

Blue Mountain Translator District 1

Board of Directors **Regular Meeting Minutes** **January 9, 2018**

| | |
|--|--|
| 1. Call to Order and Roll Call Vote | <p>President Tim Wallender called the meeting to order at 12:02 PM. The meeting was held at the nearest practical location, Umpqua Bank at 1215 Adams Avenue in La Grande, Oregon.</p> <p>Directors: President Tim Wallender, Director April Simpson, Director Katy Thomas (by phone), Director Christina Wood.</p> <p>Staff: Secretary/Treasurer Alex McHaddad.</p> <p>Members of the Public: Mr. Richard Beck, Mr. Fred Leitch.</p> |
| 2. Declaration of Conflict of Interest | <p>Secretary/Treasurer McHaddad informed the Board of a potential conflict of interest as the employee of the recipient of an expenditure listed on Item 5.a., the Union County Chamber of Commerce. He believed that the membership dues were not utilized to pay his wages. The Board of Directors did not take any action following this declaration.</p> |
| 3. Approval of Minutes | <p>President Wallender asked if the minutes had been reviewed by the Directors.</p> <p>Director Thomas moved to approve the minutes for the December 8, 2017 Regular Meeting, second by Director Simpson.</p> <p>Motion to approve the minutes for the December 8, 2017 Regular Meeting.</p> <p>Aye: President Wallender, Director Simpson, Director Thomas.</p> <p>Nay: N/A.</p> <p>Abstain: N/A.</p> <p>Minutes for the December 8, 2017 Regular Meeting approved.</p> <p><i>Minutes are available online at http://www.bmtd.org/public-notice/</i></p> |
| 4.a. Director Reports | <p>President Wallender announced an automatic payment for rent at C's Storage. He left a voicemail with Nathaniel Reader at Free Speech TV on December 29, 2017 and has not heard back. The Assignment of Lease Agreement for Mt Fanny with Elkhorn Media Group was signed and a copy deposited with the Secretary/Treasurer. He asked Director Thomas</p> |

Blue Mountain Translator District 2

| | |
|-------------------|--|
| | <p>for clarification on the signature process. Director Thomas will review the signature process. President Wallender is not worried about the process given that the document was prepared by the attorney for Xana Oregon, LLC. The District's fiber optic cables were supposed to be replaced on January 10, but this operation has been rescheduled to January 15.</p> <p>Director Wood arrived at the meeting, and President Wallender repeated his report. Recent complaints of reception problems may be related. Director Simpson noted recent complaints on Facebook. A member of the public, Mr. Richard Beck, noted that he monitors channels from La Grande. Secretary/Treasurer McHaddad was requested to send a press release about the upcoming fiber optic maintenance.</p> |
| 4.b. Staff Report | <p>Secretary/Treasurer McHaddad reviewed the staff report included in the Board Packet.</p> <p>Due to the budget and record digitization workload, no progress was made on video advertisements.</p> <p>Pacific Empire wants to use space on Mt. Harris to broadcast its signals. It was the Secretary/Treasurer's understanding that the District's contract engineer believed that there was not enough space available at the site for Pacific Empire's operation. However, Pacific Empire staff recalled visiting the site in 2016 with one of the District's previous contract engineers, where they concluded that there was enough space. The District had offered use of the site for \$400 per month. President Wallender clarified the identity of Pacific Empire. A member of the public, Mr. Fred Leitch, asked if Pacific Empire had done a frequency study; the Secretary/Treasurer is not aware. Pacific Empire is willing to consolidate equipment in order to use the District's facility. President Wallender asked that Pacific Empire be invited to visit the site to review the space, and suggested involving the District's current contract engineer. Mr. Leitch suggested potential provisions for a use contract. Usage of facilities and signals on Mt. Harris and Mt. Fanny was discussed. There are no translators on Mt. Emily, though Union County Commissioner Steve McClure once offered the use of that location. However, that would not be useful to Baker County residents. Mt. Harris used to be the main site when Spokane channels were translated. Mr. Leitch discussed the history of the Translator District.</p> <p>Secretary/Treasurer McHaddad discussed the ongoing process of digitizing physical records and suggested a change in rate to Powerline Users. President Wallender clarified that two costs are billed to Oregon Wireless, powerline use and rent, and that EONI needs to pay the same rate. The Secretary/Treasurer will revisit the disparity between EONI and Oregon Wireless. Director Wood noted that the District had tried to address this disparity in 2017 but staffing issues prevented proper</p> |

