

# MINUTES

Unapproved / Draft Circulated August 26, 2019

August 14, 2019 – 8:00 AM Central Time  
AmericInn – Walton Conference Room  
312 Island Drive  
Fort Pierre, South Dakota

1. Chairman, Fay Jandreau called the meeting to order at 8:00AM CT.

Board Members able to attend: Chairman, Fay Jandreau, Representing Telecommunication Companies Offering Local Exchange Service to Less Than 50,000 Customers; John Ward, Representing Excavation Contractors; Erin Hayes, Representing Community Antenna Television Systems; Bleau LaFave, Representing Investor-Owned Natural Gas Utilities; Ed Anderson, Representing Rural Electric Cooperatives; Lloyd Rave, Representing Rural Water Systems; Mark Meier, Representing Municipalities; Loren Beld, Representing Excavation Contractors; Executive Director, Larry Janes; Deputy Director, Codi Gregg.

Board Members unable to attend: Vice Chairman, Doug Larson, Representing Interstate Carriers of Gas or Petroleum; Dan Kaiser, Representing Telecommunication Companies Offering Local Exchange Service to More Than 50,000 Customers; Kevin Kouba, Representing Investor-Owned Electric Utilities;

Also not able to attend: Brett Koenecke, Legal Counsel; Kara Semmler, Legal Counsel;

Guests attending: Scott Sasajima, Texas 811; Richard Ferguson, USIC; Boice Hillmer, PUC Pipeline Safety Inspector; Roger Cox, Aligning Change.

Prior to addressing the Agenda, Larry Janes announced Erin Hayes and John Ward had both submitted their resignation from the Board of Directors. Both members have served the Board of Directors very well. Their commitment to the Board and its committees has been unwavering. From the Board of Directors, Executive Director and Deputy Director, we thank Erin and John and wish them both the best. We are pleased to announce that both members will stay onboard until a replacement is named by Governor Kristi Noem.

2. Mark Meier made the motion to approve the May 15, 2019 Board Meeting Minutes as printed. Lloyd Rave seconded the motion. **Motion carried unanimously.**
3. Review and Approval of Financial Report
  - a. Bleau LaFave made a motion to approve the Financial Summary including expenditure details for May 2019 through June 2019. Erin Hayes seconded the motion. **Motion carried unanimously.**
  - b. 2020 Budget review.
4. Operations – South Dakota 811 and Texas811 Performance Results
  - a. Ticket volume history was reviewed. June and July this year were the highest volumes, averaging an 18% increase over last year's counts.
  - b. Ratio Outgoing to Incoming Tickets were reviewed.
  - c. Electronic Ticketing is showing that 62% of locate tickets are being entered online.

- d. Dispatched Tickets by Type was reviewed. We are seeing a lot of damage tickets with previous locate tickets.
- e. Speed of Service is well within contract range.
- f. Damages without Ticket #'s year to date is 157. Roughly one third of the damages reported to the Center do not have a previous locate ticket. This has been the trend.
- g. Damages with locate Ticket #'s vs. without Ticket #'s were reviewed. In 2018, a total of 1,191 damages were reported. 27 % of those damages were incidents in which no locate ticket was requested. So far this year there have been 611 damages reported. 25.7% of these reported damages have resulted from no locate ticket.
- h. Gas Damages – Monthly & Year to Year Comparison. Gas damages reported to the Center was higher in March and June of this year than in each of the two previous years. However, July gas damages were only slightly higher than reported in 2017, but dropped to 59% of those reported in 2018.

- 5. Deni Amundson, Program Manager, Build Dakota Scholarship Fund presented scholarship opportunities to the Board of Directors. The Board was able to review the programs and schools involved with Build Dakota and ask questions of Deni and the other schools represented. The Board of Directors will decide if this is the route they want to pursue with scholarships.

