

Maryland Underground Facilities Damage Prevention Authority

MINUTES OF MEETING OF AUTHORITY

Wednesday, January 7, 2015

Agenda Items 1 &2:

The meeting was called to order by Authority Chairman, Kevin Woolbright at 9:15 a.m. in the Miss Utility One Call Center, Conference Room, 7223 Parkway Drive, Hanover, MD 21076. In attendance were Authority members Kevin Woolbright, Tom Hastings, Walter Gainer, Marcia Collins and Veronica Davilla-Steele. Board Members Tom Baldwin, Tom Hoff and Art Bell were absent. Susan Stroud and Jim Barron were also present. Guests included, Vince Healy, Verizon.

A roll call of the Board of Directors was conducted by Ms. Stroud. A quorum (6) was present.

Agenda Item 3: (Handouts)

Approval of Minutes:

The November 5, 2014 minutes were approved and will be posted on the Authority website.

Agenda Item 4:

Authority Treasurer Report:

There were no financial statements available. The Executive Director did report the General Account has a balance of \$52,905.63 and the Education and Outreach Account has a balance of \$45,939.73. There are no outstanding bills at this time.

Agenda Item 6: (Handouts)

Cross Bore Issue:

The final language of the Cross Bore legislation was reviewed. No further discussion was made. The language will be sent to the Maryland General Assembly to be introduced as legislation during the 2015 legislative session.

Agenda Item 5:

Election of 2015 Officers

A slate of officers was introduced to the board for approval. The slate included Kevin Woolbright, Chairman, Marcia Collins, Vice-Chair and Tom Hastings, Treasurer. A motion was to approve the slate was made by Ms. Collins and seconded by Mr. Woolbright. A roll call vote was taken by Ms. Stroud. The Motion carried with six votes in the affirmative. There were three (3) members absent.

Agenda Item 7:

Scheduled Hearings:

None

Agenda Item 8:

Requests for Hearing on February 4, 2015:

NPV# 1874; NPV# 2446; NPV# 2447; NPV# 2459 will be heard in the morning session .
NPV# 1216; NPV# 1834; NPV# 1853; NPV# 1841 will be heard in the afternoon session.

Agenda Item 9:

Appeals:

NPV #316a, 316b, 408, 411a & 411b (Pinpoint/WSSC) The Circuit Court Decision was appealed to the Maryland Court of Special Appeals on December 4, 2014. No date has been set.

NPV #283 (Reliable Contracting) has been appealed to the MD Court of Appeals. No hearing date has been set. Could be sometime in April.

Chairman Woolbright encouraged all Authority Board members to attend these hearings once they are scheduled.

Agenda Item 10:

Post Hearing Up-dates:

Village Concrete:

NPV #285 - Closed

NPV #1304 - " " "

NPV #1310 - " " "

NPV # 1311 - " " "

NPV #1089 – Closed

NPV #1199 – Issue subpoena.

NPV #1318 – Training reminder sent 1/5/15.

NPV #1322 – " " " " " "

NPV #1323 - " " " " " "

NPV #1599 – " " " " " "

NPV #1677 – Closed

NPV #1723 – Training reminder sent 1/5/15.

NPV # 1724 – 2nd decision letter sent 12/31/14. Fine reduced to \$1500 + training.

Agenda Item 11:

Post Review/Pre hearing updates:

NPV #1005 – Motion approved to uphold original fine and training; and send to collections.

NPV# 1199 - " " " " " " " " " " " "

NPV #1446 - " " " " " " " " " " " "

NPV #1497 – " " " " " " " " " " " "

NPV #1955 - " " " " " " " " " " " "

NPV #1864 – Accepted fine and training. Decision letter sent 12/30/14.

NPV #1873 - Closed

NPV #2130 – Fine has been paid. Training to be scheduled.

NPV #2292 – 2nd certified letter sent 12/31/14.

NPV# 2450 - " " " " " "

NPV #2460 - " " " " " "

Agenda Item 12:

NPV's for Review and Findings by the Authority:

- NPV# 2520 – Notice to one-call system, clear evidence. \$2,000 fine + training (unanimous)
- NPV# 2521 – Digging before ticket is cleared. \$2,000 fine + training (unanimous)
- NPV# 2522 – Notice to one-call system. \$2,000 fine + training (unanimous)
- NPV# 2523 – Duties of Excavator, clear evidence. \$1,000 fine (-\$500) + training (unanimous)
- NPV# 2524 – Notice to one-call system. \$2,000 + training (unanimous)

Agenda Item 13:

Still Investigating:

- NPV #1765 - Responses are back. Will present for review at next meeting.
- NPV #2504 – Alleged Violation: mismarked
- NPV #2547 - Alleged Violation: Emergency excavation or demolition abuse.

Agenda Item 14:

New NPV's for Research and Review:

There are currently 13 new NPV's under review. Please refer to January 7, 2015 Agenda for details.

Agenda Item 15: (Handouts)

Non-member Updates:

- Norfolk Southern Railroad: Tabled and continued

MML & Municipalities:

- Town of Myersville – Response sent by authority attorney. All files expunged. See attached attorney letter.

Agenda Item 16: (Handouts)

Old Business:

- Fining Matrix – Executive Director and board member Hoff are working on this project.
- Revenue Stream – Next meeting not set at this time.
- Education - Executive Director is researching acquiring booths at MML, MaCo, Builder Mart and other conferences; and researching outreach opportunities with landscapers, plumbers and fence installers.
- CGA – Motion to approve membership in the CGA was unanimous.
- Authority Appointments - pending
 - AUC of Maryland – Artie Bell; Underground Facility Owner - Vince Healey (Verizon);
 - One-Call Centers – Matt Ruddo (Miss Utility); MML – Jeff Garner (LaPlata)

Agenda Item 17: (Handouts)

New Business:

- Revised NPV review process (Please refer to agenda attachment)
- Annual Report – in progress, scheduled to print week of 1/12/15
- PHMSA 2015 State Damage Prevention Grant – in progress, due 1/26/15

Agenda Item #18: (Handouts)

- Future Meeting Dates: (Please refer to agenda attachment)

There being no further discussion or business of the Authority, the meeting was adjourned at 11:35 pm.

Respectfully submitted by: Susan Stroud