



**TENNESSEE UNDERGROUND UTILITY DAMAGE ENFORCEMENT BOARD  
EXECUTIVE COMMITTEE MEETING  
Meeting on January 29, 2020**

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**MINUTES**

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The Executive Committee meeting of the Tennessee Underground Utility Damage Enforcement Board commenced at 1:05 p.m., in the Ground Floor Conference Room of 502 Deaderick Street, Nashville, Tennessee 37243.

**Executive Committee Members Present:**

Wayne Hastings, Vice Chairman  
Bobby Pitts  
Steve Raper

**TPUC Staff Present:**

Aaron Conklin, Legal Advisor to the TPUC staff  
Ryan McGehee, Legal Advisor to the TUUDEB  
Slayde Warren  
Stacy Balthrop

**Also Present:**

Bill Turner  
Craig Ingram

**Roll Call & Minutes:**

Vice Chairman Wayne Hastings, Mr. Bobby Pitts, and Mr. Steve Raper as present. The Committee considered the Minutes of the meeting of November 20, 2019. A motion to approve the Minutes was approved unanimously. Three members voting on this motion, the motion carries 3-0.

**Presentation of Investigation of Complaints:**

The Committee heard and ruled on the following complaints:

**EB19-0145-**

**Alleged Violator:** Garden Gate Homes

**Alleged Excavator:** Matt Christensen

**Complainant:** Atmos Energy

**Facility Type:** Gas

**Equipment:** Backhoe

**Root Cause:** No notification made to Tennessee 811

**Finding:** In violation for failure to notify One-Call prior to excavation and Matt Christensen ordered to attend compliance training.

**EB19-0151-**

**Alleged Violator:** B&T Landscaping

**Alleged Excavator:** Zachery Tinnin

**Complainant:** Atmos Energy

**Facility Type:** Gas

**Equipment:** Backhoe

**Root Cause:** No notification made to Tennessee 811

**Finding:** In violation for failure to notify One-Call prior to excavation and a civil penalty of \$1,250 is assessed.

**EB19-0153-**

**Alleged Violator:** National on Demand

**Alleged Excavator:** Unknown

**Complainant:** Brownlow Utility District

**Facility Type:** Unknown

**Equipment:** Unknown

**Root Cause:** Facility was not located or marked

**Finding:** No violation.

**EB19-0156-**

**Alleged Violator:** Walker Trucking & Excavating

**Alleged Excavator:** Unknown

**Complainant:** PRG/Charter

**Facility Type:** Telecom

**Equipment:** Backhoe

**Root Cause:** No notification made to Tennessee 811

**Finding:** In violation for failure to notify One-Call prior to excavation and Jason Walker ordered to attend compliance training.

**EB19-0158-**

**Alleged Violator:** Bell Development

**Alleged Excavator:** Unknown

**Complainant:** Hixon Utility

**Facility Type:** Gas

**Equipment:** Backhoe

**Root Cause:** No notification made to Tennessee 811

**Finding:** In violation for failure to notify One-Call prior to excavation and the person responsible who was counseled ordered to attend compliance training.

**EB19-0161-**

**Alleged Violator:** Eutaw Construction  
**Alleged Excavator:** Unknown  
**Complainant:** Atmos Energy  
**Facility Type:** Gas  
**Equipment:** Backhoe  
**Root Cause:** Failure to use reasonable care within tolerance zone  
**Finding:** No violation.

**EB019-0165-**

**Alleged Violator:** Minon Construction  
**Alleged Excavator:** Unknown  
**Complainant:** Property Owner  
**Facility Type:** Telecom  
**Equipment:** Trencher  
**Root Cause:** Failure to use reasonable care within tolerance zone  
**Finding:** No violation.

**EB19-0166-**

**Alleged Violator:** Discount Lawncare  
**Alleged Excavator:** Shane Powell  
**Complainant:** Atmos Energy  
**Facility Type:** Gas  
**Equipment:** Trencher  
**Root Cause:** Failure to use reasonable care within tolerance zone  
**Finding:** In violation for failure to use reasonable care and Shane Powell ordered to attend compliance training.

**EB19-0168-**

**Alleged Violator:** T&J Electric  
**Alleged Excavator:** John Connelly  
**Complainant:** Atmos  
**Facility Type:** Gas  
**Equipment:** Trencher  
**Root Cause:** No notification made to Tennessee 811 and failure to use reasonable care within tolerance zone  
**Finding:** In violation for failure to notify One-Call prior to excavation, John Connelly ordered to attend compliance training, and no violation for failure to use reasonable care.

**EB19-0170-**

**Alleged Violator:** Woodcraft Fence Company  
**Alleged Excavator:** Guy Jacobs  
**Complainant:** Atmos Energy  
**Facility Type:** Gas  
**Equipment:** Auger  
**Root Cause:** No notification made to Tennessee 811  
**Finding:** No violation.

**EB19-0171-**

**Alleged Violator:** Mike Smith Pump Service

**Alleged Excavator:** Jeff Jones

**Complainant:** Knoxville Utility Board

**Facility Type:** Gas

**Equipment:** Track hoe

**Root Cause:** Failure to use reasonable care within tolerance zone

**Finding:** In violation for failure to use reasonable care in a safety zone and Jeff Jones ordered to attend compliance training.

