



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

Agenda Items 1:

**Call to Order/ Welcome:**

The meeting was called to order by Chair, Michael Jewell at 9:10 a.m. via Zoom. There were no visitors at the meeting.

Agenda Item 2:

**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, Michael Jewel, Joyce Brooks, Paul Kwiatkowski. David Gaines, and Dereck Shreves joined the meeting during the business portion and Kelly Ruddo joined in to make a temporary quorum. Amber Brengel and Tamara Neal were absent. Jim Barron and Susan Stroud were also present. All members participated remotely.

Agenda Item 3:

**Authority Financial Reports:**

The Executive Director provided the combines financial statements for May and June 2021. He reported that the May Operating Account had a balance of \$225,784.26 and, the May Education and Outreach Account had a balance of \$53,779.45. The Executive Director noted that there was a \$21,677.25 withdrawal from the E&O account for the annual 811 media campaign. There were \$4510.00 in fines paid during this period and \$0 in filing fees. He also reported that the June Operating Account had a balance of \$235,440.34 and, the June Education and Outreach Account had a balance of \$53,007.35. There were \$548.00 in fines paid during this period and \$1,800.00 in filing fees. In addition, revenues from the 5 Cent ticket surcharge for the month of March was \$26,346.50 was received, which is a \$8,852.60 increase over March of 2020. Income from the April ticket surcharge was \$27,384.45, which is a 10,010.65 increase over June of 2020. The Executive Director noted that there has been a marked increase in ticket volume (30-40%). As of this reporting the income from the 5 Cent surcharge is ~\$42,000.00 ahead of 2020. Member Brooks made a motion to accept the March financial report, which was seconded by Chairman Jewell. The motion was approved by acclamation.

Agenda Items 4, 5, & 6:

#4	Old NPV's for Review by the Authority
	None at this time
#5	New NPV's for Research & Review = 27
	19 – Marking Violations 5 – No ticket 2 – No test pit 1 – Clear Evidence
#6	New NPV's for Review
NPV# 32133	Gaines & Company v. BGE §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 §12-126 (d)(3) – Failure to report an extension to the one-call center.
NPV# 32136	Wash Gas v. Solo Vista, LLC §12-124 (a) – No Miss Utility ticket – 1 <sup>st</sup> Offense
NPV# 32137	Gaines & Company v. BGE §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 §12-126 (d)(3) – Failure to report an extension to the one-call center.
NPV# 32141	Gaines & Company v. BGE §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 §12-126 (d)(3) – Failure to report an extension to the one-call center.
NPV# 32144	Wash Gas v. GOM Construction, LLC. §12-124 (a) – No Miss Utility ticket – 1 <sup>st</sup> Offense

NPV# 32146	Wash Gas v.HM General Contractors, Inc. §12-124 (a) – No Miss Utility Ticket – 1 <sup>st</sup> Offense
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Agenda Item 6

**Old Business:**

- MML - Ms. Stroud reported on the 2021 Maryland Municipal League Conference held June 28-29 in Ocean City, MD. She noted that the number were at least half after the one-year break caused by Covid-19. The Executive Director and the Deputy are currently studying whether or not there is value in this conference for the Authority in terms of outreach.
- MACo – Ms. Stroud reported that the Authority will have a booth at the 2021 Maryland Association of Counties, August 18-20 in Ocean City, MD. As usual the Authority will be side-by-side with Miss Utility, which works very well by combining the messages. A new banner stand and palm cards have been made to highlight the significant changes to the Title XII statute. These were also used at the MML Conference.
- Mobile APPS – The Apple and Android mobile apps are set to be deploy on August 11, 2021. This will be the Authority’s contribution to celebrating 811 day.
- Authority Nominations as of September 30, 2021
  - PWCA Seat – Amber Brengel has been nominated by PWCA for a second 2-year term.
  - Subscribers Seat – The Subscribers vote Thursday to nominate Tamara Neal for a second 2-year term.
  - Utility Locator – The Subscribers vote Thursday on three nominees to replace Erik Phillips
    - Todd Kelly nominated by Anne Arundel County
    - Jimmy Jennings nominated by One Call Concepts Locating Service
    - George Daffan nominated by Utiliquist
  - MACO Seat – Paul Kwiatkowski has been nominated by MACo for a second 2-year term.
  - Public Seat - One Nomination and resume for Public Authority Seat to be discussed and to be Voted on in Closed Executive Session.

Agenda Item 7:

**New Business:**

There was no new business to discuss.

Agenda Item 8:

**Next Meeting Date:**

- There will be no meeting in August. The next meeting will take place on September 1, 2021 and is tentatively scheduled to be an in-person meeting depending on the Covid-19 status and the rules at the Call Center. This meeting will be both Open and Closed Executive Sessions.

Agenda Item 9:

**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 9:47 a.m. A motion was made by member Brooks to go into Executive Session, which was seconded by member Philips. The motion was approved and recorded via recorded roll-call vote.

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