

APPROVED Minutes

A regular meeting of the Albemarle County Broadband Authority was held on September 27, 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 (attending remotely), Mr. Jim Andrews, Ms. Donna Price, 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 5:06 p.m.

Mr. Jaquith requested to attend the meeting remotely from the outer banks of North Carolina for personal reasons.

Mr. Walsh asked for a vote to allow Mr. Jaquith to attend remotely.

All members present voted to allow Mr. Jaquith to attend remotely.

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

None

Agenda Item No. 4 Public Comment

Mr. Gary Nalls stated that he lived in the Dick Woods Road area on Box Holly Lane. Mr. Nalls stated that he built a house and is having difficulty getting Brightspeed to install the service. Mr. Nalls stated that originally, they were charging him \$550 but they now want \$770. Mr. Nalls stated that Brightspeed sent emails to him to the wrong address and are billing him, but the service is not installed. Mr. Nalls asked why he has to pay for the connection when others didn't. Mr. Nalls stated that Brightspeed has not come back to bury lines that that were installed. These lines are still on the ground and are being damaged.

Mr. Walsh stated that the free connections were during the initial installation only.

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There were four members of the public present at the meeting.

There were two virtual attendees.

Agenda Item No. 5 Consent Agenda

The financial report was not ready. No action was taken.

Agenda Item No. 6 Approval of August 23, 2023, Meeting Minutes

Ms. Price **moved** to approve the June minutes which are a notice of no meeting, the July 26 and August 23 minutes.

Mr. Henry **seconded** the motion.

The motion was **approved** unanimously

Agenda Item No.7 Old Business

Agenda Item No. 7a VATI 2022 Update

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

Mr. Walsh asked for the status of the Dominion projects.

Mr. Culp stated that Dominion goes to the SCC in October and that should set the schedule.

Agenda Item No. 7b Broadband Accessibility and Affordability (BAAO)

i. American Rescue Plan Act (ARPA) Grant Discussion

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

Mr. Inofuentes stated that the award had been made to Firefly with 1,466 passings. Work is to be completed by December 21, 2025.

ii. Discussion of ABBA Funding

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

iii. Funding Letter to Department of Finance and Budget

Mr. Inofuentes stated that there were two motions being recommended to appropriate funds from ABBA to the County of Albemarle.

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Mr. Walsh clarified that \$6 million is the Firefly contribution.

Ms. Price **moved** to appropriate \$87,000 to the County of Albemarle from Albemarle Broadband Authority ARPA funds and \$30,044 to the County of Albemarle from Albemarle Broadband Authority operating funds.

Mr. Henry **seconded** the motion.

The motion was **approved** unanimously.

Mr. Inofuentes stated that the work will be concurrent with other work performed by Firefly.

Mr. Walsh asked for consent to write any necessary letters of support to the Department of Finance and Budget.

Mr. Fritz **moved** to authorize Mr. Walsh to write necessary letters of support to the Department of Finance and Budget.

The motion was **approved** unanimously

Agenda Item No. 8 New Business

None

Agenda Item No. 9 Closed Session

Mr. Walsh **moved** that the Albemarle County Broadband Authority go into a closed meeting as authorized by the Virginia Freedom of Information Act, section 2.2-3711(A) of the Code of Virginia under:

Subsections 6 and 29 to discuss and consider:

The investment and expenditure of public funds through the award of a public contract for broadband deployment within the County and the terms or scope of the public contract, where bargaining is involved and where, if discussed in open session, would adversely affect the financial interest of the Authority and Albemarle County. Specifically, this involves the VATI 2021 contracts with the Virginia Department of Housing and Community Development and Brightspeed of Virginia, LLC.

Ms. Price **seconded** the motion.

The motion was **approved** unanimously by a roll call vote.

The Board went into closed session.

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Mr. Jaquith **moved** that the Broadband Authority certify by recorded vote that to the best of each Director’s knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the Closed Meeting were heard, discussed, or considered in the Closed Meeting.

Mr. Fritz **seconded** the motion.

The motion was **approved** unanimously by a roll call vote.

Mr. **Andrews** moved to authorize staff to request a contract extension regarding VATI 2021 from the Virginia Department of Housing.

Ms. Price **seconded** the motion.

The motion was **approved** unanimously.

Agenda Item No. 10 Other Matters

None

Agenda Item No. 11 Adjourn

Ms. Price **moved** to adjourn.

Mr. Andrews **seconded** the motion.

The motion was **approved** unanimously.

The meeting adjourned at 6:36 p.m.

CONSENT AGENDA

5. FOR APPROVAL (by recorded vote):

No items

5. FOR APPROVAL (Information Only)

5.1 Financial Report (IN PROCESS)



Albemarle Broadband Authority

September 27, 2023

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Agenda

1. Establish Quorum and Call to Order
2. Approval of Agenda
3. Brief Announcements by Authority Members
4. Public Comment
5. Consent Agenda (on next sheet)
6. Approval of August 23, 2023 Meeting Minutes
7. Old Business
 - a. VATI 2022 Update
 - b. BAAO Update
 - i. ARPA Grant Status
 - ii. Discussion of ABBA Funding
 - iii. Funding Letter to Department of Finance and Budget
8. New Business
9. CLOSED Session
 - a. Contract Negotiation
10. Other Matters
11. Adjourn

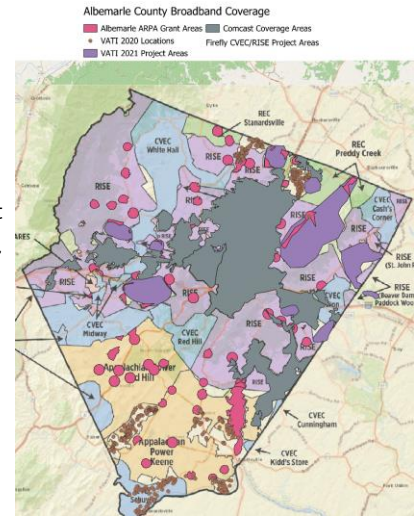
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BAAO ARPA Grant Discussion

- Firefly has been awarded the Albemarle ARPA Grant
 - 1,466 passings across Albemarle County
 - Includes nearly all remaining unserved locations not currently allocated to a project
- Project work to be completed by December 31, 2025
- Total project cost: **\$8,134,940**
 - BAAO Share: **\$2,459,003**
 - BAAO ARPA **\$2,000,000**
 - ABBA ARPA **\$87,000 (pending)**
 - ABBA Operating **\$30,044 (pending)**
 - County Reappropriation **\$341,959 (pending)**



ABBA Financial Report

Update: 09/25/2023

4-4300-91097-491097-950030-9999 (EXPENSE CODE) + ARPA 4301 Fund

BROADBAND INCENTIVES>ALBEMARLE BROADBAND AUTHORITY + ARPA Funding

	Original budget	Encumbrances	Expenditures	Balance
VATI 22	\$4,500,000.00	\$ 4,222,949.31	\$190,050.69	\$87,000.00
VATI 21	\$2,916,110.00	\$2,916,110.00	\$0.00	\$0.00
Broadband Incentives	\$30,044.00	\$0.00	\$0.00	\$30,044.00
Total	\$7,446,154.00	\$7,139,059.31	\$190,050.69	\$117,044.00



Closed Session

Authority Members will enter closed session in alternate location, live stream will continue muted and recording will be paused.

Chair will report out on completion of closed session.

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