OUDPC Coalition Meeting

Ohio Contractors Association

Columbus

10/16/2025

10:00AM

Greg First opened the meeting at 10:00am.

Gave group a level 1 message over emergency action plans, evacuation procedures, CPR, AED, 911 designee.

Reminded all attendees to sign the sign in sheet, and began introductions of everyone in attendance.

Jason Broyles read the rules of engagement to the group.

George J Igle is the lunch sponsor, a big thank you to them for providing lunch for the group today.

Greg First asked for a review of the previous meeting minutes.

Motion made to accept the minutes, Al finite

Seconded by Patrick murphy

Minutes approved unanimously.

Meeting turned over to Roger Lipscomb to give a legislative update.

A week ago Rep. Johnson told us that he wanted to see amendments in 3 weeks, wanted t move 227 forward, explained that we may not be able to meet that time frame. 227 has been moved out of committee and has been voted through the house as well. HB 227 passed 93-0 in the house. It will now be moved to the senate, but not sure what committee it will be going to in the senate. Today we will be discussing some of the amendments, one of the amendments will be going back to subcommittee, the other two are ready to be

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voted on to move forward to the state house. Will then work to get those amendments added to the current bill while it is in the senate. Everything else we do from here on out will be something we need to work on putting in next year. Its important that we have legislature support.

With amendments being added, it will have to go back to the house after the senate would pass it before it will go to the governor for signing.

Steven Neilson, credit to everyone on the work they have done. Likely public utilities committee will be the ones to get the bill, but not for sure yet. Senate is aware that this bill is coming over in the next week or two. Looking to start hearings as soon as possible. Legislature likely to be done by November 19th. Trying to avoid having it go into next year. Rep Blysdale gave a lot of credit to the coalition for getting a unanimous vote on the bill.

Roger asked the group If everyone is clear on the next steps moving forward.

Jim Mandera asked best case scenario when would it become law?

Roger said that there hasn't been specifics on that yet, but there is a certain time period before it would become law.

90 days to be in affect would be standard from the day the bill is signed.

Hope would be this gets through the senate by mid to late January.

Governor has 10 days to sign it, I he doesn't sign it, it would go into effect.

Trying to get it done before November 19th, but if not, it will be January, early February.

Greg asked if there are any other questions on this topic, group did not have any questions.

Subcommittee Reports

Utility Coordination Subcommittee (Jim Wooten & Clayton Heitz)

Had two meetings, really good conversation with the white lining. Language that we have been crafting that when we take a vote it will be proposed to the group. We are not at a point yet to put it to a coalition vote. Discussion on language over white lining and which one takes precedence, the description or the white lining. A lot of conversation on that language. Really attempting to clear up confusion, will be having another meeting in the 4th quarter this year.

Jennifer Reams asked if the white lining will supersede the description.

Jim Wooten, if the white lining is on the ticket, it will take the place of the description on the ticket, and will need to describe the area that has been white lined.

Also have it where they have to label their white marks with their company initials.

Suggestion made that maybe we could add in, “map available upon request”. Will be discussed more in committee.

Also some discussion on electronic white lining based on the capabilities of the center.

Roger let the group know that when we switch the centerLogix, it will have the ability to do electronic white lining, not all the features will be available right away, but those things will be possible soon. It will also have enhanced positive response and will have the ability to add pictures and maps. The center will start using CenterLogix in February. Anticipates there being some small bumps in the road in the beginning, but believes it will go fairly smooth. The centers capability will be enhanced once we switch over to this system.

North Carolina launched this program on October 1st, and has gone well with a few bumps in the road.

LSC Draft Association Vote (Size/Scope and expiration)

Discussion:

In the final review of this draft, some issues came up. A public meeting, some confusion on what the public meeting meant, general public etc.?

Footage was not an issue, but need work on defining what a complex project is. Its not always just about size, it could be an intersection that has a lot of utility conflicts as well. Want to take this back to the committee about what triggers a complex project, and define what a complex project is. Probably need to create a subcommittee on defining what a complect project is and how to deal with that. Also need to look at the wording of public meeting, and use better terminology with that.

Jennifer Reams, right now the excavator determines whether it is a complex project? And does this change that to where these stipulations make it one?

