

**North Dakota One-Call
Board of Directors Meeting**

February 16, 2006

The meeting was called to order by Chairman Mark Bittner at 9:00 AM in the boardroom of the North Dakota Association of Telephone/Rural Electric Cooperatives building in Mandan, ND.

Members present: Mark Bittner, Mark Dougherty, Chad Olson, Dennis Kellar, Jerry Blomeke, Perry Oberg and Darrell Wrege.

Absent members: Ed Williams and Ron Ness

Others present: Don Nett and Jim Holzer of One Call Concepts; Barry Schulz from the ND Locators Association. Richard Schultz of ND Locators Association enter meeting at 9:45 AM.

Minutes:

Agenda: Chairman Bittner asked if there were any additions or modifications to the agenda. Perry made a motion to accept the agenda as presented. Chad seconded the motion. There being no discussion the motion was called. Ayes all, the motion carried.

Approval of previous minutes: Chairman Bittner called for additions or corrections to the minutes of the November 17, 2005 regular board meeting. Perry made a motion to accept the minutes as published. Darrell seconded the motion. There being no discussion the motion was called. Ayes all, motion carried.

New board member recognition: Chairman Bittner called on Chad Olson to introduce the new board member representing the telecommunications stakeholders. Chad introduced Dennis Kellar from Reservation Telephone Cooperative.

Chairman Bittner reported Ron Ness of Cass County Electric Cooperative has been re-elected to the board and will continue to represent the electric power stakeholders. Ron was not able to attend the meeting due the family conflicts.

Jerry Blomeke of Cass Rural Waters Users, Inc. was also re-elected to the board and will continue to represent the rural water systems stakeholders.

Chairman Bittner welcomed Dennis, Jerry and Ron to the board.

Resolution of appreciation for Chad Olson: Chairman Bittner, on behalf of the North Dakota One-Call Board of Directors, thanked Chad for the excellent service to the telecommunication stakeholders and the NDOC board. Chairman Bittner then presented Chad with a commemorative watch.

Financial Report: Treasurer Jerry Blomeke presented the year end financial statements to the board for review and acceptance. Perry made a motion to accept the financial statements as presented. Second to the motion was made by Darrell. There being no discussion the motion was called. Ayes

all, motion carried.

Approve bills: Chairman Bittner called for bills to be approved. Don Nett offered a bill for November and December advertising. Chad made a motion to approve the bills to be paid as submitted. Perry seconded the motion. There being no discussion the motion was called. Ayes all, motion carried.

Election of officers: The nominating committee represented by Chad reported nomination for Secretary was accepted by Mark Dougherty. He also reported Jerry Blomeke agreed to continue as board Treasurer and Perry Oberg would continue to serve as Vice-Chairman. Chad reported Ron Ness would accept the Chairman position if Mark Bittner would not serve another term. Perry nominated Mark Bittner for Chairman. Chad moved to suspend the rules and called for the unanimous election of Mark Dougherty as Secretary, Jerry Blomeke as Treasurer and Perry Oberg as Vice-Chairman. The motion was seconded by Darrell Wrege. There being no discussion Chairman Bittner called the vote. Ayes all to elect Perry Oberg, Vice-Chairman; Jerry Blomeke, Treasurer and Mark Dougherty, Secretary. Chairman Bittner called the for a show of hands vote for Mark Bittner as Chairman and a show of hands vote for Ron Ness as Chairman. Mark Bittner was elected Chairman by a vote of 5 to 1.

Chairman Bittner thanked the nominating committee for their work and the new officers for their willingness to serve. Chairman Bittner thanked the board for their vote of confidence and will try to deliver on that vote.

2006 Pipeline Safety Grant Application: Don Nett has heard nothing from Gloria and therefore has nothing new to report.

Operation center contract renewal: Discussion started with a review of the price proposal contained in Attachment 1 and moved to discussion of Base Map updates. Jim Holzer related, the first review of the Cass county maps were not positive and with that he decided to review the maps himself and found through a point-by-point comparison the maps were very good information and had a number of features not currently available with currently used TeleAtlas information. Chairman Bittner asked Jim what this would mean to the CSRs. Jim said they would have the capability to map polygons more precisely. Jim said OCC would accept information like the Cass county maps on an individual basis and use the data only if it's better than TeleAtlas data currently used. Jerry asked as to why it had to be done on a county wide basis and Jim replied it's due to the way PRISM was constructed. Chairman Bittner committed to contacting the larger communities in researching the availability of like data. Question was asked about feed back to operators on map changes and Jim related each operator in an updated map area is contacted by OCC when update is completed and asked to verify their polygon adjustments. OCC allows adequate time for operator response and then sends a notice of a date the changes will be implemented whether every operator has responded or not. OCC will take new data at anytime of the year but a complete study and updating will not be done until the slow season, with full implementation to be ready in the spring.

