

South Dakota One Call Notification Board Meeting

AGENDA

Thursday, October 17, 2024 at 8:00AM CT (7:00AM MT)

This meeting can be attended in person at AmericInn, 312 Island Drive, Ft Pierre, South Dakota or over ZOOM. Please contact Mandy Benson at mandy@sd811.com for the ZOOM link.

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;

Callie Iversen, Accounting;

Codi Gregg, Executive Director;

Mandy Benson, Executive Assistant;

1. Call to Order and Roll Call
 - a. Adoption of the Agenda

2. Approval of Board Meeting Minutes
 - a. August 8, 2024
 - b. August 16, 2024

3. Review and Approve Financials
 - a. June 2024
 - b. July 2024
 - c. August 2024
 - d. September 2024



4. South Dakota 811 Performance Reports
 - a. Quarterly Report from Texas811
 - b. 2024 Forecast Review – Codi Gregg

Executive Director Discussion Items:

5. Rules Changes Continued Discussion
6. South Dakota One Call’s Enforcement Panel has 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 of the penalty if the respondent meets the following conditions:

1. Respondent must not be found guilty of a One Call violation within twelve months.
 2. Penalty payment must be received within 30 days of the Board Order.
 3. Respondent must attend a Damage Prevention Meeting.
 4. Respondent is to conduct an in house safety meeting to discuss dig laws.
 5. Respondent and Complainant are to meet to discuss the complaint, possible dig in scenarios and safe practices
- a. OC23-010 In the matter of the complaint filed by the City of Hecla against Tyler Thayer for an incident occurring on October 4, 2023 at 702 Howard Street in Hecla. The City of Hecla withdrew the complaint.
 - i. Panel recommended following the withdrawal request from the City of Hecla.
 - b. OC24-011 In the matter of the complaint filed by Magellan Midstream Partners LP, Tulsa, OK against Quality Real Estate, Oral, SD for an incident occurring Aril 8, 2024 at East Anamosa and Concourse Drive in Rapid City.
 - i. Panel recommended dismissing the complaint as no probable cause of a violation exists.
 - c. OC24-014 In the matter of the complaint filed by the City of Crooks, Crooks, SD against Bubba’s Digging, Sioux Falls, SD for an incident occurring May 9, 2024 at 303 E Main Street in Crooks.
 - i. Panel found an unintentional violation of 49-7A-5, and recommended a penalty in the amount of \$750 with \$500 suspended with Bubba’s meeting the conditions as stated above.



- d. OC24-016 In the matter of the complaint filed by Magellan Midstream Partners LP, Tulsa, OK against Paradigm Construction, Black Hawk, SD for an incident occurring on May 14, 2024 on Jim Street in Rapid City.
 - i. Panel found an unintentional violation of 49-7A-5 and recommended a penalty in the amount of \$1,000 with \$250 suspended with Paradigm meeting the conditions as stated above.
 - e. OC24-017 In the matter of the complaint filed by Magellan Midstream Partners LP, Tulsa, OK against Paradigm Construction, Black Hawk, SD for an incident occurring on May 20, 2024 at Creekside Apartments in Rapid City.
 - i. Panel found an unintentional violation of 49-7A-5 and recommended a penalty in the amount of \$1,000 with \$250 suspended with Paradigm meeting the conditions as stated above.
 - f. OC24-018 In the matter of the complaint filed by Montana Dakota Utilities, Mobridge, SD against Blackburn Foundation Repair, Pierre, SD for an incident occurring on October 23, 2023 at 110 E Scranton Street in Selby.
 - i. Panel found no probable cause of a violation of 49-7A-8 and motioned to dismiss the complaint with no probable cause.
 - g. OC24-019 In the matter of the complaint filed by Dave’s Construction, Sioux Falls, SD against USIC, Indianapolis, IN for an incident occurring on June 6, 2024 at 4100 E 49th in Sioux Falls.
 - i. Panel found no probable cause of a violation of 49-7A-8 and motioned to dismiss the complaint with no probable cause.
7. Accounting RFP Update / Committee Selection
- a. Board Meeting to make the recommendation – November 19, 2024
 - b. Board Meeting to accept the recommendation – November 21, 2024
8. Board Training Proposal
- a. South Dakota 811 Board of Directors may go into Executive Session, if and only according to SDCL 1-27-2 (4). Time in and time out to be recorded.
 - b. Does the Board wish to approve the proposal?
9. Upcoming Meetings and Events
- a. Board Training Tentative February 4, 2025
 - b. Legislative Breakfast / Board Meeting tentative February 5, 2025
10. SDCL 49-7A-2 Potential changes
11. Mining Operations and Permitting



12. Excavator / Utility / Locator Concerns

13. Public Comment

14. Motion to Adjourn

Notice of future One Call Board Meetings:

Board Meeting Dates:

- October 17, 2024 In person
- February 5, 2025

Notice of Safety Conferences:

- Global Excavator Safety Conference, February 24th – 26th, Phoenix, AZ
- Common Ground Alliance, April 7th – 10th, Orlando, FL.

Notice of future One Call Enforcement Panel Meetings:

October 24, 2024 at 10AM (9AM MT) ZOOM

November 14, 2024 at 10AM CT (9AM MT) ZOOM

December 17, 2024 at 10AM CT (9AM MT) ZOOM

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.

