



**TENNESSEE UNDERGROUND UTILITY DAMAGE ENFORCEMENT BOARD**  
**Meeting on January 30, 2023**

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**MINUTES**

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The board meeting of the Tennessee Underground Utility Damage Enforcement Board commenced at 10:22 a.m., in the William R. Snodgrass/Tennessee Tower Building at 312 Rosa L. Parks Avenue, Nashville, Tennessee 37243.

**Board Members Present:**

Jarrold Brackett  
Wayne Hastings, Vice-Chairman  
Eddie Hood  
Curtis Randy Russom  
Lance Sledge  
Kevin Tubberville, Chairman  
Bill Turner

**Board Member(s) Via Telephone:**

Earl Bolin  
Bill Hollin  
Charles Key  
Bobby Pitts  
Steve Raper

**Board Members Not Present:**

Rob Arnold  
Scott Niehaus

**Current Vacancies:**

Interstate Pipeline  
Public Water/Wastewater  
Municipal Electric

**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  
Kelly Cashman-Grams (via telephone)

**I. Opening of Meeting and Roll Call**

Roll call showed seven (7) members present in the room, five (5) members participating by phone and two (2) members absent. The Board moved forward with the understanding that it lacked a physical quorum and that any action taken by the Board would be void unless ratified at a later date.

**II. Review and Adopt Board Meeting Minutes**

The Board considered the Minutes of the last meeting on November 3, 2022. The motion to approve the Minutes passed unanimously on a voice vote.

**III. Program and Legislative Updates**

The number of complaints received in December was 29 and 47 in January. There are 49 open investigations. The total for the calendar year 2022 is 322. In December, there were 3 administrative closures and 11 in January. The assessed civil penalty total is \$310,725. The total received is \$179,435 and the fund balance is \$179,435. The administrative and investigative position has been reposted. The PHMSA grants will be announced in the next several weeks. The quarterly report has been posted on the website.

**IV. Grant Program Update**

Grant program materials were sent out to the Board members prior the meeting to review. The grant offering is to begin on February 1<sup>st</sup> and run through March 20<sup>th</sup>. The CPO deadline for any grant contract(s) will be in mid to late May. The cap amount for the grants and adding flexibility to the cap was discussed. A voluntary grant committee meeting can be added to the schedule on March 28<sup>th</sup> if a substantial number of applications are received and more guidance is needed to review them before the deadline. Board members discussed 811 dues in the context of Grant Option A proposals for small utilities and the policy discussed in 2022 of allowing one-time 811 dues for a small utility that is joining the membership of 811.

All Board members present and on the phone voted to indicate approval of renewing the grant proposal process presented by Staff on a roll call vote. .

**V. Legislative Proposals and Training Program Updates by Tennessee 811**

Mr. Turner discussed potential legislative proposals including large projects, electronic or virtual white lining, and hand digging in first draft form. Board members discussed the proposals. The purpose of the large project and white lining legislation is to collect data for a future legislative proposal(s). The hand digging requirement would remove the hand-digging exemption from one call notification requirements.

All Board members present and on the phone voted to indicate approval of the large project and white lining proposals on a roll call vote. With respect to the hand-digging proposal, one Board member, Mr. Sledge, voted no in a roll call vote.

Mr. Turner reported that 712 individuals from 609 organizations have been trained since the inception of the program. 146 were trained in 2022. Of the 26 cancellations with insufficient notice, 16 were assessed a late fee penalty.

## **VI. Future Topics and Meeting**

The votes from this meeting will be revisited at the next meeting in April.

No member of the public sought to make comment during the public comment period.

The Board meeting adjourned at 11:31 a.m.