Changes to the OCC contract were discussed as follows: it was recommended to add a "design locate" definition to the contract with the use of a "design locate ticket" being implemented as soon as possible; it was decided to leave the "out of area locates" unchanged in the new contract; it was the consensus not to add the "180 second maximum hold time" to the contract as hold time doesn't seem to be a problem other than at very specific times of the day; how to handle the website was discussed

and the clear opinion of the board was to go with the payment per ticket proposal and be more proactive in using the website to better inform the stakeholders of board, center and stakeholder activities. Jerry moved to approve the \$1.20 base ticket contract price with the \$0.03 base map update and \$0.01 web site options included. Chad seconded the motion. Chairman Bittner called for discussion, there being none the motion was called. Ayes all, the motion carried. Chairman Bittner committed to communicating the design locate and other language changes to OCC for inclusion in the contract prior to signing.

ND Locators Association: Barry Schulz representing the ND Locators Association (NDLA) presented a request for their group to become a part of the ND One Call board allowing their use of NDOC facilities and tax ID number; saving NDLA the cost of incorporating. Jerry asked what other services AT&S provided to the NDLA. Barry Schulz thought AT & S's Secretary worked as NDLA's treasurer and provided light administrative services. Chad asked if there were any problems in working with AT & S. Barry thought they had a concern about the legalities of the arrangement. Richard Schultz offered AT&S wanted to absorb NDLA and the NDLA group felt absorption would be counter to NDLA's mission. Jerry suggested he talk further with Kevin Alishouse and NDOC's attorney to clarify the legalities of the issue.

Operations Report – OCC:

Center Operations: Don Nett reviewed the reports provided with the meeting packet, which indicate a 6.1% growth in incoming tickets and a 7.2% growth for outgoing tickets. The "other call" volume has increased significantly (as much as 55%) through most of 2005. OCC cannot say why it has increased but they are researching the cause. This increase is reported to be similar to that experienced in Minnesota and may be the result of any number of circumstances. Chad feels knowing the cause is important for the board; it could show the positive effects of homeowner advertising and other activities of the board. Chairman Bittner asked whether the one time caller included in "other call" volumes would show up in a corresponding increase in processing time. Jim thought that may be true of the overall average processing time but it may not show up in the individual call volumes. Don Nett further reported the use of ITIC continues to grow with the system split being 70% telephone, 10% Fax and 20% TOL/ITIC. Jim reports the pattern of growth in ITIC use is consistent with what has been experienced in Minnesota. Minnesota's ITIC usage is about 25% at this time.

Jim added that some of the operators will be getting calls on a new out bound ticket proposed to be introduced by the season start. The new ticket will have "virtual marking instructions" included with the out bound ITIC tickets.

Financial Reports:

Advertising Reports: Don distributed the 2005 Advertising Budget Report. The advertising budget for 2005 was \$42,750 and expenditures were \$41,422. Don pointed out the numbers in his report may be different than those in the Treasurer's report due to this report being based on invoices received and the Treasurer's on invoices paid. Don

also reported that by his calculations the board income based on the number of tickets would be \$51,394 and this is the basis for constructing the submitted "Revised 2006 Advertising Budget". Perry moved to approve the "Revised 2006 Advertising Budget". Darrell seconded the motion. There being no further discussion Chairman Bittner called the motion. Ayes all, motion carried.

Don reported on the meeting and events he attended in 2005.

Base mapping update status: Discussed earlier.

Don Nett Report:

Presentations/Exhibits: Don informed the board he is planning to attend as many of the ND Pipeline Associations meetings as his schedule will allow. These meetings are in answer to the OPS's requirement for pipeline companies to meet face-to-face with all first responders in the area of their facilities. These meetings provide a forum for the pipeline companies to inform the first responders of any specific emergency response requirements for their particular facility. Don feels there's good value in attending these meetings as he has an opportunity to interact with others involved in damage prevention and emergency action when damage does occur. Board members are welcome to attend these meetings. At one of these pipeline meetings Don was asked why a number of the oil field companies that have pipelines aren't members of NDOC. He was given a list of companies and will research the list and make the appropriate contacts.

Excavators Meetings: Don has emailed a list of topics he could present at the excavator's meetings and would appreciate the board's input on which topics they'd prefer. Suggestion was made by Chad to include phone numbers of NDOC board members in handouts and also to include information about design locates. Don would like the board to take action at today's meeting so design locate information could be included. Suggestion was made by Chairman Bittner to put the One-Call Handbook and board minutes on the website and direct the meeting attendees there for that type of information. Chad suggested one topic could be excavation site clean up of all locate markings. Don relayed he will be including that as a topic. Another topic suggested is where not to mark with paint (i.e. shrubs, decorative rock and other landscape elements). Don informed the board he is planning to use some pictures of damage which occurred when no call was made or a ticket was long expired. The board thought the pictures would be very beneficial in address the purpose of one call requirements.

Discussion of hand dig interpretation: Don pointed out a possible conflict in two areas where the statute talks of a hand dig area 2 feet on each side of the located facility and another area talks about digging with care within 2 feet of the utility. This may be a problem with the addition of enforcement [language](#) to the statute. This is an area of statute the board needs to look at cleaning up if we go to the legislature for other items.

