



Maryland Underground Facilities Damage Prevention Authority
AUTHORITY MEETING Minutes
Wednesday, December 6, 2017

Agenda Items 1 & 2:

Call to Order, Welcome:

The meeting was called to order by Authority Chairman, Tom Hastings at 9:07 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 which included: Dora Parks, Miss Utility & Kevin Woolbright, WSSC.

Agenda Item 3:

Comments from the Executive Director:

The Executive Director made a few comments regarding the outgoing members of the Authority. He thanked them for their service, in particular the outgoing Chairman Tom Hastings.

Agenda Item 4:

Setting of New Members:

The Executive Director asked that Chairman Hastings begin the Seating of the new Authority members.

a. Outgoing Chair, Tom Hastings made a few remarks to the Authority regarding his experience on the Authority.

b. Chair Hastings passed the gavel to Vice-chair Vince Healy who will be the interim Chair, until the January 2018 Authority Board officer elections.

c. Interim Chair Vince Healy, thanked outgoing Chair Tom Hastings for his hard work on the Authority and then invited the new Contract Locator representative Erik L. Phillips, Utiliquest to take his seat on the Authority.

d. Interim Chair Healy, then asked the outgoing public representative Veronica Davila-Steele, to say a few words. Ms. Davila-Steele stated that she has enjoyed her tenure on the Authority and that she has learned a great over the past four years about underground facilities. Ms. Steele had her service dog Sammy with her at the meeting.

e. The Interim Chair then invited Ms. Joyce P. Brookes to take her seat as the new public representative on the Authority.

Agenda Item 5:

Attendance Roll Call:

A roll call of the Board of Directors was conducted by the outgoing Authority Secretary, Ms. Davila-Steele. A quorum was present for the session. In attendance were Authority members: Vince Healy, Erik Phillips, Charlie McCadden, Walter Gainer, Bucky Taylor, & Joyce Brooks. Jim DiPietro, Matt Ruddo & Jeff Garner were absent. Susan Stroud & Jim Barron were also present. Ms. Davila-Steele & Mr. Tom Hastings were also present.

Agenda Item 6: (Handout)

Approval of Minutes:

A motion to approve the November 1, 2017 was made by member Taylor and seconded by member McCadden. The motion carried by acclamation.

Agenda Item 7: (Handout)

Authority Financial Report:

The Executive Director provided financial statements as of November 30, 2017. He reported that the Operating Account has a balance of \$151,801.32 and the Education and Outreach Account has a balance of \$28,201.68. There was \$1426.80 in legal fees for the month of November. The billing was for a complete review of the Authorities subpoena process. The September revenue from the Miss Utility surcharge was \$16,170.12. The cumulative total for 2017 is currently \$164,956.42. The Executive Director stated that he predicts that the revenue from the surcharge will be \$31,820.00 less than 2016. This deficit is a moving target and it is the opinion of the Executive Director that these decreases are caused by the institution of the polygon system for ticket generation. Ticket volumes are down across the board.

A motion to accept the financial report was made by acting Chairman Healy, and seconded by member Gainer. The motion was approved by acclamation.

Agenda Item 8:

Scheduled Hearings

There are no hearings scheduled for December.

Agenda Item 9:

Open NPV's:

Please see 12/06/17 handout for updates on these issues.

Agenda Item 10:

Closed Incomplete/Collections NPV's:

Please see 12/06/17 handout for updates on these issues.

Agenda Item 11:

New NPV's for Research and Review:

Please see 12/06/17 for updates on these issues. There are currently 17 NPV's awaiting review.

Agenda Item 12 & 13: (Handouts) and below:

NPV's for Authority Review & Hearing Schedule:

Note: All reviews will be conducted in closed Executive Session

NPV#	Case
NPV# 283	Wash Gas v. Reliable Contracting, Inc. §12-124 (a) Notice to One Call – 1st offense §12-127(e) – Clear Evidence
NPV# 9402	Wash Gas v. Diversified Applications §12-124 (a) Notice to One Call – 1st offense
NPV# 9404	Wash Gas v. Premiere Concrete Construction §12-124 (a) Notice to One Call – 1st offense
NPVs for Further Review	Case
NPV# 14986	Gaines & Co. vs. Comcast §12-126 Marking Requirements

NPV# 16185	Wash Gas v. Hoe Masters, Inc. §12-124 (a) Notice to One Call – 1st offense §12-127(e) – Clear Evidence
NPV# 17027	Wash Gas v. Rick’s Plumbing & Heating §12-124 (a) Notice to One Call – 1st offense
New NPV’s for Review	Case
NPV# 16572	Wash Gas v. Alfaro Tree Expert, LLC §12-124 (a) Notice to One Call – 1st offense
NPV# 16579	Wash Gas v. Jose A. Cruz Moreno, LLC §12-124 (a) Notice to One Call – 1st offense §12-127(e) – Clear Evidence
NPV# 16851	Wash Gas v. Three States Construction, LLC §12-124 (a) Notice to One Call – 1st offense §12-127(e) – Clear Evidence
NPV# 16584	Wash Gas v. Seed & Site Solutions, Inc. §12-124 (a) Notice to One Call – 1st offense §12-127(e) – Clear Evidence
NPV# 16587	Wash Gas v. UST Services Corp. §12-124 (a) Notice to One Call – 1st offense §12-127(e) – Clear Evidence
NPV# 17028	Wash Gas v. Rhinehart Railroad Construction §12-124 (a) Notice to One Call – 1st offense

Agenda Item 14:

Old Business

- Title XII Re-write Meeting – the next meetings for the Title XII re-write have been scheduled for December 14, 2017 & January 17, 2018. All meetings are held in the Miss Utility Conference Room at the One-Call Center. The Authority also voted on a motion by Charlie McCadden & seconded by Walt Gainer, to appoint Erik Phillips as the new Authority representative on the Title XII re-write Committee, replacing Tom Hastings.

- Operating Practices – Notice of Probable Violation 3.0 - The Executive Director presented the new draft of the NPV process and flow chart to the Authority. After review by the Authority attorney it was determined that it was not necessary to subpoena a violator to a hearing. In fact, the only entities that may be subpoenaed by the Authority are witnesses. As a result, the process was amended to accommodate the advice from Authority Counsel. A motion to approve the new process was made by member Gainer and seconded by member Phillips. The motion carried by acclamation.

Agenda Item 15:

New Business

- Adopt Meeting Calendar for 2018 (Handout) - The Authority members accepted the 2018 meeting schedule with two exceptions the March meeting has been changed from the 7th to the 14th due to a conflict with the 2018 CGA meeting. Also, the July meeting has been changed from the 4th to the 11th.
- Lufburrow proposal Phase 2 – The next two phases of the Case Management System will need to be approved. The vote will take place in the Closed Executive Session.
- Spring Luncheon – The Executive Director suggested that the Authority hold a catered luncheon at the April meeting and invite all the previous Authority members and officers. He also suggested that the Authority present tokens of appreciation to the former members at the function. The Authority asked that the Executive Director develop a budget for the event and move forward with the planning. The date of the April 2018 meeting the 4th.

Agenda Item 16:

Next Meeting Date:

- January 3, 2018 @ 9:00 a.m.

Agenda Item 17:

Adjournment and Move to Executive Session

- The Chairman called for a motion to adjourn and go into closed Executive session the meeting at 10:09 a.m. The motion to go into Closed Executive Session was made by member Phillips and seconded by member McCadden via roll-call vote at 10:20.

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