

Maryland Underground Facilities Damage Prevention Authority

MINUTES OF MEETING OF AUTHORITY
FRIDAY, November 4, 2011

The meeting was called to order by Chairman Tom Hoff at 12:30 pm, Friday, November 4, 2011 at the Clarion Fontainebleau Hotel, 10100 Coastal Highway, Conference Room 3, Ocean City, Maryland 21842. In attendance were Authority members Thomas Baldwin, James Barron, Walter Gainer, Robert Cooper, Walter Gilmer, Cynthia Flanders and Kevin Woolbright. Also in attendance were Bruce Bereano and Laura Olander. Authority member Bernard Cochran was absent from the meeting.

The minutes of the meeting of the Authority of Wednesday, October 10, 2011 were adopted.

Chairman Tom Hoff began the meeting thanking those attending for coming to the Damage Prevention Conference.

The first item on the Agenda was Funding. Mr. Bereano said the Authority would probably receive the first money awarded from the FEMSA Grant in May (Second Quarter 2012) as the award is announced in the First Quarter of 2012. Jim Barron added that FEMSA is very anxious to get the Authority some grant money.

Next on the Agenda was finalization of all documents. Bruce Bereano handed out to all Members his revised By-Laws with redlined suggestions for change. Mr. Bereano explained all his changes and the Authority members unanimously moved in favor to adopt the By-Laws. Tom Hoff suggested to Cindy Flanders that the new By-Laws be put on the website as soon as possible. This leaves the Code of Conduct document as the only unfinished document. Tom Hoff suggested that a telephone conference be set up later in the month to finalize the Code of Conduct.

Standard correspondence and tracking software were next on the Agenda. There was nothing to report.

Bruce Bereano has started a preliminary First Report to the Legislature and handed out what he has written so far. Bruce then made several requests for information to include in his report such as a copy of the Grant request and a list of where Tom has given presentations on the Authority. Bruce is going to ask Davis and Senator Mac Middleton to do a briefing on the Authority.

Tom Hoff addressed the issue that if the Authority is to obtain insurance, correspondence, tracking software for the website and legal counsel, they need

to be funded. The current PowerPoint Mr. Hoff has been using is adequate for now, however, there is room for improvement.

Cynthia Flanders wanted to discuss the Violation Report; particularly what the statute of limitations is for an incident to be reported. Tom Baldwin suggested a year (365 days) from the date of discovery (versus the actual date of the violation). Bruce Bereano suggested that this information be easily found on the Violation Report and on an explanation page for the form. Walter Gainer asked for a vote on the 365 days as the statute of limitations. All moved to adopt.

Cynthia Flanders also asked everyone on the Authority to send her a list of relevant events to include on the website.

Tom Hoff then agreed to serve another year as Chairman of the Authority. All other members said they, too, are willing to continue to serve. It was moved to reappoint everyone for next year.

Bruce Bereano discussed badges for the Authority and name plates. Bruce will call Kevin Woolbright for the name plates because he has a vendor he uses and does a good job.

Authority Meeting dates for 2012 were decided to be the first Wednesday of every month with the exception of July 4th holiday. Tom suggested, and it was agreed, the first meeting will be in February 2012. The dates will be as follows: February 1, March 7, April 4, May 2, June 6, Tuesday, July 3, August 1, September 5, October 3, November 7 and December 5.

It was further agreed that once violation hearings begin, if the person fails to appear at the hearing, the hearing will be dismissed unless a postponement is requested in advance.

Jim Barron was next on the Agenda. He has decided to close his construction business and will be resigning from the Authority. Bruce Bereano is handling the resignation letter to the Governor.

Lastly, it was reminded that the MACo Conference that Tom Hoff and Robert Cooper are attending will be on January 5, 2012. Tom Hoff asked Cynthia Flanders to post information on this Conference on the Authority website.

There being no further discussion or business of the Authority, the meeting was adjourned. The next Authority meeting is scheduled for February 1, 2012.