

DRAFT Meeting Minutes
December 8, 2021
OREGON UTILITY NOTIFICATION CENTER
BOARD OF DIRECTORS

Meeting Hilton Garden Inn, 30800 SW Parkway Ave Wilsonville, OR 97070. Also available on Zoom

Board members in attendance as follows: X = present O = absent P = phone participant

	Open OUCC	X	Micah Brown NULCA	O	Scott Crosby Regulated Telecom <50K Access Lines	X	Ryan Sandhu Special Districts
X	Nathan Rivera Municipal Electric		Natural Gas Distribution	X	Melanie Lewis Regulated Electric	X	Alba Dawn Vogland Counties
	Cities Population <25K		Cities Population >25K	X	Johnny Sapp ODOT	X	Mitch Burghlea Cable TV
	OPUC	O	John Eckis Telecom Cooperatives	X	Connor Toney Excavators	X	Jessica Epley Telecom >50K Access Lines
X	Paul Schmidt Contractors	X	Brewster Whitmire Electric Cooperatives		Open Interstate Natural Gas Pipeline		Open National Telecom Damage Prevention
					Open Public Utility Districts		Open Railroads

Others in attendance were: Josh Thomas - OUNC Executive Director, Kitty O’Keefe – OUNC Administrative and Outreach Coordinator, Scott Gallegos- OCC, Kyle Thomas – Department of Forestry, Jaimie Lemke- NW Natural, Kevin Hennessy- OPUC, Joyce Nelson- Roam Telecom, Noah S., Eric Bongen, Moore Excavation Andy Crocker, Rockwood Water

Introductions: Micah Brown welcomed everyone to the meeting and introductions were completed.

Safety Moment – Connor Toney- Shared a reminder to avoid slips, trips and falls

Adopt Previous Board Meeting Minutes: Paul Schmidt moved to accept the November minutes as amended, Melanie Lewis seconded **vote record 12-08-21-01.**

Open Testimony: Eric Bongen with Moore Excavation read a prepared statement to the board (Attachment 1 below)

OUNC Operations Report: Scott Gallegos

November 2021 Highlights

Incoming Tickets – 25,294

Up 5.12% from November 2020

Up 4.7% YTD from 2020

Outgoing Tickets – 138,351

Down 1.65% from November 2020

Up 1.48% YTD from 2020

In/Out Ratio - 5.47

5.85 in November 2020

last month was 5.51%

ITIC Tickets – 18,443

% ITIC – 72.91%

% in 2020 – 62.28%

8th month in a row over 70%

Nate Rivera asked to look into the net operating receipts over the past several months as they appear down.

OUNC Billing & Aging Report: All Board Members have been emailed copies of the billing reports and the aging reports for November 2021.

Treasurer Report: Alba Dawn Vogland. Alba shared the October treasurer reports

Melanie Lewis made a motion to accept the October treasurers' reports. Paul Schmidt seconded. **vote record 12-8-21-02**

Nate identified a date issue with the new report, Scott will update and resend

Board of Directors Officer's Reports:

Chair's Report: Micah Brown – Nothing to report

Vice Chair Report: Melanie Lewis – Nothing to report

Treasurer Report: Alba Dawn Vogland – Nothing to report

Secretary Report: Paul Schmidt- Nothing to report

PUC Representative Report: Vacant

Administrative and Outreach Coordinator – Kitty O'Keefe

- Kitty updated the board on meeting locations

Nate Rivera made a motion to accept the schedule as presented. Paul Schmidt seconded. [vote record 12-8-21-03](#)

Executive Director Report: Josh Thomas-

- A survey went out requesting input for the location of the board retreat
- Looking at new ways to provide outreach
- Looking at crisis preparedness
- New board member orientation and succession planning

Melanie asked about an update on a platform for board interaction

- Josh offered a brief update, but nothing decided yet

Executive Session will be convened in accordance with ORS 192.660(2)(a)

Committee Reports:

Budget and Audit Committee: Alba Vogland- The committee met and Josh presented the 2022 budget proposal.

Nate Rivera made a motion to approve the 2022 budget as presented. Paul Schmidt seconded. [vote record 12-8-21-04](#)

Contracts Committee: Nate Rivera – Josh has been working to complete contract with OCC

Nate Rivera made a motion to authorize Josh Thomas to execute the contract with One Call Concepts. Connor Toney seconded. [vote record 12-8-21-05](#)

Damage Reporting/Dirt: No Chair- Josh shared that he needs to meet with Lynsay Demko for a DIRT handoff

Oregon Administrative Rules (OAR'S) & Tariff: Micah Brown – Nothing to report

Policy & Procedures Committee: John Eckis – Josh shared appreciation to Jessica and Melanie for their continued work

