

# OUDPC Quarterly Meeting

6/22/2023

## Minutes

**Welcome:** Co-Chairs Greg First and Michael Wilson called the meeting to order.

**Roll Call:** Greg First (Co-Chair), Michael Wilson (Co-Chair), Dave Coniglio, Mary Logan So, Drew Williams, Jason Harvey, Jim Collins, Patrick Murphey, Jim Weist, John Kelly, Lori Wade, Scott Tustin, Steve Shafer, Frank Riegler, Tim Plurien, Jim Wooten, Chuck Muller, Johnny Henson, Clayton Heitz, Sean Stringer, Elizabeth Pyles, Joel Johnson, Blake Ross, Mitch Russell, Al Toneti, Greg Bennett, Jeff Shupe

**Opening Remarks:** Co-Chairs opened with a safety/emergency evacuation plan and reviewed the Guidelines for Engagement. The OUDPC Purpose Statement was also read. Opening remarks were made by OHIO811 thanking everyone for participation and reminding them all that even though everyone is there to represent their special interest, to keep in mind that the overall goal is to provide a better and safer Ohio for everyone.

**Determining Voting Format:** Open discussion by the group surrounding how the voting process at the full coalition level should take place now that there are subcommittees with language proposed to be voted on. Three main ideas were discussed.

- 1) Set up voting as has been done in the past at the Coalition level. This would include associations appointing one representative to be the voting voice. Questions were raised requesting a more concrete explanation of exactly how this was done. OHIO811 will research and provide further information to the group for a more educated conversation.
- 2) Set up voting in the same manner as the UTC is set up, due to this process being outlined in the Ohio Revised Code (ORC 3781.34). The thought is that since this is already set up and in law currently being utilized, it would give all industry groups a voice as it was intended when set up for UTC to follow.
- 3) Set up voting in a manner commonly used by other industry and governmental groups following the Roberts Rules thus ensuring that there is a quorum, and all industry groups would have equal votes throughout the process.

Due to the requested details of past voting at the coalition level needing to be provided, this topic is being tabled and will be carried into the September OUDPC meeting.

**Exemptions Subcommittee:** Sean Stinger, Chair, reported on June 19, 2023, Exemptions Subcommittee meeting. It was reported that the subcommittee had reviewed the comments received through the 45-comment period. There were two comments that were in support of the proposed language and no comments against it. The subcommittee then voted unanimously to send the language to the full coalition for discussion. During this conversation, Jim Wooten motioned, and Scott Tustin seconded, to take a vote of those in the room to move the language to a full coalition vote. It was voted (14- yay, 4- nay, 2 abstentions) to move the language to a formal vote of the OUDPC once that process is decided upon. This portion of the subcommittee's work is being tabled until it can be voted on.

The exemptions subcommittee has agreed to continue working on new business. The two new business items outlined were:

- 1) Looking at a possible exemption for hydro excavation companies to be exempted from requesting locates if they are working for another company that has a valid locate ticket and if the marks on the ground are still clearly visible.
- 2) Utilities to be exempted from having to request locates in an “untonable” situation. This would be utilized in situations where a locate request has been submitted by an excavator and the utility is unable to get a tone on the line to locate its approximate location. Comments were made that this is common practice with some utilities now for them to be able to meet the required 48-hour requirement for locates as set forth in the Ohio Revised Code (ORC 3781.29).

This concluded the report by the Exemptions Subcommittee.

**Utility Coordination Subcommittee Report:** Co-chairs Jim Wooten and Clayton Heitz reported on the progress of the Utility Coordination Subcommittee. Language had been submitted by this group and sent out for a 45-day review. The comments received were two comments in favor of all three subcategories (16 Calendar Day Commencement of Excavation, 30 Calendar Days Life of Ticket, and Removing LBP Language from the current Revised Code) as proposed. The third received comment was in support of the 16-calendar day commencement of excavation and the removal of LBP language, however, was opposed to the 30-calendar day life of a ticket. The subcommittee had agreed unanimously to move the language of commencement of excavation and LBP removal to the coalition. On a vote (8 yay – 5 nay) vote, the proposed language surrounding the life of a ticket was moved forward for conversation at the Coalition level.

During conversations surrounding the life of a ticket, it was decided that there was not enough support at the subcommittee level to move the proposed language to a vote at the coalition. This line item will continue to be worked on at the subcommittee level.

A motion was made by Jim Wooten and seconded by Patrick Murphey to move the proposed language surrounding the 16-calendar day commencement of excavation to a vote at the full coalition. A vote was taken and had a 19 yay – 0 nay with 1 abstention to vote on this language once the voting process is decided upon.

A motion was made by Jim Wooten and seconded by Scott Tustin to move the removal of LBP Language to a vote at the full coalition. A vote was taken and had a 19 yay – 0 nay with 1 abstention to vote on this language once the voting process is decided upon.

The Utility Coordination Subcommittee will continue to work on the 30 Calendar Day Life of a Ticket. In addition, new business proposed for this group includes:

- 1) Size/Scope of a Ticket
- 2) White Lining
- 3) Clean up the definition of “Protection Service” as found in ORC 3781.25(A)
- 4) Time Frame from installation to the mapping of newly installed utilities

**Abandoned Lines:** The formerly abandoned lines discussion group is going to reconvene having meetings. It was decided that this would be a Subcommittee, not a discussion group. Mary Logan So and Scott Tustin have been awarded the co-chair positions for this group. The first subcommittee meeting is tentatively scheduled for July 13<sup>th</sup> beginning at 1:30 pm. The members of this group are currently: Blake Ross, Jim Mander, Dave Coniglio, Joel Johnson, Issac Moore, Jim Wooten, Johnny Henson, Lori Wade, Deron Large, Steve Shafer, Jim Collins, Elizabeth Pyles, Jason Harvey, Scott Tustin, Tim Plurien, Drew Williams, Patrick Murphy, and Bill Hosevar. The meetings will be held both in person and virtually, as the subcommittee sees fit.

**48-Hour Waiting Period:** The former 48-hour waiting period discussion group is going to reconvene having meetings. It was decided that this would be a working subcommittee, not a discussion group. Johnny Henson and Joel Johnson have been awarded the co-chair positions for this group. Meeting dates are yet to be discussed and set. The members of this group are currently: Blake Ross, Jim Mander, Mary Logan So, Dave Coniglio, Jim Wooten, Lori Wade, Tim Plurien, Jim Collins, Steve Shafer, Bill Hosevar, Drew Williams, Mike Wilson, Scott Tustin, Jason Harvey, and Patrick Murphy.

**New Business:** During this conversation, multiple people mentioned that they would like to start receiving invites for all subcommittee meetings. Although not all will be able to attend 100%, all would like the option to have the information and participate when possible. A brief conversation was had around making agendas and other documents from/for the OUDPC more “professional looking” with the addition of a logo and using one format across the board.

**Next Steps:** Next steps to be taken include providing more detailed information to the overall group on the past voting process that was used. The coalition group and subcommittees will be working to solidify a yearly working calendar of meetings to provide as much advanced notice as possible as to the meeting details. The Ohio Contractors Association has offered their facilities for future meetings (both OUDPC and subcommittees) as long as there is no conflicting events taking place at their location.

**Adjournment:** Closing remarks included thanking everyone for their time and participation. Meeting adjourned. The next scheduled OUDPC meeting is September 28, 2023, from 10:00 am – 2:00 pm. This meeting will take place at the Ohio Contractors Association facility (1313 Dublin Road, Columbus, OH).