

MINUTES

(Draft / Unapproved Circulated April 30, 2020)

SOUTH DAKOTA ONE CALL NOTIFICATION BOARD MEETING

April 16, 2020 – 1:00 PM Central Time (Noon Mountain Time)

On-Line Conference Call Hosted by ZOOM

1. Call to Order and Roll Call
 - a. Board Members Present: Chairman, Fay Jandreau, Representing Telecommunication Companies Offering Local Exchange Service to Less Than 50, 000 Customers; Vice Chairman, Doug Larson, Representing Interstate Carriers of Gas or Petroleum; Jim Scull, Representing Excavation Contractors; Dan Kaiser, Representing Telecommunication Companies Offering Local Exchange Service to More Than 50,000 Customers; Steve Mohr, Representing Community Antenna Television Systems; Bleau LaFave, Representing Investor-Owned Natural Gas Utilities; Kevin Kouba, Representing Investor-Owned Electric Utilities; Mark Meier, Representing Municipalities; Loren Beld, Representing Excavation Contractors. Brett Koenecke, Legal Counsel; Executive Director, Larry Janes; Deputy Director, Codi Gregg.
 - b. Board Members Absent: Ed Anderson, Representing Rural Electric Cooperatives; Lloyd Rave, Representing Rural Water Systems.
 - c. Guests on the call: Scott Sasajima, Texas 811; Keely Hosmann, NuStar Energy; Mary Zanter, PUC Pipeline Safety Program Manager.
2. Mark Meier made the motion to approve the minutes as printed. Doug Larson seconded the motion. **Motion carried unanimously.**
3. The Board of Directors continued discussion on the best way to approach the potential for modifications to SDCL 49-7A Statutes and Article 20:25 of the Administrative Rules in response to COVID-19 concerns. The Board heard and discussed several options and possible scenarios of all potential solutions. In any offered solution, South Dakota One Call will work within limitations of state law, as well as with the Governor's Office to ensure utilities and excavators are protected.

Dan Kaiser made a motion to approach the Governor's Office now, in the event of workforce delays due to COVID-19, to the degree that SD811 laws cannot be upheld, including moving the locate clock to ninety-six hours in place of the forty-eight hours, as well as the Enforcement Panel suspending actions related to delayed locating. This motion failed after no second was received.

Further discussion was held on other possibilities and ramifications. The Board of Directors is in agreement that a proactive stance is where we want to be.

Dan Kaiser made an amended motion that the Board of Directors empower the Strategic Planning committee to monitor the conditions. If it is felt that action needs to be taken, the Strategic Planning Committee work with legal counsel and the Governor's Office to establish a best practice, within the confines of the laws governing One Call in order to add some flexibility to meet work force demands. Bleau LaFave seconded the motion. Upon further discussion, Kevin Kouba stated that language has already been proposed by legal counsel, all the Board needs to do is enact that language. The proposed verbiage allows South Dakota 811 to suspend the requirements as stated in SDCL49-7A once the Board feels it is time. The Board agreed.

Dan Kaiser again amended the motion, allowing a select group of representatives, namely: Fay Jandreau, Brett Koenecke, Larry Janes and Codi Gregg the authority to submit on the Board's behalf the proposed legislative changes allowing for flexibility in the timelines of SDCL 49-7A and Administrative Rules 20:25. Bleau LaFave seconded the amended motion. **Motion carried unanimously upon a roll call vote.**

4. Future Board Meeting Dates:

- May 18, 2020 at 2PM CT
- August 27, 2020
- November TBD

5. Damage Prevention Meetings were postponed this year for Pierre, Mobridge, Aberdeen, Milbank, and Huron due to COVID-19 concerns. Invitations have been emailed to all excavators and operators in South Dakota to register for any one of these meetings via ZOOM Conferencing at 9:30 am, noon, or 2:30 pm Central Time via ZOOM on April 24th.

6. Update on Voluntary Positive Response for operators and excavators was discussed. Texas 811 is working on some training items that will be made available for utilities and excavators.

7. No other comments were taken.

8. No public comment was offered or taken.

9. Having no further business, Dan Kaiser made the motion to dismiss the Board Meeting. Doug Larsen seconded the motion. Motion carried unanimously upon a roll call vote.

ONE CALL BOARD MEETING SCHEDULE:

May 18, 2020 at 2PM CT, hosted over ZOOM.
Other dates are to be determined.

ONE CALL BOARD ENFORCEMENT PANEL SCHEDULE

2 PM Central Time (1 PM Mountain Time) last Thursday of each month. These meetings will be moved to the ZOOM Platform.

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.