

**DAMAGE PREVENTION BOARD
VIDEOCONFERENCE MEETING**

Thursday – January 23, 2020 – 9:30 a.m. (MST)

**Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian
1250 Ironwood Drive, Suite 220, Coeur d’Alene
155 North Maple Street, Blackfoot**

MINUTES OF THE JANUARY 23, 2020 MEETING

NOTE: The following report is not a verbatim transcript of the discussions at the meeting; however, is intended to record the significant features of those discussions.

Acting Chairman Jerry Piper called the meeting to order at 9:30 a.m. (MST)

Board Members Present:

Jerry Piper, Vice-Chairman
Bob Chandler
Scott Spears
Roy Ellis
Julie Maki
Darrin Ulmer
Jeanna Anderson
Nichole Rush

DBS Staff Members Present:

Chris L. Jensen, Administrator
Spencer Holm, Deputy Attorney General
Larry Jeffres, Regional Manager, Region 1
Patrick J. Grace, Regional Manager, Region 2
Adam Bowcutt, Regional Manager, Region 3
Jamie Buckingham, D. P. Program Specialist
Amy Kohler, Compliance Program Specialist
Renee Bryant, Administrative Assistant 2

In the absence of Chairman Jeffrey Diehl, Vice-Chairman Jerry Piper served as Acting Chairman.

◆ **Open Forum**

UCC Funding – Alan Volbrecht, ELM Utility Services Area Manager, Canyon County Utility Coordinating Council (UCC) President and Idaho State UCC Vice-President, explained to educate contractors on damage prevention laws, etc., UCC holds a breakfast every year, to include speakers and presentations. With declining membership, and lack of funds, Mr. Volbrecht asked the Board to partner with UCC and assist in funding a breakfast in the spring of 2020. It was suggested Mr. Volbrecht contact Board Member Jeanna Anderson, Training and Education Sub-Committee Chairperson, to discuss a plan of action; bringing the topic back to the March meeting as an action item on the agenda.

ACTION: Alan Volbrecht will contact Board Member Jeanna Anderson, Chairperson of the Training and Education Committee; as well as the topic *UCC Funding* to be placed on the March 12, 2020 Board meeting agenda as an action item.

◆ **Approval of the January 23, 2020 Agenda**

MOTION: Scott Spears made a motion to approve the agenda as presented. Roy Ellis seconded. All in favor, motion carried.

◆ **Approval of the November 21, 2019 Meeting Minutes**

There was confusion with the verbiage in the topic *Grant Update* under the *Damage Prevention Training Report*, page two of four. When questioned, the Division did not miss the deadline to award the \$20,000 from the State Damage Prevention (SDP) Grant for digital updates on training material. For clarification, the sentence “Unaware of the clause, DBS missed the deadline.” was removed from the minutes.

MOTION: Bob Chandler made a motion to approve the meeting minutes with the correction. Roy Ellis seconded. All in favor, motion carried.

◆ **Administrative Appeals Hearing**

Knife River—DAM1910-0020 – The hearing has been postponed and will be rescheduled for the March 12, 2020 Board meeting.

ACTION: The Administrative Appeals Hearing for Knife River will be placed on the March 2020 agenda as an action item.

◆ **Financial Update**

Upon reviewing the financial report, Board Member Nichole Rush noted the running balance was substantially off; suggesting the formula be updated. In addition, the first half of the SDP grant was budgeted for November 2019; however, DBS just received the funds today, January 23, 2020. It was agreed, the report will reflect those changes for review at the March 2020 meeting.

On the spreadsheet, there are columns for “Spending Authority”, “Projected Revenue” and “Projected Expense”. Acting Chairman Piper asked a “Actual Revenue” column be added.

ACTION: The Deputy Administrator will make the above corrections, as well as add an “Actual Revenue” column to the financial report for the March 2020 board meeting.

◆ **Damage Prevention Training Report**

Industry Feedback – The following feedback was received from the recent local UCC meeting in north Idaho: 1) Provide more outreach, 2) Define “Emergency Locates”, 3) Call center not correctly identifying the utilities, nor adding contact information on tickets, and 4) Jurisdictions not complying or participating in the one call service on lateral locations.

Training – In 2019, 1,180 individuals participated in training; up from 758 in 2018. DIGLINE, Inc. has offered to take over training in February with DBS facilitating the training for the remainder of the year.

Digital Training – The Damage Prevention Program Specialist explained in 2017 the Board purchased a website through another campaign. Even though the campaign ended, the Board retained ownership. Recently, the Division acquired the administrative rights back; customizing the website with the new tag line “Call Idaho 811”. Tyson Chaplain, Tovuti, provided an overview of the new training system; which is currently active. DBS Enforcement

Specialist Patrick Wood was acknowledged for working behind the scenes to make the website specific to the needs of the underground facilities, excavation industry and citizens of Idaho.

Industry Feedback (Cont'd) – Board Member Bob Chandler stated in north Idaho the assumption is an emergency locate must be located within two hours; however, there is nothing in statute that identifies a specific time frame. In addition, many utilities and contractors have gone to the call center up north and asked them to add the necessary information; however, to no avail. The five northern counties are currently reviewing their options for a one call service.

Deputy Attorney General Spencer Holm explained the word “Emergency” is defined in statute; however, there is nothing that says an emergency locate should be performed sooner than a regular locate. There is a civil penalty for failure to participate or cooperate with a one-number notification service.

◆ **Education and Training Subcommittee Update**

Billboards – The Subcommittee continues to like the idea of using billboards as a form of education. Board Member Anderson asked an action item to be placed on the March 2020 meeting to move forward with advertising on billboards.

ACTION: The topic *Billboards* will be placed on the agenda for the March 2020 Board meeting as an action item.

◆ **Emergency Locates**

Board Member Rush has received many complaints about emergency locates; i.e., what constitutes an emergency, what is the response time for marking lines in emergency situations, etc. In rule it states you can’t dig until all known facilities are located; however, there is nothing about emergency locates and when to go out. There are several sections in statute that addresses “Emergency” but is unclear when it comes to locates.

Provided were several handouts: 1) Emergency ticket from DIGLINE, 2) Page from DIGLINE, Inc. Members Manual on underground locate requests, 3) Section 5.26 *Emergency Excavation* from CGA Best Practices, and 4) Laws from other states on what constitutes an “Emergency”.

The Board was asked to review the handouts for further discussion at the March 2020 meeting for possible creation of a new rule that will provide better direction and definition on emergency locates.

ACTION: The topic *Emergency Locates* will be placed on the agenda for the March 2020 Board meeting as an informational item.

◆ **Compliance Report**

Reports – The Division has not seen a decrease in complaints. More and more compliant forms received are correct and complete; making it easier for DBS to process.

◆ **Administrator Report**

Budget – On January 16, 2020, the budget was presented to the Joint Finance-Appropriations Committee. One of the major items in the budget is the purchase of the Division’s new office in Blackfoot, Idaho.

Housing – In a forecast report from the Governor’s office, in 2011 there were 4,500 home-starts in Idaho. In 2020, there will be a little over 16,000 homes and will increase by 1,000 homes every year for the next five years.

Damage Prevention Program Specialist – DBS has received several applications for the Damage Prevention Program Specialist position. Board members are welcome to participate in the interview process providing there is not a quorum.

◆ **Adjournment**

Acting Chairman Piper adjourned the meeting at 10:43 a.m.

JERRY PIPER, ACTING CHAIRMAN
DAMAGE PREVENTION BOARD

CHRIS L. JENSEN, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

02/07/2020rb

DATE