



Maryland Underground Facilities Damage Prevention Authority
AUTHORITY OPEN MEETING
Minutes
Wednesday, April 7, 2021
Meeting Held Via Zoom

Agenda Items 1 & 2:

Call to Order/ Welcome:

The meeting was called to order by Chair, Michael Jewell at 9:13 a.m. via Zoom. There were no visitors at the meeting.

Agenda Item 3:

Attendance Roll Call:

The Recording Secretary conducted a roll call of the Authority members. A quorum was present. In attendance were Authority members: Erik Phillips, Amber Brengel, Tamara Neal, Michael Jewel, Joyce Brooks, Paul Kwiatkowski, David Gaines, and Dereck Shreves were present. Kelly Ruddo was absent. Jim Barron and Susan Stroud were also present. All members participated remotely.

Agenda Item 4:

Scheduled Hearings:

There are no hearings scheduled at this time.

Agenda Item 5:

Authority Financial Reports:

The Executive Director provided financial statements for March 2021. He reported that the Operating Account had a balance of \$214,701.54; and, the March Education and Outreach Account had a balance of \$62,636.80. There were no fines paid during this period and \$800.00 in filing fees. In addition, revenues from the 5 Cent ticket surcharge continues to improve. Mr. Barron stated that for the month of January, \$27,891.40 was received, which is a \$12,955.70 increase over January 2020 of 2019. \$194,826.18; and, the December Education and Outreach Account had a balance of \$64,448.79. Chairman Jewell made a motion to accept the March financial report, which was seconded by member Phillips. The motion was approved by acclamation.

Agenda Items 6, 7, & 8:

	NPVs to Move to Hearing
	None at this time
	New NPV's for Research & Review = 17
	NPVs for Further Review
	None at this time
	NPV's Post Hearing Review
	There were no hearings to review
	New NPV's for Review
NPV# 32118	Gaines & Company v. PEPCO §12-126 (a) (1) – Failure to mark within 5 feet §12-126 (b) (1) – Failure to mark within 18 inches §12-126 (b) (2)(ii) – Failure to mark with proper color § 12-126 (c) – Failure to with/in 2 business days §12-126 (c)(1) – Failure to report marked or clear/no conflict
NPV# 32121	Gaines & Company v. D&F Construction §12-127 (c)(2) – Failure to test pit.
NPV# 32122	Wash Gas v. German Torres, LLC §12-124 (a) – No Miss Utility ticket.
NPV# 32125	Wash Gas v. Acker & Sons, Inc. §12-124 (a) – No Miss Utility ticket.
NPV# 32126	Wash Gas v. Magstone, LLC §12-127 (c)(2) – Failure to test pit.

Agenda Item 9

Old Business:

- Board Manuals - Ms. Stroud brought up the previous request made by Vice-Chair Kwiatkowski regarding updating the Board manuals. Ms. Stroud stated that after the one-year absence of in-person meetings, she was thinking about the possibility of digital manuals which could be obtained by the members via a gated portal on the Authority website. The portal which would be secure could also be used for digital copies of meeting materials and hearing evidence packages. There would be a significant savings to going digital. Chairman Jewell asked how much creating the portal would cost versus the continued use of paper copies. Ms. Stroud stated that she hadn't costed out the creation of the portal, however a portal will have to be created for the Case Management System (CSM) when the merger occurs with the website. The portal costs would be covered by the last PHMSA grant; however, she will obtain an estimate from our webmaster/designer.
- Ethics Reports – The Executive Director reminded the members that their Ethics reports are due now and that they must be filed via the State Ethics Commission website.

Agenda Item 10:

New Business:

- Authority Term Expirations – Vice-chair Kwiatkowski stated that he believed there were six (6) members whose terms were expiring in September. He was concerned that so many members would be leaving at the same time. The Executive Director responded that there are only five (5) members whose terms are expiring. Of those five (5), only two (2) are term limited, Ms. Brooks the public member and Eric Phillips, representing the locating industry, the three (3) remaining members are eligible for another term and will seek confirmation from their associated organizations and the Governor. The public member is nominated by the Authority and the locating position will be nominated by the voting members of the Damage Prevention Committee (DPC)

Agenda Item 11:

Next Meeting Date:

- May 5, 2021 @ 9:00 a.m. – Tentatively this will be a Closed Executive Session. It is anticipated that the meetings will continue to be conducted via Zoom.

Agenda Item 12:

Adjournment and Move to Executive Session

- The Chairman asked for a motion to adjourn the open meeting and go into closed Executive Session. The meeting ended at 9:40 a.m. A motion was made by member Brooks to go into Executive Session, which was seconded by Treasurer Neal. The motion was approved and recorded via recorded roll-call vote.

Respectfully Submitted By:
Susan A. M. Stroud
Recording Secretary/Deputy Director