



Maryland Underground Facilities Damage Prevention Authority

Wednesday, February 14, 2024
9:00 AM

The Miss Utility One Call Center
Lower-Level Conference Room 103
7223 Parkway Drive
Hanover, MD 21076

Open Meeting Agenda

1. Call to Order – Chair David Gaines
2. Introductions
3. Seat new member
 - a. Bahareh Inanloo, Montgomery County DPW, replacing Paul Kwiatkowski from Howard County in the MACo seat
4. Roll Call Attendance, Establish a Quorum – Susan Stroud
5. 2024 Election of Officers
 - a. Chair
 - b. Vice-Chair
 - c. Treasurer
 - d. Secretary
6. Approval of February 14, 2024, Open Meeting Minutes
7. Old NPV's – Formal Hearings on NPV's 29916 – DXI (Old Dixie) vs. BGE & 30088 – Gaines and Company vs. BGE, that were tentatively scheduled for the March 14th meeting, as well as all other NPV's that have had a Formal Hearing requests, are on hold. Executive Director will explain in the Open Meeting.
8. New NPV's for investigation and review (15 each).
 - a. 6 Marking
 - b. 7 No ticket
 - c. 2 Due Care
 - d. 1 under the Post 3/11/21 Statute
 - e. 14 under the Post 6/01/22 Statute
9. New NPV's for Review by the Authority in Closed Executive Session.
 - a. NPV#32280– BGE vs. Kibler Construction Company, Inc.
 - i. Location: 7504 Oakland Mills RD, Columbia, MD
 - ii. Submitted 04/28/22

- iii. Alleged Violations 04/25/21 (Under Post 3/11/21 Statute)
 - 1. §12-125 (a) (1)– Failure to repeat the notification to the Call Center when work “...has not been completed...” “within the time period authorized by the ticket.” Thus, excavating with no active valid Miss Utility Ticket.
- b. NPV# 32319 – Gaines and Company vs. BGE
 - i. Location: Evening Star & Jumpers Hole & Longhill & Spring Gate, Pasadena, MD 21122
 - ii. Submitted 05/10/23
 - iii. Alleged Violations 05/10/23 (Under Post 6/01/22 Statute)
 - 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 report “Marked” in the Information Exchange System
 - 5. §12-126 (c) (2) – Failure to report “Clear/No conflict” in the Information Exchange System
- c. NPV#32322– Gaines and Company vs. Comcast
 - i. Location: Evening Star & Jumpers Hole & Longhill & Spring Gate, Pasadena, MD 21122
 - ii. Submitted 05/11/23
 - iii. Alleged Violations 05/11/23 (Under Post 6/01/22 Statute)
 - 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 report “Marked” in the Information Exchange System
 - 5. §12-126 (c) (2) – Failure to report “Clear/No conflict” in the Information Exchange System
- d. NPV# 32332 – Wash Gas vs. Eddies Concrete
 - i. Location: 203 W College Terrace, Frederick, MD 21701
 - ii. Submitted 06/23/23
 - iii. Alleged Violations 08/22/22 (Under Post 6/01/22 Statute)
 - 1. §12-124 (a) – No Miss Utility Ticket – 1st Offense
- e. NPV# 32333 – Wash Gas vs. Jendell Construction, Inc.
 - i. Location: 5 Duke Court, Rockville, MD 20850
 - ii. Submitted 06/24/23
 - iii. Alleged Violations 08/25/22 (Under Post 6/01/22 Statute)
 - 1. §12-124 (a) – No Miss Utility Ticket – 1st Offense
- f. NPV# 32338 – Theresa Kurtz vs. Nancy T. Briscoe
 - i. Location: 19030 Beallsville Road, Beallsville, MD 20839
 - ii. Submitted 06/30/23
 - iii. Alleged Violations 06/14/23 (Under Post 6/01/22 Statute)
 - 1. §12-124 (a) – No Miss Utility Ticket – 1st Offense
 - 2. §12-127 (a) – Performing an excavation without notice from the owner-member or their contract locator

3. §12-127 (c) (1) – Failure to have a copy of the One-Call Ticket on the site
4. §12-130 (b) (1) (iv) – Failure to assume liability if a damage occurs

10. Old Business

- a. 2024 Legislation
 - i. At our lobbyist's request, we are not going to drop legislation this year on raising the \$0.05 to \$0.10 on outgoing tickets and Member Term Ending, September 30 to April 30. Effective 2025. We will begin meeting with facility owners and legislators starting in September 2024 with plans to drop the legislation in the 2025 Legislative Session to become Law on June 1/2/2025.

11. New Business

- a. Susan to present the proposal to hire Semaphore Mobile from Plano Texas to develop a Case Management System to replace the current spreadsheet we are using.

12. Motion to Adjourn and move into Closed Executive Session

13. Next Meeting Date

- a. March 13, 2024, In Person Open Meeting and a Closed Executive Session.