



Maryland Underground Facilities Damage Prevention Authority
Open Meeting Minutes
Wednesday December 11, 2024

Agenda Item 1

Call to Order/ Welcome:

The meeting was called to order by Chair, Jimmy Jennings at 9:15 a.m. The meeting was held At the Miss Utility Conference Center. There were no guests present.

Agenda Items 2, 3 & 4

Introductions, Recognition & Roll Call Attendance

The Chairman asked that the member present introduce themselves, since there was an incoming member present. New member Tim Kaptein was introduced to the members. Mr. Kaptein will be replacing Mr. Gaines as the AUC of MD representative. Mr. Kaptein works for Comer Construction. Once introductions were concluded, the Executive Director asked outgoing member David Gaines to step forward. The Executive Director presented Mr. Gaines, the outgoing representative from the AUC of MD, with a commemorative gift in appreciation of his service as a two (2) term member of the Authority. In addition, Mr. Gaines was presented with a ceremonial gavel to commemorate his time as Chairman of the Authority. After photographs were taken, the Executive Director asked out going member Mickey Beall to step forward. Mr. Beall represented the Maryland Municipal League (MML) for one(1) term. He too was given a commemorative gift signifying his time with the Authority.

The Recording Secretary conducted a roll call attendance of the Authority members. In attendance were Authority members: Marc Haines, Jennifer Arroyo, Jimmy Jennings, Bahareh Inanloo, Keith Dill, Mickey Beall, David Gaines, David Wilkins, James Dudley and Tim Kaptein. The Executive Director, Jim Barron and Susan Stroud, the Deputy Director were also present. The Recording Secretary informed the Chairman that there was a quorum. The Executive Director was asked by the Chairman to proceed with the Agenda for the December 11, 2024 Open Meeting.

Agenda Item 5

Approval of Minutes:

The Authority reviewed the minutes from the November 13, 2024 Open Meeting. There were no amendments made to the minutes. Vice Chairman Wilkins made a motion to approve the minutes. Member Dudley seconded the motion. The motion carried by acclamation.

Agenda Item 6

Formal Hearings

NPV's 29916 – DXI (Old Dixie) vs. BGE & 30088 – Gaines and Company vs. BGE, are tentatively on hold, as well as all other NPV's that have had a Formal Hearing requests. We are anticipating resuming Formal Hearings in 2025.

Agenda Item 7

NPV's for Investigation and Review (33)

- a. 9 Marking
- b. 10 No ticket
- c. 13 Due Care
- d. 1 Abuse of Emergency Ticket

Agenda Item 8

New NPV's for review in Closed Executive session:

#8	New NPV's for Authority Review (closed executive session)
NPV# 32337	Gaines v Comcast Location: Brandywine, Prince Georges 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) (2) – Failure to report “Clear/No conflict” in the Information Exchange System
NPV# 32347	Gaines v. Toro Energy of MD Location: Glenn Dale. Prince Georges Co., MD Violations: §12-126 (d) (1)(i) – Failure to notify the person that intends to perform the excavation. §12-126 (d) (1)(ii) – Failure to develop a documented agreement. §12-126 (d) (2) – Failure to mark portion of the site where excavation will first occur.

<p>NPV# 32356</p>	<p>Gaines v. Quest Governmental Services, Inc. Location: Bethesda, Montgomery 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 (c) – Failure to mark within 2 business days §12-126 (d) (1)(ii) – Failure to develop a documented agreement. §12-126 (d) (2) – Failure to mark portion of the site where excavation will first occur.</p>
<p>NPV# 32357</p>	<p>Gaines v. Quest Governmental Services, Inc. Location: Bethesda, Montgomery 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 (c) – Failure to mark within 2 business days §12-126 (c)(1) – Failure to status marked in the information exchange system. §12-126 (c) (2) – Failure to report “Clear/No conflict” in the Information Exchange System.</p>
<p>NPV# 32359</p>	<p>Gaines v. Delmarva Power Location: Stevensville, Kent 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</p>
<p>NPV# 32360</p>	<p>Gaines v. Washington Gas Location: Upper Marlboro, Prince Georges 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 (c) – Failure to mark within 2 business days</p>

Agenda Item 9

Old Business:

Succession Plan – This item will be discussed in Closed Executive Session.

Case Management System – The Deputy Director updated the Authority members on the status of the Case Management System. She indicated that the proofing of the NPV form to be used once the system is in place has been completed and the next phase of the project will begin. This includes the virtual briefcases for members to store and access their documents. Once the system is launched the NPV’s stored in the system will be real; time. The archival information will have to be addressed with a separate contract.

Authority Appointments – The Deputy Director informed the group that Mr. Hal Metzler had been approved for appointment, filling the MML seat and should be sworn in time for the January meeting.

Agenda Item 10

New Business:

2025 Meeting Calendar – The 2025 Authority Meeting Calendar was presented to the Authority for their comments and suggested changes. There were no changes offered. The 2025 Meeting Calendar was approved by voice vote. It will be uploaded to the Authority website by the Deputy Director prior to January 1, 2025.

Agenda Item 11

Adjournment and Move to Executive Session

A motion was made to adjourn the December 11, 2024 open meeting was made by Treasurer Arroyo and seconded by Vice Chair Wilkins. The motion was approved and recorded. The meeting adjourned at 9:50 a.m. The Vice Chairman made a motion to move into Closed Executive Session, which was seconded by Treasurer Arroyo. A roll call vote was conducted and the motion carried unanimously.

Agenda Item 12

Next Meeting Date:

The next meeting will take place on Wednesday, January 8, 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