



**STATEWIDE ONE-CALL NOTIFICATION CENTER
BOARD OF DIRECTORS BOARD MEETING AGENDA**

**Nebraska Statewide One Call Board of Directors Meeting Minutes
APPROVED**

JANUARY 28, 2021

Location:

**The Event Space at 5550
5550 South 59th St, Suite 10
Lincoln, NE**

AND

Via: ZOOM conferencing

Call to Order – The meeting was called to order by President Lance Loschen at 9:35 AM CST

Agenda was posted in the Lincoln Journal Star newspaper on 1/21/2021 and on the Nebraska811 website on 1/14/2021

Roll Call / Quorum:

- Voting members present: Jerry Augustyn*, Bruce Hoehne, Linda Costello, Rob Everett, Chris Jacobsen*, Ed Jarrett, Lance Loschen, Dave Stroebele, BJ Woehler*, Chad Roberts*, Dan Maschka*, Nathan Stewart, John Buckley*, Andy Hartmann, Todd Knutson*

*attended virtually

- Voting member absent: Stan Waterman
- OCC staff : Tyler Nesheim, Jill Geyer, Matt Ruddo
- State Fire Marshal’s Agency: Regina Shields, David Levering, Kevin Bumgardner, Doug Donnelson
- Attorney General’s office staff: none
- Public Guests: Don Nielson, Heimes Corp; Chris Talley, USIC; Scott Barry, Tallgrass Energy; Steve Slezak, M.U.D.; Hannibal Dennis, Vanguard

Approval of the Agenda: Motion by Dave Stroebele, second by Andy Hartmann

Voting Yes: Jerry Augustyn, John Buckley, Linda Costello, Rob Everett, Andy Hartmann, Bruce Hoehne, Todd Knutson, Chris Jacobsen, Ed Jarrett, Lance Loschen, Dan Maschka, Chad Roberts, Nathan Stewart, Dave Stroebele, BJ Woehler

Voting No: none

Approval of the November 5, 2020 Meeting Minutes: Motion by Linda Costello, second by Todd Knutson

Voting Yes: Voting Yes: Jerry Augustyn, John Buckley, Linda Costello, Rob Everett, Andy Hartmann, Bruce Hoehne, Todd Knutson, Chris Jacobsen, Ed Jarrett, Lance Loschen, Dan Maschka, Chad Roberts, Nathan Stewart, Dave Stroebele, BJ Woehler

Voting No: none

PUBLIC COMMENT

Don Nielson, Heimes Corp – Don is concerned about NDOT not locating locate their lines any longer and requiring permit holders to locate lines that belong to the state. NDOT will not provide prints or plans. NDOT suggested he hire a locator and provided contact information for a locator but the locator sometimes has no prints or plans and requires a waiver for liability, which puts the risk back on the excavator. There are concerns that someone will get hurt if traffic signal gets cut because it didn't get located and excavator would be held liable. It was suggested that Heimes work with legislature to change law since DOT is exempt from the One Call law and BOD is not able to do much to help other than writing a public letter taking a position. NUCA is working on this also. LB339 deals with the issue indirectly and thus testimony at that hearing may be appropriate. There was a recommendation to review the original opinion of the AG, try to understand the reasoning behind the opinion and compare it to today's circumstances to see if it still applies. If not, the BOD could ask for a new opinion considering the DOT changes in procedure. AG opinion summation – BOD is not subject to public meetings law. The DOT is different and their circumstances are different, so they don't fall in the same category as other utilities. Legislative committee will work on this and report progress at next meeting.

Eric Melcher joined the meeting via Zoom at 9:55am

POLICY COMMITTEE - Dave Stroebele

- **Public ticket search lockdown.** Decision at last meeting to refer whoever is asking for information to the utilities in the area or a permitting office and they can use their discretion as to whether they provide the information. The public search on NE811 website will continue to be locked down.
- **Report to legislature due on 12/1/2021**– committee met and the report is in drafting stage. Committee will bring it to the Legislative committee then the BOD for final approval.
- **OCC contract renewal** – OCC did a presentation for committee on 1/8/2021 then held a meeting where they agreed to advance proposal to the full BOD. OCC representatives presented the proposal to the full group.

