



Maryland Underground Facilities Damage Prevention Authority
AUTHORITY MEETING Minutes

Wednesday, September 5, 2018

Agenda Items 1 & 2:

Call to Order, Welcome:

The meeting was called to order by Chairman Vince Healy at 9:02 a.m. in the Miss Utility Call Center, Conference Room, 7223 Parkway Drive, Suite 200, Hanover, MD 21076.

Mr. Healy welcomed all present and made a few introductory remarks and introduced the guests which included: Dora Parks, Miss Utility; Tom Hastings & Dan Sheehan, OCCLS; Amy Swanger, PEPCO Holdings & Kelly Ruddo, OCC, Inc.

Agenda Item 3:

Attendance Roll Call:

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

Agenda Item 4: (Handout)

Approval of Minutes:

There were no minutes for the August 1, 2018 Authority meeting since there was no Open Session that day.

Agenda Item 5: (Handout)

Authority Financial Reports:

July 2108

The Executive Director provided financial statements as of July 31, 2018. He reported that the Operating Account has a balance of \$237,072.21 and the Education and Outreach Account has a balance of \$36,859.56. The May revenue from the Miss Utility surcharge was \$17,694.30; which is \$3,108.80 less than May 2017. The cumulative total for 2018 is \$76,078.50, with a projected shortfall of \$40,080.00 over last year. There was a \$150.00 expenditure for legal advice regarding the request to attend the closed session, by the New Jersey 811 group

August 2018

The Executive Director provided financial statements as of August 31, 2018. He reported that the Operating Account has a balance of \$211,844.30 and the Education and Outreach Account has a balance of \$41,602.68. The June revenue from the Miss Utility surcharge was \$16,878.65; which is \$3,854.75 less than June 2017. The cumulative total for 2018 is \$92,957.15, with a projected shortfall of \$43,933.13 over last year. There were no legal fees for the month of August.

Treasurer Ruddo, asked if the Executive Director could produce a report comparing the fine totals from 2017 to the current fines. The Executive Director said he would prepare a report for the October meeting. A motion to accept both the July and August financial reports was made by Secretary Ruddo and seconded by Secretary Phillips. The motion was approved by acclamation.

Agenda Item 6:

Scheduled Hearings:

There were three (3) NPV's originally scheduled for formal hearings at this meeting, however two (2) companies have agreed to pay their respective fines and participate in Damage Prevention Training. The third company has been impossible to locate,

Agenda Item 7:

Open NPV's:

Please see 09/05/18 handout for updates on these issues.

Agenda Item 8:

Closed/Incomplete NPV's:

Please see 09/05/18 handout for updates on these issues.

Agenda Item 9

New NPV's for Research and Review:

Please see 09/05/18 for updates on these issues. There are currently 14 NPV's awaiting review.

Agenda Items 10 & 11: (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#	There are no hearings to be held at this meeting.
NPVs for Further Review	Case
NPV# 19079	Washington Gas v. TT&T General Contractor, LLC Violator asked for a payment plan of two (2) equal payments of \$418.75 each.
Move to Hearing	Case
NPV# 16184	Washington Gas v. Twins Plumbing & Heating Co., Inc. §12-124 (a) Notice to One Call – 1st offense §12-127 (e) Clear Evidence
NPV# 17336	Washington Gas v. Landsdown Concrete §12-124 (a) Notice to One Call – 1st offense §12-127 (e) Clear Evidence
New NPV's for Review	Case
NPV# 19602	BGE v. Trenton Contracting Company §12-127 (c) – Duties of Excavator
NPV# 19628	Schagrin Gas v. D.E. Harris & Co., Inc. §12-124 (a) Notice to One Call – 1st offense
NPV# 19871	BGE v. Pro-tech Mechanical Services, LLC §12-124 (c)(1) Ticket valid for 12 days §12-125 (a)(1) Failure to repeat notification