Blue Mountain Translator District 3

execution. Current powerline use operations were discussed. The Secretary/Treasurer will have a better picture of existing contracts by February. Operation of a translator in Wallowa County was discussed. Secretary/Treasurer McHaddad announced that a local independent contractor who installs antennas contacted the office to discuss a commission for informing their clients of the District's charge for signal use and billing information. The contractor was informed that the District does not have the funding for such a commission and does not currently have such a relationship with other antenna installation businesses in the area. However, he proposed examining the possibility of engaging local installation services as 1099 contractors who would be charged with performing an official signal use inspection for properties entirely surrounded by the District. President Wallender declared that he would address the matter during communications from the floor.

Oregon Public Broadcast sent a final notice requesting that the District's final two engineering bills from 2016 be paid. They will not repay their powerline bill from 2016 until the engineering bills have been paid. President Wallender believes that the two final bills were incorrect. Information on the bills was provided to staff on handwritten notes on a previous bill. This will be reviewed by the Secretary/Treasurer.

The Secretary/Treasurer announced that he wishes to attend the Special Districts Association of Oregon's annual conference in Seaside in February. Registration is free. Following attendance, he wants to visit state legislators in the Capitol to discuss the District's long-term legislative priorities. Director Wood asked if a budget had been estimated. A budget had not been estimated, but the Secretary/Treasurer noted that costs would include hotel costs February 8-12. Legislative meetings would occur in Salem on February 12-13, and on Wednesday he wishes to take a personal day to potentially volunteer at a lobby day for Eastern Oregon University. Because he would be staying Wednesday for a personal day, he would not ask for reimbursement for staying at a hotel the night before or mileage for the return trip to La Grande from Salem. Director Simpson stated that the Secretary/Treasurer should receive mileage reimbursement for the return trip from Salem since he arrived on District business. Secretary/Treasurer McHaddad noted that personal time following a business trip while employed at Eastern Oregon University prevented him from seeking travel reimbursement on the return journey. In response to a query from Director Wood, Secretary/Treasurer McHaddad explained the activities in which he would be engaging each day of the trip.

Director Wood moved to allocate travel funds for SDAO conference attendance and advocacy meetings in Salem including mileage, 3-4 hotel days, and per diem, second by President Wallender.

Blue Mountain Translator District 4

| | |
|-------------------------------|--|
| | <p>Discussion: Director Simpson asked that mileage cover return travel from Salem to La Grande. President Wallender questioned the need for a vote without a budget. Secretary/Treasurer McHaddad noted that a vote to allocate funds would be useful for preparing funds. President Wallender asked that a formal budget be prepared.</p> <p>Motion to allocate funds for conference and advocacy meeting attendance. Aye: President Wallender, Director Simpson, Director Thomas, Director Wood. Nay: N/A. Abstain: N/A.</p> <p>Minutes to allocate funds for conference and advocacy meeting attendance approved.</p> <p>Director Wood requested that ID badges be prepared for the Secretary/Treasurer and the Directors. This had been authorized by the Board in 2016 but was not completed by the previous Secretary/Treasurer.</p> <p>President Wallender asked for clarification on OTECC power billing for December. The Secretary/Treasurer will review office records for power bills.</p> <p><i>The staff report is listed on Page 3 of the Board Packet, available online at http://www.bmtd.org/public-notice/</i></p> |
| 5.a. Approval of Expenditures | <p>Secretary/Treasurer McHaddad reviewed the included expenditures listed in the Board Packet. An additional expenditure of \$427.50 from Chaves Consulting Inc. was added to the item. President Wallender asked for clarification on another bill from Chaves Consulting.</p> <p>Participation in the Baker Chamber of Commerce Banquet was discussed in order to deliberate a final amount for the centerpiece expenditure listed in the item. Promotional materials from networks could be used for party favors. The Chamber requested a spending limit of \$150.00 for the centerpiece but the Board could modify the amount. Director Wood noted that the theme was “Boots and Bling.” Director Simpson recalled a centerpiece item she had prepared for a different function. Director Wood would decorate the table, possibly with the involvement of President Wallender; she suggested a budget of \$100.00.</p> <p>Secretary/Treasurer McHaddad clarified the expenses in the bill from Chaves Consulting, Inc. The firm prepared an audit of “ghost” accounts</p> |

