

**DAMAGE PREVENTION BOARD
VIDEOCONFERENCE MEETING**

Thursday – May 27, 2021 – 9:30 a.m. (MDT)

**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 MAY 27, 2021 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.

Chairman Jerry Piper called the meeting to order at 9:34 a.m. (MDT)

Board Members Present:

Jerry Piper, Chairman
Bob Chandler, Vice-Chairman
Roy Ellis
Sean Marsh
Paul Good
Julie Maki
Scott Spears
Vaughn Rasmussen-Telecon.
Nichole Rush-Telecon.

DBS Staff Members Present:

Spencer Holm, Deputy Attorney General-Telecon.
Adam Bowcutt, Regional Manager, Region 3
Gary Sonnen, Regional Supervisor, Region 1
Bill Hale, Damage Prevention (DP) Program Specialist
Amy Kohler, Building Safety Program Supervisor
Renee Bryant, Administrative Assistant 2

◆ **Open Forum**

Locating of Laterals – For clarification, an underground facility owner is responsible to locate a water line lateral up to the meter regardless of where it is placed.

◆ **Approval of the May 27, 2021 Agenda and Minutes from the February 24, 2021 (Special) and March 11, 2021 Meetings**

Under the topic *Damage Prevention Training Report*, page two of the March 11, 2021 minutes, the word “again” should be changed to “against”. Also, the third paragraph in the same section is unclear. The Administrative Assistant 2 agreed to rewrite it.

MOTION: Julie Maki made a motion to approve May 27, 2021 agenda as presented, February 24, 2021 special meeting minutes as written and March 11, 2021 meeting minutes with corrections. Roy Ellis seconded. All in favor, motion carried.

◆ **Idaho Code 55-2205(2)--Maintain Markings--Legislative Proposal from DPB Statutes and Rules Subcommittee**

The proposal came from Avista Utilities; changing the maintain marking requirement from three to four consecutive weeks. The rational was that many municipalities in Idaho will not issue a permit until there are markings on the ground. This can cause a substantial delay with digging and

usually requires another locate to be called in as the three weeks have expired. With a six to two vote as a favorable endorsement, the Subcommittee referred the proposal to the Board.

MOTION: Roy Ellis made a motion to approve the proposal, extending the marking requirement from three to four weeks. Scott Spears seconded. Roll call: Roy Ellis-Yes, Scott-Spears-Yes, Julie Maki-Yes, Nichole Rush-Yes, Vaughn Rasmussen-Yes, Bob Chandler-Yes, Paul Good-Yes, Sean Marsh-Yes and Jerry Piper-Yes. All in favor, motion carried.

◆ **Locating for Design--Idaho Code 55-2202(15) Marking, Idaho Code 55-220X Design Locate Request, Idaho Code 55-2205(2) Response to Notice--Legislative Proposal from DPB Statutes and Rules Subcommittee**

The proposal, which provides a new process in law to locate underground facilities for purposes of design, was presented to the Subcommittee by the City of Pocatello. As part of the proposal, new definitions for “design locate request” and “designer” were added. It was the Subcommittee’s intent a designer would call in the design locate request; a professional engaged in engineering, architecture, or landscape architecture. When questioned, the Subcommittee did not include excavators as part of the design process even though soft digging may be necessary to locate. It was recommended removing “excavator” and “excavation” from the proposed language. To ensure there is no confusion, the Chairman suggested the topic be tabled and suggestions be provided to the Subcommittee to redefine the codes.

MOTION: Roy Ellis made a motion to table the topic; sending the proposal back to the Subcommittee for revision. Julie Maki seconded. All in favor, motion carried.

◆ **PHMSA Report**

Chairman Piper received a letter from the Pipeline and Hazardous Materials Safety Administration (PHMSA) stating based on its evaluation, Idaho received an adequate rating for 2020. PHMSA encouraged the Board to work closely with the Public Utility Commission to evaluate how it may improve the State’s one-call enforcement program and provide an update to PHMSA sixty (60) days from receipt of the letter. Although told the Board did not need to respond, the Chairman stated he would as the letter was addressed to him.

◆ **Financial Update**

There was concern with the inaccuracy of the financial spreadsheet. Suggestions were: 1) Review each cell, 2) Change formula, and 3) Break-down categories, each having its own page with balances at the bottom. Board Member Nichole Rush, originally tasked as Chairperson for the Financial Subcommittee, will schedule a meeting with the Financial Subcommittee Members and DBS to determine a better way to document the Board’s finances.

◆ **Education and Training Subcommittee Update**

Utility Coordinating Councils (UCC) – The DP Program Specialist has been authorized to represent the Board at local UCC’s throughout the State of Idaho. The Subcommittee has asked the DP Specialist to send to the local UCC’s every month or two an email explaining the status of the Board, various subcommittees, as well as education and training throughout Idaho.

Billboards – The billboard campaign began the end of February 2021 and will run until mid-November 2021. There are 17 billboards throughout the State with potential for bonus sites at no

additional cost. The main focus was to have billboards up in April as it is Safe Digging month. In the packet are pictures of current billboards with information on locations, length of advertisement, weekly impressions, etc.

Future Advertisements – Vladimir Jones is working on a campaign for FY2022. The Subcommittee suggested the continuation of billboards around the State. Additional ideas are: 1) Educational ads in industry magazines, 2) Newsletter articles for industry-related organizations, 3) Brochures, 4) 811 promo items, and 5) Build working relationships with rental places, gardening centers, etc.

◆ **Damage Prevention Training Report**

With the recent vacancy of the Office Specialist 2 position for the DP program, the DB Program Specialist has processed 63 complainants, as well as continues to schedule training.

◆ **Statutes and Rules Review Subcommittee Update**

The following topics will be addressed at future Subcommittee meetings: 1) Emergency locates, 2) High volume excavators, and 3) Pre-marking. The Subcommittee continues to wait to hear back from the landscape industry regarding an exemption from the notice requirement for sprinkler installations and repairs.

◆ **Compliance Report**

NOV Activity – Between March 11, 2021 and May 13, 2021, the Division received 66 violations with the majority of them currently pending. The DP Program Specialist has been proactive and contacted individuals/companies with the top 10 violations. When questioned about the pending status and lack of fees, the Building Safety Program Supervisor offered to research; providing the Board with an updated report.

◆ **Administrator Report**

The Administrator was not available. Chairman Piper requested, and Building Construction and Real Estate Section Bureau Chief MiChell Bird agreed, to provide updates on the consolidation under the Division of Occupational and Professional Licenses at future meetings.

◆ **Adjournment**

Chairman Piper adjourned the meeting at 12:09 p.m.

JERRY PIPER, CHAIRMAN
DAMAGE PREVENTION BOARD

BILL HALE, DP PROGRAM SPECIALIST
DIVISION OF BUILDING SAFETY

DATE

DATE

06/10/2021rb