

North Carolina Underground Damage Prevention
Review Board
Meeting Minutes from May 24, 2016

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

Absent: Richard Gould, Jim Nelson

Chairman Chris McGee opened the meeting by welcoming everyone and informing the group that the proceedings were being recorded. Dean Yancey and Joel Johnson joined by phone. We proceeded with introductions of the board members, guest and gallery and had roll call.

MOTION: A motion was made by Danny Sloan and seconded by Louis Panzer to approve the minutes from the April 24, 2016 meeting. The motion passed unanimously.

Chris McGee updated the Board on an earlier meeting with Representative Mike Hager regarding several concerns of the Board. Those concerns include administrative support, legal council, the need for a website and budget. Representative Hager indicated his support and requested that Chris McGee send a letter outlining the request and anticipated budget dollars for those request. There was discussion regarding travel for Board members as well. It was noted that some companies/agencies are providing for travel while other members are paying their travel expenses themselves.

ACTION: Chris McGee will send a letter to Representative Mike Hager detailing the request and associated budget.

Chris McGee shared a letter from Pamela Cashwell, Assistant Director for the State Ethics Commission. The letter states that the State Ethics Commission will cover the Board and subsequently, board members are required to complete ethics training and a Statement of Economic Interest (SEI). Information regarding the SEI and training is detailed in the letter.

Louis Panzer provided a handout and presented information related to sync.com as a hosting website to securely store scanned documents related to complaint cases to be heard by the Board. There is minimal cost associated with the service and NC811 has agreed to cover the cost initially.

MOTION: A motion was made by Dean Yancey and seconded by David Stike to approve the use of sync.com as a secure storage site for digital documents related to complaints that will be reviewed by the Board. The motion passed unanimously.

Louis Panzer provided a handout related to the proposed penalty matrix and associated guidelines as developed by the Penalty Matrix Committee, which was based on previous Board discussion. There was some discussion about how penalties would be applied consistently to the variety of cases. Consensus was that the group would make decisions regarding individual cases initially and these initial decisions would be used as reference to assure fair and equitable treatment to future cases.

MOTION: A motion was made by David West and seconded by Greg Puckett to approve the use of the penalty guidelines as presented by Louis Panzer. The motion passed unanimously.

There is no update to the Board Member Handbook as there is no additional information to be added at this time.

Dean Yancey will be retiring from Duke Energy effective July 31, 2016. He noted that he would send a letter of resignation from the Board to the Governor and copy the Board Chair.

The Board discussed the possibility of staggering terms for Board members to prevent the entire board being replaced at once. The discussion centered on how we accomplish staggered terms. Dean Yancey noted that attrition of Board members through retirement might lend itself to staggering terms. The question then arose as to whether the person appointed to replace an individual would finish out the term of the predecessor or if that would be the beginning of a new term.

ACTION: Chris McGee will contact Charles Duckett, Director of the Office of Boards and Commissions to discuss the staggering of terms.

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.