December 5, 2019

Attendance

- ☑ Riley, Megan J
- ☐ B.L. Lanier
- ☐ Carl A. Barclay
- ☑ Chris Russ
- ☑ Gould, Rick
- ☑ Greg Puckett
- ☑ Hope Morgan
- ☑ Jackson, Rufus
- ☐ Jonathan Holt
- ☑ Joseph Pearce Jr
- ☑ Juliane L. Bradshaw - LEGAL
- ☐ Kenneth Malonson
- ☑ Lisa D. Smith-Perri
- ☑ Louis Panzer
- ☑ Tom West
- ☑ William Wheeler

Agenda:

1) Update on NCUC process – All cases but 16 that were reviewed by the Board have been submitted and accepted by NCUC **(10:15AM)**

   Questions to ask NCUC
   - i. Facility owner could be the facility damaged
   - ii. Facility owner could be the person at fault
   - iii. What to do when no damage is done? - will they allow for multiple.
   - iv. What does this do for the Facility?
   - v. Privately owned facility - sprinkler, gas line to grill, (who in that case would be named)
   - vi. What about NCDOT? They have to provide permits. What about none state roads?

2) Update on Department of Commerce – Vote on MOU - SKIPPING

FOR	AGAINST
☐ Riley, Megan J	☐ Riley, Megan J
☐ B.L. Lanier	☐ B.L. Lanier
☐ Carl A. Barclay	☐ Carl A. Barclay
☐ Chris Russ	☐ Chris Russ
☐ Gould, Rick	☐ Gould, Rick
☐ Greg Puckett	☐ Greg Puckett
☐ Hope Morgan	☐ Hope Morgan
☐ Jackson, Rufus	☐ Jackson, Rufus
☐ Jonathan Holt	☐ Jonathan Holt
☐ Joseph Pearce Jr	☐ Joseph Pearce Jr
☐ Kenneth Malonson	☐ Kenneth Malonson
☐ Lisa D. Smith-Perri	☐ Lisa D. Smith-Perri
☐ Louis Panzer	☐ Louis Panzer
☐ Tom West	☐ Tom West
☐ William Wheeler	☐ William Wheeler
☐ Russ, Chris	☐ Russ, Chris

1) Update on Legal Fees – Vote on MOU **(10:45AM)**

FOR	**AGAINST**
☑ Riley, Megan J	☐ Riley, Megan J
☑ Chris Russ	☐ Chris Russ
☑ Gould, Rick	☐ Gould, Rick
☑ Greg Puckett	☐ Greg Puckett
☑ Hope Morgan	☐ Hope Morgan
☑ Jackson, Rufus	☐ Jackson, Rufus
☑ Joseph Pearce Jr	☐ Jonathan Holt
	☐ Joseph Pearce Jr
☑ Lisa D. Smith-Perri	☐ Kenneth Malonson
☑ Louis Panzer	☐ Lisa D. Smith-Perri
☑ Tom West	☐ Louis Panzer
☑ William Wheeler	☐ Tom West
	☐ William Wheeler
	☐ Russ, Chris

BREAK (10:50AM)

1) Cost break down for collection of $200,000 – Vote of breakdown *See Attachment* **(11:15AM)**
   Account set up
   Cut off for billing of the $200,000 - 3 option to review with the Board
   811 is willing to help with the initial process for collecting funding
   Approve the letter for invoice - Louis
   Hearing
   Docket # - status

   Breakdown of cost - Louis

breakdown
for UDPRB

FOR 100	**FOR 75**	**FOR 50**
☐ Riley, Megan J	☐ Riley, Megan J	☑ Riley, Megan J
☐ B.L. Lanier	☐ B.L. Lanier	☑ Chris Russ
☐ Carl A. Barclay	☐ Carl A. Barclay	☑ Gould, Rick
☐ Chris Russ	☐ Chris Russ	☑ Greg Puckett
☐ Gould, Rick	☐ Gould, Rick	☑ Hope Morgan
☐ Greg Puckett	☐ Greg Puckett	☑ Jackson, Rufus
☐ Hope Morgan	☐ Hope Morgan	
☐ Jackson, Rufus	☐ Jackson, Rufus	☑ Joseph Pearce Jr
☐ Jonathan Holt	☐ Jonathan Holt	☐ Kenneth Malonson
☐ Joseph Pearce Jr	☐ Joseph Pearce Jr	☑ Lisa D. Smith-Perri
☐ Kenneth Malonson		

