



Maryland Underground Facilities Damage Prevention Authority

AUTHORITY MEETING Minutes
Wednesday, January 4, 2017

Agenda Items 1, 2, 3

Call to Order, Attendance Roll Call & Welcome

The meeting was called to order by Authority Chairman, Tom Hastings at 9:00 a.m. in the Miss Utility Call Center, Conference Room, 7223 Parkway Drive, Suite 200, Hanover, MD 21076.

The Chairman welcomed all present and made a few introductory remarks. The Chairman introduced Guests Included: Scott Brown, Washington Gas; Erik Phillips and Juan Vogel Utilquest; and Lenny Corbin, Gray & Son, Inc.

A roll call of the Board of Directors was conducted by the Board Secretary Veronica Davila-Steele. A quorum was present for the session. In attendance were Authority members: Tom Hastings, Veronica Davila-Steele, Vince Healy, Jeff Garner, George Taylor and Charlie McCadden. Members Walter Gainer and James DiPietro were absent. Susan Stroud and Jim Barron were also present.

Agenda Item 4: (Handout)

Approval of Minutes:

A motion was made by member McCadden and seconded by member Healy to approve the December 7, 2016 open session meeting minutes. The motion carried by acclamation.

Agenda Item 5: (Handout)

Authority Financial Report:

The Executive Director provided financial statements as of December 31, 2016. He reported that the Operating Account has a balance of \$116,267.95 and the Education and Outreach Account has a balance of \$35,084.64. The Executive Director also noted that legal fees for the Authority 2016 calendar year is \$111,237.04. The Executive Director does not anticipate the FY 2017 legal fees to run as high as 2016. The December revenue from the Miss Utility surcharge was \$21,554.40. A motion to accept the financial report was made by Chairman Hastings and seconded by member Ruddo. The motion was approved by acclamation.

Agenda Item 6:

Election of Officers

The Executive Director entertained nominations from the floor for the 2017 slate of Authority board officers. The current group of officers all agreed to serve again in their current offices. Tom Hastings, Chairman, Vince Healy, Vice-Chairman, Matt Ruddo, Treasurer, Veronica Davila-Steele, Secretary. A roll call was conducted by the Recording Secretary. The motion to approve the re-election of the current slate of officers to new terms in 2017 was unanimously approved by those present.

Agenda Item 7:

Appeals

None

Agenda Item 8:

Scheduled Hearings

- Hearings will resume at the February 1, 2017 meeting. There are currently six (6) requests for hearings.

Agenda Item 9:

Current Requests for Hearings:

- NPV# 4331 – BGE v. ARI Concrete Construction
§12-124 (a) Notice to One –call system – 1st offense – Exec. Dir will contact them to verify they still want a hearing.
- NPV# 4406 – Washington Gas v. Basement Masters
§12-124 (a) Notice to One –call system – 1st offense
- NPV# 4541 – BGE v. Gaines and Company
§12-124 (a) Notice to One –call system – 1st offense
- NPV# 4487- BGE v. Joseph L. Winkler Co., Inc.
§12-124 (a) Notice to One –call system – 1st offense
- NPV# 4734a – Washington Gas v. Manekin Precision Concrete Construction, Co.
§12-124 (a) Notice to One –call system – 1st offense
- NPV# 6839 – Verizon v. Berkel Company
§12-127 (c)(1)(2)(3) & d (1) – Duties of Excavator

Agenda Item 10:

Opens NPV's

Please see 01/04/17 handout for updates on these issues.

Agenda Item 11:

Incomplete NPV's

Please see 01/04/17 handout for updates on these issues.

Agenda Item 12:

NPV's in Collections

Please see 01/04/17 handout for updates on these issues

Agenda Item 13: (Handout)

NPV's for Authority Review:

Note: All reviews will be conducted in closed Executive Session

NPV#	Case
NPV# 7682 Reconsideration request	Washington Gas v. CRA Construction §12-124(a) Notice to One-Call System – 1 st offense §12-127(e) Clear Evidence
NPV# 7770 Re-review	Choptank Electric v. James A. Briddell & Son, Inc. §12-127(a)(1)(2)(3) - Ticket not cleared or Marked
NPV# 8491	Washington Gas v. Pleasants Construction §12-124(a) Notice to One-Call System – 1 st offense
NPV# 8492	Washington Gas v. AWA Construction Company, Inc. §12-124(a) Notice to One-Call System – 1 st offense §12-127(d)(1) – Notification of Damage
NPV# 8493	Washington Gas v. Flower Landscaping & Tree Service §12-124(a) Notice to One-Call System – 1 st offense
NPV# 8494	Washington Gas v. Ayova Constructions, LLC §12-124(a) Notice to One-Call System – 1 st offense
NPV# 8495	Washington Gas v. MC Cable Connections, Inc. §12-124(a) Notice to One-Call System – 1 st offense
NPV# 8496	Washington Gas v. Amorim Construction Corporation §12-124(a) Notice to One-Call System – 1 st offense

Agenda Item 14:

New NPV's for Research and Review (41 reviews): (Handout)

Please refer to the January 04, 2017 handout for a listing of the new NPV's. The Executive Director indicated that the Authority would temporarily halt accepting NPV's until the backlog is caught up.

Agenda Item 15:

Old Business

- CGA Membership - is due to be renewed in January 2017, the Authority approved renewing the annual membership, which is \$1000.00 for government agencies. The Chairman indicated that he thought it was important for the Authority to maintain a presence at the CGA. Member Ruddo motioned to approve continued membership in the CGA, member McCadden seconded the motion. The motion was approved by acclamation. The four people who will represent the Authority are the Executive Director, Jim Barron, Secretary, Veronica Davila-Steele, Chairman Hastings and member Jeff Garner.
- CGA Conference – There was further discussion regarding the conference in Orlando; The dead-line for the early-bird rate has passed. Several Authority members will be attending the conference. Member Ruddo made a motion for the Authority to pay for the Executive Director to attend the upcoming conference. The motion was seconded by member Taylor. The Executive Director plans to attend the meetings portion of the conference to cut down on hotel expenses.
- Maryland Realtors Association - The Authority received a phone call from the MRA Lobbyist who left a message. The Executive Director will follow up.

Agenda Item 16:

New Business

- Final PHMSA 2016 Evaluation Letter – (Hand-out)
The Executive Director lead a discussion regarding the evaluation letter sent by PHMSA as a result of the 2016 site-visit and review. The Authority has been deemed “adequate” by PHMSA. These reviews are pass/fail only. There will be subsequent annual reviews by PHMSA. The Authority discussed the two (2) deficient areas that will need to be addressed 1) exemptions for homeowners and stormsewers, 2) lack of mandatory reporting for program effectiveness assessment. PHMSA was also concerned about the lack of contractor filings.

Agenda Item 17:

Next Meeting Date:

- February 01, 2017 – There will be three (3) hearings at this meeting, as well as a closed Executive Session to discuss judicial issues.

Agenda Item 18:

Adjournment and Move to Executive Session

- The Chairman called for a motion to adjourn the meeting at 10:30 a.m. The motion was approved by acclamation. A second vote was taken and recorded for the Board to go into Executive Session for Judicial review at 10:40 a.m.

Respectfully submitted by:
Susan A. M. Stroud
Recording Secretary