

**Oregon Joint Use Association
Board of Directors
Comcast – Corvallis
Thursday, March 19, 2009**

Chair Mark Beaudry called the meeting was called to order at 10:06 a.m. A quorum was present:

Board Members Present

President Mark Beaudry, BeaverCreek Telephone
Gary Lee, Charter, Vice Chair
Craig Andrus, Emerald PUD
Richard Gray, City of Portland, Treasurer*
Doug Morten, City of St. Helens
Stuart Sloan, Consumer's Power
Diana Winchester, Qwest

Staff:

Genoa Ingram, OJUA
Mary Tucker, OJUA

Board Members Absent/Excused

Dave Wildman, Monmouth Power, Dave Ramsey, Comcast, Secretary
Kevin O'Connor, Time Warner
Stuart Kelly, PacifiCorp
John Sullivan, PGE

Guests

David Bailey, Comcast
Scott Wheeler, Comcast
Roger Kuhlman, Salem Electric
Mark Simonson, UCI
Brett Anderson, Bend Broadband

Chairman's Comments President Beaudry thanked the Board Members for their attendance and Comcast for the use of the Corvallis facility.

Member Input Brett Anderson reported that his company was currently in contract negotiations and questioned whether the OJUA had examined inconsistencies between orders and administrative rules. President Beaudry confirmed that the issue would be added to the Executive Committee agenda.

OJUA Website Staff provided a demonstration of the newly redesigned OJUA website, with emphasis on the ability for members to contribute posts and receive live news feeds.

Minutes The minutes of the December 18, 2008 meeting and the January 14 email vote were approved as submitted.

Treasurer's Report Treasurer Gray provided the financial report, noting comfortable reserves and the intent to purchase additional CDs following Spring Training.

Committee Updates *Publicity and Education* Committee Chair Stuart Sloan provided an overview of the upcoming Spring Training with Allen Clapp, noting that courses on the second day would be member-driven. He emphasized the need to continue to provide quality training opportunities, adding that the Strategic Plan calls for identifying a pool of instructors. His target is a minimum of three instructors, allowing OJUA to rotate through three different education modules. As the

Association continues to see financial reserves, he suggested that the cost of training registration might be reduced to make it more affordable for attendees. Staff was instructed to promote the training event with WITI and Chair Sloan agreed to contact the Washington Rural Electric Association.

Conflict Resolution Committee Chair John Sullivan reported that a meeting was planned in the near future to discuss modifications of the process.

Standards Committee Committee Chair Gary Lee reported that the committee continued to work on the mapping project, loose wires, grandfathering, climbing space and continued the discussion of accuracy rates. Funds had been approved for a member mailing to request Shape files. He asked that the Board provide consensus for placing the work product on web site as a discussion tool (EXHIBIT A). By consensus, the Board agreed to place the document on the web site.

Chair Lee presented the draft Standards Committee Manual (OVERSIZED EXHIBIT AVAILABLE AT OJUA OFFICE) and reviewed the proposed chapters for the Board and received positive feedback from Board members. Board members asked for clarification on issues such as distribution, disclaimers and copyright issues. The final product will be placed on the OJUA web site with a disclaimer and time stamp footer on each page. Staff will check with legal counsel regarding copyright issues. Chair Lee also asked about formatting the document for consistency.

Executive Committee President Beaudry reported on activities of the Executive Committee, noting that the Association had received a second billing from the auditing firm, bringing the total up to the original estimate of \$5,500.

Legislative Committee Committee Chair Richard Gray reported staff continued to provide bill tracking reports that will be posted to the web site.

**Old
Business**

OJUA Logo Stuart Sloan reported that he had contacted Linn Benton Community College to inquire about the possibility of their graphic arts department holding a competition to develop a logo for a cash prize. He also suggested items such as a recognizable logo or silhouette on a T-shirt. Board members suggested a cash prize of \$250.00.

Succession and Recruitment The discussion on succession and recruitment was deferred.

**New
Business**

Bylaw Amendment Staff reviewed the proposed Bylaw amendment, designating the Chair of the OJUA as President of the Association.

Motion: Moved by Craig Andrus and seconded by Doug Morten to approve the proposed Bylaws amendment. **Motion passed.**

Conflict of Interest Policy Staff reviewed the proposed Conflict of Interest Policy (Policy 112).

Motion: Moved by Richard Gray and seconded by Gary Lee to approve draft Policy 112, relating to conflicts of interest. **Motion passed**

**Industry
Updates**

PATS Demonstration Scott Wheeler, Comcast, provided a demonstration of the company's pole tracking system.

**Next
Meeting**

The next meeting of the OJUA Board of Directors is scheduled for Thursday, June 18.

Adjourn

There being no further business, the meeting was adjourned at 12:49 p.m.

Discussion of “Accuracy” relating to Notices of Violations

Relevant Oregon Administrative Rules:

860-028-0115 *Duties of Structure Owners* (6) An owner must ensure the accuracy of inspection data prior to transmitting information to the pole occupant.

860-028-0170 *Plans of Correction* (1) A plan of correction must, at a minimum, set out:

(a) Any disagreement, as well as the facts on which it is based, that the pole occupant has with respect to the violations alleged by the pole owner in the notice;

Discrepancies of Data contained in Notice of Violation

1. Notified entity is not located on the pole (nor required to attach)
2. Stated violation does not exist
3. Mis-identified facility in violation (e.g., TV drop is cut and hanging, not telephone)
4. Code not properly applied to attachment (e.g., exceptions for communication drops over driveways attached to highest point of house only need 11’6”, not 15’ 6”)
5. Pole cannot be located with information provided

Other discrepancies, which often require a pole inspection and response, but would not be considered an issue of “accuracy”:

- Another entity created the violation (disputed)
- Citing party does not own the pole
- Grandfathered attachments
- Communications spacing agreements (less than 12” separation at the pole, yet the parties have an agreement, which by code, is not a violation)
- Facilities on the pole have been modified since the inspection data was transmitted, and therefore a violation on Notice may not exist