

**LOUISA COUNTY BROADBAND AUTHORITY
BOARD OF DIRECTORS
LOUISA COUNTY OFFICE BUILDING
1 WOOLFOLK AVENUE
LOUISA, VIRGINIA
April 5, 2017 7:00 P.M.**

Present: Melvin Burruss, Steve Duren, Bernie Hill, Mary Johnson, Mark Luttner, Brian Sullivan, Garth Wermter

Others Present: Christy Monolo, Assistant County Attorney; Stephanie Koren, Mineral District Supervisor; Fitzgerald Barnes, Patrick Henry District Supervisor; and Bob Hardy, Louisa County Information Technology Director

CALL TO ORDER

Mr. Wermter called the April 5, 2017 regular meeting of the Broadband Authority (BBA) Board of Directors to order at 7:00 p.m.

Mr. Wermter led the Pledge of Allegiance.

ADOPTION OF THE AGENDA

On the motion of Mr. Hill, seconded by Mr. Duren, which carried by a vote of 7-0, the Board voted to adopt the April 5, 2017, agenda.

APPROVAL OF MINUTES

On the motion of Mr. Duren, seconded by Ms. Johnson, which carried by a vote of 7-0, the Board approved the March 1, 2017, minutes.

NEW BUSINESS

There was none.

UNFINISHED BUSINESS

Discussion- Update on Tower Locations

Mr. Bussing discussed the status report which included a draft table of tower site evaluations displaying the four fast track sites and twelve sites for evaluation as discussed in previous planning efforts. Mr. Bussing stated that eight to ten sites had been planned for and budgeted. He requested that the Authority send him comments and rankings on all of the site locations by April 14, 2017. Additional specifics regarding the ranking process were requested.

Mr. Bussing stated that important factors for ranking included distribution throughout the county, areas that needed broadband, the ability for the Authority to get on the site for a low to no lease fee.

Mr. Wermter clarified that Mr. Bussing was looking for guidance from the Authority on site locations. Brief discussion ensued. Mr. Wermter suggested that there be an internal ranking among the Authority members and that the ranking be provided to Wide Open Networks.

Mr. Wermter asked whether Wide Open Networks had had the opportunity to evaluate LTE.

Mr. Bussing stated that Wide Open Network's GIS staff was working to obtain the software models. He stated that he would ask for an update from the staff. Mr. Bussing mentioned that the coverage from the broadband LTE equipment was performing well and outperforming the coverage of the WiFi- based coverage.

Mr. Wermter requested additional details regarding LTE as it would provide clarification to the Authority on tower locations.

Mr. Bussing mentioned the importance of including any other potential tower sites while the overall list for planning and mapping was still being discussed. He stated that the information needed to be given to the engineers in order for them to start the CUP process.

It was asked whether additional sites still needed to be identified. Mr. Bussing stated that if all ten current sites were deemed acceptable, then additional identification would not be necessary.

Mr. Hardy stated that Mr. Goodwin had suggested that the Authority attend the next Board of Supervisors meeting to give an update on the four fast-track sites and receive the Board of Supervisors' input.

It was suggested that a budget update for the fast-track sites be prepared for the presentation at the upcoming Board of Supervisors meeting on April 17, 2017.

Mr. Burruss asked what the radius of coverage was at the Moss-Nuckols site. Mr. Bussing stated that with propagation studies, the coverage area was a three mile radius but with the use of LTE equipment, the radius could be five to six miles. Brief discussion ensued regarding the locations of the fast-track sites.

There was a brief discussion regarding the availability of the Ruritan Club's Holly Grove site. Mr. Sullivan stated that they had already spoken with the owners and that the owners were okay with further examination.

There was brief discussion regarding the Holly Grove Volunteer Fire Station site. Mr. Sullivan stated that he would reach out to them first- hand to make sure that they definitely were not interested in having a tower located there. Brief discussion followed regarding the leasing process with potential private land-owners.

Mr. Wermter stated that since the broadband project was a civic service, he hoped that a fire department would want to allow the tower to be placed at their location. He said that if the answer was not favorable, then the next procedure would need to be discussed with the Board of Supervisors as the project did use tax payer money.

Mr. Bussing stated that if the Authority were to acquire a lease, Wide Open Networks recommended obtaining a long-term lease and paying the entire cost up front in order to keep it within the construction budget rather than as an operational cost.

Mr. Wermter requested that Mr. Hardy take a couple of static shots of the four fast-track sites, at three mile and five mile radiuses, in order for the Authority to look at all of the areas. There was brief discussion regarding the map and tower locations.

