

South Dakota One Call Notification Board Meeting

AMENDED AGENDA

Tuesday, June 27, 2023 at 1:00 PM CT (12:00 PM MT)

This meeting can be attended in person and over ZOOM. Please contact Mandy Benson at mandy@sd811.com for the ZOOM link.

In Person:

Red Rossa Grille
808 W Sioux Avenue
Pierre, South Dakota 57502

Board members:

Chairman, Fay Jandreau, Representing Telecommunication Companies Offering Local Exchange Service to Less Than 50, 000 Customers;

Vice Chairman, Mark Meier, Representing Municipalities;

Kay Braaten; Representing Interstate Carriers of Gas or Petroleum;

Jim Scull, Representing Excavation Contractors;

Ryan Barr, Representing Community Antenna Television Systems;

Bleau LaFave, Representing Investor-Owned Natural Gas Utilities;

Scott Wiese, Representing Investor-Owned Electric Utilities;

Lloyd Rave, Representing Rural Water Systems;

Loren Beld, Representing Excavation Contractors;

Vacant, Representing Rural Electric Cooperatives;

Vacant, Representing Telecommunication Companies Offering Local Exchange Service to More Than 50,000 Customers;

Brett Koenecke, Legal Counsel;

Cody Honeywell, Legal Counsel;

Callie Iverson, Accounting;

Codi Gregg, Executive Director;

Mandy Benson, Executive Assistant;

1. Call to Order and Roll Call. Any changes to the Agenda?
Amended Agenda to include Item 5b.

2. Approval of Board Meeting Minutes:
 - a. February 16, 2023
 - b. May 4, 2023

3. Review and Approval of Financial Reports:
 - a. April 2023
 - b. May 2023



4. Performance Reports for South Dakota 811, posted to the website.

Executive Director Discussion Items:

5. HB 1184 – Enrolled – Move from Public Utilities Commission to Department of Public Safety.
 - a. The Board may go into Executive Session, if and only according to SDCL 1-25-2(3). Time in and time out to be recorded.
 - b. Contract termination with Codi Gregg. How does the Board wish to proceed?
6. Presentation by First District Association of Local Governments.
 - a. Performance Discussion and decision to renew Joint Powers Agreement with First District. How would the Board like to proceed?
 - b. The Board may go into Executive Session, if and only according to SDCL 1-25-2(3). Time in and time out to be recorded.
7. South Dakota One Call's Enforcement Panel has met on the following Complaints and Recommendations have been issued. Today, does the One Call board accept the Recommendations of the Enforcement Panel? The Board shall pursue collections activity if the conditions as stated are not met.

- a. OC22 – 010 In the Matter of the complaint filed by Hunts Family Construction, Spearfish, SD against BluePeak, Rapid City, SD for an incident occurring June 18, 2022 at 338 Evans Lane in Spearfish.

The Panel found probable cause of a violation of 49-7A-8 did occur and recommended a penalty in the amount of \$500, \$400 suspended with BluePeak meeting stated requirements on the recommendation.

- b. OC22- 011 In the Matter of the complaint filed by NorthWestern Energy, Mitchell, SD against Wagner Building Supply, Wagner, SD for an incident occurring July 19, 2022 at 602 White Swan Road in Lake Andes.

The Panel found probable cause of a violation of 49-7A-5 did occur and recommended a penalty in the amount of \$500, \$250 suspended with Wagner Building Supply meeting stated requirements of the recommendation.

- c. OC22 – 012 In the Matter of the complaint filed by NorthWestern Energy, Mitchell, SD against Wagner Building Supply, Wagner, SD for an incident occurring July 28, 2022 at 310 Wendy Avenue in Wagner.

The Panel found probable cause of a violation of 49-7A-12 did occur and recommended a penalty in the amount of \$500, \$250 suspended with Wagner Building Supply meeting stated requirements of the recommendation.



- d. OC22- 013 In the Matter of the complaint filed by Elliott Construction, Yankton, SD against Lake Madison Sanitary District, Madison, SD for an incident occurring June 4, 2021 at 310 6582 Peninsula Point in Lake Madison.

The Panel did not find probable cause of a violation of 49-7A-8 did occur and recommended dismissing the complaint.

- e. OC22-014 In the Matter of the complaint filed by Elliott Construction, Yankton, SD against Lake Madison Sanitary District, Madison, SD for an incident occurring June 4, 2021 at 310 6606 Peninsula Point in Lake Madison.

The Panel did not find probable cause of a violation of 49-7A-8 did occur and recommended dismissing the complaint.

- 8. Code of Conduct and Conflict of Interest Update.
- 9. Board of Directors
 - a. Retirement Announcements.
 - b. Chair and Vice Chair Elections.
 - c. Set Board Meeting Schedule for remainder of 2023
- 10. South Dakota One Call Center RFP Update
- 11. Public Comment
- 12. Motion to Adjourn.

Notice of future One Call Board Meetings:

Proposed Board Meeting Dates:

July 18 or 20th Approve RFP and Budget FY 2025

Safety Conferences and Expos:

- Texas811 Damage Prevention Safety Summit – October 4-6, 2023 – Georgetown, TX.

Notice of future One Call Enforcement Panel Meetings:

2PM Central Time (1PM Mountain Time) Last Thursday of each month and last Friday during Legislative Session (January, February and March.)

Schedule provided to Enforcement Panel Members

Announcements:

Materials presented at this meeting are available on the South Dakota 811 website, www.sd811.com as well as the South Dakota Board and Commissions website at <http://boardsandcommissions.sd.gov>. These are also available by contacting Codi Gregg at exedir@sdonecall.com or by calling (605) 863 – 0951.

