

200421 UDPB Meeting

Tuesday, January 14, 2020

9:33 AM

Meeting Subject: UDPB

Meeting Date: 4/21/2020 10:00 AM

Location: 704-382-5555 Call ID 277043#

Link to Outlook Item: [click here](#)

Invitation Message

Participants

[Morgan, Hope](#) (Meeting Organizer)

Notes

X Megan Riley
BJ Lanier
X Chris Russ
X Rick Gould
X Greg Puckett
X Hope Morgan
X Rufus Jackson
X Jonathan Holt
Joseph Pearce Jr
X Juliane Bradshaw
Kenneth Malonson
X Lisa d Smith-Perri
X Louis Panzer
X Tom West
X William Wheeler

Agenda:

1. Budget Update- Lisa
 - a. Report that came from Sonya in the NC811 Office.
 - b. The journal reports have been completed and are in the budget- should receive from Tonya the 35,653 and will be provided today. Should receive AT&T today. Will resend Charter today-
 - c. Commerce wants to use their own W-9 and Cheryl is going to provide that information available to the companies.

Receivables

50 Billed	\$	200,000.00	
24 Paid as of 04/21/2020	\$	54,496.00	
Due	\$	145,504.00	
Deposits	\$	18,195.00	4/17/2020
	\$	648.00	4/20/2020
	\$	18,843.00	
	\$	35,653.00	04/21/2020 -Anticipated
	\$	54,496.00	Balance in Fund

- d. New letter to go out to the unresponsive to explain again and then ask for payment.
 - i. Questions about this letter being real. How the calculation was derived. Need to make sure that companies understand this is a requirement.
 - e. With the amount we have in we have enough to pay the legal and commerce bills. Follow up on how the payment piece works.
 - i. Said these two would be the first two that would be sent and processed.
 - ii. Legal will send out an invoice.
 - f. Met with the HR representative for the State- 3 items recommended-
 - i. Temp workers only may hire 2 so stagger that the employees would not be off on the same month
 - ii. Hiring a company- concern was the amount of work we would have. Do we have enough workload to interest a company? Limited workload. How much time does this role take?
 - iii. Hire a state employee and could look for other needs- state employee there is a lot of overhead. This would take an evaluation of 6 to 9 months.
 - a. Goal is to get this number down- can we use existing people that are closer and connected. Doesn't include the website. Can we get this closer to 100,000?
 - b. Fluctuate by timeline- after the letters and before- 5-10 hours a week until you have to contact or send special letters.
2. IT Update-Megan- goal is by next meeting we will be out of the drobox. Goal is for everyone to use teams. There were some questions about how to load these documents. Teams can track linked documents. Search and see what sent out in order and the documents would be linked together. There were some questions about how the documents were interlinked. Have the walk the team through how to use the new filing system and how this will be organized on the team site.
- a. When we move to the team's site, we may not have an admin site. How are we going to facilitate the Teams site move from 811 to the board?
 - i. There is some missing information in the tracking sheet. Looked like it was missing some of the cases.
 - ii. Two tracking sheets that didn't go past 242 and this could be moved.

- iii. Need to have a process by which we migrate, anything new is introduced, (Tonya is collecting information currently) when we have an education in teams and have Tonya set this up so we can push this to the new Admin.
- 3. Do we want to have presentations? There have been some requests for companies to come in and talk-
 - a. I like presenters when requested.
 - b. Louis makes a motion to not allow presentations unless needed by the board.
 - i. Modified to say any request to the board to present must be approved by the board before it is put on the agenda.
 - ii. What would prevent the group from speaking in the public comments at the end of the meeting.
 - iii. Can we keep anyone from saying anything at the end of the meeting? Can we limit the comments to 3mins at the end? Julianne will check
 - iv. Motion passed.

Will have someone come in for teams training at the next meeting.

1. Case Review 259-266

- 1. This was held from the past meeting, but it was determined that the request was on 9-13 therefore all decisions made at the previous meeting still holds true. We have their information but did not supplement with the ticket. Louis believes this information was missing for address, 811 was reviewed and found this information.
 - 1. Recusals
 - 2. Violation- Defer to the next meeting Louis, Rick second
 - a. Motion withdrawn and 2nd withdrawn.
 - b. Motion for insufficient information tom, Rick Second
 - 3. Discussion- dates on the locator- the gas company that caught them and Triple C called in the same day.
 - a. Do we need to reword this to request the information from 811?
 - b. This cannot be used for this complaint because of data being before October. Submitted on 9-13
 - 4. Motion none opposed- Carries

Case Review 259-268

254. Case 259

- a. Recusals- Chris Russ, Jonathan Holt, Rufus Jackson
- b. Violation- Rick Insufficient Evidence- Tom Second withdrawal
 - 1. Rick 87-122 c6 - Tom-second-
- c. Discussion-
 - 1. No one listed in the alleged violations. Who is the complainant?

