

County Council Of Howard County, Maryland

2020 Legislative Session

Legislative Day No. 12

Resolution No. 1391 -2020

Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION authorizing the sale, for nominal consideration, of a Gas Chromatograph/Mass Spectrometer owned by Howard County to the Maryland State Police, Forensic Sciences Division.

Introduced and read first time September 8, 2020.

By order Diane Schwartz Jones
Diane Schwartz Jones, Administrator

Read for a second time at a public hearing on September 21, 2020.

By order Diane Schwartz Jones
Diane Schwartz Jones, Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn , by the County Council on October 5, 2020.

Certified By Diane Schwartz Jones
Diane Schwartz Jones, Administrator

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, Section 4.129 of the Howard County Code authorizes the County
2 Purchasing Agent, with the approval of the County Executive and the County Council, to
3 sell or lease surplus supplies to the State or any political subdivision or agency of the
4 State, or to the Federal Government upon such terms and conditions as the County
5 Purchasing Agent deems proper, and

6
7 **WHEREAS**, Howard County, Maryland, on behalf of the Department of Police,
8 acquired a Gas Chromatograph/Mass Spectrometer from the Health Department, valued
9 at \$163,000; and

10
11 **WHEREAS**, a Gas Chromatograph/Mass Spectrometer is a piece of specialized
12 forensic equipment used to detect the presence and identity of substances; and

13
14 **WHEREAS**, the Department of Police no longer have staff within the
15 Department who can operate the Gas Chromatograph/Mass Spectrometer; and

16
17 **WHEREAS**, the County wishes to sell, for nominal consideration, the Gas
18 Chromatograph/Mass Spectrometer to the Maryland State Police (“MSP”), Forensic
19 Sciences Division, so the equipment will remain available for processing Howard County
20 cases within the MSP lab; and

21
22 **WHEREAS**, selling the Gas Chromatograph/Mass Spectrometer to the MSP not
23 only allows it to remain available for Howard County cases but it also transfers the
24 responsibility for the equipment’s annual maintenance fee in the amount of \$14,500 to
25 the MSP; and

26
27 **WHEREAS**, the County Executive has approved the sale, for nominal
28 consideration, of the Gas Chromatograph/Mass Spectrometer to the MSP upon such
29 terms and conditions as the County Purchasing Agent deems proper.

30

1 **NOW, THEREFORE, BE IT RESOLVED**, by the County Council of Howard
2 County, Maryland this 5th day of October, 2020 that it approves the sale, for
3 nominal consideration, of the Gas Chromatograph/Mass Spectrometer to the Maryland
4 State Police, Forensic Sciences Division, upon such terms and conditions as the County
5 Purchasing Agent deems proper.

CALVIN BALL
County Executive



LISA D. MYERS
Chief of Police

HOWARD COUNTY DEPARTMENT OF POLICE

DATE: August 26, 2020
FROM: Lisa Myers, Chief of Police *LM*
TO: Lonnie Robbins, Chief Administrative Officer
SUBJECT: Gas Chromatograph/Mass Spectrometer to MSP Laboratory

Working collaboratively with the Howard County Health Department, the HCPD was able to acquire a Gas Chromatograph/Mass Spectrometer, valued at \$163,000, for use by our HCPD chemist who was stationed within the Maryland State Police (MSP) Forensic Science Lab. This specialized forensic equipment is used to detect the presence and identity of substances such as illegal drugs.

In June of 2020, the warranty for the Gas Chromatograph /Mass Spectrometer was expiring and the HCPD no longer had a chemist assigned to the MSP Lab. The Maryland State Police (MSP) agreed to the sale, for nominal consideration, of the equipment and to assume the annual cost of maintenance (\$14,500) along with financial responsibility for the related consumable supplies.

MSP has agreed to keep the equipment in-service in their lab and available for processing Howard County cases. Retaining the equipment at the MSP Lab ensures local processing and keeps the equipment available should the HCPD be able to re-instate a chemist at some point.

Therefore, I ask the Council to approve the transfer of the Gas Chromatograph/Mass Spectrometer to the Maryland State Police Lab, so the equipment will remain available for processing Howard County cases.

Thank you for your time and consideration.



Office of the County Auditor
Auditor's Analysis

Council Resolution No. 139-2020

Introduced: September 8, 2020

Auditor: Owen Clark

Fiscal Impact:

The fiscal impact of this legislation is forgone revenue of \$129,331 and an annual savings of \$14,500 in maintenance costs.

The foregone revenue is calculated as the net of book value (\$129,332) minus the Administration's estimated sale price (\$1).

It should be noted that this asset was purchased through State grant funding with no additional County funds.

Purpose:

The purpose of this legislation is to sell the County's Gas Chromatograph/Mass Spectrometer to the Maryland State Police (MSP), Forensic Sciences Division for a nominal value, which the Administration indicated will likely be \$1.

Other Comments:

This asset was acquired through a State grant on June 30, 2019. The County was a sub-grantee of the Howard County Health Department and the grant was administered by the Governor's Office of Crime Control and Prevention.

We have an open inquiry with the Administration regarding whether or not grant agreement restrictions exist which would prohibit the transfer of this asset.

The Administration's testimony has indicated the asset is valued at \$163,000. However, our review of SAP indicates it was acquired for \$139,400 and its book value as of August 31, 2020, is \$129,332.

We have requested a copy of the draft Memorandum of Understanding with the MSP that will outline the new terms as a result of this asset transfer. *The Administration has indicated the draft will be made available to Council as soon as legally possible.*

CALVIN BALL
County Executive



LISA D. MYERS
Chief of Police

HOWARD COUNTY DEPARTMENT OF POLICE

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TO: Lonnie Robbins, Chief Administrative Officer
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