



Date: June 10, 2021

Location: Remote via Google Meet

Present:

✓	Chris Kampmann	✓	Jim Moody	✓	Patricia McKinney-Clark	✓	Ted Jensen
	Dale Kishbaugh	✓	Lori Warner	✓	Patrick Fitzgerald		
✓	Dana Bijold		Mark Frasier		Ray Swedfeger		
✓	Jeannette Jones	✓*	Mark Williams	✓	Rob Ellis		

* Indicates arrival after roll call . - indicates technical difficulties during roll call

Note: The meeting was recorded and started at 12:02pm. 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 May 13, 2021 meeting: motion carried and discussion was entered. There was no further discussion; a vote was taken to approve the minutes. It was unanimously approved.

CO811 UPDATE:

Jose Espino & Carla Sanchez

- CEO update: *provided by Jose on behalf of JD Maniscalco*. Working on a request for information policy for data inquiries - to allow the Commission and CO 811 to work together on data requests outside the monthly updates and annual report requirements. Also working on an MOU for the LMS Spanish translation grant. OPS staff added info that the formal MOU is not required (per a meeting with all involved parties).
- Operations Update: 2021 center stats shared: peak may have been hit and plateau reached. Hope to maintain. Damage totals are dropping - good trend to note. Will look at indicators and report more on how that good news is occurring. SUE tickets are the smallest portion of call volume. Call volume % is not increasing and that shows that users are using other platforms. Hold time YTD average is 3:36. procedures/processing quality: ticket processing accuracy for April was 99.31%; May was 99.51%. Goal is 99.80%. Increasing towards that goal is positive.
- Member Relations Update: Automatic positive response renotifications (APRN) are 7% of volume. Improving from 20% in 2020. 70% of APRN are from Tier 1; 30% is for Tier 1 (formerly Tier 2). Ongoing outreach to members continues. New membership: 14 new members in May 2021: Irrigation/Ditch, Oil & Gas, HOA's, Fiber, Metro Districts. 5 members terminated in May (details shared in prezi).

- Damage Prevention: *provided by Jose on behalf of Marty Mead*. Damage prevention “in-person” will resume in July.

OPS staff advised CO 811 staff of a call from a Tier 1 member (formerly Tier 2) - they were concerned with the cost of tickets and in contacting CO 811 they were referred to the Safety Commission. CO 811 shared how cost conversations are bullet-pointed and also shared how buffers might be sized to minimize the area included in tickets. CO 811 can share contact info for similar facilities so they may support one another. CO 811 shared that some members are looking for financial assistance (potentially through UDP funds); CO 811 advises this is not the case and shares budgeting ideas.

Commissioners asked about the annual report that is due by July 1. Melissa Craven joined the conversation and noted that the report will be submitted on time. Regarding a ‘report card,’ CO 811 may be able to provide data; a report card that creates context or judgement may not be in the best interest of the association to generate. If the Commission wants to score or develop a ‘report card’ that is a separate task. JD will have to answer specifics about what is feasible for the 2021 annual report.

- Jim Moody noted that he developed a draft report card in October 2020 and is looking for feedback from CO 811 on where that data stands. The Commission referenced item (E) in the statute and wanting to compare from year to year per member (code) as well as compared to other members of the same (code).
- CO 811 can provide data; however, context and how exactly it is generated (what parameters) changes the feasibility and timing of when/if that work can be done.
- Commissioner Jeannette Jones requested to have this point be noted for the record: While the Statute is being met by receiving the data, the goal should be to do something with the data - are there improvements or not?
- How to group the various member (codes) is a specific challenge to comparing or organizing the data.
- It was noted that while the Commission is getting the data, it is important for facility owners to get the data and decide what to do with it.

CO 811 will follow up as soon as possible, potentially before the next scheduled meeting if possible.

COMPLAINT HEARINGS:

- Upcoming hearings: Review Committee members selected for 6/24/21 hearings.
- 2021-001: remedial action received. Chose to pay the fine instead of taking the discount + training.

BEST PRACTICES:

- Shared that the Marking Survey was developed and shared with CO 811 members. The goal is to determine what to do in recommending APWA, CGA or other. Responses due by next week; thus far, 170 responses have been received.
- Discussed response codes with CO 811 staff. Based on the discussion, the Best Practice group will determine if any other recommendations should be given to CO 811.
- In discussion with the AG (Katie Allison) regarding Enforceability - clarification was had about how or what can be enforced.
- 6/22/21 from 1-4pm is the next meeting.

OPS STAFF UPDATE:

- UDP Damage Prevention fund: \$38K; spending authority would begin 7/1/22.
- PHMSA grant: midterm reports submitted and approved by PHMSA; invoice for access to second half of funds submitted. Now having clarity with CO 811 on passing through funds, that amount will be sent once received.

- Home Rule entity update: email sent to Colorado Springs (Shelly Dornick) that included the PHMSA annual program review template to allow them to understand the types of info PHMSA requests from programs.
- May 21 - the Governor signed HOUSE BILL 21-1095: The Governor asked OPS for information prior to signing and OPS Division Director provided this response: "Since this bill does not take effect until June 1, 2022, the Division of Oil and Public Safety will work with the Underground Damage Prevention Safety Commission to engage with stakeholders over the next few months to provide further clarification and guidance on implementation of HB 1095, which if necessary can also be included into our revised regulations before June 2022."
- HB-1212 (Diversity Bill): language used in UDP SC outreach matches.
- SB-271 (misdemeanor): if it takes effect, it would impact the SC's Statute and regulations.
- Complaint statistics were shared; the Commission asked how this compares to last year. 2021 has received less complaints (YTD) than in 2020.

Commission noted their appreciation to Jacquee Wilson (OPS staff) for finding the laws that impact the Commission and tracking those on their behalf.

Commissioners raised the idea of how to network with the industry (e.g.: Best Practices, conference attendance). Are there events worth attending? Asked if staff will share any events as they become aware.

Commissioners asked about the 'report card' and the ability for OPS to support the Commissioners' plan to send something out to the industry. Discussion was had on the willingness to support the project once we follow up with CO 811 on what data can be provided.

Update: Safety Commission Diversity Plan and Membership:

- OPS staff updated the Commission on their progress, which included emails being sent to the various stakeholder groups and nominating entities that have or will have open seats in the new year.
- As far as OPS is aware, no seat has had 3 applicants yet apply. ACEC was aware of the changes in the process. Staff has also spoken to CDOT about the changes via phone as a follow up to the email they received and 1 applicant that applied. Patricia McKinney-Clark advised that she had discussed this with CDOT, and will continue to support the statewide office as they gather more names. OPS can be asked for their recommendations (they have been in the past), not sure what that looks like in the future. If nominating entities inform OPS of their preferred choice, OPS will share that when asked.
- Commissioners discussed how to ensure seats get filled (or at least applicants identified). No decisions were made. The concern echoed by multiple commissioners is that too many vacant seats will prevent them from functioning, including hearing complaints.

OTHER BUSINESS:

- When the Commission is able to meet in person (likely beginning in September), the Commission may want to reevaluate what types of meetings (format, location, etc) it hosts. Same for hearings. Commissioners discussed some options, including quarterly meetings in person and the rest remote. No decisions made.
- Agenda items for the next meeting were discussed.

The next meeting is scheduled for July 8, 2021.

Meeting adjourned at 2:14pm.