Blue Mountain Translator District 5

| | |
|----------------------|--|
| | <p>from the database that should have been removed over time with proper attention by past individuals appointed to the office of Secretary/Treasurer. Director Wood asked that return service be requested on service charge letters. The current service charge process and content of the letter should both be modified.</p> <p>President Wallender asked for clarification on the “Internet subscription” bill from Chaves, as Internet service is included with office rent at Baker City Hall. The Secretary/Treasurer will request information from Chaves.</p> <p>Mr. Richard Beck discussed the District’s office history with the Board.</p> <p>President Wallender entertained a motion to approve the expenditures listed in Item 5.a. as amended, second by Director Wood.</p> <p>Motion to approve the expenditures listed in Item 6.a. as amended. Aye: President Wallender, Director Simpson, Director Thomas, Director Wood. Nay: N/A. Abstain: N/A. Expenditures listed in Item 6.a approved.</p> <p><i>Expenditures are listed on Page 4 of the Board Packet available online at http://www.bmtd.org/public-notice/</i></p> |
| 5.b. Refund Requests | <p>Secretary/Treasurer McHaddad reviewed the refund request listed in the item.</p> <p>Secretary/Treasurer McHaddad reviewed a draft amendment to the Board Policies Regarding Statements, Exemption Forms, etc. that would allow property owners who had paid a service charge then sold their home to request a refund in the amount of the remaining balance for the rest of the year. This amendment was drafted as the result of a member request for a refund. Director Wood suggested that existing Board Policies be amended to request submission of a refund request in a timely manner. The Secretary/Treasurer noted that the Board Policies allow refund requests to be submitted up to a year later. President Wallender and Director Simpson declared that this should be revised. Director Simpson noted that a prepaid service charge could be a valuable advertising asset for the seller of a home. Mr. Richard Beck applauded the suggestion. President Wallender declared that sellers and buyers</p> |

Blue Mountain Translator District 6

| | |
|----------------------------------|--|
| | <p>should discuss service charges without District involvement. Director Wood recommended informing real estate and title companies in the area of District service charges. Mr. Beck suggested that a service charge should be transferable to other properties. President Wallender asked that the Board of Directors address the refund request included in the item. Director Simpson moved to approve the refund request for property 31-012538, second by Director Wood.</p> <p>Motion to approve refund for the owner of property 31-012538. Aye: President Wallender, Director Simpson, Director Thomas, Director Wood. Nay: N/A. Abstain: N/A. Refund for the owner of property 31-012538 approved.</p> <p>Director Wood asked that the Secretary/Treasurer note which property owners had requested refunds in the District's database. President Wallender concurred, noting that consideration of refund requests took up valuable time at Board meetings and in the office.</p> <p><i>Refund requests and draft amendment to Board Policies Regarding Statements, Exemption Forms, etc. located on Page 5 of the Board Packet available online at http://www.bmtd.org/public-notice/</i></p> |
| 7. Communications from the Floor | <p>President Wallender addressed the request of a private contractor to receive a commission from the District for informing clients of signal use charges. Director Wood expressed disapproval of the commission request. President Wallender noted that an antenna installation service is utilizing the District's service as a means to profit, and the more people with whom he shares that we need to be paid, the more antennas he will get to install. Director Wood suggested that the contractor be provided with an information sheet to be given to customers, but only as a courtesy. President Wallender noted that properties entirely surrounded by the District do not receive the service charge letter but they should, a determination made by the Board in 2017. If a person is installing antennas, they have a civic duty to call the District and inform them that they installed an antenna. Mr. Richard Beck recommended that such a contractor should introduce themselves to the Board of Directors, and must disclose to his clients that there is a fee for use of the signals.</p> |

