



TENNESSEE UNDERGROUND UTILITY DAMAGE PREVENTION BOARD
Meeting on May 22, 2019

MINUTES

The board meeting of the Tennessee Underground Utility Damage Enforcement Board commenced at 10:04 a.m., in the Ground Floor Conference Room of 502 Deaderick Street, Nashville, Tennessee 37243.

Board Members Present:

Earl Bolin
Wayne Hastings, Vice-Chairman
Craig Jensen
Kenneth W. King
Kevin Kruchinski¹
Bob Lambert
Scott Niehaus
Bobby Pitts
Steve Raper
Kevin Tubberville, Chairman
Rick Tunnell

Board Member(s) Via Telephone:

Bill Hollin
Eddie Hood
Kevin Raley
Bill Turner

Board Member(s) Absent:

Jonathan Campbell

¹ Due to traffic, Mr. Kruchinski was participating by phone until his arrival shortly after the meeting began.

TPUC Staff Present:

Aaron Conklin, Legal Advisor to the TPUC staff
Chris Eaton, Fiscal Manager for TPUC
Ryan McGehee, Legal Advisor to the TUUDEB
Tim Schwarz, TPUC Director of Communications

I. Opening of Meeting

Roll call taken.

II. Review and Adopt Board Meeting Minutes

The Board considered the Minutes of the last meeting of February 13, 2019. Mr. Bill Hollin moved to approve the Minutes and after receiving a proper second from Mr. Bob Lambert, the motion to approve the Minutes passed unanimously on a voice vote.

III. Guest Speaker: Dean William C. Koch regarding Conflicts of Interest

Dean Koch gave a presentation regarding conflicts of interest focusing on his experience with the application of such principles in state government. Dean Koch answered questions from Board members following his presentation.

IV. Program Update

Prior to the meeting, Mr. Ryan McGehee provided the quarterly report that covers the enforcement activity from January to March of 2019. Mr. Aaron Conklin provided a report of the ongoing enforcement and show-cause proceedings and the number of complaints for April and May to date. Mr. Conklin gave an update regarding drafting rules for rulemaking based on comments and direction from the Executive Committee. Mr. Conklin is still in the drafting process.

V. Commission Invoice for Second Quarter, FY 2019

Mr. Chris Eaton discussed the invoice and was available for questions from Board Members. Mr. Bill Turner asked how the recommendations of the Comptroller review letter of March 5, 2019 would impact the invoices. Mr. Eaton stated that starting with the April 1st billing period, time sheets would be provided with the invoices.

A motion to approve the invoice was made by Mr. Kenneth King and seconded by Vice Chairman Wayne Hasting. The invoice was approved on a voice vote.

VI. Update of Training Program by Tennessee 811

Mr. Turner reported the training of 294 individuals from 221 organizations since April of 2017. 55 individuals from 32 organizations were trained with another 14 scheduled for training. He also gave an update on the total of training fees collected of approximately \$27,653.00 since the beginning of the program and that overall feedback of the training has been positive.

VII. Update of Discussions Between TN 811 and TPUC Regarding Changes to the MOUs between the Board, TN 811, and TPUC

Mr. Turner provided an update to discussions between TN 811 and the Commission. Scheduling conflicts have prevented discussions in May, but Mr. Turner was optimistic the Commission and TN 811 would have draft recommendations to present to the Board at the next meeting.

VIII. Election for Seat A of the Executive Committee

By statute, Seat A is limited to Mr. Bobby Pitts and Mr. Bill Hollin. Mr. Craig Jensen nominated Mr. Pitts to serve in Seat A. Bill Turner seconded the motion. No other nominations were made. Mr. Pitts was elected to begin a term on July 1, 2019 to serve on the Executive Committee.

IX. Topics for Next Meeting and General Discussion

Mr. Bill Turner requested future legislative proposals be a topic on the next agenda and requested an update regarding expiring appointments for Board members. Mr. Tim Schwarz provided an update.

The Board meeting adjourned at 11:20 a.m.