

APPROVED

A regular meeting of the Albemarle County Broadband Authority was held on May 25, 2022. The meeting was held electronically using Zoom and telephone starting at 5:04 p.m.

PRESENT AND ATTENDING REMOTELY: Mr. Bucky Walsh, Mr. Waldo Jaquith, Ms. Donna Price, Mr. Jim Andrews, Mr. Trevor Henry, Mr. Bill Fritz

ABSENT: None

Also Present: Mr. Richard DeLoria (Senior Assistant County Attorney), Mike Culp (Director of Broadband Accessibility and Affordability Office) and Jason Inofuentes (Broadband Office)

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Agenda Item No. 1. Establish Quorum and Call to Order.

Mr. Walsh established a quorum and called the meeting to order.

Mr. DeLoria announced the following for the record:

As authorized by Virginia Code Section 15.2-1413 and Albemarle County's Continuity of Government Ordinance, this meeting is being held electronically over the Zoom platform.

The public has real time audio-visual access to this meeting over Zoom and real time audio access over telephone. Everyone on the phone and attending via Zoom from the public is in listen only mode.

If there are members of the public attending by Zoom who wish to speak during public comment, please use the Raise Hand feature to notify the meeting facilitator. For those joining by telephone, please use \*9 to indicate you would like to comment. State your full name and the magisterial district in which you reside before getting into the substance of your comment. If you don't know your district, provide a general location for your home or business.

Each speaker will have 3 minutes to comment.

This meeting is being recorded. A copy will be posted on the County's website.

Mr. Deloria asked the board members to identify themselves and their general location.

Mr. Walsh stated he was attending from his home.

Mr. Jaquith stated he was attending from his home.

Mr. Henry stated he was attending from his home.

Mr. Fritz stated he was attending from his home.

Ms. Price stated she was attending from her home.

Mr. Andrews stated he was attending from his home.

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Agenda Item No. 2 Approval of Agenda

Mr. Culp requested that the Broadband Accessibility and Affordability report be moved to after the VATI updates.

Mr. Walsh **moved** to approve the amended agenda.

The motion was **approved** unanimously.

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Agenda Item No. 3 Brief Announcements from the Board

There were no announcements from the Board.

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Agenda Item No. 4 Public Comment

There were no public comments.

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Agenda Item No. 5 Approval of April 26, 2022, Meeting Minutes

Mr. Walsh **moved** to approve the minutes.

Mr. Henry **seconded** the motion.

The motion was **approved** unanimously.

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Agenda Item No. 6 Old Business

Agenda Item No. 6a VATI 2021 Update

Mr. Inofuentes shared a PowerPoint presentation. (Attached to these minutes)

Mr. Inofuentes introduced Steve Brewer of CenturyLink.

Mr. Brewer stated that they had have had difficulty adding new workers and have been unable to add new contractors. Mr. Brewer noted that existing contractors had been able to add some new works.

Mr. Brewer addressed a recent disruption in service that occurred during installation of fiber. The disruption occurred due to fiber cables being cut. The disruption in service occurred on the 19<sup>th</sup> and has been repaired.

Mr. Jaquith asked how often the cables are cut and aren't the cables located before work begins.

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Mr. Brewer stated that the locations are marked prior to the start of work and doesn't know how the cut happened.

Mr. Inofuentes stated that the CenturyLink/Lumen transfer has been approved with a settlement agreement.

Mr. Inofuentes noted that some outages have occurred while the rehabilitation work has been done on the cables.

Mr. Henry recommended that the Board of Supervisors be updated on the settlement agreement and the work to be done.

Mr. Jaquith asked how many people are impacted by the rehabilitation.

Mr. Inofuentes stated that approximately 3,100 connections are impacted.

Agenda Item No. 6b VATI 2022 Update

Mr. Inofuentes shared a PowerPoint presentation. (Attached to these minutes)

Mr. Walsh **moved** the Board of Directors to approve the three-party agreement between this Authority, the Thomas Jefferson Planning District Commission, and Firefly required by the Virginia Department of Housing and Community Development to receive 2022 Virginia Telecommunication Initiative grant funding to achieve deployment of a fiber-to-the-premises last-mile broadband network, which will offer service to all locations within Albemarle County and all other participating counties in accordance with the VATI grant program requirements and to authorize the Chair to execute the three-party agreement and other documents needed to participate in the VATI2022 project after such documents are approved as to content and form by the County Attorney.

