

Safe digging is no accident. Always call 811 before digging.



**Know what's below.  
Call before you dig.**



May 17, 2013

Mr. Nick Menning  
Menning Backhoe, LLC  
25462 Cornerstone Ave.  
Mitchell, SD 57301

Mr. Menning,

Attached is a copy of the May 22, 2013 South Dakota One Call Notification Board meeting agenda. You have received a copy of this due to pending South Dakota One Call Complaint Docket, OC13-001. This is a procedural action whereby the Board will accept the recommendation of the South Dakota One Call Enforcement Panel and issue an Order pursuant to the recommendation. Per SDCL 49-7A-27, "The board shall accept the recommendation of the panel unless either party requests a hearing". Neither party to this complaint docket has requested a hearing at this time. Should a hearing be requested by May 20<sup>th</sup>, the Board will table this matter until its next scheduled meeting.

If you have any questions, please do not hesitate to contact me.

Thank you.

Larry L. Janes  
Executive Director  
South Dakota One Call  
Tel #/Cell # (605) 339-0529  
Fax # (605) 348-4543  
[exedir@sdonecall.com](mailto:exedir@sdonecall.com)

CC: Mr. Craig Fergen, NorthWestern Energy via email

# Meeting of the South Dakota One Call Notification Board

**May 22, 2013 8:00 AM Central Daylight Savings Time**  
**Ft. Pierre Holiday Inn Express**  
**110 East Stanley Road**  
**Ft. Pierre, SD**

Board Members: Kurt Pfeifle, Representing Rural Water Systems, Chairman; Erin Hayes, Representing Community Antenna Television Systems, Vice Chairman; Fay Jandreau, Representing Telecommunication Companies Offering Local Exchange Service to Less Than 50, 000 Customers; Todd Chambers, Representing Municipalities; Kevin Kouba, Representing Investor-Owned Electric Utilities; Ed Anderson, Representing Rural Electric Cooperatives; Doug Larson, Representing Interstate Carriers of Gas or Petroleum; Dan Kaiser, Representing Telecommunication Companies Offering Local Exchange Service to More Than 50,000 Customers; Bleau LaFave, Representing Investor-Owned Natural Gas Utilities; Eugene Solseth, Representing Excavation Contractors; John Ward, Representing Excavation Contractors; Legal Counsel: Kristen Edwards; Executive Director: Larry Janes.

## Agenda

1. Call to Order and Roll Call
2. Approval of Previous Minutes
  - a. February 20, 2013 Board Meeting
3. Review and Approval of Financial Report
  - a. Financial Summary including expenditure details for February 2013 through April 2013.
4. Operations
  - a. KorPartners Performance Results
  - b. Ticket volume history
5. Presentation by Ryan Hartley, First District Association of Local Governments.
6. Executive Director Report Items
  - a. Extension of Joint Powers Agreement with First District Association of Local Governments. This Agreement expires June 30, 2013. Today shall the One Call Board execute a new Joint Powers Agreement with an effective date of July 1, 2013?
  - b. OC13-001, NorthWestern Energy against Menning Backhoe, LLC. The Enforcement Panel met and made a recommendation to the Board regarding disposition of the Docket. Today shall the One Call Board accept the recommendation of the Enforcement Panel, and shall the One Call Board close the Docket, and shall the Board pursue collection activity if the penalty is not paid and if the requirements are not met?
  - c. 2013 Spring Excavator/Facility Operator Meeting Summary.
  - d. Discussion of Strategic Planning Committee's first meeting held on May 21, 2013.
  - e. Discussion of a meeting with Progressive Partnering.
  - f. Previously there has been discussion regarding the South Dakota One Call Notification Board doing business as South Dakota 811. Today shall the Board approve the transition to South Dakota 811, and shall the Board authorize the use of a new South Dakota 811 logo?

- g. Discussion of Attorney General Official Opinion 08-07 and its application to private facilities.
- h.. Executive Director Contract Extension. The contract will expire on July 31, 2013. Shall the Board consider an extension and any amendments of the current contract? The Board may go into Executive Session, if and only according to SDCL 1-25-1. (Time in and Out).
- i. The contract between the South Dakota One Call Notification Board and KorPartners will expire on December 31, 2013. The Board will continue its discussion of the options available under applicable state law. The Board may go into Executive Session, if and only according to SDCL 1-25-2. (Time in and Out). Today shall the Board consider the use of Sole Source Procurement or issue a Request For Proposal for Professional Services, or issue a Competitive Sealed Proposal through a Competitive Sealed Bid Process or a Competitive Sealed Proposal Process?
- j. Review of the 2014 and 2015 FY Budgets. Today shall the Board make changes to the 2015 FY Budget, and shall the Board approve the Budget for 2015?
- k. Officer Election. The Executive Director will present recommendations for election of officers.
- l. General discussion items, including the location of the Next Board Meeting.
- m. Adjourn.

**ANNOUNCEMENTS:**

Dinner will be held at the Cattlemen's Club, 29608 SD Hwy 34 at 5:30 PM on May 21, 2013 for members of the South Dakota One Call Board.

Materials presented at this meeting are available by contacting the Executive Director in writing at [exedir@sdonecall.com](mailto:exedir@sdonecall.com) or by calling (605) 339-0529.