



**Date:** November 12, 2020

**Location:** Remote Webinar

**Present:**

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

\* Indicates arrival after roll call . - indicates left meeting early.

**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](mailto:cdle_safetycommission@state.co.us).

**MINUTES APPROVAL:**

**A Motion was made to approve the minutes from the October 8, 2020 meeting (with minor edits denoted in meeting):** motion carried and discussion was entered. There was no further discussion, a vote was taken to approve the minutes. It was approved.

**DAMAGE PREVENTION FUND SPENDING AUTHORITY UPDATE:**

Commissioners noted that there is not current legislation forthcoming that would include changes to the budget. The Commission, with OPS, should file for spending authority (decision item) in 2021, to have access to funds July 1, 2022.

**CURRENT BUSINESS**

**CO 811 UPDATE:**

JD, Jose, Carla, Whitney, Marty presented:

- CEO Update: Have a Board meeting tomorrow (11/13), including approval of the 2021 Budget. Plan to decrease (if approved) transmission fee to members. Strategic Planning and Pandemic-Remote Work Plan ongoing. Known Legislative Efforts: CCI Road Grading.
- Operations update: No significant data changes; staff available if Commissioners have questions in the future. Contact Center Supervisor/ Scheduling Coordinator hired, Phillip Steele. File attachments (from excavators) being evaluated from an efficiency standpoint & potential fail points. Reviewing legislative requirement for excavator file attachments (marking instructions vs supplemental information).
- Member relations: Automatic positive response re-notifications: 11% of transmissions in October. 26% of member codes are responding on time & only 4% have no responses (was 23% in 2019). Balance has a mix of responses. 92% of transmissions in 2020 have an on time positive response, 7% are posted late &

1% are no responses. 252 Tier 2 members remain to be converted; CO 811 is working with the Top 10 to help them prepare to convert. All remaining Tier 2 members, that have an associated email, will automatically convert on 1/1/2021. 7 members do not have an associated email - have delivery receipts for certified mail. However with small volumes (under 10 transmissions per year) and no way to send tickets the suggestion is to terminate them (if can't convert).

- Public Awareness & Outreach (including Damage Prevention): reviewed 2020 advertising campaigns, and shared link for mock line strike video. Partnered again in 2021 with ACEC to offer education. Will add a class for Excavators & then still host education for municipalities and engineers. Classes will be virtual.

The Commission discussed with CO 811 staff (in regards to excavator file attachments) the difference between digital whitelining vs supplemental information. If the map does not match the ticket request, that is where an issue occurs, and do you have to address both or something else? CO 811 wants to gain consensus in the process of submitting and receiving these attachments for both excavators and facility owners.

Commissioners acknowledged the efforts of CO 811 staff in dealing with Tier 2 members that might not be able to convert. Noted that there might be a need to discuss further at a meeting in 2021 - specifically how to ensure excavators know that there might be buried facilities in a particular area.

### COMPLAINT HEARINGS:

- Upcoming hearings: Selected Review Committee members for December hearings.
- Other:
  - 2020-101, 2020-102 & 2020-103: OPS staff shared the names of the known parties with the Commission. The complaints involve locating companies & do not include sufficient information for points of contact. Information for a potential point of contact at Kinetic Locating was provided by a Commissioner. The Chair, Eric, will reach out to try and obtain more information for the Commission for all 3 complaints. Staff & Eric will update the Commission at the December meeting.
  - 2020-005: 1st payment was late & did arrive; second payment is now late (due 10/1). The Commission discussed options to move forward with this respondent. **A Motion was made to modify the original review committee's recommendation and include the provision that the party may complete and submit proof of training by December 31, 2020 or pay the remaining balance (of the \$5,000 fine):** motion carried and discussion was entered. Commissioners discussed clarifying that the amount already paid by the respondent plus he training would suffice, otherwise the balance of \$5,000 would be due. A vote was taken to approve the motion. It was approved.

### BEST PRACTICES:

- Worked on Locating & Marking Best Practice. Pushed the Large Projects Best Practice to the next meeting.

### ADMINISTRATIVE ITEMS/OPS UPDATE:

- Appointment process moving along, information in the Governor's office.
- Calendar invites for SC meetings go through February 2021; it will be evaluated once new members join and would go into effect in March of 2021 as needed. In January, a doodle poll will be sent to members for hearing dates beginning in February of 2021.
- Annual meeting with PHMSA occurred. The work done regarding the SC's role and Home Rule was appreciated by PHMSA, although the issue is still on their radar.
- The Home Rule (May) letter has been opened by 1 more Home Rule Entity - Gypsum. Kiowa does not have its own Safety Program and will meet with its Board to finalize a decision. Awaiting a final signed copy from Colorado Springs & the potential for them to have a program starting in the future.
- Data tool went live on October 22. Working on final data tweaks. Will showcase the 2020 year in review to the Commission in December.

- Denver 311 has been referring residents to the SC (phone). Staff have been trying to resolve this with the support of the Chair & Vice-Chair (Eric & Chris) and ensure residents are helped by 311. Issue still open.
- Procurement office is working with OPS to allot funds to CO 811 for Spanish translation of curricula. PHMSA point of contact has not yet provided OPS with the funds.
- Regarding the Road Grading legislation: let OPS know if our legislative liaison should be involved.

**REGULATIONS: WORKING COPY**

- Reviewed draft red line language
- Staff will look at a timeline to pursue red line changes after January 2021; will update the Commission in February 2021.

**OTHER BUSINESS:**

- None

The next meeting is scheduled for December 10, 2020.

Meeting adjourned at 3:26 pm.