Mr. Jaquith **seconded** the motion.

Mr. Andrews stated he is in on the Commission for the Thomas Jefferson Planning District Commission and stated that he did not believe that he had a conflict of interest.

Mr. Deloria advised that Mr. Andrews did not have a conflict of interest.

The motion was approved by the following roll call vote:

	Yes	No
Mr. Walsh	<u>X</u>	___
Mr. Jaquith	<u>X</u>	___
Mr. Henry	<u>X</u>	___
Mr. Fritz	<u>X</u>	___
Ms. Price	<u>X</u>	___
Mr. Andrews	<u>X</u>	___

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David Blount of the Thomas Jefferson Planning District Commission thanked ABBA for its action and stated his appreciation of the work of Mr. Culp, Mr. Inofuentes and Mr. Deloria. Mr. Blount noted that ABBA is the first locality to approve the three party agreement.

Gary Wood of Central Virginia Electric Cooperative thanked ABBA for supporting the project. Mr. Wood noted that notices to 500 Appalachian Electric Power customers have gone out letting them know of the start of work.

Mr. Wood stated that White Hall is under construction with 65 miles, or 60% of the work in place. Mr. Wood stated that 15 miles of fiber had been installed in just the last week. Mr. Wood noted that the take rate is just under 50% to date.

Mr. Wood stated that Red Hill has a 30% take rate and invitations to sign up have not gone out yet and Midway project has a take rate of over 75%

Mr. Wood noted that they have had 17 cable cuts mostly in the Lake Monticello and Crozet area. Mr. Wood stated that the problem is mismarking the location of the cables. In one case the marking was off by 80 feet. Mr. Wood stated that he does not know if this is because of bad plans, new personnel, or a training issue.

Mr. Jaquith stated that it has taken a huge amount of work to get to this point and it has gone from planning to in place.

#### Agenda Item No. 6c VATI 2023 Final Guidelines Posted

Mr. Inofuentes shared a PowerPoint presentation. (Attached to these minutes)

Mr. Inofuentes stated that there are no big changes from last year.

Mr. Inofuentes noted that because of our success in previous years there are no longer areas that have speeds of 25/3 which means that it will be more difficult for the County to compete in the statewide grant review.

Mr. Walsh stated that it was hard to believe that 100/20 speeds were not available in these areas.

Mr. Inofuentes stated that reliability is the issue in these areas. They may have faster speeds but not reliable at those speeds.

Mr. Fritz stated that this is a significant issue for development and redevelopment of the county's designated development areas and Places 29 in particular. The provision of broadband in these areas should be discussed during the review of the Comprehensive Plan.

Mr. Inofuentes stated that this work is already underway.

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Mr. Inofuentes stated that FCC mapping of unserved areas are due in November. At this time, it is not known how much Virginia will receive.

Agenda Item No. 6d ABBA Financial Report (Appendix A)

Mr. Henry stated that there were no changes from last month. Changes will not happen until VATI 2022 starts billing.

Agenda Item No. 6e Broadband Accessibility and Affordability Report

Mr. Inofuentes shared a PowerPoint presentation. (Attached to these minutes)

Mr. Walsh asked if ABBA can be the authority that provides supplemental payments.

Mr. DeLoria stated that ABBA does not have the authority to provide the payments.

Mr. Fritz asked that further discussion on the topic of supplemental payments be discussed at the next meeting if the Broadband Accessibility and Affordability Office is unable to provide the supplemental payments.

Mr. Inofuentes stated that an update would be provided at the next meeting.

Agenda Item No. 6f Possible return to In-Person Meetings with Virtual Option (Hybrid)

Mr. Henry stated that the return to in-person meetings with virtual option was discussed at the Board of Supervisors last night. The recommendation is to go to hybrid meetings after September 1<sup>st</sup>. The first in-person meeting of ABBA will be the September meeting.

Mr. Walsh stated that the organizational meeting is in August, so the September meeting date is not known.

Mr. Fritz asked if there would be training for ABBA members on how the meetings operation.

