



**TENNESSEE UNDERGROUND UTILITY DAMAGE ENFORCEMENT BOARD
EXECUTIVE COMMITTEE MEETING
Meeting on October 21, 2020**

MINUTES

The Executive Committee meeting of the Tennessee Underground Utility Damage Enforcement Board commenced at 9:00 a.m., via WebEx Telephonic Conferencing per Executive Order No. 16 which permits an electronic meeting without a physical quorum in order to accomplish necessary business for the public health and safety of Tennesseans.

Executive Committee Members Present:

Wayne Hastings, Vice Chairman
Bobby Pitts
Eddie Hood

TPUC Staff Present:

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

Also Present:

Bill Turner

Roll Call & Minutes:

Roll call was taken which confirmed Vice Chairman Wayne Hastings, Mr. Eddie Hood, and Mr. Bobby Pitts as present. The Committee considered the Minutes of the meeting of September 16, 2020. A motion to approve the Minutes by Vice Chairman Hastings was seconded by Mr. Pitts and 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:

EB20-0135-

Alleged Violator: Griffin Mechanical
Alleged Excavator: Jason Albert
Complainant: Greater Dickson Gas Authority
Facility Type: Gas
Equipment: Mini excavator
Root Cause: Excavating before the locate ticket was valid
Finding: In violation for excavating before the locate ticket was valid and Jason Albert ordered to attend compliance training.

EB20-0138-

Alleged Violator: Associated Communications Subcontractors
Alleged Excavator: Bryan Bartlett
Complainant: Horton Highway Utility District
Facility Type: Gas
Equipment: Auger
Root Cause: Failure to use reasonable care within the tolerance zone
Finding: In violation for failure to use reasonable care within tolerance zone and Bryan Bartlett ordered to attend compliance training.

EB20-0139-

Alleged Violator: Premier Design Build
Alleged Excavator: David Craker
Complainant: Atmos Energy
Facility Type: Gas
Equipment: Backhoe
Root Cause: Failure to use reasonable care within the tolerance zone
Finding: In violation for failure to use reasonable care within tolerance zone and David Craker ordered to attend compliance training.

EB20-0140-

Alleged Violator: Robert Chaney
Alleged Excavator: Robert Chaney
Complainant: Homeowner
Facility Type: Cable
Equipment: Backhoe
Root Cause: No notification made to Tennessee 811
Finding: No violation

EB20-0145-

Mr. Hastings recused himself from this vote.
Alleged Violator: Merit Construction
Alleged Excavator: Schuyler Hand; Sub-Contractor: Van Tyler Excavating
Complainant: Knoxville Utilities Board
Facility Type: Electric
Equipment: Grader
Root Cause: No notification made to Tennessee 811
Finding: No violation

EB20-0149-

Alleged Violator: Whaley Construction
Alleged Excavator: David Johnson
Complainant: Knoxville Utilities District
Facility Type: Gas
Equipment: Backhoe
Root Cause: Excavating before a locate ticket was valid
Finding: In violation for excavating before a locate ticket was valid and David Johnson ordered to attend compliance training.

EB020-0151-

Alleged Violator: Haynes Service Company
Alleged Excavator: Steven Taylor
Complainant: Atmos Energy
Facility Type: Gas
Equipment: Backhoe
Root Cause: Excavating beyond the 15-day expiration of a locate ticket
Finding: In violation for excavating beyond the expiration of a locate ticket and Steven Taylor ordered to attend compliance training.

EB20-0154-

Alleged Violator: Fannon Fencing
Alleged Excavator: Sid Fannon
Complainant: USIC
Facility Type: Gas
Equipment: Unknown
Root Cause: No notification made to Tennessee 811
Finding: No violation

EB20-0158-

Alleged Violator: Dwayne Noe Construction
Alleged Excavator: Jesse House
Complainant: Atmos Energy
Facility Type: Gas
Equipment: Backhoe
Root Cause: Failure to use reasonable care within the tolerance zone
Finding: In violation for failure to use reasonable care within tolerance zone and Jesse House ordered to attend compliance training.

EB20-0161-

Alleged Violator: Riggs Drilling Solutions
Alleged Excavator: Unknown
Complainant: Clarksville Gas & Water
Facility Type: Gas
Equipment: Directional drill
Root Cause: Failure to use reasonable care within the tolerance zone
Finding: In violation for failure to use reasonable care within tolerance zone and Jason Riggs ordered to attend compliance training.

EB20-0162-

Alleged Violator: Riggs Drilling Solutions
Alleged Excavator: Unknown
Complainant: Clarksville Gas & Water
Facility Type: Water
Equipment: Directional drill
Root Cause: Failure to reasonable care in the tolerance zone
Finding: No violation

EB20-0166-

Alleged Violator: Greg Bone
Alleged Excavator: Greg Bone
Complainant: Greater Dickson Gas Authority
Facility Type: Gas
Equipment: Backhoe
Root Cause: Excavating beyond the 15-day expiration of a locate ticket
Finding: In violation for excavating beyond the expiration of a locate ticket and Greg Bone ordered to attend compliance training.

EB20-0169-

Alleged Violator: McCall Commercial Fencing
Alleged Excavator: Unknown
Complainant: Property owner
Facility Type: Unknown
Equipment: Unknown
Root Cause: Facility was not located or marked
Finding: No violation

EB20-0130, EB20-0133, EB20-0137, EB20-0143, EB20-0144, EB20-0146, EB20-0147, EB20-0153, EB20-0156, and EB20-0157-

Alleged Violator: First Violation
Root Cause: Failure to notify Tennessee 811
Finding: In violation for failure to give notice prior to excavation.

EB20-0109-

Alleged Violator: Josh Leslie
Alleged Excavator: Josh Leslie
Complainant: Knoxville Utilities District
Facility Type: Gas
Equipment: Mini excavator
Root Cause: Failure to notify Tennessee 811
Finding: Administratively closed

Update of Training Program by Tennessee 811

Mr. Turner reported that for 2020 year to date, 86 individuals from 76 organizations were trained. 56 individuals have completed the online training. TN 811 is working with 5 individuals who do not have the capability of doing the electronic training.

Discussion of future topics for next executive committee meeting.

The dates for the upcoming 2021 meetings were discussed.

The Executive Committee meeting adjourned at 9:44 a.m.