

November 8, 2016 (Draft/Unapproved Circulated 11/21/2016)

DRAFT/UNAPPROVED MINUTES

November 8, 2016 – 8:00 AM Central Time Conference Call

Attendance at this meeting was also made possible at:

**Ft Pierre Holiday Inn Express
110 East Stanley Road
Ft Pierre, South Dakota**

1. Chairman Dan Kaiser opened the meeting with a Call to Order and Roll Call at 8:00 AM CST.

Board Members in attendance: Chairman, Dan Kaiser, Representing Telecommunication Companies Offering Local Exchange Service to More Than 50,000 Customers; Vice Chairman, John Ward, Representing Excavation Contractors; Doug Larson, Representing Interstate Carriers of Gas or Petroleum; Eugene Solseth, Representing Excavation Contractors; Kevin Kouba, Representing Investor-Owned Electric Utilities; Bleau LaFave, Representing Investor-Owned Natural Gas Utilities (attended by conference call); Todd Chambers, Representing Municipalities; Legal Counsel: Amanda Reiss; Executive Director: Larry Janes, Executive Assistant: Codi Gregg.

Board Members unable to attend: Ed Anderson, Representing Rural Electric Cooperatives; Erin Hayes, Representing Community Antenna Television Systems; Fay Jandreau, Representing Telecommunication Companies Offering Local Exchange Service to Less Than 50, 000 Customers; Kurt Pfeifle, Representing Rural Water Systems.

Also in attendance: Scott Sasijima, Texas811; Brett Koenecke, representing MidAmerician Energy; Margo Northrup, representing SD Association of Rural Water Systems; Steve Willard, representing SD Electric Utility Companies.

Attending by conference call: Ron Blum, MDU; Denny Van Ruler, MidAmerican Energy; Dan Miller, MidAmerican Energy; John Gormly, Northern Natural Gas; and others from the natural gas industry.

Dan Kaiser stated that we would move directly to Agenda Item 6a to allow those on the call to participate in the open discussion regarding Emergency locates.

2. Approval of October 3, 2016 Board Meeting Minutes. A motion was made by Doug Larson and seconded by Kevin Kouba to approve the South Dakota One Call Board Minutes of the October 3, 2016 Board Meeting. **Motion carried unanimously upon a roll call vote.**

3. Review and Approval of Financial Reports. A motion was made by Kevin Kouba and seconded by Todd Chambers to approve the financial reports including the expenditure details August 2016 through September, 2016. **Motion carried unanimously upon a roll call vote.** Discussion during this time included First District GIS updates and costs.

4. Operations

- a. Texas811 Performance Results were reviewed and found to be within contract guidelines.

- b. Ticket volume history was reviewed. 2015 was a record year for requested locates, and volume is up in 2016 by 7,585 tickets over last year at this time. Dispatched tickets are above last year's number by 22,353, and above the 2014 volume (a record year for dispatched tickets) at this time by 6,005 dispatched tickets.
- c. 53% of all locate tickets (71,957 in total) in 2016 have been requested electronically by excavators this year. Of those 20% were mapped by the excavator, which required no intervention by the Center to complete the process. Homeowners have generated 1,354 locate requests on line through the Homeowner Portal introduced in April.
- d. Dispatched Tickets by Type were reviewed. There have been 865 Damage Tickets called in, which is an increase over previous years. Of those 289 were damages with no previous locate ticket request. Emergency locate requests was discussed. Dan Kaiser asked if this number is high. Doug Larson mentioned the percentage of these requests is low at just 2.53% of all tickets. Kevin Kouba offered that aging infrastructure might account for some of this. The number of Emergency tickets requested in 2016 is at 3,408, which is consistent with 2014 and 2015. Scott Sasajima will provide additional information regarding Emergency Locates requested. There have been 17,848 locate tickets involving High Profile facilities this year and account for 15.50% of all Dispatched Tickets. Since the introduction of this in South Dakota, several other states have seen the value of this ticket type and have incorporated this into their laws.

5. Executive Director Report Items:

- a. OC16-004 – In the Matter of the Complaint Filed by Watertown Municipal Utilities (Watertown), Watertown, South Dakota, against Beck Plumbing (Beck), Watertown, South Dakota, for an incident occurring on April 14, 2016, at 1604 13th Avenue SE, Watertown, South Dakota. 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?
- b. OC16-005 – In the Matter of the Complaint Filed by Montana-Dakota Utilities Co. (MDU), Rapid City, South Dakota, Against Jim Meyer Construction (Meyer), Rapid City, South Dakota, for an incident occurring on Feb 16, 2016, at 1530 Samco Rd. 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?
- c. OC16-006 – In the Matter of the Complaint Filed by Montana Dakota Utilities Co. (MDU), Rapid City, South Dakota, Against Jeremy Nehl (Nehl), Rapid City, South Dakota, for an Incident Occurring on March 31, 2016, at 6740 Prestwick Rd. 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?
- d. OC16-007 – In the Matter of the Complaint Filed by Montana Dakota Utilities Co.(MDU), Rapid City, South Dakota, Against Boom Construction (Boom), Rapid City, South Dakota, for an Incident occurring on March 09, 2016, at 3530 Jerusalem Blvd., Rapid City, South Dakota. Today shall the One Call Board accept the recommendation of the Enforcement Panel and dismiss the complaint due to lack of probable cause, and shall the One Call Board Close the Docket?
- e. OC16-008 – In the Matter of the Complaint Filed by Montana Dakota Utilities Co.(MDU), Rapid City, South Dakota, Against Boom Construction (Boom), Rapid City, South Dakota, for an Incident occurring on March 09, 2016, at 3530 Jerusalem Blvd., Rapid City, South Dakota. Today shall the One Call Board accept the recommendation of the Enforcement Panel and dismiss the complaint due to lack of probable cause, and shall the One Call Board Close the Docket?

