

**MARYLAND SUPPLEMENTAL RETIREMENT PLANS  
BOARD OF TRUSTEES**

**PRESIDING OFFICER'S WRITTEN STATEMENT FOR CLOSING A MEETING  
UNDER THE OPEN MEETINGS ACT  
(General Provisions Article § 3-305)**

**1. Recorded vote to close the meeting:**

Date: November 22, 2022

Time: 12:31 p.m.

Location: Zoom video conferencing link and call-in line provided for that purpose

Motion to close meeting made by: Treasurer Dereck E. Davis;

2<sup>nd</sup> Motion made by: Thomas P. Hickey

Vote to Close Session:

	AYE	NAY	ABSTAIN	ABSENT
T. Eloise Foster, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thomas M. Brandt, Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dereck E. Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lynne M. Durbin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jaclyn Hartman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Thomas P. Hickey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John D. Lewis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jonathan R. West	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VACANCY (Participant)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**2. Citation of statutory authority to close session (check all that apply): This meeting is being closed under General Provisions Article § 3-305(b), only:**

\_\_\_ (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; any other personnel matter that affects one or more specific individuals;

\_\_\_ (2) To protect the privacy or reputation of individuals concerning a matter not related to public business;

\_\_\_ (3) To consider the acquisition of real property for a public purpose and matters directly related thereto;

- (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) To consider the investment of public funds;
- (6) To consider the marketing of public securities;
- (7) To consult with counsel to obtain legal advice on a legal matter;
- (8) To consult with staff, consultants, or other individuals about pending or potential litigation;
- (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff; and (ii) the development and implementation of emergency plans;
- (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
- (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, *if* public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.
- (15) To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to" (i) "security assessments or deployments relating to information resources technology"; (ii) "network security information," such as information that is related to passwords, personal ID numbers, access codes, encryption, security devices, or vulnerability assessments or that a governmental entity collects or maintains to prevent, detect, or investigate criminal activity; or (iii) "deployments or implementation of security personnel, critical infrastructure, or security devices.

**3. Disclosure of the topics to be discussed, for each citation checked above:**

§3-305(b)(7): *Board counsel will provide legal advice on procedures related to participant Plan loans.*

§ 3-305(b)(13): *The Board will review and vote to approve the minutes of the Closed Session Board Meeting of 8/22/2022; 9/12/2022; and 10/13/2022.*

§ 3-305(b)(14): *The Board will discuss a matter, before a contract for custodial banking services is awarded, that is directly related to a negotiating strategy or the contents of a proposal, because public discussion or disclosure would adversely impact the ability of the Board of Trustees to participate in the competitive proposal process.*

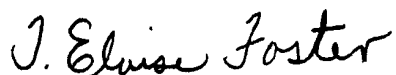
**4. For each topic listed in #2, disclosure of the reason for discussing it in closed session rather than in open session:**

§3-305(b)(7): *Protection of the attorney-client privilege with respect to any legal advice provided to the Board as noted above.*

§ 3-305(b)(13): *To review and approve the minutes of the Closed Session Board Meeting of 8/22/2022; 9/12/2022; and 10/13/2022 (GP§ 3-306(c)(3)(ii)).*

§ 3-305(b)(14): *Preservation of the Board's ability to participate in the competitive proposal process by having a discussion of the negotiation strategy and contents of proposals before a contract for custodial banking services is awarded.*

**5. This statement is made by T. Eloise Foster, Chair of the MSRP Board of Trustees, Presiding Officer.**



T. Eloise Foster  
Board Chair