IAC Communications Coordinator, and Cassandra Viscarra, Deputy Director for Administration, presented the IAC's inaugural comprehensive Fiscal Year 2022 Annual Report. Commission members requested information on how this report will be distributed to the public. IAC staff explained that this will be distributed to our general distribution list and subscribers to the IAC's email bulletins.

Upon a motion by Ms. Lawlah, seconded by Superintendent Choudhury, the IAC voted unanimously to approve the final draft of the comprehensive IAC Fiscal Year 2022 Annual Report, pending non-substantive edits by staff.

**3. Adoption of Final 14.39.02.05 COMAR Revisions – [Motion Carried]**

Jonathan Borghetti, IAC Policy Analyst, presented the final revisions to COMAR 14.39.02.05 to be adopted by the IAC.

Upon a motion by Secretary McCord, seconded by Secretary Churchill, the IAC voted unanimously to adopt the final COMAR Revisions as published in the July 15, 2022 Maryland Register (Volume 49, Issue 15, Pages 729-750).

**4. FY 2023 Healthy School Facility Fund Approval of Project Applications - [Motion Carried]**

Arabia Davis, IAC Funding Programs Manager, and Gene Shanholtz, IAC Regional Facilities Manager, presented FY 2023 Healthy School Facility Fund project recommendations for approval. The funds will be used for projects that remediate environmental health risks in school facilities including indoor air quality, roof, and HVAC projects. Commission members requested information on the current condition of schools that have air conditioning projects. IAC staff explained that only one project that lacks air conditioning was submitted – the Southern Garrett High School – and that upon completion of the recommended project all classrooms in the school will be fully air conditioned.

Upon a motion by Ms. Eberhart, seconded by Superintendent Choudhury, the IAC voted unanimously to approve Fiscal Year 2023 Healthy School Facility Fund (HSFF) project allocations totaling \$45 million.

**5. Dorchester County Amendment to FY 2023 Capital Improvement Program - [Motion Carried]**

Ms. Davis and Rodney Dionisio, IAC Regional Facilities Manager, presented the Dorchester County Public Schools (DCPS) request to amend their FY 2023 Capital Improvement Program (CIP) to include the Maple Elementary Roof Replacement Project. The project was approved in FY 2022 HSFF for \$1.8 million. Recent market conditions caused the project to come in above budget. DCPS requested the application of CIP funding held in the account reserved for Dorchester to increase the project allocation to cover the additional costs. Commission members commented that the IAC will potentially see similar increases in future due to current economic conditions.

Upon a motion by Ms. Lawlah, seconded by Secretary Churchill, the IAC voted unanimously to approve a request from Dorchester County Public Schools (DCPS) to amend the FY 2023 Capital Improvement Program (CIP) to include the Maple Elementary School Roof Replacement project and assign funding in the amount of \$452,640 from the DCPS reserve account.

**6. Adoption of FY 2022 Annual Maintenance Report - [Motion Carried]**

Alex Donahue, Acting Executive Director, Scott Snyder, Maintenance Group Manager, and Brooke Finneran, Maintenance Administrative Officer, presented the FY 2022 annual report on maintenance of Maryland's public school facilities. Commission members requested clarification as to whether deficiencies identified in Fire and Safety Systems present a threat to safety. IAC staff will provide further details to the IAC but have clarified that the identified deficiencies do not present an immediate threat. Furthermore, Commission members requested information regarding the process if the LEAs do not respond to the IAC's notice of minor deficiencies. IAC staff explained that the LEA has 45 days to prove the remediation of deficiencies to potentially increase their maintenance assessment scores, and after that time period the final results are provided to the LEA, including a copy sent directly to the Superintendent. IAC staff make efforts to engage in further discussions with LEAs around the resolution of any remaining issues.

Upon a motion by Secretary Churchill, seconded by Ms. Lawlah, the IAC voted unanimously to approve the final draft of the FY 2022 Report, *Maintenance of Maryland's Public School Buildings*, dated October 1, 2022, pending non-substantive edits by staff.

**7. Extension of FY 2021 SSGP Application Period - [Motion Carried]**

Ms. Davis presented the IAC staff recommendation to reopen and extend the application schedule for the FY 2021 School Safety Grant Program (SSGP). For FY 2021, the IAC administered the SSGP and approved a total of 209 projects totaling \$6.3 million of the \$10 million appropriated. Reopening the application period would allow LEAs that have not yet identified an eligible project an adequate amount of time to request the \$3.6 million available for allocation. Commission members asked if this would allow an LEA who have unspent funds that were allocated to apply again and IAC staff confirmed this would be allowed.

Upon a motion by Ms. Eberhart, seconded by Ms. Lawlah, the IAC voted unanimously to modify the FY 2021 School Safety Grant Program (SSGP) Administrative Procedures Guide (APG) Application Schedule to reopen and solicit a new round of applications from Local Education Agencies (LEAs) with remaining available funding.

**8. Pass-Through Grant Funding Approval - [Motion Carried]**

Ms. Davis presented the first application for the Pass-Through Grant (PTG) by Caroline County for the Federalsburg Elementary School bathroom renewal project. Commission members requested the deadline that the LEAs have to request PTG funding and IAC staff shared that LEAs will have until May 1, 2023 to apply.

Upon a motion by Ms. Eberhart, seconded by Secretary Churchill, the IAC voted unanimously to approve a Pass-Through Grant program project as presented in this item with a total allocation of \$56,883.

**9. Executive Session - [Motion Carried]**

Pursuant to §3-305(b)(3) of the General Provisions Article, Annotated Code of Maryland, and with unanimous agreement by all members present, the Interagency Commission met in closed session on Thursday, September 8, 2022 to discuss real property acquisition. All members were present at the closed session with the exception of Mr. Gibbons. Also in attendance were Executive Director Donahue, Ms. Viscarra, and Heidi Dudderar, Assistant Attorney General for the IAC. The Executive Session commenced at 9:38 a.m.

The Executive Session concluded at 9:59 a.m. Chair Kasemeyer explained that the closed session was to receive a briefing by IAC staff and counsel for proposed lease terms for new office space.

**Announcements:**

None.

**Adjournment:**

Upon a motion by Mr. Lombardo, with a second by Superintendent Choudhury, the IAC voted unanimously to adjourn the meeting at 10:00 a.m.