

# Blue Mountain Translator District 1

## Board of Directors Regular Meeting Provisional Minutes November 7, 2017

1. Call to Order and Roll Call Vote	<p>President Tim Wallender called the meeting to order at 12:15 PM. The meeting was held at the District's administrative headquarters, Baker City Hall at 1655 First Street in Baker City, Oregon.</p> <p>Directors: President Tim Wallender (by phone), Director April Simpson (by phone), Director Christina Wood.</p> <p>Staff: Secretary/Treasurer Alex McHaddad.</p> <p>Absent: Director Katy Thomas.</p> <p>Members of the Public: Mr. Mickey Cowan, Ms. Christine Howard, Mr. Fred Leitch, Ms. Mary McCracken, Baker County Commissioner Bruce Nichols, Mrs. Ginger Savage, Baker County Assessor Kerry Savage, Mr. Bob Tate, Ms. Esther Young, Ms. Shelta Young.</p>
2. Declaration of Conflict of Interest	Asked and none declared.
3. Approval of Minutes	<p>President Wallender asked if the minutes had been reviewed by the Directors.</p> <p>Secretary/Treasurer McHaddad informed the Board that President Wallender had clarified by email the need to remove two expenditures to the firm Technalogix Ltd. listed in the provisional minutes needed to be removed as they were placed on the agenda in error and not considered. Director Wood moved to approve the minutes for the October 12, 2017 Regular Meeting as amended, second by Director Simpson.</p> <p>Motion to approve the minutes for the October 12, 2017 Regular Meeting.</p> <p>Aye: President Wallender, Director Simpson, Director Wood.</p> <p>Nay: N/A.</p> <p>Abstain: N/A.</p> <p>Minutes for the October 12, 2017 Regular Meeting approved.</p> <p><i>Minutes are available online at <a href="http://www.bmtd.org/public-notice/">http://www.bmtd.org/public-notice/</a></i></p>
4.a. Director	President Wallender noted that the District's contract engineer, Mr. Rob

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Reports	Stilson, is working diligently to complete the channel repack process.
4.b. Staff Report	<p>Secretary/Treasurer McHaddad reviewed the contents of the staff report included in the Board Packet.</p> <p>Director Wood clarified the financial needs of the District in relation to the balances noted in the staff report.</p> <p>Multiple members of the public discussed the billing process with Director Wood.</p> <p>President Wallender raised a point of order that discussions about the billing process were not germane to the staff report.</p>
5.a. T-Mobile Channel Repack	<p>Secretary/Treasurer McHaddad reviewed the contents of the report included in the Board Packet.</p> <p>Secretary/Treasurer McHaddad informed members of the public of the channel displacement process. In response to queries from members of the public, Secretary/Treasurer McHaddad and Director Wood clarified the cost and the process.</p>
6.a. First Reading, Board Policies Regarding the Collection of Service Charge Fees for Property Entirely Surrounded by the District	<p>Secretary/Treasurer McHaddad reviewed the staff note introducing the proposed Board Policies included in the Board Packet. The proposed policies copy the referenced statutes almost word for word. He noted that one individual asked that part of the verification process include speaking directly to the owner of a property in question. The Board was reminded that the proposed policies should be adopted by the Board by the end of the year as advised by council.</p> <p>Ms. Esther Young questioned whether the District would speak directly to the owner of a property in question. Secretary/Treasurer McHaddad clarified that in the past, staff has visited properties entirely surrounded by the District and collected information on whether an antenna was located on the property. In response to a query from a member of the public, Secretary/Treasurer McHaddad clarified that this work has been carried out by staff and by Directors on a volunteer basis.</p> <p>Secretary/Treasurer McHaddad clarified the billing process in relation to properties entirely surrounded by the District in response to queries from members of the public. The District is not required to prepare a verified report for properties within the District. Director Wood noted that the District includes the presence of an antenna as reasonable grounds to believe that a property is intentionally receiving and using the signal. Director Wood engaged further with a member of the public in regards to a specific translator fee. President Wallender raised a point of order that refund requests for specific properties were not germane to public comment regarding the proposed board policies. Director Wood concluded the discussion noting that the Board would consider refund requests for property owners who claim that they sent their exemption</p>

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letter to the District.

