



Maryland Underground Facilities Damage Prevention Authority
Authority Open Meeting Minutes
Wednesday, February 14, 2024

Agenda Item 1

Call to Order/ Welcome:

The meeting was called to order by Chair, David Gaines at 9:01 a.m. in the Miss Utility Conference Room at OCCInc. The meeting was then turned over to the Executive Director.

Agenda Item 2 & 3

Introductions & Seat New Member:

Matt Ruddo from OCCInc. Was present for the meeting. Ms. Inanloo, representing MACo was seated at this meeting.

Agenda Item 4

Roll Call Attendance/Establishment of a Quorum:

The Recording Secretary conducted a roll call attendance of the Authority members. In attendance were Authority members: David Gaines, Marc Haines, Jennifer Arroyo, Jimmy Jennings, Bahareh Inanloo, David Wilkins & Keith Dill. James Dudley and Mickey Beall were absent. The Executive Director, Jim Barron and Susan Stroud, the Recording secretary was also present. The Recording Secretary informed the Chairman that there was a quorum.

Agenda Item 5

2024 Election of Officers:

The election of the 2024 Authority officers took place at this meeting with the Executive Director asking for nominations from the floor for Chairman, Vice-Chairman, Secretary and Treasurer. A slate of candidates for the officer positions was agreed to and a formal vote was taken. The following members were seated as the 2024 officers for the Authority:

- Chairman – Jimmy Jennings, OCC Locating, Inc.
- Vice-Chairman - David Wilkins, WSSC
- Treasurer - Jennifer Arroyo, Miss Utility, One Call Center
- Secretary – Marc Haines, BGE

Agenda Item 6

Approval of Minutes:

The Authority reviewed the minutes from the January 10, 2024 open meeting. There were no amendments made to the minutes. Vice-Chairman Wilkins made a motion to approve the minutes. Chairman Jennings seconded the motion. The motion carried by acclamation.

Agenda Items 7, 8 & 9

# 7	Old NPV's- Pending formal hearings – Not Scheduled To-date.
NPV 29916	<p>NPV# 29916 – DXI (Old Dixie) vs. BGE Location: 9250 Judicial Way, aka, 9250 Bendix Road, Columbia, MD Alleged Violation 11/19/19 1. §12-126 (b) (1) – Failure to mark within 18 inches</p>
NPV 30088	<p>NPV# 30088 – Gaines and Company vs. BGE Location: Trotters Knoll @ Wendy Court, Trotter Chase, Ellicott City, MD Alleged Violations 12/19/19 – That BGE failed to follow the appropriate marking guidelines set for in: §12-126 (a) (1) – Failure to mark if facility is within 5 feet of the proposed excavation §12-126 (b) (1) – Failure to mark within 18 inches of facility §12-126 (c) (1) – Failure to report “Marked” to the Information Exchange System at Trotters Knoll & Wendy Court, Trotter Chase, Ellicott City MD on December 19, 2020, the date of the incident</p>
#8	New NPV's for Research & Review = 15
	<p>Categories of Probable Violations: 6 Marking 7 No ticket 2 Due Care <i>1 under the Post 3/11/22 Statute</i> <i>14 under the Post 6/01/22 Statute</i></p>
#9	New NPV's for Authority Review (closed executive session)

NPV# 32280	BGE v. Kibler Construction Company, Inc. Location: 7504 Oakland Mills Road, Columbia, Howard County, MD Marking Violation/s: §12-125 (a)(1) – Failure to repeat notification to the Call Center.
NPV# 32319	Gaines & Company v. BGE Location: Evening Star & Jumpers Hole & Longhill & Spring Gate, Pasadena, Anne Arundel County, MD 21122 Marking Violations: §12-126 (a) (1) – Failure to mark within 5 feet §12-126 (b) (1) – Failure to mark within 18 inches §12-126 (c) – Failure to mark within 2 business days §12-126 (c) (1) – Failure to report “Marked” in the Information Exchange System §12-126 (c) (2) – Failure to report “Clear/No conflict” in the Information Exchange System
NPV# 32322	Gaines & Company v. BGE Location: Evening Star & Jumpers Hole & Longhill & Spring Gate, Pasadena, Anne Arundel County, MD 21122 Marking Violations: §12-126 (a) (1) – Failure to mark within 5 feet §12-126 (b) (1) – Failure to mark within 18 inches §12-126 (c) – Failure to mark within 2 business days §12-126 (c) (1) – Failure to report “Marked” in the Information Exchange System §12-126 (c) (2) – Failure to report “Clear/No conflict” in the Information Exchange System
NPV# 32332	Washington Gas v. Eddies Concrete Location: 203 W. College Terrace, Frederick, Frederick County, MD 21701 No ticket Violation: §12-124 (a) – No Miss Utility Ticket – 1 st Offense
NPV# 32333	Washington Gas v. Jendell Construction, Inc. Location: 5 Duke Court, Rockville, Montgomery County, , MD 20850 No ticket Violation: §12-124 (a) – No Miss Utility Ticket – 1 st Offense
NPV# 32338	Theresa Kurtz vs. Nancy T. Briscoe Location: 19030 Beallsville Road, Beallsville, MD 20839 No ticket & Due Care Violations §12-124 (a) – No Miss Utility Ticket – 1 st Offense §12-127(a) – Performing an excavation without notice from the owner-member or the contract locator. §12-127 (c) (1) – Failure to have a copy of the One-Call ticket on site. §12-130 (b) (1) (iv) – Failure to assume liability if a damage occurs.

Agenda Item 10

Old Business:

2024 Legislation – The Executive Director announced that at the request of Authority lobbyist, Bruce Bereano, the rate increase legislation for each outgoing ticket will not be introduced during the 2024 session of the Maryland General Assembly.

Agenda Item 11

New Business:

Annual Report – The Deputy Director has completed the 21023 Annual report to the Governor as required by statute. Each member was given a copy of the report which is also available to download on the authority website.

Case Management System – The Deputy Director gave a presentation regarding the revamping of the Authority's current Case Management System (CMS). She walked the members through the proposal submitted by Semaphore Mobile, who also created the Authority's website. The contract details will be discussed further during the closed executive session.

Agenda Item 12

Adjournment and Move to Executive Session

A motion was made to adjourn the February 14, 2024 Open meeting was made by member Gaines and seconded by Vice-Chairman Wilkins. The motion was approved and recorded. The meeting adjourned at 9:55 a.m., the Authority immediately went into Closed Executive Session.

Agenda Item 13

Next Meeting Date:

The next meeting will take place on Wednesday, March 13, 2024 at 9:00 a.m. The Executive Director stated that this meeting will be an in person Open Meeting followed by Closed Executive Session.

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