



**TENNESSEE UNDERGROUND UTILITY DAMAGE ENFORCEMENT BOARD  
EXECUTIVE COMMITTEE MEETING  
Meeting on February 23, 2022**

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**MINUTES**

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The Executive Committee meeting of the Tennessee Underground Utility Damage Enforcement Board commenced at 9:01 a.m., in the Ground Floor Conference Room of 502 Deaderick Street, Nashville, Tennessee 37243.

**Executive Committee Members Present:**

Kevin Tubberville, Chairman  
Wayne Hastings, Vice Chairman  
Eddie Hood

**TPUC Staff Present:**

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

**Tennessee 811 Present:**

Bill Turner  
Curtis Russom

**Roll Call & Minutes:**

Roll call confirmed Chairman Kevin Tubberville, Vice Chairman Wayne Hastings, and Mr. Eddie Hood as present. The Committee considered the Minutes of the meeting of January 25, 2022. Mr. Tubberville motioned to approve the Minutes which were unanimously approved.

**Presentation of Investigation of Complaints:**

The Committee heard and ruled on the following complaints:

**EB21-0244-**

**Alleged Violator:** Southeast Excavation  
**Alleged Excavator:** Marcus Campbell  
**Complainant:** Knoxville Utilities Board  
**Facility Type:** Gas  
**Equipment:** Excavator  
**Root Cause:** Failure to notify Tennessee 811  
**Finding:** In violation for failure to give notice prior to excavation and a civil penalty of \$5,000 is assessed for subsequent violation.

**EB21-0265-**

**Alleged Violator:** Hernandez Plumbing  
**Alleged Excavator:** Jose Hernandez  
**Complainant:** Metro Water & Sewer  
**Facility Type:** N/A  
**Equipment:** N/A  
**Root Cause:** Reporting a false emergency for a locate ticket  
**Finding:** In violation for reporting a false emergency for a locate ticket and a civil penalty of \$5,000 is assessed for subsequent violation.

**EB21-0282-**

**Alleged Violator:** Southern Site Contractors  
**Alleged Excavator:** Brandon Bowling  
**Complainant:** Knoxville Utilities Board  
**Facility Type:** Gas  
**Equipment:** Excavator  
**Root Cause:** Failure to notify Tennessee 811  
**Finding:** In violation for failure to give notice prior to excavation, Toby Ellis ordered to attend compliance training, and a civil penalty of \$7,500 is assessed for subsequent violation.

**EB21-0301-**

**Alleged Violator:** T2 Green  
**Alleged Excavator:** Jeremy Skinner  
**Complainant:** Horton Highway Utility District  
**Facility Type:** Gas  
**Equipment:** Excavator  
**Root Cause:** Excavating beyond the 15-day expiration  
**Finding:** In violation for excavating beyond the 15-day expiration, Jeremy Skinner ordered to attend compliance training, and a civil penalty of \$2,500 is assessed for subsequent violation.

**EB21-0303-**

**Alleged Violator:** Morristown Public Works  
**Alleged Excavator:** Ryan Trent  
**Complainant:** Atmos Energy  
**Facility Type:** Gas  
**Equipment:** Backhoe

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

**Finding:** No violation

**EB21-0306-**

**Alleged Violator:** Fathers & Son Builders

**Alleged Excavator:** Jason Scholze

**Complainant:** Knoxville Utilities Board

**Facility Type:** Gas

**Equipment:** Mini excavator

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

**Finding:** In violation for failure to use reasonable care within the tolerance zone and Jason Scholze ordered to attend compliance training.

**EB21-0307-**

**Alleged Violator:** Broadband Technical Resources

**Alleged Excavator:** Jacob Woods

**Complainant:** Knoxville Utilities Board

**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 the tolerance zone and Jacob Woods ordered to attend compliance training.

**EB21-0308-**

**Alleged Violator:** Border Magic of East Tennessee

**Alleged Excavator:** Jamie Wurst

**Complainant:** Knoxville Utilities Board

**Facility Type:** Gas

**Equipment:** Trencher

**Root Cause:** Excavating beyond the 15-day expiration

**Finding:** In violation for excavating beyond the 15-day expiration and Jamie Wurst ordered to attend compliance training.

**EB21-0309-**

**Alleged Violator:** The Pipe Doctor

**Alleged Excavator:** John McBride

**Complainant:** Knoxville Utilities Board

**Facility Type:** Gas

**Equipment:** Excavator

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

**Finding:** In violation for failure to give notice prior to excavation, Ben Taylor ordered to attend compliance training, and a civil penalty of \$2,500 is assessed for subsequent violation.

**EB21-0310-**

**Alleged Violator:** Pipe Wrench Plumbing

**Alleged Excavator:** Chris Webb

**Complainant:** Knoxville Utilities Board

**Facility Type:** Water

**Equipment:** Excavator

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

**Finding:** In violation for failure to use reasonable care within the tolerance zone and Chris Webb ordered to attend compliance training.

**EB22-0005-**

**Alleged Violator:** CKF Excavating

**Alleged Excavator:** Kim Eades

**Complainant:** Metro Sewer & Water

**Facility Type:** N/A

**Equipment:** N/A

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

**Finding:** No violation

**EB22-0016-**

**Alleged Violator:** Taylor Plumbing of East Tennessee

**Alleged Excavator:** Cody Byrd

**Complainant:** Knoxville Utilities Board

**Facility Type:** Gas

**Equipment:** Excavator

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

**Finding:** In violation for failure to give notice prior to excavation and a civil penalty of \$7,500 is assessed for subsequent violation.

**EB21-0311, EB21-0312, EB21-0313, and EB22-0008-**

**Alleged Violator:** First Violation

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

**Finding:** In violation for failure to give notice prior to excavation.

**Discussion of Future Topics for the Next Executive Committee Meeting**

The update of the Training Program by Tennessee 811 was given at the Board meeting following the Executive Committee Meeting. The next Executive Committee meeting is March 29 at 10:00 a.m.

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

The Executive Committee meeting adjourned at 9:35 a.m.