A member of the public, Ms. Esther Young, attempted to discuss the translator fee that was placed on her property taxes. Director Simpson asked that the discussion of Ms. Young's translator fee end so that the Board could continue to discuss the proposed board policies and receive public comment.

Secretary/Treasurer McHaddad raised a point of order noting that all discussion during this agenda item needed to be germane to the proposed board policies. Members of the public with comments related to the proposed board policies were invited to address the Board.

A member of the public asked about the proposed policy on verification. Secretary/Treasurer McHaddad confirmed that the proposed policies addressed verification of the use of signals, and that this is the first set of policies created by the District to address collection of fees for properties entirely surrounded by the District.

In response to a questions from a member of the public, Secretary/Treasurer McHaddad noted that the District had been in operation since 1978, and on the advice of counsel these policies would be enacted by the end of the year. President Wallender noted that the District has not enacted policies on execution of the relevant statutes, but has always operated directly under the statutes.

A member of the public asked that the policy start with verification, emphasizing the need to inform property owners who would receive the service charge letter and contact every property owner who would be affected before sending them a service charge letter. At the request of President Wallender, Secretary/Treasurer McHaddad summarized that the member of the public requested that Board Policies should emphasize communication with property owners whom the District suspect have the ability to receive translator signals. The member of the public claimed that Secretary/Treasurer McHaddad misconstrued his comments. Secretary/Treasurer McHaddad noted that the meeting was being recorded.

Members of the public expressed disappointment that two Directors attended the meeting by phone and that Director Wood arrived 15 minutes after the scheduled start of the meeting. President Wallender raised a point of order that questions about modes of participation by Directors was not germane to the discussion of the proposed board policies. President Wallender expressed personal disapproval of allegations that ulterior motives prompted himself and Director Simpson to attend the meeting over the phone, and noted that all Directors served on a volunteer basis.

Director Wood noted that the District has interacted with frustrated members of the public in the past, and that the District has continuously

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made attempts to inform members of the public of its existence and operation. All refund requests submitted to the District will be reviewed by the Board of Directors with the participation of an affected property owner. In the past, the District has improperly billed property owners, and has not been able to verify that all property owners have been properly assessed prior to the disbursement of property taxes. A member of the public asserted that verification prior to the placement of a translator fee on property taxes should be done every year. Director Wood added that an translator fee on 2017-2018 property taxes was originally billed in 2016.

A member of the public, Mr. Mickey Cowan of Haines, requested that the District send a reminder letter to all property owners subject to the translator fee after disbursing initial bills. Mr. Cowan noted that he believes the District should be in control of its own billing process rather than the County Assessor. President Wallender noted that the relationship between the District and County tax authorities is mandated by state statutes, under which the District operates alongside its own Bylaws. Mr. Cowan proceeded to attempt to discuss his own 2017-2018 property tax translator fee. Secretary/Treasurer McHaddad raised a point of order that Mr. Cowan's improper translator fee had already been properly addressed and that his comments were not germane to the discussion of the proposed board policies.

President Wallender asked for further public comment related to the proposed board policies.

The member of the public who had expressed a need for verification and communication with property owners potentially affected by the proposed board policies asked again if verification was included in the proposed board policies. Secretary/Treasurer McHaddad assured the member of the public that verification and vetting of claims as requested by the member of the public could be implemented in the proposed policies, and that because the meeting was being recorded all comments made in relation to the proposed board policy would be accurately transcribed in the minutes. The member of the public asked that the District work with the County to verify whether property owners were assessed as a necessary element of accountability. President Wallender clarified that property owners within the District have a responsibility to return service charge letters to the District,<sup>1</sup> and that by law the Assessor's office is the conduit for the collection of translator fees. In response to the member of the public's review of the current translator fee system, President Wallender clarified that the translator fee system was properly understood by the individual.

