



Meeting Minutes – December 19, 2024

Call to Order:

Chair Edward 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
Linda Eberhart, Appointee of the Speaker of the House, Vice-chair
Courtney League, as Designee for Secretary Atif Chaudhry, Maryland Department of General Services
Michael Darenberg, Appointee of the Governor
Chuck Boyd, as Designee for Secretary Rebecca Flora, Maryland Department of Planning
Brian Gibbons, Appointee of the Speaker of the House
Gloria Lawlah, Appointee of the President of the Senate
Krishnada Tallur, as Designee for Dr. Carey M. Wright, State Superintendent of Schools

Members Not in Attendance:

None.

Revisions to the Agenda:

The order of LEA presenters changed, moving Calvert County Public Schools to the last presentation slot.

Public Comment:

None.

IAC Correspondence:

None.

1. Executive Director's Report – **[Informational Only]**

Executive Director Alex Donahue gave a report on ongoing outreach to State and local stakeholders, including the workgroups for Howard, Frederick, and Calvert Counties on the formulation of future funding policy of school construction projects. Executive Director Donahue also remarked that he and Chair Kasemeyer have been speaking to State officials regarding the school facilities landscape and ongoing challenges that LEAs and the State have been facing as the IAC and LEAs work to maintain educational sufficiency and fiscal sustainability. Executive Director Donahue also stated that he participated in the winter conference of the Maryland Association of Counties (MACo), and was able to have productive conversations with both appointed and elected officials at the State and county levels.

2. Consent Agenda – **[Motion Carried]**

Upon a motion by Vice-chair Eberhart, seconded by Mr. Boyd, the IAC voted unanimously to approve the consent agenda.

a. **November 14, 2024 Meeting Minutes**

To approve the draft November 14, 2024 IAC Meeting Minutes, as presented.

b. **Contract Awards**

To approve contract procurement as presented.

c. Revisions to Previously Approved Contracts

To approve the revisions to previously approved contract awards as presented to accurately reflect adjustments to the State and local participation in the contract amounts and/or corrections to project allocation information.

d. Summary of Aging Schools Program Extensions Granted by Executive Director – [Informational]

3. Maryland Historical Trust and IAC Programmatic Agreement – [Motion Carried]

Deputy Director Cassandra Viscarra presented the Programmatic Agreement (PA) drafted by staff of the IAC and the Maryland Historic Trust (MHT). She informed the IAC that the PA would streamline the review of potentially historic school properties, and incorporate new technologies utilized by both agencies. Additionally, the new PA would consider programs that were not previously in place at the time that the last PA was signed, ten years ago. MHT Preservation Officer Liz Casso was available for questions from the Commission.

Upon a motion made by Mr. Tallur, seconded by Vice-chair Eberhart, the IAC voted unanimously to approve the programmatic agreement (PA) between the Maryland Department of Planning's Maryland Historical Trust (MHT) division and the Interagency Commission on School Construction.

4. FY 2026 Capital Improvement Program – [Motion Carried]

Executive Director Donahue and Funding Programs Manager Arabia Davis presented IAC staff recommendations for 75% of the preliminary school construction allocation for the FY 2026 CIP. Staff recommended the approval of 138 requests for project development and design services, 21 requests for local planning approval, and 168 requests for construction funding totaling \$210,000,000. Ms. Davis indicated that project status codes differ slightly from previous years. Due to a historic number of amendments and adjustments by LEAs, IAC staff have implemented a project status code of "Z" to indicate that the project is still under evaluation by IAC staff, allowing staff to continue to work with LEA officials to determine project eligibility and fund availability.

Mr. Darenberg asked if the requirement for the IAC to approve 75% of projects in December was creating additional work that is unnecessary. Executive Director Donahue stated that the main challenge with the December 75% deadline is that the timeline does not align with LEA budget approvals at the local level. Since local budgets are not yet approved, LEAs are forced to make decisions about project submissions and priority levels prior to getting local approvals for project funding. Members discussed potentially making a recommendation to the General Assembly to change statutory language to remove the requirement for the approval of 75% of CIP funds and asked staff to prepare additional information for consideration at a future IAC meeting.

Seventeen LEAs and the Maryland School for the Blind provided written and/or oral testimony to the IAC.

Executive Director Donahue mentioned that a number of LEAs noted a lack of funding recommended at the 75% stage for projects that are currently underway. He stated that many LEAs face cashflow challenges which prevent LEAs from forward funding projects for later reimbursement by the state over future fiscal years. He indicated that ongoing communication with State leadership has made them aware of these challenges, and that there is a significant need for ongoing school construction funding to ensure projects can continue on schedule. Chair Kasemeyer reiterated this, and that he and

Executive Director Donahue are in ongoing discussions with State officials regarding school construction needs.

