



Maryland Underground Facilities Damage Prevention Authority  
AUTHORITY MEETING Minutes

Wednesday, December 5, 2018

Agenda Items 1 & 2:

**Call to Order, Welcome:**

The meeting was called to order by Chairman Vince Healy at 9:12 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: Kevin Woolbright and Leba Brown, WSSC; Dora Parks, Miss Utility; Tom Hastings, OCCLS and Dwayne Miller, Columbia Gas

Agenda Item 3:

**Presentation to Chairman Vince Healy:**

Chairman Healy handed the gavel to Vice-Chairman Charlie McCadden who along with the Executive Director thanked Mr. Healy for his service and presented him with a plaque from the Authority and a ceremonial gavel commemorating his Chairmanship.

Agenda Item 4:

**Facility Owner Representative Seated:**

The Executive Director and the Acting Chairman welcomed Mr. Michael Jewell to the Authority. He is beginning the first year of his two-year term. Mr. Jewell is replacing Chairman Vincent Healy, who has served two (2) consecutive two-year terms representing facility owners and is not eligible for re-appointment.

Agenda Item 5:

**Attendance Roll Call:**

Acting Chairman McCadden requested that Secretary Phillips conduct a roll call of the Board of Directors. A quorum was present for the session. In attendance were Authority members: Erik Phillips, Michael Jewell, Charlie McCadden, Bucky Taylor, Joyce Brooks and Doug Levine were present. Jeff Garner and Walt Gainer were absent. Jim Barron and Susan Stroud were also present.

Agenda Item 6: (Handout)

**Approval of Minutes:**

The minutes for the November 7, 2018 Authority meeting were reviewed. A motion to accept the minutes as written was made by Member McCadden and seconded by Member Levine. The motion carried and the minutes were approved.

Agenda Item 7: (Handout)

**Authority Financial Reports:**

The Executive Director provided financial statements as of November 30, 2018. He reported that the Operating Account has a balance of \$163,888.61 and the Education and Outreach Account has a balance of \$56,227.68. There was a line item showing an amount of \$86.19 due from staff. Jim Barron stated that the bill had been paid and that item needs to be zeroed out.

The September revenue from the Miss Utility surcharge was \$15,625.35; which is \$544.77 less than September 2017. The cumulative total for 2018 is \$143,526.75, with a projected shortfall of \$45,825.75 over last year. There were no legal fees for the month of November. Member Brooks, made a motion to accept the November financial report; which was seconded by Member McCadden. The motion was approved by acclamation.

Agenda Item 8:

**Scheduled Hearings:**

There were no hearings scheduled for this meeting.

Agenda Item 9:

**Open NPV Spreadsheet and Closed/Incomplete Spreadsheet**

Please see 12/05/2018 handout for updates.

Agenda Item 10:

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

Please see 12/05/18 handout for updates on these issues. There are currently 12 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

Scheduled Hearing	Case
NPV#	No hearing scheduled for this meeting.
NPVs for Further Review	Case
NPV#	No NPV's for further action to discuss.
Move to Hearing	Case
NPV#	There are no NPV's being moved to hearing at this time.
New NPV's for Review	Case
NPV# 24967	Gaines & Company v. Verizon §12-126(b)(1) – failure to mark w/in 5' of an underground facility §12-126(b)(2)(i) – failure to mark w/in 18" of an underground facility. §12-126(b)(2)(ii) – failure to mark w APWA Color Codes §12-126(c) – failure to report win 2 business days §12-126 (cc)(1) – failure to report to the underground facilities exchange system as marked.
NPV# 24993	Washington Gas vs. The Bartley Corporation §12-127 (c)(3) – excavation w/in 18" of an underground facility.
NPV# 24994	Washington Gas vs. ECM Corporation §12-127 (c)(3) – excavation w/in 18" of an underground facility.
NPV# 26245	Washington Gas vs. Haynes Plumbing Company §12-124 (a) – Notice to one-call system – 1 <sup>st</sup> Offense

NPV# 26246	Washington Gas vs. T.F. Construction, LLC §12-124 (a) – Notice to one-call system – 2nd Offense
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Agenda Item 13

**Old Business:**

- Title XII Re-write Meeting – the final meeting for the Title XII re-write was held on Friday, November 30, 2018 in the Miss Utility Conference Room at the One-Call Center.
- September 30, 2018 Expiring Terms – MML member, Jeff Garner, Facility member, Healy 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 Mr. Garner’s replacement. Jeff Garner will continue as the MML representative until a replacement is appointed. Walter Gainer is eligible for one more term as the AUC representative, but has not submitted paperwork to the Governor’s office
- January Elections – the Executive Director announced that he would be taking nominations for all officer positions. The new slate of officers will be voted on at the January 9, 2019 meeting.

Agenda Item 14:

**New Business:**

- The 2017 PHMSA Evaluation questionnaire has been submitted. There will be a conference call with Dave Applebaum on December 17, 2018 at 1:30 p.m.
- The Executive Director Presented the proposed 2019 meeting schedule for approval. He noted that the January meeting will be held on the 9th, since the normal meeting day would be the day after New Year’s.
- The CGA Conference will be held on March 26<sup>th</sup> through the 28<sup>th</sup> in Tampa, FL. The Executive Director asked the Authority members if they thought he and the Deputy should attend this year, since there are budgetary concerns. There was a motion by member Taylor to approve the expenditure for the Executive Director and Deputy Director to attend the conference which was seconded by acting Chairman McCadden.

Agenda Item 15:

**Next Meeting Date:**

- January 9, 2019 @ 9:00 a.m. – there will be an Open Meeting, Hearings and a Closed Executive Session.

Agenda Item 16:

**Adjournment and Move to Executive Session**

- The Chairman motioned to adjourn the open meeting and go into closed Executive session the meeting at 10:10 a.m. There was motion by to go into Closed Executive Session which was seconded. The motion was then approved and recorded via roll-call vote.

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