<sup>1</sup> Policy J, Board Policies Regarding Statements, Exemption Forms, etc. available at <http://www.bmtd.org/public-notice>

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	<p>Director Simpson noted that given the size and number of property owners in the District that mistakes could be made in relation to the translator fee process, and that the Board would consider refund requests from all property owners who claim that they have been improperly addressed.</p> <p>In response to a query from Director Simpson, Secretary/Treasurer McHaddad clarified that the Board was still discussing Item 6.a. on the agenda, and that the meeting was being recorded so that all public comments received could be properly transcribed and included in the revised draft of board policies.</p> <p>Director Wood moved to accept the First Reading of the Proposed Board Policies Regarding the Collection of Service Charge Fees for Property Entirely Surrounded by the District, second by Director Simpson.</p> <p>Motion to approve the minutes for the October 12, 2017 Regular Meeting. Aye: President Wallender, Director Simpson, Director Wood. Nay: N/A. Abstain: N/A.</p> <p>Acceptance of the First Reading of the Proposed Board Policies Regarding the Collection of Service Charge Fees for Properties Entirely Surrounded by the District approved.</p> <p><i>The text of the proposed Board Policies are available online at <a href="http://www.bmtd.org/public-notice/">http://www.bmtd.org/public-notice/</a></i></p>
6.b. Approval of Expenditures	<p>Secretary/Treasurer McHaddad reviewed the expenditures included in the Board Packet, including three power bills, a filing fee with the Oregon Secretary of State, and consulting fees for Hatfield &amp; Dawson Consulting Engineers, LLC.</p> <p>Director Wood moved to approve the expenditures listed in the item, second by Director Simpson.</p> <p>Motion to approve the expenditures listed in the item. Aye: President Wallender, Director Simpson, Director Wood. Nay: N/A. Abstain: N/A.</p> <p>Expenditures listed in Item 6.b. approved.</p>

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	<p><i>The expenditures are listed on Page 7 of the Board Packet, available online at <a href="http://www.bmtd.org/public-notice/">http://www.bmtd.org/public-notice/</a></i></p>
6.c. Travel Authorization	<p>Secretary/Treasurer McHaddad reviewed the travel authorization request included in the Board Packet. Expenses would cover attendance at a local government budget construction workshop to be held in Salem by the Oregon Department of Revenue on December 5. Expenditures in the item included mileage reimbursement, per diem, and hotel fees. President Wallender expressed that the Secretary/Treasurer's attendance of this workshop was prudent given the position's role as chief budget officer. Director Simpson agreed with President Wallender, adding that expanding a network of individuals upon whom he can call for advice in the future would also be valuable.</p> <p>Director Wood moved to approve the travel authorizations expenses listed in the item, second by Director Simpson.</p> <p>Motion to approve the travel authorization expenses listed in Item 6.c. Aye: President Wallender, Director Simpson, Director Wood. Nay: N/A. Abstain: N/A.</p> <p>Travel authorization expenses listed in Item 6.c. approved.</p> <p><i>The expenditures are listed on Page 8 of the Board Packet, available online at <a href="http://www.bmtd.org/public-notice/">http://www.bmtd.org/public-notice/</a></i></p>
6.d. Advertising Authorization	<p>Secretary/Treasurer McHaddad reviewed the advertising bid process, and the details of the advertisement opportunity included in the Board Packet.</p> <p>Elkhorn Media Group would post 40 ads on a specified combination of three radio stations, as well as two posts on Facebook, all during the course of a week specified by the District. The cost for one week of advertisement as specified would be \$300.00.</p> <p>Director Wood received clarification from the Secretary/Treasurer that the week of advertisements could be made at the District's time of choosing, including at a point in the near future as well as during the middle of the year in order to remind viewers of service charges. In the past, Director Wood noted that advertisements had most commonly been placed in the newspaper, but extending the District's reach to radio would be useful. Even though not everyone capable of receiving the signals can be reached by email, Director Wood believes that this is the most effective avenue of communication with local property owners.</p>