Upon a motion made by Mr. Darenberg, seconded by Mr. Boyd, the IAC voted unanimously to approve the recommended Fiscal Year 2026 75% Capital Improvement Program (CIP) preliminary awards and Planning Approvals as presented in the Summary of 75% Recommendation Details by Project included in this Item, contingent upon appropriations in the FY 2026 State Capital Budget and final approval of the 100% FY 2026 Capital Improvement Program by the IAC in May 2025. Further, to authorize IAC staff to make adjustments to project allocations to avoid over and under funding of a project. Approval of projects with a "U" status is contingent upon resolution of outstanding issues.

5. Adoption of Final 14.39.02.05 Revisions on State-Rated Capacity – [Motion Carried]

Policy Analyst Victoria Howard presented a motion to approve a final action on proposed changes to COMAR 14.39.02.05 which specifies the requirements of cooperative use spaces in school buildings. The original proposed action was previously brought to the August 8, 2024 IAC meeting, where the commission voted unanimously to approve the proposed changes. Ms. Howard indicated that the revisions were published in the Maryland Register for the requisite 30 day public comment period, and that IAC staff received no public comments.

Upon a motion made by Mr. League, seconded by Mr. Boyd, the IAC voted unanimously to adopt the final COMAR revisions as published in the October 4, 2024 Maryland Register (Volume 51, Issue 20, Pages 889-914).

6. COMAR Proposed Action 14.39.01 and .02 – [Motion Carried]

Ms. Viscarra presented proposed revisions to COMAR 14.39.02.01 and .02 in preparation for the review and adoption of the IAC's revised Administrative Procedures Guide (APG). Specifically, Ms. Viscarra indicated that the proposed revisions include changes to terms which are no longer in use, and additional context not previously included in COMAR regarding project circumstances which require the submission of feasibility studies, pedestrian safety plans, and circumstances under which a leased facility may be eligible for construction funding.

Upon a motion made by Vice-chair Eberhart, seconded by Mr. League, the IAC voted unanimously to approve amendments to COMAR 14.39.01 and .02 that amend language within regulation to align with current agency practice; to renumber the provisions of COMAR 14.39.01 and .02

7. FY 2025 & 2026 CIP Funding Adjustments and Maximum State Award Increase – Calvert County Public Schools – [Motion Carried]

Capital Projects Manager Lisa Vaughn presented a request from Calvert County Public Schools to increase the Maximum State Award for the Northern High School (PSC L04F005) air handling units project, and transfer excess funds from the Plum Point Middle School (PSC L04F017) HVAC replacement project. Ms. Vaughn indicated that the Plum Point Middle School HVAC project came in under its anticipated budget, and an excess of \$281,120 would be transferred to the LEA's reserve account, with \$229,103 of those funds to be awarded to the Northern High School air handling units project. Ms. Vaughn informed the IAC that should this motion be approved, the Northern High School air handling project would no longer require FY 2026 Capital Improvement Program funding, and the request could be withdrawn.

Upon a motion made by Mr. Darenberg, seconded by Vice-chair Eberhart, the IAC voted unanimously to revert unneeded funds from the Calvert County Plum Point Middle School (PSC L04F017) HVAC

Replacement project in the amount of \$281,120 to the LEA's reserve account; to increase the Maximum State Award for the Calvert County Northern High School (PSC L04F005) Air Handling Units Project from \$338,800 to \$567,903 in accordance with COMAR 14.39.02.08 and to transfer \$229,103 from the LEA's reserve funds to the FY 2025 Capital Improvement Program (CIP) project; and to withdraw the request for funding for the Calvert County Northern High School (PSC L04F005) Air Handling Units project from the FY 2026 Capital Improvement Program.

8. FY 2025 Capital Improvement Program Amendment – Somerset County Public Schools – Crisfield Academy & High School (PSC L19F004) – HVAC/Doors/Windows Project – [Motion Carried]

Capital Projects Manager Sean Vorsteg presented a request from Somerset County Public Schools to address changes in scope to the Crisfield Academy & High School (PSC L19F004) multi-systemic project. Mr. Vorsteg informed the IAC that the LEA would like to cancel the project and amend the FY 25 CIP to include a limited renovation project at the same school, and to apply funding from their reserve account to move forward with the development and design of the limited renovation project.

Upon a motion made by Mr. League, seconded by Mr. Boyd, the IAC voted unanimously to approve the Somerset County Public Schools' (SCPS) request to cancel the Crisfield Academy & High School (PSC L19F004) multi-systemic project design services contract of \$1,802,500 awarded to Becker Morgan Group Inc.; rescind the FY 2025 Capital Improvement Program (CIP) project development, design, and construction funding award for the Crisfield Academy & High School multi-systemic project totaling \$3,933,576 and transfer the funds to the LEA's reserve account; amend the FY 2025 CIP to include the Crisfield Academy & High School limited renovation project, award \$1,819,722 from the LEA's reserve account for project development and design services, and award \$2,113,854 from the LEA's reserve account for construction; and approve a contract for the Crisfield Academy & High School limited renovation project for design services to Becker Morgan Group Inc., architectural consultants for the project, with a total amount of \$1,802,500 and a 100% State share.

