

Meeting of the South Dakota One Call Notification Board

AGENDA

May 15, 2019 – 8:00 AM Central Time
AmericInn – Walton Conference Room
312 Island Drive
Ft. Pierre, SD

Board Members: Chairman, John Ward, Representing Excavation Contractors; Vice Chairman, Fay Jandreau, Representing Telecommunication Companies Offering Local Exchange Service to Less Than 50, 000 Customers; Dan Kaiser, Representing Telecommunication Companies Offering Local Exchange Service to More Than 50,000 Customers; Erin Hayes, Representing Community Antenna Television Systems; Bleau LaFave, Representing Investor-Owned Natural Gas Utilities; Doug Larson, Representing Interstate Carriers of Gas or Petroleum; Ed Anderson, Representing Rural Electric Cooperatives; Kevin Kouba, Representing Investor-Owned Electric Utilities; Lloyd Rave, Representing Rural Water Systems; Mark Meier, Representing Municipalities; Loren Beld, Representing Excavation Contractors; Brett Koenecke, Legal Counsel; Kara Semmler, Legal Counsel; Executive Director, Larry Janes; Deputy Director, Codi Gregg.

AGENDA

1. Call to Order and Roll Call
2. Approval of the January 23, 2019 Board Meeting Minutes.
3. Review and Approval of Financial Report
 - a. Financial Summary including expenditure details for January 2019 through April 2019.
4. Operations – South Dakota 811 and Texas811 Performance Results
 - a. Ticket volume history
 - b. Ratio Outgoing to Incoming Tickets
 - c. Electronic Ticketing
 - d. Dispatched Tickets by Type
 - e. Speed of Service
 - f. Damages without Ticket #'s.
 - g. Damages with Ticket #'s vs. without Ticket #'s
 - h. Gas Damages – Monthly & Year to Year Comparison
5. Presentation by Ryan Hartley, First District Association of Local Governments.
6. Executive Director Report Items:

- a. **OC18-027** – In the Matter of the Complaint filed by Montana Dakota Utilities (MDU), Rapid City, South Dakota against Excavating Specialists, (Excavating) Rapid City, South Dakota for an incident occurring on November 9, 2018 at 2430 Dane Lane, 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?
- b. **OC18-028** – In the Matter of the Complaint filed by Montana Dakota Utilities (MDU), Rapid City, South Dakota against GTI (GTI), Deadwood, South Dakota for an incident occurring on November 1, 2018 at 608 5th Avenue, Belle Fourche, 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?
- c. **OC18-029** – In the Matter of the Complaint filed by Northern Natural Gas Company (Northern), Omaha, Nebraska against Shawn's Custom Homes (Shawn's), Brookings, South Dakota for an incident occurring on October 1, 2018 at MP 24.20 on Northern's Brookings branch line, Brookings, 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?
- d. **OC18-030** – In the Matter of the Complaint filed by Montana Dakota Utilities (MDU), Rapid City, South Dakota against Ainsworth Benning Construction (Ainsworth), Spearfish, South Dakota for an incident occurring on December 6, 2018 at 1506 38th Street, 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?
- e. **OC18-031** – In the Matter of the Complaint filed by Montana Dakota Utilities (MDU), Rapid City, South Dakota against B&B Excavating (B&B), Rapid City, South Dakota for an incident occurring on December 13, 2018 at 11 Giants Drive, 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?
- f. **OC19-001** – In the Matter of the Complaint filed by Montana Dakota Utilities (MDU), Rapid City, South Dakota against Zandstra Construction, (Zandstra) Rapid City, South Dakota for an incident occurring on February 12, 2019 at Elysia Court, 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. **OC19-002** – In the Matter of the Complaint filed by Magellan Midstream Partners, LP, Tulsa, Oklahoma against Site Work Specialists (Site Work), Rapid City, South Dakota for an incident occurring on February 13, 2019 at School Drive, 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?
- h. **OC19-003** – In the Matter of the Complaint filed by Montana Dakota Utilities (MDU),

Rapid City, South Dakota against Professional Excavation (Professional), Rapid City, South Dakota for an incident occurring on March 1, 2019 at 22957 Morninglight Drive, 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?

i. Failure to Meet Requirements of Board Orders. Today shall the One Call Board authorize MayAdam law firm to enter the collection process for the following companies?

1) In the Matter of Complaint OC18-006 – Precision Excavator – Failure to attend Damage Prevention Meeting, failure to hold In-House Safety Meeting, and failure to make penalty payment of \$750.00. Full penalty amount of \$1,000 is now due.

2) In the Matter of Complaint OC18-008 – Lincoln Barr Construction – Failure to attend Damage Prevention Meeting, failure to hold In-House Safety Meeting, and failure to make penalty payment of \$750.00. Full penalty amount of \$1,000 is now due.

