

South Dakota One Call

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Sent: Monday, October 04, 2004 9:20 AM
Subject: Motions and Hearing info

Jerry Schroeder will be chairing this session since Kevin will not be available. The only suggestion is that all parties identify themselves prior to speaking since this will be via teleconference.

I believe that this reflects the Board's majority decision at our meeting in Pierre. Anyone can feel free to make the motion ... Pat has agreed to make the motion if no one else does.

Motion One:

I would like to make a motion that the South Dakota One Call Notification Board find Wesley Johnson, doing business as CreateAScape Landscaping, violated SDCL 49-7A-5 by failing to provide notification as required and violated SDCL 49-7A-8 by failing to maintain a minimum horizontal clearance of 18" between a marked underground facility and the cutting edge of any mechanical equipment.

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PAT - TODD

Motion Two:

I would like to make a motion that the South Dakota One Call Notification Board establish a penalty for the violation of SDCL 49-7A-5 by Wesley Johnson, doing business as CreateAScape Landscaping, in the amount of five hundred dollars with one-hundred fifty dollars suspended on the condition that Wesley Johnson, doing business as CreateAScape Landscaping fully comply with SDCL 49-7A and ARSD Article 20:25 for twelve months from this date and establish a penalty for the violation of SDCL 49-7A-8 by Wesley Johnson, doing business as CreateAScape Landscaping, in the amount of one thousand dollars with two-hundred fifty dollars suspended on the condition that Wesley Johnson, doing business as CreateAScape Landscaping fully comply with SDCL 49-7A and ARSD Article 20:25 for twelve months from this date.

PAT - STEVE

Larry Englerth
Executive Director
South Dakota One Call
605-339-0529

Jim / TOM FULTZ -

PAT

Adrian Paul Dacko

Create-A-Scape

Rolane - Council