

North Carolina Underground Damage Prevention
Review Board
Meeting Minutes from July, 2017
Revised October 9, 2017

Present: Louis Panzer, Chris McGee, Tom West, Danny Sloan, Joel Johnson,
Danny Lassiter, David Stike, Greg Puckett, Nester Martin, Dean Yancy.

Absent: Jim Nelson and Ken Malonson, DOT absent. Due to technical issues
beyond our control, we were unable to have phone call-ins.

Chris McGee opened the meeting by welcoming everyone and informing the group
that the proceedings were being recorded.

Danny Sloan read the ethics statement to the board.

No Minutes to approve.

No one from the public is in attendance so there was no public comment period.

There will be no hearings today due to lack of instruction to the UDPB on how to
conduct a hearing and due to the lack of legal representation.

A motion was made by Danny Sloan and seconded by Lewis Panzer to not have any
hearings until we have legal council present. Motion passed.

Mr. McGee requested approval for him to send letters to Rep. Dollar and Rep. Mills
thanking them for their support and work on the UDP. Request was approved.

After a short break the meeting resumed with actions on the following cases.

Docket 103

- Chris Russ recuses himself
- Nester Martin recuses himself
- Greg Puckett recuses himself

MOTION: A motion was made by Rick Gould and seconded by David Stike that there
were violations of G.S. 87-122(A).

MOTION: A motion by Tom West and second by Rick Gould the penalty be training.
The motion passed unanimously.

Docket 104

- Chris Russ recuses himself
- Nester Martin recuses himself
- Greg Puckett recuses himself

MOTION: A motion was made by Tom West and seconded by David Stike that there was a violation of G.S. 87-122(C)(4). The penalty will be a financial penalty in accordance with our guidelines. The motion passed unanimously. Another motion was made by David Stike seconded by Tom West that the financial penalty be \$ 2,000. The motion passed

At 11:30 the board got lunch and worked while eating and continued the meeting with the following dockets :

Docket 105

- Nestor Martin recuses himself
- Greg Puckett recuses himself
- Chris Russ recuses himself

MOTION: A motion was made by Danny Sloan and seconded by Rick Gould that there was no violation. The motion passed unanimously.

Docket 106

MOTION: A motion was made by Panzer and seconded by Dean Yancy that there was a violation of G.S. 87-122(A). The penalty will be Pipes Plus training. The motion passed unanimously.

Docket 107

- Jim Nelson recuses himself
- Nestor Martin recuses himself
- Greg Puckett recuses himself

MOTION: A motion was made by Danny Sloan and seconded by Lewis Panzer that there was a violation of G.S. 87-122(A) and the penalty should be Pipes Plus training for Steven McCarthy of Davis Site Works. The motion passed unanimously.

Docket 108

- Greg Puckett recuses himself
- Nelson Martin recuses himself
- Chris McGee recuses himself
- Tom West recuses himself

MOTION: A motion was made by Lewis Panzer and seconded by Danny Lassiter that there was a violation of G.S. 87-121(A)(1) and that the penalty be Pipes Plus training. The motion passed unanimously.

Docket 109

MOTION: A motion was made by Lewis Panzer and seconded by Dean Yancy to bundle dockets 106-109 & 114 because the violations are the same (G.S. 87-122(A)) and that the penalty be Pipes Plus training. A revised motion was made and seconded by the same members that only 106 and 109 be bundled and the penalty be Pipes Plus training.

After discussion Lewis Panzer withdrew his motion because Docket 109 did not meet the 30 day violator response requirement.

MOTION: A motion was made by Joel Johnson, seconded by David Stike that Dockets 109-111 not be reviewed at this time due to the 30 day response requirement. The motion passed unanimously.

The chairman then asked if there was any other business coming before the board or any other discussion. There was discussion about whether or not the penalties were getting paid to the Utilities Commission. It was recommended that we find out and we tract this in our current spread sheet. There was an extended discussion about the 30 day response time frame.

MOTION: A motion was made by Rick Gould, seconded by Lewis Panzer that we rescind all actions, motions and penalties on Docket 108 because of the 30 day response requirement. The motion passed unanimously.

MOTION: A motion was made by Danny Sloan, seconded by Nester Martin that we rescind all actions, motions and penalties on Docket 107 because of the 30 day response requirement. The motion passed unanimously.

There was an extended discussion concerning the standard letter sent to potential violators.

MOTION: A motion was made by David Stike and seconded by Joel Johnson that we authorize Lewis Panzer to make revisions and distribute the letter to board members for approval. The motion passed unanimously.

Hearing no other items for discussion, the Chairman advised the board that the next meeting will be October 17, 2017 and will begin at 10 am.

MOTION: A motion was made by Tom West and seconded by David Stike that we adjourn. The motion passed unanimously.

October revision was to correct spelling of names of Board Members.

Submitted by R. Joel Johnson, PLS

Dated 10-9-2017