

Maryland Underground Facilities Damage Prevention Authority

MINUTES OF MEETING OF AUTHORITY
Wednesday, March 20, 2013

The meeting was called to order by Chairman Tom Hoff at 9:00 am in the Miss Utility One Call Center, 7223 Parkway Drive, Hanover, MD 21076. In attendance were Authority members Tom Hoff, Wayne Gilmer, Kevin Woolbright, Tom Baldwin, Cindy Flanders, Walter Gainer, Marcia Collins, and Bernard Cochran, Laura Olander, Jim Barron, and Dora Parks were also present. Art Bell was absent.

The meeting began with Tom Hoff welcoming Jim Barron.

First order of business was a Motion to approve the February 6th Authority Minutes. Cindy Flanders asked that the \$150 in web developer fees that is noted in last month's minutes be changed to \$160. All in favor.

Next was the report of the Authority Treasurer from Cindy Flanders. Cindy explained that all Authority expenses need to match for tax and depreciation purposes. Over \$10,000 was spent on computer and office equipment with the Grant money. The education fund has a balance of \$100. Cindy recommends that Jim Barron be added to the checking account as a signer. Kevin Woolbright also needs to be a signer and they both need to go to the bank to complete this. The resolution needs to be updated in order to add Jim Barron and taken to the bank when they go. Cindy will update the resolution. Laura can now invoice the rest of the Grant money. Jim Barron will send the mark-up of his contract to Tom Hoff. Kevin Woolbright wants to buy recording equipment for the Authority hearings. There is \$41,000 left to spend. Next, Jim went through his spreadsheet. Once he hears back from Janella at PHMSA, he will know more regarding the accounting of spending. Web development and indirect charges - indirect charges would include the rent. Laura will create a formal bill for her time as well as Jim's. Hugh Carroll needs to be contacted to get information on D&O insurance. Jim is going to go to PHMSA and sit with Janella and go over everything to make sure everything is being done correctly. We need to get actual invoices of all expenses from Sonia. Jim set up a new entity - Barron Consulting Services, LLC. When the Authority pays Jim, the check will be written to this entity.

Cindy is leaving the Authority in September so everyone needs to start thinking of her replacement. The Authority needs to find a new public member. All 8 Authority members need to submit names and take a vote.

It was decided Jim Barron can't be on the checking account or handle the checking account. Laura has the debit card and receives the account statements. The Authority needs to find another treasurer to do the spreadsheets.

Tom discussed the time that will be spent for the new Director and how it will grow into a full time position.

Jim Barron handed out the Grants Progress Report he submitted. Jim is going to find out what the next grant request dates are. The Authority now has enough money to pay a grant writer as well as someone to research other sources of money.

While at CGA, Cynthia Quarterman stated, "if you're not fining people, you're not doing your job". Tom said we need to start fining people or they will consider the Authority to be ineffective. Marcia discussed being proactive and aggressive in looking for people to fine. Without fining, the Authority will be seen as failures. Walt Gainer suggested finding out who doesn't belong to Miss Utility and go after them too. Tom said Dora has been making some of those connections.

There are 11 NPV's as of this date.

Jim Barron discussed that PHMSA wants to see fines, as well as the collection of data which will measure the Authority's progress. Jim said the information that comes through in the NPV's does not provide enough information to make a fair assessment of the case. These NPV's also need to be processed much more quickly.

It was agreed to meet again in May and not physically attend a meeting in April. If everyone agrees there is enough to discuss, Laura will schedule a conference call for April.

Jim Barron discussed NPV's No. 243 and 241. He asked what to do with these 2 claims. He plans to call them and collect more information. Jim will make the calls and write another letter formalizing the closure of the process. Include in the letter that there is a local Damage Prevention Committee member meeting as a reminder that they should attend and try to resolve issues there first (suggestion from Walt Gilmer). Dora suggested Jim Barron find out if the company being complained about has had any prior training. If not, give them all the information they need in order to get training.

A Motion was made to write a letter thanking all those who filed a complaint. Jim will make a call, suggest they go to training, and the letter will be closure. All in favor. Who should the letter come from? It was decided the letter should come from Jim Barron.

Violation No. 283. No locate request. There is clear evidence there was no ticket. It says there are photos available upon request. Tom Baldwin said there are 2 clear violations and training isn't adequate enough. There should be a penalty on this complaint. It must be clear in the letter that this is a no ticket damage and no clear evidence. Fine Reliable Contracting \$2,000 for each violation (total of \$4,000) and require training. If they disagree with the fine, they can come in for a hearing. Jim Barron will draft letter and Tom Hoff will sign. Motion was made and all were in favor.

There will be an invoice included in the letter. Note that they can also pay on-line.

Violation 282. 3 violations in this complaint: no locate, failure to check status, and clear evidence (all on handout). Jim said there IS a valid ticket, but failure to check status needs further investigation. Clear evidence may still be in question and may be a violation. It was marked but the line was hit anyway. Same letter needs written but include that 3 violations were filed but only found clear evidence as a valid violation. They will be charged \$500. Motion made and all in favor.

Worst offenses in order:

- 1) Damage with no ticket - \$TBD
- 2) No ticket - \$2,000
- 3) Clear evidence first offense - \$1000

Jim Barron is also welcome to call the complainant and ask more questions. Both complainant and violator will receive a copy of the letter sent from Authority.

Price matrix for fines needs completed.

Other business: Cindy is leaving - need to search for replacement. All proposals, please submit as soon as possible.

Tom thanked Kevin and Jim for wearing their Authority badge at CGA.

Jim Barron asked if all agreed that he go to Annapolis next week with Bruce and meet people. All agreed.

Marcia was reminded to please send bio and head shot for Authority website.

Cindy will send Kevin information on how to be a signator at bank.

Sources for more money needs to be researched, found, and sought after.

Look at sponsorships as a source of income and suggest they receive no filing fees if they sponsor.

Jim Barron will pursue grants for special projects. Jim has lots of ideas for special projects.

Gathering lines for fracking (PA is doing it) was mentioned.

Jim Barron asked if the Authority can lobby. The answer was yes.

There being no further discussion or business of the Authority, the meeting was adjourned. The next Authority meeting is scheduled for Wednesday, May 1, 2013.