Mr. Wermter requested that Mr. Bussing provide him with the population density information before the presentation at the Board of Supervisors meeting on Monday, April 17, 2017.

Discussion- Update on CUP Permit Process

Mr. Bussing stated that as of March 2017, Eden and Associates had been engaged with the project for about five weeks and had made great progress working with the Louisa County Community Development Department who had clarified questions about what needed to be included in the site plan, what photos to include, and if balloon flights could be conducted. He stated that the department had put together a schedule of notices and attached a table that included key dates. Mr. Bussing reported that they were preparing engineered level drawings and putting together the paperwork for FAA to be submitted and reviewed for each of the sites. He stated that as of April 4, 2017, they had been approved to submit by the Louisa County School Board. He stated that the pre-application meeting with Community Development had been done. Mr. Bussing explained that the next few items in the plan were to conduct a balloon flight and to continue with FAA reviews.

Ms. Johnson gave an update on her communication with Louisa County Community Development. She stated that the CUP regulations for telecomm regulations allowed for an exemption for non-commercial government owned wireless communication facilities. She stated that the definition gave the project an exemption from CUP process but that because there were going to be commercial providers on the towers, the Community Development Director, Ms. Finchum, wanted to ask the Board of Supervisors whether they were exempt from the process. Ms. Johnson stated that Ms. Finchum felt strongly that the fee of \$3,700 for each CUP could be waived since it was a government project. Ms. Johnson stated that this item would be discussed at the upcoming Board of Supervisors meeting on April 17, 2017.

Mr. Wermter stated that they should continue with the process as if it were a CUP unless otherwise notified by the Board of Supervisors.

Mr. Bussing stated that in the status report, there was a prospective tenant sheet for the towers. He stated that they would start reaching out to potential providers with the revised letter. He stated that if there were other contacts to reach out to, that the Authority notify him. He listed

AcelaNet, IWisp, Virginia Broadband, Piedmont Broadband, and Rappahannock as potential WISPs. He stated that they were already talking to the Louisa County Public Schools as a potential tenant. Brief discussion followed regarding potential tenants.

Mr. Bussing stated that he was communicating with cell phone companies to see if they were interested in putting small installations on but that the towers were not designed for normal cellular application. There was brief discussion regarding the importance of cellular coverage.

There was brief discussion regarding the draft lease agreement. Ms. Monolo stated that there were some items that were still up for negotiation within the agreement, but that overall, it was a general lease agreement.

Mr. Hardy stated that he, Ms. Koren, and Mr. Bussing had attended the Louisa County School Board Meeting on April 4, 2017, and that the school board had voted to approve Wide Open Networks to proceed with the CUP process on school properties. He stated that a question had come up at the meeting regarding changing technology, and whether the schools would have access to using the towers on their sites. Mr. Hardy stated that all had been in agreement that the schools could have access. Mr. Hardy stated that Mr. Outten had also expressed concern that if the Moss- Nuckols school were expanded, whether the tower be in the way. Mr. Hardy discussed the tower location at the high school briefly.

Mr. Wermter encouraged the Authority to start their research regarding the tower location ranking and to begin thinking about which other locations they would prefer to choose and that the goal was to collectively discuss the locations. Brief discussion regarding tower locations followed.

There was brief discussion regarding the importance of a press release.

Mr. Sullivan stated that it was crucial that the minutes be posted on the website once they were approved.

There was brief discussion on the message to the public and that it be emphasized that the county would not be providing internet service to the county, but would be providing the infrastructure in place for the intention of distribution.

Mr. Wermter asked Mr. Bussing for a coverage map for the fast track towers, population density map, an updated estimate for the budget, and the specific construction schedule for the fast track towers within the next two weeks.

Discussion- LCBBA By-Laws

Mr. Hill stated that he had not received any feedback on the by-laws or Rules of Procedure so he assumed that the Authority was ready to approve.

Ms. Johnson inquired as to whether the officers (Clerk and Treasurer) had to be members of the Authority. Mr. Wermter stated that they did not.

Mr. Hardy stated that at the annual organizational meeting, the Clerk was to preside over the meeting until a new Chairman was chosen. He was unsure if that needed to be stated in the by-Laws.

On the motion of Mr. Hill, seconded by Ms. Johnson, which carried by a vote of 7-0, the Board approved LCBBA by-laws as amended.

Discussion- LCBBA Rules of Procedure

Mr. Hill asked which document referred to the meeting that elected officers. Mr. Sullivan stated that section 3.1 specified that the first meeting of the Authority was to be organizational. He stated that section 5.2 specified that the organizational meeting was when officers were elected.

There were no further discussion.

