

**LOUISA COUNTY BROADBAND AUTHORITY
BOARD OF DIRECTORS
LOUISA COUNTY OFFICE BUILDING
1 WOOLFOLK AVENUE
LOUISA, VIRGINIA
November 15, 2017 7:00 P.M.**

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

Absent: Brian Sullivan

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

CALL TO ORDER

Ms. Johnson called the November 15, 2017 special meeting of the Broadband Authority (BBA) Board of Directors to order at 7:00 p.m.

Mr. Hill led the Pledge of Allegiance.

ADOPTION OF THE AGENDA

On the motion of Mr. Wermter, seconded by Mr. Hill, which carried by a vote of 6-0, the Board approved the November 15, 2017, agenda.

APPROVAL OF THE MINUTES

There were none.

PUBLIC COMMENT

There were none.

NEW BUSINESS

There was none.

UNFINISHED BUSINESS

Discussion- RFP Recommendation to the Board of Supervisors

Ms. Johnson stated that this item would be discussed during Closed Session of the meeting.

Discussion- Twin Oaks CUP Application Modifications

Ms. Johnson stated that a neighborhood meeting was held for the Twin Oaks tower, and there was at least one citizen who expressed concern about the location and situation of the tower. She stated that the Twin Oaks community had stated that they wanted to be good neighbors, and that there was an opportunity that they could relocate the tower elsewhere on the property. Ms. Johnson stated that currently, the Twin Oaks tower location was on hold until a determination could be made regarding a location that would satisfy neighbors.

Mr. Hardy stated that Twin Oaks had agreed to move the tower to the main piece of their property.

Mr. Bussing stated (via cell phone) that Twin Oaks had originally preferred to have construction access and vehicular access for maintenance purposes go through 134 West Old Mountain Road, so that the community would not be disturbed during any maintenance related events.

Mr. Hardy stated that the current offer was to consider a spot to the left of the main compound where there was a main (dirt) driveway which would be located closer to the compound and would reduce the cost of the project. Mr. Hardy stated that the Twin Oaks site had been anticipated to be one of the most expensive tower locations because of the amount of clearing that would be required and the length of the driveway. Mr. Hardy stated that an alternative site might benefit all parties involved.

Mr. Hardy stated that during the Twin Oaks' neighborhood meeting, a tower company was there for their own neighborhood meeting at Lake Anna. The tower company had written a letter to Linda Buckler, Louisa County Deputy Zoning Administrator, to inform her that they were also planning to build a tower near Twin Oaks and that they would offer an ISP free service on the free space of the tower they were planning to build. According to Mr. Hardy, the tower company had stated that theoretically, the County could put their backhaul on the tower as well. Mr. Hardy stated that it would be below 143 feet, which would not be ideal because it would not have the same coverage area, but that it would still work. He stated that this idea was an alternative to building a tower at the Twin Oaks location. Although it would eliminate Twin Oaks from receiving fiber, the County would not have to build a tower in that area.

Mr. Burruss inquired as to how the timeline was affected from pursuing the Twin Oaks location versus the other commercial tower location proposal.

Mr. Hardy stated that he would have to acquire more information in order to answer that.

Ms. Johnson stated that placing the Twin Oaks CUP application on hold was only temporary until the Authority could evaluate an alternative site and consider any opportunity of co-locating on a commercial tower and what the timeline would be. She clarified that the CUP application had not been withdrawn but modifications needed to be made to it. Ms. Johnson stated that the Authority still needed more information from the tower company. She stated that she felt strongly that the Authority should research the commercial tower co-location option as it might provide savings to the County.

Mr. Duren inquired as to whether there had been any indication as to whether the commercial tower would have space for other WISPs to locate on that tower.

Mr. Hardy stated that the company had offered space for one WISP, and that they could use that same ten foot space. He stated that the second WISP would pay them some amount of money which would be up for negotiation. He stated that they could perhaps limit the price on the second one. He suggested that if the Authority wanted to pursue the opportunity, that they contact the tower company to see what would be available. He stated that if the timeline for the project was too far in the future or unknown, that the Authority could resume pursuing a new tower location at Twin Oaks.

Ms. Johnson stated that the CUP process and legislative process regarding the tower ordinance clearly specified that if there was another existing tower nearby, that the consultant or applicant explain to the County and citizens what prevented them from using the existing tower. She stated that it was an opportunity to see if the potential commercial tower would meet the County's needs. She stated that they were moving forward in both paths.

There were no further questions.

PUBLIC HEARINGS

There were none.

CHAIRMAN/GENERAL MANAGER'S REPORT

There was none.

CONSENT AGENDA

There was none.

APPROVAL OF THE BILLS

There were none.

CLOSED SESSION

On the motion of Mr. Wermter, seconded by Mr. Hill, which carried by a vote of 6-0, the Board voted to enter Closed Session at approximately 7:12 p.m. for the purpose of discussing the following:

- 1. In accordance with §2.2-3711.29 VA Code Ann., for the purpose of discussing the recommendation for an award of a contract in response to the RFP issued for construction of wireless network infrastructure and ongoing network maintenance; and for the discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offers and the discussion of terms of scope of such contract where discussion in open session would adversely affect the bargaining position or negotiation strategy of the public body.

RESUMPTION OF REGULAR SESSION

On the motion of Mr. Wermter, seconded by Mr. Hill, which carried by a vote of 6-0, the Board voted to return to regular session at approximately 8:20 p.m.

RESOLUTION - CERTIFICATION OF CLOSED SESSION

On the motion of Mr. Wermter, seconded by Mr. Hill, which carried by a vote of 6-0, the Board voted to adopt the following resolution:

WHEREAS, the Louisa County Broadband Authority Board of Directors has convened a Closed Meeting pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712.D of the Code of Virginia requires a certification by the Louisa County Broadband Authority Board of Directors that such closed meeting was conducted in conformity with the Virginia Law.

NOW, THEREFORE BE IT RESOLVED that the Louisa County Broadband Authority Board of Directors does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting was heard, discussed or considered by the Louisa County Broadband Authority Board of Directors.

NAME

Melvin Burruss
Steve Duren
Bernie Hill
Mary Johnson
Mark Luttner
Garth Wermter

VOTE

Yes/Aye
Yes/Aye
Yes/Aye
Yes/Aye
Yes/Aye
Yes/Aye

FINAL COMMENTS

Mr. Barnes stated that the Authority needed to be placed on one of the agendas for the upcoming Board of Supervisors meetings, either on December 4th or December 18th. Ms. Johnson stated that the Authority would follow up regarding that action.

NEXT MEETING

The next Broadband Authority meeting will take place on Wednesday, December 6, 2017, at 7:00 pm.

ADJOURNMENT

On the motion of Mr. Wermter, seconded by Mr. Hill, which carried by a vote of 6-0, the Board voted to adjourn the November 15, 2017, special meeting at approximately 8:22 p.m.

BY ORDER OF:

MARY JOHNSON, CHAIRMAN
BOARD OF DIRECTORS
LOUISA COUNTY BROADBAND AUTHORITY