



Maryland Underground Facilities Damage Prevention Authority
AUTHORITY MEETING Minutes

Wednesday, October 3, 2018

Agenda Items 1 & 2:

Call to Order, Welcome:

The meeting was called to order by Chairman Vince Healy at 9:03 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: Tom Hastings, OCCLS, Inc.; Martin Harris, Prince Georges County; Chris Ratliff, Lambert Cable.

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, Joyce Brooks & Jeff Garner were present. Doug Levine was absent. Jim Barron and Susan Stroud were also present.

Agenda Item 4: (Handout)

Approval of Minutes:

The minutes for the September 5, 2018 Authority meeting were reviewed. A motion to accept the minutes as written was made by Chairman Healy and seconded by Secretary Erik Phillips. The motion carried and the minutes were approved.

Agenda Item 5: (Handout)

Authority Financial Reports:

The Executive Director provided financial statements as of September 30, 2018. He reported that the Operating Account has a balance of \$180,145.18 and the Education and Outreach Account has a balance of \$47,390.18. The July revenue from the Miss Utility surcharge was \$16,784.05; which is \$437.75 less than July 2017. The cumulative total for 2018 is \$109,741.20, with a projected shortfall of \$44,370.88 over last year. There were no legal fees for the month of September. Treasurer Ruddo, made a motion to accept the September financial report; which was seconded by member Brooks. The motion was approved by acclamation.

Agenda Item 6:

Scheduled Hearings:

There were two (2) NPV's originally scheduled for formal hearings at this meeting, however the two (2) companies have agreed to pay their respective fines and participate in Damage Prevention Training.

Agenda Item 7:

Open NPV's:

Please see 10/03/18 handout for updates on these issues.

Agenda Item 8:

Closed/Incomplete NPV's:

Please see 10/03/18 handout for updates on these issues.

Agenda Item 9

New NPV's for Research and Review:

Please see 10/03/18 for updates on these issues. There are currently 15 NPV's awaiting review.

Agenda Item 10: (Handouts) and below:

NPV's for Authority Review & Hearing Schedule:

Note: All reviews will be conducted in closed Executive Session

| November 7, 2018 Scheduled Hearings | Case |
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| 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 |
| NPVs for Further Review | Case |
| NPV# | There are no NPV's requiring further review at this time. |
| Move to Hearing | Case |
| NPV# | There are no NPV's being moved to hearing at this time. |
| New NPV's for Review | Case |
| NPV# 20011 | Verizon v. Kinsley Construction §12-124(a) – Notice to One-Call System – 1st Offense §12-124(c) – Life of ticket §12-15(a) – Repeat notification §12-127(b) – Maintenance of marks §12-127(e) – Clear evidence |
| NPV# 20014 | Verizon v. Advantage Asphalt & Paving, LLC §12-124 (a) Notice to One Call – 1st offense §12-127(a) – No positive response §12-127(c)(1) – Due care §12-127(d) – Failure to report damage §12-127(e) – Clear evidence |
| NPV# 20494 | Washington Gas v. Outdoor Woodworking §12-174 (c)(1) Due Care |
| NPV# 20501 | Washington Gas v. Carpenter Excavating §12-124 (a) Notice to One Call – 1st offense |
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| NPV# 20605 | Washington Gas v. ACECO, LLC §12-124 (a) Notice to One Call – 1st offense |
| NPV# 20606 | Washington Gas v. Denchfield Landscaping, LLC §12-124 (a) Notice to One Call – 1st offense |

Agenda Item 11

Old Business:

- Title XII Re-write Meeting – the next meetings for the Title XII re-write have been scheduled for Wednesday, October 10, & Wednesday, October, 17, 2018. In addition two more meetings will be held on Thursday, November 1, & Friday, November 16, 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 waiting for approval. Kelly Ruddo with OCC, Inc. has been appointed by the Governor and will be sworn-in in time for the November 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 have been announced. The Authority experienced a 47% decrease in funding for the 2018 grant period. The Deputy Director inquired as to why the Authority had experienced such a large reduction and was informed that there were 24 applications this year, which was the highest number of applicants ever. PHMSA stated that their new focus will be to assist those state’s that are currently inadequate. The \$57,000 awarded to the Authority will cover the remaining contractual obligations to Lufburrow and Company for the Case Management System and the pending contract with Flywheel Brands for the revamp of the Authority website.
- 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 12:

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 Executive Director stated that he had not reached out to the parties involved in the project, since there was some concern that there could be unintended negative consequences. Mr. Barron stated that he would discuss the matter with the Authority lobbyist, Bruce Bereano to see if there is any benefit to the partnership. It was suggested that at the very least a passive display consisting of explanatory signage might be sufficient to educate members of the legislature.

Agenda Item 14:

Next Meeting Date:

- November 7, 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 motioned to adjourn the open meeting and go into closed Executive session the meeting at 9:57 a.m. There was motion to go into Closed Executive Session was seconded by Vice-Chairman McCadden. The motion was approved and recorded via roll-call vote.

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