



Maryland Underground Facilities Damage Prevention Authority
AUTHORITY OPEN MEETING & 1ST QUARTER BUSINESS MEETING

Minutes
Wednesday, January 5, 2021
Meeting Held Via Zoom

Agenda Items 1

Call to Order/ Welcome:

The meeting was called to order by Chair, Michael Jewell at 8:59 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: Michael Jewell, Paul Kwiatkowski, David Gaines, James Dudley and Jimmy Jennings & Tamara Neal. Dereck Shreves, Amber Brengel and Kelly Ruddo. Jim Barron and Susan Stroud were also present. There were no members of the public present. All Authority members participated remotely.

Agenda Item 3

Election of 2022 Officers:

The Executive Director asked for nomination from the floor for officers. The following 2022 slate was created for consideration: Chair – Michael I. Jewell; Vice-chair – Paul Kwiatkowski; Treasurer – Tamara Neal; Secretary – Kelly Ruddo. The slate of nominees was presented for a recorded roll call vote. The entire slate was elected by a unanimous vote of the members who were present.

Agenda Item 4

Authority Financial Reports:

The Executive Director provided the combined financial statements for November and December 2021. He reported that the November Operating Account had a balance of \$267,692.33 and, the November Education and Outreach Account had a balance of \$51,570.63. In addition, there

were \$1800 in filings fees. He also reported that the December Operating Account had a balance of \$272,541.86 and, the June Education and Outreach Account had a balance of \$53,102.95. There were \$1580.00 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 October was \$23,567.10. There was also a combined expenditure of 197.50 for legal fees for the months of November & December. Member Dudley made a motion to accept the November & December financial reports, which was seconded by Treasurer Neal. The motion was approved by acclamation.

Agenda Items 5, & 6 & 7:

#5	Old NPV's for Review by the Authority
	None at this time
#6	New NPV's for Research & Review = 43
	16 – Marking Violations 14 – No ticket 13 – No test pit 27 – Under Old Statute 16 - Under New Statute
#7	New NPV's for Review in Closed Executive Session
NPV# 32179 New Statute	Gaines & Company v. BGE 1. §12-126 (a) (1) – Failure to mark within 5 feet 2. §12-126 (b) (1) – Failure to mark within 18 inches 3. §12-126 (b) (2) (ii)– Failure to note Utility Owner 4. §12-126 (c) – Failure to mark within 2 business days 5. §12-126 (c) (2) – Failure to status “Clear/No conflict” in the Information Exchange System
NPV# 32183 New Statute	Gaines & Company v. BGE 1. §12-126 (a) (1) – Failure to mark within 5 feet 2. §12-126 (b) (1) – Failure to mark within 18 inches 3. §12-126 (b) (2) (i) – Failure to use Correct Color Codes
NPV# 32185 New Statute	Gaines & Company v. Verizon 1. §12-126 (a) (1) – Failure to mark within 5 feet 2. §12-126 (b) (1) – Failure to mark within 18 inches 3. §12-126 (b) (2) (i) – Failure to use Correct Color Codes
NPV# 32186 New Statute	Gaines & Company v. BGE 1. §12-126 (a) (1) – Failure to mark within 5 feet 2. §12-126 (b) (1) – Failure to mark within 18 inches 3. §12-126 (b) (2) (i) – Failure to use Correct Color Codes 4. §12-126 (c) – Failure to mark within 2 business days

NPV# 32187 New Statute	Gaines & Company v. Verizon 1. §12-126 (a) (1) – Failure to mark within 5 feet 2. §12-126 (b) (1) – Failure to mark within 18 inches 3. §12-126 (b) (2) (i) – Failure to use Correct Color Codes 4. §12-126 (c) (2) – Failure to status “Clear/No conflict” in the Information Exchange System 5. §12-126 (d) (3) – Failure to request an extension in the information Exchange System
NPV# 32188 New Statute	Gaines & Company v. Comcast 1. §12-126 (a) (1) – Failure to mark within 5 feet 2. §12-126 (b) (1) – Failure to mark within 18 inches 3. §12-126 (b) (2) (i) – Failure to use Correct Color Codes 4. §12-126 (c) – Failure to mark within 2 business days 5. §12-126 (d) (3) – Failure to request an extension in the Information Exchange System
NPV# 32200 New Statute	Gaines & Company v. BGE 1. §12-126 (a) (1) – Failure to mark within 5 feet 2. §12-126 (b) (1) – Failure to mark within 18 inches 3. §12-126 (c) – Failure to mark within 2 business days 4. §12-126 (c) (1) – Failure to status “Marked” in the Information Exchange System 5. §12-126 (d) (3) – Failure to request an extension in the Information Exchange System
NPV# 32201 New Statute	Gaines & Company v. BGE 1. §12-126 (a) (1) – Failure to mark within 5 feet 2. §12-126 (b) (1) – Failure to mark within 18 inches 3. §12-126 (b) (2) (i) – Failure to use Correct Color Codes 4. §12-126 (c) – Failure to mark within 2 business days 5. §12-126 (d) (3) – Failure to request an extension in the Information Exchange System
NPV# 32202 New Statute	Gaines & Company v. BGE 1. §12-126 (a) (1) – Failure to mark within 5 feet 2. §12-126 (b) (1) – Failure to mark within 18 inches 3. §12-126 (b) (2) (i) – Failure to use Correct Color Codes 4. §12-126 (c) (1) – Failure to status “Marked” in the Information Exchange System 5. §12-126 (d) (3) – Failure to request an extension in the Information Exchange System
NPV# 32204 New Statute	Gaines & Company v. BGE 1. §12-126 (a) (1) – Failure to mark within 5 feet 2. §12-126 (b) (1) – Failure to mark within 18 inches 3. §12-126 (b) (2) (i) – Failure to use Correct Color Codes 4. §12-126 (c) - Failure to mark within 2 business days

