

A regular meeting of the Albemarle County Broadband Authority was held on April 22, 2020. The meeting was held electronically using Zoom and telephone starting at 5:06 p.m.

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

ABSENT: None

Also Present: Mr. Richard DeLoria (Senior Assistant County Attorney), Mr. Mike Culp, Mr. Rick Randolph

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

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

Mr. Walsh announced the following for the record:

Notwithstanding any provision in our by-laws to the contrary and as permitted under Albemarle County's Continuity of Government Ordinance adopted on April 15, 2020. We are holding this meeting by real time electronic means with no Board member physically present at a single central location. All Board members are participating electronically. This meeting is being held pursuant to Section 6e of the County's Continuity of Government Ordinance. All Board members will identify themselves and state their physical location by electronic means during the roll call which we will hold next. The public has real time audio/visual access to this meeting over Zoom and real time audio access over telephone both as provided for in the lawfully posted meeting notice. The public is always invited to send questions, comments and suggestions to the Board thru the County's Information Technology Office at any time and thru Zoom chat and hand raise features.

Mr. Walsh requested that each member and officer identify the location from where they were attending the meeting.

Mr. Fritz stated he was attending from home.

Mr. Henry stated he was attending from his office in the Albemarle County Office Building on McIntire.

Mr. Jaquith stated he was attending from home.

Ms. Palmer stated she was attending from home.

Mr. Walsh stated he was attending from home.

Mr. Culp stated he was attendkno

ing from his office in the Albemarle County Office Building on McIntire.

Mr. Randolph stated he was attending from home.

Mr. DeLoria stated he was attending from his office in the Albemarle County Office Building on McIntire.

Mr. Walsh outlined how participation in the virtual meeting would occur.

Agenda Item No. 2 Approval of Agenda

Mr. Jaquith requested that the agenda include a discussion of the proper role and the limits the ABBA in light of what is likely to be rapidly changing funding circumstances due to the need to adapt to Covid.

Mr. Walsh added this under New Business.

Ms. Palmer **moved** to approve the modified agenda.

Mr. Henry **seconded** the motion.

Mr. Fritz voted yes.

Mr. Henry voted yes.

Mr. Jaquith voted yes.

Ms. Palmer voted yes.

Mr. Walsh voted yes.

The motion was **approved**.

Agenda Item No. 3 RESOLUTION ADOPTING PROCEDURES FOR PUBLIC MEETINGS UNDER SECTION 6 OF ALBEMARLE COUNTY'S ORDINANCE TO ENSURE THE CONTINUITY OF GOVERNMENT DURING THE COVID-19 DISASTER

Mr. Walsh read the following resolution:

RESOLUTION ADOPTING PROCEDURES FOR PUBLIC MEETINGS UNDER SECTION 6 OF ALBEMARLE COUNTY'S ORDINANCE TO ENSURE THE CONTINUITY OF GOVERNMENT DURING THE COVID-19 DISASTER

WHEREAS, the President of the United States of America, the Governor of the Commonwealth of Virginia, and the County Executive of Albemarle County have all declared Albemarle County to be in a state of emergency because of the COVID-19 pandemic; and

WHEREAS, the catastrophic nature of the emergency (highly contagious and potentially fatal viral pandemic) makes it unsafe to assemble a quorum in a single location; and

WHEREAS, the Board of Supervisors of the County of Albemarle, Virginia ("the County"), adopted An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster ("the Ordinance) on April 15, 2020, wherein it recognized the Albemarle Broadband Authority ("the Authority") to provide essential public services and functions and authorized this Authority to conduct its meetings and business according to Section 6 of the Ordinance; and

WHEREAS, the Authority finds it is in the public's and County's best interests for the Authority to continue to conduct its governmental functions and to hold public meetings in accordance with Section 6 of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Albemarle Broadband Authority hereby approves the conduct of its meetings through real time electronic means consistent with Section 6 of the County's Continuity of Government Ordinance.

Mr. Walsh **moved** that the Authority adopts this Resolution authorizing the Authority to hold meetings through real time electronic means consistent with Section 6 of the County's April 15th, 2020, Ordinance described herein.

Ms. Palmer **seconded**.

Mr. Walsh called roll:

Mr. Fritz voted yes.

Mr. Henry voted yes.

Mr. Jaquith voted yes.

Ms. Palmer voted yes.

Mr. Walsh voted yes.

The motion was **approved**.

Agenda Item No. 4 Approval of Jan. 22, 2020 and Feb. 26, 2020 Minutes

Mr. Walsh requested that the April minutes reflect that no meeting occurred in March.

Mr. Fritz stated he had made revisions to the January minutes based on comments he had received.

Mr. Walsh **moved** to approve the Jan. 22, 2020 and Feb. 26, 2020 Minutes.

Mr. Jaquith **seconded**.

The minutes were **approved**.

Agenda Item No. 5 Public Comments

Allison Wrabel thanked the Board for holding the virtual meeting.