Deleted: language

CGA Activities: Due to the schedule change, Don can't find time to attend the annual meeting in Phoenix and Mark has agreed to attend this year's meeting.

Old Business:

811 Implementation: Don asked how and when the board would like to include the 811 number on ad materials. The board decided to not add the number to any ad materials until after the July 1, 2006 conversion date and then to present as "811 or 1-800-795-0555". Chad informed the board 11 out of 20 telephone companies have completed conversion and the remaining companies will likely complete by April. Don has received an invoice for \$76 from West River Telecom for 811 conversions and he asked for direction on handling the invoice. Chad informed the board some of the companies may have a small charge and he is not sure how many or how much. He offered to talk to

West River Telecom about the invoice and see if they would credit the amount. Perry moved to not pay the invoice submitted by West River Telecom. Jerry seconded the motion. There being no discussion Chairman Bittner called the motion. Ayes all, motion carried. Chairman Bittner accepted Chad offer to talk to West River Telecom. Chad informed the board he has talked to Dennis Kellar and they agreed Chad will continue to work on the 811 conversion until completed. Chairman Bittner thanked Chad for his commitment.

Legislative Issues: Discussion continued on legislation, from the February 15, 2006 special meeting of the board. Perry made a motion to continue to review the existing draft legislation, providing comments for modification back to Mark by March 9, 2006; to solicit an independent consultant to get response and support from all stakeholders on proposed legislation. Darrell seconded the motion. There being no further discussion Chairman Bittner called the motion. Ayes all, motion carried.

Other legislative ideas Don has compiled from stakeholder comments over the past several years. Chairman Bittner questioned whether the board could deal with any of these items without going to the legislature. He sees nothing in the statute precluding the board from making changes like this through the OCC contract. Chad moved to implement the distributed design locate header and process pending review by counsel. Mark seconded the motion. There being no further discussion Chairman Bittner called the motion. Ayes all, motion carried.

Fargo base map interface: Discussed earlier in meeting.

Amber alert: An Amber Alert reportedly went out in ND and did not get broadcast by OCC as required. Jim, Tammie and Don are working to correct the process. Tammie has changed her alert registration to be sure to receive nationwide as well as local alerts and the weekend supervisor's contact numbers are being added to the list.

Secondary locates: Discussion on the variability of municipal locates of sewer and water. Most municipalities don't locate anything but the main on sewer and only to the curb stop on water services. It was suggested this be a topic for the excavator's meetings. Information from Richard Schultz is the power and communications lines are normally located to the meter or house connection. Don got a call from Gowan Construction, Inc. about the DOT requirement on Job No. 12 on the February 17, 2006 bid letting, for the contractor to locate and pay for the locate of utilities on this project. Mark heard from Don on this issue Wednesday morning and the AGC had a liaison meeting with the DOT that morning. Mark questioned the DOT about whether this was going to be the normal procedure for DOT projects or if it was just specific to Job 12. The DOT administration was unaware of the requirement and stated they intend to follow the one call statute. The Valley City District personnel will look into the situation and follow the statutory requirements.

Update on Grand Forks Traill Water District Mapping: Discussion of the status of the problem presented at the November board by Randal Loeslie of Grand Forks Traill Water District. Don reported he received none of the additional information Randal had promised and has heard nothing more. Jerry reported he has talked to Randal since the last meeting and got a sense that he was not maybe satisfied with what he learned last meeting but he's accepting it and will move onto something else.

In a related issue, the board discussed the situation with Lincoln Oakes Nursery. Don and Chairman Bittner had both talked to Gary Puppe and at one time Chairman Bittner thought Mr. Puppe had

accepted the way things are and then Gary called Don and took him out to see where the recent excavations were in relation to his water line. Don related most were across the road from or close to the water line and all were reasonable locates. No one was sure what more could be done to aid Mr. Puppe in understanding his responsibility under the One-Call law.

New Business:

Set meeting schedule:

- 10:00 AM - May 11, 2006 – NDARC
- 10:00 AM – August 10, 2006 – AGC of North Dakota
- 10:00 AM – November 9, 2006 – AGC of North Dakota
- 10:00 AM – February 8, 2006 – NDARC

View Call Before You Dig Commercials

Viewed nine commercials and gave Don some direction on the ones the board really liked. Most would require some modification to include some needed information or highlight some item in the commercial.

OCC Call Center Visit: Don feels a visit to the Call Center gives the new board members an understanding of how the center really works. Jim will circulate some possible dates to all board members to aid in deciding when the visit should take place.

Board member commitments on action from the above meeting include:

1. Chairman Bittner contacting the larger municipalities to determine the availability of Cass county like map information.
2. Chairman Bittner to communicate the design locate and other contract language changes to OCC for inclusion in the contract prior to signing.
3. Jerry to talk Kevin Alishouse and board counsel on the NDLA being a part of the ND One Call board.
4. Mark will contact board counsel on the use of design locates without legislative action.

There being no further business to come before the board the meeting was adjourn.

Submitted by Mark Dougherty, Secretary

Chairman Mark Bittner

Signature: _____ Signature: _____

Date: _____ Date: _____