6. Executive Director Report Items:

a. OC19-003 – In the Matter of the Complaint Filed by Montana Dakota Utilities Co., Rapid City, SD Against Professional Excavating, Rapid City, SD, for an Incident Occurring on March 1, 2019, at 22957 Morninglight Dr., Rapid City, S.D. 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 requirements are not met? Item 6A was approved on the May 15, 2019 Board Meeting Minutes. This item was disregarded for this meeting.

Loren Beld made the motion to approve the recommendations of the Enforcement Panel in Items 6B through 6O. Bleau LaFave seconded the motion. Mark Meier abstained from voting on 6G and 6H. **Motion carried unanimously.**

b. OC19-004 – In the Matter of the Complaint Filed b Montana Dakota Utilities Co., Rapid City, SD Against Timberline Construction, Rapid City, SD for an Incident Occurring on March 21, 2019 at 2320 Dyess Ave., Rapid City, SD. 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 requirements are not met?

c. OC19-005 – In the Matter of the Complaint Filed by Montana Dakota Utilities Co., Rapid City, SD Against MMI Scott Mohr, Rapid City, SD for an Incident Occurring on March 28, 2019 at 622 Braelynn Ln, Rapid City SD. 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 requirements are not met?

d. OC19-006 – In the Matter of the Complaint Filed by Montana Dakota Utilities Co., Rapid City, SD Against The Fence Connection, Black Hawk, SD for an Incident Occurring on March 28, 2019 at 7561 Crossbill Court, Rapid City, SD. 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 requirements are not met?

e. OC19-007 – In the Matter of the Complaint Filed by Montana Dakota Utilities Co., Rapid City, SD Against Great Plains Contractors, Piedmont, SD for an Incident Occurring on April 23, 2019 at 1106 Hyland Dr., Rapid, City SD. 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 requirements are not met?

f. OC19-008 – In the Matter of the Complaint Filed by Montana Dakota Utilities Co., Rapid City, SD Against Complete Contracting, Rapid City, SD for an Incident Occurring on April 27, 2019 at 3306 West Chicago Street, Rapid City, SD. 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 requirements are not met?

g. OC19-009 – In the Matter of the Complaint Filed by Watertown Municipal Utilities, Watertown, SD Against Lakeside Construction and Services, Finley, ND for an Incident Occurring on May 1, 2019 at Highway 212 750' West of 3rd St. SW, Watertown, SD. 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 requirements are not met?

h. OC19-010 – In the Matter of the Complaint Filed by Watertown Municipal Utilities, Watertown, SD Against Schuelke Construction, Willow Lake, SD for an Incident Occurring on May 13, 2019 at 523 1st Ave NE, Watertown, SD. 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 requirements are not met?

i. OC19-011 – In the Matter of the Complaint Filed by Montana Dakota Utilities, Mobridge, SD Against Olson Plumbing, Pierre, SD for an Incident Occurring on May 17, 2019 at 310 S. Van Buren, Pierre, SD. 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 requirements are not met?

j. OC19-012 – In the Matter of the Complaint Filed by Montana Dakota Utilities, Rapid City, SD Against A&E Plumbing, Black Hawk, SD for an Incident Occurring on June 3, 2019 at 2606 Elderberry Blvd., Rapid City, SD. 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 requirements are not met?

k. OC19-013 – In the Matter of the Complaint Filed by Montana Dakota Utilities, Rapid City, SD Against East Pierre Landscape, Pierre, SD for an Incident Occurring on May 31, 2019 at 104 N. Johnson Ave., Pierre, SD. 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 requirements are not met?

l. OC19-014 – In the Matter of the Complaint Filed by Montana Dakota Utilities, Rapid City, SD Against Green Tree Landscaping, Rapid City, SD for an Incident Occurring on June 4, 2019 at 6207 Timberline Road SW, Rapid City, SD. 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 requirements are not met?

m. OC19-015 – In the Matter of the Complaint Filed by Montana Dakota Utilities, Mobridge, SD Against Briggs Construction, Ft. Pierre, SD for an Incident Occurring on June 7, 2019 at 406 E. 8th Avenue, Ft. Pierre, SD. 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 requirements are not met?