Agenda Item No. 6 Old Business

Agenda Item No. 6a Virginia Telecommunication Initiative (VATI) 2019 Update (CVEC)

Mr. Culp stated that reports for work up to March have been submitted to DHCD.

Mr. Culp stated that fiber construction has been installed in Midway. 211 of the 341 customers have registered for service. The construction is planned to be completed in May.

Agenda Item No. 6b VATI 2020 (CenturyLink) Project Status

Mr. Culp stated that the agreement has been signed for all 8 projects. The ABBA report for the 1st Quarter is on the website and this report provides details on the CenturyLink project. Mr. Culp stated that the scheduling is still being developed.

Ms. Palmer noted that she had received emails stating that the WiFi at Yancey is being actively used.

Mr. Walsh requested that ABBA work with the schools to count the number of users. This might help to identify how many people do not have broadband at home.

Mr. Culp stated he would try and get this information from both the schools and libraries.

Agenda Item No. 6c Request for Information Status and Discussion

Mr. Culp stated that he had received responses from All Points Broadband, Bridge Max, CenturyLink, Comcast, CVEC and Lumos. They all participated in a phone call with Mr. Culp and Mr. Walsh.

Ms. Price arrived at this point and stated that she was attending from home.

Mr. Culp stated that these groups were interested in the RFP.

Mr. Culp outlined the VATI 2021 timing:

- April, receive comments and input
- May 18, comments on guidelines due
- June 9, webinar on how to apply
- July 13, deadline to submit intent to apply
- August 17, applications due

Mr. Culp stated it is unknown if Covid will impact the VATI funding but it is thought it might be reduced to \$16 million.

Ms. Palmer stated that right now there is no change in the funding available to ABBA from the Board of Supervisors.

Mr. Culp stated that the participants in the phone call would like to simplify the RFP. Mr. Culp noted that one area of discussion was how to challenge. The participants also stated a concern about having to provide financials.

Mr. Walsh asked if the RFP should be delayed so that ABBA funds are available for VATI partners. Mr. Walsh stated that leveraging with ABBA and VATI funding might be stronger than releasing our own RFP. Mr. Walsh stated concern that VATI funding may be reduced.

Mr. Walsh noted that waiting for VATI may mean that funds aren't spent until January when VATI awards.

Mr. Jaquith stated there is a sense of urgency to do something.

Ms. Palmer asked how to do something but not conflict with VATI.

Mr. Walsh stated that ABBA could time the RFP with VATI which could allow parallel review.

Mr. Walsh noted that releasing the RFP does not commit ABBA to spend any money.

Ms. Palmer stated that CenturyLink gave us a good per house cost of connection.

Mr. Fritz stated that the RFP should make sure that citizens can be partners in making an RFP application.

All Board members agreed to move forward with an RFP.

Mr. Walsh **moved** to proceed with preparation and release of an RFP.

Ms. Palmer **seconded**.

Mr. Walsh called roll:

Mr. Fritz voted yes.

Mr. Henry voted yes.

Mr. Jaquith voted yes.

Ms. Palmer voted yes.

Ms. Price voted yes.

Mr. Walsh voted yes.

The motion was **approved**.

Mr. Walsh stated that ABBA should consider setting up a subcommittee to review any proposals that are received.

Mr. DeLoria stated that it should be a workgroup and not a subcommittee.

Agenda Item No. 7 New Business

Agenda Item No. 7a VATI 2021 Guidelines Input

Mr. Culp stated that notice of intent to apply is no longer required to be published, fixed wireless can cover existing served areas up to 25% and DSL no longer appears to be considered as a viable broadband solution.

Albemarle County needs to have a broadband plan to get points in that category. Mr. Culp stated he will talk with DHCD about the scope of the plan.

Agenda Item No. 7b VATI Budget for 2021

This topic was discussed previously.

Agenda Item No. 7c Proper role in light of changing funding circumstances

Mr. Jaquith stated that the current situation shows that broadband is important and can be the difference between employed and unemployed and is necessary for education and remaining in contact with the world.

Mr. Jaquith stated that there is a possibility of less funding in the future and there is also the possibility of increasing funding and reduced regulations from the federal government. The federal government is showing increased interest in promoting increased service.

Mr. Jaquith suggested that ABBA look at the potential of doing various options. Mr. Jaquith noted that some review or amendment of the ABBA charter may be necessary for some options.

- Grants to community gathering areas such as country stores that provide free WiFi.
- Using school busses that are not being used as WiFi hotspots.
- Allow short term towers for fixed wireless
- What role can ABBA play in improving service in service areas that are “exhausted”
- Allow use the school’s fiber as middle mile fiber

Mr. Walsh noted that ABBA can’t provide service because of the Board of Supervisors establishment of ABBA.

Ms. Palmer stated that ABBA should talk to the schools about using busses for WiFi.

Mr. Culp stated he would contact schools.

Mr. Fritz stated that temporary towers are permitted and that he would send out information.

Agenda Item No. 7. Adjourn

With no other business before the Authority, Mr. Walsh adjourned the meeting at 6:14 PM.