1) Locate information provided in case files – Vote *See Attachment* **(11:30AM)**

UDPRB Letter

FOR

✔	Riley, Megan J
☐	Chris Russ
✔	Gould, Rick
✔	Greg Puckett
✔	Hope Morgan
✔	Jackson, Rufus
✔	Joseph Pearce Jr
✔	Lisa D. Smith-Perri
✔	Louis Panzer
✔	Tom West
✔	William Wheeler

AGAINST

☐	Riley, Megan J
☐	B.L. Lanier
☐	Carl A. Barclay
☐	Chris Russ
☐	Gould, Rick
☐	Greg Puckett
☐	Hope Morgan
☐	Jackson, Rufus
☐	Jonathan Holt
☐	Joseph Pearce Jr
☐	Kenneth Malonson
☐	Lisa D. Smith-Perri
☐	Louis Panzer
☐	Tom West
☐	William Wheeler
☐	Russ, Chris

2) Nominations for Treasure
3) Process for Hearings

   Juliane would conduct the hearing, she would bring in a 2nd attorney to advice the Board and a court reporter to record the transcript. If the fine stays the party would have to reimburse the Board for the cost of the Court Recorder.

4) Need to capture Facility Owner Information during Case Review

BREAK (12:00PM)

5) Review case 240-252 (*maybe 253 and 254 – depending on vote for locate information*) **(12:55PM)**

6) When we do not get positive response should we separate out the complaint into multiple issues.
7) Resign

   Louis,
   I just want to let you know that I have left NCDOT and therefore must resign from both the NC811 and Underground Damage Prevention Review Boards. I have thoroughly enjoyed getting to know, and serving with, you and the other Board members. I hope our paths cross again one day.

   Until my replacement is named, Byron Sanders can be your contact for NCDOT matters.
   bsanders@ncdot.gov 919-707-6696

Thanks,
Carl A. Barclay
carl@barclay.org
919-272-5116

8) Don't forget to submit your annual Ethics Filing https://ethics.ncsbe.gov/sei/default.aspx

Case 240

Pipes plus training Jim

FOR
- ☑ Riley, Megan J
- ☐ Chris Russ
- ☑ Gould, Rick
- ☑ Greg Puckett - 2nd
- ☑ Hope Morgan
- ☑ Jackson, Rufus
- ☑ Joseph Pearce Jr
- ☑ Lisa D. Smith-Perri
- ☑ Louis Panzer - motion
- ☑ Tom West
- ☑ William Wheeler

Case 241

Dismiss we don't have access to get locate tickets.

FOR
- ☑ Riley, Megan J
- ☑ Gould, Rick
- ☑ Greg Puckett
- ☑ Hope Morgan
- ☑ Jackson, Rufus
- ☑ Joseph Pearce Jr - 2nd
- ☑ Lisa D. Smith-Perri
- ☑ Louis Panzer - motion
- ☑ Tom West
- ☑ William Wheeler

Case 242

Wrong party identified
FOR
- ☑ Riley, Megan J
- ☑ Gould, Rick - 2nd
- ☑ Greg Puckett
- ☑ Hope Morgan
- ☑ Jackson, Rufus
- ☑ Joseph Pearce Jr
- ☑ Lisa D. Smith-Perri
- ☑ Louis Panzer
- ☑ Tom West - motion
- ☑ William Wheeler

Case 243

87-121(a) recommended pipes plus training

FOR
- ☑ Riley, Megan J
- ☑ Gould, Rick - motion
- ☑ Greg Puckett
- ☑ Hope Morgan
- ☑ Jackson, Rufus
- ☑ Joseph Pearce Jr
- ☑ Lisa D. Smith-Perri
- ☑ Louis Panzer
- ☑ Tom West - 2nd
- ☑ William Wheeler

Case 244

Motion that 811 found not at fault in alleged violation

FOR
- ☑ Riley, Megan J - motion
- ☑ Gould, Rick
- ☑ Greg Puckett
- ☑ Hope Morgan
- ☑ Jackson, Rufus - 2nd
- ☑ Joseph Pearce Jr
- ☑ Lisa D. Smith-Perri
- ☐ Louis Panzer - remove
- ☐ Tom West- remove
- ☑ William Wheeler