

A regular meeting of the Albemarle County Broadband Authority was held on March 24, 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)

---

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 15<sup>th</sup>, June 17<sup>th</sup>, and September 2<sup>nd</sup> Continuity of Government Ordinances, this Authority's Resolution of April 22<sup>nd</sup>, and the Virginia statute signed into law on April 24<sup>th</sup> 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 home.

Mr. Fritz stated he was attending from home.

Ms. Palmer stated she was attending from home.

Ms. Price stated she was attending from the County Office Building.

---

Agenda Item No. 2 Approval of Agenda

Mr. Walsh stated he would like to add “Change in Strategic Plan” as item 7f.

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

Ms. Price announced that there was a virtual Townhall meeting to discuss the budget on Tuesday, March 30<sup>th</sup> at 6:30.

Mr. Henry thanked Mr. Walsh for attending the recent Board of Supervisors meeting.

---

Agenda Item No. 4 Public Comment

Seth Rogasta from the Samuel Miller district stated that a group of neighbors from the Box Holly/Taylor Gap area plan on coming to the April meeting. They are happy to see VATI grants in the area however, they were cut out of VATI because of the federal funding for Firefly and they find this disturbing.

Mr. Walsh stated that VATI made it clear that areas receiving RDOF funding would not be funded by VATI and that is why areas were removed. ABBA is discussing ways to address the need to service in these areas.

David Ludwig congratulated ABBA on receiving a VATI grant. Mr. Ludwig asked how residents can find out if they are in the VATI covered area or the RDOF area.

Mr. Culp stated that he is working to define the area and map it. The map will be preliminary but will improve as the engineering for the project is completed.

Michael Gieser stated that the he was hoping for good news about burying Dominion lines in the Carrsbrook area.

Mr. Culp stated that he had no news about this and more work needs to be done by Dominion.

---

Agenda Item No. 5 Approval of February 24 Minutes

The February 24<sup>th</sup> minutes were not available. This meeting was carried over to the March 10 Board of Supervisors meeting.

---

Agenda Item No. 6 Old Business

Agenda Item No. 6a VATI 2020 and 2021 Updates

Mr. Culp stated that information is going out the community that due to weather delays the VATI 2020 projects have been delayed. Orders will start being taken next week and extending into early June. Work is picking up as the weather improves. The delivery is being rolled out in a strategic manner so that not all projects come online at the same time.

Mr. Culp announced that Albemarle had received a VATI grant for 1,675 locations. The next steps are to enter contracts with VATI and prepare the service agreements. Mr. Walsh, Mr. Jaquith, Mr. DeLoria and the Albemarle County Finance Department will be working to get all of the necessary agreements processed and approved.

Agenda Item No. 6b Mapping Update

Mr. Culp stating that the mapping is being prepared and they are trying to get it as accurate as possible, particularly at the fringes of the project. Mapping is available at [www.albemarle.org/broadband](http://www.albemarle.org/broadband).

Mr. Culp presented a working version of the mapping being prepared. This mapping shows VATI 2020, VATI 2021 and RDOF.

Mr. Walsh stated that ABBA is not part of the RDOF projects.

Mr. Jaquith noted that ABBA has no control over RDOF because it is a Federal project.

Ms. Palmer asked if houses just outside the VATI grant area will be served.

Mr. Derek Kelley from CenturyLink, stated that the houses in the RDOF area were removed from the project.

Mr. Henry asked if there was any way to incentivize the speed that RDOF projects are completed.

Mr. Culp stated this may be possible but that VATI funds could not be used.

Mr. Jaquith stated that it would be good to encourage competition because that will encourage deployment.

a. Agenda Item No. 6c 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 ACPS Representation in ABBA Meetings and Email Updates

Mr. Walsh thanked Dr. Christine Diggs and Robert Rejonis from Albemarle County Schools for attending and looks forward to continuing to work with them in the future.

Dr. Diggs stated that a high priority for ACPS is to make sure that schools and students are connected to broadband and ACPS supports the work of ABBA.

Mr. Rejonis said that he looks forward to working on addressing the need for broadband in the County.

Mr. Henry stated that the Board of Supervisors and School Board expressed the importance of broadband in a joint meeting.

Mr. Culp asked the Board to include Mr. Rejonis in the ABBA email address.

Mr. Walsh stated that the Board would review this further and make a decision at a later date.

#### Agenda Item No.7b Broadband Affordability Discussion

Mr. Culp stated that general assistance with paying bills exists such as Lifeline and programs that ISPs have and that the County is trying to expand these programs.

Mr. Walsh asked if the assistance aligns with other programs such as SNAP.

Mr. Culp stated that it did. Mr. Culp noted that ABBA may work on affordability of extension of service to the home. Service providers will extend a certain distance from the lines they install and then charge beyond that distance. Mr. Culp asked to work on a policy to address this issue and present options in the future.

Mr. Walsh noted that ABBA cannot make grants to anyone but we can pay some bills.

Mr. DeLoria stated that ABBA can make loans, which may be forgiven. ABBA may also work with the Economic Development Authority. Mr. DeLoria further stated that General Assembly action would be needed to give ABBA the authority to make grants.

Ms. Palmer noted that ABBA may work with the ISPs.

Mr. DeLoria stated that procurement issues will need to be evaluated.

Mr. Walsh noted that some can't afford internet or the extension while others may be able to afford internet but not the extension.

Mr. Henry asked if the Board had interest in working on addressing this issue and should Mr. Culp continue to work on options. Mr. Henry stated that he had an interest in continued work in this area.

