

AGENDA

**South Dakota One Call Notification Board
Enforcement Panel Conference Call
Location: Heavy Constructors
4101 Deadwood Avenue, North
Rapid City, South Dakota**

Thursday, August 31, 2017 at 2:00 PM Central Time (1:00PM Mountain)

OC17-012 – In the matter of the Complaint filed by Watertown Municipal Utilities (Watertown), Watertown, South Dakota against Kyle's Concrete – Kyle Rieffenberger (Kyle's) Watertown, South Dakota, for an incident occurring June 5, 2017 at 350 38th Avenue South East in Watertown, South Dakota.

On June 6, 2017, Watertown filed a complaint alleging Kyle's was excavating without a locate ticket and damaged a gas line.

The response deadline for Kyle's was June 28, 2017. Kyle responded June 28, 2017. Kyle's responded by stating he understood the importance of calling, but there should be more education.

Today, shall the Enforcement Panel of South Dakota One Call Notification Board find that there is probable cause Kyle's violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed?

OC17-014 – In the matter of the Complaint filed by Watertown Municipal Utilities (Watertown), Watertown, South Dakota against Underground Communications (Underground), Waupaca, Wisconsin, for an incident occurring June 4, 2017 at 323 13th Street South West in Watertown, South Dakota.

On June 9, 2017, Watertown filed a complaint alleging Underground failed to expose marked utilities.

The response deadline for Underground was June 29, 2017. Underground responded June 14, 2017. Underground responded by stating this was a clerical error.

This Complaint was amended to include an audio recording of a call between Watertown and Underground.

Today, shall the Enforcement Panel of South Dakota One Call Notification Board find that there is probable cause that Underground violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed?

OC17-016 – In the matter of the Complaint filed by TM Rural Water District (TM), in Parker, South Dakota against LeLoux Construction (LeLoux), Parker, South Dakota for an incident occurring June 19, 2017 at 45532 280th Street in Hurley, South Dakota.

On June 30, 2017, TM filed a complaint alleging LeLoux damaged services while working outside the scope of the ticket.

The response deadline for LeLoux was July 20, 2017. LeLoux responded on July 24, 2017. LeLoux responded the locate ticket was completed, except in the field where there was work also performed.

Today, shall the Enforcement Panel of South Dakota One Call Notification Board find that there is probable cause that LeLoux violated any statute or rule under the jurisdiction of the Board, and if so shall a civil penalty be assessed?

Please note: This is a legal proceeding and only written information provided by the Complainants and the written response from the Defendants will be considered per SDCL 49-7A-25. No comments from the parties involved in the complaints will be taken during this call.

Note: Please call (605) 863-0951 at least 10 minutes prior to the call for call-in instructions. We have limited ports available on the conference bridge, so if you do plan to call in, we ask that you conference in on one line.