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	<p>President Wallender noted that the District had improved an advertising allocation in its 2017-2018 budget in order to increase public awareness of the District's existence and services.</p> <p>Director Wood noted that the amount of \$300 was within the budget and could be used in the near future, while a second week of advertising could be purchased in April 2018.</p> <p>Director Simpson asked that the radio be contacted for advice on the best time to air an advertisement, that an attempt be made to advertise during or near the week of Thanksgiving, and that staff prepare an advertising spot for individual review and comment by Directors prior to broadcast of the ad.</p> <p>President Wallender declared that consensus had been reached by the Directors that use of pre-approved advertising funds be used to purchase one week of advertisements with Elkhorn Media.</p> <p><i>The advertising expenditures are listed on Page 9 of the Board Packet, available online at <a href="http://www.bmtd.org/public-notice/">http://www.bmtd.org/public-notice/</a></i></p>
Item 6.e.	<p>President Wallender reminded the Board that Director Anna Dean had moved to another state, and that the District was in receipt of her letter of resignation.</p> <p>Director Wood commended Director Dean's contributions to the District.</p> <p>Director Wood moved to accept the resignation of Director Anna Dean, second by Director Simpson.</p> <p>Motion to accept the resignation of Director Anna Dean.</p> <p>Aye: President Wallender, Director Simpson, Director Wood.</p> <p>Nay: N/A.</p> <p>Abstain: N/A.</p> <p>Acceptance of Director Anna Dean's resignation approved.</p> <p>President Wallender commended Mrs. Dean's contributions to the District.</p> <p>Secretary/Treasurer McHaddad informed the Board that Ms. Mary McCracken had expressed interest in serving as a Director. Ms. McCracken was invited to introduce herself to the Board and express the reasons for her interest in serving as a Director.</p> <p>Ms. McCracken introduced herself and mentioned that while she has no technical background, she is interested in improving the programming offered on the District's signals and expanding outreach efforts. She</p>

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	<p>believes that many property owners in La Grande use the signal without paying a fee to the District. Given her desire to expand programming, Ms. McCracken will not be interested in ultimately filling a Director seat if technical and financial roadblocks will prevent the broadcast of additional programming, including Free Speech TV and Link TV.</p> <p>In response to a query from Director Wood, Ms. McCracken provided a brief overview of the specific channels she would like to see broadcast. She has contacted both entities with requests for information about broadcasting content with the District, noting that a representative from Link TV seemed interested. Secretary/Treasurer McHaddad noted that he had contacted both of the entities in response to past correspondence with Ms. McCracken and had not received a reply. Director Wood asked that the Secretary/Treasurer continue reaching out to these channels, and requested that Ms. McCracken attend the next Board meeting if she is interested in serving.</p> <p>Director Wood requested that Board Membership be discussed at the next Board meeting.</p> <p><i>Mrs. Anna Dean's letter of resignation is included on Page 10 of the Board Packet, available online at <a href="http://www.bmtd.org/public-notice/">http://www.bmtd.org/public-notice/</a></i></p>
6.f. Refund Considerations	<p>Secretary/Treasurer McHaddad provided an overview of the refund requests listed in the item.</p> <p>“Improper Assessment Notice - Baker County” lists the account numbers for properties in Baker County that the District determined were improperly assessed for 2017-2018 Property Taxes. The District sent a journal voucher request to the Baker County Assessor for 2017-2018 Property Taxes.</p> <p>“2016-2017 Improper Assessment Refunds, Baker &amp; Union Counties” lists all properties within Baker &amp; Union Counties that the District determined were improperly assessed on 2017-2018 property taxes. Each refund request included the reference number and a description of the reason for improper application of a translator fee.</p> <p>“Other Refund Requests, 2016-2017” includes properties in Baker County for which the District is not possession of an exemption letter that would have prevented the application of a translator fee on 2016-2017 Property Taxes.</p>

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“Other Refund Requests, 2017-2018” includes properties in Baker County for which the District is not possession of an exemption letter that would have prevented the application of a translator fee on 2017-2018 Property Taxes.

Secretary/Treasurer McHaddad read the list of property account numbers under the section “Improper Assessment Notice - Baker County.”

Following the reading, Secretary/Treasurer McHaddad noted that the owners of at least two properties on the list were in attendance, including Mr. Mickey Cowan and Ms. Esther Young. In response to a query from President Wallender, the Secretary/Treasurer clarified that journal voucher requests for all properties had been delivered to the Baker County Assessor. Director Wood expressed that the matter of improper translator fee application for these properties was closed. President Wallender expressed that the owner of properties with the listed reference numbers should be satisfied with the resolution.

In response to a query from a member of the public, Secretary/Treasurer McHaddad clarified that state law requires the District to send these notices to the owners of all properties within the District once per year. Director Wood added that claiming an exemption is something that must only be done once per year when the service charge letter is sent. The member of the public claimed that most of the members of the public in attendance had sent in their service charge letters and were still assessed. Director Wood clarified that the board would account for this, and the member of the public declared that an accounting was desired. Director Wood recommended that property owners return the service charge letter via certified mail. Mr. Cowan questioned why the District did not send its service charge letters to property owners via certified mail.