Mr. Walsh supported Mr. Culp's continued work.

Ms. Price stated that providers do not have a standard distance they will extend service but it is typically around 600 feet. If over 600 feet the whole distance is charged to the customer not just the distance over 600 feet. This is not how it should be done.

Ms. Palmer asked if the connection issue raised by Ms. Price is a corporate level decision by the service providers.

Mr. Culp stated that it was. Some will cover the first part of the connection and then charge only for the excess. Others do not. Some providers will have special sign up periods and waive the cost if connection is done in the sign up period.

Ms. Palmer asked how often the distance is an issue.

Mr. Jaquith asked if someone could do the work themselves instead of hiring the service provider.

Mr. Henry stated that he did not know.

Mr. Fritz supported Mr. Culp's continued work to address the connection issue.

#### Agenda Item No.7c Rural Digital Opportunity Fund Status CVEC/Dominion/REC Presentation Recap

Mr. Culp announced that TJPDC, CVEC, Dominion and REC were working together and trying to address the middle mile question. Some of the work they are doing may be included in a VATI 2022 application and may overlap with some RDOF area. A draft Memorandum of Understanding has been submitted to Counties with signing by June being targeted. The next steps are more meetings to discuss the options.

Mr. Culp stated that Firefly will be at the April meeting.

Mr. Walsh stated that any place that Dominion or REC goes is potentially eligible in this program to be served by Firefly. This is an opportunity to make thousands and thousands of connections. Mr. Walsh noted that he had received the MOU and will distribute it to the Board members.

Mr. Henry noted that this project is being led by TJPDC. Mr. Henry asked whom the MOU is with.

Mr. Walsh stated that the MOU would be with ABBA and encouraged all Board members to review it. The timing on making a 2022 VATI application is tight.

Mr. Jaquith asked what the ambition is, how interested are the parties and what is the timeline.

Mr. Walsh stated that the sense he got from reviewing the MOU is that goal is to connect anyone that wanted to be connected within a couple of years.

Ms. Palmer commented on the map of the coverage area and asked does Dominion put in the middle mile in their area. Ms. Palmer noted that Comcast serves some of the Dominion area.

Mr. Culp stated that the map shows electric service areas and service providers will install the middle mile in the area they serve and make it available to others. This will require approval by the State. Mr. Culp noted that Dominion would not be the service provider.

Ms. Palmer asked if Dominion had started to install fiber.

Mr. Walsh stated they had not started in Albemarle but had in other parts of the network.

Ms. Palmer asked if Comcast would have any involvement in this project.

Mr. Walsh stated that they would. State law limits where Dominion can run fiber. They can only install in unserved areas as defined by VATI which is 25 down and 3 up.

#### Agenda Item No.7d VATI 2022 Preparations.

The Board took a break from 6:20 to 6:25

Mr. Culp stated that input session dates have been announced and the deadline for applications is September. The next milestone is to post notice of the areas we intend to apply.

Mr. Walsh complimented Mr. Culp's work on the VATI 2021 applications and noted that this was the 5th year in a row Albemarle had been successful.

#### Agenda Item No.7e American Rescue Plan and Board of Supervisors Actions Impacting Broadband: Mar. 17 Appropriation Discussion

Mr. Henry stated that the Board of Supervisors had initially asked staff to develop a \$3 million appropriation. This appropriation was delayed to allow the American Rescue Plan to be evaluated. On March 17th \$350,000 was requested from the Board of Supervisors. \$100,000 for the start up of the Broadband Office with \$250,000 for the affordability program. The American Rescue Plan is being looked at to see if it can be used. On the 29<sup>th</sup> more information will be presented to the Board of Supervisors.

Ms. Palmer stated that the goal was to see if more funds can be provided to ABBA using the American Rescue Plan.

Ms. Price noted that this is a much stronger position for the Board of Supervisors to consider the American Rescue Plan and that the Board of Supervisors remains committed to supporting broadband.

Mr. Walsh stated he supported the Board of Supervisors approach to consider funding opportunities.

Mr. Henry stated that there may be funding opportunities beyond the American Rescue Plan.

Mr. Culp noted that if the American Rescue Plan funds cannot be used the Board of Supervisors will be approached.

Ms. Price stated that she wanted to let the public know that the Board of Supervisors supports the broadband efforts of ABBA.

#### Agenda Item No.7f Change in Strategic Plan

Mr. Walsh stated that the purpose of the Strategic Plan is to communicate what we do, why we do it and how we are going to do it. Mr. Walsh stated that he had recently reviewed the plan and saw three things that should be discussed:

- Affordability. Gave a passing glance and should be more affirmative in our statements.
- Broadband office is not included in the plan
- 25/3 definition of speed. This is inadequate for household with multiple users. Thinks maybe 10 up is a more useful number.

Mr. Jaquith stated that the board had also considered this during the summer and decided not to change the plan due to the potential impacts on projects, particularly point to point wireless.

Mr. Walsh asked the Board members to review the Strategic Plan prior to the June meeting.

Mr. Henry stated that he agrees with the idea of reevaluating the plan. Mr. Henry recommended presenting the plan to the Board of Supervisors and asking them to adopt it also.

---

#### Agenda Item No. 8 Adjourn

Mr. Jaquith **moved** to adjourn the meeting and noted that the next meeting is on Monday April 26<sup>th</sup> and not Wednesday the 28<sup>th</sup>.

Ms. Palmer **seconded** the motion.

The motion was **approved** unanimously.



Update: 3/16/2021

**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 (not yet awarded, with CenturyLink)		\$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.					

DR