



Maryland Underground Facilities Damage Prevention Authority  
AUTHORITY MEETING Minutes  
Wednesday, September 6, 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: George Daffan & Byung Kim, Utiliquist; Mark Hamrick, Verizon; Tamara Neal, Washington Gas; Dora Parks, Miss Utility; Joyce Brooks, Authority Public member nominee; Kevin Woolbright, WSSC; and, Jim Carroll, MDE.

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, Charlie McCadden, Walter Gainer & Matt Ruddo, Bucky Taylor & Jim DiPietro. Jeffrey Garner was absent. Susan Stroud, Hira Zaidi & Jim Barron were also present.

Agenda Item 4: (Handout)

**Approval of Minutes:**

A motion to approve the August 2, 2017 was made by member Healy and seconded by member Ruddo. The motion carried by acclamation.

Agenda Item 5: (Handout)

**Authority Financial Report:**

The Executive Director provided financial statements as of August 31, 2017. He reported that the Operating Account has a balance of \$164,954.22 and the Education and Outreach Account has a balance of \$25,038.39. There were \$225.00 in legal fees for August 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 received. The .05 cent surcharge on outgoing tickets for the month of June 2017 is \$20,733.40. The cumulative total for 2017 is currently \$112,494.60. A motion to accept the financial report was made by member Ruddo, and seconded by Chairman Hastings. The motion was approved by acclamation.

Agenda Item 6:

**Scheduled Hearings**

There are no hearings scheduled.

Agenda Item 7:

Jim Carroll, Program Administrator with the MDE, Land Restoration Program gave a presentation on their Dig Clean Service currently under development utilizing the Terradex/Delaware model. There are currently only two (2) other states participating in similar programs, West Virginia and Idaho. The service would be on on-line hyperlink to the MDE webpage with info on any of the listed properties and information for handling contaminated materials. In Maryland, there are 1122 active sites and 1075 closed sites. In addition, there are 664 sites that have land use controls such as caps. In 2004, the Voluntary Clean-up article in Maryland was amended to include a notification to Miss Utility regarding pending activity on any listed site.

Agenda Item 8:

**Open NPV's**

Please see 09/06/17 handout for updates on these issues.

Agenda Item 9:

**Closed Incomplete/Collections NPV's**

Please see 09/06/17 handout for updates on these issues.

Agenda Item 10:

**New NPV's for Research and Review**

Please see 09/09/17 for updates on these issues. There are currently 21 NPV's awaiting review.

Agenda Item 11: (Handout)

**NPV's for Authority Review:**

**Note:** All reviews will be conducted in closed Executive Session

NPV#	Case
NPV# 16079 Referred back to WG for review	Wash Gas v. Pro-tech, Inc. §12-124 (a) Notice to One Call – 3rd offense §12-127 (e) Clear Evidence
NPV# 15467	Gaines & Co. v. Verizon §12-126(e) – Marking Requirements

NPV# 15468	Gaines & Co. v. Comcast §12-126(e) – Marking Requirements
NPV# 15780	Wash Gas v. City General, Inc. §12-124 (a) Notice to One Call – 1st offense
NPV# 15781	Wash Gas v. BW Excavating §12-124 (a) Notice to One Call – 1st offense
NPV# 15782	Wash Gas v. Metro Earthworks §12-124 (a) Notice to One Call – 1st offense
NPV# 15783	Wash Gas v. B Squared Construction, LLC §12-124 (a) Notice to One Call – 1st offense
NPV# 15784	Wash Gas v. JBW, LLC §12-124 (a) Notice to One Call – 1st offense

Agenda Item 12:

**Old Business**

- Title XII Re-write Meeting – the next two meetings for the Title XII re-write have been scheduled for: September 14, 2017 & September 28, 2017. All meetings are being held in the Miss Utility Conference Room at the One-Call Center. The three issues currently under debate are Emergency tickets and the impact on Storm sewers with the influx of cross boring and responsible contractor tickets. 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. Joyce C. Brooks, who has been nominated by the Authority, was present at the meeting. Her paperwork has been forward to the Governor’s appointments secretary for processing.
- Part-time Investigator Position - The Executive Director stated that he has moved his current Assistant, Ms. Stroud into the investigator position and has hired a part-time administrative assistant, Hira Zaidi, who begins work today. Ms. Stroud will continue to write grants, reports and other administrative duties as needed.

- Ms. Stroud reported on the CGA Time Capsule challenge project which was proposed to the MD/DC DPC. The DPC was very receptive and offered to help with the project. A list of the proposed 11 historic items and 8 futuristic items was presented to the Authority. The video and the time capsule is due on November 8, 2017.

Agenda Item 13:

### **New Business**

- PHMSA 2016 Evaluation of the State Damage Prevention Program - The questionnaire sent by PHMSA was completed and returned to Dave Applebaum for review. As of this date, the Authority has not received any confirmation regarding the response.
- Data Base – Several meetings have been held with Beth Dixon of LufCo. Good progress is being made in the design phase of the project. The case management system will be populated by information from the new NPV's as they are submitted on the website. LufCo will make a presentation at the October meeting.

Agenda Item 13:

### **Next Meeting Date:**

- October 4, 2017 @ 9:00 a.m.
- Agenda Item 14:

### **Adjournment and Move to Executive Session**

- The Chairman called for a motion to adjourn the meeting at 10:10 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 10:12a.m.

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