



Maryland Underground Facilities Damage Prevention Authority

AUTHORITY OPEN MEETING & 3rd QUARTER BUSINESS MEETING

Minutes

Wednesday, August 3, 2022
(Postponed July 13, 2022 Meeting)

Meeting Held Via Zoom

Agenda Items 1, 2 & 3

Call to Order/ Welcome & Attendance Roll Call:

The meeting was called to order by Chair, Michael Jewell at 9:00 a.m. via Zoom. The Recording Secretary conducted a roll call attendance of the Authority members. In attendance were Authority members: Michael Jewell, Paul Kwiatkowski, David Gaines, James Dudley, Jimmy Jennings, Dereck Shreves, Amber Brengel and Tamara Neal. Secretary Kelly Ruddo was absent. The Recording Secretary informed the Chairman that a quorum was present. Jim Barron and Susan Stroud were also present. All members participated remotely.

Agenda Item 4

Approval of Minutes:

The Authority reviewed the minutes from the April 13, 2022 open meeting and 2nd Quarter business meeting. Member Derek Shreves made the motion to approve the minutes as written, which was seconded by Treasurer Tamara Neal.

Agenda Item 5

Authority Financial Reports:

The Executive Director provided the combined financial statements for April, May and June 2022. He reported that the April Operating Account had a balance of \$271,448.50 and, the February Education and Outreach Account had a balance of \$62,328.12. In addition, there were no filings fees for April and \$6,992.00 in fines were collected. April had E&O expenses of \$1500 for the 2022 MACo conference. In May, the Operating Account had a balance of \$275,869.79 and the Education and Outreach Account had a balance of \$130,914.86. This increase was as a result of a \$69,104.00 check for payment of fines by Utiliquest for NPVs filed against BGE by Gaines & Company. Again, there were no filing fees for this period. The June Operating Account had a balance of 293,437.50, which included \$600.00 in filing fees. The June balance for the Education and Outreach account was \$123,953.23.

In June the Authority made a \$20,000.00 contribution to the subscriber 811 radio campaign and also made \$1,778.45 in give-away purchases for upcoming events. In addition, year-to-date revenues from the 5 Cent ticket surcharge is \$86,178.90, which is \$44,688.75 less than the same period in 2021. The year-to-date Legal expenditures total \$21, 014.00, which were primarily for general matters and litigation issues. Chairman Jewell made a motion to accept the April, May & June financial reports, which was seconded by Treasurer Neal. The motion was approved by acclamation.

Agenda Items 6, 7 & 8

#6	Old NPV's for Review by the Authority
	None at this time
#7	New NPV's for Research & Review = 32
	<ul style="list-style-type: none"> 11 – Marking violations 6 – No ticket 8 – No test pit 4 – Mech EQ within 18" 1 – Repeat Notification 9 – Under Old Statute 19 – Under New Statute 2 – Under 2022 Statute
#8	New NPV's for Review in Closed Executive Session Group – 1 Violation: §12-124(a) No Ticket - 1st Offense
NPV# 32264 New Statute	Columbia Gas v. Hall Mechanical & Assoc., Inc. Location: Hagerstown, MD
NPV# 32265 New Statute	Wash. Gas v. JAB Water Proofing Location: Oxon Hill, MD
NPV# 32266 New Statute	Wash. Gas v. Kemp Construction Location: Oxon Hill, MD
NPV# 32267 New Statute	Wash. Gas v. Wisdom Construction, LLC Location: Silver Spring, MD
NPV# 32271 New Statute	Wash. Gas v. G&H Construction Services, LLC Location: Hyattsville, MD
NPV# 32272 New Statute	Wash. Gas v. Triple R Construction Corp. Location: North Potomac, MD