In the design phase, it could be determined that it is a complex project and that can be taken into account during the bid phase. Requests as well that we make a new subcommittee to discuss this. Jennifer Reams is volunteering to co chair this new subcommittee.

Roger, don’t want to overcomplicate the definition. Need to have something that triggers this process. Right now at the center, they are recommending that certain jobs get sent out as a complex project, and it is up to the caller whether or not they do. If we have rules around it, then we can tell them that it has to be a complex project.

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Need to remove the language around the complex project in this portion and move forward with the other language not dealing with that portion.

Committee needs to work on size and scope first, and leave reference to complex project language out until the subcommittee for complex project language is completed.

Max footage would be a mile and then if more footage is needed, and additional notification would need to be submitted.

Is there anyone who would co-chair this with Jennifer?

Jennifer would also like to see someone from a municipality get involved with being a co-chair as well.

Johnny Henson volunteered to co-chair with Jennifer Reams.

Jim Wooten Motioned to create a subcommittee on complex projects.

Brad Shoemaker seconded the motion.

Motion to create a complex project subcommittee passes unanimously.

Jennifer Reams and Johnny Henson will co-chair this subcommittee.

Exemptions Subcommittee (Jim Collins & Mike Burroughs)

Have two exemptions we are going to take to a vote today.

Jim read LSC language to the group that will be voted on.

Opened it up to the group for questions..

Jennifer asked if this is just for a utility or a contractor doing work to find

Roger, in reviewing draft, LSC has streamlines the language that was sent over to them. LSC inadvertently left hand digging out of the draft. Need to discuss hand digging language. LSC will sometimes consolidate, and it wasn't caught. Best thing to do is to vote on the language that was originally approved to be drafted, then LSC will redraft before it is sent to be an amendment the HB 227. LSC will be asked to copy the language verbatim. When HB 227 went to sub HB 227, it created some issues with line numbers, and we weren't all working off of the same document.

Jim Collins read the proposed original language.

Discussion on why someone wouldn't just have to call in a ticket anyway, most of the situations of utility appurtenances are above ground, digging for a curb stop, a tracer wire, etc. What this language does is allow for an exemption for an activity that is realistically

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happening every day now. If they are going outside of the written parameters of the exemption, or deeper, they will have to call in a ticket.

Question on if there is a transmission facility in the cope of the notification, how do they coordinate with the transmission facility if they don't know who it is that is there.

Jim Mandera also noted that there would be a ticket there from someone else, so their contact info would be on that ticket.

In the subcommittee work, defining appurtenances was a big deal with this language. The key is making sure the hand digging provision wasn't lost.

What if someone needs to probe a pole, but it is not their pole?

You pay for the pole attachment agreement, so they would have the right to do that.

This language will be sent to LSC, it will be drafted as written, and will not need to come back out for review since it is the original lanague.

Jim Collins made a motion to vote to approve the language as written here.

Jim Wooten Seconded.

No Discussion.

Ohio Archeological council- yes

OCA- yes

National utility locating association- yes

Ohio telecom association- yes

AMP- abstain

NUCA- Yes

Ohio gas association- yes

Ohio cable tv association- yes

Ohio oil and gas association- yes

ODOT- yes

Motion passes 9 in favor, 0 opposed, 1 abstain.

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Abandoned Lines Subcommittee

Jason gave report out, meeting on a quarterly basis. Sensing a fair amount of frustration at the moment. One part of the industry asking for certain things, and having issues getting consensus on what can be shared from each different utility types. It is known that the gas companies do a good job with abandoned facilities due to PHMSA requirements. Anything that happens would be from a point forward initiative. Historical data would not be required prior to this taking effect.

Utility owners have a 1 year time period to get their processes in place to get this information sent over the to clearinghouse (keeper of the data).

Also looking at CGA best practices as well, they are struggling with this topic as well. Not a whole lot that is active elsewhere for us to use as a template.

All stakeholders seem to be in alignment that they want to do something to address this issue, which is encouraging. From a national level, Ohio is ahead of the game a bit because we do have stakeholders in alignment. Point made even at a national level, this has been a hard issue to tackle.

Jennifer asked if the inactive line mean it is abandoned? Just because it is inactive doesn't mean it is abandoned.

