

Elko Television District
Board Meeting Minutes, April 11, 2023
6:00 p.m. at the Elko County Court House

Board Members:

Present: Steve Guitar, Kent LeBarts, Rick Jimenez and Dale Lotspeich

Absent: Charles Schaer

Others Present: Paden Hilyard representing Eagle Communications, Cenni Jimenez representing Premier Wireless, Crystal Koppe representing Koppe Co., and Marisa Reeves representing McMullen, McPhee & Co., LLC.

Proceedings

Meeting called to order at 6:00 p.m. by Steve Guitar

Public Comment: None

Approval of the Minutes March 2nd, 2023 Regular Meeting

Dale Lotspeich moved to accept the minutes from the March 2nd, 2023 meeting. Kent LeBarts seconded the motion; the vote was unanimous.

Approval of the Treasurer's Report

The board discussed they would like to wait until July to put funds back into Raymond James. Dale Lotspeich moved to accept the Treasurer's report as written. Kent LeBarts seconded the motion; the vote was unanimous.

Marisa briefly reviewed the Tentative Budget, noting any changes from last year's budget. Dale Lotspeich moved to accept the Tentative Budget prepared. Kent LeBarts seconded the motion; the vote was unanimous.

Approval & Ratification of Outstanding Bills for payment

Kent LeBarts read aloud the outstanding and ratified bills. Dale Lotspeich moved to accept the outstanding and ratified bills as read. Kent LeBarts seconded the motion; the vote was unanimous.

New Business:

The TV District received a notice of a potential FCC fine of \$16,500. Last year they received a notice of potential forfeiture, which triggered Paden to renew licenses. In the past, Bill Hance was filing the license renewals. That contact information never got updated. Bill died during COVID. The media bureau requires the licenses to be filed four months prior to the expiration date, but no one received a notification because the notices went to old addresses. One was mailed to the TV District building, but the building doesn't receive mail. Eureka is going through the same thing right now because the prior chairman died in 2022.

All licenses were renewed before the expiration date, however since it wasn't four months in advance the FCC is considering them as 'cancelled'. There is a possibility of an appeal that could reduce the fine. The board feels it would be best to get the County DA involved or a well-versed person in legalese to

look over it. Realistically the FCC is going to do what they want. If they don't approve the appeal, we will have to pay the fine. All licenses now have the correct contact information such as addresses and emails for the board. Paden also added himself as a contact.

Steve suggests arranging a special meeting next week on Friday at 5pm at McMullen McPhee to discuss this. Steve asked Marisa to see if Nancy Porter may be able to attend. Paden stated it would be good to put an information line on all future Agendas stating the next FCC license renewals will be in April, 2030. Dale thinks if we bring Nancy on board, she could contact someone like Dennis Wallace to help draft the appeal.

Discussion and Approval of Adding Charles Schaer and Removing Misty Atkins as a Signer on the Bank Account

Dale Lotspeich moved to add Charles Schaer and remove Misty Atkins as a signer on the bank account. Rick Jimenez seconded the motion; the vote was unanimous.

Review and Possible Approval of Updates to Contracts

Verizon Wireless Contract Revisions

Cenni stated they are waiting for the structural analysis to come back. He has been in contact with the engineers and Grindstone is really bad. He is going up there later this week. He recommended the board consider getting a foundation analysis. Steve said to go ahead and do the analysis.

Rise Broadband Adding New Equipment on Grindstone

There has been communication, we should hopefully see a payment in May. They are working on getting an amendment drafted.

Elko City Fire Addendum for Contract Renewal

They are still in communication with the city about getting an updated amendment drafted.

AT&T Contract Revisions, Eureka County TV District MOU, CC Communications Leasing Space at Fiber Hut, and Anthem Broadband Leasing Conduit Space for Fiber

Tabled until next meeting.

Discussion and Possible Approval of Modifying the Premier Wireless Service Contract Regarding Labor Costs

The updated rates are listed in the contract. Dale Lotspeich moved to approve the updated rates as submitted by Premier Wireless. Kent LeBarts seconded the motion; the vote was unanimous.

Discussion and Possible Approval of Replacing the Fence at Peavey

Cenni stated almost every year they are doing fence repairs. He proposed to remove the fence and install an 80' by 80' new fence on the parcel of 100' by 100' land that is leased. This way there would still be security around the tower, however they would not have to do as many repairs on the fence. The fence would go around the propane tanks. Within the quoted cost, there would be a survey of the parcel from the ranch and a survey within the leased property. There would be over 40 posts in solid rock. Since the footprint of the site would be increased, a new ground ring will need to be installed. Dale Lotspeich moved to approve the estimate for \$74,925 to build a new fence at Peavey. Rick Jimenez seconded the motion; the vote was unanimous.

