

A regular meeting of the Albemarle County Broadband Authority was held on July 22, 2020. The meeting was held electronically using Zoom and telephone starting at 5:00 p.m.

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

ABSENT: Mr. Trevor Henry

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. Culp announced the following for the record:

Everyone on the phone and attending via Zoom from the public is in listen only mode. During public comment period - please enter your comment in the Chat and it will be read into the record. Include your full name and the magisterial district in which you reside, if you don't know your magisterial district please provide a general location or your home/business street address. We will run through the chat comments first and then take comments by phone. For those on the phone, please use *9 to indicate you'd like to make a public comment. We will ask you to provide your full name and magisterial district or general location of your home or business and then allow up to 3 minutes for your comment.

Mr. Walsh announced the following for the record:

Because of the continuation of the COVID-19 pandemic and the limitations on group gatherings imposed by the Governor's Executive Orders, this meeting is being held by electronic communication means on the Zoom platform. It is authorized by the County's April 15th and June 17th Continuity of Government Ordinances, this Authority's Resolution of April 22nd, and the Virginia statute signed into law on April 24th permitting this Authority to meet electronically to discuss and transact business necessary to continue its operations.

The public has real time audio-visual access to this meeting over Zoom and real time audio access over telephone, both as provided in the lawfully posted meeting notice. The public is always invited to send questions, comments, and suggestions to the Authority through the County's Information Technology. This meeting is being recorded and will be made available on the County's website.

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

Ms. Price stated she was attending from home.

Mr. Fritz stated he was attending from home.

Ms. Palmer stated she was attending from home.

Mr. Jaquith stated he was attending from home.

Mr. Walsh stated he was attending from home.

Agenda Item No. 2 Approval of Agenda

Ms. Walsh **moved** to approve the agenda with the addition of a discussion of the August 26 meeting.

Mr. Fritz **seconded** the motion.

The motion was **approved** unanimously.

Agenda Item No. 3 Approval of Approval of June 24, 2020 Minutes

The minutes were not prepared.

Agenda Item No. 4 Public Comments

Mr. Dan O’Dea requested more timely uploading of the minutes. Mr. O’Dea asked about the timing of getting service.

Mr. Derek Kelley, CenturyLink stated that connectivity was activated when work was completion as a section.

Mr. Eric Henley asked where a list of CenturyLink projects could be found.

Mr. Culp responded. Inaudible

Agenda Item No. 5 Old Business

Agenda Item No. 5a VATI 2020 (CenturyLink) Project Status

Mr. Culp stated that the information sessions are completed with CenturyLink. The project passes by 838 homes.

Agenda Item No. 5b. VATI 2021 Status: Notice to Apply Submitted

Mr. Culp stated that he had submitted the notice to apply for a VATI grant with DHCD.

Mr. Culp noted that 59 project notices were submitted which is an increase of 20%.

Mr. Culp stated that the submission deadline is August 17.

Agenda Item No. 5c. Request for Proposal Status

Mr. Culp noted that the RFP closed on June 30. Three submittals were received. Mr. Culp stated that the materials have been reviewed and that Board of Supervisors approval of Corona Virus Relief Funds may factor into the decision.

Mr. Jaquith complimented Mr. Culp's work on developing the RFP idea and the speed he moved it forward.

Agenda Item No. 5d Updated Broadband Strategy Plan

Mr. Walsh stated that the plan had been updated including comments from DHCD.

Ms. Palmer **moved** for approval of the Updated Strategy Plan.

Mr. Walsh **seconded**.

The motion was **approved** unanimously.

Agenda Item No. 6 New Business

Agenda Item No. 6a Discussion of August 26 Meeting

Mr. Walsh stated that the August 26 meeting is the annual meeting and all officer positions will need to be filled.

Mr. Walsh noted that updated rules of procedure will also be up for adoption on August 26.

Mr. DeLoria provided notice to change rule 2 - Attendance so that remote participation is not deemed being absent and to change rule 3f – Terms of Office to clarify that the term of office ends when the term ends or the position is vacated for any reason.

Mr. DeLoria noted that rule 8 is proposed to change to reference state actions on remote meetings to avoid ABBA having to take actions to reflect any changes in the State Code.

Agenda Item No. 6b Coronavirus Relief Fund (CRF) Strategy Recommendation Development

Ms. Palmer **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:

- Subsection 6 to discuss and consider:

The investment of public funds for broadband deployment within the County, where bargaining is involved and where, if made public initially, would adversely affect the financial interest of the County;

- Subsection 29 to discuss and consider:

The award of public contracts involving the expenditure of public funds and discussion of the terms or scope of such contracts where discussion in an open session would adversely affect the Authority's bargaining position or negotiating strategy;

- Subsection 33 to discuss and consider:

Confidential proprietary information and trade secrets subject to the exclusion in subdivision 19 of Virginia Code Section 2.2-3705.6; and

- Subsection 39 to discuss and consider:

Information subject to the exclusion in subdivision 3 of Section 2.2-3705.6 related to economic development.

Specifically, these discussions and considerations will pertain to CRF-2, a project involving the expenditure and investment of federal CARES Act Fund and confidential proprietary information related to broadband deployment in Albemarle County.

Mr. Walsh **seconded**.

The motion was **approved** unanimously.

Mr. Walsh **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.

By Roll Call Vote:

	<u>Aye</u>	<u>Nay</u>
Mr. Walsh	<u> x </u>	<u> </u>
Ms. Price	<u> x </u>	<u> </u>
Mr. Fritz	<u> x </u>	<u> </u>
Mr. Henry	absent	
Ms. Palmer	left the meeting prior to end of closed session	
Mr. Jaquith	<u> x </u>	<u> </u>

Mr. Fritz **moved** to authorize the Chief Administrator Officer to submit all necessary documents and move forward with notice of intent to award based on the RFP submission.

Mr. Waldo **seconded**.

The motion was **approved** unanimously.

Mr. Culp noted that Region 9 had requested support of a grant application by MBC.

By consensus ABBA makes no recommendation on the project.

Agenda Item No. 7. Adjourn

With no other business before the Authority, Mr. Walsh adjourned the meeting at 6:50 PM.

DRAFT