



OUDDPC Utility Coordination Subcommittee Meeting

Minutes

3/18/25

Call to Order/Opening Statements: Clayton Heitz, Jim Wooten

Roll Call: Jason Broyles, Bill Hocesvar, Johnny Henson, Alex McCann, Jim Collins, Shawn Hudgel, Jim Wooten, Deron Large, Dave Coniglio, Jeff Shupe, Rod Troxell, Casey Fritz, Mike Lambden, Mike Burroughs, Clayton Heitz, Katie Woodhall, Liz Pyles, Chris Russ, Drew Williams, Anne Rhymer, Blake Ross, Don Huck

Review/Approval of Minutes: Meeting minutes from previous meeting reviewed. Jim Wooten made a motion to accept which was seconded by Mike Burroughs. No opposition.

Meeting: Size/Scope: Jim Wooten reviewed language from the Size/Scope Focus Group.

If an excavation will cover an area exceeding 5,280 feet in linear length and will progress from one area to the next over a period of time, the excavator shall provide written notice to the utility owners in the affected area through the use of the state notification center. This notification shall be made with a "Large/Complex Project" notification with projected timelines for segments of the excavation as the excavation progresses in order to coordinate the marking of underground utility facilities with actual excavation schedules. Under such circumstances, the utility and excavator shall determine a mutually agreed upon marking schedule based on the project schedule. Once such a schedule is established, the marking and notification requirements set forth in division (A)(1) of section 3781.29 of the Revised Code shall not apply.

If an excavator is not willing or able to provide notification, as set forth in ORC 3781.28(E) through the use of a "Large/Complex Project" notification, the excavator shall not exceed 1320 feet in linear length for each notification. If the location request pertains to interstate roadway systems/divided highway, the excavator shall not exceed 5,280 feet in linear length for each notification.

If a notification is deemed to be a “Large/Complex Project”, it shall be mandatory for all utilities and the requesting excavator to participate in a meeting, the meeting may be accomplished through the use of virtual methods, to determine a mutually agreed upon marking schedule based on the project schedule. This schedule shall be documented by requesting party in writing and housed with all participating organizations. Once such a schedule is established, the marking and notification requirements set forth in division (A)(1) of section 3781.29 of the Revised Code shall not apply.

Jim Wooten addresses concern from contractors who currently break size down to less than 1320 ft and states that this language is not to prohibit anyone from requesting less than 1320 ft, but to ensure that no one is requesting more than 1320 ft per request. Dave Coniglio asks if this language would be enforceable. Jason Broyles commented that the section of the ORC that we are looking at does fall under current enforcement. Dave Coniglio shares concerns surrounding utility participation in Large/Complex Project meetings without enforcement.

Deron Large speaks to the formatting of the meeting and reconfirms the importance of the meeting being offered in both in-person and virtual options. Often times utilities who need to be in the meeting are not able to physically attend and there needs to be a way for them still to participate. Rod Troxell and others agree with this.

Jason Broyles asks the contractor basis if the language “*pertains to interstate roadway systems/divided highway*” covers the roadway types or if further clarification is needed. Alex McCann stated that he believes it should work but will do more research to confirm prior to presenting to full coalition on April 25.

Mike Burroughs motions to move language forward with rewording to ensure both physical and virtual meeting options are mandatory as well as confirming roadway types. Alex McCann seconds the motion. There was no opposition so language will be presented to full coalition at April meeting.

Ticket Expiration: Clayton Heitz reports out on language from the Ticket Expiration Focus Group:

If an excavator leaves the job site, relocates to another site, or is otherwise absent from the site for a period of 16 consecutive calendar days, the notification will be considered expired, and the excavator shall make notification through the notification center as required under section 3781.28 of the Revised Code.

Clayton Heitz speaks to other language that is still in conversation at the Focus Group level surrounding a set number of days for life of a ticket. This language has not reached agreement at the focus group level so is not ready to be presented to the subcommittee. States that the language dealing with leaving a jobsite has reached consensus and the focus group would like to move that language forward and continue to discuss a set ticket life.

Mike Burroughs ask for clarification on why 16 calendar days is the suggested time frame? Jason Broyles explains that this falls in order with language currently at State House changing the start

by date from 10 working days to 16 calendar days. This allows in the reduction of confusion when looking at holidays and what exactly a “working day” is defined as. Jim Wooten adds to the conversation that the intent is in no way to alter or dismiss current language that states once locate marks are faded/destroyed, the ticket is expired. Clarifies that this is just adding to that language. Jim Wooten also states that there is no intent to prohibit requesting marks more frequently than the 16 calendar days.

Rod Troxell makes a motion to accept the suggested language and move it forward to the full coalition. Jim Wooten seconded the motion. There was no opposition so language will be moved forward at the April OUDPC meeting.

White Lining: Clayton Heitz reads through the suggested language and states that this focus group has not recently met and they know there is still a lot of work to be done before bringing forward.

ORC 3781.29(D): *Except as otherwise provided in divisions (E) and (F) of this section, prior to notifying a protection service of the proposed excavation, an excavator shall define and Premark the approximate location. Proposed construction or excavation markings shall be made in white through the use of an industry-recognized method such as chalk-based paint, flags, stakes, or other method applicable to the specific site and when possible shall indicate the excavator’s identity by name, abbreviation, or initial. When premarking occurs, the excavator must also complete the following:*

- 1. Accurately describe the number of premarked locations on the site of intended work through the description as found on the locate request*
- 2. Understand that the combination of the premarked area, in conjunction with the work area description, will define the scope of excavation*
- 3. Understand that if they excavate further away from the premarkings than the distance set forth under the Ohio Universal Marking Standards, they will be required to update the notification through the protection service prior to excavation taking place*

ORC 3781.29(F): *An excavator is not required to Premark the approximate location of an excavation as provided in division (D) of this section in any of the following situations:*

- (1) The utility can determine the precise location, direction, size, and length of the proposed excavation site by referring to the notification provided by the protection service pursuant to sections 3781.27 and 3781.28 of the Revised Code. The use of “Work Area Descriptions” as set forth in the Ohio Universal Marking Standards shall be used in defining the “precise location” of the proposed excavation site.*
- (2) The excavator and the affected utility have had an on-site, preconstruction meeting for the purpose of premarking the excavation site.*

(3) The excavation involves replacing a pole that is within five feet of the location of an existing pole.

(4) Premarking by the excavator would clearly interfere with pedestrian or vehicular traffic control.

Deron Large stated that he has heartburn around referencing work area descriptions from the marking standards as these definitions can be changed. Conversation ensues that if this occurs, there would have to be a review process in place just as there is for the Ohio Universal Marking Standards as outlined in the ORC. The group reaffirms a lot of work to be done in this focus group.

Next Steps: Follow up wording for both suggested sections. Move them forward to OUDPC at the April meeting.

Adjournment: Motion made, seconded, and carried with no opposition.