

Blue Mountain Translator District¹

Board of Directors **Regular Meeting Hearing Provisional** **Minutes** **February 5, 2019**

<p>1. Call to Order and Roll Call Vote</p>	<p>President Wallender called the meeting to order at 12:04 PM. The meeting was held at the nearest practical location, the meeting room in Denny's at 2604 Island Avenue in La Grande, Oregon. Directors: President Tim Wallender, Director April Simpson, Director Christina Wood. Staff: Alex McHaddad. Members of the Public: Mr. Richard Beck, Mrs. Jean Inerarity, Mr. Michael Kenney, Mrs. Corrine Wilfong.</p>
<p>2. Declaration of Conflict of Interest</p>	<p>Asked and none declared.</p>
<p>3.a. Director Report</p>	<p>Director Simpson announced that this would be her last board meeting. President Wallender announced that the KATU transmitter on Beaver Mountain was experiencing transmission difficulties. The partial federal shutdown prevented communication with the Forest Service to discern available Internet services at the facility. The District's technician is working on acquiring an Internet solution for use at the facility prior to returning to service the KATU transmitter.</p>
<p>3.b. Staff Report</p>	<p>Secretary/Treasurer McHaddad announced that reminder letters had been mailed to delinquent property owners the prior week. Director Wood inquired about the continuing utility of the office. Secretary/Treasurer McHaddad affirmed that the new office was working well.</p>

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4.a. Safety	<p>President Wallender asked if the Secretary/Treasurer had maintained a safe workplace environment since the last meeting. Secretary/Treasurer McHaddad confirmed that he had maintained a safe workplace environment since the last meeting.</p>
5.a. Contract Reviews	<p>Secretary/Treasurer McHaddad reviewed the expenditures and asked that "ISP" be removed from the list because the District's technician will be taking care of the expenditure.</p> <p>Motion to approve the expenditures as amended. Aye: President Wallender, Director Simpson, Director Wood. Nay: N/A. Abstain: N/A. Amended expenditures approved.</p> <p><i>Expenditures are listed in the board packet available online at http://www.bmtd.org/public-notice/</i></p>
5.b. Legislative Updated and Travel Authorization	<p>Secretary/Treasurer McHaddad reviewed the item. Conversations with Senators and staffers were mostly positive. Senator Bill Hansell and Representative Lynn Findley agreed to cosponsor SB 393 and 394.</p> <p>The Secretary/Treasurer requested an amendment to SB 393 that would exempt state properties from paying the service charge. This amendment would affect two district properties and one in incorporated Haines for which the state makes payments in lieu of tax. Director Wood questioned why the state would receive a carve-out when BMTD signals could potentially be viewed at a state correctional facility in Baker City.</p> <p>Secretary/Treasurer McHaddad clarified that only three state properties in the region make payments in lieu of property.</p>

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Secretary/Treasurer McHaddad and President Wallender discussed difficulties working with Representative Greg Barreto to get legislation passed. During a meeting with Rep. Barreto the prior week, he had revealed a preference to legislation to pass during the session only if it addressed structural reforms to prevent the improper placement of service charges on property taxes. Secretary/Treasurer McHaddad had attempted to object because the District did not have the resources to complete two years of work on a new bill in such a short span of time, but Rep. Barreto had insisted that District hesitation was rooted in financial needs. Key among Rep. Barreto's misgivings was the placement of the service charge on the property tax statements of individuals who did not return service charge statements. The District is unable to address the abolition of that provision, however, until it receives alternative streams of revenue, such as advertising fees, and educates viewers about the need to pay the service charge on a local channel. After discussing legislative needs with the District and Union County Commissioner Matt Scarfo, Rep. Barreto agreed that current bills should move forward. Secretary/Treasurer McHaddad nonetheless requested that an amendment be drafted for SB 393 that codified District Board policies to prevent improper service charges into state law.

Secretary/Treasurer McHaddad reviewed the travel authorization.

Director Wood moved to approve the travel authorization, second by Director Simpson.
Aye: President Wallender, Director Simpson,
Director Wood.

Nay: N/A.

Abstain: N/A.