#8 cont'd	New NPV's for Review in Closed Executive Session – Group - 2 Original Violation: §12-124(a) – No Ticket 1 st Offense Now: §12-124 (c)(3) – Duration of Ticket & §12-125 (a)(1) – Repeat Notification
NPV# 32255 New Statute	Wash. Gas v. FES Group, LLC Location: Oxon Hill, MD
NPV# 32257 New Statute	Wash. Gas v. Prince William Home Improvement Location: Rockville, MD
NPV# 32269 New Statute	Wash. Gas v. S A W Contracting Location: Bowie, MD
NPV# 32276 New Statute	Wash Gas v. CPF Underground Utilities, Inc. Location: College Park, MD

#8 cont'd	New NPV's for Review in Closed Executive Session – Group - 3 Violation §12-124 (a) – No Ticket 1 st Offense
NPV# 32251 New Statute	Wash. Gas v. Street Utilities, LLC Location: Gaithersburg, MD
NPV# 32260 New Statute	Washington Gas v. Davey Tree Expert Co. Location: Olney, MD

Agenda Item 9

Old Business:

- MML – The Authority once again had a booth at the MD Municipal League Summer Conference (June 12-15 2022). The booth was adjacent to the Miss Utility booth, which works very well. In terms of answering question regarding the entire One-Call Process and the Miss Utility law. At the end of the conference all exhibitors were offered a one-time offer to exhibit at 2022 prices in 2023. The booth costs are going up substantially, therefore the Authority is now signed up for MML 2033 at a savings of \$800.
- MACo - The Authority will have a booth at the 2022 MD Association of Counties which will be held on August 17th through the 20th. The Authority will be partnering with Miss Utility as usual with side-by-side booths.
- PHMSA - The 2021 PHMSA State Damage Enforcement Evaluation was submitted on June 30th. There have been no results as of this writing.
- Term Expirations – Letters have gone out to the AUC of MD, the Subscribers Committee, the MD Municipal League and The Call Center regarding the upcoming vacancies on the Authority, which will occur on September 30, 2022. Current members whose terms are expiring will need to remain seated until the new Governor is installed in January 2023.

The Executive Director proposed changing the date of term expirations from September 30 of each year to at date in the Spring, which would avoid election-time delays. This will

require legislation to alter the term expiration dates.

- There were no additional Old Business items discussed.

Agenda Item 10

New Business:

- Mobile App Contract – The Authority has engaged Semaphore Mobile, LLC to be the as needed consultant for the recently launched mobile apps. Semaphore developed the mobile apps for the Authority through the existing contract with Flywheel. Since the 2022 PHMSA grant application was not approved, there were not sufficient funds to continue work on the proposed training videos. As a result, the remainder of the Flywheel contract funds were converted over to pay for the creation of the 2 mobile apps (Android & Apple). The Flywheel contract is now completed and closed.
- Construction Angels – The Authority has been asked to make a contribution to the upcoming Golf Outing fundraiser on October 14, 2022. A motion was made by Treasurer Neal and seconded by member Gaines to sponsor the Beverage Cart. The Authority members voted by acclamation to sponsor the Beverage Cart for \$750.00. The Authority's logo will go on all marketing materials associated with the event.
- Labor Day Weekend – The Authority members were asked if they wanted to reschedule the September 7, 2022 meeting, since it occurs the Wednesday after Labor Day. Members were also asked if they would prefer to have the meeting via ZOOM or meet in person at the Call Center. The members present decided to go ahead as planned with the September meeting and to conduct it via ZOOM.
- Touch-a-Truck - The Deputy Director informed the members that the Authority is donating 100 safety vests to give away at the Touch-a-Truck event in late August.
- There were no additional New Business items discussed.

Agenda Item 11

Adjournment and Move to Executive Session

- Member Gaines made a motion to adjourn the open meeting and go into Closed Executive Session which was seconded by Chairman Jewell. The meeting ended at 9:53 a.m. The motion was approved and recorded by acclamation .

Agenda Item 12

Next Meeting Date:

The next meeting will take place on Wednesday, September 7, 2022 via a Zoom. This meeting will be a Closed Executive Session only.

Respectfully Submitted By:
Susan A. M. Stroud
Recording Secretary