Discussion and Possible Approval of Purchasing Used Shelters

Cenni stated that the TV District does not have any more buildings. In the last year there have been any used buildings on the market. The lead time for a new building is at least one year. Cenni was able to purchase 5 used buildings. He wanted to see if the TV District would be interested in purchasing a few. There might be a need for one at Adobe Summit and one for Grindstone. For a brand-new building the cost would be about \$75,000 to \$100,000. Kent LeBarts moved to purchase two buildings from Premier Wireless. Rick Jimenez seconded the motion; the vote was unanimous.

Discussion and Possible Approval of Complete Management Contract

Cenni said it's been about 7 months since the trial was started. He wanted to see if the TV District would like to start a contract. Complete Management could be a contact or monitor the FCC Licenses. Kent LeBarts moved to accept Complete Management as the TV District's contract manager. Dale Lotspeich seconded the motion; the vote was unanimous.

Discussion and Possible Approval of Current and Future Capital Projects as Follows but Not Limited To:

Servicing Adobe Summit Area

The City of Elko owns the Snowbowl. Cenni asked if he could approach the city on the TV Districts behalf to ask about leasing the top of Snowbowl in exchange for paying for power. Dale thought it was a good idea, he would just need to contact the right person. Paden said a few years back he contacted them, and the stipulation was the TV District would have to pay to provide power. Rick mentioned that below the Snowbowl someone has half a tower, however Cenni said that is owned by Kings Ranch and they didn't want to get involved. Cenni also stated he just recently got done doing a cost analysis for power at a few other sites. NV Energy won't give pricing until things are underway, however he has a few contacts who might be able to give a round-about price. Dale moved to approve Premier Wireless to investigate if the City of Elko would allow the TV District to build a site on top of Snowbowl in exchange for providing power. Kent LeBarts seconded the motion; the vote was unanimous.

Rick asked if it would help if the tower had perches, a big square atop the tower, so the points could be further. Cenni said when it comes to the design, that is an option, however it does increase wind-load of the tower. Also, for TV broadcast the perches wouldn't really make a difference.

Updates on New Ryndon Tower & Generator

Cenni got a confirmation that the generator will be here May 1st. He wants to see if he can push it back to June because he won't be able to get to the site until later in the summer.

Link from Lamoille to Peavey for TV Channel or Security Use, Updates on New Peavey Generator, and Other Capital Projects

Tabled until next meeting.

Discussion and Possible Approval of Partnering with Elko County Soil Conservation Districts to Assist in Noxious Weed Management

Dale was at a workshop where they were talking about weed control. The BLM and conservation districts were looking for government partners. Elko conservation districts would be interested in a potential partnership. It would be about \$2,500 to \$5,000 per year to spray for noxious weeds. Since the TV District is on two BLM sites, Pequop and the airport, it could make the process working with the BLM all the easier. There is also a BLM section at the top going towards Grindstone. They would spray the right-

aways and the TV District could pay them to spray other sites as well. The contact is Jerry Miller. Dale will forward the contact information to Cenni to investigate further.

Discussion and Possible Approval of Creating a Power Policy

Paden said he still can't access Grindstone.

Repair Service Report and Site Updates

The sites have been going good. The system has been on internet for the past month. The equipment was pending on how the test went, which it worked well. There were a couple network issues with the first week of testing due to a router, but it's fixed now and working good. Some of the pixilation is due to equipment on the mountains. Ryndon is still having some issues. KOLO is the main culprit, and their signal is not good.

Rick reminded Paden that the board would like to get a hard copy on paper of the service report and site updates. Paden said he will get the board a report for the past few months.

Steve asked if people know that GRIT is on 2.5? He asked Crystal to post about this on the website and Facebook.

Old Business: Crystal said there are no new updates on the website. Steve likes the comment box. The replies still need to be supervised. Steve wondered if there was a way to put CAPTCHA "I am human" box before you can submit a comment to keep the spammers away.

New Business: The last couple of months Cenni has been talking to NDOT and Kinross regarding microwave dishes at Grindstone. They are putting up fiber and found that KNS, when they installed the TV District, put 12 volts into the ground. It is off now and hopefully there won't be any more microwaves blown. In the springtime it might be a good idea to do some ground testing. This could be included in the springtime inspections. Cenni also removed 3 garbage bags of trash. Steve said to send out an email to the lessees to clean up after themselves or they will be charged accordingly.

Public Comment: None

Being no further business, the meeting was adjourned at 7:06 p.m.

The next regular meeting will be held on May 9th, 2023.