Roger stated that this is one the issues that is causing a sticking point on a national level. Defining exactly what an abandoned line is. Will the line be activated at a later date possibly?

Jason said where the committee is at right now, they are looking to get anything that would otherwise not be getting located. If it an empty conduit that will be used in the future, that is being mapped and located already.

There is definitely an issue with empty conduits that are for future use, and shouldn't be defined as abandoned.

We want this information to be sent to the center so we can have a data layer showing the abandoned facilities.

Keep in mind, if you have input, get involved in the subcommittees so you can have your voice heard in those meetings. Would like to see more folks from the field getting involved in these committees.

Jim Mandera stated that we came to an agreement that the center would be the keeper of the data, and we need to think about what data the center needs for this to be affective. How do we get that info to the center, and how is it used.

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We would like to be able to show the excavator the size, material, and what the facility was used for. Wouldn't say who owned it, but what the facility was used for, size, and material.

Jennifer Reams suggested that marker balls on abandoned or inactive lines would be a great idea as well.

Greg asked the group if there was any further discussion on this topic, none.

Greg broke the group for lunch at 11:21am, thank you to George J Igle for sponsoring lunch.

Greg opened the meeting back up from lunch at 12:00pm

Enforcement Subcommittee

Reviewed language from LSC that was received on October 9th. Did receive one comment about not having 3781.25 in the enforceable section. Wants that added. Want to vote this language today with the addition of 3781.25.

Jennifer asked what would be an example of what a violation of a definition would be? And who would be an aggrieved party?

Utility appurtenances would be a good example. Saying a old oak tree is an appurtenance, and with the definition being enforceable, a complaint can be filed about it.

If you didn't follow what the definition is, whether it be appurtenances, large/complex project, what a utility is etc.. then it can be enforceable by the UTC now.

i.e. this should have been a large project, and wasn't called in as a large project.

Having all of those definitions align with the enforceable section of the law allows for clarity.

Conversation about what other legislation has definitions enforceable, not sure of that being anywhere else.

In a lot of the UTC discussions, definitions come into play a lot, and having those align will be important for the discussions moving forward at he UTC.

Brad Shoemaker made a motion to vote this as an amendment to HB 227

Seconded by Jim Wooten.

Ohio Archeological council- yes

OCA- yes

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National utility locating association- yes

Ohio telecom association- yes

AMP- yes

NUCA- Yes

Ohio gas association- yes

Ohio cable tv association- yes

Ohio oil and gas association- yes

ODOT- yes

Motion passes unanimously.

Old Business:

ORC 3914

Some members who would like to take a look at the language revolving around the UTC process.

Jennifer Reams commented if it would be fair to tell an industry group they can't appoint someone that they want to because of a term limit.

Roger stated that no discussion has been had yet, and there has been no committee, but thinks it is time to go back and look at the language now that it has been in place for a while. Could be some discussion around folks who have retired and are maybe not industry experts anyone since they are no longer in the industry. Also putting a minimum amount of data for it to be considered a valid complaint, and establish that you actually are an aggrieved party. Some language around that would be beneficial as well. The amount of work on trying to decipher what someone is trying to say in a complaint is slowing the process down. Also some discussion in the industry if the fines are not big enough at this point. The idea if to get a group together just to review the language and see if there needs to be any changes made.

Jennifer thinks that redoing the fine structure could be a good thing.

Roger, thinks it's a good idea to look at it, its been in place for 10 years, and that language needs to be reviewed periodically.

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Lawrence with the PUCO, gave instances where the complainant doesn't send a ticket number, and it causes more work behind the scenes trying to figure out the potential violation.

Jennifer also stated that some of this could fall under rule making with the PUCO.

Roger confirmed that yes, PUCO could do it through rulemaking, but thinks that doing it through legislation would be more beneficial.

Greg thinks we should create the subcommittee today for 4913, which could sprawl out to other committees as we dive into the language.

Mark Armstrong also volunteered to be a co chair.

Dave Coniglio will also be a co chair for this subcommittee

ORC 3781.30 (non destructive manner) Jim Mandera

A couple of the issues to look at and address where "non-destructive manner" is cited in the ORC. Municipality did not give a permit to Enbridge because cutting the road was determined as "destructive"

Municipality deems their road to be a utility which is why they are citing this portion of the ORC

Also where utilities have to be exposed parallel to a bore at the beginning and the end, how far away from the bore does that have to happen at?

