

South Dakota One Call Notification Board

MINUTES

(Draft / Unapproved Minutes, Circulated 6/4/2020)

May 18, 2020 – 2:00 PM Central Time / 1:00 Mountain Time

Call to Order and Roll Call:

- a. Board Chairman Fay Jandreau called the meeting to order at 2:00PM CT.

Board Members in attendance: 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; Dan Kaiser, Representing Telecommunication Companies Offering Local Exchange Service to More Than 50,000 Customers; Bleau LaFave, Representing Investor-Owned Natural Gas Utilities; 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.

Board Members unable to attend: Steve Mohr, Representing Community Antenna Television Systems; Jim Scull, Representing Excavation Contractors

Also in Attendance: Brett Koenecke, Legal Counsel; Executive Director, Larry Janes; Deputy Director, Codi Gregg.

Guests in attendance: Callie Iverson, Take Charge Bookkeeping; Scott Sasajima, Texas811; Bob Mercer, KELOLAND News; Mary Zanter, PUC Pipeline Safety Program Manager; Mitchell Close, South Dakota Legislative Research Council; Ryan Hartley, First District Association of Local Governments.

1. Dan Kaiser made the motion to approve the minutes as printed for the April 16, 2020 Board Meeting. Mark Meier seconded the motion. **Motion carried unanimously upon a roll call vote.**
2. The Board of Directors reviewed the financial report provided by Take Charge Bookkeeping. Chairman Fay Jandreau reviewed the budget vs actual and clarified the fiscal year dates. As of the May 15, 2020 South Dakota One Call had 80% of usage of the budget. Doug Larson made the motion to approve the financial reports. Dan Kaiser seconded. **Motion carried unanimously upon a roll call vote.**
3. South Dakota 811 and Texas811 Performance Results were reviewed.
 - a. Ticket volume history was reviewed. As of May 1, 37,321 locate requests had been submitted to the Center with 189,743 locate tickets turned out to utilities. South Dakota 811 starting seeing a 1,000 tickets per day on April 2 this year.
 - b. Ratio Outgoing to Incoming Tickets was reviewed, at 5.08%.

- c. Electronic Ticketing is reviewed quarterly at a minimum. We discovered the 1% listed on the report is incorrect and will be corrected. This report shows the Board how tickets are submitted to the Center, whether through calling 811, submitting online through Portal with the excavator mapping their work area or the Center mapping the work area through tickets submitted in Portal. Portal is emphasized at every Damage Prevention Meeting. Secondary Links was reviewed. This report shows how many tickets are dispatched to a secondary person / email / contact.
 - d. Dispatched Tickets by Type were reviewed. This report details all tickets by type, High Pressure Alerts, and if damage tickets had a previous locate ticket. Tickets types doubled from March to April.
 - e. Speed of Answer was reviewed. We did see an increase in the speed of answer. Scott Sasajima reviewed why that was happening. This is not a normal increase and Texas811 has made extensive measures to correct. In following CDDC guidelines, all of the agents have been working remotely, adding a delay to answering. South Dakota 811 and Texas 811 will continue to monitor and adjust work practices in order to alleviate wait times and bring back to contract ranges.
 - f. Damages without Ticket #'s has doubled from March, from 12 to 27. This report details damages without previous tickets broken out in a monthly basis. This number does track with previous years reports.
 - g. Damages with Ticket #'s vs. without Ticket #'s was reviewed. 220 Damages have been reported through May 1.
 - h. Gas Damages was reviewed. April showed 18 gas damages reported, March had 8 damages reported.
4. Ryan Hartley with First District Association of Local Governments presented its Annual Report to the Board of Directors. First District projected 47 counties would be updated by the end of the fiscal year with Roadline Center Data. Ryan clarified that information is owned by South Dakota 811 and is to be used by South Dakota 811. There are three counties updated twice annually, Pennington, Lincoln and Minnehaha. Ryan Hartley reviewed the GIS information for South Dakota. Of the 66 counties, 57 has GIS information available. Not all of those counties have shared their data with South Dakota 811. The Board of Directors thanked First District for their continued work on Parcel and Roadline Data.
5. Executive Director Report Items:
- a. Extension of Joint Powers Agreement with First District Association of Local Governments was discussed. Dan Kaiser asked Ryan Hartley and First District, on behalf of the Board, if First District would like to extend the current agreement at the contracted rate of \$85,000 for annual updates. First District agreed. Lloyd Rave made the motion to execute a new contract with an effective date of July 1, 2020. Loren Beld seconded the motion. Board Members unable to attend: Steve Mohr, Representing Community Antenna Television Systems; Jim Scull, Representing Excavation Contractors. **Motion carried unanimously upon a roll call vote.**
 - b. The Code of Conduct and Conflict of Interest Policy for Board Members was reviewed. All board members will send to sign the Code of Conduct and Conflict of Interest policy. Those can be returned to Larry Janes and Codi Gregg to be kept

