

**NORCOM
9-1-1 USER BOARD MEETING
MINUTES**

October 25, 2007

PRESENT: Dan Mullen, Bryan Lee, Rick Lewis, David Dryden, Sandi Ryan-Nelson, Kevin Hendricks, Greg Dyke, Tom Tennant, Rod Yoder, Vasily Hansen, Vince Herman, Gordon Jensen, Jay Hannon, Paul Iverson, Scott Russell, Larry Bartels, Don Fleck, Shawn Baird. Staff: Gina Audritsh

The User Board Meeting was called to order at 1:32 p.m. by Scott Russell.

I Minutes

A motion was made by Dave Dryden to approve the June 2007 and July 2007 User Board Meeting Minutes. Motion seconded by Dan Mullen. Motion carried with all in favor.

II Bills

A motion was made by Vince Herman to approve the Bills as presented for July and August 2007. Motion seconded by Paul Iverson [representing Monitor Fire District]. Motion carried with all in favor.

III New Business

9-1-1 Tax Revenue: Gina reviewed the information provided in the meeting synopsis to include that the 9-1-1 Tax Revenue from the 3rd Quarter Distribution of FY 2006-2007 was received.

Employment Vacancy Update: Gina gave an update of the employment vacancy/recruitment process. The Student from Chemeketa Community College that we had planned to bring on in August to begin training and potentially work into a full time position at a future date did not pass the background process therefore was not a viable candidate for training. The individual that we had going thru background process from the list established with the last hiring process; pulled her application and interest shortly after completing the background packet. In mid to late August we conducted a recruitment process and tested and interviewed candidates in September. We currently have two individuals that are going through the background process and are both at this point deemed hireable. We have one vacant position at this time. The goal is to hire one individual immediately and when a future vacant position is available the second individual will be offered a position. The goal is to save on the time involved in the recruitment process in the event that we have an additional vacancy in the near future, so long as the candidate is still available for hire.

Back Up Alpha Page: Gina reviewed the information that was sent out to all user members after the last user board meeting about the request made by Dan Johnson for an improved back up policy and procedure for manual alpha pages when the automated system is unavailable and inoperable. Gina explained the variety of methods that have been changed to improve the process with human intervention. There were no additional concerns expressed at this time.

ORS190 Review Committee: Rod Yoder presented the information that has been discussed in the ORS190 Review Committee meetings to date. The discussion continued with the need for the committee to know where we currently stand with reference to the user fee split so we can move forward with the proposed changes. It was agreed that it will take several months to get the amended ORS190 Agreement through legal councils and boards for adoption. Rod identified that the split that is identified in the current ORS190 Agreement is set at 60/40%.

Discussion referencing the revisions that have been made so far to the Agreement, Gina advised that she did not send out the proposed revised version of the ORS190 Agreement to all members as she was waiting for feedback from the committee members. The proposed revisions will be sent out to all members.

Discussion occurred with reference to what was the last “legal” vote for a percentage split in the ORS190 Agreement. The discussion included what percentage rate was used for the Silver Falls agencies that consolidated with NORCOM. Clarification included that SFCC [Silver Falls Communication Center] came into NORCOM paying their existing split of 60/40% and then the individual disciplines identified their own split – fire based on calls for service and law enforcement based upon population served. After the consolidation, the SFCC users were frozen similar to the NORCOM users and the fees were increased by the same percentage from that point forward.

Discussion occurred with the feeling that SFCC users are paying more and not in alignment with other users of NORCOM.

Rod Yoder inquired if the board can come up with a split for this next budget year and then come up with an agreement for long term.

Rod Yoder proposed that we go back to the original ORS190 Agreement and then use the 60/40% and let the users within the disciplines split their own percentage and then review the fees in the next ORS190 Agreement as we work through the process. The original 60/40% puts all NORCOM and SFCC agencies in line with each other.

Rod Yoder placed the above in the form of a motion. Motion seconded by Don Fleck.

Discussion:

Scott Russell: Inquired if we had a 2/3 vote when we passed the last budget – Gina advised “no” only twice in the conception of NORCOM have we had a 2/3 majority vote.

Scott advised that the law enforcement agencies have already had discussions about the user fees and rates and how the agencies within the law enforcement need to be re-defined and re-aligned. Adjusting the split in addition to the realignment will cause further financial hardship to most of the law enforcement agencies.

Dave Dryden: Suggested to leave the rates where they are and then proceed with the adjustments and the realignments within the disciplines this year to get agencies more aligned to where they should be with reference to the cost sharing analysis.

Rod Yoder: Identified that his agency [Aurora Fire] will not see a rebate with the realignment on the fire distributions rather they will see an increase of \$10,000 utilizing the method that has been recommended. Rod identified that although his agency will see an increase in user fees, it is a matter of what is fair. Important to allow each discipline to make the split work for their side.

Scott Russell: Reiterated that it will be difficult for the law enforcement agencies to change the rates and change the realignment in the same fiscal year. Scott identified the current distribution rate being 57.6 and 42.4%.