Mr. Henry stated that staff and others have training and will be able to participate and support the meetings.

Mr. Inofuentes stated that a mock meeting may be planned.

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Agenda Item No. 7 New Business

There we no new business items to discuss.

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Agenda Item No. 8 Adjourn

Mr. Andrews **moved** to adjourn.

Mr. Henry **seconded** the motion.

The motion was **approved** unanimously.

The meeting adjourned at 6:08 p.m.

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# Albemarle Broadband Authority

May 25, 2022





# Agenda

1. **Establish Quorum and Call to Order**
2. **Approval of Agenda**
3. **Brief Announcements by Authority Members**
4. **Public Comment**
5. **Approval of April 26, 2022 Meeting Minutes**
6. **Old Business**
  - a. VATI 2021 Update
  - b. VATI 2022 Update
  - c. VATI 2023 Final Guidelines Posted
    1. Strategy Discussion
  - d. ABBA Financial Report (Appendix A)
  - e. Broadband Accessibility and Affordability Report
  - f. Possible return to In-Person Meetings with Virtual Option (Hybrid)
7. **New Business**
8. **Adjourn**



# VATI 2021 Update

- Prior delays have been resolved
- Project areas have been launched
- Lumen reports additional mitigation efforts in place
- Webinars continue, presented on those efforts at Broadband Advisory Council



# Accessibility – VATI 2021

The screenshot shows the YouTube channel for Albemarle County, which has 215 subscribers. The channel page is dark-themed and features a search bar at the top. Below the channel name, there are tabs for HOME, VIDEOS, PLAYLISTS, CHANNELS, and ABOUT. A search bar with the text 'vati' is visible. The main content area displays four video uploads:

- VATI 2021 Webinar Video April 1 2022**: 37 views, 1 month ago. Description: "This is a video recording of the Albemarle VATI 2021 Webinar held on April 1, 2022." Duration: 1:00:14.
- VATI 2021 May Webinar - May 6, 2022**: 16 views, 7 days ago. Description: "This is a video record of the Albemarle VATI 2021 Webinar held on May 6, 2022." Duration: 43:44.
- VATI 2021 Webinar March 4 2022 Video**: 22 views, 2 months ago. Description: "This the fourth of an ongoing series of webinars discussing the VATI 2021 Project in Albemarle County." Duration: 58:44.
- VATI 2021 Update Webinar Jan. 7, 2022**: 64 views, 4 months ago. Description: "This is the second in a series of webinars intended to bring the Albemarle Community Council members with..."

- Monthly webinars primary venue for updates and Q&A
- First webinar attended by over 100 residents on December 3<sup>rd</sup>
- Robust Q&A
- Over 200 total views of recordings on YouTube

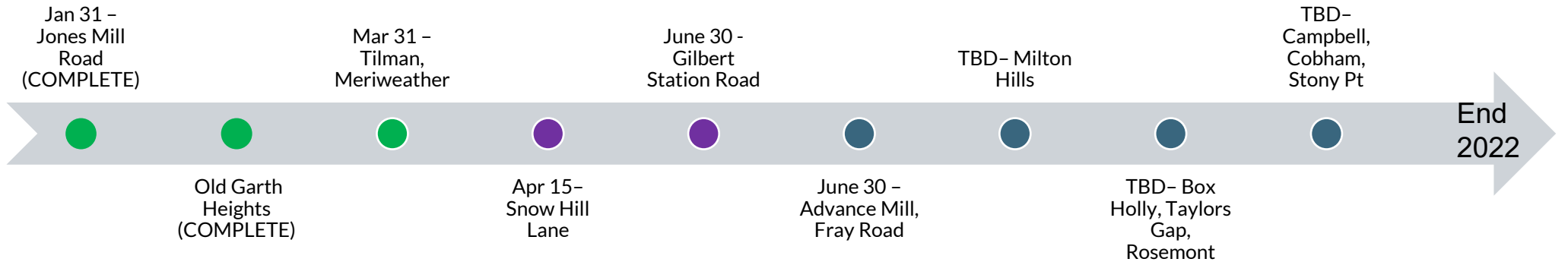
Community Webinars  
Fridays at Noon

- 12/3/2021
- 1/7/2022
- 2/4/2022
- 3/4/2022
- 4/1/2022
- 5/6/2022
- 6/3/2022
- 7/1/2022
- 8/5/2022
- 9/1/2022
- 10/7/2022
- 11/4/2022