- c. Damage Prevention Meeting Summary was reviewed. Larry Janes and Codi Gregg meet with companies' year round and report to the Board the number of meetings and attendees. Over 2,000 excavators and operators attended Damage Prevention Meetings in the last twelve months and another 8,000 were in attendance at industry conferences in which South Dakota 811 had an opportunity for interaction with them.
- d. The Board of Directors reviewed the purchase of a Board Management App available on iPads and android devices. This purchase will be reviewed again at the end of the fiscal year and budget approval. No action was taken at this meeting.
- e. FY 2021 Budget was discussed. The question asked of the Board was Strategic Planning to review and adjust the budget on before of the Board. In discussion, it was decided the Board of Directors would review and approve the Budget in June.
- f. Previously the Board discussed 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. This item was tabled during the March 20, 2020 Board Meeting based on budget considerations. Fay Jandreau conveyed the details of the Letter of Intent from the Joint Committee of Appropriations. In approving the expenditure for scholarships, the Board is to develop, present and be able to adjust a plan on deploying the scholarship programs. Kevin Kouba made the motion that the Board proceed with developing a plan and reporting back to the Joint Committee. Lloyd Rave seconded the motion. **Motion carried unanimously upon a roll call vote.**
- g. RFP # 1989 has been posted for the Executive Director position was discussed. A committee was formed to review proposals, interview, and make a recommendation to the Board. The Board of Directors needs to host two meetings in order to hear the recommendation of the RFP Committee and to approve that recommendation. The Board will hear the recommendation on June 22, 2020 and approve the recommendation on June 23, 2020. Both meetings will be held at 2PM CT (1PM MT) though conference calls.
- h. The Enforcement Panel of the South Dakota One Call Board met on the following Complaints and issued Recommendations. Today shall the One Call Board accept the recommendations of the Enforcement Panel, and shall the One Call Board close the Dockets, and shall the Board pursue collection activity if the requirements are not met?
- a) **OC19-042** - 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 August 23, 2019 at 1001 East Mall Drive, Rapid City, South Dakota.
- b) **OC19-066** In the Matter of the Complaint Filed by Montana Dakota Utilities (MDU) Rapid City, SD against Century Sitework (Century) Rapid City, SD, for an incident occurring on October 24, 2019 at 2000 Deadwood Avenue, Rapid City, SD.

c) **OC19-070** In the Matter of the Complaint filed by Watertown Municipal Utilities (WMU) Watertown, South Dakota against Fink Plumbing (Fink) Redfield, South Dakota for an incident occurring on October 22, 2019 at 208 4th Avenue, NE in Watertown, South Dakota. **There was no action taken on this Complaint Docket at this time. This will be moved to the Board Meeting in August, 2020.**

d) **OC19-075** In the Matter of the Complaint filed by Montana Dakota Utilities (MDU) Rapid City, South Dakota against Enviroscares, LLC. (Enviro) Rapid City, South Dakota for an incident occurring on November 27, 2019 at 5567 Wildwood Drive, Rapid City, South Dakota.

e) **OC19-076** In the Matter of the Complaint filed by Montana Dakota Utilities (MDU) Rapid City, South Dakota against Wirkus Transport (Wirkus) Black Hawk, South Dakota for an incident occurring on December 3, 2019 at 8109 South Bluxberg Drive, Sturgis, South Dakota.

f) **OC20-002** In the Matter of the Complaint Filed by Excavating Specialists, Rapid City, SD against Montana Dakota Utilities (MDU) Rapid City, SD for an incident occurring on January 8, 2020 at 3525 E Colorado Blvd, Spearfish, SD.

g) **OC20-003** In the Matter of the Complaint filed by Midcontinent Communications (Midco) Sioux Falls, SD against Sod Busters and B Green (Sod) Tea, South Dakota for an incident occurring on June 6, 2018 at 3611 North Orion Drive, Sioux Falls, South Dakota.

h) **OC20-004** In the Matter of the Complaint filed by Midcontinent Communications (Midco) Sioux Falls, SD against Sod Busters and B Green (Sod) Tea, South Dakota for an incident occurring on July 9, 2018 at 3912 E Brewster, Sioux Falls, South Dakota.

i) **OC20-005** In the Matter of the Complaint filed by Midcontinent Communications (Midco) Sioux Falls, SD against Sod Busters and B Green (Sod) Tea, South Dakota or an incident occurring on July 13, 2019 at 5901 S Bounty Place, Sioux Falls, South Dakota.

j) **OC20-006** In the Matter of the Complaint filed by Midcontinent Communications (Midco) Sioux Falls, SD against Sod Busters and B Green (Sod) Tea, South Dakota for an incident occurring on August 20, 2019 at 5704 South Bounty Place, Sioux Falls, South Dakota.

k) **OC20-007** In the Matter of the Complaint filed by Midcontinent Communications (Midco) Sioux Falls, SD against Sod Busters and B Green (Sod) Tea, South Dakota for an incident occurring on August 29, 2019 at 5711 South Bounty Place, Sioux Falls, South Dakota.

l) **OC20-008** In the Matter of the Complaint filed by Midcontinent Communications (Midco) Sioux Falls, SD against Sod Busters and B Green (Sod) Tea, South Dakota

for an incident occurring on August 30, 2019 at 5816 South Bounty Place, Sioux Falls, South Dakota.