Blue Mountain Translator District 7

| | |
|-------------------|---|
| | <p>Secretary/Treasurer McHaddad compared the situation to a contractor connecting a property to a municipal water system and asking the municipal authority to a commission to inform clients that they needed to pay sewer fees. Director Wood suggested that an info sheet provided to private contractors note that they have no legal or formal relationship to the District in order to avoid liabilities. Director Simpson praised the contractor for at least trying to become involved, and suggested that local contractors be referred to customers with advanced troubleshooting needs. Secretary/Treasurer McHaddad noted that he currently does refer Members to local private contractors, and that he recently placed a list of these services on the District's website. Mr. Beck suggested that individuals who place service queries on Facebook be directed to contact the office and discussed the testing services he currently renders to fellow community members. He recommended hiring an in-house service technician; this would require additional funds, but each service call could be funded by a charge to the Member. Director Wood suggested that a \$100 tech support charge could be presented as an option to Members. Mr. Beck discussed historical charges for cable and satellite TV services; he understands the costs and knows that the public needs to be better educated on the price and process. President Wallender noted that the District is aware of its public information deficiencies and is dedicating resources to improve awareness. The Secretary/Treasurer will examine the feasibility of wages and insurance costs for an in-house on-call service technician. Director Thomas left the meeting. Mr. Beck discussed additional logistics related to an in-house service technician with the Board of Directors.</p> |
| 8. Public Comment | <p>Mr. Richard Beck announced that he was pleased to have attended the meeting and met the Board of Directors. President Wallender thanked Mr. Beck for attending. Mr. Beck lauded the District's channel offerings and noted that DirecTV is not actually transmitting high definition channels in the area. Mr. Fred Leitch and Director Wood noted that local satellite services in the area charge a premium for high definition channels. Mr. Leitch and President Wallender discussed the frequency of channel repack mandates, and Mr. Beck compared this to the frequency of the federal government's funding through continuing resolutions by Congress.</p> <p>Director Wood announced a news report that President Donald Trump had recently signed a bill loosening restrictions on the use of Bureau of Land Management and Forest Service properties for the transmission of wireless Internet. She discussed this development and related financial opportunities for the District with Mr. Beck and Mr. Leitch.</p> <p>Mr. Leitch recalled the difficulty in accessing the District's facility on Black Mountain. Director Wood noted that acquiring a key to the</p> |

Blue Mountain Translator District 8

| | |
|---|--|
| | District's Mt. Fanny Facility in 2017 was a difficult process. |
| 9. Scheduling of Next Meeting and Adjournment | <p>Secretary/Treasurer McHaddad noted that the first Tuesday of the following month is February 6.</p> <p>Director Wood discussed recent community fundraisers in which she had been involved with the Board.</p> <p>President Wallender proposed meeting on February 6, 2018. Mr. Beck asked if he would be permitted to attend. Secretary/Treasurer McHaddad clarified that meetings of the Board of Directors are open to the public. President Wallender asked if the meeting could be held in Baker City. Director Simpson announced that the meeting would need to be held at 11:00 AM if it took place in Baker City, but she could attend by phone if the meeting began at noon. President Wallender noted that he may need to call in to the meeting. The Board of Directors reached a consensus that the meeting would be held at noon at Baker City Hall.</p> <p>President Wallender adjourned the meeting at 1:28 PM.</p> <p><i>Respectfully submitted, A. Alex McHaddad, Secretary/Treasurer January 11, 2018</i></p> |