Secretary/Treasurer McHaddad reviewed the refund requests of properties listed under the section “2016-2017 Improper Assessment Refunds, Baker & Union Counties.” Secretary/Treasurer McHaddad noted that for properties in Baker County listed in this section and the previous section, many exemptions were properly inputted into the database properly but due possibly to an as-yet unexplained computer error potentially occurring in either the office of the District or the Baker County Assessor, these exempted properties had been assessed anyway. Staff is aware that other property owners were improperly assessed due to user error when inputting data into the District’s database.

Secretary/Treasurer McHaddad informed the Board and members of the public that previous District staff did not organize or file any exemption letters properly, but the office has repeatedly been search and re-organized under his tenure to ensure that all possible unfiled

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exemption letters have been processed.

President Wallender began to motion to issue a refund for all properties as listed the section within Union County and request a journal voucher for the property in Baker County. Secretary/Treasurer McHaddad informed the Board that the owner of property 7888 in Baker County had already paid their property taxes in full and requested a refund. President Wallender clarified that his motion extended fully to property 7888 in Baker County.

President Wallender entertained a motion to refund all properties in Union County and property 7888 in Baker County as listed in the section labeled “2016-2017 Improper Assessment Refunds, Baker & Union Counties,” so moved by Director Simpson.

Motion to refund all properties in Union County and property 7888 in Baker County as listed in the section labeled “2016-2017 Improper Assessment Refunds, Baker & Union Counties.”

Aye: President Wallender, Director Simpson, Director Wood.

Nay: N/A.

Abstain: N/A.

Extension of refunds to the owners of all properties in Union County and property 7888 in Baker County as listed in the section labeled “2016-2017 Improper Assessment Refunds, Baker & Union Counties” approved.

Secretary/Treasurer McHaddad reviewed the refund requests for properties listed in the section labeled “Other Refund Requests, 2016-2017.” It was noted that the database does not include entries for properties 500 and 9169 in Baker County, but the owners of both properties claimed to have received the translator fee on their property taxes. President Wallender asked for clarification on how these two properties were assessed by the District without an entry in the database. Secretary/Treasurer McHaddad clarified that he is unaware of how these properties were assessed.

President Wallender entertained a motion to extend a refund to the owner of all properties listed in the section “Other Refund Requests, 2016-2017” upon verification from the Baker County Assessor that they were assessed improperly on their 2016-2017 Property Taxes, so moved by Director Wood.

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Extension of refunds to the owner of all properties listed in the section “Other Refund Requests, 2016-2017.”

Aye: President Wallender, Director Simpson, Director Wood.

Nay: N/A.

Abstain: N/A.

Extension of refunds to the owners of all properties listed in the section “Other Refund Requests, 2016-2017” approved.

Secretary/Treasurer McHaddad reviewed the third property listed in the section “Other Refund Requests, 2016-2017,” 9245 in Baker County. The property owner made a good faith effort to request a service charge letter earlier in 2016 but was not properly assisted by staff. President Wallender clarified that his previous motion included property 9245 in Baker County.

Secretary/Treasurer McHaddad reviewed the refund requests for properties listed in the section labeled “Other Refund Requests, 2017-2018.”

President Wallender asked if the Directors had reviewed the properties listed in the section.

Director Simpson asked for clarification about whether property 500 was not in the database for the 2017 Member Tax Year as well as the 2016 Member Tax Year. Secretary/Treasurer McHaddad clarified that this was correct.

President Wallender noted that there appeared to be a potential error in communication between the District’s database and the Assessor’s office. He believed that those two entities operated seamlessly and that the Secretary/Treasurer should investigate these potential computer errors further. Director Wood expressed that this possibility should be considered, and that the District should refund all property owners on the list. If the property owners made a good faith effort to return their service charge letters and they were lost by the District or another entity, they deserve to have their money returned. Following this, the District will need to engage in dialogue with its partners to understand problems that led to improper assessments and the absence of service charge letters.