Publicity Committee: Scott Crosby - Josh introduced Royle Johnson and Cathy Hanauska with Royle Media

- Presentation by Royle Media who shared marketing campaign strategies
 - Discussion followed

Training and Education Committee: Mitch Burghlea -

- Josh attended last excavator training and took a lot of notes in an effort to be prepared to take over

Membership: Vacant -

- Josh updated the status on all of applicants

Oregon Utilities Coordinating Council (OUCC) Report: Alba Vogland

- OUCC met in December
- Elections were held
 - President- Scott Gallegos
 - Vice President- Kyle Thomas
 - Secretary- Lynn Detering
 - Treasurer-Ryon Kerschner
- Kyle updated the board on tax status
- Alba updated the board on our budget
- Kyle updated the board on digital social media campaign
 - Kitty is looking into billboards in the North Coast area as well as in Eastern Oregon

Executive Director Selection Committee: Ryan Sandhu- Ryan's updated the board on the status of finalizing hiring issues

National Industry News: NULCA, CGA, Open Discussion: Nothing to report

Old business:

New Business: The 2021 winner for the Morrison Award is Don Moore with Cascade Natural Gas

Good of the Order:

- Kyle wanted to revisit the conversation presented by open testimony
 - Kevin stated that they welcome all complaints related to utility operations

Nate Rivera made a motion to adjourn the meeting. Mitch Burghelea seconded the motion. **vote record 12-8-21-06.**

Meeting Adjourned.

Voting Record
Motion 12-8-21-01

	Open OUCC	Y	Micah Brown NULCA	N P	Scott Crosby Regulated Telecom <50K Access Lines	Y	Ryan Sandhu Special Districts
Y	Nathan Rivera Municipal Electric		Natural Gas Distribution	Y	Melanie Lewis Regulated Electric	Y	Alba Dawn Vogland Counties
	Cities Population <25K		Cities Population >25K	Y	Johnny Sapp ODOT	Y	Mitch Burghlea Cable TV
	OPUC	N P	John Eckis Telecom Cooperatives	Y	Connor Toney Excavators	Y	Jessica Epley Telecom >50K Access Lines
Y	Paul Schmidt Contractors	Y	Brewster Whitmire Electric Cooperatives		Open Interstate Natural Gas Pipeline		Open National Telecom Damage Prevention
					Open Public Utility Districts		Open Railroads

Summary

Yes = 11

No = 0

Not Present = 2

Voting Record
Motion 12-8-21-02

	Open OUCC	Y	Micah Brown NULCA	N P	Scott Crosby Regulated Telecom <50K Access Lines	Y	Ryan Sandhu Special Districts
Y	Nathan Rivera Municipal Electric		Natural Gas Distribution	Y	Melanie Lewis Regulated Electric	Y	Alba Dawn Vogland Counties
	Cities Population <25K		Cities Population >25K	Y	Johnny Sapp ODOT	Y	Mitch Burghlea Cable TV
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Y	Paul Schmidt Contractors	Y	Brewster Whitmire Electric Cooperatives		Open Interstate Natural Gas Pipeline		Open National Telecom Damage Prevention
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Yes = 11

No = 0

Not Present = 2

**Voting Record
Motion 12-8-21-03**

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Y	Nathan Rivera Municipal Electric		Natural Gas Distribution	Y	Melanie Lewis Regulated Electric	Y	Alba Dawn Vogland Counties
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Y	Paul Schmidt Contractors	Y	Brewster Whitmire Electric Cooperatives		Open Interstate Natural Gas Pipeline		Open National Telecom Damage Prevention
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Summary

Yes = 11

No = 0

Not Present = 2

Voting Record
Motion 12-8-21-04

	Open OUCC	Y	Micah Brown NULCA	N P	Scott Crosby Regulated Telecom <50K Access Lines	Y	Ryan Sandhu Special Districts
Y	Nathan Rivera Municipal Electric		Natural Gas Distribution	Y	Melanie Lewis Regulated Electric	Y	Alba Dawn Vogland Counties
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Voting Record
Motion 12-8-21-05

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Y	Nathan Rivera Municipal Electric		Natural Gas Distribution	Y	Melanie Lewis Regulated Electric	Y	Alba Dawn Vogland Counties
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Y	Paul Schmidt Contractors	Y	Brewster Whitmire Electric Cooperatives		Open Interstate Natural Gas Pipeline		Open National Telecom Damage Prevention
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Yes = 11

No = 0

Not Present = 2

Voting Record
Motion 12-8-21-06

	Open OUCC	Y	Micah Brown NULCA	N P	Scott Crosby Regulated Telecom <50K Access Lines	Y	Ryan Sandhu Special Districts
Y	Nathan Rivera Municipal Electric		Natural Gas Distribution	Y	Melanie Lewis Regulated Electric	Y	Alba Dawn Vogland Counties
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Attachment 1

Prepared Statement for OUNC Board Meeting

Ladies and gentlemen of the OUNC Board. My name is Eric Bongen and I am the Safety Director for Moore Excavation, one of the largest Heavy Civil Excavation companies in Oregon. I also have the pleasure of serving on the board and I am the chair of the safety advisory group of the Northwest Utility Contractor Association, or NWUCA which represents over 100 excavation contractors throughout Oregon the state.

