



Maryland Underground Facilities Damage Prevention Authority
AUTHORITY MEETING Minutes
Wednesday, August 2, 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: Juan Vogel, Utiliquest; Erik Phillips, Utiliquest; Mark Hamrick, Verizon; Tamara Neal, Washington Gas; Brian Simmons, OCC, Inc.; Mike McMahon & Roger Sampson, New York 811.

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, Vince Healy, Veronica Davila-Steele, Jeff Garner, Charlie McCadden, Walter Gainer & Matt Ruddo. Susan Stroud, Jim Barron were also present.

Agenda Item 4: (Handout)

Approval of Minutes:

A motion to approve the July 12, 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 July 31, 2017. He reported that the Operating Account has a balance of \$153,219.43 and the Education and Outreach Account has a balance of \$14,673.69. There were \$350.00 in legal fees for July 2017. The July revenue from the Miss Utility surcharge was \$20,803.10. The Executive Director noted that the second installment of the 2016 PHMSA grant in the amount of \$48,500.00 has been invoiced for. In addition, the booth the Authority purchased for the DPC has finally arrived and will be used and this year's MACo, the booth had already been paid for in 2016. A motion to accept the financial report was made by Chairman Hastings and seconded by member Garner. The motion was approved by acclamation.

Agenda Item 6:

Scheduled Hearings

- The hearings for NPV#'s 8636 & 9348 have been temporarily suspended. The Attorney for JRL, Tony DiPaula, met with the Executive Director and presented a settlement offer which will be discussed at today's closed Executive Session. If the Authority is not satisfied with the offer, the hearings for these two NPV's will be held at the September 6, 2017 meeting.

Agenda Item 7:

Open NPV's

Please see 08/02/17 handout for updates on these issues.

Agenda Item 8:

Closed Incomplete/Collections NPV's

Please see 08/02/17 handout for updates on these issues.

Agenda Item 9:

New NPV's for Research and Review

Please see 08/02/17 for updates on these issues. There are currently 21 NPV's awaiting review.

Agenda Item 10: (Handout)

NPV's for Authority Review:

Note: All reviews will be conducted in closed Executive Session

NPV#	Case
NPV# 15198	Wash Gas v. MIM Construction, Inc. §12-124 (a) Notice to One Call – 1st offense §12-127 (e) Clear Evidence
NPV# 15200	Wash Gas v. JHG Construction §12-124 (a) Notice to One Call – 1st offense §12-127 (e) Clear Evidence
NPV# 15201	Wash Gas v. Liberty Asphalt §12-124 (a) Notice to One Call – 1st offense §12-127 (e) Clear Evidence

NPV# 15202	Wash Gas v. MRB Enterprise, Inc. §12-124 (a) Notice to One Call – 1st offense §12-127 (e) Clear Evidence
NPV# 15213	Wash Gas v. North Star Foundations, Inc. §12-124 (a) Notice to One Call – 1st offense §12-127 (e) Clear Evidence
NPV# 15215	Wash Gas v. Lighting Maintenance, Inc. §12-124 (a) Notice to One Call – 1st offense §12-127 (e) Clear Evidence
NPV# 16079	Wash Gas v. Pro-tech, Inc. §12-124 (a) Notice to One Call – 1st offense §12-127 (e) Clear Evidence

Agenda Item 11:

Old Business

- Title XII Re-write Meeting – the next three meetings for the Title XII re-write have been scheduled for: July 27, 2017, August 10, 2017 & August 24, 2017. All meetings are being held in the Miss Utility Conference Room at the One-Call Center. The two issues currently under debate are Emergency tickets and the impact on Storm sewers with the influx of cross boring. The counties and municipalities are tasked with coming up with a compromise position on the Storm Sewer exemption.
- The Public Member Seat - the seat, currently held by Ms. Davila-Steele, will term out on September 30, 2017. Ms. Davila-Steele presented the resume of Ms. Joyce C. Brooks, who is retired from the communications industry for her replacement. The Authority voted to nominate Ms. Brooks as the next public member. The Executive Director's office will be in touch with Ms. Brooks regarding her appointment.
- Part-time Investigator Position - The Executive Director stated that he had decided to move his current Assistant, Ms. Stroud into the investigator position and will start the process of searching for an administrative assistant to assist with correspondence and some of the database management tasks. Ms. Stroud will continue to write grants, reports and other administrative duties as needed. Ms. Stroud is now working 4 days per week. The Authority members will review the Level One contract during closed Executive session.
- New language has been developed to the Notice of Probable Violation policy page on the website. It now reads "If the submitted NPV form is not completed properly; contains incorrect, inconsistent or conflicting information; cites the wrong subsection of the Statute violated, the Authority reserves the right to reject the NPV prior to beginning any investigation. The Authority will return the NPV to the complainant for further action."

Agenda Item 12:

New Business

- MACo – As in previous years, the Authority will be represented at the Maryland Association of Counties summer conference in Ocean City. The Authority booth will be next to the Miss Utility booth. The Authority plans to have information on cross bore dangers available to give out to county DPW directors and their staff.
- PHMSA 2016 Evaluation of the State Damage Prevention Program - John Clementson of the MD Public Service Commission will be participating in the review of the PHMSA questionnaire as well as Authority member Healy and Hastings the Executive Director and Authority staff. There will be a meeting on August 10, 2016 after the Title XII re-write meeting.
- Data Base - The Executive Director announced that the Authority will be asked to review a draft proposal from Lufburrow & Company, Inc. to develop a case management system for the Authority.
- MDE – As requested, the Authority has agreed to hear a presentation from Jim Carroll with MDE regarding their Brownfield reporting system.
- Ms. Stroud brought up the CGA Time Capsule project and asked if the Authority if they would like to contribute to the project. Brian Simmons with OCC, Inc. stated the as of now the Call Center won't be participating in the Time Capsule project because of time constrains. Vince Healy, vice-chair of the DPC suggested that the Authority and DOC could work together to produce a time capsule and make the 3-minute video in-house. Ms. Stroud will make a presentation at the next DPC meeting.

Agenda Item 13:

Next Meeting Date:

- September 6, 2017, 2017 @ 9:00 a.m. – There could be two (2) hearings at this meeting.

Agenda Item 14:

Adjournment and Move to Executive Session

- The Chairman called for a motion to adjourn the meeting at 9:58 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 10:00a.m.

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