# ABBA CenturyLink VATI 2021 Work Schedule



# Calendar Year 2022 Subscriber Install Order Dates



- - COMPLETE
- - LAUNCHED

***All open dates are estimates and subject to change based on equipment availability and other factors***



# VATI 2021 Update

Project Area	Ordered Service	Passings	Estd. Take Rate
Jones Mill	11	63	17%
Old Garth	4	6	67%
Tilman/Meriweather	27	51	53%
Snow Hill Ln	10	68	14%
Gilbert Station	19	46	41%
<b>Total</b>	<b>71</b>	<b>234</b>	<b>30%</b>



# VATI 2021 – Field Report

- Advance Mills and Milton Hills Road are currently under construction
  - Milton Hills awaiting some VDOT permits
- Subsequent project areas are in Engineering and Design



# VATI 2021 – Field Report

- Some copper cables have been cut during recent work
- First reports came Thursday the 19<sup>th</sup>, with subsequent reports following.
- One cut involved a 200+ cable bundle, repairs completed.



# VATI 2022 Update

- Three-party agreement is before the Authority
- TJPDC intends to be under-contract with DHCD by mid-June
- Firefly continues make-ready work, has begun sending out letters to impacted residents





# VATI 2022 Contract Overview

1

- TJPDC (sole source) VATI Contract with ABBA

2 - 12

- TJPDC Contract with Others

13

- TJPDC Agreement with Firefly

14

- TJPDC Contract with DHCD

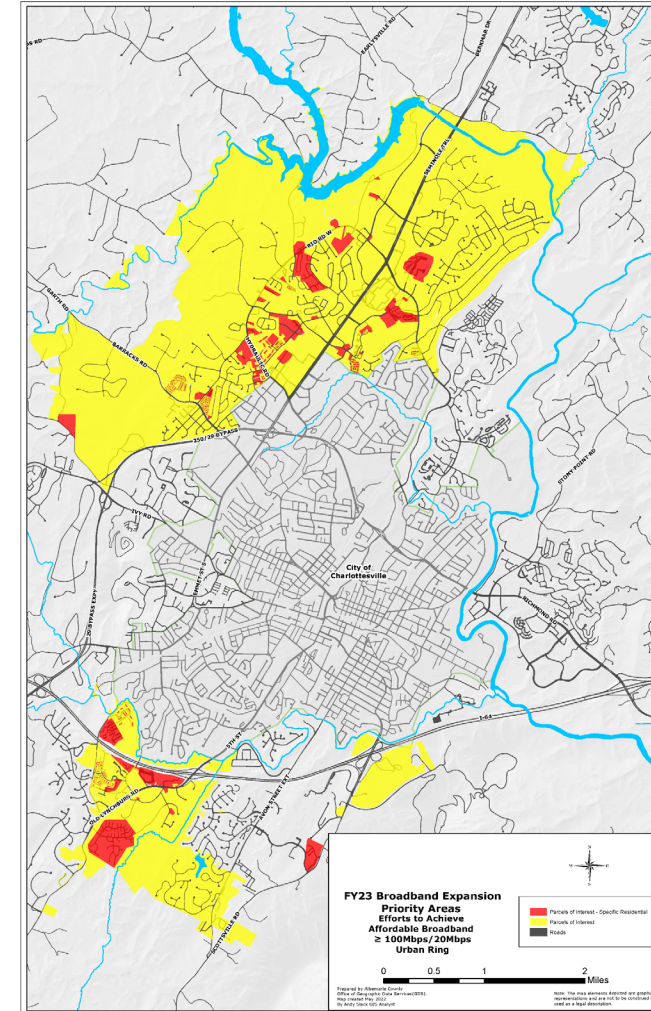
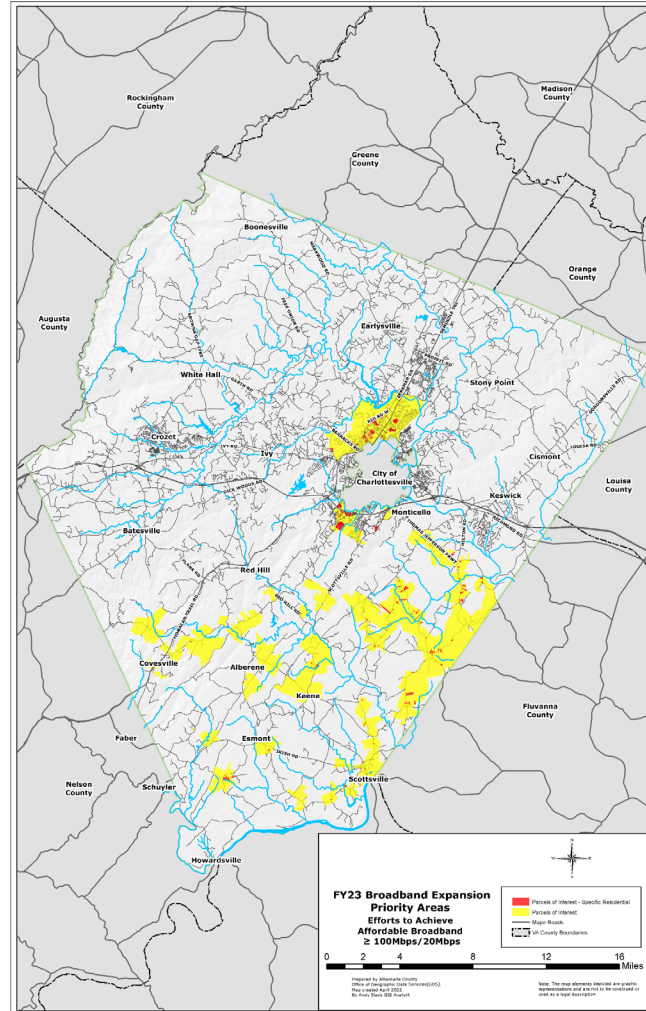


