

South Dakota One Call Notification Board Meeting

AGENDA

Thursday, June 5, 2025 at 10:00AM CT (9:00AM MT)

This meeting will be held in person at the Sheraton Conference Center (Fontelle B Room), 1211 North West Avenue, Sioux Falls, South Dakota.

Please contact Codi Gregg at codi@sd811.com for the link to attend virtual.

Board Members:

Chairman, Mark Meier, Representing Municipalities;
Vice Chairman, Ryan Barr, Representing Community Antenna Television Systems
Jim Scull, Representing Excavation Contractors;
Brad Wenande, Representing Investor-Owned Natural Gas Utilities;
Scott Wiese, Representing Investor-Owned Electric Utilities;
Kay Braaten; Representing Interstate Carriers of Gas or Petroleum;
Lloyd Rave, Representing Rural Water Systems;
Loren Beld, Representing Excavation Contractors;
Jim Wedin, Representing Telecommunication Companies Offering Local Exchange Service to More Than 50,000 Customers;
Steve Barnett, Representing Rural Electric Cooperatives;
Jake VanDewater, Representing Telecommunication Companies Offering Local Exchange Service to Less Than 50,000 Customers;
Cody Honeywell, Legal Counsel; Brett Koenecke, Legal Counsel;
Leah Ries, Dept. of Public Safety;
Tyler Steen, Dept. of Public Safety;
Krisit Turman, Dept. of Public Safety;
Codi Gregg, Executive Director;

1. Call to Order and Roll Call
 - a. Adoption of the Agenda
2. Introduction of staff for Department of Public Safety
3. Approval of Board Meeting Minutes
 - a. February 5, 2025
4. Review and Approve Financials
 - a. First Quarter Financials

5. South Dakota 811 Performance Reports
 - a. Quarterly Report from Texas811
 - b. 2025 Forecast

Executive Director Discussion Items:

6. South Dakota 811 Update
 - a. One Call Center
 - b. Damage Prevention Meetings Recap
 - c. Updating Code of Conflict
 - d. Updating W9s
 - e. Board Member Renewals
 - f. Scholarship Update
 - g. Budget Committee
7. Excavator Buffer Zone Adjustment
 - a. Should the Board reduce the excavator buffer zone applied to mapping when locate tickets are submitted?
8. PHMSA 2024 Evaluation
9. Potential Legislation and procedural changes relating to enforcement actions
 - a. Discussion
 - b. Action to be taken
10. Job Classification / Hiring
 - a. Job Classifications provided for both positions.
 - b. South Dakota 811 Board of Directors may go in to Executive Session, if and only according to SDCL 1-25-2 (1). Time in and time out to be recorded.
11. South Dakota One Call's Enforcement Panel 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.

The Panel may issue a penalty, suspending part or all of the penalty if the respondent meets the following requirements:

 1. Respondent must not be found guilty of a One Call violation within twelve months of the Board Order being issued.
 2. Penalty payment must be received within 30 days of the Board Order.
 3. Respondent must attend a Damage Prevention Meeting.
 4. Respondent must conduct an in house safety meeting to discuss dig laws.
 5. Respondent and Claimant are to meet to discuss the complaint, possible dig in scenarios and safe excavation practices.

- a. **OC24-007** In the matter of the complaint filed by NuStar Energy L.P., San Antonio, TX against Hoogendoorn Construction, Canton, SD for an incident occurring March 5, 2024 at the intersection of 284th Street and 478th Street in Canton.
- Panel recommends probable cause of an unintentional violation of 49-7A-5, with \$1,000 penalty with \$500 suspended when conditions are met.
- b. **OC24-008** In the matter of the complaint filed by NorthWestern Energy, Mitchell, SD against Pro Contracting, Mitchell, SD for an incident occurring March 20, 2024 at 816 W 16th Street in Mitchell.
- Panel recommends probable cause of an intentional violation of 49-7A-5 with \$1,500 penalty with \$750 suspended when conditions are met.
- c. **OC24-009** In the matter of the complaint filed by Magellan Midstream Partners, LP, Tulsa, OK against Chad Zandstra Construction, Rapid City, SD for an incident occurring April 3, 2024 at Jim Street in Rapid City.
- Panel recommends dismissing this complaint with no probable cause.
- d. **OC24-010** In the matter of the complaint filed by Magellan Midstream Partners, LP, Tulsa, OK against Chad Zandstra Construction, Rapid City, SD for an incident occurring April 3, 2024 at Jim Street in Rapid City.
- Panel recommends dismissing this complaint with no probable cause.
- e. **OC24-012** In the matter of the complaint filed by Jeffrey DeMeglio, East Harland, CT against Flock Safety, Atlanta, GA for an incident occurring April 9, 2024 at 1004 Washington Ave South in Madison.
- Panel recommends probable cause of an unintentional violation of 49-7A-5 with \$500 penalty and \$250 suspended when conditions are met.
- f. **OC24-013** In the matter of the complaint filed by Jeffrey DeMeglio, East Harland, CT against Flock Safety, Atlanta, GA for an incident occurring April 9, 2024 at 1004 Washington Ave South in Madison.
- Panel recommends dismissing this complaint with no probable cause.
- g. **OC24-015** In the matter of the complaint filed by Magellan Midstream Partners, LP, Tulsa, OK against Barker Concrete and Construction, Edgemont, SD for an incident occurring May 14, 2024 at HWY 8 and Coffee Flats in Edgemont.
- Panel recommends dismissing this complaint with no probable cause.
- h. **OC24-032** In the matter of the complaint filed by Magellan Midstream Partners, LP, Tulsa, OK against Steve Simunek, Oral, SD for an incident occurring December 12, 2024 at 37535 S Buffalo Gap Rd in Oral.

- Panel finds probable cause of an unintentional violation and recommends a penalty in the amount of \$1,000 with \$750 suspended when conditions are met.
- i. OC25-001 In the matter of the complaint filed by OtterTail Power Company, Arlington, SD against Efriamson Electric, Bryant, SD for an incident occurring on December 27, 2024 at Park Street and 5th Avenue in Lake Norden.
- Panel finds probable cause of an unintentional violation and recommends a penalty in the amount of \$1,000 with \$500 suspended when conditions are met.

12. Public Comment

13. Motion to Adjourn

Notice of future One Call Board Meetings:

- July 16, 2025 (Budget Presentation) Virtual
- July 22, 2025 (Budget Approval) Virtual
- November 6, 2025 – Pierre

Notice of Safety Conferences:

- FNCA / Global Damage Prevention, Sept 15 – 19, Dallas, TX
- Texas811 Damage Prevention Summit, October 1 – 3, Galveston, TX

Notice of future One Call Enforcement Panel Meetings:

Panel Members will be notified.

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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 codi@sd811.com or by calling (605) 863 – 0951.