



TENNESSEE UNDERGROUND UTILITY DAMAGE PREVENTION BOARD
Meeting on November 4, 2020

MINUTES

The board meeting of the Tennessee Underground Utility Damage Enforcement Board commenced at 10:02 a.m., via WebEx Telephonic Conferencing.

Board Members Present:

Rob Arnold
Earl Bolin
Wayne Hastings, Vice-Chairman
Bill Hollin
Eddie Hood
Kevin Kruchinski
Scott Niehaus
Bobby Pitts
Kevin Raley
Steve Raper
Kevin Tubberville, Chairman
Bill Turner

Board Members Absent:

Doug Burgess

TPUC Staff Present:

Stacy Balthrop, Director of the Consumer Services Division
Aaron Conklin, Legal Advisor to the TPUC staff
Ryan McGehee, Legal Advisor to the TUUDEB
Slayde Warren
Chris Eaton
Tim Schwarz, Director, Communications

I. Opening of Meeting and Roll Call

Chair Tubberville opened the meeting and Mr. Ryan McGehee took roll call.

II. Review and Adopt Board Meeting Minutes

The Board considered the Minutes of the last meeting on August 12, 2020. Mr. Pitts moved to approve the Minutes and after receiving a proper second from Mr. Hollin, the motion to approve the Minutes passed unanimously on a voice vote.

III. Update Regarding the Program, Finances, Scheduling, and Legislation

The Commission Staff provided an update of the program to the Board. The most recent quarterly report has been published on the website. Mr. Aaron Conklin provided a report of the ongoing enforcement and show-cause proceedings.

Mr. Tim Schwarz gave an update on the status of the board vacancies. Mr. Chris Eaton gave an update on the first quarter of the current fiscal year.

Board meetings for 2021 were scheduled for March 10, May 12, August 11, and November 3, 2021.

Mr. Eaton provided an over-view of the annual invoice for the previous fiscal year for the cost of the Commission to support the operations of the Board. Mr. Hollin moved to accept the invoice and to forward the invoice to Tennessee 811 for reimbursement, which was seconded by Mr. Hood. In a rollcall vote, the motion was granted with 12 ayes and 1 abstention (Mr. Turner).

Due to COVID 19 measures shortening the previous legislative session, legislation concerning the Underground Board was tabled in 2020. Mr. Schwarz discussed reintroducing the proposed legislation previously approved by the Board during the new legislative session in January, 2021. Mr. Pitts made a motion to proceed with reintroducing the bill and the motion was seconded by Mr. Steve Raper and passed on a roll call vote.

IV. Update on Rules and Training Program by Tennessee 811

Mr. Conklin gave an update on the status of the rules and regulations. Mr. Turner motioned to amend the conflict of interest rule to reflect the board's intention of adopting a policy and Mr. Pitts seconded the motion which passed on a rollcall vote.

Mr. Turner reported that so far in 2020, 95 individuals from 80 organizations were trained. Mr. Raper motioned to extend the online training option, the motion was seconded by Mr. Hood, and the extension through March 10 passed through a roll call vote with 12 ayes and 1 abstention (Mr. Turner).

V. General Discussion and Topics for Next Meeting

Mr. Turner made a request hear about options to utilize the civil penalty fund for the next meeting. The response to the PHMSA letter has been positive. Ms. Stacy Balthrop and Mr. Eaton gave an update on grant approvals from PHMSA.

The Board meeting adjourned at 11:09 a.m.