Vince Herman: Questioned what is the “legal” rate?

Discussion took place with reference to the word “legal” means with reference to the vote. Gina advised that the term “legal” is only bound within the ORS190 Agreement and amongst the user members that have adopted the agreement through the Intergovernmental Agreement process. If there is a vote or a situation that is deemed “not valid” it is only “not valid” amongst the user board. It is not a “legal” or “illegal” process that an outside agency, individual or organization would be able to bring lawsuit against the Agency. There is no “illegal” violation of the statute that provides for an ORS190 Agreement. The rules are made up by the User Board Members. The Agency and the User Board acted within good faith when they adopted all user fee calculations. Two things have been allowed to occur from the date of inception of NORCOM that are in violation of the Agreement; those two things include the 2/3 majority vote to amend the Agreement and the change in funding formula not being attached as an amendment to the Agreement. This has been a consistent challenge for our Board.

Vince Herman: What will make all the agencies whole specifically the SFCC agencies?

Rod Yoder: Inquired if we could phase in the 40/60% split the first year to assist with the realignment and the change in distribution within disciplines?

Kevin Hendricks: What if we stay at status quo growth for next year. This would be a phase in process with no growth. Encourage the center to have a zero base budget increase for the next fiscal year.

Scott Russell: Advised that 1% is equal to \$10,000. Pointed out that this is a bargaining year for the Agency and the majority of the budget for NORCOM is allocated to personnel.

Dave Dryden: Reallocating within disciplines will be a big hit and then the increase growth each year cripples the budget for his agency. Dave advised without the increase in the budget, this could help in the split.

Kevin Hendricks: We need to figure out something if we are keeping the center active. There has been too much staff time spent amongst all of us in the room on this topic.

Vince Herman: Inquired about agencies past budgets. We [Silverton Fire] were brought in at a 60/40 split and now paying 3% above that.

Scott Russell: Inquired of Gina if we had sufficient members present for a binding vote? Gina advised yes, it takes 13 yes votes for a binding vote and we currently have 13 board members present.

Rick Lewis: There needs to be rationale for the split and he has not heard anything rationale for the split yet.

Rod Yoder: Advised there is no more rationale now that there was when the split was developed.

Scott Russell: We can either resolve the situation now or later, but it does need to get resolved.

Rod Yoder: Would like to have a legal ruling on what our percentage is?

Kevin Hendricks: Explained that the legal opinion is within the Agreement, no one can specifically answer the "legal" rate questions. It is up for interpretation within the Agreement. This is the reason for these discussions.

Rod Yoder: Announced move the motions as it stands.

Kevin Hendricks: Prompted additional discussion about what it would take to make a percentage split work?

Rod Yoder: Discussion about just having language that would allow for the disciplines to determine how to split the funding within their own disciplines.

Second to the Motion on the floor by Don Fleck has been withdrawn. The Motion on the floor by Rod Yoder has been withdrawn. Motion is no longer on the floor for consideration.

Kevin Hendricks: Can we accept the fact that the split is 42/58% and each discipline can accept and work with their own rate until a new solution within the ORS190 Agreement or amendment to the ORS190 Agreement can be agreed. Include that we attempt to look at a zero base for the budget next fiscal year.

Rod Yoder moved to create an addendum to the ORS190 Agreement identifying at 42/58% [Fire/EMS and Police] split with each discipline determining how to divide their share using the formula with a sunset date of December 31, 2008. Motion seconded by Don Fleck.

Kevin Hendricks moved to amend the sunset clause in the motion to default to the original ORS190 Agreement of 60/40%. Vince Herman seconded the motion.

Discussion occurred.

Kevin Hendricks amended the motion to include that NORCOM will dissolve if the board does not come up with an agreed upon split with an effective date of closing the doors on June 30, 2009.

Scott Russell suggested the amended motion include that the sunset date will dissolve the ORS190 Agreement.

Kevin Hendricks withdrew the amendment to the motion.

Rick Lewis made a motion to amend the motion that the ORS190 Agreement dated July 1, 1995 and the SFCC Integration Agreement dated January 27, 2004 would dissolve on the sunset date.

Discussion:

Bryan Lee: Expressed concern in support to dissolve if we don't know what the legal binding rate includes.

Kevin Hendricks seconded Rick Lewis Amendment to the motion on the floor.

Call for Question:

Gina conducted a Roll Call Vote:

City of Aurora	Absent
Aurora Fire Dist.	Yes
City of Donald	Absent
City of Hubbard	Yes
Hubbard Fire Dist	Yes
Monitor Fire Dist	Yes
City of Mt Angel	Yes

Mt Angel Fire Dist	Yes
Drakes Crossing Fire	Yes
City of Silverton	No
Silverton Fire Dist	Yes
City of Woodburn	Yes
Woodburn Fire Dist	Yes
Woodburn Amb	Absent
St. Paul Fire Dist	No
City of St Paul	No
City of Scotts Mills	Absent
City of Gervais	Absent
Marion Co SO	Absent

12 Yes 1 No 6 Absent

Motion Fails.

