



Maryland Underground Facilities Damage Prevention Authority

AUTHORITY OPEN MEETING & 4th QUARTER BUSINESS MEETING

Minutes

Wednesday, October 5, 2022

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 9:11 a.m. via Zoom. The Recording Secretary conducted a roll call attendance of the Authority members. In attendance were Authority members: Michael Jewell (late), Paul Kwiatkowski, David Gaines (late), James Dudley, Jimmy Jennings, Dereck Shreves, and Tamara Neal. Member Amber Brengel and Secretary Kelly Ruddo were absent. The Recording Secretary informed the Chairman that a quorum was present. Jim Barron and Susan Stroud were also present. Board nominee Jennifer Arroyo, General Manager of the Call Center also participated. All members participated remotely.

Agenda Item 4

Approval of Minutes:

The Authority reviewed the minutes from the August 3, 2022 open meeting and 3rd Quarter business meeting. Member James Dudley 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 July, August and September 2022. He reported that the July Operating Account had a balance of \$290,607.41 and, the July Education and Outreach Account had a balance of \$122,116.51. In addition, there were no filings fees and \$1026.00 in fines were collected. In August, the Operating Account had a balance of \$273,052.26 and the Education and Outreach Account had a balance of \$119,076.15. There were no filing fees of fines for August. The September Operating Account had a balance of \$287,139.32, which included \$600.00 in filing fees. The September balance for the Education and Outreach account was \$126,845.88. The increase to the funds was due to the payment of \$7,828.00 in fines. In the third quarter combined there were \$7,424,71 in

expenditures to the E&O account; which included a \$3,500 sponsorship for the Greater Chesapeake Damage Prevention Conference, a \$500 contribution to "Construction Angels" and expenses associated with annual Maryland Association of Counties conference. In addition, year-to-date revenues from the 5 Cent ticket surcharge is \$136,434.65, which is \$70,408.75 less than the same period in 2021. The year-to-date Legal expenditures total \$27,294.50, which were primarily for general matters and legislative issues. Treasurer Neal made a motion to accept the July, August & September financial reports, which was seconded by Vice Chairman Paul Kwiatkowski. The motion carried.

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 = 24
	Categories of Probable Violations: 4 Marking 9 No ticket 3 Not Test Pit 4 Mech EQ within 18" 1 Repeat Notification 3 Due Care 5 under the Pre 3/11/21 Statute 11 under the Post 3/11/21 Statute 8 under the Post 6/01/22 Statute
#8	New NPV's for Review in Closed Executive Session Group – 1 Violation: §12-124(c)(2) - Failure to Test Pit.
NPV# 32182 New Statute	Wash Gas v. Colonial Electric Co Location: Poolesville, MD
NPV# 32216 New Statute	Wash. Gas v. E&R Services Location: Clinton, MD
NPV# 32217 New Statute	Wash. Gas v. Rivers Construction Location: Capitol Heights, MD
NPV# 32219 New Statute	Wash. Gas v. Rivers Construction Location: Suitland, MD
NPV# 32222 New Statute	Wash. Gas v. J. Warren Walker & Sons Location: Lanham, MD

#8 cont'd	New NPV's for Review in Closed Executive Session – Group - 2 §12-126 (c) – Failure to Mark within 2 business days
NPV# 32224 New Statute	Gaines & Co. v BGE Location: Elkridge, MD
NPV# 32232 New Statute	Gaines & Co. v BGE Location: Severna Park, MD
NPV# 32227 New Statute	Gaines & Co. v Comcast Location: Bowie, MD
NPV# 32228 New Statute	Gaines & Co. v PEPCO Holdings Location: Kittering, MD
NPV# 32229 New Statute	Gaines & Co. v Verizon Location: Kittering, MD
NPV# 32230 New Statute	Gaines & Co. v Washington Gas Location: Kittering, MD

#8 cont'd	New NPV's for Review in Closed Executive Session – Group - 3 Violation §12-126 (c) – Failure to Mark within 2 business days.
NPV# 32263 New Statute	Gaines & Co. v BGE Location: Havre de Grace, MD
NPV# 32282 New Statute	Gaines & Co. v BGE Location: Havre de Grace, MD
NPV# 32278 New Statute	Gaines & Co. v BGE Location: Crofton, MD

Agenda Item 9

Old Business:

- The Authority will be attending and have a booth at the Greater Chesapeake Damage Prevention Training Conference, October 25-28, 2022.
- Susan submitted the 2021 PHMSA State Damage Enforcement Evaluation on June 30, 2022. We are waiting for a response from PHMSA.
- All four Authority Nominees have submitted the necessary information and Documents to the Governor's Appointment Office. There will be a delay in processing these appointments until the new Governor is sworn in in January.

The Appointees are:

AUC of MD Seat – David Gaines, Gaines and Company

Subscribers Seat – David Wilkins, WSSC Water

One Call Seat – Jennifer Arroyo, One Call Concepts

MML Seat – Michael Beall, Town of University Park

- We have received a response on our 2022-23 PHMSA State Damage Prevention Grant Application. To be discussed in Closed Executive Session

Agenda Item 10

New Business:

- We are currently reviewing a contract with Empire Credit and Collection with the Authority attorney. This is the company we have chosen our collection actions. This item will be discussed in Closed Executive Session.

Agenda Item 11

Adjournment and Move to Executive Session

- Treasurer Neal made a motion to adjourn the open meeting and go into Closed Executive Session which was seconded by Vice chairman Kwiatkowski. The meeting ended at 9:32 a.m. The motion was approved and recorded by acclamation .

Agenda Item 12

Next Meeting Date:

The next meeting will take place on Wednesday, November 2, 2022 via a Zoom. This meeting will be a Closed Executive Session only.

Respectfully Submitted By:

Susan A. M. Stroud

Recording Secretary