



## Frontier TeleNet Board of Directors Meeting and Public Hearing on Proposed FY 2019-2020 Supplemental Budget

*Pursuant to ORS 192.650 and an associated policy adopted by Frontier TeleNet Board of Directors (Board) on January 25, 2019 and reaffirmed on October 23, 2019, the audio recording of a Board meeting constitutes the meeting's official record. Audio recordings of Frontier TeleNet Board meetings are publicly accessible via the Frontier TeleNet website ([www.frontiertelenet.com](http://www.frontiertelenet.com)). Written minutes of meeting occurring after October 23, 2019 are provided for convenience only.*

**Meeting Date/Time:** Wednesday, October 23, 2019 at 1:00 p.m. Pacific Time  
**Meeting Location:** Jeanne E. Burch Building, 401 Fourth Street, Fossil, OR  
**Teleconference Dial-in:** 669-900-6833 **Meeting ID:** 431-875-341

**In attendance:** Judge N. Lynn Morley, Judge Joe Dabulskis, Judge Elizabeth Farrar, Jim Deason, Don Hull

**Public Present:** Sheri Wilkins, Kim Farrar, Robert Ordway, Tom McCoy, Jeannie Dabulskis, Roberta Vandehey, Joan Bird, Todd Cox, Kathleen Cathey, Gloria Deason

**Public recording the meeting:** Roberta Vandehey

**Meeting recorded and minutes prepared by** Brenda Snow Potter, Wheeler County

### PUBLIC HEARING

**1:30pm Public Hearing Regarding FY 2019-2020 Supplemental Budget:** Jim Deason suggested keeping track of any expenses paid out of the USAC monies for future reference. No other public comment was given.

### REGULAR MEETING AGENDA

- 1.0 **Called to Order; Establish Quorum; Introductions; Additions/Revisions to Agenda**
- 2.0 **Public Comment:** No public comment at this time
- 3.0 **Financial Matters**
  - 3.1 **Review and Consider Monthly Financial Summaries for July-September 2019** – Judge Dabulskis asked about the monthly billings to the Counties for the Day Wireless billings. This has kept FTN finances cleaner. Judge Farrar asked about the Motorola SUA. This is an annual billing. Motion to approve as presented made by Judge Dabulskis, second by Judge Farrar. Unanimously approved.
  - 3.2 **Discuss Resolution of Past Due Balances** – LS Network has a past due balance. Judge Morley recommended handing this over to legal counsel for resolution. Repeated attempts have been made by Brenda to contact LS Networks and this has not led to an explanation for the lack of payment for the most recent invoices. Consensus of the members is to hand the matter over to legal counsel.
- 4.0 **Old Business**
  - 4.1 **AOC Report Checklist Next Steps:** Update on Independent Systems Audit – Judge Morley has been in contact with Windwave. The weather has been a problem with access to the various locations. Judge Farrar would like another update in January. The master agreement revision also caused a delay in the process.
  - 4.2 **AOC Report Checklist Next Steps:** Discuss Request for Proposals for Management Services – Judge Morley has been in contact with Day Wireless. They have expressed an interest in submitting a proposal. Todd Cox brought a rough draft based on the scope of work. There is a question on the threshold for expenditures. He provided the members with copies. There is a question as to whether or not this could be included as an addendum to the current contract. The scope of work does not include a cost. Jim Deason asked about splitting out part of the duties. Judge Farrar

stated that the value of separation of duties should be looked at. Steve Wynn would be the primary point of contact. Ryan LeBlanc would be secondary. Consensus of the members is to review the document and readdress in January.

- 4.3 **Update on Cottonwood Tower Site /Co-locate/ODOT** – Judge Dabulskis provided an update. They did not receive the Travel Oregon grant of \$20,000. The shelter was found in Salem. The road master was talked to about relocating the shelter. There will need to be a co-location agreement with ODOT because they will be using a portion of the shelter. The generator is in Madras. The agreement is in progress with the landowner for placement. Judge- Dabulskis provided the dimensions of the shelter.
- 4.4 **Consider Approval of Proposal for Roosevelt Site Repairs & Generator** – Todd Cox provided the quotes for the roof repairs and electrical work. Still waiting for the generator quote. Provided the members with copies of the documents. Judge Dabulskis asked about the number of hours on the quote (90 hours). Due to the cost of the work, two more quotes will be needed to meet public contracting laws. Judge Dabulskis asked about clearances for accessing the area. Most questions would need to be directed to Steve Wynne for further clarifications. Judge Farrar will help to obtain additional quotes. These will be presented at the January meeting.
- 4.5 **Consider Approval of Bakeoven Tower Site Lease Agreement with Day Wireless** – Don Hull discussed this with Day Wireless. The only issue he came across was the automatic annual price increase. From a legal standpoint, an automatic increase is excessive. Locking into a 25-year lease is not recommended. The board agrees with this point. Consensus is to renegotiate for a 3-year period with an agreeable dollar amount.
- 4.6 **Discuss USAC E-rate Program Status and Final Steps to End Participation** - Jim Deason provided his report on how he went about obtaining the USAC monies. He spent a year responding to a whistle-blower claim that FTN was overcharging the schools to subsidize the public safety program. The conclusion was that FTN did nothing wrong to justify this claim. Jim provided a rundown of the reports that are required to obtain USAC monies. The reports are being submitted on a quarterly basis and this appears to be working. There is a 7-year period from the end of the funding year that USAC monies were received that are eligible for audit if another whistle-blower claim is filed. He recommends a separate records retention policy for this matter. Tom McCoy asked if Windwave will now be collecting the e-rate dollars for the schools. Jim Deason believes they may be submitting their reports now. Judge Morley pointed out the FTN is paid by Inland for the schools in Wheeler County.

