



TENNESSEE UNDERGROUND UTILITY DAMAGE ENFORCEMENT BOARD
Meeting on August 28, 2019

MINUTES

The board meeting of the Tennessee Underground Utility Damage Enforcement Board commenced at 10:02 a.m., in the Ground Floor Conference Room of 502 Deaderick Street, Nashville, Tennessee 37243.

Board Members Present:

Earl Bolin
Wayne Hastings, Vice Chairman
Bill Hollin
Eddie Hood
Stephanie Howell
Craig Jensen
Kevin Kruchinski
Scott Niehaus
Bobby Pitts
Kevin Raley
Steve Raper
Kevin Tubberville, Chairman
Rick Tunnell
Bill Turner

Board Member(s) Via Telephone:

Kenneth W. King

Board Member(s) Absent:

Jonathan Campbell

TPUC Staff Present:

Aaron Conklin, Legal Advisor to the TPUC staff
Ryan McGehee, Legal Advisor to the TUUDEB
Tim Schwarz, Director, Communications

I. Opening of Meeting and Roll Call

Chairman Kevin 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 May 22, 2019. Mr. Jensen moved to approve the Minutes and after receiving a proper second from Mr. Turner, the motion to approve the Minutes passed unanimously on a voice vote.

III. Over-view of the Open Meetings Act

Ms. Janet Kleinfelter with the Tennessee Attorney General's Office discussed the general requirements of the Tennessee Open Meetings Act and answered questions from Board members concerning such requirements and the Public Records Act.

IV. Election to Fill Seat "C" of the Executive Committee

Mr. Hood nominated Wayne Hastings to serve in Seat C of the Executive Committee. Mr. Hastings accepted the nomination, and Mr. Raper nominated Ms. Stephanie Howell to serve in Seat C of the Executive Committee. Chairman Tubberville seconded Mr. Hastings's nomination and a roll call vote was taken. Mr. Hastings was elected by eleven votes, with two abstentions, and one no vote.

V. Staff Update

Mr. Aaron Conklin provided a report of the ongoing enforcement and show-cause proceedings. Mr. Conklin answered questions and provided information about the rules draft.

VI. Third Quarter Reimbursement Request, FY2019

Mr. Chris Eaton of the Commission Staff and sponsor of the latest Commission invoice was not present due to illness. Mr. Turner moved to adopt the reimbursement request. Mr. Niehaus seconded the motion and a roll call vote was taken. The motion was approved with the eleven members present voting unanimously in favor of adopting.

VII. Update of Training Program by Tennessee 811

Mr. Turner reported the training of 324 individuals from 245 organizations. In 2019, eighty-five individuals from fifty-six organizations were trained. Of the 324 individuals that completed training, forty of them had previously completed the training. Mr. Turner explained that they are working on building analytics for data on damages.

VIII. Legislative Agenda Items

Mr. Turner discussed several legislative topics of interest to TN 811, including the concept of defining "reasonable care" in the Act, large projects and design locates, and adding members to the Executive Committee. They will reach out to utility associations for feedback in anticipation of preparing to move forward with the items in January. Mr. Schwarz mentioned including Tennessee 811 and TPUC in reviewing data to provide analytical input to assist the

board.

IX. General Discussion and Topics for Next Meeting

Mr. McGehee provided a brief update of the discussions between the Commission and TN 811 concerning the MOUs appear to be on-going and may conclude by November. The Tennessee Gas Association's was invited to briefly discuss a proposal for the Board to authorize an expenditure of \$25,000.00 for public education and awareness. The board plans to select meeting dates for 2020 at the next meeting.

The Board meeting adjourned at 11:52 a.m.