3) In the Matter of Complaint OC18-012 – A & T Construction - Failure to attend Damage Prevention Meeting, failure to hold In-House Safety Meeting, and failure to make penalty payment of \$750.00. Full penalty amount of \$1,000 is now due.

4) In the Matter of Complaint OC18-016 – Ray Steele - Failure to attend Damage Prevention Meeting, failure to hold In-House Safety Meeting, and failure to make penalty payment of \$750.00. Full penalty amount of \$1,000 is now due.

5) In the Matter of Complaint OC18-023 – Superior Custom Homes, LLC - Failure to attend Damage Prevention Meeting, failure to hold In-House Safety Meeting, and failure to make penalty payment of \$750.00. Full penalty amount of \$1,000 is now due.

6) In the Matter of Complaint OC18-025 – Empire Fence - Failure to attend Damage Prevention Meeting, failure to hold In-House Safety Meeting, and failure to make penalty payment of \$750.00. Full penalty amount of \$1,000 is now due.

J. Damage Prevention Meeting Summary 2018-2019.

k. Staking University has offered to provide locator training in South Dakota through South Dakota One Call. How does the Board wish to proceed?

L. Suggested changes to the Online Complaint and Reply Forms. Today shall the Board authorize the addition of requesting information about reporting damage to the 811 Center and if 911 was called if there was an escape of gas or toxic material?

m. Executive Director Contract. The Board may renegotiate the amount of compensation with the Executive Director on an annual basis. Today shall the Board consider a change? The Board may go into Executive Session, if and only according to SDCL 1-25-2. (Time in and Out).

n. Deputy Director Contract. The Board may renegotiate the amount of compensation with the Deputy Director on an annual basis. Today shall the Board consider a change in compensation? The Board may go into Executive Session, if and only according to

- SDCL 1-25-2. (Time in and Out will be documented).
- o.** The South Dakota State Supplemental Retirement Program allows contracted employees to participate in its savings program, with or without Board participation. Does the Board wish to enter into this process, and if so, at what percentage or dollar amount?
 - p.** The contract between the South Dakota One Call Notification Board and the Deputy Director will expire on October 31, 2019. Today shall the Board authorize a Request For Proposal for a new contract, and shall the Board authorize the Strategic Planning Committee to review proposals, conduct interviews, and present a recommendation to the Board? The Board may go into Executive Session, if and only according to SDCL 1-25-2 (3). (Time in and Out).
 - q.** Extension of Joint Powers Agreement with First District Association of Local Governments. This Agreement expires June 30, 2019. Today shall the One Call Board execute a new Joint Powers Agreement with an effective date of July 1, 2019?
 - r.** Today shall the Board authorize funds for providing scholarships to students involved in excavation trades and construction management at Southeast Technical Institute, Lake Area Technical Institute, Mitchell Technical Institute, Western Dakota Technical Institute, and South Dakota State University?
 - s.** The Board has previously discussed Board training. Roger Cox, Aligning Change, has been contacted regarding facilitating training. Does the Board wish to enter into a contract with Aligning Change for this purpose?
 - t.** FY 2020 Budget. Today shall the One Call Board review the budget after FY 2019 financials are available and authorize the Strategic Planning Committee to finalize any necessary adjustments to the FY 2020 budget?
 - u.** Election of Officers. The Executive Director will present recommendations for election of officers. Today shall the Board accept the recommendations for a new Chairman and Co-Chairman?
 - v.** Kara Semmler, Legal Counsel, will review the hearing process with the Board.
 - w.** Discussion of items discussed at CGA National Conference.
 - x.** Discussion of PHMSA Enforcement Evaluation on May 20, 2019.
 - y.** Positive Response on a voluntary basis.
 - z.** SD CGA
 - aa.** Ag Phd
 - ab.** 811 Day .
 - ac.** Public Comment.
 - ad.** Motion to adjourn and reconvene at 1 Pm at the Capitol Building, Room 412 for the

Evidentiary Hearing, In the Matter of OC18-004.

ONE CALL BOARD MEETING SCHEDULE:

--Wednesday, May 15, 2019, 1 pm, Evidentiary Hearing, Room 412, Capitol Building, 500 East
Capitol Avenue, Pierre, SD
--Wednesday, August 14, 2019, 8 am
--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.

ANNOUNCEMENTS:

Dinner will be held at the Cattleman's Club, 29608 SD Hwy 34, Pierre, SD at 5:30 PM on May 14, 2019 for members of the South Dakota One Call Board.

Materials presented at this meeting are available on the South Dakota 811 website 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, or by calling (605) 863-0951.