NPV# 19872	BGE v. Malill, LLC §12-124 (c)(1) Ticket valid for 12 days §12-125 (a)(1) Failure to repeat notification
NPV# 19874	Washington Gas v. Village Concrete Construction, Inc. §12-124 (c)(1) Ticket valid for 12 days §12-125 (a)(1) Failure to repeat notification
NPV# 19875	Washington Gas v. JT General Maintenance, LLC §12-124 (a) Notice to One Call – 1st offense
NPV# 19876	Washington Gas v. Town & Country Pools, Inc. §12-124 (c)(1) Ticket valid for 12 days §12-125 (a)(1) Failure to repeat notification
NPV# 19877	Washington Gas v. MJR Contracting, Inc. §12-124 (a) Notice to One Call – 1st offense
NPV# 20003	PEPCO v. Paramount Plumbing & Heating, Inc. §12-124 (a) Notice to One Call – 1st offense

Agenda Item 12

Old Business:

- Title XII Re-write Meeting – the next meetings for the Title XII re-write have been scheduled for Thursday, November 1, 2018, Friday, November 16, 2018. The September 10, 2018 meeting was cancelled; however, two additional meetings were added in October; Wednesday, October 10, 2018 & Wednesday, October, 17, 2018. All meetings are held in the Miss Utility Conference Room at the One-Call Center.
- September 30, 2018 Expiring Terms – MML member, Jeff Garner, Facility member, Vince Healy and One-Call member Matt Ruddo will all term out on September 30, 2018. AUC Member representative Walter Gainer is eligible for one more term. The Executive Director stated that he has been in touch with the Governor’s Appointments Office to check on the status of the replacements. Michael Jewel of Columbia Gas of MD, who is replacing Vince Healy as a facility owner representative has been submitted to the Governor’s office and is currently being processed. Kelly Ruddo with OCC, Inc. has been appointed by the Governor and will be sworn-in in time for the October meeting. She will replace Matt Ruddo, who has termed out as the One Call Center representative. Walter Gainer is eligible for one more term as the AUC representative, but has not submitted paperwork to the Governor’s office. In addition, MML has yet to send a recommendation to the Governor’s office. Jeff Garner will continue as the MML representative until a replacement is appointed.

- The 2018 PHMSA State Damage Prevention Grant recipients should be announced by the end of September. The Authority's application has been received and accepted.
- The Authority will attend the 1st Annual Miss Utility Golf Tournament which will benefit "Construction Angels" a non-profit that raises funds for the families of construction workers who have died due to work accidents. The Authority has paid to sponsor a "Hole in One" contest. The event will be held on Thursday, October 4, 2018 at Waverly Wood Golf Course.

Agenda Item 13:

New Business:

- The Executive Director posed an idea for a partnership with the Maryland Department of General Services and CPF Underground, LLC (NPV# 17839). CPF has been contracted to replace all the utilities under "Lawyers Mall" in front of the Maryland State Capitol building in Annapolis. The work will be underway during the 2019 session of the legislature. The director proposed that we use the project as a demonstration piece to educate legislators on the intricacies of these types of projects, which would tie in with the Title XII re-write legislation which the Steering Committee hopes to introduce during the 2019 session. There was discussion by the members regarding the feasibility of the partnership and the potential for unintended outcomes, which could be detrimental. The members agreed to investigate the matter further. Dora Parks with Miss Utility and Scott Brown along with Kelly Ruddo offered to help coordinate the project, if the Authority members decide to move forward with the idea.

Agenda Item 14:

Next Meeting Date:

- October 3, 2018, 2018 @ 9:00 a.m. – there will be an Open Meeting, Hearings and a Closed Executive Session.

Adjournment and Move to Executive Session

- The Chairman called for a motion to adjourn and go into closed Executive session the meeting at 10:08 a.m. There was motion to go into Closed Executive Session was made and seconded and recorded via roll-call vote.

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