Motion to start a new contract with OCC which will run from 1/1/2022 through 12/31/2024:

Motion by Dave Stroebele, second by Linda Costello

Voting Yes: Voting Yes: Jerry Augustyn, John Buckley, Linda Costello, Rob Everett, Andy Hartmann, Bruce Hoehne, Todd Knutson, Chris Jacobsen, Ed Jarrett, Lance Loschen, Dan Maschka, Eric Melcher, Chad Roberts, Nathan Stewart, Dave Stroebele, BJ Woehler

Voting No: none

LEGISLATIVE COMMITTEE

LB344 – goal is to resolve disputes in 30 days to 6 months. Hearing is Monday 2/1 at 1:30 – NET online. BJ Woehler will testify on behalf of NUCA. He requests board support and offered to testify for BOD

- Bill discussion:
- SFM will need to come up with money to support costs; may ask for support from this BOD. Fees are minimal.
- All complaints go to this committee and not directly to AG who can only file action if committee recommends it. There was a question as to whether this would be a final ruling or a guidance for the AG. The understanding from the way the bill is written is that this will not be an alternative way of handling complaints but the only option for how to handle complaints.
- SFM staff would serve as administrators.
- The intent of the word finding determines whether it needs to be a legal type document sent to AG and thus impacts the fiscal note. Fiscal note includes two different definitions of findings. This question needs to be clarified in hearing. An outside committee cannot bind the AG's office to anything.
- There was some speculation as to whether the AG's office would like help with complaints considering that when asked two years ago, there was no interest.
- Concerns were expressed regarding this slowing the complaint process due to difficulty in getting several people to agree and the possibility that BOD members don't have legal expertise or their companies might not want them to serve in this capacity for a variety of reasons.
- OPPD will oppose as due to the size of their company, they have a process to deal with damages.

Motion for NE One Call board to support LB344. Motion by BJ Woehler; seconded by Rob Everett

Voting Yes: Voting Yes: Rob Everett, BJ Woehler

Voting No: Jerry Augustyn, John Buckley, Linda Costello, Andy Hartmann, Bruce Hoehne, Todd Knutson, Chris Jacobsen, Ed Jarrett, Lance Loschen, Dan Maschka, Eric Melcher, Chad Roberts, Nathan Stewart, Dave Stroebele

Abstain: Dave Stroebele, Nathan Stewart

Break for lunch at 11:40 - back at 12:15 (2:32 on the recording)

Motion for NE One Call board to write letter stating board is taking neutral position on LB344 as it is written and citing technical issues of concern. Motion by Dave Stroebele; second by Ed Jarrett

Voting Yes: Rob Everett, Chris Jacobsen, Ed Jarrett, Lance Loschen, Eric Melcher, Chad Roberts, Dave Stroebele BJ Woehler

Voting No: Jerry Augustyn, Andy Hartmann, Bruce Hoehne, Todd Knutson, Dan Maschka,

Abstain: John Buckley, Linda Costello

LB339 – no discussion

Nathan Stewart left the meeting during lunch

Motion to oppose LB619 and send letter to be read at hearing by Rob Everett, second by Andy Hartmann

Voting Yes: Voting Yes: Jerry Augustyn, John Buckley, Linda Costello, Rob Everett, Andy Hartmann, Bruce Hoehne, Chris Jacobsen, Ed Jarrett, Todd Knutson, Lance Loschen, Dan Maschka, Eric Melcher, Chad Roberts, Dave Stroebele, BJ Woehler

Voting No: none

A packet with information about the One Call law will go to senators on Transportation and Telecommunications committee will go out next week

ADVERTISING COMMITTEE – Jerry Augustyn will defer to the Outreach Report for the activity from the Advertising committee

BYLAWS COMMITTEE– no report – Stan not present

Nathan Stewart returned 12:25PM

DPRC REPORT - digital and hard copy report distributed to group

- Inbound tickets increased in seven of twelve months in 2020 over 2019
- Inbound tickets have grown by 90% over past ten years
- 2013 to present day reflects the most growth in inbound tickets; could be considered a testament to the addition of a marketing position, improved technology, and board strategy and initiatives.
- Surrounding states are up in ticket volume as well.
- Homeowner ticket graphs suggest that the outreach in place is working.
- ITIC usage up to 74%
- Homeowner volumes and ITIC Lite – in 2020 there was a 28.9% increase in homeowner ticket volume; 40% of homeowners used ITIC.
- NXT forces user to select start date/time – no longer defaults to soonest. Graph

shows upward trend in tickets that gave greater than minimum notice. Average additional time is over 26 hours. Excavators are planning ahead and scheduling work.

- Inbound/Outbound ratio reduced i.e. less utilities notified which could be due to ITICnxt tools and GIS work on maps
- Admin fee is up \$24,000+ on the year
- Consider sunsetting fax a locate program and ITIC 2.0 which is currently running parallel to ITICnxt. ITICnxt is currently at 98% adoption rate; less than 50 excavators are using ITIC2.0.
- There was a request to reach out to contractors that are using fax to make sure they are comfortable with transitioning and remind them that they still have option to call in. Agreed to do outreach in next 60 days on those still using fax-a-locate and ITIC 2.0.