	5. §12-126 (d) (3) – Failure to request an extension in the Information Exchange System
NPV# 32207 New Statute	Gaines & Company v. BGE 1. §12-126 (a) (1) – Failure to mark within 5 feet 2. §12-126 (b) (1) – Failure to mark within 18 inches 3. §12-126 (c) (1) – Failure to status “Marked” in the Information Exchange System 4. §12-126 (d) (3) – Failure to request an extension in the Information Exchange System
NPV# 32119 Old Statute	Gaines & Company v. WSSC 1. §12-126 (a) (1) – Failure to mark within 5 feet 2. §12-126 (b) (1) – Failure to mark within 18 inches 3. §12-126 (c) – Failure to mark within 2 business days
NPV# 32139 New Statute	Gaines & Company v. WSSC 1. §12-126 (a) (1) – Failure to mark within 5 feet 2. §12-126 (b) (1) – Failure to mark within 18 inches 3. §12-126 (c) – Failure to mark within 2 business days
NPV# 32162 New Statute	Gaines & Company v. WSSC §12-126 (a) (1) – Failure to mark within 5 feet §12-126 (b) (1) – Failure to mark within 18 inches §12-126 (b) (2) (i) – Failure to use APWA color codes §12-126 (c) (2) – Failure to report “Clear/No Conflict” to the Information Exchange System §12-126 (d) (3) – Failure to request an extension in the Information Exchange System

Agenda Item 8

Old Business:

2020 Drafting Error – Emergency Legislation – The Executive Director informed the members that the emergency legislation to correct the drafting error in the 2021 Title XII re-write has been assigned a number will be sponsored by Delegate Benjamin Brooks Dist. 10, Baltimore County who is the House economic Matters Committee. As it is an Emergency Bill, as soon as it passes, it will go into effect immediately.

2022 DRAFT Legislation – Ticket Volume & Management – In response to the issues in late marking, due to ticket volumes a committee of subscribers lead by Scott Brown, Washington Gas, Matt Ruddo, One-Call Center and Mark Hamrick, Verizon requested the Authority assist them in developing legislation that would ease some of the problems currently being faced in the field. The bill would allow the ticket requester to choose a date when he/or she plans to begin work. The same rules apply to ticket life, but this change would allow ticket response to be meted out of over a the 12-day window, rather than all drop at once, requiring the same response date. Bruce Bereano is having the draft language the Authority developed and will get it drafted and seek a sponsor in both houses.

There was no additional Old Business discussed.

Agenda Item 9

New Business:

2022 CGA Membership Renewal – The Executive Director informed the members that the renewal of the Authority's Annual Membership is due. The Authority is a Government Entity member, which has a \$1,000/yr. fee. The membership allows for the Authority to have 4 members designated for membership. The current four members names: Jim Barron, Susan Stroud, Michael Jewell, Kelly Ruddo. The Authority agreed that the membership should continue and that the same people designated would continue on as representatives of the Authority. Treasurer Neal made a motion to approve the membership renewal, which was seconded by member David Gaines. The motion carried by a voice vote.

There were no additional New Business items discussed.

Agenda Item 10

Next Meeting Date:

The next meeting will take place on February 2, 2022, and scheduled to be a Zoom Meeting
This meeting will be a Closed Executive Session only.

Agenda Item 11

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 9:36 a.m. A motion was made by Chairman Jewell to go into Executive Session, which was seconded by member Gaines. The motion was approved and recorded via recorded roll-call vote.

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