

North Carolina Underground Damage Prevention
Review Board
Meeting Minutes from April 26, 2016

Present: Christopher McGee, Louis Panzer, Dean Yancey (phone), David West, Christopher Russ, David Stike, Ken Malonson, Joel Johnson, Danny Sloan, Danny Lassiter, Greg Puckett, Kevin Bell, Sr.

Absent: Richard Gould, Jim Nelson, Tom West

Chairman Chris McGee opened the meeting by welcoming everyone and informing the group that the proceedings were being recorded. Dean Yancey, Mark Worth and Beth Langley joined by phone. We proceeded with introductions of the board members, guest and gallery.

MOTION: A motion was made by David Stike and seconded by Louis Panzer to approve the minutes from the March 22, 2016 meeting. The motion passed unanimously.

We are still waiting to hear from the General Assembly staff regarding rules and procedures for the board.

Louis Panzer discussed the penalty matrix, including training and potential fines. There was considerable discussion regarding the first offense, the training and who should be trained, including field staff as well as office staff. Other notable points of discussion included the time frame for compliance (consensus was 60 days), proof of compliance, lack of compliance and the possibility of bundling complaints for those that are part of our first review. For the first offense, the board is in general agreement that the crew or person responsible will be targeted for training. Repeat offenses may be seen as systemic and training administrative staff and management may be needed. It was also noted that the training would be for individuals and the penalty would be assessed against a company.

ACTION: The Penalty Committee will flesh out the matrix based upon board discussion and provide to the board for review.

Danny Sloan covered the various pieces of information to be included in the Board Member Handbook. We are waiting information from other groups/people in order to complete the handbook.

Chris McGee noted that the NC Ethics Commission staff would submit a recommendation on May 13 to the NC State Ethics Commission that this board will be covered under the NC Ethics Policy. If approved, Pam Cashwell, Assistant Director will come to our meeting and explain the required training and give

direction regarding the Statement of Economic Interest. The SEI must be completed each year and training will be completed every two years.

Chris McGee will be meeting with legal counsel for the NC Utility Commission to discuss interactions between the Utility Commission and this board. The board discussed the process of getting information from the 'box' into the hands of the board members, assigning a docket number for each case, whether or not all complaints would go to the Utility Commission or only appeals and fines. It was noted that a docket number must be assigned to assess a fine.

We do not have confirmation of administrative assistance for the board for now. Chris McGee has contacted the Governor's Office and is waiting to hear from their counsel. We also discussed whether or not the board would have a budget and the possibility of mileage reimbursement for those who travel. The idea of pursuing a grant to help with funding the board was also discussed.

Some other questions that were discussed related to the complaints received: Should the board take into consideration whether or not the contractor was working legally? Did the contractor have an encroachment? The consensus of the group is that these questions will not have bearing on our decisions. Another question was asked regarding private installations and whether or not the utility is a member of NC811.

MOTION: A motion was made by Dean Yancey and seconded by Tom West to adjourn. The motion passed unanimously.

An audio recording of the meeting will be made available upon request.