**EB19-0173-**

**Alleged Violator:** Greenbriar Landscaping Company

**Alleged Excavator:** Aaron Sounde

**Complainant:** Atmos

**Facility Type:** Gas

**Equipment:** Backhoe

**Root Cause:** No notification made to Tennessee 811

**Finding:** In violation for failure to notify One-Call prior to excavation and Aaron Sounde and Dan Overton ordered to attend compliance training.

**EB19-0174-**

**Alleged Violator:** H2L Outdoor Solutions

**Alleged Excavator:** Johnny Trent

**Complainant:** Horton Highway Utility District

**Facility Type:** Gas

**Equipment:** Track hoe

**Root Cause:** No notification made to Tennessee 811

**Finding:** In violation for failure to notify One-Call prior to excavation and Johnny Trent ordered to attend compliance training

**EB19-0176-**

**Alleged Violator:** Max Steel Buildings

**Alleged Excavator:** Unknown

**Complainant:** Horton Highway Utility District

**Facility Type:** Gas

**Equipment:** Unknown

**Root Cause:** No notification made to Tennessee 811

**Finding:** No violation.

**EB19-0179-**

**Alleged Violator:** Palmer Plumbing

**Alleged Excavator:** Unknown

**Complainant:** Atmos Energy

**Facility Type:** Gas

**Equipment:** Backhoe

**Root Cause:** Failure to notify Tennessee 811

**Finding:** In violation for failure to notify One-Call prior to excavation and Charles Palmer ordered to attend compliance training.

**EB19-0180-**

**Alleged Violator:** Moody Excavating

**Alleged Excavator:** Jason Ruble

**Complainant:** Smyrna Utilities

**Facility Type:** Gas

**Equipment:** Backhoe

**Root Cause:** Failure to notify Tennessee 811

**Finding:** In violation for failure to notify One-Call prior to excavation and Jason Ruble ordered to attend compliance training.

**EB19-0181-**

**Alleged Violator:** Lawrenceburg Utility Systems

**Alleged Excavator:** Ronnie Schrader

**Complainant:** PRG/Charter

**Facility Type:** Gas

**Equipment:** Backhoe

**Root Cause:** Failure to notify Tennessee 811

**Finding:** In violation for failure to notify One-Call prior to excavation and Ronnie Schrader ordered to attend compliance training.

**EB19-0183-**

**Alleged Violator:** Star Construction

**Alleged Excavator:** Zachary Wals

**Complainant:** Atmos Energy

**Facility Type:** Gas

**Equipment:** Backhoe

**Root Cause:** Failure to use reasonable care within tolerance zone

**Finding:** In violation for failure to use reasonable care in a safety zone, Zachary Wals ordered to attend compliance training, and a civil penalty of \$1,250 is assessed for subsequent violation.

**EB19-0184-**

**Alleged Violator:** Harness LLC

**Alleged Excavator:** Kyle Reiners

**Complainant:** Atmos Energy

**Facility Type:** Gas

**Equipment:** Backhoe

**Root Cause:** Failure to use reasonable care within tolerance zone

**Finding:** In violation for failure to use reasonable care in a safety zone and Cory Enyart ordered to attend compliance training.

**EB19-0186-**

**Alleged Violator:** Willow Branch Landscaping

**Alleged Excavator:** Jesus Martinez

**Complainant:** Atmos Energy

**Facility Type:** Gas

**Equipment:** Trencher

**Root Cause:** Failure to notify Tennessee 811

**Finding:** In violation for failure to notify One-Call prior to excavation, Jesus Martinez ordered to attend compliance training, and a civil penalty of \$625 is assessed.

**EB19-0188-**

**Alleged Violator:** Daniel Snyder

**Alleged Excavator:** Daniel Snyder

**Complainant:** Atmos Energy

**Facility Type:** Gas

**Equipment:** Backhoe

**Root Cause:** Failure to use reasonable care

**Finding:** In violation for failure to use reasonable care and Daniel Snyder ordered to attend compliance training.

**EB19-0190-**

**Alleged Violator:** Tri-Star Utilities

**Alleged Excavator:** Bryan Walker

**Complainant:** Atmos Energy

**Facility Type:** Gas

**Equipment:** Backhoe

**Root Cause:** Failure to notify Tennessee 811

**Finding:** In violation for failure to notify One-Call prior to excavation and Bryan Walker ordered to attend compliance training.

**EB19-0195-**

**Alleged Violator:** Metro Sewer & Drain

**Alleged Excavator:** Unknown

**Complainant:** USIC

**Facility Type:** Unknown

**Equipment:** Unknown

**Root Cause:** Reporting a false emergency for a locate ticket

**Finding:** No violation.

**EB19-0196-**

**Alleged Violator:** 3J Construction

**Alleged Excavator:** Jacob Rivera

**Complainant:** Property Owner

**Facility Type:** Water

**Equipment:** Unknown

**Root Cause:** Failure to use reasonable care

**Finding:** No violation.

**Discussion of future topics for next executive committee meeting.**

The number of complaints for the upcoming March 18 meeting was discussed.

The Executive Committee meeting adjourned at 1:44 p.m.