## 5.0 New Business

- 5.1 **Consider Adoption of FY 2019-2020 Supplemental Budget** – Motion to approve resolution 2019-02 made by Judge Dabulskis, second by Judge Farrar. Unanimously approved. Resolution was read into record.
- 5.2 **Discuss Frontier TeleNet Board Meeting Minutes** – Complaints have been received regarding audio only minutes. Recommendations have been made to return to written minutes. Jim Deason recommended keeping the audio as the official record and the written minutes as secondary. Roberta Vandehey is under the impression that the recordings are thrown out after one year. Jim Deason stated that there are several years available. With the audio as the official record, no approval is required. Consensus is to provide written minutes as a secondary record.
- 5.3 **Consider Approval of the Eakin Elevator Lease Agreement** – Judge Dabulskis provided a draft to Don Hull for review. Don Hull has reviewed the draft document and made some minor changes. Will the documents be recorded? Leases do not need to be notarized and recorded. Jim Deason has noticed that long term leases are usually recorded/notarized. Short term leases (3-5 years) are not. Jim Deason recommended coordinating with the needs of the end-user. This site is for a redundant site for public safety with the potential of internet customers, and possibly for Jefferson County public safety. Consensus of the members is to not notarize or record. Motion to approve the lease agreement for the Eakin Elevator site made by Judge Farrar, second by Judge Dabulskis. Unanimously approved. The chair signed the appropriate documents provided by Don Hull.
- 5.4 **Consider Approval of the Campbell Lease Agreement** – Judge Farrar declared a conflict due to marriage into the family. The original agreement was with Alma Campbell in Lonerock. The

tower was removed but the repeater is still on site. This provides bandwidth through RTG for Gilliam County. The original agreement (2002) was for a 20-year period. Tom and Jane Campbell have asked to take over this agreement at \$250/Month. The agreement was revised to provide for this change. Motion to approve made by Judge Dabulskis, second by Judge Morley. The final draft will be provided for signature at a later date after the legal description is obtained. Approved by a vote of aye by the majority– Judge Farrar did not vote due to conflict. This document will be notarized and recorded.

**Consider Approval of the Fields Ranch Lease Agreement** – Judge Dabulskis has been in contact with the Fields’ regarding this lease. Don Hull added the ODOT co-location verbiage to the document. He will add the notary and recording portion to the document and forward a final for signatures. Judge Dabulskis stated that this ranch is next door to his ranch, but they are not related. Motion to approve lease with Fields Ranch made by Judge Farrar, second by Judge Dabulskis. Unanimously approved.

- 5.5 **Discuss Frontier Regional 911 User Fees** – The user fees are for the use of the FTN system and not a bail out. This will be budgeted annually. Judge Farrar provided an explanation of the matter. A bulk of the use of the FTN system is for public safety. They are being charged based on their use. The intention is to continue with the current billing process.
- 5.6 **Discuss the North Central ESD Tower** – This is the tower at the NCESD building. There is confusion on who owns the tower. The planning documents at the City of Condon show that it is owned by NCESD. Judge Farrar will ask the City of Condon for help. Judge Morley was unable to locate documentation in the files left by past board members. Update will be provided in January.
- 5.7 **Regulatory Compliance: Status Report and Discussion of Management Plan Going Forward** – Jim Deason provided an update on PUC and FCC. All reporting has been submitted. Informational reporting by geographic zip code and service being provided is required. FTN is not behind. Judge Morley has discussed the matter with Windwave and they are willing to take this over. This will only include retail customers, such as Wright Chevrolet, Omega, etc. Jim Deason has been doing the revenue reports. Now that USAC filing is done he would like to get out of the business. Is willing to handle to upcoming quarter and can do the annual if needed. He would prefer to hand it over. Windwave would be a good option. Judge Farrar would like to wrap it into the management services.
- 5.8 **Regulatory Compliance: Records Retention Requirements Report and Discussion** – Jim Deason has been focused on Oregon Public Retention/records laws. The board should adopt a policy for these matters. PUC is retention for three years, FCC is seven-ten years, E-rate is seven years. July 2019 is the start of the seven-year period. He recommends consolidating emails based on any mention of Frontier TeleNet. Judge Farrar asked if cc to [records@frontier-telenet.org](mailto:records@frontier-telenet.org) is a sufficient record. Jim can draft policies for approval. Judge Farrar would prefer to use the most stringent requirements. Judge Farrar and Don Hull will work on this matter for future approval.
- 6.0 **Day Wireless Update** – Todd Cox provided an update as provided by Steve Wynne. Six Shooter Ranch solar trailer has been installed and is working great. RTG is now able to switch over Richmond customers. T-Mobile has been provided with a service-level agreement. Jim Deason said prices have not been provided yet. Sherman County courthouse has been switched over to fiber. Gilliam County has been switched over, but some users are not connected. NCESD needs to coordinate with Ryan LeBlanc for migration/transitions. Wheeler County thunderstorm did not result in any major outages. Steve Wynne has been inspecting sites – everything looks good. Today’s outage has been restored.
- 7.0 **Public Comment** – Roberta Vandehey concerned about conflict of interest regarding Day Wireless and Windwave getting paid for management services. What is their relationship and the work being open for public proposal? Jim Deason referred to public bidding laws. Concept of competition is good but at times there is only one entity that can provide the services needed. There are not blanket rules for this type of work. It should be addressed on a case by case basis. Legal Counsel reviews each matter to determine the best route to take.

## 8.0 Adjournment at 2:36 pm