9. Built to Learn Funding Request – Allegany County Public Schools – Washington Middle School (PSC L01F034) – Early Childhood Center Addition – [Motion Carried]

Funding Programs Assistant Deterrion Sims presented a request for Built to Learn (BTL) funding for the construction of an Early Childhood Center addition to Washington Middle School (PSC L01F034) totaling \$6,937,020. Ms. Sims noted that the Maximum State Award for this project totals \$19.8 million, that the project would be jointly funded via the CIP, and that the LEA was recommended funding in Item 4 of this agenda. Additionally, it is expected that the balance of funding would be awarded in future CIP fiscal years.

Upon a motion made by Vice-chair Eberhart, seconded by Mr. League, the IAC voted unanimously to approve Allegany County Public Schools' request for Built to Learn construction funding for the Early Childhood Center addition project totaling \$6,937,020 at Washington Middle School (PSC L01F034).

10. FY 2024 Healthy School Facility Fund Rescission and Reallocation Request – Frederick County Public Schools – [Motion Carried]

Mr. Vorsteg presented a request from Frederick County Public Schools to amend their FY 2024 Healthy School Facility Fund (HSFF) awards by reallocating \$66,500 awarded to the Whittier Elementary School (PSC L10F054) Packaged Terminal Air Conditioner project to the Urbana Elementary (PSC L10F022) cooling tower project. Mr. Vorsteg noted that this request was due to bids for the Urbana Elementary cooling tower project coming in higher than anticipated.

Upon a motion made by Mr. Boyd, seconded by Mr. League, the IAC voted unanimously to rescind the Frederick County Public Schools (FCPS) Whittier Elementary (PSC L10F054) Packaged Terminal Air Conditioner (PTAC) replacement project through the FY 2024 Healthy School Facility Fund (HSFF) and to revert awarded funding in the amount of \$66,500 to the Statewide Reserve Fund; and, to allocate \$66,500 in Statewide Reserve Funds for HSFF to the FCPS Urbana Elementary (PSC L10F022) cooling tower replacement project, increasing the project award from \$157,500 to \$224,000.

11. FY 2023 Healthy School Facility Fund Revision Request Wicomico County Public Schools – Wicomico High School (PSC L22F009) – [Motion Carried]

Mr. Vorsteg presented a request from Wicomico County Public Schools (WCPS) to award additional FY 2023 HSFF funds to the Wicomico High School Roof project. Mr. Vorsteg stated that this project was initially awarded \$6,016,820, and WCPS requested an additional \$1,005,294 from the Statewide reserve account to address higher than anticipated bid costs, bringing the total HSFF funding award to \$7,022,114. Additionally, Mr. Vorsteg stated that WCPS was requesting an extension to the original HSFF deadlines for expenditure of funds and reimbursement request submissions to November 1, 2025 and December 1, 2025, respectively.

Upon a motion made by Mr. Boyd, seconded by Vice-chair Eberhart, the IAC voted unanimously to increase the funding award for the Wicomico High School Roof project (PSC L22F009), originally approved as part of the FY 2023 Healthy School Facility Fund (HSFF) cycle, from \$6,016,820 to \$7,002,114 and to transfer the balance of funds of \$1,005,294 from available HSFF funds held in the Statewide reserve to the project; and to extend this project's FY 2023 HSFF deadlines for the substantial expenditure of funds to November 1, 2025 and for the submission of reimbursement requests to December 1, 2025.

12. Gross Area Baseline Variance – Kent County Public Schools – Kent County Middle School (PSC L14F003) – [Motion Carried]

Ms. Vaughn presented a request from Kent County Public Schools (KCPS) for a Gross Area Baseline (GAB) variance of 5,233 GSF at Kent County Middle School (PSC L14F003). Since middle school programming emphasizes a team-based structure and requires specialty classrooms with specialty equipment, regardless of population of the school, KCPS anticipates that additional square footage above the GABs will be required for the replacement project. This GAB increase would bring the total eligible square footage of Kent County Middle School from 70,885 GSF to 76,118 GSF based on an estimated eligible enrollment of 465 students, and would increase the project's Maximum State Award to \$1,776,000.

Upon a motion made by Mr. Boyd, seconded by Mr. Darenberg, the IAC voted unanimously to approve a Gross Area Baseline (GAB) variance request for an additional 5,233 gross square feet (GSF) at Kent County's Kent County Middle School (PSC L14F003) replacement project, which is anticipated to result in an estimated increase to the Maximum State Award (MSA) of \$1,776,000 based upon the IAC's current funding factors.

Announcements:

Chair Kasemeyer announced that the IAC would not be holding a January 2025 meeting.

Adjournment:

Upon a motion by Mr. Darenberg, seconded by Vice-chair Eberhart, the IAC voted unanimously to adjourn the meeting at 10:46 am.