# VATI 2023 Guidelines

- Definition of Broadband set at 100/20
- Will incorporate IJA projects, guidelines may be amended to reflect updated NTIA guidance
- No options to serve areas currently served by VATI or other grants
- Shift in scoring towards Commonwealth Priorities
  - Increased focus on digital equity efforts to ensure low to moderate income households in the proposed project area will have affordable access to speeds at or above 100/20 mbps.
- Eighteen-month project timeline
- Notice to apply by July 7, 2022; application due by August 25, 2022



# VATI 2023 Maps





# ABBA Financial Report

Update: 05/17/2022

4-4300-91097-491097-950030-9999 (EXPENSE CODE)

BROADBAND INCENTIVES>ALBEMARLE BROADBAND AUTHORITY

	Fund Balance	Commitment/ Projected Expenses	Paid Expenses	Remaining Project Funds
Current FY22 Balance (includes \$4.5mil in ARPA Appropriation, \$4.37mil of that for VATI 2022)	\$5,806,415.16			
VATI 2020 Project at 8 locations Commitment (PO 2021-7747 CenturyLink)		\$291,300.00	\$291,300.00	\$0.00
Administrative Fee for DHCD VATI 2020 Award   1% of \$291,300		\$2,913.00	\$2,913.00	\$0.00
Administrative Fee for DHCD VATI 2021 Award   1% of \$2,276,110		\$22,761.10	\$22,761.10	\$0.00
Administrative Fee for ARPA Appropriation   1% of \$4,500,000		\$45,000.00	\$45,000.00	\$0.00
VATI 2021 Project Commitment		\$640,000.00	\$0.00	
VATI 2022 Project Commitment		\$4,368,000.00	\$0.00	
	\$436,441.06	\$5,369,974.10	\$361,974.10	\$436,441.06



# BAAO Report

LECAP roll-out

CenturyLink/Lumen service update

Affordability programs

Lessons learned



# LECAP Roll-out

Project has officially launched after public comment.

Bulk of comment included concerns related to inclusion of farms, however, staff felt comfortable that the eligibility criteria allowed for eligible farm households to participate.

Rental participation will be included.



# CenturyLink/Lumen update

The SCC approved the transfer of assets on April 27<sup>th</sup>, under the terms of the settlement agreement which mirrored aspects of Lumen's action plan following the January 12<sup>th</sup> BoS Work Session.

