

A regular meeting of the Albemarle County Broadband Authority was held on April 26, 2021. 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. Trevor Henry, Mr. Bill Fritz

ABSENT: None

Also Present: Mr. Richard DeLoria (Senior Assistant County Attorney), Mr. Mike Culp (ABBA, Chief Administrative Officer), Robert Rejonis (Albemarle County Public Schools)

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:

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.

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, June 17th, and September 2nd 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. With that explanation, I ask the board members attending to identify themselves and their current location in general terms.

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

Mr. Walsh stated he was attending from home.

Mr. Jaquith stated he was attending from home.

Mr. Henry stated he was attending from the County Office Building.

Mr. Fritz stated he was attending from home.

Ms. Palmer stated she was attending from home.

Ms. Price stated she was attending from her office in Albemarle County.

Agenda Item No. 2 Approval of Agenda

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

Mr. Walsh **seconded** the motion.

The motion was **approved** unanimously.

Agenda Item No. 3 Brief Announcements from the Board

There were no comments.

Agenda Item No. 4 Public Comment

Seth Rogasta from the Ivy Vista neighborhood in the Samuel Miller district stated the neighborhood had been cut out of the VATI program because of the federal grants that had been given in the area to Firefly. Mr. Rogasta noted that CenturyLink currently serves the area. Mr. Rogasta stated that the only option is working with the County and hopefully getting Firefly to make the neighborhood part of the CenturyLink project. The neighborhood realizes that the issue has been created by the Federal government and hopes that ABBA can do something to help and prevent this issue in the future.

Mr. Jaquith stated that we can propose to the State that they fund an area, but the Federal government can come along at any time and say they are covering an area. Mr. Jaquith noted that the Federal funding is an 8-year program and the State program is a 1-year program and currently the State will not fund a project if the area is covered by a Federal program.

Agenda Item No. 5 Approval of February 24, March 10 and March 24 Minutes

Ms. Palmer noted that the March 24 minutes should reflect that in the VATI grant different distances for connections were selected. They have greater distances. (Secretary note: These changes were made to the March 24 minutes.)

Mr. Culp stated that VATI grants include a proposed take rate which is different than passbys. In the rural areas rock, streams or distance can impact the take rate because of the cost. The bid is done on a

take rate. As we go forward the 2022 process will be improved to address the cost of connections beyond just going down the main road.

Ms. Price **moved** to approve the minutes.

Mr. Henry **seconded** the motion.

The motion was **approved** unanimously.

Agenda Item No. 6 Old Business

Agenda Item No. 6a VATI 2020 and 2021 Updates

Mr. Culp stated that biweekly updates to the community are going out. Mr. Culp state that the Buffalo Hills, Coles Rolling, Hatton and Keene areas are taking orders with the Scottsville Road project taking orders later this week. Mr Culp noted the schedule for the other projects to take orders was Howardsville May 7th, Green Creek Road May 11th and Watts Passage on May 14th.

Ms. Palmer asked if The Quarries is part of the Green Creek Road project.

Mr. Culp stated that it was, and he was working on getting the 650 foot connection issue addressed for people in this area.

Mr. Culp stated that the forms and maps for the VATI 2021 project are being updated and that DHCD will need to approve these documents before the agreements can be finalized.

Mr. Culp noted that DHCD has allowed him to update the CAMS data system which is making things much easier.

Agenda Item No. 6b ABBA Financial Report (appendix A)

Mr. Henry stated that there have been no invoices submitted by CenturyLink and there has been no change in the financial report.

Agenda Item No. 7 New Business

Agenda Item No.7a Discussion with CVEC/CVSI and Firefly Representatives

Mr. Walsh stated that Dominion, Central Virginia Electric Cooperative and Rappahannock Electric Cooperative are proposing to run fiber with most of the fiber to be installed by Dominion. A Memorandum of Understanding has been prepared discussing how this installation will be done.

Mr. Wood (Firefly) shared a map showing the service areas of CVEC, Dominion, AEP, REC and the RDOF areas. The proposal is for universal service in all the service areas with the service to be provided by Firefly. Mr. Wood stated that they intend to apply for a VATI grant. Dominion needs to go to the SCC o get permission to build on their own lines, as the state is allowing them to charge electric rate payers for this as a regular expense. In general, the idea is that Dominion will build a backbone on their own lines,

and that CVEC and their CVSI/Firefly subsidiaries will lease that and build more infrastructure as needed on REC and Dominion facilities to offer fiber to the home. The full area included in the grant application is still being determined. A few locations that are very remote may not be served. However, the proposal will cover more than the 97% VATI considers universal service. Mr. Wood stated that he will come back to the ABBA with more details, funding opportunities and what may be requested from ABBA.

Mr. Jaquith asked if there will be overbuilding.

Mr. Wood stated there will be some overbuild because where the lines have to be run will in some cases require crossing served areas to reach unserved areas. The served areas will not be included in the grant application.