2. They used an 80 code, but it wasn't completely marked out. 80 is the master contractor- members master contractor is responsible for locating the facility 87-121a per louis- what about Duke and ATT- time given to do the locate.
3. Pictures they provide show evidence of underground power. Did they perform the work with the transformer there?
4. Filing against DiTech - they were supposed to provide the locate for ATT-
5. Complaint is against the locator and the excavator because they are one in the same.
6. Proceeded with other utilities as well.
7. What was added by the 811-board data amended to the original report- this will be in a different file from this point on
 - a. Delivery times
 - b. Positive response codes-
8. 999's for power and water. Louis agrees- what are we going to do with the penalty- second motion
- d. Any Opposed? None, Motion- carries
- e. Penalty- Rick- penalty of training for Christopher Whitney with DiTech Industries Louis Second
 1. We have not had an alleged violation against DiTech before
 2. Motion for Penalty- none opposed and carried

260.

- a. Recusals- Chris Russ, Rufus Jackson
- b. Violation-Louis- Motion wrong party Identified and provide a letter to let complainant know- Tom second
- c. Discussion- with the USIC and also calling out Duke and these are two second- this is the same complaint on two different cases.
- d. Any Opposed? None, Motion- carries

261.

- a. Recusals- Chris Russ, Rufus Jackson
- b. Violation-motion Louis 87-121a with a recommendation of pipes plus training for the supervisor, Tom- Second
- c. Discussion- Utilities commission will not enforce this motion if it doesn't have a person
 1. Need to put a notice in the contact information is necessary. If the issue is failure to mark it is expected that the paid party would be responsible.
 2. We are providing the notice to the field supervisor to delegate the notice to whom should take the training. We need to come up with a list of who these should be routed to.
 - a. Want this to either go to the person who did the violation, or the person listed as the POC to distribute this information.
 - i. Official notice should go to the official person to receive process.
 - ii. Can we go to the Secretary of State to see who is the registered agent?
 - a. CC the person who is the company POC.
 - b. What do you do if you have different registered agents?
 - c. Will the admin find the registered agent? Collective no this should be on the applicant. Louis work on changing the form to assist with this.
 3. We see gaps based on what we can do as a board vs. what is the utilities commission willing to enforce. How do we close that gap? Those recused would want a say in how this is done.

4. Last time we did a supervisor the company could provide the name of the supervisor to the board.
- d. Any Opposed? None, Motion- carries

****Quorum issues: you do have to have 8 people to decide. For Robins rules they are their but with the decisions you must have the individual people in the decision. There is a lawyer who made a ruling on these.

1. This will be something that has to be considered for each question.
2. Juliane will research this for the future.

BREAK

262.

- a. Recusals-
- b. Violation- Louis- Violation of 87-122a with a recommendation of Pipes plus to the owner- Rufus second
- c. Discussion- inconsistencies with the documentation- going to fix this- would we be able to look up with SOS and find the state agent. This is a company outside of NC that would be a problem. We need to stress the critical nature of finding a person. We need the people to give that to us unless we want the admin person to add this to the case.
 1. Louis will make a modification to the form to make sure the information will be provided
- d. Any Opposed? None, Motion- carries

263.

- a. Recusals-
- b. Violation- Rick- no violation occurred, Louis Seconded
- c. Discussion- missing and relocating signs, leaning into the statue that provides for previous signs being relocated. These no parking signs were critical for safety (could be for first responder access.)
 1. The one that was moved there seemed to be a reason for it. Don't want to dive that deep into it.
 2. If you dig in the ROW any digging is a part of this issue. If you are affecting repair on your own facility. You don't have to call in advance. If you are using hand tools on your own land. Type of work which falls in the exemption.
 3. The only thing they are exempt for is the notification. They are still responsible for the liability of the damage.
- d. Any Opposed? None, Motion- carries

264.

- a. Recusals- Jonathan Holt
- b. Violation- louis- 87-122a with Pipes plus for the owner of Eco Turf- Chris Russ will second
- c. Discussion- None
- d. Any Opposed? None, Motion- carries

265.

- a. Recusals- Chris Russ, Jonathan Holt
- b. Violation- Rick- Insufficient information- Tom- second (amended from insufficient evidence since there was simply an address missing)

- c. Discussion- Did not provide any information or address therefore nothing could be done with this case.
- d. Any Opposed? None, Motion- carries

266.

- a. Recusals- Chris Russ,
- b. Violation-Tom- wrong party listed- Louis Second
- c. Discussion- None
- d. Any Opposed? None, Motion- carries

Make sure you do your SEI-

Mark with Dominion Energy- listening in.