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Director Wood began to make a motion to refund all properties listed in the section “Other Refund Requests, 2017-2018.” Secretary/Treasurer McHaddad clarified that two of the properties on the list were not in the database. Director Wood clarified that lack of a database entry for a property should entitle the property owner to a refund, and that all individuals who claimed to have sent a letter should receive a refund despite the financial implications for the District. Due to problems with the letters being lost or actions by previous staff, the District may not have received the letters. Dereliction of duty was a problem with a previous employee. In response to a query from Director Wood, Secretary/Treasurer McHaddad clarified that he had communicated with all property owners on the list. Secretary/Treasurer McHaddad read aloud the account numbers and property owners listed in the section. President Wallender expressed agreement with Director Wood’s comments in regards to improper translator fee application due to potential computer error and inactivity by former District staff. Director Simpson expressed agreement, adding that some of the District’s officials were new to serving and that the individuals who requested a refund were now more familiar with the District’s billing process. At the request of Director Simpson, Secretary/Treasurer McHaddad clarified that he is investigating potential computer error with the vendor that manages the District’s database software.

Director Wood moved to extend a refund to the owner of all properties listed in the section “Other Refund Requests, 2017-2018,” and that an investigation be undertaken to understand the cause of these translator fees, second by President Wallender.

Motion to extend a refund to the owner of all properties listed in the section “Other Refund Requests, 2017-2018,” and that an investigation be undertaken to understand the cause of these translator fees.

Aye: President Wallender, Director Simpson, Director Wood.

Nay: N/A.

Abstain: N/A.

Extension of refunds to the owner of all properties listed in the section “Other Refund Requests, 2017-2018,” and mandate of an investigation

# Blue Mountain Translator District 13

	<p>into the cause of improper translator fees approved.</p>
7. Communications from the Floor	<p>Director Wood recommended that the District recruit another member from Baker County given that she was the only Director able to attend the meeting in person. President Wallender agreed that Baker County was not well-represented in numbers on the Board, though Director Katy Thomas is a resident of Haines.</p> <p>President Wallender reiterated that the District's contract engineer was working on completing the channel repack process. The District looks forward to the completion of this process, an expense that was not foreseen.</p> <p>Director Wood expressed hope that the extension of refunds to property owners by the Board does not lead to a budget deficit. President Wallender remarked that the District should be financially stable if the equipment lasts through winter; replacement of a failed transmitter would likely cost \$20,000.</p> <p>At the request of the President, the Secretary/Treasurer read a letter drafted by President Wallender to better explain the billing process and reasons why a translator fees may have been placed on a property owner's 2017-2018 Property Taxes.</p> <p><i>Letter from the Board appears in Appendix A.</i></p>
9. Public Comment	<p>Mr. Mickey Cowan of Haines reviewed his interaction with the District in relation to an improper translator fee on his 2017-2018 property taxes. He requested that the presence of a satellite dish on a structure on a property entirely surrounded by the District be noted as a sign that District signals were likely not being received. Mr. Cowan is displeased that a journal voucher removes the 3% discount extended to property owners who pay taxes in full. Mr. Cowan also expressed that he does not trust the District or staff to process its service charge letters, and that the District should take care of its own billing rather than the Baker County Assessor. President Wallender noted that the current Secretary/Treasurer stepped into the role at a time of administrative disarray and that the work completed so far to correct the mistakes of former employees should be commended.</p> <p>Mr. Fred Leitch asked if residency within the District is a requirement to become a Director, to which Secretary/Treasurer McHaddad and Director Wood replied in the affirmative. Mr. Leitch asked for clarification about the business partners with whom the District was working to complete the channel repack. Secretary/Treasurer McHaddad replied that Hatfield &amp; Dawson was the consulting firm that found new channel space, and that the District's engineering needs were serviced by a contract engineer.</p>

# Blue Mountain Translator District 14

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Did HD find channel space?

Yes, al will be restored.

So you have to re-channel your translators?

Correct, and that will be done by the end of the month.

And you got permission from the FCC?

Yes we got STA

Is our equipment able to be re-tuned?

Yes. Wallender: Engineer is still working on it.

Where is your engineer from?

Touchet, Washington.

Director Wood invited Mr. Leitch to volunteer with the District.

Mr. Leitch: I was involved for a long time.

Ms. Shelta Young asked how her tax payment would be handled following the meeting given that she had not yet paid her taxes.

Secretary/Treasurer McHaddad clarified that he would send a journal voucher request for her property to the Baker County Assessor following the meeting.