Ms. Palmer asked if they are trying to get all the areas not served by CVEC now.

Mr. Wood stated yes.

Ms. Palmer asked if any state laws need to be changed to support this effort.

Mr. Wood stated no. However, Dominion does need SCC approval.

Mr. Jaquith asked the timeline.

Mr. Wood stated that VATI requires construction within 3 years of signature. The plan is to start in the spring of 2022 and finish in the spring of 2025.

Ms. Palmer asked if long drops will be included in the grant application.

Mr. Wood noted that the State wants extra costs for long drops included in the application.

Ms. Palmer noted this would improve the take rate.

Mr. Wood stated that the projected take rate for previous projects was 35% in the first two years. Take rates are now over 50% and in some cases over 75%. The plan for VATI will likely be 50%.

Ms. Palmer noted that VATI was looking for one grant that will get it done.

Mr. Wood stated he would be back in August with more information.

Mr. Jaquith **moved** to have ABBA sign the Memorandum of Understanding.

Mr. Palmer **seconded** the motion.

The motion was **approved** unanimously.

Ms. Price stated that this is what we have striven for, it gets to any household or business. Ms. Price stated that this is very exciting, and she hopes it comes to pass.

Ms. Palmer asked Mr. Wood if all unserved properties will be known when he returns in August.

Mr. Wood stated that was the intent.

Agenda Item No.7b Broadband Affordability Discussion

Mr. Culp introduced Jason Inofuentes.

Mr. Inofuentes stated that he will be working on affordability in the Broadband Office.

Mr. Culp stated that he working to address affordability including the emergency broadband benefit from the Federal government that should be available sometime in May.

Mr. Walsh asked if Mr. Culp was looking for anything from ABBA.

Mr. Culp stated that the cost of long drops will be part of the VATI applications, and he may look to use ABBA as a grantor to address long drop costs. This will be something to future discussions.

Mr. DeLoria stated that the current structure of ABBA does not allow the Authority to make direct grants. There may be other options that are within the authority of ABBA. Any option will need to follow procurement requirements.

Mr. Walsh stated that during the updating of the strategic plan this should be a topic of discussion.

Ms. Palmer asked who comes up with what affordability is such as equipment cost, connection fees, monthly costs etc.

Mr. Culp stated that his office will need to come up with this. The office begins on May 1 and it can work with the County procurement or ABBA. This gives greater flexibility in coming up with potential solutions.

Agenda Item No.7c VATI 2022 Guidelines and Next Steps

Mr. Culp stated that the input session is now open and there is a form online or comments can be provided to him. Mr. Culp stated that he would be attending input meetings tomorrow and on May 4th.

Mr. Culp noted that the 25/3 speed is an ongoing concern and clarity of RDOF impacts is needed. The end of the input session is May 17th. The intent application deadline is July 27th. The deadline for applications is September 14th.

Mr. Walsh stated that ABBA members with comments should send them to Mr. Culp so he can put them together. Mr. Walsh stated that at the May meeting ABBA should set dates for an early September meeting to allow the VATI applications to be submitted.

Ms. Palmer noted that she had spoken with Evan Feinman and Kyle Rossner, (the governor's broadband advisors) and they had informed her that VATI grants that include all of a County or Planning District will get the most points and are most likely to be approved. What Mr. Wood presented fits in with the State's goals. Ms. Palmer stated the State wants long line drops include in the grant.

Agenda Item No. 8 Adjourn

Mr. Henry stated that with the new office ABBA should add a recurring agenda item which is an update from the Broadband Office.

Mr. Walsh stated that this overlaps with old business items and it should be added there.

Ms. Palmer **moved** to adjourn the meeting.

Mr. Walsh **seconded** the motion.

The motion was **approved** unanimously.

The meeting adjourned at 6:11 p.m.

4-4300-91097-491097-950030-9999 (EXPENSE CODE)**BROADBAND INCENTIVES**

	Fund Balance	Commitment/ Projected Expenses	Paid Expenses	Remaining Project Funds	
Initial FY21 Balance (includes deposit of VATI 2019 award and reappropriation of unspent FY20 funds to FY21)	\$1,306,415.16				
VATI 2019 Project at Midway Commitment (PO 2021-7298 CVEC)		\$0.00	\$373,248.00	\$0.00	PROJECT CLOSED OUT AND PAYMENT MADE
	\$933,167.16				
VATI 2020 Project at 8 locations Commitment (PO 2021-7747 CenturyLink)		\$291,300.00	\$0.00	\$291,300.00	*CenturyLink prerogative to bill quarterly or in one single invoice
	\$641,867.16				
VATI 2021 Project _____ Commitment (Funds Offered in March, paperwork is in progress)		\$640,000.00	\$0.00		
	\$1,867.16	\$931,300.00	\$373,248.00	\$1,867.16	
Appropriation of \$3,715.00 PT Wages and \$285.00 FICA moved to 950030 Broadband Incentives on 11/4/2020.					