***** Scott Russell requested a 5 minute Recess at 2:45 p.m. *****

2:55 p.m. Meeting Resumed

Motion made by Paul Iverson to create an addendum to the ORS190 Agreement with a user fee split of 42% to Fire/EMS users and 58% to law enforcement users with each discipline determining how to divide their share using the formula with a sunset date of December 31, 2008. Vince Herman Seconded the Motion.

Call for Question.

Gina conducted a Roll Call vote.

City of Aurora	Absent
Aurora Fire Dist.	yes
City of Donald	Absent
City of Hubbard	Yes
Hubbard Fire Dist	Yes
Monitor Fire Dist	Yes
City of Mt Angel	Yes
Mt Angel Fire Dist	Yes
Drakes Crossing Fire	Yes
City of Silverton	Yes
Silverton Fire Dist	Yes
City of Woodburn	Yes
Woodburn Fire Dist	Yes
Woodburn Amb	Yes
St. Paul Fire Dist	Yes

City of St Paul	Yes
City of Scotts Mills	Absent
City of Gervais	Absent
Marion Co SO	Absent

14 Yes 0 No 5 Absent

Motion Passes with a 2/3 majority in favor of the motion.

Rick Lewis clarified that his previous no vote was due to the sunset date clause.

Homeland Security Grant: Gina announced that NORCOM is the recipient of \$26,500 from the 2007 Homeland Security Grant. The request was to facilitate an additional frequency [base radio – antenna – coax – labor – channel card in Moducom] to provide a Fire Operational Channel and free up the North 1 Frequency for “tap out” communication only. Gina expressed the desire to attend the next North County Fire Chief’s meeting to discuss the options and to develop a plan to facilitate the process and adequate testing involved to ensure the system will work once it is installed. Kevin advised the next meeting is Tuesday, November 13th at 10:00 a.m. in Mt Angel.

Voter Information: Gina shared that the voter that was originally installed at Silverton was moved to NORCOM in Woodburn and is still not in operation. After multiple problems with voice not being repeated over the radio channel and tones not being activated for calls throughout the summer Gina instructed CWS to take the voter “off line” and out of operation until the problems could be identified and resolved. The Voter was taken out of service on Tuesday, August 28th and since that date there has been no complaints of voice or tones not being heard for the same reason. Gordy Jensen from Silverton Fire has been working with Brad at CWS to develop a plan with the “Ops Channel” to see if the voter can be repeated or if we can simul-select the North 1 and the Ops Channel to improve radio service and not necessarily utilize the voter technology. We will continue to work on this project.

IV Old Business

9-1-1 Outage: Gina referenced the attached letter to Data Vision/Gervais Telephone. Brief discussion took place with reference to the cause of the outage and the reasons associated with why the phone service provided by Gervais Telephone could not be transferred or restored in an acceptable time frame. The problems were identified and corrected within two weeks after the outage occurred. There is a back up plan in place for future outages of similarity.

November User Board Meeting: Discussion took place if we still needed to have a November User Board Meeting to discuss the ORS190 Agreement and the change in user fees. It was determined that this meeting was not necessary. Discussion occurred with reference to how often the Board needs to meet and how regularly. The ORS190 Agreement states that the

Board shall meet more regularly than we meet.

Kevin Hendricks suggested that since we have a 2/3 majority vote currently at the table, it may make sense to amend the ORS190 Agreement on the frequency of meeting. There was a consensus.

Kevin Hendricks made the Motion to amend the ORS190 Agreement to meet as needed as determined by the Chair of the Board with a minimum of four (4) times a year. Motion seconded by Shawn Baird.

Call for Question.

Gina conducted a Roll Call vote.

City of Aurora	Absent
Aurora Fire Dist.	Yes
City of Donald	Absent
City of Hubbard	Yes
Hubbard Fire Dist	Yes
Monitor Fire Dist	Yes
City of Mt Angel	Yes
Mt Angel Fire Dist	Yes
Drakes Crossing Fire	Yes
City of Silverton	Yes
Silverton Fire Dist	Yes
City of Woodburn	Yes
Woodburn Fire Dist	Yes
Woodburn Amb	Yes
St. Paul Fire Dist	Yes
City of St Paul	Yes
City of Scotts Mills	Absent
City of Gervais	Absent
Marion Co SO	Absent

14 Yes 0 No 5 Absent

Motion Passes with a 2/3 majority in favor of the motion.

V Information Share

Silverton Fire District: Vince advised that the Silverton Fire District has a standing Proxy vote for the City of Scotts Mills and that a letter should be arriving by mail to the Director.

Vince shared information about the massive amount of chemicals that were found on property in Silverton recently. Vince advised the situation went smooth and well but very time consuming. Received a lot of assistance from neighboring agencies.

Woodburn Police Department: Advised that they have the VTAC channels installed in radios and are currently in operation.

No further information shared.

User Board Meeting adjourned at 3:14 p.m.