Ms. Esther Young acknowledged the difficulties faced by staff in conducting District business. However, Ms. Young demanded an explanation for the irregular size of the delinquent assessment list originally sent to the Baker County Assessor and the changes made to it afterward. Secretary/Treasurer McHaddad clarified that the previous individual who was employed as Secretary/Treasurer for most of 2017 did not collect mail or process exemption letters, resulting in the massive size of the delinquent list sent to the Baker County Assessor. Director Wood expressed that the individual who previously served as Secretary/Treasurer was removed. Ms. Young questioned if a state law required that the service charge fee had to be paid if a property owner did not send in their exemption letter. President Wallender clarified that Oregon Revised Statutes 354.690 enacted that requirement.

Secretary/Treasurer McHaddad noted that the statutes had been enacted in the 1970's and that the District had been unsuccessful in advocating for changes in the past, most recently during the 2017 session of the Oregon Legislative Assembly. Given the regular communication of frustration with the statute expressed by members of the public and the Board of Directors, the Secretary/Treasurer staff commitment to advocating for changes to the statute in the future. Ms. Young expressed that she would be interested in helping advocate for changes to the statute. President Wallender thanked her for her offer and noted that while the District had attempted to work with Representative Cliff Bentz to pursue a legislative solution, the District does not have the advocacy resources or network necessary in order to enact changes. Ms. Young

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noted that she plans to contact Representative Bentz. Director Wood remarked that Representative Bentz's actions in the legislative assembly in the 2017 session had resulted in a higher vehicle registration fee. Ms. Young asked about the District's filing system. Secretary/Treasurer McHaddad clarified that he had initiated the work of filing all service charge letters when he was hired, and that all incoming paperwork was processed as it arrived. Once it was revealed that there were problems with the database, an internal search of any related documentation included database queries and a search of all physical records in the office. The District has only retained records back to the 2016 Member Tax Year, but the Secretary/Treasurer plans to retain all records going forwards. President Wallender expressed appreciation for the work completed by the Secretary/Treasurer to correct the District's administrative disarray, noting that the District is headed in a more positive administrative direction. Ms. Young concluded that she is concerned with the communications between the District and the Baker County Assessor. Director Simpson asked whether the District had received counsel on proper records retention. Secretary/Treasurer McHaddad noted that he can conference with the attorney to understand the District's proper records retention schedule. President Wallender clarified that this information is available online. Ms. Young left her email with the District in order to receive the legislative proposals submitted to Representative Bentz's office.

Ms. Mary McCracken noted that she has engaged in more professional interactions with the District in recent months. She supports the District's outreach efforts and understands the billing process better. Director Wood invited Ms. McCracken to volunteer for the District, noting that she had manned a booth during the Baker County Fair. Director Wood and Ms. McCracken discussed other outreach opportunities. President Wallender thanked Ms. McCracken for her comments.

Mrs. Ginger Savage noted that she is the wife of the Baker County Assessor, Mr. Kerry Savage, who is President of the Oregon Assessors Association, one of the longest-tenured employees of Baker County, and one of the longest-serving Assessors in Oregon. Mrs. Savage expressed dissatisfaction with alleged recent remarks directed toward her husband in the media and that mistakes can be resolved with better communication. In response to a query from Director Wood, Mrs. Savage expressed that the District's tone a recent newspaper article was disrespectful toward her husband. In response to a query from President Wallender, Secretary/Treasurer McHaddad reminded the Board that he spoke with the Baker City Herald in October about the property tax billing process, as noted in the staff report. In speaking with the paper,

# Blue Mountain Translator District 16

the Secretary/Treasurer attempted to communicate problems in relation to the District's software and translator fees. There was no intent to accuse the Baker County Assessor or any employees in the office directly in regards to improper application of translator fees. Any remarks mentioning the Assessor's office would have been meant to convey the possibility of an error that occurred in the Assessor's office, though neither the Secretary/Treasurer nor the software vendor can yet identify a specific cause for improper translator fees and that the investigation will continue. It is not the opinion of the District or the Secretary/Treasurer that the Assessor has been dishonest, and that the Assessor's office has been a professional partner. Secretary/Treasurer McHaddad declared that if his remarks were to the contrary, they were not delivered intentionally, and he apologizes. The Secretary/Treasurer concluded that it appeared that some properties that had not been identified as delinquent to the Baker County Assessor were still assessed, and that the investigation into the cause of these improper translator fees would continue. President Wallender echoed the sentiments of Secretary/Treasurer McHaddad and expressed that his likely intent in speaking to the press was to suggest that there was a potential software problem between the District and the Assessor office in Baker and Union Counties that may have resulted in improper translator fees, without implicating a specific individual.