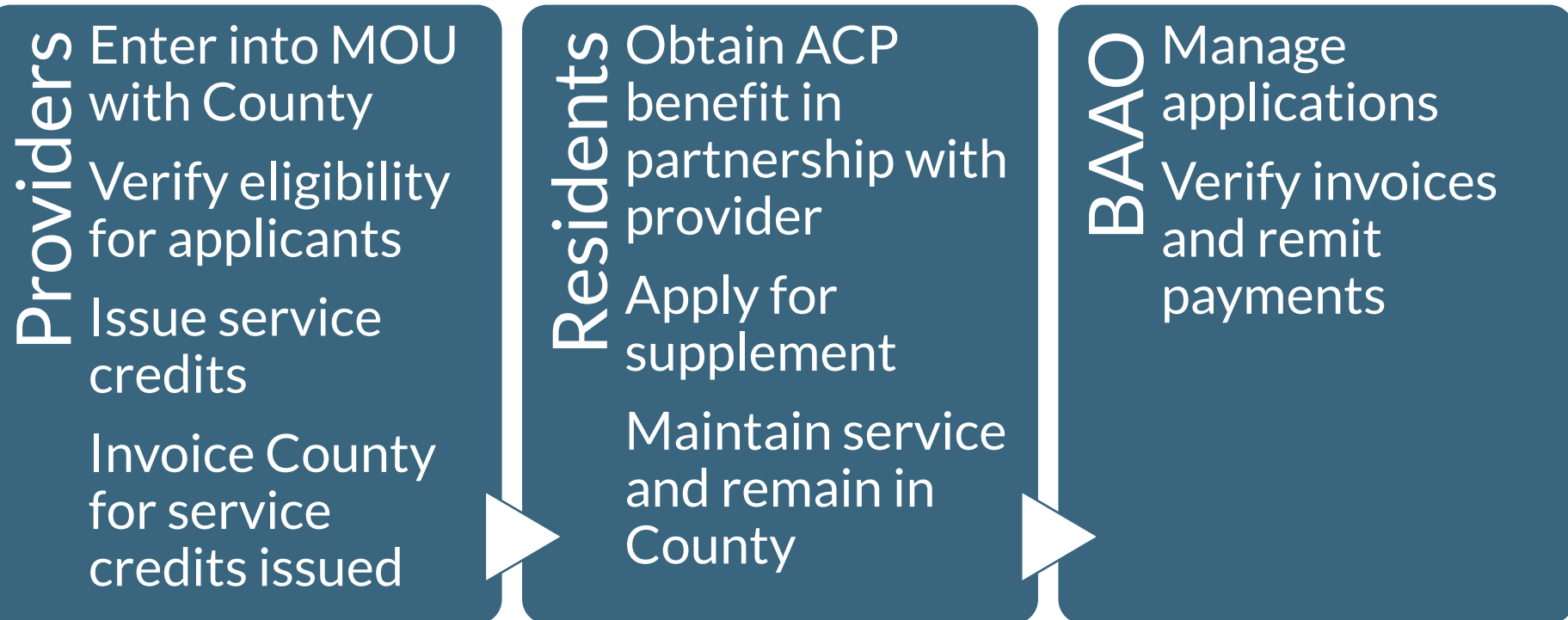
This includes a commitment to rehabilitate degraded infrastructure in our area, and increased oversight by the SCC following the transfer.

Per Lumen, as of this time:

- Analysis of 72 cables completed; 67 cables to receive rehabilitation
- 23.61% of work completed
- Work to be completed by July 31, 2022



# Affordability – Final Shape







# Affordability – Legislative Authority

The County is seeking legislative authority to enact a supplement to the ACP, or any other broadband subsidy.



# Affordability – Moving Forward

Will seek a partner organization to grant allocated funds and allow them to administer the program with staff and County support.



# Applying lessons learned

- Reviewing legislative authority for projects moving forward
- Working with VACo, County legislative affairs, local elected officials
- Stakeholder groups to include:
  - Procurement and Finance (Legal)
  - Authority perspective?
  - Early review of legislative authority and guidance



# Possible return to in-person



# Adjourn