



Maryland Underground Facilities Damage Prevention Authority  
Authority Open Meeting Minutes  
Wednesday, May 8, 2024

Agenda Item 1

**Call to Order/ Welcome:**

The meeting was called to order by Chair, Jimmy Jennings at 9:01 a.m. The meeting was conducted via Zoom. The Chair then turned the meeting over to the Executive Director.

Agenda Item 2 & 3

**Introductions & Roll Call Attendance**

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 and Sarah Peters were also present. The Recording Secretary informed the Chairman that there was a quorum.

Agenda Item 4

**Approval of Minutes:**

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

Agenda Items 5,6 &7

<b># 5</b>	<b>Old NPV's- Pending formal hearings – Not Scheduled To-date.</b>
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 &amp; Wendy Court, Trotter Chase, Ellicott City MD on December 19, 2020, the date of the incident</p>
<b>#6</b>	<b>New NPV's for Research &amp; Review = 15</b>
	<p>Categories of Probable Violations:                  6 Marking                  5 No ticket                  2 Due Care  <i>13 under the Post 6/01/22 Statute</i></p>
<b>#7</b>	<b>New NPV's for Authority Review (closed executive session)</b>
NPV# 32344	<p>Wash Gas v. Robert A. Tull, Inc.                  Location: Bethesda, Montgomery Co, MD                  Violation: §12-124 )a) – No Ticket – 1<sup>st</sup> offense</p>
	Intentionally left blank.

NPV# 322345	Wash Gas v. JL City Concrete Location: Frederick, Frederick Co., MD Violation: §12-124 )a) – No Ticket – 1 <sup>st</sup> offense
NPV# 32350	Wash Gas. V. Masonry Plus Location: Upper Marlboro, Prince Georges Co, MD Violation: §12-124 )a) – No Ticket – 1 <sup>st</sup> offense
NPV# 32323	Gaines v. Comcast Location: Baltimore Co., MD Violations: §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 correct APWA color codes §12-126 (c) – Failure to mark within 2 business days §12-126 (c) (2) – Failure to report “Clear/No conflict” in the Information Exchange System
<b>Remaining NPVs TBR</b>	NPV#s 32324, 32325, 32326 <i>Will be reviewed in June</i>

Agenda Item 8

**Old Business:**

PHMSA Grant – The grant application has been completed and submitted to Grants.gov for review.

PHMSA Adequacy Evaluation – The Evaluation Questionnaire has been completed and submitted. Our evaluation status will be sent to us in or around September.

Agenda Item 9

**New Business:**

Media Campaign - Each year we contribute to the Miss Utility Media Campaign. The last several years, we have contributed on average \$20,000 from the Education and Outreach Fund to help support the radio campaign. Vice- Chairman Wilkins suggested that the contribution be increased to \$25,000 since inflation has caused increases in the cost of doing business. Member Dill suggested that \$22,000 would be closer to the rate of inflation. Ultimately Chairman Jennings made a motion to contribute \$25,000, which was seconded by member Dill. The motion carried by acclamation.

Agenda Item 10

**Adjournment and Move to Executive Session**

A motion was made to adjourn the May 8, 2024 Open meeting was made by member Gaines and seconded by Vice Chairman Wilkins. The motion was approved and recorded. The meeting adjourned at 9:20 a.m., the Authority immediately went into Closed Executive Session.

Agenda Item 11

**Next Meeting Date:**

The next meeting will take place on Wednesday, June 12, 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