Also talking about potholing every 100' if inside the tolerance zone. May want to look at that too and see if that is what we really want.

Also, staying a minimum 12" away from utilities when boring.

Jennifer Reams stated that there are boring guidelines that are accepted and where most of this language came from

Jim Mandera stated we may go with that, but thinks that would be a discussion for a committee. Wants to go in a clean things up and remove some of the gray area with the ORC at this time.

Jim Mandera has volunteered to co chair this committee.

Jennifer Reams stated that someone from NUCA could co chair, just not sure who yet.

Johnny Henson made a motion

Jim Wooten seconded the motion

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New subcommittee over non destructive manner is formed.

Mapping/Updated utility records in a timely manner.

George J Igle brought this up, having instances where they call in for locates, and end up hitting a line that was not marked because it never got updated in the mapping of that certain utilities. Want to put a group together to look at putting a timeline of when the mapping has to be updated by in legislation.

Jennifer stated a number of what we are seeing because they didn't have their facilities in the records. Thinks it would be very relevant

Greg stated that we have taken on a lot so far today, he is asking for this to wait to be official until January 2026, but we can get things organized now if the coalition is ok with that.

Collins Cramer is volunteering to co chair this committee

Deron Large will co chair as well

Other Topics for subcommittees

Jennifer brought up contractors, is fiber companies, calling in multiple tickets every 10 days just in case they get to it. It is really bogging down the process, wants to see some accountability. After so many times recalling the ticket in, they either have to pay, or can only call in so many times, or make it an enforceable part of the ORC to the UTC.

Roger, this is the misuse of the one call system.

Dave Coniglio, how would you determine whether it is misuse or abuse?

In the committee, we could poll other states and see how things are working in other states.

Roger, some of the misuse issues, drop contractors, 4 drop contractors, all 4 call in each one, and whoever gets there first gets paid, and we have a lot of tickets in the system, that is misuse because 4 contractors called in the same locations. This has been discussed and needing to educate people on what is abuse or misuse. The suspend feature on idig was also put in to help curb mis use of the system.

Patrick, had a ticket that he just cleared for the 6th time, no one has started working yet.

Scott Mergler asked if we are worried about this being a slippery slope? There are companies that call in every 7 days as a company policy.

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Misuse of 811 system

Chris Russ will be a co chair

Jennifer Reams will be a co chair.

Greg stated that if anyone else has ideas for new subcommittees, we will put them in the "parking lot" and addressing them in 2026.

Jim Mandera, section 3781.29(A)(1). Wants to dive into that and give it a closer look. Doesn't agree with the UTC interpretation.

Jennifer Reams, like to see a committee that will come up with some solutions for some of the industry issues.

Roger, issues are similar to what it has always been, but with the increased workload, it is making the issues more glaring.

Jennifer stated she had asked that some of the BEAD money go to some of the locate companies to be able to fund having sufficient funding to get the manpower to handle the increased work load.

Roger, there are other things also that will need addressed.

Issues with crews that are moving in from out of state, don't speak English, and need to be trained and educated on Ohio law in regard to excavation.

If you award the money to a contractor to do a job, they need to be trained, and have someone on the crew who can communicate.

Greg stated we will put this in the parking lot to be addressed in January.

"The Thron"

Discussion surrounding overbuilds, language barriers.

Locate issue solutions

Greg has closed the discussion on new subcommittees formed for now, since the plate for 2026 is currently full.

Alternate Co-Chairs for full coalition

Greg asked if anyone has interest in being an alternate co-chair if one of the current chairs are not able to make a meeting.

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Jason stated this would be similar to our board, the alternate would be from the same industry group.

Dave Coniglio is interested in being the alternate for the contractor representation.

Jim Wooten is interested in being the alternate on the utility side

New Business

Greg thanked everyone, and is proud of the group for how much we have accomplished today.

2026 Full OUDPC meeting dates (proposed)

January 15th

April 16th

July 16th

October 15th

Dates will be finalized

Motion to adjourn, Patrick Murphy made a motion

Jim Wooten seconded

Meeting adjourned at 1:02pm

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