

DRAFT Minutes

A regular meeting of the Albemarle County Broadband Authority was held on July 26, 2023. The meeting was held in room 241 of the Albemarle County Office Building located at 401 McIntire Road.

PRESENT: 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 (Program Manager, Broadband Accessibility and Affordability Office)

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

Mr. Walsh established a quorum and called the meeting to order at 5:00 p.m.

Agenda Item No. 2 Approval of Agenda

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

The motion was **approved** unanimously.

Agenda Item No. 3 Brief Announcements from the Board

Mr. Jaquith announced that he has taken a position with the U.S. Treasury. Mr. Jaquith stated that he does not believe any conflict of interest exists but wanted to make everyone aware.

Agenda Item No. 4 Public Comment

There were no comments from the public.

There was one member of the public present for the meeting.

There were six virtual attendees.

Agenda Item No. 5 Consent Agenda

Mr. Andrews **moved** to approve the agenda.

Ms. Price **seconded** the motion.

The motion was **approved** unanimously.

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Agenda Item No. 6 Approval of April 26, 2023, and May 24, 2023, Meeting Minutes

Action on the April 26, 2023 minutes was deferred to the next meeting.

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

The motion was **approved** unanimously.

Mr. Fritz stated that he will prepare a document to indicate that there was no June meeting so that someone searching the record will know what happened.

Agenda Item No.7 Old Business

Agenda Item No. 7a VATI 2021 Update

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

Mr. Walsh asked if we needed an update about the unserved areas.

Mr. DeLoria stated that no update was needed at this time.

Mr. Culp stated that meetings are ongoing with Brightspeed to address the unserved locations and that payment is held up until the issue is addressed.

Mr. Walsh asked where the unserved locations were.

Mr. Inofuentes stated that most of them are in the Stony Point, Campbell, Cobham areas.

Mr. Jaquith asked what the mechanism is to show where service was to be provided and why is their list different than ours.

Mr. Inofuentes stated we have an agreement and DHCD has an agreement with Brightspeed and they both reference the application which is specific. Brightspeed states that the agreement was 80.5 miles of fiber with an estimate of coverage. Brightspeed and DHCD are the ones that need to determine the coverage requirements.

Mr. Jaquith asked what our agreement says.

Mr. DeLoria stated that he believes it is coordinated with the DHCD agreement.

Mr. Jaquith asked to see the language.

Mr. DeLoria stated he would provide the information.

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Mr. Culp stated that they are still working to resolve the issue and is optimistic.

Mr. Inofuentes noted that Brightspeed is providing a \$30 supplement to the Affordable Connectivity Program.

Agenda Item No. 7b VATI 2022 Update

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

Mr. Jaquith asked if Firefly energizes the system in the event of a power outage.

Mr. Dennis Reese stated that they have both battery and generator back up to keep the system energized. This will keep VOIP operational as long as the fiber isn't damaged.

Agenda Item No. 7c VATI 2023 Next Steps

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

Mr. Culp noted that we did not get 2023 funds and he is still working to find funds for the areas proposed for service in 2023 application. A proposal by Firefly is under review and will be brought to ABBA in the future.

Mr. Jaquith noted that ARPA funds need to be obligated soon or they are subject to clawbacks.

Mr. Walsh asked when the proposal will be made to ABBA.

Mr. Inofuentes stated there may be a need to hold a special meeting of ABBA.

Mr. Henry noted that use of ARPA funds may need action by the Board of Supervisors.

Mr. Jaquith restated that if the funds are not used they will be lost.

Ms. Price asked for a map of areas that are served and unserved.

Agenda Item No. 7d BAAO update

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

Agenda Item No. 8 New Business

Agenda Item No. 8a Planning for Annual Organization Meeting

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

Mr. DeLoria stated that he was unaware of any changes needed or proposed to the rules of procedure.

Mr. Henry stated that the County Executive Office is reorganizing and how the Broadband Office supports ABBA is under review.

Mr. Walsh stated that consolidating the November and December meeting has worked well in the past and proposes we continue to combine those meetings into one.

Agenda Item No. 9 Other Matters

None

Agenda Item No. 10 Adjourn

Ms. Walsh **moved** to adjourn.

The motion was **approved** unanimously.

The meeting adjourned at 6:10 p.m.

CONSENT AGENDA

5. FOR APPROVAL (by recorded vote):

No items

5. FOR APPROVAL (Information Only)

5.1 Financial Report

4-4300-91097-491097-950030-9999 (EXPENSE CODE) + ARPA 5301 Fund

BROADBAND INCENTIVES>ALBEMARLE BROADBAND AUTHORITY + ARPA Funding

	Fund Balance	Commitment/ Projected Expenses	Paid Expenses	Remaining Project Funds
Current FY23 Balance (includes \$4.5mil in ARPA Appropriation, \$4.37mil of that for VATI 2022)	\$5,099,325.90			
VATI 2021 Project Commitment Brightspeed: Payment on Hold		\$640,000.00	\$0.00	
VATI 2022 Project Commitment TJPDC/Firefly: First payment for \$121,863.50 PAID. Second payment for \$23,187.19 PAID.		\$4,368,000.00	\$145,050.69	
	\$91,325.90	\$5,008,000.00	\$145,050.69	\$91,325.90
<i>Note: Remaining Project Funds unless noted otherwise are subject to ARPA Guidelines and Rules.</i>				