Mr. Mickey Cowan suggested that the anger of property owners toward the Baker County Assessor following an improper translator fees might have resulted in undue stress in that office. The District, Mr. Cowan believes, should be responsible for its own direct billing, not the County Assessor. Director Wood noted that if everything works the way it should, no one should be improperly assessed; however, that did not happen this year. Mr. Cowan noted that he understood the errors of previous staff in relation to his own improper translator fee, though he was still somewhat disappointed with the actions of current staff. He reiterated the undue stress placed on the Assessor's office for a mistake made by the District. President Wallender noted that the District is operating on antiquated statutes that have not been updated due to legislative impediments. Director Wood expressed that the District is going to work hard to ensure efficient operations internally and with business partners.

Baker County Assessor Kerry Savage introduced himself and clarified the role of the Assessor. Assessor Savage claimed that all delinquent properties that received a translator fee were on the LB-50 delivered to Baker County from the District. The Assessor's office only verifies whether properties are within the District's boundaries. Addressing improper translator fees, Assessor Savage claims that improper translator

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	<p>fees were not the result of errors made by the Assessor's office or the vendor that provides the District with software. Assessor Savage expressed displeasure with the District for potentially implicating his office in improperly applying translator fees to properties despite his claim that translator fees were only applied to properties on the delinquent property list attached to the LB-50.</p> <p>Director Wood and President Wallender discussed the use of signals by property owners outside the District and the need for advertising. Assessor Savage provided the District with a packet of information from the Oregon Department of Revenue entitled "Boundary Change Information." Director Wood and President Wallender invited any interested individuals to address the Board. Director Wood thanked Assessor Savage for attending.</p> <p>Members of the Board asked to see the article from the Baker City Herald in which Secretary/Treasurer McHaddad discussed the matter of improper translator fees. Secretary/Treasurer McHaddad reiterated that no comments made to the press were meant to implicate any specific individual in the Assessor's office of actions that would have led to improper translator fees being placed on property tax statements, and noted that Assessor Savage had made no attempt to contact the District prior to the meeting to communicate dissatisfaction with staff conduct.</p>
9. Scheduling of Next Meeting and Adjournment	<p>Director Wood moved to hold the next Board meeting on Tuesday, December 5, 2017, second by President Wallender.</p> <p>Motion to schedule next Board meeting for Tuesday, December 5, 2017. Aye: President Wallender, Director Simpson, Director Wood. Nay: N/A. Abstain: N/A.</p> <p>Scheduling of next board meeting for Tuesday, December 5, 2017 approved.</p> <p>President Wallender adjourned the meeting.</p> <p><i>Respectfully submitted, Alex McHaddad, Secretary/Treasurer 11/13/17</i></p>

# Blue Mountain Translator District 18

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## Appendix A

To those with questions,

November 1, 2017

If you were assessed \$100.00 on your 2017 property tax statement from Blue Mountain Translator District:

1. The service charge was applied to your 2017 property tax from the service charge letter sent out by the District June 2016. The District's 2016/17 fiscal year ended June 30th 2017.
2. The service charge letter was not received.

For clarification: The District is mandated by Oregon Revised Statutes (ORS) to mail out service charge letters each and every year to all who reside within the boundaries and/or receive our signal. The Board of Directors acknowledges that this system is dated and has attempted to streamline the process by revising the statutes unsuccessfully.

If you wish to be certain the assessment does not appear on your property tax statement, might we suggest the following:

1. Mail in your service charge letter via USPS certified mail so you have a receipt that the letter was signed for.
2. Phone into the District Office (541.963.0196) prior to when we send in the delinquent list to the County Assessor's Office in September. Remember it is from the previous year's letter!
3. Be polite, have a positive attitude, and proactive. We are volunteers working hard to continue delivering affordable high quality rebroadcast antenna television since 1978.

Thank you to all our paying members who keep the signals broadcasting from three sites in two counties!

Best regards,

The Board of Directors

Blue Mountain Translator District