As a safety professional there are countless different safety issues, we deal with on a daily basis but in the excavation industry buried utilities find themselves near the top of that list. We strive on a daily basis to have an incident free workplace. Weather that means zero injuries, equipment damages, near misses or a property/utility damage. Our end goal at the end of the day is to successfully complete our work efficiently and safely so all employees can go home at the end of the day healthy in order to return the next day and do it all over again. My company and others I represent through NWUCA spend countless hours managing locates, tracking and maintaining marks, training, and retraining our crews on the proper noninvasive dig techniques and even more hours on the job safely and properly exposing and protecting located buried utilities throughout the state. We spend this time and ultimately money on these practices not only because it is the law, but also because damage prevention and a safe workplace is always at front of mind with everything that we do.

With all of these steps that we take to prepare our employees and crews and executing the proper dig laws in the field nothing is more frustrating that encountering and/or breaking unlocated or grossly miss-located utilities. Not only do these become massive safety hazards in the case of gas, electric or even water lines but they also lead to extensive monetary losses to our company in terms of downtime, loss of production, investigation time, as well as labor, equipment, and material costs when we assist with repair work. In these cases, damages don't even need to happen for these losses to occur. In many instances our crews will encounter an unlocated or mislocated line and not damage it. Now there is the downtime to investigate and see what we are dealing with and get pipe ID's or even emergency locates to check on any other potential issues. I am in the process of compiling hard data from that of all of the 100+ NWUCA contractors as a whole in regard to what our losses truly amount to. I can say with certainty that my own company Moore Excavation in the last 24 months has 21 utility damages that were the result of unlocated, or mis located utilities. 12 of which were completely unlocated and 9 were due to mis located lines ranging of 4' to almost 50' away from the indicated locate marks. From these 21 incidents we estimate losses totaling nearly \$150,000 or more when we take all aspects into consideration, not to mention the safety issues faced with many of these being gas or electrical lines. That is just my single company, if we took in all of the data across the entire state the numbers would be staggering

It has been a noticed trend by myself with my company and that of others within my industry that the accuracy of locates and quality of service from locaters has gone down considerably over the last couple of years. I personally field calls from my field crews on a weekly basis regarding lack of locates when they should be on the ground or get stories of and personally witnessed locaters who spend maybe 5-10 minutes just throwing some pain on the ground without the tools needed to locate and leaving the site or encounters like what happened in Lake Oswego during the summer of 2020 (tell story).

I had the pleasure of speaking at the WEI (western energy institute) conference last spring on this subject along with overall damage prevention to 100's of utility representatives across the

western united states. After I spoke, I fielded questions from the group, and I was in awe as they could not believe what they heard, it was like nobody had ever raised this issue before. I feel like these issues just get swept under the rug because how the rules are written contractors are simply left holding the bag weather damages are our fault or not. When we damage a located utility that utility owner does not hesitate to bill us for every single penny they can and I completely understand that, it was our fault and we are liable. However when damages occur that are the result of improper locates we the contractors have large losses and have no recourse to collect on those losses and it seems as there really isn't any accountability as to who is at fault for that.

NWUCA as a collective strongly urges this board to consider changes to the OAR's that allow contractors a path to recoup losses that are the result of poor locating. We ask this not only to recover losses (not a profit center), but we ask this in the spirit of damage prevention and safety for our employees. An unlocated line could very easily result in serious injury or even the death of one of my employees. It is my belief and that of the group I represent that if contractors were able to recoup losses from locators or utility owners it would result in a positive change toward better and more accurate locating service and fewer damages occurring. Again, damage prevention is my goal, trust me when I say that I work constantly to educate and train not only my crews but that of other companies on following the proper dig laws and spread the gospel of 811 for a lack of a better term. I do not disagree with the fact that many contractors do not follow the rules or spend much time at all training their people and that is a leading cause of damages. I can promise that NWUCA will continue to raise that awareness push for better compliance on the side of the contractor. There is no magic pill to stopping all incidents, however the excavation industry strongly feels ALL avenues need to be explored and a change to the OAR's allowing contractors to recoup their losses is one area that we strongly feel could lead to better and more accurate locating which is paramount in damage prevention.

I greatly appreciate your time and consideration and will be happy to field any questions with my remaining time.