



Date: May 14, 2020

Location: Remote Webinar

Present:

| | | | | | | | |
|-----|------------------|---|---------------|-----|--------------------|---|---------------|
| ✓ | Chris Kampmann | ✓ | Jim Moody | ✓** | Mark Williams | ✓ | Ted Jensen |
| ✓ | Eric Kirkpatrick | | Julie Mileham | ✓ | Mark Jurgemeyer | ✓ | Ray Swedfeger |
| ✓** | Jeannette Jones | ✓ | Kat Duitsman | ✓ | Mark Frasier | ✓ | Tom Sturmer |
| ✓ | Rob Ellis | ✓ | Lori Warner | ✓ | Patrick Fitzgerald | | |

* Indicates arrival after roll call

** Indicates early exit from the meeting (around 3:50pm)

Note: The meeting was recorded and started at 12:02 pm. These minutes represent a summary of this meeting and are not intended to be a verbatim document. Audio recordings of the meetings can be obtained by contacting cdle_safetycommission@state.co.us.

MINUTES APPROVAL:

A Motion was made to approve the minutes from the April 9, 2020, meeting: motion carried and discussion was entered. There was no further discussion, a vote was taken to approve the minutes. It was approved by a unanimous vote.

CO 811 UPDATE:

JD, Jose, Juan, Carla, Marty & Whitney presented:

- Industry update: Return to Office Plan to be implemented, to match the requirements of the Denver area and state requirements.
- Operations update: 2020 Center stats were shared. YTD is over forecast (was forecasted as flat). May be due to homeowners working in yards, and also may be influenced by renotifications. This increase may be seen later by the Commission. Call volume also increased (vs using online methods); still able to handle the volume and meet the hold times of 4min average. CO 811 monitoring productivity and national trends. CO 811 invites Commissioner feedback on any of the data and plans.
- Technology update: File attachments and how-to videos are the primary focus now. Cyber security and phishing: launched its own campaign to get a baseline on employees; results were positive, while it can improve.
- Member relations: automatic positive response renotifications decreased from May to April. 3 new positive response codes (021-023); all 3 of these codes will require comments to be entered. 023 = ongoing ticket; may decrease some of the automatic renotifications. 008 code now requires comments as well. Regarding Tier 2 to Tier 1 conversion: still have approx 60% to convert. May 6th email campaign sent out; open rate has been about 36%. Second email to the unopened emails was opened at a rate of

12.5%. Member partial closures (from COVID-19) are at zero (all previous facility owners that were partially closed are open).

- Excavator Education: lots of trade shows cancelled and training is now via Zoom. 201 class revamped: updated and consistent with 101. Long course (over 3 hours), considering making it a series of shorter modules. Liaisons have been reaching out to the top 200 CO 811 callers and working with them to consider using online ticket request options. With Lowe's and Home Depot increase in business, thinking about adding more promo items to the stores.
- Public Awareness & Marketing: CO 811 run is going to be fully virtual this year. Anyone in CO can now participate. Also adding various distances and run, walk, hike & bike options. 2 weekends in August to complete the event - much more flexible.

COVID-19 has taken a lot of time, and the hope is to get back to focusing on the other work CO 811 does. Members acknowledged and thanked the CO 811 team for the work they have done during this pandemic, and felt positively about the call statistics. They are a great improvement from the previous year. CO 811 advised that the partnerships they have in the industry are helpful, and the preparations they have been making leading up to the pandemic, allowing the team to be successful in this time.

Members asked about renotification and call statistics. CO 811 was able, with their data analyst being a part of the call, to immediately look into that data.

Tier 2 to Tier 1 Conversion:

Members reviewed draft language and made edits. **A Motion was made to approve the content of the letter:** motion carried and discussion was entered. There was no further discussion, a vote was taken to approve the letter. It was approved by a unanimous vote.

The Commission further discussed what CO 811 would do with Tier 2 members after the deadline. The discussion included ensuring the excavator was aware of the utility member on the ticket (not getting rid of the contact info for safety reasons). The Statute considers them Tier 1 on/at that date; CO 811 will work to try and do this (if able to have a point of contact to send tickets to). Timing to send the correspondence and delivery method was discussed. For now, an email will be sent and the number of remaining Tier 2s will be reevaluated at future meetings (after CO 811 has time to determine whom they still have not heard from).

Home Rule Letter:

Members reviewed draft language, developed by AG and CML. CML provided contact information to help with the mailing. OPS plans to email the Home Rule Entities still not responding with this letter and report back at future meetings. The Commission noted the significant progress in this matter. **A Motion was made to approve the content of the letter:** motion carried and discussion was entered. A question was asked regarding an "effective date." It was discussed it was the date of the letter, which is noted in the content of said letter. A vote was taken to approve the letter. It was approved by a unanimous vote.

COMPLAINT HEARINGS:

- Upcoming hearings: Selected Review Committee members for June & July (will review once more in June).
- Complaint Data Tracking: Commission discussed whether to have a sortable tool to track violations. Staff shared the current tracking tools used. Commission discussed developing an expanded tool that might merge or include some additional data to include: ex: excavation type, fine amounts. Timing of when to develop this tool was discussed; may hold off for now. Request to add a line on the Hearing script & Findings Form to ask about Excavation Type (mechanical, hand, etc); staff will add these.
- Status of remedial action shared for complaints with current or past due (dates). AG may have to issue letters to past due parties.

BEST PRACTICES:

- Summary of work done shared: worked on Training Course Approval process (criteria

ADMINISTRATIVE ITEMS/OPS UPDATE:

- SUE Best Practice posted on the website
- Best Practice group is a less formal group, not in bylaws or in Regulations, does the Commission want to reconsider any of that?
 - For now plan to leave as is.
- On April 27, PHMSA reached out to determine if CO was going to formally respond to the 2019-2020 letter. OPS advised that at this time no formal response was forthcoming, and advised PHMSA via email of the progress made at the April SC meeting with Home Rule, and plan moving forward. PHMSA appreciated the update.
- CDOT has nominated a replacement Commissioner; going through the process to have them join the Commission.
- Datatool had initial tests, adjustments are being made. Goal is to be complete and in place by August 15.
- Stakeholder request to include video in remote meetings. OPS will look at the feasibility.
 - Commission members willing to consider this option
- Damage Prevention Fund: OPS is requesting the Commission consider designating some of the funds to support the efforts of the staff.
 - AG joined the conversation to discuss the statute.

The Commission discussed the impact of the overage of the Safety Commission Fund. Commissioners considered the request and comments included how some of the work done in Best Practices, and in education for Commissioners may be a part of the way the Damage Prevention fund(s) may be used. It was noted that funds to create training materials should still be considered. Goal is ultimately to ensure the Commission can continue providing damage prevention resources.

EXECUTIVE SESSION

Item: Discussion with attorney (AG's office) on matters related to the funds associated with the Safety Commission. The committee motioned for executive session, motion carried and executive session was entered. After exiting the executive session, the members returned to discussing the request from OPS.

A Motion was made to approve the use of damage prevention funds to support education and public safety efforts conducted by staff: motion carried and discussion was entered. There was no further discussion, a vote was taken. It was approved by a unanimous vote.

OTHER BUSINESS:

- Other items will be considered at the next meeting.

The next meeting is scheduled for June 11, 2020.

Meeting adjourned at 3:55 pm.