



Maryland Underground Facilities Damage Prevention Authority
AUTHORITY MEETING Minutes
Wednesday, July 12, 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 9:09 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, Utiliquest; Mark Hamrick, Verizon; Tamara Neal, Washington Gas; Smith, Guy Andes, WSSC; Dora Parks, Miss Utility.

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

Agenda Item 4: (Handout)

Approval of Minutes:

A motion to approve the June 7, 2017 was made by member Ruddo and seconded by member Gainer. The motion carried by acclamation.

Agenda Item 5: (Handout)

Authority Financial Report:

The Executive Director provided financial statements as of June 30, 2017. He reported that the Operating Account has a balance of \$153,075.30 and the Education and Outreach Account has a balance of \$12,276.38. There were \$450.00 in legal fees for May 2017. The March revenue from the Miss Utility surcharge was \$18,649.50. In addition, the Legal expenses for June were \$50.00. The Executive Director asked if the Authority wished to continue receiving this report since there are currently no appeals pending. Chairman Hastings stated that the Title XII re-write project may require some additional legal guidance and therefore the Legal Expense report should still be produced. Executive Director noted that after one (1) year the income generated by the ticket surcharge totaled \$221,815.45, which is meeting expectations. A motion to accept the financial report was made by Chairman Hastings and seconded by Vice Chairman Healy. The motion was approved by acclamation.

Agenda Item 6:

Scheduled Hearings

- There are no hearings scheduled for this meeting. The Attorney for JRL, Tony DiPaula, will be coming to the Authority on Monday, July 18, 2017 to review the documents for NPV#'s 8636 & 9348. The attorney indicated that JRL may make a settlement offer rather than go to hearing in August.

Agenda Item 7:

Open NPV's – New format

Ms. Stroud presented the new formats for NPV's in process; which may provide an easier way to review the status of all NPVs. Please see 07/12/17 handout for updates on these issues.

Agenda Items 8 & 9:

Closed Incomplete/Collections NPV's – New format

These two categories have now been combined into one spreadsheet for easier review. Please see 06/07/17 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# 10150	BGE v. Blue Water Baltimore §12-124 (a) Notice to One Call – 1st offense
NPV# 10151	BGE v. Jones Well Drilling §12-124 (a) Notice to One Call – 1st offense
NPV# 10356	Choptank Electric v. Kelley Contracting §12-127 (c)(1)(2)(3) – Duties of Excavator
NPV# 14986	Gaines & Company v. Comcast §12-126 – Marking Requirements
NPV# 15153	BGE v. Robert A. Tull Plumbing §12-127 (c)(1)(2)(3) – Duties of Excavator

NPV# 15154	BGE v. Prime Plumbing §12-127 (c)(1)(2)(3) – Duties of Excavator
NPV# 15155	BGE v. Robert A. Tull Plumbing §12-127 (c)(1)(2)(3) – Duties of Excavator
NPV# 15156	BGE v. Maryland Landscape Supply §12-127 (c)(1)(2)(3) – Duties of Excavator
NPV# 15164	BGE v. Len the Plumber §12-127 (c)(1)(2)(3) – Duties of Excavator
NPV# 15178	BGE v. Catons Plumbing & Heating §12-127 (c)(1)(2)(3) – Duties of Excavator

Agenda Item 11:

New NPV's for Research and Review (28 reviews): (Handout)

Please refer to the July 12, 2017 handout for a listing of the new NPV's.

Agenda Item 12:

Old Business

- Title XII Re-write Meeting – The Executive Director gave a brief overview of the recent meetings of the re-write steering committee. The group is making progress, even though the number of attendees has dropped off. There will be a meeting tomorrow at 9:00 a.m. Another meeting is scheduled for July 27, 2017.
- The Executive Director reported on the presentation he and Dora Parks made at the recent MML, Maryland Municipal League Conference in Ocean City. The presentation was before the Public Works Committee. The presentation was mainly informational, the DPW Directors were asked to get involved in Miss Utility outreach. They were also asked if they could require a Miss Utility Ticket # on permit applications. Some jurisdictions already ask of that information according to member DiPietro.
- Unfortunately, the new research assistant, Anjali Christian, has handed in her resignation. She was hoping for a full-time position and was offered a position in her field. Even though she was with the Authority office a short time, she was very helpful in finishing up the SFM fine-tuning. The Executive Director will begin a new search, possibly through an agency to find a replacement.
- The Public member seat on the Authority will expire on September 30, 2017. The seat is currently held by Ms. Davila-Steele, who is about to term out. The Executive Director asked if anyone had candidates in mind for the position and if so to please send in their resume's for review.

Agenda Item 13:

New Business

- PHMSA 2016 Evaluation of the State Damage Prevention Programs is about to begin. Please refer to the attached handout regarding the scope of the evaluation process. There will not be site visits this time around. The Authority has received an advance copy of the questions and areas to be addressed during the Conference Call meeting. The meeting date has not been established as yet. John Clementson of the MD Public Service Commission will be participating in the review as well as the Executive Director and Authority staff. The Executive Director asked if anyone on the Authority was interested in participating. There was a brief discussion regarding the areas of concern for Maryland: 1) mandatory reporting 2) data collection & analysis 3) exemptions 4) not punitive enough. The possibility of a “Damage Ticket” was discussed. The Authority is currently looking at ways to compile as much data as possible from a number of sources to use to measure effectiveness for the program.
- “Touch a Truck Event” – Member Healy asked if the Authority would be willing to be a \$1000.00 T-shirt sponsor for the event scheduled for August 12, 2017 at the Bowie Baysox in Prince George’s County. The “811” hot air Balloon will be at the stadium that evening. Vice Chairman Healy made a motion to contribute \$1000.00 to the event, member Ruddo made a second. The motion carried by acclamation.

Agenda Item 14:

Next Meeting Date:

- August 2, 2017 @ 9:00 a.m. – There could be two (2) hearings at this meeting.

Agenda Item 15:

Adjournment and Move to Executive Session

- The Chairman called for a motion to adjourn the meeting at 10:14 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 10:15 a.m.

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