



Maryland Underground Facilities Damage Prevention Authority

AUTHORITY MEETING Minutes
Wednesday, May 3, 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 9:02 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: Juan Vogel, Erik Phillips & Byung Kim, Utiliquest; Shelly Welling Gray & Son, Inc.

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

Agenda Item 4: (Handout)

Approval of Minutes:

A motion was made by member Ruddo and seconded by member Healy to approve the April 5, 2017 open session meeting minutes. The motion carried by acclamation.

Agenda Item 5: (Handout)

Authority Financial Report:

The Executive Director provided financial statements as of April 30, 2017. He reported that the Operating Account has a balance of \$108,525.38 and the Education and Outreach Account has a balance of \$25,382.21 There were \$1460.60 in legal fees through 2017. The January revenue from the Miss Utility surcharge was \$15,456.00. The Executive Director noted that PHMSA has agreed to allow the Authority to re-allocate \$3,000 of its 2016 grant to cover the Gold Sponsorship for the GCDPC in October of 2017. He also stated that there is an anticipated payment of \$10,000 for the June media buy for the 811awareness campaign; which would drop the Education and Outreach Fund balance to ~\$15,000.00.

The \$5,000 contribution to the 811 event at Camden yards on Father's Day weekend has already been paid as well as the fees and expenses for MML & MACo. No other expenses are expected at this point and there will be fines amounting to ~ \$5,000 going into the E&O fund in May. A motion to accept the financial report was made by member Gainer and seconded by member McCadden. The motion was approved by acclamation.

Agenda Item 6:

Scheduled Hearings

- NPV# 9347 – BGE v. Concrete Solutions, LLC has been postponed until June 7, 2017 due to a conflict in the defendant's schedule.
- NPV# 8636/9348 - BGE v. JRL, Inc. will be heard on June 7th.

Agenda Item 7:

Open NPV's

Please see 05/03/17 handout for updates on these issues. The Executive Director noted that a lot of NPVs were closed after the March 31, 2017 training session at the call center. In addition, he stated that eventually the "no call - first offenses" could be placed on a consent calendar similar to the Virginia model.

Agenda Item 8:

Incomplete NPV's

Please see 05/03/17 handout for updates on these issues.

Agenda Item 9:

NPV's in Collections

Please see 05/03/17 handout for updates on these issues

Agenda Item 10: (Handout)

NPV's for Authority Review:

Note: All reviews will be conducted in closed Executive Session

NPV#	Case
NPV# 9353	Washington Gas v. Commonwealth Construction Services §12-124(a) Notice to One-Call System – 1 st offense
NPV# 9355	Washington Gas v. EECS Excavation §12-124(a) Notice to One-Call System – 1 st offense

NPV# 9357	Washington Gas v. Pavement Corporation §12-124(a) Notice to One-Call System – 1 st offense
NPV# 9401	Washington Gas v. R. J. Moore & Sons §12-124(a) Notice to One-Call System – 1 st offense
NPV# 9402	Washington Gas v. John E. Kelly & Sons Electric §12-124(a) Notice to One-Call System – 1 st offense
NPV# 9404	Washington Gas v. Justice Excavating, Inc. §12-124(a) Notice to One-Call System – 1 st offense
NPV# 9405	Washington Gas v. D. A. Drenner Concrete §12-124(a) Notice to One-Call System – 1 st offense

Agenda Item 11:

New NPV's for Research and Review (29 reviews): (Handout)

Please refer to the May 3, 2017 handout for a listing of the new NPV's.

Agenda Item 12:

Old Business

- Ethics Report – The Executive Director reminded the Authority members that their 2016 reports were due to be filed by April 30, 2017 .
- MD/DC – DPC Third Media Buy Request – The ED stated that the last installment of media purchase is due for the June buy. The April contribution was \$15,000. The May contribution was \$10,000.00. The Authority contributed \$12,000.00 in 2016 for June. There was discussion about the low balance in the E&O fund. As a result, the Authority voted to recommend that the June contribution be reduced to \$7,000.00.

Agenda Item 13:

New Business

- Title XII Re-write – The start date for the next re-write is May 15, 2017 @ 9:00 a.m. at the Miss Utility Conference Center. The Authority voted to endorse the Executive Director, Jim Barron to be the facilitator of the re-write process.

- Filing Fee – The Executive Director brought up the issue of the \$200 filing fee. After a brief discussion, the Authority to table the issue and re-visit the fee issue during the re-write, including the possibility of re-cooping costs associated with processing NPVs

Agenda Item 14:

Next Meeting Date:

- June 7, 2017 – There are three (3) hearings scheduled for this meeting. There will also be a closed Executive Session to discuss judicial issues and review NPVs; therefore this should be an all-day meeting.

Agenda Item 15:

Adjournment and Move to Executive Session

- The Chairman called for a motion to adjourn the meeting at 10:02 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 10:05 a.m.

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