On the motion of Mr. Sullivan, seconded by Mr. Luttner, which carried by a vote of 7-0, the Board approved the LCBBA Rules of Procedure as amended.

PUBLIC COMMENTS

Joe Lenig, Director of Sales and Marketing for Virginia Broadband, LLC, spoke briefly. He stated that 3650 LTE had coverage reaching the 5-7 mile range with speeds in the 40-60 megabyte per second range and that it was working well. He stated that the frequency was licensed and registered in Orange County. He encouraged the Authority to look at the language in the CUP in order to make sure that the mini towers would have an easier process. He stated that if there was strong internet service at a home, the cell service would be available and that equipment was available that would allow people to connect to their internet service in order to make cell phone calls. He recommended that Mr. Bussing use some mapping applications that would take propagation studies and show what census blocks were apparent. He stated that this was critical because any state or federal grants would focus on the census blocks that were unserved and the population within them. He encourage the Authority to contact him with any questions they might have. He commended them on their efforts and time on the project.

Mr. Bussing inquired as to what the licensing process was for the LTE technology. Mr. Lenig stated that approval would have to be granted from the grandfather satellite stations in Northern Virginia that used the frequency.

Margaret Cooper, from the Mineral District, stated that she lived at the intersection of Route 652 and Elk Creek Road. She expressed her concern with cell coverage and that Wifi calling would be difficult for her as she had a small business out of her home and used four to five phone lines. Mr. Wermter stated that many were in a similar situation. He briefly discussed the four fast track tower locations and that they were all centrally located. He stated that he knew that the remainder of the locations were anticipated to have coverage gaps. Ms. Cooper inquired as to what was being done to keep landlines. She referenced the fact that Verizon would potentially be doing away with landlines and that WISPs would not help her situation.

Mr. Hardy clarified that Verizon wanted to sell their landline service but that they would not be allowed to drop the landlines. He clarified that they would sell the lines to another company. Brief discussion ensued regarding the towers.

Ms. Cooper asked what citizens could be doing to encourage the process of the project. Mr. Wermter advised that Ms. Cooper attend the next Board of Supervisors meeting on April 17, 2017.

Joe Brooks, from the Mineral District, requested that more information be displayed on the county website regarding project updates. He stated that he was concerned that there needed to be more competition among the providers, and that it was important not to build infrastructure just for the providers who were already located there. He stated that the prices did not seem to be competitive.

Ms. Koren clarified that the Public Comment period for the Board of Supervisors meeting on April 17, 2017, would be at 6 p.m.

PUBLIC HEARINGS

There were none.

CHAIRMAN/GENERAL MANAGER'S REPORT

Mr. Wermter stated that one of the challenges that the Authority faced was little competition. He stated that the Authority learned as the project progressed that there was not a lot of desire from providers to come into the county as it was a rural area and was not highly profitable to serve. He explained that the goal then shifted to having it profitable for any ISP. He stated that one of the best ways to ensure adoption had been to reach out to the providers such as AcelaNet and that the Authority would continue to reach out to others. He stated that the goal of the Authority was to make it simple to compete, and that the towers could serve as backbone infrastructure. He stated that he thought by building them, it would be easier to distribute coverage out to neighborhoods. He referenced the Moss-Nuckols area, what was done well there, and what was not done well there. He also stated that the County's budget did not support what the Authority wanted to do. Therefore, he stated that they would start with a \$1.5 million dollar budget, which was the minimum viable investment that the county could make to expand broadband infrastructure.

There was brief discussion regarding the update on the schools and dark fiber. Mr. Hardy discussed the funding availability from E-Rate. He mentioned that the Authority had worked with the Community Development Department to change the ordinances to allow anything under 100 feet to receive administrative review.

CONSENT AGENDA

There was none.

APPROVAL OF THE BILLS

There were none.

CLOSED SESSION

There was none.

WEBSITE UPDATES

It was advised that all approved minutes and a draft press release regarding the four fast-track sites be posted on the website. Mr. Hardy suggested that the press release be posted after the Board of Supervisors meeting on April 17, 2017. It was agreed that this suggestion be followed.

FINAL COMMENTS

There were none.

NEXT MEETING

The next Broadband Authority meeting will take place on Wednesday, May 3, 2017, at 7:00 pm.

ADJOURNMENT

On the motion of Mr. Sullivan, seconded by Mr. Luttner, which carried by a vote of 7-0, the Board voted to adjourn the April 5, 2017, regular meeting at approximately 8:20 p.m.

BY ORDER OF:

GARTH WERMTER, CHAIRMAN
BOARD OF DIRECTORS
LOUISA COUNTY BROADBAND AUTHORITY