n. OC19-016 – In the Matter of the Complaint Filed by Montana Dakota Utilities, Rapid City, SD Against EcoScapes, LLC, Rapid City, SD for an Incident Occurring on June 10, 2019 at 841 Bayonet Drive, Box Elder, SD. 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 requirements are not met?

o. OC19-017 – In the Matter of the Complaint Filed by Montana Dakota Utilities, Mobridge, SD Against Underground Solutions Inc., Sioux Falls, SD for an Incident Occurring on June 19, 2019 at 115 Lee Hill Road, Pierre, SD. 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 requirements are not met?

p. Fay Jandreau held discussion on the May 20, 2019 PHMSA Evaluation. For the Board members not able to attend today, this was a very good meeting. This meeting was opened by clarifying the relationship between PHMSA and South Dakota 811. Both entities have the same vision, serving constituents in the manner of protecting South Dakota, its infrastructure and the public. South Dakota was found to be in ADEQUATE standing, per the letter received June 20, 2019.

q. Staking University locator training is being held in Rapid City on August 28<sup>th</sup> and 29<sup>th</sup>. To date, there are eleven students enrolled. Currently, this is only being offered in Rapid City with potential to hold a class in Sioux Falls.

r. Complaint and Respondent Forms have recently been upgraded. The new formats require certain fields to be completed before the form can be submitted such as specifying believed violations, were the operator of the facility and the 811 Center notified and was 911 Notified if an escape of gas occurred. Several suggestions were made regarding verbiage on the forms. Any additional change requests to the form can be sent to the Executive Director.

s. AgPhd Day was held in Baltic July 25<sup>th</sup>. Drain Tile Safety Coalition was onsite, set up next to SDCGA tent. The event was a success with over 8,000 people attending. South Dakota 811 and SDCGA were both on site all day to educate those attending to call 811 before digging. There was a trench open showing pipeline / drain tile, aerial markers and flagging demonstrations that attendees could walk through, ask questions and better understand why to notify 811 before digging.

t. Deputy Director RFP 1793 was reviewed. The RFP was posted to the SD811 website on August 15, 2019 as well as Office of Procurement. Questions and submittals will be directed to Larry Janes, Executive Director.

u. 811 Day was acknowledged by the Board of Directors. A press release was issued to South Dakota news outlets.

v. Other Discussion items.

1. Mark Meier opened a discussion of Enforcement Panel Standard Requirement #5 was held. This requirement states that the Defendant in a Complaint will meet face to face with the Complainant to discuss the overall damage (if any occurred), dangers while working utilities and safe practices. This meeting is to take place within 30 days of the final Board Order being issued. As we have Defendants that are from out of state, this requirement may not always be feasible. A reasonable effort needs to be made by the Defendant to meet with the Complainant.

As the requirements are not in law, the Enforcement Panel has the authority to consider these requirements and modify per Complaint. During Panel discussion, the Director will stipulate whether this requirement applies to the Panel's recommendation. This will take effect in September, 2019.

2. CGA Conference was discussed. Dates and information was provided to the Board of Directors. Those interested in attending, please contact Codi Gregg.

w. No public comment was taken.

x. Roger Cox from Aligning Change held Board Training with the Directors.

x. Having no further business, Bleau LaFave made a motion to adjourn the Board Meeting. Lloyd Rave seconded the motion. **Motion carried unanimously.**

### **ONE CALL BOARD MEETING SCHEDULE:**

--Thursday, November 14, 2019, 8 am

### **ONE CALL BOARD ENFORCEMENT PANEL SCHEDULE**

2 PM Central Time (1 PM Mountain Time) last Thursday of each month, when necessary.

Materials presented at this meeting are available on the South Dakota 811 website [www.SD811.com](http://www.SD811.com) as well as the South Dakota Boards and Commissions website at <http://boardsandcommissions.sd.gov/>. They are also available by contacting the Deputy Director in writing at [deputydirector@sd811.com](mailto:deputydirector@sd811.com), or by calling (605) 863-0951.