- m) **OC20-009** In the Matter of the Complaint filed by Midcontinent Communications (Midco) Sioux Falls, SD against Sod Busters and B Green (Sod) Tea, South Dakota for an incident occurring on August 30, 2019 at 5908 South Bunty Place, Sioux Falls, South Dakota.
- n) **OC20-010** In the Matter of the Complaint filed by Midcontinent Communications (Midco) Sioux Falls, SD against Sod Busters and B Green (Sod) Tea, South Dakota for an incident occurring on August 30, 2019 at 5906 South Bounty Place, Sioux Falls, South Dakota.
- o) **OC20-011** In the Matter of the Complaint filed by Midcontinent Communications (Midco) Sioux Falls, SD against Sod Busters and B Green (Sod) Tea, South Dakota for an incident occurring on October 19, 2019 at 1615 E 67th Street North, Sioux Falls, South Dakota.
- p) **OC20-012** In the Matter of the Complaint filed by Midcontinent Communications (Midco) Sioux Falls, SD against Sod Busters and B Green (Sod) Tea, South Dakota for an incident occurring on June 5, 2019 at 4301 E Kinsley Place, Sioux Falls, South Dakota.
- q) **OC20-013** In the Matter of the Complaint filed by Midcontinent Communications (Midco) Sioux Falls, SD against Sod Busters and B Green (Sod) Tea, South Dakota for an incident occurring on August 30, 2019 at 5709 South Bounty Place, Sioux Falls, South Dakota.
- r) **OC20-014** In the Matter of the Complaint filed by Magellan Midstream Partners, LP. Tulsa, Oklahoma (Magellan) against Doug O'Bryan Contracting, Inc. (O'Bryan) Martin, South Dakota for an incident occurring on January 9, 2020 at 24275 South Highway 79, Hermosa, South Dakota.
- s) **OC20-015-** In the Matter of the Complaint filed by Montana Dakota Utilities (MDU) Rapid City, South Dakota against Pederson Excavating, (Pederson) Spearfish, South Dakota for an incident occurring on January 22, 2020 at 27th and Windmill Drive, Spearfish, South Dakota.
- t) **OC20-016** - In the Matter of the Complaint filed by Montana Dakota Utilities (MDU) Rapid City, South Dakota against Dream Construction (Dream) Rapid City, South Dakota for an incident occurring on January 28, 2020 at North Creek Drive and Valley Drive, Rapid City, South Dakota.
- v) **OC20-017** In the Matter of the Complaint Filed by Montana Dakota Utilities (MDU) Rapid City, South Dakota against The Fence Connection, Rapid City, South Dakota for an incident occurring on January 28, 2020 at 114 East Meade Street, Rapid City, South Dakota.

w) **OC20 -018** – In the Matter of the Complaint Filed by Montana Dakota Utilities Co. Rapid City, SD against Zandstra Construction for an incident occurring on March 4, 2020 at 4428 Pahlmeyer Drive, Rapid City, South Dakota. This Complaint has been dismissed and closed due to an incorrect mailing address.

x) **OC20 -019** – In the Matter of the Complaint Filed by Montana Dakota Utilities Co. Rapid City, SD against Underground Construction, Rapid City, SD, for an Incident occurring on March 5, 2020 at 609 Franklin St., Rapid City, SD. This Complaint has been dismissed and closed due to an incorrect mailing address.

13. Discussion Items

- a. The Board discussed potential changes to the enforcement process at the November 20, 2019 Board Meeting. Discussion today will be regarding limiting Panel Members to three Board Members, as allowed by law, assigning Board members to the Panel in advance of the meetings, returning Complaints with incomplete information or incorrect addresses, and other considerations. Larry Janes and Codi Gregg will continue to work on keeping the Panels at three board members. This may change if there are a large number of complaint dockets on one Enforcement Panel Agenda.
- b. South Dakota 811 is seeing more companies sign up for the Positive Response Entry system. This allows utilities and locators to update the excavator with notes and locate information prior to the start time on a locate ticket. Responses are entered in Portal by the utility or it's subcontracted locator but available to be seen by anyone viewing the ticket. This is a voluntary response at this time.
- c. Larry Janes, Codi Gregg and staff at Texas 811 have been working on a website re-design. Meetings are happening a few times a month to discuss content to be added and changed to the new website. The Board will be kept apprised of the progress and release date.
- d. Board Training by Roger Cox, Aligning Change, is scheduled for August 27, 2020. This date is subject to change, dependant on CDC Guildelines regarding COVID-19.
- e. Other Discussion:
 - i. The Board Members discussed assembling a committee for to discuss and review possible legislation.

14. No public comment was offered.

15. Dan Kaiser made the motion to adjourn the Board Meeting. Kevin Kouba seconded. **Motion carried unanimously upon a roll call vote.**

ONE CALL BOARD MEETING SCHEDULE:

June 22, 2020

June 23, 2020

August 27, 2020

ONE CALL BOARD ENFORCEMENT PANEL SCHEDULE

2 PM Central Time (1 PM Mountain Time) last Thursday of each month and last Friday during Legislative Session.

ANNOUNCEMENTS:

There are no announcements at this time.

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.