Motion to sunset ITIC 2.0 and fax-a-locate program by April 1, 2021 by Dave Stroebele, second by BJ Woehler

Voting Yes: Jerry Augustyn, John Buckley, Linda Costello, Rob Everett, Andy Hartmann, Bruce Hoehne, Chris Jacobsen, Ed Jarrett, Todd Knutson, Lance Loschen, Dan Maschka, Eric Melcher, Chad Roberts, Nathan Stewart, Dave Stroebele, BJ Woehler

Voting No: none

- Ticket extension documentation via call center – utility request for extended start time; excavator can agree, disagree or suggest another date. If yes, start date/time updates. If not or no response by excavator, nothing changes. Currently using in two other states; about 1:4 are extended. Concern expressed about utilities who have already marked. Noted that this is similar to when a ticket is placed up to 10 days in advance and some mark right away. Excavator may need to request refresh if marks are not visible at any point.
- Policy committee will work out notifications and other details such as restrictions for damage/emergency and limit to number of extensions. Policy committee will view a demonstration, look at piloting the program and report back at next meeting.

ADVERTISING AND EDUCATION

- Digital and Hard copy report distributed
- Spanish version of Safe Digging Guide and brochure now available
- 2021 Wall calendars available
- Public and Homeowner mailing campaigns executed to replace initiatives that were cancelled due to pandemic
- Upcoming outreach includes poster contest, individual sports sponsorships and member outreach campaign
- Grant extensions still within time frame to utilize funds for in person meetings
- One Call grant application for 2021 due in March

- Year in Review
 - The number of presentations were about half of usual number due to pandemic; some virtual appearances replaced in person meetings.
 - Most initiatives were either executed, modified or replaced with other options

TREASURER REPORT

2020 FINAL BUDGET - \$69K unspent from 2020 budget; \$35K net for 2020 which aligns with plan to reduce balance. Financial plan was executed according to plan with appropriate adjustments for 2020. Question about reducing surcharge/outreach budget; board feels there should be a balance in plan to fall back on in case of down year.

Motion to approve Treasurer Report by Linda Costello, second by Rob Everyett

Voting Yes: Jerry Augustyn, John Buckley, Linda Costello, Rob Everett, Andy Hartmann, Bruce Hoehne, Chris Jacobsen, Ed Jarrett, Todd Knutson, Lance Loschen, Dan Maschka, Eric Melcher, Chad Roberts, Nathan Stewart, Dave Stroebele, BJ Woehler

Voting No: none

SFM OFFICE REPORT

- David –
 - His people are doing a lot of public education to excavators and in response to damages
 - Spanish radio advertising requested. Noted that Spanish radio and TV advertising is purchased each year
 - Nebraska was deemed adequate but letter has not yet been received. The issue with fines not meeting regulations still exists.
 - Offutt utility membership – they are not statusing because they feel everything they have is a private facility because it doesn't leave their property and they should be removed as members. It was noted that some of their lines do leave their property. OPPD owns all electric but Offutt has commercial water service and communication lines that leave their property. There is a high number of no responses and very late responses. Some locates are being done but they are not statusing via NE811.
- Kevin –
 - Last damage prevention class was March 2020 in North Platte.
 - Deputies are talking to excavators about damages and following up with companies to offer in person education to company employees in follow up to an investigation or after randomly stopping at excavation sites. Conducted 35 presentations to companies who have been receptive to education and prefer face to face over virtual. The SFM deputies have continued to conduct in person meetings which have been very productive. Recommends conducting multiple in person meetings with masks and social distancing.

- Regina
 - Working on fiscal notes on three bills discussed previously and testimony for two hearings on Monday.
 - One application for the open board position has been received and will be addressed as soon as time allows.
- Milissa – not present; no report for fourth quarter 2020 yet.

OLD BUSINESS

- Stop notification email language has been taken care of.

NEW BUSINESS

- **Conference Travel** – CGA conference is scheduled for October 12-14, 2021; there is flight credit available from 2020 cancelled conference. Wait until date gets closer to be sure conference will happen considering the pandemic.
- **OCC Users Group Meeting** will be in Palm Springs, CA on September 21-23, 2021
- **Infrastructure Resources Global Excavation Safety Summit virtual conference** scheduled for March 23-25, 2021. Board members should let Jill know if they are interested in attending. Credit from registrations paid for 2020 conference is still pending reimbursement or application to future in person conferences.

CGA/CGN report

- **Best Practices changes report** – hard copies of the current manual are available through Jill and can be accessed via the CGA website. As far as Dan can tell, there are no new Best Practices in the most recent version.
- **Excavation Safety Summit** – postponed to February 23, 2022 due to pandemic
- **State Damage Prevention grant** is extending Safety Summit money for one year to be used on the 2022 Summit with agreement to skip a year and not apply for Safety Summit money so as not to double up. The other initiatives will go forward as planned. Jill and David will look into options to utilize money within the grant period if possible.

Next Board meeting date: April 15th, 2021 - Lincoln. Location TBD.

Adjournment

Motion to Adjourn by Nathan Stewart at 2:40PM CST