f. OC16-009 – In the Matter of the Complaint Filed by Montana Dakota Utilities Co.(MDU), Rapid City, South Dakota, Against Caekaert Construction (Caekaert), Rapid City, South Dakota, for an incident occurring on March 09, 2016, at 514 Sapphire Ln., Rapid City, South Dakota. 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. OC16-010 – In the Matter of the Complaint Filed by Montana Dakota Utilities Co.(MDU), Spearfish, South Dakota, Against New Wave Builders, Pine Haven, Wyoming for an Incident Occurring on July 22, 2016, at Split Rock, Rd., Sturgis, South Dakota. 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?

After review, Dan Kaiser made a motion to accept and approve the Enforcement Panel Recommendations in each of the Complaint Dockets. Doug Larson seconded the motion.

Motion carried unanimously upon a roll call vote with Todd Chambers abstaining from OC16-004.

h. Discussion of Executive Assistant contact. A motion was made by Gene Solseth and seconded by Kevin Kouba to move into Executive Session. Time in was at 8:56. Time out was at 9:21. Kevin Kouba made a motion for the Chairman to enter into further negotiations with Codi Gregg. John Ward seconded. **Motion carried unanimously upon a roll call vote.**

6. General Discussion:

- a. Emergency Locates - An open discussion was held to discuss neighboring state emergency locate definitions and requirements. Brett Koenecke mentioned that statutory language is in place and that the Board has the authority to reduce the appropriate time to respond to emergencies. He proposed a redraft of administrative rule 20:25:03:04:03 to satisfy the needs of all parties. Gene Solseth asked if the liability in an emergency is that of the excavator or the operator. He then asked what is driving this. Dan Miller mentioned that in gas blowing incidents everything possible is done to mitigate further damage as quickly as possible. The gas industry is looking for a way to dig prior to locates being completed without violating the law. It was stated that making a change opens up abuse to dig without locates. Ron Blum stated that meter sets and broken risers could be restricted to hand tools only. They do this already and assume liability. Amanda Reiss stated that we can come up with language to make this work. Rich Coit was unable to attend and an email was read from him expressing his concerns. Dan Kaiser stated this should not be gas industry specific. Doug Larson stated that a change in the law is unnecessary. The statement “demands immediate action” is in the definition of Emergency in 49-7A-1 (3). It was decided to schedule a Board conference call for December 13, 2016 at 10:30 CST to discuss this further. Larry Janes was asked to gather information from neighboring states regarding any issues that have occurred since developing emergency exceptions.
- b. Bleau LaFave had prepared a budget forecast through 2021 and discussed current volumes and possible rate adjustments per Board recommendation. This will be discussed again later as we go through the Budget process in the spring.
- c. Larry Janes stated that the federal grant has been requested once again. Total funding has increased in 2016 and all dollars spent are to be accounted for Unspent funds are returned to PHMSA.
- d. Larry Janes mentioned that he has had discussions with Mona Thompson with the Cheyenne River Sioux Tribe Telephone Authority regarding increased visibility of using

811. She has been promoting the use of the 811 system and asked if the Board would consider placing South Dakota 811, Call Before You Dig bill boards near two lane roads in areas where we could reach more people about using the 811 system. It was suggested that this could be considered at a future date after signage is completed in Eagle Butte. Dan Kaiser asked if this could be funded by the grant. Larry Janes stated that this could be requested in future years

- e. Larry Janes discussed the GeoCall database and how it has been developed and is maintained by Progressive Partnering. Texas811 has hired 4 IT people to support this process. There is a licensing fee associated with this work and Texas811 has assumed this cost on behalf of South Dakota One Call.
 - f. Larry Janes attended the Central Texas Damage Prevention Council Safety Meeting in Austin, Texas on October 27th to see if this might be something we should consider in South Dakota. In addition to a safety meeting a locating demonstration and mock gas line strike was demonstrated.
 - g. Scott Sasajima discussed damage prevention in Texas. There have been several mock gas line strikes performed in various locations. The largest event involved a life flight rescue and included injuries from a buried power line damage at the time of the gas strike. These meet PHMSA requirements for the gas industry and are sponsored by the Damage Prevention Councils.
 - h. The Texas Summit is scheduled for February 27 to March 1, 2017 in San Marcos, Texas.
 - i. The corrected dates and location of the CGA Conference are March 14th – 16th, 2017 in Orlando, Florida.
7. There being no further discussion, Bleau LaFave made a motion to adjourn. Doug Larson seconded the motion. **Motion carried unanimously upon a roll call vote.**

Minutes of this meeting were prepared by Larry Janes, Executive Director, South Dakota One Call Notification Board. For information about South Dakota One Call/South Dakota 811, please visit <http://onecall.sd.gov> . Materials presented at this meeting are available by contacting the Executive Director in writing at exedir@sdonecall.com, or by calling (605) 339-0529.