

Maryland Underground Facilities Damage Prevention Authority

MINUTES OF MEETING OF AUTHORITY

Wednesday, September 5, 2012

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 Thomas Baldwin, Walter Gilmer, Bernard Cochran, Cynthia Flanders, Arthur Bell, Marcia Collins, Kevin Woolbright and Walter Gainer. Also in attendance were Laura Olander and Bruce Bereano. Matt Ruddo of One Call Concepts and Dora Parks of Miss Utility attended as guests. Also in attendance were John Clementson from the PSC, Tony Goodman (Supervisor at Washington Gas), David Knox (Manager at Utiliquest), and Juan Vogel (Director at Utiliquest).

The minutes of the meeting of the Authority of Wednesday, August 5, 2012 were adopted.

Next, Marcia Collins was introduced. Tom Hoff gave Marcia a brief overview of the Authority's background and history. He also discussed the grant the Authority recently won and the process of handling the Notice of Probable Violation's when they start coming in. It was agreed that the process should be referred to as a hearing rather than a trial. It was also briefly discussed that the Authority will only initially receive half the grant money and will have to do a mid-term report in order to secure the rest. Tom Hoff said the Authority will also need to pay for legal advice from time to time and suggested either Offit Kurman or Niles and Barton. Cynthia Flanders suggested the Authority members work on job descriptions for the Executive Director and Assistant positions. Further, all agreed it is necessary the Executive Director position be filled by someone who fully understands the damage prevention process. Kevin Woolbright and Marcia Collins volunteered to write job descriptions and Tom Hoff stressed to include that this position also be responsible for keeping up with grant applications. Once the job description is written and approved, there will be a candidate search.

Next, Cynthia Flanders reviewed the spreadsheet. The Authority currently has \$4,400 in the account.

Bruce proposed a change for the By-Laws and they will be re-written and replaced with these changes which includes the vacancy issue as well as clarifying what happens under different scenarios.

A motion was made to add these changes. All in favor.

Next, the Greater Chesapeake Damage Prevention Training Conference was discussed. Washington Gas gave the Authority space in the meeting hall. Tom Baldwin, Kevin Woolbright and Walt Gilmer will man the booth.

The Notice of Probable Violation (NPV) was discussed in more detail. It was suggested that each time the Authority received a NPV, there would be a process as follows: 1) send NPV to Call Center to find out exactly what happened; 2) get locate request; 3) listen to recordings; 4) review the ticket check. (This process was made into a chart and distributed.)

The new Executive Director will receive the NPV's and make the decision after presenting to the Authority, whether or not the NPV is a valid action or not. If the NPV is denied or approved, a letter will be sent. If someone is fined and they refuse to pay, the complaint will be sent to the Attorney General's office.

It was agreed to use Complainant and Respondent rather than Plaintiff and Defendant.

Kevin Woolbright suggested that a Violation Pricing Matrix be worked out for fines.

It was further suggested that when hearings take place, they must be completely open.

There being no further discussion or business of the Authority, the meeting was adjourned. The next Authority meeting is scheduled for Wednesday, December 5, 2012.