



Date: November 14, 2019

Location: Colorado Department of Labor and Employment
633 17th Street, Suite 500
Denver, CO 80202

Present: Tom Sturmer, Katherine Duitsman, Mike Mills, Jim Moody, Mark Frasier, Jeannette Jones; remote attendance: Julie Mileham, Raymond Swedfeger, Patrick Fitzgerald, Eric Kirkpatrick, Mark Jurgemeyer, Lori Warner; Randy Wheelock - arrived after roll call

Absent: Jeff Rumer, Chris Kampmann

Note: The meeting was recorded and started at 12:07pm. These minutes represent a summary of this meeting and are not intended to be a verbatim document. Audio recordings of the meetings can be obtained by contacting cdle_safetycommission@state.co.us.

EXECUTIVE SESSION

Item: Legal counsel on matters related to Home Rule Entities & the authority of the Safety Commission (provided by the AG's office)

The committee motioned for executive session; the motion carried and executive session was entered.

MINUTES APPROVAL:

A Motion was made to approve the minutes from the October 10, 2019, meeting: motion carried and discussion was entered. There was no discussion; a vote was taken to approve the minutes. It was approved by a unanimous vote.

COMPLAINT HEARINGS:

- The Review Committee's Findings of Fact form from the October 8, 2019 hearing was reviewed with the Safety Commission (*continued from the October meeting*).
 - Complaint # 2019-036: **A Motion was made to adopt the Review Committee's recommended remedial action as noted in the Findings of Fact form:** Motion carried & discussion was entered. Discussion included the fact that the City and County of Denver is a Home Rule Entity and it was suggested that the wording of the remedial action changes to a 'recommendation.' Further, it was discussed that the fine should be removed. Within the adjusted language, additional language was suggested, that emphasizes the importance of public safety.
 - **A Motion was made to modify the current motion, and adjust the Review Committee's recommended remedial action as noted in the Findings of Fact form:** Motion carried & discussion was entered. There was no further discussion. A vote was taken. The motion was approved unanimously.
- The Review Committee's Findings of Fact form from the October 24, 2019 hearing was reviewed with the Safety Commission.

- Complaint # 2019-026: **A Motion was made to adopt the Review Committee's recommended remedial action as noted in the Findings of Fact form:** Motion carried & discussion was entered. There was no further discussion. A vote was taken. It was approved by a unanimous vote.
- The Review Committee's Findings of Fact form from the November 5, 2019 hearing was reviewed with the Safety Commission.
 - Complaint # 2019-040: **A Motion was made to adopt the Review Committee's recommended remedial action as noted in the Findings of Fact form:** Motion carried & discussion was entered. There was no further discussion. A vote was taken. It was approved by a unanimous vote.
- November & December Hearing dates were reviewed and Review Committee members were selected.
- Received remedial action documents were reviewed and noted as received by the Safety Commission.

BEST PRACTICES:

- A summary of the work completed by the Best Practices sub group was provided. The plan for the December meeting agenda was discussed: Road Grading & SUE.
- **A motion was made to spend resources to obtain a copy of the document: SUE for Municipalities, by ASCE:** Motion carried & discussion was entered. There was no further discussion. A vote was taken. It was approved by a unanimous vote.
- Request for impacted stakeholders to attend the next SUE Best Practice meeting (in December).
- **A Motion was made to approve the Electronically locatable's Best Practice document, and post it to the website:** Motion carried & discussion was entered. There was no further discussion. A vote was taken. It was approved by a unanimous vote.

ADMINISTRATIVE ITEMS/OPS UPDATE:

- Database: Tool starting to take shape; will advise when something substantive is ready for review.
- SC members nomination status: all applications received.
- colorado.gov/safetycommission - new vanity url
- Members were asked if there is anything OPS can do to support potential forthcoming legislation; were advised that concepts for revisions are initial stages and no action is required at present.
- PHMSA review of CO: Update regarding delay of letter due to Home Rule Entities (HREs)
- Complaint metrics: members are now provided a summary of complaints as part of their meeting prep

Members discussed the PHMSA letter status/next steps for HREs and complaint metrics.

CO 811 UPDATE:

Jose, Marty & Whitney presented:

- Planning: New ticket price for 2020 from \$1.42 to \$1.49.; 10 year needs assessment performed
- Operations update: Hold times have decreased & now share contact center performance metrics online
- Public awareness/marketing: new education videos online, upcoming events and other online resources
- Damage Prevention: ACEC & CO 811 continue to jointly provide training. Newt class is 1/14/20
- Member Service: Tier 2 to Tier 1 conversion still in progress. Now accepting applications from Seismic Exploration Companies

Members discussed adding resources for electrical contractors, and including their work as part of the excavation course. Also discussed developing a process to advise CO 811 as to whether training is a part of remedial action. Also discussed SUE and what the Commission/Best Practice group is working on and what CO 811 is working on; invited to the next meeting.

OTHER BUSINESS:

- 2020 SDP Grant Application: CO 811 looking to develop software for risk mitigation. Awaiting 2020 application as next step.

- Next steps - CO 811 Annual Report Data: members looked at various views of the data and discussed initial observations. Desire by the Commission to continue using this data to determine next steps.
- Year in Review preview: data compiled by OPS shared; feedback provided

Agenda for the next meeting was discussed.

The next meeting is scheduled for December 12, 2019.

Meeting adjourned at 3:33 pm