



Maryland Underground Facilities Damage Prevention Authority  
AUTHORITY MEETING Minutes  
Wednesday, January 3, 2018

Agenda Items 1 & 2:

**Call to Order, Welcome:**

The meeting was called to order by Acting Authority Chairman, Vince Healy at 9:03 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 & Scott Brown, Washington Gas.

Agenda Item 3:

**Attendance Roll Call:**

A roll call of the Board of Directors was conducted by the Recording Secretary, Ms. Stroud. A quorum was present for the session. In attendance were Authority members: Vince Healy, Erik Phillips, Charlie McCadden, Walter Gainer, Bucky Taylor, Jeff Garner & Joyce Brooks. Matt Ruddo was absent. The MACo seat remains vacant. Jim Barron was also present.

Agenda Item 4:

**Election of Officers:**

The Executive Director opened the floor to nominations for the statutory officers of the Authority. Walter Gainer nominated Vince Healy for Chair, the nomination was seconded by member Garner; the nomination for Authority Chair was approved by acclamation. Member Garner nominated Charlie McCadden for the position of Vice-Chair, the nomination was seconded by member Brooks; the nomination for Authority Vice-Chair was approved by acclamation. Member Taylor nominated Matt Ruddo to remain as Authority Treasurer, the nomination was seconded by member Garner; the nomination for Authority Treasurer was approved by acclamation. Member Healy nominated member Erik Philips for the position of Authority Secretary. The nomination was seconded by member McCadden; the nomination for Authority Secretary was approved by acclamation.

Agenda Item 5: (Handout)

**Approval of Minutes:**

A motion to approve the December 6, 2017 was made by member Taylor and seconded by member McCadden. The motion carried by acclamation.

Agenda Item 6: (Handout)

**Authority Financial Report:**

The Executive Director provided financial statements as of December 31, 2017. The report was presented in a new format, now that the Authority has adopted Quick Books and will be calculated on an accrual basis as opposed to the cash method currently being used. The Authority has purchased cloud space for its accounting and will be taking over the finances from OCC, Inc.. He reported that the Operating Account has a balance of \$148,000.07 and the Education and Outreach Account has a balance of \$34,495.43. There was \$1300.00 in legal fees for the month of December. The billing was for the NPV procedure 3.0. The October revenue from the Miss Utility surcharge was \$16,846.05. The cumulative total for 2017 is currently \$1811,802.47. The Executive Director updated his prediction on revenue from the surcharge will be \$45,945.00 less than 2016. The polygon v. grid system shows a continuing decline in ticket volumes. He also stated that PHMSA grant money cannot be used for attorney's fees, which is why any cushion the Authority has needs to be protected, in case there are any future appeals. He also stated that there is only 20,095.00 remaining in the subscribers \$200,000 grant, which allows members to file NPV's at no cost. A motion to accept the financial report was made by Vice Chair McCadden, and seconded by Secretary Phillips. The motion was approved by acclamation.

Agenda Item 7:

**Scheduled Hearings**

There are no hearings scheduled for December.

Agenda Item 8:

**Open NPV's:**

Please see 01/03/18 handout for updates on these issues.

Agenda Item 9:

**Closed Incomplete/Collections NPV's:**

Please see 01/03/18 handout for updates on these issues.

Agenda Item 10:

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

Please see 01/03/18 for updates on these issues. There are currently 19 NPV's awaiting review.

Agenda Item 11&12: (Handouts) and below:

**NPV's for Authority Review & Hearing Schedule:**

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

NPV Scheduled Hearings	Case
NPV# 283  Scheduled for 02/07/18	Wash Gas v. Reliable Contracting, Inc. §12-124 (a) Notice to One Call – 1st offense §12-127(e) – Clear Evidence Have contacted Dora about training
NPV# 9402  Scheduled for 02/07/18	Wash Gas v. Diversified Applications §12-124 (a) Notice to One Call – 1st offense
NPV# 9404  Withdraw request for hearing.	Wash Gas v. Premiere Concrete Construction §12-124 (a) Notice to One Call – 1st offense  Paid fine on 12/23/17 and have scheduled training.
NPVs for Further Review	Case
NPV# 16075	Wash. Gas v. NG Berry Excavation. LLC §12-124 (a) Notice to One Call – 1st offense §12-127(e) – Clear Evidence Has requested a fine reduction
New NPV's for Review	Case
NPV# 16514	Gaines & Company, Inc. v. Comcast §12-126(a)(1) & (b)(1) – Marking Requirements
NPV# 16571	Gaines & Company, Inc. v. Verizon §12-126(a)(1) & (b)(1) – Marking Requirements

NPV# 17029	Wash Gas v. S&T General Contractor §12-124 (a) Notice to One Call – 1st offense §12-127(e) – Clear Evidence
NPV# 17334	Wash Gas v. Pleasants Paving §12-124 (a) Notice to One Call – 1st offense §12-127(e) – Clear Evidence
NPV# 17336	Wash Gas v. Landsdown Concrete §12-124 (a) Notice to One Call – 1st offense §12-127(e) – Clear Evidence
NPV# 17369	Wash Gas v. M. T. Laney §12-124 (a) Notice to One Call – 1st offense §12-127(e) – Clear Evidence

### Agenda Item 13

#### **Old Business:**

- Title XII Re-write Meeting – the next meetings for the Title XII re-write have been scheduled for Wednesday, January 17, 2018 & Thursday February 1, 2018. All meetings are held in the Miss Utility Conference Room at the One-Call Center. Charlie McCadden as the new Authority representative on the Title XII re-write Committee.
- Spring Luncheon – It was suggested that the luncheon honoring all the past presidents and Authority members be moved to May, so that Bruce Bereano and some members of the legislature (Derek Davis, John Astle & Mack Middleton) can be invited. The board agreed with the change.

### Agenda Item 14:

#### **New Business**

- CGA Membership – The Executive Director gave a brief overview of the CGA for the new members of the Authority. He stated that it is time to renew the Authority’s membership. The cost for renewal is \$1000; which allows four individuals to be members. Several of the Board are already members through their companies. The Authority agreed to renew the CGA membership and suggested that Jim Barron be a lead member along with Susan Stroud. The Authority also added Jeff Garner and Joyce Brooks as members.
- MACo member – MACo has not furnished the Authority with their nomination to replace Jim DiPietro. The Association did say that they are working on finding a replacement.

Agenda Item 15:

**Next Meeting Date:**

- February 7, 2018 @ 9:00 a.m. – There will be a hearing at that meeting – Washington Gas v. Reliable Contracting.

Agenda Item 16:

**Adjournment and Move to Executive Session**

- The Chairman called for a motion to adjourn and go into closed Executive session the meeting at 10:00 a.m. There was motion to go into Closed Executive Session was made and seconded and recorded via roll-call vote at 10:20.

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