

South Dakota One Call Notification Board Meeting

AGENDA

Tuesday, July 23, 2024 at 9:00AM CT (8:00 AM MT)

This meeting is being held 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. July 11, 2024
3. Review and Approve Financials
 - a. June 2024 if available

Executive Director Discussion Items:

4. South Dakota 811 hosted a Public Hearing regarding the proposed rules changes. Today, how does the Board wish to proceed?

5. FY 2026 Proposed Budget Presentation and Discussion was held July 11, 2024. Today, does the Board approve the FY26 Proposed Budget?
 - a. Board training planning.
 - b. Legislative Breakfast will be held, as approved by the Board.

6. Take Charge Bookkeeping Contract
 - a. South Dakota 811 Board of Directors may go into Executive Session, if and only according to SDCL 1-25-2(3). Time in and time out to be recorded.

7. 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. OC23-008 In the matter of the complaint filed by Montana Dakota Utilities, Rapid City, SD against Underground Construction, Rapid City, SD for an incident occurring on August 23, 2023 near 1213 1/2 Quincy Street and 1214 Quincy Street in Rapid City.
 - (i) Panel found an unintentional violation of 49-7A-8 and recommended a penalty in the amount of \$750 with \$250 suspended with Underground meeting the conditions as stated.

 - b. OC23-012 In the matter of the complaint filed by Montana Dakota Utilities, Mobridge, SD against Blackburn Foundation Repair, Pierre, SD for an incident occurring October 4, 2023 at 110 E Scranton Street in Selby.
 - (i) Panel recommends dismissing the complaint as the statute violated was not identified by MDU.

 - c. OC23-017 In the matter of the complaint filed by American Engineering Testing, Inc, Rapid City, SD against West Rover Electric Association, Inc., Rapid City, SD for an incident occurring September 6, 2023 at Lot 3 at the intersection of Isaac Street and E Anamosa Street in Rapid City.
 - (i) Panel found an unintentional violation of 20:25:03:05:04 and recommended a penalty in the amount of \$500 with \$500 suspended with West River Electric meeting the conditions as stated.



- d. OC24-001 In the matter of the complaint filed by NorthWestern Energy, Mitchell, SD against Pro Contracting, Mitchell, SD for an incident occurring on December 15, 2023 at 1504 W 20th Street in Mitchell.
 - (i) Panel found an intentional violation of 49-7A-5 and recommended a penalty in the amount of \$1,000 with \$500 suspended with Pro Contracting meeting the conditions as stated.
- e. OC24-002 In the matter of the complaint filed by NorthWestern Energy, Mitchell, SD against Pro Contracting, Mitchell, SD for an incident occurring on December 20, 2023 at 1504 W 20th Street in Mitchell.
 - (i) Panel found an intentional violation of 49-7A-5 and recommended a penalty in the amount of \$1,875 with \$500 suspended with Pro Contracting meeting the conditions as stated.
- f. OC24-003 In the matter of the complaint filed by LL & Sons Inc, Watertown, SD against Midcontinent Communication, Sioux Falls, SD for an incident occurring on November 16, 2023 at Marina Bay Drive in Watertown.
 - (i) Panel found an unintentional violation of 49-7A-8 and recommended a penalty in the amount of \$750 with \$250 suspended with Midcontinent Communications meeting the conditions as stated.
- g. OC24-004 in the matter of the complaint filed by LL & Sons, Inc., Watertown, SD against Midcontinent Communications, Sioux Falls, SD for an incident occurring on October 19, 2023 at 1096 S Lake Drive in Watertown.
 - (i) Panel recommends dismissing this complaint as probable cause was not found.
- h. OC24-005 In the matter of the complaint filed by LL & Sons, Inc., Watertown, SD against Midcontinent Communications, Sioux Falls, SD for an incident occurring November 6, 2023 at 1096 S Lake Drive in Watertown.
 - (i) Panel recommends dismissing this complaint as probable cause was not found.
- i. OC24-006 In the matter of the complaint filed by DG Utilities, Spearfish, SD against Oak Mountain Country Estates Owners Association, Sturgis, SD for an incident occurring January 3, 2024 at 20760 Ranch Road in Sturgis.
 - (i) Panel recommends dismissing this complaint per the request of the complainant to withdraw.

8. Public Comment

9. Motion to Adjourn

Notice of future One Call Board Meetings:

Board Meeting Dates:

- July 23, 2024, ZOOM
- October 17, 2024 In person

Notice of Safety Conferences:

- Texas811 Damage Prevention Summit, October 2 – October 4, 2024
Georgetown, Texas

Notice of future One Call Enforcement Panel Meetings:

July 23, 2024 at 10AM CT (9AM MT) ZOOM THIS MEETING WILL BE RESCHEDULED.
August 22, 2024 at 10AM CT (9AM MT) ZOOM
September 26, 2024 at 10AM CT (9AM MT) ZOOM
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.