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	<p>Travel authorization approved.</p> <p><i>Legislative update and travel authorization details are included in the Board Packet available online at http://www.bmtd.org/public-notice/</i></p>
5.c. Bylaws Amendments and Staffing	<p>Secretary/Treasurer McHaddad reviewed the second reading of the amendment to the Bylaws. The amendment included a description of duties beyond those in the bylaws carried out by the current Secretary/Treasurer.</p> <p>Director Simpson moved to approve the second reading of the amendment, second by Director Wood.</p> <p>Aye: President Wallender, Director Simpson, Director Wood.</p> <p>Nay: N/A.</p> <p>Abstain: N/A.</p> <p>Second reading of amendment approved.</p> <p>Director Wood moved to approve the change of title for the current Secretary/Treasurer to Executive Director, second by Director Simpson.</p> <p>Aye: President Wallender, Director Simpson, Director Wood.</p> <p>Nay: N/A.</p> <p>Abstain: N/A.</p> <p>Title change approved.</p> <p>President Wallender entertained a motion to appoint Mr. Mike Kenney to the Board of Directors, so moved by Director Wood.</p> <p>Amendment detailed in the Board Packet available online at http://www.bmtd.org/public-notice/.</p>
5.d. Board Membership	<p>Executive Director McHaddad reviewed the item.</p> <p>President Wallender entertained a motion to</p>

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appoint Mrs. Jean Inerarity to the office of Director for a term ending in June 2021, so moved by Director Simpson.

Aye: President Wallender, Director Simpson, Director Wood.

Nay: N/A.

Abstain: N/A.

Appointment approved.

Director Simpson declared her resignation from the Board of Directors, effective immediately.

President Wallender entertained a motion to accept Director Simpson's resignation, so moved by Director Inerarity.

Aye: President Wallender, Director Wood.

Nay: N/A.

Abstain: N/A.

Resignation accepted.

Executive Director McHaddad commended Director Emeritus Simpson for her work for the district and hopes that she continues to serve the public as part of her future endeavors. President Wallender and Director Wood also commended Director Emeritus Simpson.

President Wallender entertained a motion to appoint Mr. Michael Kenney to the office of Director for a term ending in June 2021, so moved by Director Inerarity.

Aye: President Wallender, Director Wood.

Nay: N/A.

Abstain: N/A.

Appointment approved.

President Wallender entertained a motion to appoint Ms. Corrine Wilfong to the office of Director for a term ending in June 2021, so moved by Director Inerarity.

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Aye: President Wallender, Director Wood.

Nay: N/A.

Abstain: N/A.

Appointment approved.

Executive Director gave a brief overview of District assets and responsibilities, including transmitter locations and the ownership of the powerline on Mt. Fanny. Several BMTD transmitters are housed on a US Forest Service Property leased by Oregon Public Broadcasting. The Department of Agriculture's Inspector General just recently informed OPB that the organization would no longer receive a nonprofit waiver to house BMTD's transmitters because the district charges viewers to use its signals. Directors noted that BMTD's nonprofit status had not changed. Executive Director McHaddad clarified that BMTD's status had not changed, but there had likely been a change in the Code of Federal Regulations that resulted in BMTD no longer being considered a nonprofit. A request has been sent to OPB to ask for a reference to the relevant federal regulation. BMTD's attorney may review the CFR. The Inspector General's decision may result in BMTD paying lease fees to OPB for Mt. Fanny transmitters for the first time.

Director Kenney noted that he has never held political office before. Executive Director McHaddad noted that the District would pay for attendance at new director trainings held by the Special Districts Association. Mrs. April Simpson recalled that the training was very helpful and informative. At the request of Director Kenney, the Executive Director McHaddad will forward copies of the Oregon Revised Statutes provisions governing translator districts and other relevant materials to new Directors.

Directors Inerarity and Wilfong will be

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	<p>authorized to sign checks.</p> <p>Director Wilfong inquired about the necessity to sign conflict of interest statements. Executive Director McHaddad clarified that the District does not currently require this.</p>
7. Public Comment	<p>President Wallender asked if any member of the public wished to comment on a matter not on the agenda.</p> <p>No public comment was offered.</p>
8. Scheduling of Next Meeting and Adjournment	<p>The next meeting will be held on February 12, and the Executive Director will attempt to reserve Umpqua Bank in La Grande as the location.</p> <p>President Wallender adjourned the meeting at 1:08 PM.</p>